

LAWS=NEW JERSEY  
1946

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**ACTS**  
OF THE  
**One Hundred and Seventieth Legislature**  
OF THE  
STATE OF NEW JERSEY  
AND  
**One Hundred and Second Under the New Constitution**



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

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

LLOYD B. MARSH,  
*Secretary of State.*



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OF THE  
**One Hundred and Seventieth Legislature**  
OF NEW JERSEY

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# LAWS

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# ACTS

PASSED BY THE

## One Hundred and Seventieth Legislature

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### CHAPTER 1

AN Act to amend “An act relating to taxation and finance, providing for the establishment, organization and functions of a State Department of Taxation and Finance, repealing the following sections of the Revised Statutes: 52:18–22, 52:18–23; 52:19–16 to 52:19–36, inclusive; 52:20–3, 52:20–8, 52:20–9, 52:20–10, 52:20–11, 52:20–12, 52:20–16; 52:22–1 to 52:22–22, inclusive; 52:23–1 to 52:23–16, inclusive; 52:25–7, 52:25–8, 52:25–9, 52:25–10, 52:25–15, 52:25–17, 52:25–18, 52:25–19, 52:25–20, 52:25–21, 52:25–22, 52:25–24; 52:31–1, 52:31–7, 52:31–9, 52:31–10, 52:31–11; 54:1–3, 54:1–4, 54:1–5; and repealing sections eight and twelve of an act entitled ‘An act creating a State Department of Local Government, prescribing its powers and duties, and transferring to it certain powers and duties vested in the State Auditor,’ approved May ninth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 158),” approved April thirteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 112).

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

C. 52:27B-20.  
Section 11,  
article 3,  
amended.

1. Section eleven of article three of the act of which this act is amendatory is amended to read as follows:

Governor  
to consider  
budget  
requests.

11. The Governor shall examine and consider all requests for appropriations, together with the findings and recommendations of the commissioner, and shall formulate his budget recommendations, which shall be transmitted to the Legislature as a budget message on or before the Third Tuesday following the first meeting of the Legislature in each year, except a year in which a Governor shall be inaugurated, when he shall do so on or before February fifteenth following the commencement of his term.

Budget  
message.

The budget message shall embody the proposed complete financial program of the State Government for the next ensuing fiscal year, and shall set forth in columnar form detailed as to each source of anticipated revenue and the purposes to which the recommended appropriations and permissions to spend shall apply for each spending agency in substantially the following form:

Revenues:

A. Revenues for the General State Fund, State Highway System Fund, all other dedicated funds, Federal Aid Funds, and trust funds:

Balances;

(1) An estimate of all balances to be on hand on the first of July next ensuing which are to be available for appropriations, supported by the calculations used in arriving at the estimated figures;

Anticipated  
revenues.

(2) An estimate of the anticipated revenues from all sources applicable to the budget period, together with the actual amount earned from each source during the last completed fiscal

year, and the estimate of revenues expected to be earned from each source for the current fiscal year.

B. Mandatory dedications:

Mandatory  
dedications:

(1) Debt service:

Debt service;

The amount reserved for the payment of interest and principal of any State bonds heretofore or hereafter issued dedicated and payable from State revenue.

The amount reserved for payments to the State Highway Sinking Fund as provided by Chapter two hundred sixty-two of the laws of one thousand nine hundred and twenty-two and chapter one hundred eight-one of the laws of one thousand nine hundred and twenty-seven.

(2) State aid projects as follows:

State aid;

- (a) \$6,000,000.00 for the construction, reconstruction, maintenance and repair, operation, policing and lighting of county roads and bridges; for the payment of principal and interest of obligations heretofore incurred for any of such purposes, and for the extension of the county highway system under the following formula:

Percentage of population of each county to the total population of the State, according to the last Federal census;

Percentage of each county road mileage as against total county road mileage in the State;

Percentage of each county in area as against total area in the State.

- (b) \$2,100,000.00 to be expended pursuant to the provisions of chapter fifteen of Title 27 "Highways" of the Revised Statutes.
- (c) \$735,000.00 to be expended pursuant to the provisions of section 27:14-1 of the Revised Statutes.
- (d) \$210,000.00 to be expended pursuant to sections 27:15-10 to 27:15-13, inclusive, of the Revised Statutes.

Inland  
waterways.

- (3) Inland Waterways:  
\$90,000.00 to the Board of Commerce and Navigation for the construction, reconstruction and maintenance and improvement of the inland waterways as provided by section 54:39-74 of the Revised Statutes.

Appropriations.

C. Appropriations. The total of the appropriations recommended for the ensuing fiscal year in substantially the following form:

Detailed Budget:

- (1) An itemized statement of all appropriation requests and requests for permission to spend from the General State Fund, State Highway System Fund, other dedicated funds and Federal Aid and trust funds;
- (2) An itemized statement of the amounts recommended by the Governor with respect to item "1" above;
- (3) An itemized statement of all amounts appropriated and permissions granted for the current fiscal year with respect to item "1" above;
- (4) An itemized statement of all amounts appropriated and permissions granted for the last preceding fiscal year with respect to item "1" above detailed as to annual and supplemental appro-

priations, transfers of appropriations, State Emergency Fund allotments, and permission to spend, as the case may be, and showing also total expenditures, reserves, lapses and unencumbered balances;

- (5) In addition, such other statistical information as may more fully show comparisons and costs of the several departments.

2. This act shall take effect immediately.

Approved January 14, 1946.

WALTER E. EDGE,  
*Governor.*

## CHAPTER 2

AN ACT concerning county and municipal finances.

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

1. The director of local government is hereby given authority, and it shall be his duty, to receive for examination and certification the budget of any county or municipality for the year one thousand nine hundred and forty-six not filed within the time limit prescribed by statute, even though such budget may not have been introduced or approved within the time limits prescribed; *provided*, such budget be accompanied by a statement setting forth the reason for such delay in introduction or approval within the statutory period. All actions subsequently taken by the director of local government and the county or municipality with respect to certification, public hearing and adoption are to be taken forthwith and as if the introduction, approval or filing was within the date prescribed by statute.

Director to  
receive and  
examine  
budgets.

Proviso.

2. This act shall take effect immediately.

Approved January 22, 1946.

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## CHAPTER 3

AN ACT to amend "An act concerning motor vehicles, and supplementing chapter three of Title 39 of the Revised Statutes," approved April seventh, one thousand nine hundred and forty-three (P. L. 1943, c. 98).

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

C. 39:3-11.5.  
Section  
amended.

Extends  
veterans'  
driving  
privileges.

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

Proviso.

1. Any person, who is the holder of a valid license to drive a motor vehicle at the time he or she enters the active military or naval service of the United States, may continue to exercise the driving privilege therein conferred until the expiration of one hundred eighty days after the termination of the present war, or for a period of three months from the date of his or her discharge or release therefrom under conditions other than dishonorable, without payment of any fee therefor to the Commissioner of Motor Vehicles; *provided, however*, no such person shall exercise said privilege except when attired in official military uniform or when having in his or her possession evidence of his or her said discharge or release.

2. This act shall take effect immediately.

Approved January 24, 1946.



## CHAPTER 4

AN ACT to validate certain conveyances heretofore made by the board of chosen freeholders of any county.

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 has heretofore sold any lands not needed for public use pursuant to chapter thirty-two of Title 40 of the Revised Statutes, and such sales have been made to the highest bidder, after public advertisement at least once a week during two consecutive weeks, the last publication being not more than seven days prior to the sale, and such sales have been in part on credit and the county has accepted a purchase money mortgage fully payable within five years from the date of sale and bearing interest at not less than five per centum (5%) per annum, said sales and the mortgages given in connection therewith shall be valid and effectual in all respects.

Validates  
certain  
conveyances.

2. This act shall take effect immediately.

Approved February 7, 1946.

## CHAPTER 5

AN ACT concerning the qualifications to vote at annual or special school elections in certain cases, and supplementing chapter seven of Title 18 of the Revised Statutes.

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

Veterans  
permitted  
to vote.

1. Any person in the military or naval service of the United States, or any person who has been released or discharged from such service under conditions other than dishonorable, who is not permanently registered pursuant to Title 19 of the Revised Statutes, shall, nevertheless, be entitled to vote at any annual or special school election, upon presenting himself to the persons conducting such election and proving to such persons' satisfaction that he is in the active military or naval service of the United States during the present war, or by presenting his certificate of release or discharge from such service under conditions other than dishonorable; *provided*, that such person is a resident of the school district wherein such election is being held and possesses all the other qualifications which would entitle such person to vote in any general election; *and provided further*, that his name appears upon the list of military service voters in the county clerk's office of the county.

Proviso.

Proviso.

Act  
inoperative.

2. This act shall take effect immediately, but shall remain in effect only until July first, one thousand nine hundred and forty-six.

Approved February 13, 1946.

## CHAPTER 6

AN ACT concerning the retirement upon pension of certain judicial officers, and supplementing article one of chapter six of Title 43 of the Revised Statutes.

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

1. Any appointed judge of the Court of Errors and Appeals who has at the time of the passage of this act attained the age of sixty-four years and who has served in judicial office in this State for at least fifteen years in the aggregate, may retire from service as such a judge of the Court of Errors and Appeals upon filing his resignation, as such judge, in the office of the Secretary of State. Such resignation shall be accompanied by a statement that it is so filed for the purpose of taking advantage of the provisions of this act. Upon the filing of the resignation and statement as aforesaid, such judge shall be entitled to have and receive an annual pension or allowance in the sum of six thousand dollars (\$6,000.00) to be paid by the State Treasurer monthly as other judicial pensions are paid pursuant to the provisions of section 43:6-6 of the Revised Statutes.

C. 43:6-7.1.  
Retirement  
of certain  
judges.

Pension.

2. This act shall take effect immediately.

Approved February 15, 1946.

## CHAPTER 7

AN ACT concerning certain deductions from the compensation of persons holding public office, position or employment, whose compensation is paid by this State or any county, municipality, school district or other political subdivision of this State, or by any board, body, agency or commission thereof.

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

C. 52:14-15.9a.  
Authorized  
to make  
deductions.

1. Whenever any person holding public office, position or employment, whose compensation is paid by this State or any county, municipality, school district or other political subdivision of this State, or by any board, body, agency or commission thereof, shall indicate in writing to the proper disbursing officer his desire to have any deduction made from his compensation for the payment of insurance premiums written on the group plan of accident and sickness insurance, such disbursing officer shall make such deduction from the compensation of such person, and such disbursing officer shall transmit the sum so deducted to the company carrying such insurance.

May  
withdraw.

Any such written authorization may be withdrawn by such person holding public office, position or employment at any time upon filing notice of such withdrawal with the above mentioned disbursing officer.

C. 52:14-15.9b.  
Voluntary  
payment.

2. The making of any such deductions shall be construed to be voluntary payments by said person, and any and all rights of said person existing under the laws of this State shall be and remain the same as if the foregoing deductions were not made, except as provided in this act.

3. This act shall take effect immediately.

Approved February 19, 1946.

## CHAPTER 8

AN ACT to repeal "An act relating to the regulation of rates of speed of motor vehicles operating on the highways, and amending section 39:4-98 of the Revised Statutes," approved November thirtieth, one thousand nine hundred and forty-two (P. L. 1942, c. 325).

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

1. "An act relating to the regulation of rates of speed of motor vehicles operating on the highways, and amending section 39:4-98 of the Revised Statutes," approved November thirtieth, one thousand nine hundred and forty-two, is repealed.

Chapter 325,  
P. L. 1942,  
repealed.

2. This act shall take effect immediately.

Approved February 19, 1946.

## CHAPTER 9

AN ACT validating notes heretofore issued by municipalities in order to protect or promote the public health, safety, morals or welfare, or to provide for temporary housing or relief of the poor, and authorizing the use of the moneys raised for such purpose or purposes.

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

1. All notes heretofore issued by any municipality in order to protect or promote the public health, safety, morals or welfare, or to provide for temporary housing, or for relief of the poor, are hereby ratified, validated, approved and confirmed, not-

Notes  
validated.

withstanding any omission or defect in the proceedings authorizing their issuance; *provided*, said notes were sold for not less than par and accrued interest, and the municipality received the proceeds of said sale. Moneys derived from the sale of any such notes may be used for the purpose or purposes for which they were issued.

Proviso.

Use of  
moneys.

2. This act shall take effect immediately.

Approved February 21, 1946.

## CHAPTER 10

AN Act to amend "An act concerning elections, supplementing Title 19 of the Revised Statutes, and repealing 'An act concerning elections, and supplementing Title 19 of the Revised Statutes,' approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 141)," approved February fifth, one thousand nine hundred and forty-five (P. L. 1945, c. 7).

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

Section 1  
amended.

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

C. 19:2-2.3.  
Primary  
election.

1. The primary election for the general election shall be held for all political parties upon the first Tuesday in June in each year between the hours of 7 A. M. and 8 P. M., eastern standard time, so long as this act shall be in effect.

Section 2  
amended.

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

C. 19:23-14.1.  
Nominating  
petitions,  
filing date.

2. Petition nominating candidates to be voted for at the primary election for the general election to be held in each year, including those nominating candidates for election as delegates or alternates to the national conventions of political parties in

any year in which such candidates are to be so voted for, shall be filed with the respective officers with whom they are by law required to be filed on or before the seventy-fifth day prior to the first Tuesday in June so long as this act shall be in effect.

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

Section 12  
amended.

12. No division of any election district shall be made, pursuant to section 19:4-6 of the Revised Statutes, between the seventy-fifth day prior to the first Tuesday in June, and the day of the general election, in any year.

C. 19:55-38.  
Restricts  
dividing  
election  
districts.

4. Section thirteen of the act of which this act is amendatory is amended to read as follows:

Section 13  
amended.

13. The officer with whom any objection to the validity of any petition of nomination is filed, in accordance with section 19:13-10 of the Revised Statutes, shall file his determination in the manner required by section 19:13-11 of the Revised Statutes on or before the sixty-ninth day prior to the first Tuesday in June in each year.

C. 19:55-39.  
Filing deter-  
mination on  
validity of  
petition.

5. Section fourteen of the act of which this act is amendatory is amended to read as follows:

Section 14  
amended.

14. Any candidate making application or complaint to the Chief Justice or a Justice of the Supreme Court under section 19:13-12 of the Revised Statutes shall make such application or complaint on or before the seventy-second day prior to said first Tuesday in June and such application or complaint shall be heard, and the order made thereon, within two days after the filing of such application or complaint.

C. 19:55-40.  
Time of  
making  
application  
or complaint.

6. Section fifteen of the act of which this act is amendatory is amended to read as follows:

Section 15  
amended.

15. Vacancies occurring in the manner described in sections 19:23-12 and 19:23-13 of the Revised Statutes may be filled in the manner therein provided for; *provided*, the certification or new petition, as the case may be, is filed on or before the sixty-ninth day prior to said first Tuesday in June in each year.

C. 19:55-41.  
Filling  
vacancies.

Proviso.

Section 16  
amended.

C. 19:55-42.  
Amending  
nominating  
petitions.

7. Section sixteen of the act of which this act is amendatory is amended to read as follows:

16. Any candidate desiring to amend his petition of nomination, or affidavit or affidavits thereto, in the manner and in the particulars specified in section 19:13-13 of the Revised Statutes shall make such amendments on or before the sixty-ninth day prior to the first Tuesday in June in each year.

Section 17  
amended.

C. 19:55-43.  
Certifications  
by Secretary  
of State.

8. Section seventeen of the act of which this act is amendatory is amended to read as follows:

17. The Secretary of State shall make the certifications required by section 19:23-21 and the third paragraph of section 19:24-4 of the Revised Statutes on or before the sixty-ninth day prior to said first Tuesday in June in each year.

Section 18  
amended.

C. 19:55-44.  
Certifications  
by county  
clerks.

9. Section eighteen of the act of which this act is amendatory is amended to read as follows:

18. The several county clerks shall make the certifications required by section 19:23-22 of the Revised Statutes on or before the sixty-seventh day prior to said first Tuesday in June in each year.

Section 19  
amended.

C. 19:55-45.  
Certifications  
by municipal  
clerks.

10. Section nineteen of the act of which this act is amendatory is amended to read as follows:

19. The several municipal clerks shall make the certifications required by the second paragraph of section 19:23-14 of the Revised Statutes on or before the sixty-seventh day prior to said first Tuesday in June in each year.

Section 20  
amended.

C. 19:55-46.  
Determining  
position  
on ballot.

11. Section twenty of the act of which this act is amendatory is amended to read as follows:

20. The several county clerks and the several municipal clerks shall determine the positions which the candidates and the bracketed groups of candidates shall have upon the primary election ballots in each year, in the manner prescribed by section 19:23-24 of the Revised Statutes, on the sixty-eighth day prior to said first Tuesday in June at three o'clock in the afternoon.

Act  
effective.

12. This act shall take effect immediately, but shall remain in effect only during the present war.

Approved February 21, 1946.



## CHAPTER 11

AN ACT concerning elections, amending sections 19:2-1, 19:3-3, 19:5-3, 19:6-10, 19:8-2, 19:8-4, 19:9-2, 19:12-1, 19:12-2, 19:12-3, 19:12-5, 19:12-6, 19:23-1, 19:23-40, 19:24-1, of the Revised Statutes, and repealing sections 19:2-2, 19:30-3, 19:30-4, 19:30-5, 19:30-6, 19:30-7, 19:30-8, 19:30-9, 19:30-10 of the Revised Statutes, and supplementing Title 19 of the Revised Statutes.

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

1. Section 19:2-1 of the Revised Statutes is amended to read as follows: Section amended.

19:2-1. Primary elections for delegates and alternates to national conventions of political parties and for the general election shall be held in each year on the first Tuesday in June, between the hours of seven ante meridian and eight post meridian, eastern standard time. Primary elections for special elections shall be held not earlier than thirty nor later than twenty days prior to the special elections. Primary to national conventions.  
Primary to special elections.

2. Section 19:3-3 of the Revised Statutes is amended to read as follows: Section amended.

19:3-3. In each presidential year delegates and alternates to the national conventions of the political parties shall be elected at the primary election to be held on the first Tuesday in June in that year. The members of State, county and municipal committees of the political parties shall be chosen at the primary for the general election as hereinafter provided. Election of delegates to national conventions.

3. Section 19:5-3 of the Revised Statutes is amended to read as follows: Section amended.

19:5-3. The members of the county committees of political parties shall be elected annually at the Election of county committees.

How composed.	primary for the general election in the manner provided in this Title for the selection of party candidates to be voted for at the general election by voters of a municipality. The county committee shall consist of one male and one female member from each unit of representation in the county. The male receiving the highest number of votes among the male candidates and the female receiving the highest number of votes among the female candidates shall be declared elected. Members of the county committee shall actually reside in the districts or units which they respectively represent. The county committee shall determine by its by-laws the units into which the county shall be divided for purpose of representation in the county committee.
Residence.	
County units.	The members of the county committee of each of the political parties shall take office on the first Saturday following their election, on which day the terms of all members of such committees theretofore elected shall terminate. The annual meeting of each county committee shall be held on the first Tuesday following the primary election, except that when such meeting day falls on a legal holiday then the said meeting shall be held on the day following, at an hour and place to be designated in a notice in writing to be mailed by the chairman of the outgoing county committee to each member-elect, at which annual meeting the members of such committee shall elect some suitable person as chairman, to hold office for one year, or until his successor is elected. Such committee shall have power to adopt a constitution and by-laws for its proper government. The chairman shall preside at all meetings of the committee and shall perform all duties required of him by law and the constitution and by-laws of such committee.
Annual meeting and organization.	
Constitution and by-laws.	
Vacancies.	A member of a county committee of any political party may resign his office to the committee of which he is a member, and upon acceptance thereof by the committee a vacancy shall exist. A vacancy in the office of a member of the county committee

of any political party, caused by death, resignation, failure to elect or otherwise, shall be filled for the unexpired term by the municipal committee of the municipality wherein the vacancy occurs, if there is such committee, and if not, by the remaining members of the county committee of such political party representing the territory in the county in which such vacancy occurs.

The chairman of the county committee of the several political parties shall before the first day of April, certify to the clerk of each municipality in the county the unit of representation in such municipality, together with the enumeration of the election district or districts embraced within such unit.

Unit of representation certified to clerks.

4. Section 19:6-10 of the Revised Statutes is amended to read as follows:

Section amended.

19:6-10. Each district board shall, on or before the second Tuesday next preceding the primary election, meet and organize by the election of one of its members as judge, who shall be chairman of the board, and another of its members as inspector. Such judge and inspector shall be members or voters of different political parties. In case of failure to elect a judge as herein provided, after balloting or voting three times, the senior member of the board in respect to length of continuous service as a member of such district board shall become judge, and in case of failure to elect an inspector after balloting or voting three times, the next senior member of the board in respect to length of continuous service as a member of such district board shall become inspector; *provided*, that both the chairman and the inspector shall not be members or voters of the same political party. The other two members of the board shall be clerks of election, and shall perform all the duties required by law of the clerks of district boards.

Organization of district boards.

Proviso.

5. Section 19:8-2 of the Revised Statutes is amended to read as follows:

Section amended.

19:8-2. The clerk of every municipality, on or before the first day of April, shall certify to the county board of every county wherein such munic-

Polling places suggested.

**Selections.** ipality is located a suggested list of places in the municipality suitable for polling places. The county board shall select the polling places for the election districts in the municipalities of the county for all elections in the municipalities thereof, including all commission government elections in the county. The county boards shall not be obliged to select the polling places so suggested by the municipal clerks, but may choose others where they may deem it expedient.

**County clerk to designate.** Where the county board shall fail to agree as to the selection of the polling place or places for any election district, within five days of an election, the county clerk shall select and designate the polling place or places in any such election district.

**May select place outside district.** The county board may select a polling place other than a schoolhouse or public building outside of the district, but such polling place shall not be located more than one thousand feet distant from the boundary line of the district.

**Section amended.** 6. Section 19:8-4 of the Revised Statutes is amended to read as follows:

**List of polling places certified.** 19:8-4. The county board before the fifteenth day of May each year shall certify a list of polling places so selected to the sheriff and to the clerk of the county and to the superintendent of elections of the county if any there be and to each municipal clerk in the county.

**Section amended.** 7. Section 19:9-2 of the Revised Statutes is amended to read as follows:

**Secretary of State to prepare and distribute supplies.** 19:9-2. The Secretary of State shall prepare and distribute on or before the first day of May in each year prior to the primary election for the general election and the general election the following information and election supplies: pamphlets of the election laws and instructions; precinct returns; electors of President and Vice-President; United States Senator; member of the House of Representatives; Governor; State Senator; Assembly and county officers; justice of the peace; public question submitted to the voters of the entire State; self-addressed envelopes, plain and stamped,

to each district; returns for the county board of canvassers for the above officers; primary return sheets.

All other books, ballots, envelopes and other blank forms which the county clerk is required to furnish under any other section of this Title, stationery and supplies for the primary election for the general election, the primary election for delegates and alternates to national conventions and the general election, shall be furnished, prepared and distributed by the clerks of the various counties; except that all books, blank forms, stationery and supplies, articles and equipment which may be deemed necessary to be furnished, used or issued by the county board or superintendent shall be furnished, used or issued, prepared and distributed by such county board or superintendent, as the case may be.

Other supplies to be distributed by county clerks.

Exceptions.

The county board in counties of the first class shall furnish and deliver to the county clerk, the municipal clerks and the district boards in municipalities having more than one election district, a map or description of the district lines of their respective election districts, together with the street and house numbers where possible in such election districts. In counties other than counties of the first class the municipal clerks shall furnish and deliver such map or description of district lines to the county clerk, the county board and the district board in municipalities having more than one election district.

Map of election districts.

Nothing in subtitle two of the Title Municipalities and Counties (§40:16-1 et seq.) shall in anywise be construed to affect, restrict, or abridge the powers conferred on the county clerks, county boards or superintendents by this Title.

Construing.

8. Section 19:12-1 of the Revised Statutes is amended to read as follows:

Section amended.

19:12-1. The Secretary of State shall within thirty days after the completion of the canvass by the board of State canvassers, certify to each county clerk and county board the fact that at the

Secretary of State to certify party vote.

next preceding general election ten per centum (10%) of the total vote cast in the State for members of the General Assembly had been cast for candidates having the same designation, thereby creating, within the meaning of this Title, a political party, to be known and recognized as such under the same designation as used by the candidates for whom the required number of votes were cast.

Notice of  
officers to  
be elected.

He shall also between the fifteenth and twenty-fifth days of March in every year, in which electors of President and Vice-President of the United States, a Representative of the United States Senate, members of the House of Representatives, a Governor, or Senator for any county, or any of them, are to be elected or any public question is to be submitted to the voters of the entire State, direct and cause to be delivered to the clerk of the county and the county board wherein any such election is to be held, a notice stating that such officer or officers are to be elected and that such public question is to be submitted to the voters of the entire State at the ensuing general election.

Section  
amended.

9. Section 19:12-2 of the Revised Statutes is amended to read as follows:

Notice of  
justices of  
the peace to  
be elected.

19:12-2. The Secretary of State shall on or before the fifth day of May, certify to the county boards in counties of the first class and to the municipal clerks in the respective municipalities in all counties the number of justices of the peace to be elected for full terms or to fill vacancies in the municipalities at the next succeeding general election.

Section  
amended.

10. Section 19:12-3 of the Revised Statutes is amended to read as follows:

Certification  
of party vote  
by county  
clerks.

19:12-3. The clerk of each county shall immediately upon the receipt of the certificate from the Secretary of State setting forth that a political party has been created, forward a certified copy of such certificate to each municipal clerk of his county.

Notice of  
officers to  
be elected.

He shall also between the first day of April and the fifteenth day of April in every year cause a

copy of the notice received from the Secretary of State of the officer or officers to be elected at the ensuing general election, certified under his hand to be true and correct, to be delivered to the clerk of each municipality in the county.

11. Section 19:12-5 of the Revised Statutes is amended to read as follows:

Section amended.

19:12-5. The clerk of every county between the first day of April and the fifteenth day of April, immediately preceding the expiration of the term of office of all other officers who are voted for by the voters of the entire county or of more than one municipality within the county, shall direct and cause to be delivered to the clerk of each municipality and the county board in counties of the first class, a notice that such officer or officers, as the case may be, will be chosen at the ensuing general election.

Notice of offices to be filled in county.

12. Section 19:12-6 of the Revised Statutes is amended to read as follows:

Section amended.

19:12-6. All municipal clerks, on or before the first day of April in every year, shall make and certify under their hands and seals of office and forward to the clerk of the county in which the municipality is located a statement designating the public offices to be filled at such election, and the number of persons to be voted for each office. In counties of the first class such statement shall also be forwarded to the county board.

Notice by municipal clerks.

13. Section 19:23-1 of the Revised Statutes is amended to read as follows:

Section amended.

19:23-1. The chairman of the State committee of a political party shall, on or before the first day of March in the year when a Governor is to be elected, notify in writing the chairman of each county committee of such party that a member of such State committee is to be elected from the county at the ensuing general election, and each such chairman shall, on or before the first day of April of such year, send a copy of such notice to the clerk of each municipality within the county.

Notices by party chairmen.

Notice by  
chairman  
of county  
committee.

The chairman of each county committee shall also, on or before the first day of April in each year, file with the clerks of the several municipalities the number of committeemen to be elected at the ensuing primary for the general election to the county committee.

Section  
amended.

14. Section 19:23-40 of the Revised Statutes is amended to read as follows:

Primary day.

19:23-40. The primary election for the general election shall be held for all political parties upon the first Tuesday in June in each year, between the hours of seven ante meridian and eight post meridian, eastern standard time. It shall be held for all political parties in the same places as hereinbefore provided for the ensuing general election.

Section  
amended.

15. Section 19:24-1 of the Revised Statutes is amended to read as follows:

Notice by  
State  
committee.

19:24-1. In every year in which primary elections are to be held as herein provided for the election of delegates and alternates to the national conventions of political parties, which primary elections are to be held on the first Tuesday in June as hereinbefore provided, the chairman of the State committee of each political party shall notify the Secretary of State, on or before March first of that year, of the number of delegates-at-large and the number of alternates-at-large to be elected to the next national convention of such party by the voters of the party throughout the State, and also of the number of delegates and alternates to be chosen to such convention in the respective congressional districts or other territorial subdivisions of the State as mentioned in such notification.

If the State chairmen, or either of them, shall fail to file such notice, the Secretary of State shall ascertain such facts from the call for its national convention issued by the national or State committee.

Sections  
repealed.

16. Sections 19:2-2, 19:30-3, 19:30-4, 19:30-5, 19:30-6, 19:30-7, 19:30-8, 19:30-9, 19:30-10 of the Revised Statutes are hereby repealed.



17. Any provision of this act, which is inconsistent with any provision of "An act concerning elections, supplementing Title 19 of the Revised Statutes, and repealing 'An act concerning elections and supplementing Title 19 of the Revised Statutes' approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 141)," approved February fifth, one thousand nine hundred and forty-five (P. L. 1945, c. 7), or any amendments thereto or supplements thereof shall remain inoperative so long as said act (P. L. 1945, c. 7) or such amendments thereto or supplements thereof shall remain in effect.

Provisions  
to remain  
inoperative.

18. This act shall take effect immediately.

Approved February 21, 1946.

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## CHAPTER 12

AN ACT concerning airports and providing for their maintenance, operation and management as a public utility.

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

1. Any municipality is hereby authorized and empowered to maintain, operate and manage an airport as a public utility, and for that purpose keep the accounts thereof separate and distinct from any other accounts of the municipality.

May operate  
and maintain  
airport.

2. This act shall take effect immediately.

Approved February 21, 1946.

## CHAPTER 13

AN Act authorizing and providing for the exchange of certain lands situate in the city of Atlantic City, in the county of Atlantic, by and between the city of Atlantic City and State of New Jersey.

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

Department  
authorized  
to convey.

1. The Division of Navigation of the Department of Conservation acting for, in the name of and on behalf of the State of New Jersey, is authorized to convey by appropriate deed to the city of Atlantic City the following described property, situate in the city of Atlantic City, county of Atlantic and State of New Jersey, bounded and described as follows, to wit:

Location.

All that certain lot, tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the city of Atlantic City, in the county of Atlantic and State of New Jersey:

Description.

Beginning at a point 1750 feet eastwardly from the easterly line of Maryland avenue and 630 feet southwardly from the northerly line of Huron avenue, said distances being measured at right angles to said streets respectively, said point being in the fourth course of the deed of the city of Atlantic City to the State of New Jersey dated August 26, 1943, and recorded in the Clerk's Office of the county of Atlantic in Book No. 1149 of Deeds on page No. 372; and extending thence (1) westwardly parallel with Huron avenue 200 feet; thence (2) southwardly parallel with Maryland avenue 180 feet to a point in the second course of the deed from the city of Atlantic City to the United States of America, dated August 3, 1938, and recorded in the Clerk's Office of the county of Atlantic in Book No. 1080 of Deeds, on page No. 254; thence (3) eastwardly parallel with Huron avenue and in the second course of the deed to the United States of

America above referred to, 200 feet; thence (4) northwardly parallel with Maryland avenue 180 feet to the point and place of beginning.

The easterly half of the said tract of land being part of the premises conveyed from the city of Atlantic City to the State of New Jersey in a deed dated August 26, 1943, and recorded in the Clerk's Office of the county of Atlantic in Book No. 1149, on page No. 372; and the westerly half of the said tract of land being part of the premises conveyed from the city of Atlantic City to the State of New Jersey by deed dated March 25, 1943, and recorded in the Clerk's Office of the county of Atlantic in Book No. 1149, on page No. 369.

2. In exchange therefor, the city of Atlantic City shall convey to the State of New Jersey by appropriate deed the land and premises hereinafter particularly described:

Atlantic City  
to convey  
to State.

All that certain lot, tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the city of Atlantic City, in the county of Atlantic and State of New Jersey:

Location.

Beginning at a point distant 1800 feet measured eastwardly along Huron avenue from the easterly line of Maryland avenue and distant 60 feet south of the north line of Huron avenue, thence (1) south at right angles to Huron avenue, a distance of 90 feet; thence (2) east at right angles to the first course to a point in the mean high water line of the westerly shore of Beach Thorofare; thence (3) following the mean high water line of the westerly shore of Beach Thorofare in a northerly direction to a point 60 feet south of the north line of Huron avenue; thence (4) west and parallel with Huron avenue to the point and place of beginning.

Description.

Being a part of that parcel of land conveyed by the city of Atlantic City to the United States of America by deed dated August 3, 1938, and recorded in the Clerk's Office of the county of Atlantic, in Book No. 1080 of Deeds, on page No. 254.

3. This act shall take effect immediately.

Approved March 14, 1946.

## CHAPTER 14

AN ACT concerning county and municipal budgets,  
and amending section 40:2-31 of the Revised  
Statutes.

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

Section  
amended.

1. Section 40:2-31 of the Revised Statutes is amended to read as follows:

Emergency  
appropriations.

40:2-31. A county or municipality may, in accordance with this section, make emergency appropriations after the adoption of a budget for a fiscal year for a purpose which was not foreseen at the time of the adoption of the budget or for which adequate provision was not made in the budget. Such an appropriation shall be made only to meet a pressing need for public expenditure, to protect or promote the public health, safety, morals or welfare or to provide for temporary housing or relief of the poor prior to the ensuing budget year. An emergency appropriation shall be made only in accordance with subdivisions (1) or (2) of this section, as the case may be. The total amount of all emergency appropriations shall be provided in full by the local governing body as a deferred charge in the budget of the next succeeding fiscal year.

Resolution  
declaring  
emergency.

(1) An emergency appropriation other than an appropriation to provide for relief of the poor which together with all prior emergency appropriations other than appropriations for relief of the poor made during the same year, does not exceed three per centum (3%) of the total of current operating appropriations made in the budget adopted for that year or an emergency appropriation for the relief of the poor shall be made as follows: The governing body shall, by resolution adopted by two-thirds vote of all the members, declare that an emer-

gency exists requiring a supplementary appropriation. The resolution shall be in the form and content prescribed by the State Board, and shall set out the nature of the emergency in full. A copy of the resolution shall be filed forthwith with the commissioner.

(2) An emergency appropriation other than Limitations. an appropriation for the relief of the poor which together with all prior emergency appropriations other than appropriations for relief of the poor made during the same year exceeds three per centum (3%) of the total current operating appropriations in the budget for that year shall be made as follows: The governing body shall, by resolution adopted by two-thirds vote of all the members, petition the commissioner for permission to exceed the limitation of three per centum (3%). The petition shall be in the form and content prescribed by the State Board, and shall set out the nature of the emergency in full. The commissioner shall consider the petition and, if requested by local taxpayers or by the local governing body, hold a hearing. The commissioner shall, within five days after receipt of the petition, or if a hearing is held, after the hearing, determine whether an emergency exists which requires an excess appropriation, and the amount of expenditure reasonably required. If the commissioner approves an excess appropriation he shall fix the maximum amount for the emergency appropriation. The governing body shall not exceed the maximum amount fixed by the commissioner.

Any county or municipality may borrow money Emergency notes. and issue its negotiable notes to meet any such emergency appropriation. Each such note shall be authorized by resolution of the governing body, shall be designated an "emergency note," and may be renewed from time to time, but all such notes and any renewals thereof shall mature not later

than the last day of the fiscal year next succeeding the fiscal year in which the emergency appropriation was made to meet which such notes were issued. The provisions of sections 40:2-40 and 40:2-41 and 40:2-43 to 40:2-46 of this Title shall apply to such notes as fully as though such notes were mentioned therein.

Validity  
of notes.

For the purposes of this section, an affidavit of a financial officer of the county or municipality shall be a conclusive determination of the total amount of any such emergency appropriations made in any fiscal year and of the amount of all budget appropriations for such year. If any resolution providing for the issuance of notes to meet any such emergency appropriation shall recite or determine that such appropriation was required to meet a pressing need for public expenditure to protect or promote the public health, safety, morals or welfare or to provide for temporary housing or relief of the poor, such recital or determination shall be deemed to be true for the purpose of determining the validity of such notes and the county or municipality issuing such notes and all others interested shall forever thereafter be estopped from denying the same.

2. This act shall take effect immediately.

Approved March 14, 1946.

## CHAPTER 15

AN ACT to amend "An act to regulate aeronautics over and within the State," approved March thirtieth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 48).

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

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

Section  
amended.

6. The State Director of Aviation shall be appointed by the Governor, with the advice and consent of the Senate. He shall hold office for a term of five years and until his successor is appointed and qualified. A vacancy in the office of State Director of Aviation, from any cause whatsoever other than by expiration of term, shall be filled in the same manner hereinabove provided for appointment for a full term, but such appointment shall be for the unexpired term only.

C. 6:1-25.  
Director of  
aviation.

No person shall be appointed State Director of Aviation unless he is a citizen of the United States and has been a resident of this State for a period of at least five years immediately preceding his appointment, and has either held, for a period of at least one year immediately preceding his appointment, a civilian pilot's license or had experience as a pilot in the armed forces of the United States for a period of time equivalent to the time necessary to qualify him as a civilian pilot.

Qualifications.

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

Section  
amended.

7. Compensation of director. The director shall receive an annual salary of seven thousand five hundred dollars (\$7,500.00).

C. 6:1-26.  
Salary.

3. This act shall take effect immediately.

Approved March 14, 1946.

## CHAPTER 16

AN ACT concerning group life insurance, and amending sections 17:34-31 and 17:34-32 of the Revised Statutes.

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

Section  
amended.

1. Section 17:34-31 of the Revised Statutes is amended to read as follows:

Group life  
insurance  
defined.

17:34-31. Group life insurance is hereby declared to be that form of life insurance written for a term of not more than five years which may be continued successively from one term to another term of not more than five years at the option of the policyholder in accordance with the provisions of the policy and covering, (a) not less than fifty employees, written under a policy issued to the employer, the premium for which is to be paid by the employer or by the employer and employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, for amounts of insurance based on a plan which precludes individual selection, for the benefit of persons other than the employer; *provided*, that when the premium is to be paid by the employer and employees jointly and the benefits of the policy are offered to all eligible employees, not less than seventy-five per centum (75%) of the employees may be so insured; or (b) the lives of only all of the members, or only all of the members except those upon whom the evidence of insurability submitted is not satisfactory to the insurer, of a group of persons, numbering not less than one hundred new entrants to the group yearly, who become borrowers from a financial institution, including any subsidiary or affiliated institutions, or who become purchasers of securities, merchandise or other property from one vendor, or all of any class

Proviso.



or classes of such borrowers or purchasers determined by conditions pertaining to the type of indebtedness or purchase, under agreements by such borrowers or such purchasers for the repayment of the sum borrowed, or for the payment of the purchase price or the balance thereof, as the case may be, in installments. Such a policy shall be issued to the financial institution or vendor or to an assignee to whom such creditor or vendor may transfer all of its right, title and interest to the unpaid indebtedness, or to the unpaid purchase price, under such agreements made by it. The premiums on such policy shall be remitted by the policyholder. If the borrower or purchaser insured under the policy contributes toward the cost of the insurance by payment of an identifiable charge of a specified amount not charged to eligible borrowers or purchasers not so insured, then not less than seventy-five per centum (75%) of the eligible borrowers or purchasers may be so insured. The amount of insurance thereunder on any person insured shall not at any time exceed the amount of unpaid indebtedness due from such person or the amount of the purchase price unpaid by such person, nor the sum of ten thousand dollars (\$10,000.00), whichever is less. The benefits under such policies shall be payable to the policyholder; but the amount of any death benefit received thereunder shall be applied to the discharge of the obligation of the person insured to the policyholder.

Any policy which according to its title is a policy of group life insurance, issued by any company of this State for delivery in another State or foreign country and which conforms to the laws of such other State or country, shall be deemed a policy of group life insurance. Deemed group insurance.

For the purposes of this section, the term "employer" shall include the trustee or trustees of a fund, established by employer members of a trade or business association, and maintained by contributions of contributing employers, which Employer defined.

may include the trade or business association, for the sole benefit of employees as defined in the following paragraph, and shall include any labor union or association the members of which are defined as "employees" in the following paragraph.

Employees  
defined.

For the purposes of this section, the term "employees" shall include the members of any labor union or association who are actively engaged in the same occupation; the officers, managers and employees of the policyholder and of subsidiary or affiliated corporations of a corporation policyholder; the individual proprietor or partners whenever the policyholder is an individual proprietor or a partnership; and the individual proprietors, partners and employees of affiliated individuals and firms controlled by the policyholder through stock ownership, contract or otherwise; *provided*, that in the case of a policy issued pursuant to the preceding paragraph to a trustee or trustees, the term "employees" shall mean those persons who bear any of the aforesaid relationships to any of the contributing employers, and said term may include (i) persons actively engaged in the administration of the fund who bear any of the aforesaid relationships to the trustee or trustees and (ii) persons who bear any of the aforesaid relationships to the trade or business association.

Proviso.

Section  
amended.

2. Section 17:34-32 of the Revised Statutes is amended to read as follows:

Required  
provisions:

17:34-32. No policy of group life insurance shall be issued or delivered in this State unless it contains in substance provisions, as follows:

Description;

a. A descriptive title on the first page of the policy.

Payment of  
premiums;

b. That all premiums shall be payable at the home office of the company, or to an agent of the company.

Grace period;

c. For one month's grace for the payment of each premium after the first, subject to an interest charge, during which month the insurance shall continue in force.

d. That the policy shall be incontestable after two years from its date except for nonpayment of premiums and for violation of its express conditions, if any, relating to military or naval service in time of war. Incontestable after 2 years;

e. That the policy and the application of the policyholder, a copy of which shall be attached to the policy, shall constitute the entire contract, and that all statements made by the policyholder or by the persons insured shall be deemed representations and not warranties, and that no statement made by an eligible person relating to his insurability shall be used in defense against a claim under the policy on account of such person's insurance after such person's insurance has been in force for a period of two years during his lifetime, except a claim for benefits, if any, on account of total and permanent disability; nor unless such statement is contained in a written instrument signed by him. Policy and application entire contract;

f. For the equitable adjustment of the premium or the amount of insurance payable in the event of the misstatement of the age of an employee or member. Age adjustment;

g. That when an amount becomes payable by reason of the death of an employee or member, settlement shall be made either immediately upon, or within a specified period not more than two months after receipt of due proof of death. Settlement;

h. A table showing the amount of installments, if any, in which the amount of insurance payable upon the death of any employee or member may be payable. Installment table of payments;

i. Except in the case of insurance as provided in clause (b) of the first paragraph of section 17:34-31 of this Title, that the company will issue to employer, for delivery to each employee whose life is insured under the policy, an individual certificate setting forth a statement as to the insurance protection to which he is entitled, to whom benefits are payable, and the rights to which he is entitled in Certificate;

accordance with paragraphs "m" and "n" of this section.

Statement  
form;

j. That in the case of insurance as provided in clause (b) of the first paragraph of section 17:34-31 of this Title the company will furnish to the policyholder for delivery to each member who is insured under the policy, a form which shall contain a statement that the life of the member is insured under the policy, that any death benefit received thereunder by reason of his death shall be applied by the policyholder to the discharge of the indebtedness, and in case the same is applicable under the policy a statement as to the rights to which he is entitled in accordance with paragraph "o" of this section.

New  
employees;

k. That to the group or classes thereof eligible for insurance shall be added from time to time all new employees of the employer or members, in the group or classes.

Surplus and  
dividends;

l. That the policy shall participate in the surplus of the company and that the company shall determine annually the amount of the divisible surplus accruing on the policy and that the policyholder shall have the right to have the dividend arising from the participation paid in cash unless another dividend option contained in the policy has been elected and that any policy dividend may be applied to reduce the policyholder's part of the cost of such insurance. This provision shall not be required in nonparticipating policies.

Conversion  
upon termi-  
nation of  
employment;

m. That in case of termination of employment for any reason whatsoever every employee shall be entitled to have issued to him by the company, without evidence of insurability, upon application made to the company, and upon the payment of the premium applicable to the class of risk to which he belongs and to the form and amount of the policy at his then attained age, within thirty-one days after such termination of employment, a policy of life insurance effective at the end of such period of thirty-one days following such termination during which period the death benefit provided by the

insurance protection terminated under the group insurance policy shall remain in force, in any one of the level premium forms customarily issued by the company, except term insurance, in an amount equal to the amount of his protection terminated under the group insurance policy because of such termination of employment.

n. That in case of the termination of the group insurance policy for any reason whatsoever every employee insured thereunder for five years or more at the time of such termination shall be entitled to have issued to him by the company, without evidence of insurability, upon application made to the company, and upon the payment of the premium applicable to the class of risk to which he belongs and to the form and amount of the policy at his then attained age, within thirty-one days after such termination of the group insurance policy, a policy of life insurance effective at the end of such period of thirty-one days following such termination, in any one of the level premium forms customarily issued by the company, except term insurance, in an amount equal to the lesser of (1) the amount of his protection terminated under the group insurance policy at the time of termination of such policy less any amount of life insurance for which he may be or may become eligible under any group insurance policy issued or reinstated by the company or another company within such period of thirty-one days, and (2) two thousand dollars (\$2,000.00); *provided*, that during such period of thirty-one days the death benefit provided by the insurance protection terminated under the group insurance policy shall remain in force in an amount equal to the amount, if any, of the policy of life insurance which the employee is entitled to have issued to him at the end of such period as aforesaid.

Procedure  
upon termi-  
nation of  
group policy;

Proviso;

o. That in the case of insurance as provided in clause (b) of the first paragraph of section 17:34-31 of this Title, each insured member whose protection under the group insurance policy terminates by reason of absolute assignment by the policy-

Termination  
of protection.

holder of the insured member's indebtedness for the discharge of which the member when incurring the same had agreed upon installment payments over a period of more than ten years, shall be entitled to have issued to him by the company, without evidence of insurability, upon application made to the company and upon the payment of the premium applicable to the class of risk to which he belongs and to the form and amount of the policy at his then attained age within thirty-one days after such assignment of the indebtedness, a policy of life insurance effective at the end of such period of thirty-one days. Such policy of life insurance so issued shall be in any one of the level premium forms customarily issued by the company, except term insurance, in an amount equal to the amount of his protection terminated under the group insurance policy because of such assignment, less the amount of insurance for which such insured member may become eligible and qualify under any group insurance policy in effect with the assignee at the date of the assignment or issued to the assignee within such period of thirty-one days. During such thirty-one day period the death benefit provided by the insurance protection terminated under the group insurance policy shall remain in force in an amount equal to the amount, if any, of the policy of life insurance which the insured member is entitled to have issued to him at the end of such period as aforesaid. In the event that such assignment of the indebtedness shall have been made by the policyholder at the request of the insured member, the company may require satisfactory evidence of such member's insurability before making such individual policy of life insurance effective.

Provision for  
supplementary  
insurance.

Any policy of group life insurance issued to an employer may provide for supplementary insurance in the form of fully paid-up insurance on the lives of the employees in accordance with a plan specified in the policy which precludes individual selection and which paid-up insurance shall not be

subject to termination on account of termination of employment of the employees or of the group policy. Any such policy, and the certificates issued for delivery to employees, shall provide that, at any time after termination of employment of the employee or of the group policy, the company will indorse upon any certificate, upon presentation thereof, the amount of the paid-up insurance or, in lieu thereof, may issue a new certificate specifying particulars as to such paid-up insurance. Any cash surrender value payable to the employee on account of any such paid-up insurance provided under a policy of group life insurance issued by any company prior to the operative date for such company of the standard nonforfeiture law (1943) as specified in subsection g of section one of this act shall be not less than the reserve held by the company on the portion of the paid-up insurance provided by the employee's contributions, including dividend additions thereto, if any, upon the specified mortality table and rate of interest adopted for computing the reserve thereon, less a specified percentage, not more than two and one-half per centum ( $2\frac{1}{2}\%$ ), of such portion of the paid-up insurance, and less any outstanding indebtedness of the employee to the company thereon or secured thereby. Any cash surrender value payable to the employee on account of any such paid-up insurance provided under a policy of group life insurance issued by any company on or after the operative date for such company of the standard nonforfeiture law (1943) as specified in subsection g of section one of this act shall be not less than the cash surrender value of the portion of the paid-up insurance provided by the employee's contributions, determined in accordance with the requirements of the said standard nonforfeiture law. Paragraphs "m" and "n" of this section shall not apply to such paid-up insurance.

Cash  
surrender  
value.

Any policy of group life insurance may be issued or delivered in this State which in the opinion of the commissioner contains provisions on any one

Policies by  
outside  
company.

or more of the several foregoing requirements more favorable to the employer and to the employee or member than hereinbefore required, and may be issued by any company of this State for delivery outside of this State when containing provisions in addition to or differing from provisions prescribed in the several foregoing requirements, *provided* such policy conforms to the laws of the State or country in which it is delivered.

3. This act shall take effect immediately.

Approved March 14, 1946.

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## CHAPTER 17

AN ACT to regulate elections, and amending section 19:49-2 of the Revised Statutes.

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

Section amended. 1. Section 19:49-2 of the Revised Statutes is amended to read as follows:

Printing official ballots. 19:49-2. All official ballots shall be printed on clear white paper or cardboard of such form and size as will fit the ballot frames of the machines, printed in black ink in type as large as the space will reasonably permit; *provided, however*, that any public question which shall be placed on the ballot shall be printed in red ink and above any public question to be voted upon by the voters of the entire State there shall be printed, also in red ink, a description of the public question, which description shall not exceed six words and shall be printed in type as large as is practicable. Party nominations shall be arranged on each voting machine, either in columns or horizontal rows; the caption of the various ballots on the machines shall be so placed on the machines as to indicate to the

Proviso.



voter what push knob, pointer, lever or other device is to be used or operated in order to vote for the candidates or candidate of his choice. The providing of the official ballots and the order of the precedence and arrangement of parties and of candidates shall be as now required by law; *provided*, Proviso. *however*, that in those counties where voting machines are used, the specifications for the printing of the official ballots shall be drawn by the county clerk.

For the primary election for the general election in all counties having a population of four hundred thousand or more where voting machines are or shall be used, all candidates who shall file a joint petition with the county clerk of their respective county and who shall choose the same designation or slogan shall be drawn for position on the ballot as a unit and shall have their names placed on the same line of the voting machine; *and provided* Proviso. *further*, that all candidates for municipal or party office in municipalities in counties of the first class where voting machines are or shall be used who shall file a petition with the clerk of their municipality bearing the same designation or slogan as that of the candidates filing a joint petition with the county clerk as aforesaid, and all candidates for a municipal or party office in municipalities in counties having a population of four hundred thousand inhabitants or more where voting machines are or shall be used, who shall file a petition with the clerk of their municipality, may request that his or her name be placed on the same line of the voting machine with the candidates who have filed a joint petition with the county clerk as aforesaid by so notifying the county clerk of said county in writing within two days after the last day for filing nominating petitions and thereupon the county clerk shall forthwith notify the campaign manager of such candidates filing a joint petition as aforesaid of said request, and if the said campaign manager shall file his consent in writing with the said county clerk within two days after the receipt

Position on  
ballot drawn  
as a unit.

Proviso.

of said notification from said county clerk, the clerk of said county shall place the name of such candidate on the same line of the voting machine on which appears the names of the candidates who have filed the joint petition as aforesaid; *provided, also*, that any candidate filing a petition with the Secretary of State may request that his or her name be placed on the same line of the voting machine with the candidates who have filed a joint petition with the county clerk as aforesaid by so notifying the county clerk of said county in writing within two days after the last day for filing nominating petitions and thereupon the county clerk shall forthwith notify the campaign manager of such candidates filing a joint petition as aforesaid of said request, and if the said campaign manager shall file his consent in writing with the said county clerk within two days after the receipt of said notification from said county clerk, the clerk of said county shall place the name of such candidate on the same line of the voting machine on which appears the names of the candidates who have filed the joint petition as aforesaid.

C. 19:49-2.  
Repealer.

2. All acts or parts of acts inconsistent herewith are hereby repealed insofar as they relate to counties of the first class where voting machines are or shall be used.

3. This act shall take effect immediately.

Approved March 14, 1946.

## CHAPTER 18

AN ACT authorizing the acceptance of title to lands in Salem county in the name of the State of New Jersey for the construction, operation and maintenance by the State Highway Department of the State of Delaware of a crossing over or under the Delaware river, between the States of New Jersey and Delaware; consenting to the use of said lands for the construction, operation and maintenance of said crossing; providing means to assist in the acquisition of the use of property necessary or convenient for said purpose; consenting to the construction, maintenance and operation of such crossing; exempting such crossing and its revenue from taxation; and containing other provisions incidental to the foregoing.

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

WHEREAS, The State of Delaware has enacted legislation authorizing and empowering the State Highway Department of the State of Delaware to construct, operate and maintain a crossing over or under the Delaware river between the State of New Jersey and the State of Delaware, which legislation provides a means of financing such crossing; and Preamble.

WHEREAS, The General Assembly of the State of Delaware has, by resolution, directed the State Highway Department of said State to dedicate such crossing to the memory of those men and women of the States of New Jersey and Delaware who have given their lives in the armed forces of the United States in the present war; and Preamble.

Preamble.

WHEREAS, Such crossing would be a fitting memorial to those citizens of the two States who have lost their lives in this conflict and the construction of such a crossing would be to the best interests of the people of the State of New Jersey; and

Preamble.

WHEREAS, Notice of intention to apply for the passage hereof has been given as provided by the Constitution and the statutes of this State; therefore

C. 32:11B-1.  
Highway  
commissioner  
authorized to  
accept title.

1. The State Highway Commissioner of the State of New Jersey be, and he hereby is, authorized and directed to accept title on behalf of and in the name of the State of New Jersey to those lands necessary or convenient for use as the eastern terminus and approach to such crossing and for the maintenance or extension thereof, which lands will be located in Salem county, New Jersey, and will extend eastward from the western boundary of the State of New Jersey at a point near the southern bank of the Salem canal. It shall not be deemed an objection to the acceptance of title to any such lands that easements, or rights of use, are outstanding in the hands of private individuals, partnerships, associations or corporations; *provided*, that such easements or rights of use create no liability on the part of the State Highway Commissioner of the State of New Jersey or on the part of the State of New Jersey other than the continuation of the right of use of such lands provided for in such easements or rights of use.

C. 32:11B-2.  
No tolls to  
be charged.

2. That the State of New Jersey will take title to said lands as provided in section one of this act and will hold the same dedicated to the purpose of the construction, operation and maintenance of said crossing so long as said crossing shall exist; and no tolls will be charged by the State of New Jersey for the use of the crossing to be constructed

on or under said lands so long as any bonds shall be outstanding issued by the State Highway Department of the State of Delaware, for the purpose of financing the construction of said crossing or any additions thereto or improvements or repairs thereof; *provided, however*, that the State of New Jersey shall not be liable in any respect whatsoever for any expense, cost, liability or indebtedness incurred for the construction, operation, maintenance or repair of such crossing.

Proviso.

3. In the event that the State Highway Department of the State of Delaware is unable, by agreement with the owner or owners thereof, to cause title to all lands in Salem county necessary or convenient for the construction, operation or maintenance of such crossing, the eastern terminus thereof and approaches thereto to be conveyed to the State of New Jersey as contemplated in section one hereof, the State Highway Commissioner of New Jersey shall be, and he hereby is, authorized and directed upon the written request of the State Highway Department of the State of Delaware and upon being satisfactorily assured, by the deposit of cash or otherwise, by said State Highway Department that it, the said State Highway Department, will provide the money necessary to pay the condemnation money or damages awarded and expenses of the proceeding, to condemn for the use of and to become a part of the highway system of the State of New Jersey the real estate in Salem county, New Jersey, deemed by said State Highway Department of the State of Delaware and said State Highway Commissioner of the State of New Jersey to be necessary or convenient for the construction, operation and maintenance of said crossing, the eastern terminus thereof and approaches thereto. Said condemnation shall be effected in the manner in which the said State Highway Commissioner is now authorized by law to condemn land for highway purposes.

C. 32:11B-3.  
Condemnation  
of needed  
approaches.

4. Upon the acceptance of title to lands as provided in section one of this act and upon the ac-

C. 32:11B-4.  
License  
granted  
Delaware.

quisition of the right of use of lands as provided in section three of this act, the State Highway Department of the State of Delaware is granted a license to use said lands for the purpose of construction, operating and maintaining said crossing, the terminus thereof and the approaches thereto and any additions thereto or improvements or repairs thereof.

C. 32:11B-5.  
Delaware to  
operate and  
maintain.

5. The consent of the State of New Jersey is hereby granted to the State of Delaware, acting by and through the said State Highway Department of the State of Delaware to construct, maintain and operate and to charge and collect tolls, rates and rents for the use of a crossing and approaches thereto over or under the Delaware river, the eastern terminus whereof to be in Salem county, New Jersey, at or near the southern bank of the Salem canal, in accordance with the provisions of certain legislation enacted by the General Assembly of the State of Delaware.

C. 32:11B 6.  
Tax exempt.

6. Said crossing and all property acquired or used for the purpose thereof in the State of New Jersey and the revenues thereof shall at all times be free from taxation by the State of New Jersey or any political subdivision thereof.

C. 32:11B-7.  
Construing.

7. This act shall be liberally construed so as to facilitate the construction, operation and maintenance of said crossing.

C. 32:11B-8.  
Sections  
severable.

8. In case, for any reason, any section or any provision of this act shall be questioned in any court and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other section or provision of this act.

9. This act shall take effect immediately.  
Approved March 14, 1946.

## CHAPTER 19

AN ACT concerning criminal procedure, and amending section 2:189-7 of the Revised Statutes.

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

1. Section 2:189-7 of the Revised Statutes is amended to read as follows: Section amended.

2:189-7. The Supreme Court or any justice thereof, may, within three months after the entry of any plea, at the instance of any person indicted, on application in term time or vacation, award a writ of certiorari to remove into the Supreme Court any indictment before trial from any court of oyer and terminer or court of quarter sessions, upon the terms prescribed in section 2:189-8 of this Title, and no other. Every writ of certiorari so allowed shall be delivered to the court to which it is directed in open court. Certiorari to remove indictment.  
  
Delivery of writ.

2. This act shall take effect immediately.

Approved March 14, 1946.

## CHAPTER 20

AN ACT to amend "An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters twenty-two, thirty-two and thirty-six of Title 17 of the Revised Statutes and repealing sections 17:22-1, 17:22-2, 17:22-3, 17:22-4, 17:22-5, 17:23-3, 17:32-6 and 17:32-11 of the Revised Statutes and section one of 'An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter twenty-two of Title 17, and amending section 17:33-1 of the Revised Statutes,' approved May sixteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 118)," approved April twentieth, one thousand nine hundred and forty-four (P. L. 1944, c. 175).

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

Section  
amended.

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

C. 17:22-6,9.  
Personal  
examination  
of applicant.

9. After the receipt of such application in due form, properly verified and certified, it shall be the duty of the commissioner or his deputy, or any salaried employee of the department designated by the commissioner, within a reasonable time and in a place reasonably accessible to the applicant, to subject each first-time applicant for license and if the commissioner deems necessary, any applicant for renewal of license, to personal examination in order to determine his trustworthiness and competency to act as such agent, broker or solicitor. If the applicant for a broker's or solicitor's license be a nonresident licensed broker, solicitor or agent, the commissioner may waive such examination;



*provided*, the State issuing such license requires no like examination of licensed brokers, solicitors or agents of this State. If the application is for license as an insurance agent, either first-time or for an additional group or groups of insurance, the commissioner may waive the examination if, at the time, the applicant has previously passed the examination for and holds an unexpired broker's license issued in accordance with the provisions of this act, or if the application is for a license as an insurance agent, broker or solicitor and the applicant is a citizen of this State and has served in the armed forces of the United States in any war and has been honorably discharged or released under conditions other than dishonorable and was the holder at any time of an agent's certificate of authority or license, a broker's license or a solicitor's license, in this State, the commissioner may waive examination, for license for the same kind or kinds of insurance the applicant was previously authorized to transact. When it is shown from such application and examination that the applicant

Proviso.

(a) intends in good faith to act as an insurance agent, broker or solicitor, and

(b) is actively to engage in the general insurance business, or a particular group or groups thereof with the general public, and

(c) is of good reputation, and

(d) has had experience or training, or is otherwise qualified by education in the kind or kinds of insurance for which he desires to be licensed, and

(e) is a resident of this State or has his principal office for the conduct of such business in this State (unless such application be for a nonresident broker's or solicitor's license), and

(f) is reasonably familiar with the insurance laws of this State, and with the provisions, terms and conditions of the policies or contracts he is proposing to solicit, negotiate or effect, and

(g) he is then engaged in or intends to engage in the business of writing or negotiating insurance as his principal business or occupation or as a substantial part thereof, separate and apart from any connection which he may have with any partnership or corporation whose principal business is lending of money, and

(h) is not seeking such license principally for the purpose of negotiating or writing insurance on property owned by him, or in which he has an insurable interest, or on property or insurable interests of a relative or his employer, and

(i) is worthy of a license,

Commissioner  
to issue  
license.

Proviso.

the commissioner shall issue to the applicant a license to transact business in this State as an insurance agent, broker or solicitor, as the case may be. A license may be issued by the commissioner to and in the name of any copartnership or corporation engaged in the insurance brokerage business upon written request and payment of the twenty-five dollars (\$25.00) fee prescribed in section thirteen of this chapter; *provided*, all members of the copartnership or all the officers of the corporation, as the case may be, actively engaged in the insurance brokerage business of the copartnership or corporation in this State hold an unexpired license as an insurance broker issued in accordance with the provisions of this act. Where the request is for license in the name of a corporation organized under the laws of a foreign State or jurisdiction and it shall appear in the application, by affidavit of the president or other officer of a foreign corporation, that the sole business sought to be transacted by it is that of a broker, as herein defined, the commissioner may grant such license, notwithstanding the corporation has not complied with the provisions of the general corporation act and obtained a license thereunder to transact business in this State, if with the first request for such

license the corporation shall file with the commissioner a duly executed power of attorney as is required in section seven of this act to be filed by a nonresident individual applicant for a broker's license. Licenses so issued shall expire annually as follows: To agents on April thirtieth; and to brokers and solicitors on December thirty-first, unless sooner revoked by the commissioner for cause as provided in this act. A license so issued to a solicitor shall be suspended upon termination of the required established solicitor relationship but shall be reinstated upon a written request from another licensed agent or broker with whom such solicitor has established a solicitor relationship.

2. This act shall take effect immediately.

Approved March 15, 1946.

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## CHAPTER 21

AN ACT concerning municipalities, and supplementing chapter forty-nine of Title 40 of the Revised Statutes.

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

1. Any municipality may enact, amend or supplement ordinances, establishing, amending or supplementing rules and regulations affecting the construction, reconstruction or repair of buildings, by reference to such rules and regulations in any such ordinance and without the inclusion of the text thereof therein, if the rules and regulations to be adopted are printed in book form as a code or as part of a code of such rules and regulations; *provided*, that a copy of such printed code, so marked as to indicate plainly what portion thereof, if less than the whole, is intended to be adopted, is

C. 40:49-5.1.  
Amending  
building  
codes.

Proviso.

annexed to such ordinance; that said code or such portion thereof as is intended to be adopted is so described in said ordinance as to identify it and there is indicated in said description the common or trade name, if any, of such code of rules and regulations; and that it is stated in the ordinance that three copies of said code, similarly marked, have been placed on file in the office of the municipal clerk, upon the introduction of said ordinance and will remain on file there until final action is taken on said ordinance, for the use and examination of the public.

C. 40:49-5.2.  
Publication  
not required.

Proviso.

2. It shall not be necessary to publish any such rules and regulations, so to be adopted, as part of said ordinance, notwithstanding that a printed copy thereof is annexed thereto, either before or after the final passage of such ordinance; *provided*, that said printed copies are filed as aforesaid, and, if said ordinance is adopted, the said copies shall remain on file in said office so long as said ordinance is in effect, and three copies shall be placed on file, and shall so remain on file, in the office of the body or department having charge of the enforcement of said ordinance, so long as said ordinance is in effect, for the use and examination of the public.

C. 40:49-5.3.  
Construed  
as part of  
ordinance.

3. For the purpose of proof of any such ordinance or the receipt thereof in evidence in all courts and places, such copy of said code, so marked and so annexed to such ordinance, shall be construed to be part of said ordinance as fully as though it had been set forth at length therein.

4. This act shall take effect immediately.

Approved March 19, 1946.

## CHAPTER 22

AN ACT concerning counties, and supplementing  
Title 40 of the Revised Statutes.

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

1. Boards of chosen freeholders are authorized to contribute funds, in amounts to be determined by such boards, for the establishment, equipment, maintenance and conduct of suitable programs for the collection, processing, storing and public distribution of human blood, and the various human blood derivatives, including special therapeutic and diagnostic serums, which are deemed of value in the treatment of sick and injured persons, and the prevention of certain diseases. Such contributions of funds may be made to public and private institutions, hospitals, societies and organizations for such purposes, on such terms as may be agreed upon.

C. 40:23-8.4.  
Authorized  
to maintain  
blood banks.

2. It shall be lawful for such boards to appropriate and raise funds annually for the purposes aforesaid, in the same manner as appropriations are made for other county purposes. If, during the fiscal year in which this act shall be adopted, any board of chosen freeholders shall have made no provision in its annual budget for the necessary funds for the aforesaid purposes during such fiscal year, said board may appropriate and use any county funds not otherwise appropriated or dedicated, or may appropriate and raise such funds as may be necessary for such purpose during such fiscal year, and may borrow the same, or any part thereof, on the credit of the county, and may issue obligations therefor in the same manner as other similar obligations are issued under the provisions of the title to which this act is a supplement.

C. 40:23-8.5.  
Authorized  
to raise funds.

C. 40:23-8.6.  
Annual  
appropriation.

3. To meet any necessary expenses incurred by any board of chosen freeholders under the provisions of this act, it shall be lawful for such board to appropriate and raise funds annually in the same manner as appropriations are made for county purposes.

C. 40:23-8.7.  
May use  
unappropriated  
funds.

4. If, during the fiscal year in which this act shall be adopted, upon the establishment of such program, any board of chosen freeholders shall have made no provision in its annual budget for the necessary expense thereof during such fiscal year, said board may appropriate and use any county funds not otherwise appropriated or dedicated, or may appropriate and raise such funds as may be necessary for such purpose during such fiscal year and may borrow the same, or any part thereof, on the credit of the county, and may issue obligations therefor in the same manner as other similar obligations are issued under the provisions of the act to which this act is a supplement.

5. This act shall take effect immediately.

Approved March 19, 1946.

## CHAPTER 23

A SUPPLEMENT to "An act to provide for temporary bonus for certain persons holding public office, position, or employment, whose compensation is paid by any county, municipality, school district, or other political subdivision of this State, or by any board, body, agency, or commission of any county, municipality, or school district of this State," approved December twenty-seventh, one thousand nine hundred and forty-one (P. L. 1941, c. 404), as said title was amended by chapter thirty-one of the laws of one thousand nine hundred and forty-three.

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

1. In addition to the authority contained in the act to which this is a supplement, and notwithstanding the limitations therein fixed by percentage of salary, every board of chosen freeholders, common council, governing body, board of education, board, body and officer by whatsoever name, of any county, municipality, school district, or other political subdivision of this State, now having the power or charged with the duty of paying, on behalf of such county, municipality, school district, or other political subdivision of this State, or of such board, body, agency, or commission of any county, municipality, or school district of this State, the salary or pay of persons holding office, position, or employment, shall have power and authority to grant and order paid in monthly or other installments an equal annual bonus to all of its officers, position holders and employees entitled to receive bonuses under said act, in an amount to be determined by such body, board or officer, not

Bonus  
authorized.

to exceed three hundred sixty dollars (\$360.00) each per annum.

2. This act shall take effect immediately.

Approved March 22, 1946.

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## CHAPTER 24

AN ACT concerning counties, and amending section 40:23-2 of the Revised Statutes.

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

Section  
amended.

1. Section 40:23-2 of the Revised Statutes is amended to read as follows:

Printing for  
superintendent  
of schools.

40:23-2. The printing required in the office of the county superintendent of schools shall be paid for as other county printing, but the sum expended for this purpose in any county shall be determined by the board of chosen freeholders.

2. This act shall take effect immediately.

Approved March 22, 1946.



## CHAPTER 25

AN ACT concerning the appointment of officers or members of the police force in certain municipalities, and supplementing chapter forty-seven of Title 40 of the Revised Statutes.

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

1. In any municipality having a population of less than twenty-five hundred inhabitants, a person may be appointed an officer or member of the police force, if he is otherwise qualified, notwithstanding that he has not been a resident of said municipality for two years next preceding his appointment if

C. 40:47-3.1.  
Appointments  
to police force,  
requirements.

(a) not less than four weeks' notice of the examination for appointment to the police force has been published at least once a week in a newspaper circulating in the municipality; and

(b) no person who has been such a resident and is otherwise qualified for appointment has applied for such appointment at the time scheduled for examination.

2. This act shall take effect immediately.  
Approved March 22, 1946.

## CHAPTER 26

AN ACT concerning the recording of unrecorded births, and amending section 26:8-38 of the Revised Statutes.

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

Section  
amended.

1. Section 26:8-38 of the Revised Statutes is amended to read as follows:

Recording  
birth  
certificate.

26:8-38. The birth of any child which has occurred or which may hereafter occur and which is not recorded in the bureau of vital statistics, as required by this chapter, may be recorded in the bureau by filing in the bureau a certificate.

a. Over the signature of the physician or midwife who attended the birth or over the signature of the father or mother of the child, or

Proviso.

b. When it is impossible to secure the signature of any of the persons named, the certificate may be signed by any person who has definite knowledge of the facts concerning the birth or by the person whose birth is being reported; *provided*, substantiating documentary proof is submitted and noted upon the certificate by the person before whom the affidavit is taken.

Affidavit of  
correctness.

In every case the certificate shall be accompanied by an affidavit attesting the correctness of the information given therein, which affidavit shall be a part of the record of the birth. A copy of the affidavit shall accompany each certified copy of any record of the birth issued by the State Registrar or any local registrar.

Who may take  
affidavit.

The affidavit (1) if taken in New Jersey, shall be taken before a Circuit Court judge, a judge of the court of common pleas, a district court judge, the State Registrar or Assistant State Registrar of Vital Statistics, a county clerk or a deputy county

clerk of the county where the birth occurred or where the person making the affidavit resides or, (2) if taken in some other State of the United States or territory thereof or in the District of Columbia shall be taken before a judge of any of the United States courts or a judge of any court of record having jurisdiction in the place where the affidavit is taken, or, (3) if taken in any foreign kingdom, State, nation or colony shall be taken before a public ambassador, minister, consul, vice-consul, consular agent, charge d'affaires or other representative of the United States for the time being, to or at any such foreign kingdom, State, nation or colony; *provided, however,* that the affidavit may be taken in New Jersey by any secretary or sergeant-at-arms of any Circuit Court judge, or of any judge of the court of common pleas, or by the clerk or deputy clerk of a district court of the county where the birth occurred or where the person making the affidavit resides, if prior thereto, the Circuit Court judge, the judge of the court of common pleas or the district court judge shall have filed with the State Registrar of Vital Statistics a certificate setting forth that such secretary, sergeant-at-arms, clerk, or deputy clerk, as the case may be, has been designated by him to take such affidavits, and all oaths, affirmations and affidavits required to be made or taken by this section or necessary or proper to be made or taken by this section may be made and taken before any such secretary, sergeant-at-arms, clerk, or deputy clerk, when so designated.

Proviso.

The bureau or any local registrar may require proof of the correctness of the information in a certificate and may refuse to accept a certificate which appears to contain false or insufficient information.

May require proof of correctness.

Any person knowingly submitting a certificate pursuant to this section containing incorrect particulars regarding a birth shall be subject to a penalty of not more than five hundred dollars (\$500.00)

Penalty for falsification.

to be recovered with costs in a summary proceeding in the name of the State Department.

2. This act shall take effect immediately.

Approved March 22, 1946.

## CHAPTER 27

AN ACT applying to county park commissions in this State, to which commissioners are appointed by a Supreme Court justice, and amending section 40:37-156 of the Revised Statutes.

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

Section  
amended.

1. Section 40:37-156 of the Revised Statutes is amended to read as follows:

Removal of  
park police.

40:37-156. No member or officer of the police force or police department shall be removed except after trial and conviction by the park commission, or a member or members thereof, of the violation of proper rules and regulations for the appointment, control and management of members of such force or department and for the securing of proper discipline and efficiency among the members thereof.

Subpœnas.

The park commission, or the member or members thereof before whom such trial is to be had, shall have and are hereby given the power to issue writs of subpœna under the seal of the park commission and signed by the secretary or by one of the members of the park commission, to compel the attendance of witnesses in this State and the production of papers in support of the charges. Upon

Witness fees.

the request of the person to be tried, like writs of subpœna shall be issued in his behalf. The fees for witnesses for attendance and travel shall be the

same as allowed witnesses before the court of common pleas.

Every person, who neglects or refuses to obey the command of such writ and who shall have been paid the proper witness fees, shall be liable to a penalty of fifty dollars (\$50.00), to be sued for in the name of the park commission in any court of competent jurisdiction and the penalty, when collected, shall be paid into the maintenance fund of the park commission.

Penalty upon failure to obey writ.

2. This act shall take effect immediately.

Approved March 22, 1946.

## CHAPTER 28

AN ACT concerning bribery and corruption in relation to officials acting, or intending to act, in connection with athletic or sporting contests, and supplementing subtitle thirteen of Title 2 of the Revised Statutes.

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

1. Any person who shall, directly or indirectly, give or promise to give, any money or valuable thing, as a bribe, present, or reward, to any person acting, or intending to act, as a referee, umpire, judge, timer, measurer or as an official for any purpose, for any amateur or professional athletic or sporting game, match, or contest, with intent to induce such person to act corruptly in making decisions, rulings, interpretations or adjudications or in the performance of his official duties in connection therewith, shall be guilty of a misdemeanor.

C. 2:114-16.  
Bribery a  
misdemeanor.

2. Any person acting, or intending to act, as a referee, umpire, judge, timer, measurer or as an official for any purpose, for any amateur or pro-

C. 2:114-17.  
Official  
guilty of  
misdemeanor.

fessional athletic or sporting game, match, or contest, who shall solicit or receive, directly or indirectly, any money or valuable thing, as a bribe, present, or reward, to act corruptly in making any decision, ruling, interpretation or adjudication, or in any matter in the performance of his official duties in connection therewith, shall be guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved March 22, 1946.

## CHAPTER 29

AN ACT concerning county superintendents of schools, and amending section 18:4-4 of the Revised Statutes.

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

Section  
amended.

1. Section 18:4-4 of the Revised Statutes is amended to read as follows:

To receive  
expenses.

18:4-4. A county superintendent of schools shall receive in addition to his salary, the actual expenses incurred by him in the performance of his official duties, not exceeding nine hundred dollars (\$900.00) in any one year.

Payment.

Such expenses shall be paid by the treasurer of the county on the order of the commissioner; but the commissioner shall not draw an order in favor of any county superintendent who has not performed faithfully, during the period in which such expenses have been incurred, all the duties imposed upon him by this Title, nor until he has furnished to the commissioner an itemized statement of the expenses incurred, certified under his oath, together with proper vouchers.

2. This act shall take effect immediately.

Approved March 22, 1946.

## CHAPTER 30

AN ACT providing for a further distribution of the Revised Statutes of the State of New Jersey, and of the Revised Statutes cumulative supplements, and making an appropriation therefor.

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

1. The Secretary of State is hereby authorized to deliver to each member of the Senate and House of Assembly of the one hundred and seventieth session of the New Jersey Legislature, who has not previously received the same, a complete set of the Revised Statutes of this State, including volumes IV and V thereof, and including also the three volumes of the Revised Statutes cumulative supplements covering the years one thousand nine hundred and thirty-eight to one thousand nine hundred and forty-five, inclusive.

Distribution  
of Revised  
Statutes.

2. To each member of the one hundred and seventieth session of the New Jersey Legislature who has already received a complete set of the Revised Statutes including the two volumes of the cumulative supplements covering the years one thousand nine hundred and thirty-eight to one thousand nine hundred and forty-four, inclusive, the Secretary of State is hereby directed to deliver only the one volume of the Revised Statutes cumulative supplements covering the year one thousand nine hundred and forty-five.

Cumulative  
supplement  
of 1945.

3. There is hereby appropriated the sum of one thousand three hundred and seventy-five dollars (\$1,375.00) to the Secretary of State for the purpose of purchasing the three volumes of the Revised Statutes cumulative supplements covering the years one thousand nine hundred and thirty-

Appropriation.

eight to one thousand nine hundred and forty-five, inclusive.

4. This act shall take effect immediately.

Approved March 22, 1946.

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## CHAPTER 31

AN ACT relating to the readjustment or composition of the debts of municipal and other political subdivisions of this State under the Federal bankruptcy act, and amending section 52:27-43 of the Revised Statutes.

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

Section  
amended.

1. Section 52:27-43 of the Revised Statutes is amended to read as follows:

Authorized  
to approve  
petition  
and plan.

52:27-43. The commission may in its discretion give its approval in the manner provided by this article to the filing of any petition for the purpose of effecting readjustment of its debt which any political subdivision proposes to file, and of any plan of readjustment filed with or in the proceedings upon any such petition; but no such plan of readjustment shall provide for the payment of fees, compensation, reimbursement or other allowances for attorneys, agents, committees, or other representatives of creditors of the political subdivision, except subject to the express approval in writing by the commission of every such payment.

2. This act shall take effect immediately.

Approved March 22, 1946.



## CHAPTER 32

AN ACT concerning county detectives in certain counties, and supplementing chapter one hundred eighty-one of Title 2 of the Revised Statutes.

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

1. In counties having more than three hundred thousand and not more than five hundred thousand inhabitants, the prosecutor of the pleas may appoint, with the approval of a judge of the court of quarter sessions, not exceeding nine suitable persons to act as special officers for the detection, arrest, indictment and conviction of offenders against the law, one of whom may be designated by the prosecutor of the pleas as chief of county detectives and one as captain of county detectives. C. 2:181-17.  
Appointment  
of county  
detectives.

2. The persons so appointed shall possess all the powers and rights and be subject to all the obligations of constables and police officers in any county of this State in criminal matters only. C. 2:181-18.  
Powers and  
obligations.

3. The person designated as chief of county detectives shall receive an annual salary of four thousand dollars (\$4,000.00), and the others, annual salaries of not less than twenty-five hundred dollars (\$2,500.00) and not more than three thousand dollars (\$3,000.00). C. 2:181-19.  
Salaries.

4. The amount of the salaries herein provided shall be determined by the prosecutor of the pleas and a judge of the court of quarter sessions of the county, and shall be paid by the county treasurer in equal semimonthly installments out of the funds of the county. C. 2:181-20.  
Payment of  
salaries.

5. No person appointed as a special officer under authority of this act shall be eligible to receive any increase in salary over the minimum salary as fixed by this act until he shall have served two C. 2:181-21.  
Salary  
increases.

years as a county detective in the office of the prosecutor of the pleas; and no increase in salary fixed by the prosecutor of the pleas or a judge of the court of quarter sessions shall exceed one hundred dollars (\$100.00) per year for each year of service over two years; and all increases shall cease when the maximum amount named in this act are reached.

6. This act shall take effect immediately.

Approved March 22, 1946.

### CHAPTER 33

AN ACT authorizing fraternal beneficiary associations to provide for insurance and annuities upon the lives of children, and amending section 17:43-1 of the Revised Statutes.

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

Section  
amended.

1. Section 17:43-1 of the Revised Statutes is amended to read as follows:

Authorized  
to provide  
insurance,  
etc., upon  
children.

17:43-1. Any society operating as a fraternal beneficiary association and authorized to do business in this State, upon complying with the provisions of chapters thirty-nine to forty-four of this Title (§17:39-1 et seq.), may receive from the commissioner written authority to provide in its laws, in addition to other benefits provided for therein, for insurances, endowments and annuities upon the lives of children on the application of an adult person, as the laws of the society may provide. The society may at its option organize and operate branches for the children and membership in local lodges and initiation therein shall not be required of the children nor shall they have any voice in the management of the society.

The contributions to be made on the certificates shall be based on the "Standard Industrial Mortality Table" or the "English Life Table Number Six" or any other mortality table the commissioner approves, and at a rate of interest not in excess of four per centum (4%) per annum.

Basis of contributions.

2. This act shall take effect immediately.

Approved March 22, 1946.

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## CHAPTER 34

AN ACT concerning civil service, and amending section 11:22-2 of the Revised Statutes.

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

1. Section 11:22-2 of the Revised Statutes is amended to read as follows:

Section amended.

11:22-2. The unclassified service shall not be subject to the provisions of this subtitle and shall include the following:

Unclassified service.

- a. Officers elected by popular vote;
- b. Election officers;
- c. Appointments of the mayor;
- d. Heads of departments, the members of commissions and boards elected by the board of aldermen, common council or other governing body of any county, municipality or school district operating under this subtitle;
- e. Law officers of a county, municipality or school district operating under this subtitle;
- f. Superintendents of, teachers and instructors in the public schools and county superintendents and members and business managers of boards of education;
- g. Police magistrates appointed by the mayor or other head officer of the municipality operating under this subtitle;

h. Officers and employees of county park commissioners appointed under the provisions of sections 40:37-96 to 40:37-174 of the Title Municipalities and Counties; and

i. The superintendent of a county hospital for persons suffering from communicable diseases appointed under the provisions of sections 30:9-61 to 30:9-69 of the Revised Statutes.

2. This act shall take effect immediately.

Approved March 22, 1946.

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## CHAPTER 35

AN ACT authorizing the compromise and settlement in full by counties of certain taxes for State, State school or county purposes and of other receivables due and in arrears from certain municipalities, and supplementing chapter twenty-seven of Title 52 of the Revised Statutes.

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

C. 52:27-39.1.  
May  
compromise  
tax arrears.

1. If a municipality in which the municipal finance commission may be or may have been functioning shall for eight years have been in arrears in the payment of the whole or any part of any taxes levied in the municipality for either State, State school or county purposes or any interest thereon, the county may in accordance with this act enter into a compromise settlement in full discharge of all claim of such county and its treasurer for any taxes for State, State school or county purposes, or any interest thereon, or for any note or bond or other receivable, due and in arrears at the date of such settlement from the municipality, together with any interest thereon, whether such taxes, interest or other receivable have been due and in arrears for more or for less than eight years.

2. Such compromise settlement shall be entered into only upon authorization by resolution of the board of chosen freeholders of the county and only if prior thereto the county or its treasurer shall have paid to the State the full amount of any taxes included in such settlement levied for State or State school purposes.

C. 52:27-39.2.  
Resolution  
authorizing  
compromise.

3. Such compromise settlement may include and be made on such terms as the board of chosen freeholders may deem fair and equitable and, without limiting the generality of the foregoing, may provide for the acceptance by the county or its treasurer in full and final discharge of the claim covered thereby of a sum in cash or of notes or bonds, or both, or of any other consideration, whether or not the face value or market value of such considerations shall equal the amount of such claim.

C. 52:27-39.3.  
Terms of  
compromise.

4. The county treasurer shall carry out and perform any such compromise settlement so authorized in accordance with its terms and provisions. Any notes or bonds or other considerations received other than cash may be sold, exchanged, renewed, refinanced or otherwise disposed of at any time or from time to time at such price or prices and upon such terms as the board of chosen freeholders may by resolution authorize, and such notes or bonds, or other obligations received in exchange, renewal or refinancing thereof, shall be enforceable by the county in accordance only with their terms and the laws governing the same.

C. 52:27-39.4.  
Treasurer  
to perform.

5. This act shall take effect immediately, but no compromise settlement shall be entered into under this act unless a resolution authorizing the same shall have been adopted pursuant to section two of this act within two years from the effective date of this act.

C. 52:27-39.5.  
Provisions  
operative.

Approved March 25, 1946.

## CHAPTER 36

AN ACT authorizing counties to make contributions toward the cost of the making of certain local public improvements.

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

County  
authorized  
to make  
contributions  
for local  
improvements.

1. Whenever any municipality in counties other than the first class heretofore shall have made a local public improvement, the cost whereof was assessed in part against lands benefited thereby but no part of the cost of the improvement was contributed by the county, and the board of chosen freeholders of the county shall determine that lands of the county were in fact benefited by such improvement and shall determine upon a sum of money which will be a fair and equitable contribution to the cost of the said improvement, and will not exceed the value to the county of the benefit derived therefrom, said board may, in its discretion, appropriate and pay the sum so determined upon to the municipality and the municipality may use the same, when received, in the same manner and for the same purposes as though the same were received in payment for a valid assessment for benefits against such lands or for general municipal purposes and shall cancel any purported assessment, against such lands, made or attempted to be made for such improvement.

Assessments  
canceled.

2. This act shall take effect immediately.  
Approved March 25, 1946.

## CHAPTER 37

AN ACT concerning unemployment compensation, and amending section 43:21-19 of the Revised Statutes.

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

1. Section 43:21-19 of the Revised Statutes is amended to read as follows: Section amended.

43:21-19. As used in this chapter, unless the context clearly requires otherwise: Terms defined:

(a) (1) "Annual payroll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during a calendar year. Annual payroll;

(2) "Average annual payroll" means the average of the annual payrolls of any employer for the last three or five preceding calendar years, whichever average is higher; *provided, however*, that only those wages be included on which employer contributions have been paid on or before January thirty-first of the calendar year for which the employer's contribution rate is computed. Average annual payroll;

(b) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to his unemployment. Benefits;

(c) The term "base year" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year; *provided*, that no calendar quarter shall comprise a part of more than one base year. Base year;

(d) "Benefit year" with respect to any individual means the three hundred sixty-four consecutive calendar days beginning with the day on, or as of, which he first files a valid claim for benefits, and thereafter beginning with the day on, or as of, which the individual next files a valid claim for benefits after the termination of his last preceding Benefit year;

benefit year. Any claim for benefits made in accordance with subsection (a) of section 43:21-6 of this Title shall be deemed to be a "valid claim" for the purpose of this subsection if the individual has fulfilled the condition imposed by subsection (e) of section 43:21-4 of this Title.

**Commission;** (e) "Commission" means the Unemployment Compensation Commission established by section 43:21-10 of this Title, and for purposes of this chapter any transaction or exercise of authority by the executive director shall be deemed to be performed by the commission.

**Contributions;** (f) "Contributions" means the money payments to the State Unemployment Compensation Fund required by this chapter.

**Employing unit;** (g) "Employing unit" means any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January first, one thousand nine hundred and thirty-six, had in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which maintains two or more separate establishments within this State shall be deemed to be employed by a single employing unit for all the purposes of this chapter. Whenever any employing unit contracts with or has under it any contractor or subcontractor for any employment which is part of its usual trade, occupation, profession, or business, unless the employing unit as well as each such contractor or subcontractor is an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, the employing unit shall for all the purposes of this chapter be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which such individual is engaged in performing such em-



ployment; except that each such contractor or subcontractor who is an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, shall alone be liable for the contributions measured by wages payable to individuals in his employ, and except that any employing unit who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, may recover the same from such contractor or subcontractor. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all the purposes of this chapter, whether such individual was hired or paid directly by such employing unit or by such agent or employee; *provided*, the employing unit had actual or constructive knowledge of the work. Proviso:

(h) "Employer" means: Employer;

(1) Any employing unit which for some portion of a day, but not necessarily simultaneously, in each of twenty different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment four or more individuals (irrespective of whether the same individuals are or were employed in each such day);

(2) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter;

(3) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another employing unit and which, if treated as a single unit with such other employing unit, would be an employer under paragraph (1) of this subsection;

(4) Any employing unit which together with one or more other employing units, is owned or controlled (by legally enforceable means or otherwise), directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforceable means or otherwise), and which, if treated as a single unit with such other employing unit or interests, would be an employer under paragraph (1) of this subsection;

(5) Any employing unit which, having become an employer under paragraphs (1), (2), (3) or (4), has not, under section 43:21-8 of this Title, ceased to be an employer subject to this chapter; or

(6) For the effective period of its election pursuant to subsection (c) of section 43:21-8 of this Title any other employing unit which has elected to become fully subject to this chapter.

Employment;

(i) (1) "Employment" means service, including service in interstate commerce performed for remuneration or under any contract of hire, written or oral, expressed or implied.

(2) The term "employment" shall include an individual's entire service, performed within or both within and without this State if:

(A) The service is localized in this State; or

(B) The service is not localized in any State but some of the service is performed in this State, and (i) the base of operation, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this State; or (ii) the base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed, but the individual's residence is in this State.

(3) Services performed within this State but not covered under paragraph (2) of this subsection shall be deemed to be employment subject to this chapter if contributions are not required and paid with respect to such services under an unemploy-

ment compensation law of any other State or of the Federal Government.

(4) Services not covered under paragraph (2) of this subsection, and performed entirely without this State, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other State or of the Federal Government, shall be deemed to be employment subject to this chapter if the individual performing such services is a resident of this State and the commission approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter; *provided*, written objections on the part Proviso. of a substantial proportion of such individuals affected are not presented to the commission within ten days following the filing of such election.

(5) Service shall be deemed to be localized within a State if

(A) the service is performed entirely within such State; or

(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

(6) Services performed by an individual for remuneration shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the commission that

(A) such individual has been and will continue to be free from control or direction over the performance of such service, both under his contract of service and in fact; and

(B) such service is either outside the usual course of the business for which such service is performed, or that such service is performed

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outside of all the places of business of the enterprise for which such service is performed; and

(C) such individual is customarily engaged in an independently established trade, occupation, profession or business.

(7) The term "employment" shall not include:

(A) Agricultural labor;

(B) Domestic service in a private home;

(C) Service performed by an individual in the employ of his son, daughter or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

(D) Service performed in the employ of this State or of any political subdivision thereof or of any instrumentality of this State or its political subdivisions;

(E) Service performed in the employ of any other State or its political subdivisions, or of the United States Government, or if an instrumentality of any other State or States or their political subdivisions or of the United States;

(F) Services performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, hospital, benevolent, philanthropic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(G) Services performed in the employ of fraternal beneficiary societies, orders, or associations operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system and providing for the payment of life, sick, accident or other benefits to the members of such society, order, or association, or their dependents;

(H) Services performed as an officer or other employee of any building and loan association of this State, except where such services constitute the principal employment of the individual; services performed as an officer or other employee of any building and loan association where such association is a member of the Federal Home Loan Bank System; services performed as an officer or other employee of any bank which is a member of the Federal Reserve System;

(I) Service, performed after June thirtieth, one thousand nine hundred and thirty-nine, with respect to which unemployment compensation is payable under the Railroad Unemployment Insurance Act (52 Stat. 1094).

(J) Service performed by agents of insurance companies, exclusive of industrial life insurance agents, or by agents of investment companies, who are compensated wholly on a commission basis.

(K) Services performed by real estate salesmen or brokers who are compensated wholly on a commission basis.

(j) "Employment office" means a free public employment office, or branch thereof operated by this State or maintained as a part of a State controlled system of public employment offices. Employment office;

(k) "Fund" means the unemployment compensation fund established by this chapter, to which all contributions required and from which all benefits provided under this chapter shall be paid. Fund;

(l) "State" includes, in addition to the States of the United States of America, Alaska, Hawaii, and the District of Columbia. State;

(m) Unemployment.

(1) An individual shall be deemed "unemployed" for any week during which he is not engaged in full-time work and with respect to which his remuneration is less than his weekly benefit rate. Unemployment;

(2) The term remuneration, as used in this subsection, shall include only that part of the same which exceeds three dollars (\$3.00) for any one week.

(3) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the commission may by regulation otherwise prescribe.

Unemployment  
compensation  
administration  
fund;

(n) "Unemployment compensation administration fund" means the unemployment compensation administration fund established by this chapter, from which administrative expenses under this chapter shall be paid.

Wages;

(o) "Wages" means remuneration payable by employers for employment.

Remuneration;

(p) "Remuneration" means all compensation payable for personal services, including commissions and bonuses and the cash value of all compensation payable in any medium other than cash.

Week;

(q) "Week" means such period or periods of seven consecutive calendar days ending at midnight, as the commission may by regulation prescribe.

Calendar  
quarter;

(r) "Calendar quarter" means the period of three consecutive months ending on March thirty-first, June thirtieth, September thirtieth, or December thirty-first, excluding, however, any calendar quarter or portion thereof which occurs prior to January first, one thousand nine hundred and thirty-seven, or the equivalent thereof as the commission may by regulation prescribe.

Investment  
company.

(s) "Investment company" means any company as defined in paragraph 1. a of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight, entitled "An act concerning investment companies, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'investment companies.' "

2. This act shall take effect immediately.

Approved March 26, 1946.

## CHAPTER 38

AN ACT concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; and providing for seizure and operation of public utilities by the State.

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

## DECLARATION OF POLICY

1. It is hereby declared to be the policy of the State that heat, light, power, sanitation, transportation, communication, and water are life essentials of the people; that the possibility of labor strife in utilities operating under governmental franchise is a threat to the welfare and health of the people; that utilities operating under such franchise are clothed with public interest, and the State's regulation of the labor relations affecting such public utilities is necessary in the public interest.

C. 34:13B-1.  
Declaration  
of policy.

## COLLECTIVE BARGAINING

2. Employees shall have the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for the purposes of this act. No public utility, its officers or agents, shall deny or in any way question the right of its employees to join, organize or assist in organizing the labor organization of their choice, and it shall be unlawful for any public utility to interfere in any way with the organization of its employees, or to use the funds of the public utility in maintaining or assisting or

C. 34:13B-2.  
Employees'  
right to  
collective  
bargaining.

contributing to any labor organization, labor representative, or other agency of collective bargaining, or in performing any work therefor, or to influence or coerce employees in an effort to induce them to join or remain or not to join or remain members of any labor organization; *provided, however,* that it shall not be unlawful to require as a condition of employment, membership in any labor organization, not initiated, created or existing as a result of practices declared unlawful hereby; *provided,* that nothing in this act shall be construed to prohibit a public utility from permitting an employee, individually, or local representatives of employees from conferring with management during working hours without loss of time, or to prohibit a public utility from furnishing free transportation to its employees while engaged in the business of a labor organization. In the event of a controversy as to who are the representatives of any given craft or class of employees of a utility for the purpose of collective bargaining or of a controversy as to which employees of a utility constitute or are members of a given craft or class and entitled to vote in an election for the choice of representatives for purposes of collective bargaining, the State Board of Mediation shall determine such question or questions and certify its findings to the employees and to the utility. Such finding of the State Board of Mediation shall be conclusive.

#### ADDITIONAL POWERS TO STATE BOARD OF MEDIATION

C. 34:13B-3.  
Powers of  
State board of  
mediation.

3. There is hereby included in the functions of the State Board of Mediation the following responsibility:

(A) The determination of who are the representatives of any given craft or class of employees of a utility; which employees of a utility constitute or are members of a given craft or class and entitled to vote in an election for choice of representatives of such craft or class for purposes of collective bargaining. It shall be the duty of the State Board of Mediation to recognize as an ap-



propriate bargaining unit, any craft, group, or class of employees of a utility, the majority of whom desire to be represented as such class, craft or group.

CONTRACTS BETWEEN A UTILITY AND ITS EMPLOYEES

4. All labor agreements hereafter entered into between the management of a utility and its employees or any craft or class of employees shall be reduced to writing and continue for a period of not less than one year from the date of the expiration of the previous agreement entered into between the management of the utility and its employees or if there has been no such previous agreement then for a period of not less than one year from the date of the actual execution of the agreement. Such agreement shall be presumed to continue in force and effect from year to year after the date fixed for its original termination unless either or both parties thereto inform the other, in writing, of the specific changes desired to be made therein and shall also file a copy of such demands with the State Board of Mediation, at least sixty days before the original termination date or sixty days before the end of any yearly renewal period.

C. 34:13B-4.  
Contract  
between  
utility and  
employees.

Agreement  
presumed  
to continue.

5. In the case of all existing labor contracts, agreements or understandings which do not provide for at least a sixty-day notice of desired changes and which contracts, agreements or understandings terminate after seventy days following the effective date of this act, the parties thereto shall nevertheless inform, in writing, the other party or parties of any specific changes desired to be made in said contract, agreement or understanding and file a copy of such desired changes with the State Board of Mediation at least sixty days before the date fixed for the termination of said contract, agreement or understanding. In the case of labor contracts, agreements or understandings terminating within seventy days after this act shall become effective, the parties thereto shall forthwith, or not later than ten days after the effective date

C. 34:13B-5.  
Changes in  
existing  
contracts.

of this act, inform the other party, in writing, of the specific changes desired to be made in said contract, agreement or understanding and promptly file a copy of such demands with the State Board of Mediation.

Copy filed.

C. 34:13B-6.  
Notice of  
desired changes  
in expired  
contracts.

6. Whenever at the time of the passage of this act a labor contract between a utility and its employees has existed and has expired, and where services are still being performed by the said employees under the terms of said expired contract, the said employees, through their duly elected representatives, if they desire to enter into a contract with the utility or if they desire to seek changes in the terms of wages, hours or working conditions, or if the utility shall desire in any way to effect the terms of wages, working conditions, et cetera, under which employment is now being carried on then and in that case the party desiring such changes shall within ten days after the effective date of this act inform the other party in writing of the specific changes desired to be made in said terms of employment either by contract, in writing, or otherwise, and shall promptly file a copy of such demands with the State Board of Mediation.

C. 34:13B-7.  
Notice of  
desired changes  
in terms of  
employment.

7. Whenever, after the passage of this act, a situation exists in any utility whereby employees are rendering services under terms and conditions which were not at the time of the passage of this act and which have not heretofore been the subject of the contract, and said employees desire to effectuate a change in the terms of employment or a utility desires to effectuate a change in said terms of employment then and in that event, it shall be the duty of the party desiring such change, not less than sixty days prior to the desired effective date thereof, to inform the other party in writing of the specific changes so desired in the manner in which they are desired, either by written contract or otherwise and to file a copy of such terms with the State Board of Mediation.

## PUBLIC HEARINGS

8. In the event that management of a utility and the representatives for collective bargaining purposes of any craft or group of employees of such utility shall not have reached and executed a final agreement in writing as to all conditions of employment affecting such employees on or before the termination date of any existing contract, agreement or understanding or any renewal thereof, or unless the parties shall have, before said date, agreed to submit any and all disputes between them to arbitration, the management of such utility and the representatives of such employees shall, within five days after such termination date, each designate, in writing, a person as a Public Hearing Panel member and file such designation with the State Board of Mediation; the two persons so designated shall choose a third disinterested and impartial person and these three shall compose and act as a panel. The panel shall promptly proceed and within fifteen days following their designation hold and complete public hearings on the specific changes so requested, to the contract, agreement or understanding. Said period of fifteen days may be extended by the mutual written consent of the parties. The panel shall give to each party full notice and opportunity to be heard, but the failure of either party to appear before the panel at the time and place fixed by it shall not deprive the panel of jurisdiction to proceed to a hearing and to make report thereon as herein provided.

C. 34:13B-8.  
Public  
hearings.

9. Parties may be heard either in person or by counsel as they may elect, and the panel shall give due notice of all hearings to the employee or employees or their representatives and the public utility or utilities involved in the labor dispute.

C. 34:13B-9.  
Notice of  
hearings.

10. Representatives for the purposes of this act shall be designated by the respective parties without interference, influence or coercion by either party over the designation of representatives by

C. 34:13B-10.  
Represent-  
tatives.

the other. Representatives of employees for the purpose of this act need not be persons in the employ of the utility.

C. 34:13B-11.  
Report filed.

11. Within five days after closing such hearings the panel shall file with the Governor, in writing, a report setting forth a statement of the controversy, a resume of the evidence submitted to it and its recommendations based thereon.

C. 34:13B-12.  
Action upon  
failure to  
designate  
representatives.

12. In the event either management of the utility involved or the representatives of the employees for collective bargaining purposes shall fail or neglect to designate, as hereinbefore provided, such a person to represent it upon the panel or the two so designated shall fail to agree upon the third member of the panel, within ten days after the date fixed for the termination of such contract, agreement or understanding or upon failure to file such designations or any of them with the State Board of Mediation within said ten-day period, the State Board of Mediation shall appoint such person or persons, using the same procedure therefore as it presently uses in the selection of arbitrators. Should both management and the representatives of the employees fail or neglect to designate representatives upon said panel within the time hereinbefore required, then the State Board of Mediation shall appoint a panel of three persons, taken from its regular panel of arbitrators, selected as follows: one to represent management of the utility, giving the management forty-eight hours to select its preference from a list of five persons submitted by the board to the management before designating such person; one to represent the employees involved, giving their representative forty-eight hours to select their preference from a list of five persons submitted by the board to such representative, before designating such person; and one to act as the impartial third person, selected in accordance with the same procedure as the said board presently uses in the selection of arbitrators.

## SEIZURE

13. Should either the utility or its employees refuse to accept and abide by the recommendations made pursuant to the provisions of this act and as a result thereof the effective operation of a public utility be threatened or interrupted, or should either party in a labor dispute between a utility and its employees, after having given sixty days' notice thereof, or failing to give such notice, engage in any strike, work stoppage or lockout which, in the opinion of the Governor, will result in the failure to continue the operation of the public utility, and threatens the public interest, health and welfare, or in the event that neither side has given notice to the other of an intention to seek a change in working conditions, and there occurs a lockout, strike or work stoppage which, in the opinion of the Governor, threatens to impair the operation of the utility so as to interfere with the public interest, health and welfare, then and in that case he is authorized to take immediate possession of the plant, equipment or facility for the use and operation by the State of New Jersey in the public interest. Such power and authority may be exercised by the Governor through such department or agency of the government as he may designate and may be exercised after his investigation and proclamation that there is a threatened or actual interruption of the operation of such public utility as the result of a labor dispute, a threatened or actual strike, a lockout or other labor disturbance, and that the public interest, health and welfare are jeopardized, and that the exercise of such authority is necessary to insure the operation of such public utility; *provided*, that whenever such public utility, its plant, equipment or facility has been or is hereafter so taken by reason of a strike, lockout, threatened strike, threatened lockout, work stoppage or slow-down, or other cause, such utility, plant, equipment or facility shall be returned to the owners thereof as soon as practicable after the settlement of said labor dispute.

C. 34:13B-13.  
Seizure  
of plant.

Operation  
of plant.

Proviso.

## GENERAL

C. 34:13B-14.  
Rules and  
regulations.

14. The Governor is authorized to prescribe the necessary rules and regulations to carry out the provisions of this act.

C. 34:13B-15.  
Construing.

15. No employee shall be required to render labor or service without his consent; nor shall anything in this act be construed to make the quitting of his labor or services by an individual employee an illegal act; nor shall any court issue any process to compel the performance by an individual employee of such labor or service without his consent.

## DEFINITIONS

C. 34:13B-16.  
Terms  
defined:  
Public utility;

16. (a) The term "public utility" shall include autobusses; bridge companies; canal companies; electric light, heat and power companies; ferries and steamboats; gas companies; pipeline companies; railroads; sewer companies; steam and water power companies; street railways; telegraph and telephone companies; tunnel companies; water companies.

Person;

(b) The term "person" means any individual, firm, copartnership, corporation, company, association, or joint stock association; and includes any trustee, receiver, assignee, or personal representative thereof.

Representative;

(c) The term "representative" means any person or persons, labor union, organization, or corporation designated either by a utility or group of utilities or by its or their employees to act or do for them.

Collective bargaining;

(d) The term "collective bargaining" shall be understood to embody the philosophy of bargaining by employees through representatives of their own choosing, and shall include the right of representatives of employees' units to be consulted and to bargain upon the exceptional as well as the routine wages, hours, rules, and working conditions.

(e) The term "labor dispute" shall involve any controversy between employer and employees as to hours, wages, and working conditions. The fact that employees have amicable relations with their employers shall not preclude the existence of a dispute among them concerning their representative for collective bargaining purposes. Labor dispute;

(f) The term "employee" shall refer to anyone in the service of another, actually engaged in or connected with the operation of any public utility throughout the State. Employee.

#### SEVERABILITY

17. 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, and the application of such provision to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved. It is hereby declared to be the legislative intent that this act would have been adopted had such invalid provision not been included herein. C. 34:13B-17.  
Parts  
severable.

18. This act shall take effect immediately.

Approved March 26, 1946. .

## CHAPTER 39

AN Act to amend "An act concerning municipalities, and supplementing chapter forty-eight of Title 40 of the Revised Statutes," approved April thirtieth, one thousand nine hundred and forty-five (P. L. 1945, c. 266).

**Preamble.** WHEREAS, In certain of the smaller counties it is considered more feasible to establish a veterans' service bureau for the entire county and it is impracticable for a municipality or several municipalities jointly to establish a veterans' service bureau in such counties; and

**Preamble.** WHEREAS, It is felt that all veterans in this State should have the benefit of a veterans' service bureau in their municipality or county; now, therefore,

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

**Section amended.**

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

**C. 40:48-2.15.**  
May establish  
veterans'  
service bureau.

1. Any municipality, or any county of the fourth or sixth class, of this State may establish a veterans' service bureau in such municipality or county and any municipality may by contract join with any other municipality or municipalities, in this State, in the formation of a joint veterans' service bureau. A municipality, or any county of the fourth or sixth class, may appropriate moneys for the maintenance and administration of a veterans' service bureau established by it and a municipality may appropriate moneys for the maintenance and administration of any joint veterans' service bureau created under authority of this act.

2. This act shall take effect immediately.

Approved April 1, 1946.



## CHAPTER 40

AN ACT authorizing municipalities to cancel poll taxes which are in arrears for a period of at least ten years.

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

1. Whenever poll taxes are in arrears for a period of at least ten years, any municipality may by resolution adopted at a regular meeting of its governing body cancel the said poll tax, and any and all interest or other charges due thereon, and release the collector of any responsibility for the collection of the said poll taxes. C. 54:4-121.1. May cancel poll tax arrears.

2. This act shall take effect immediately.

Approved April 1, 1946.

## CHAPTER 41

AN ACT validating the sale of certain lands, hereditaments or real estate made under any decree, judgment or order of any court of this State, or any execution or other process issued thereon.

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

1. No sale of any lands, tenements, hereditaments or real estate heretofore made by virtue of any decree, order or judgment of any court of this State, or any execution or other process issued thereon, shall be invalidated by reason of any omission to advertise such sale or any adjournment thereof in the manner and for the length of time, Validating sale of certain lands.

Proviso.

or within the period of time, and in the number of newspapers then required by law, or by reason of any other irregularity or defect in such advertisement, but the purchaser or purchasers of such lands, tenements, or hereditaments or other real estate having paid the price therefor and having received his, her or their deed therefor, and his, her or their heirs, successors or assigns shall be deemed to have as good and complete title thereto as if such sale or adjournment has been in all particulars duly advertised; *provided*, that no proceeding shall have heretofore been instituted in any court of law or equity to set aside said sale or the deed or of any proceedings in connection therewith.

2. This act shall take effect immediately.

Approved April 1, 1946.

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## CHAPTER 42

AN ACT concerning the State Highway Department and adding an additional route to the State highway system.

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

Route added to highway system.

1. The State Highway Commissioner shall, as soon as practicable and in accordance with the procedure set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the present State highway system the following described route:

Route.

Route No. .... Beginning at the approximate junction of the East and West boulevards in the township of North Bergen, in Hudson county, and running in a northerly direction by way of the bor-

oughs of Fairview, Cliffside Park, and terminating in the borough of Fort Lee.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law. Numbered.

3. This act shall take effect immediately.

Approved April 1, 1946.

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### CHAPTER 43

AN ACT concerning district courts, and supplementing chapter eight of Title 2 of the Revised Statutes.

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

1. Whenever any papers have been on file for more than twenty-five years in any district court or for more than twenty-five years in the aggregate in any district courts, and have become obsolete, a judge of the court in which such papers are on file may direct the clerk of the court to cause such obsolete papers to be removed and destroyed. C. 2:8-61.  
May destroy  
old papers.

2. This act shall take effect immediately.

Approved April 1, 1946.

## CHAPTER 44

AN ACT vesting the title to real estate of which Daniel Steen, also known as Daniel J. Steen, died seized, and which is alleged to have escheated to the State of New Jersey on April fifth, one thousand nine hundred and forty-four, in Jerome H. McAllister and Irene B. McAllister, husband and wife, as tenants by the entirety.

Preamble.	WHEREAS, Daniel Steen, also known as Daniel J. Steen, of the borough of Stone Harbor, county of Cape May, and State of New Jersey, departed this life on April fifth, one thousand nine hundred and forty-four, seized of the following described lands and premises:
Location.	All those certain lots or pieces of ground situate in the borough of Stone Harbor, Cape May county, New Jersey, being Lots Nos. 136 and 138, in Block No. 81, as shown on plan of Stone Harbor, filed in the clerk's office of Cape May county, New Jersey, by South Jersey Realty Company, known as Plan "G," described as follows:
Description.	Beginning at a point in the southwesterly line of Eighty-first street, at the distance of two hundred and sixty feet northwestwardly from the northwesterly line of Third avenue and extending thence (1) northwesterly along the southwesterly line of Eighty-first street sixty feet; (2) thence extending of that width between the two points named southwestwardly between parallel lines at right angles with Eighty-first street, ninety feet to the exterior Pier Line in North basin. Together with such rights and privileges and subject to such reservations, conditions and re-

strictions as appear of record as covenants running with the land.

Lot No. 138, Block No. 81, being the same lands and premises which South Jersey Realty Company, a corporation of the State of New Jersey, by deed dated the nineteenth day of December, one thousand nine hundred and thirteen, recorded in the county clerk's office, Cape May Court House, New Jersey, on December twenty-second, one thousand nine hundred and thirteen, in Deed Book 297, page 141, granted and conveyed unto Daniel J. Steen, in fee; and Lot No. 136, Block No. 81, being the same lands and premises which South Jersey Realty Company, a corporation of the State of New Jersey, by deed dated the seventeenth day of November, one thousand nine hundred and fifteen, recorded in the said clerk's office on December twenty-first, one thousand nine hundred and fifteen, in Deed Book 305, page 467, granted and conveyed unto Daniel J. Steen, in fee; and

WHEREAS, The said Daniel Steen, also known as Daniel J. Steen, left no person or persons capable of inheriting the said lands and premises; and

Preamble.

WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore

Preamble.

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

1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to Daniel Steen, also known as Daniel J. Steen, more particularly described in the preamble in this act, are hereby vested in Jerome H. McAllister and Irene B. McAllister, husband and wife, as tenants by the entirety, their

Title vested  
in Jerome H.  
and Irene B.  
McAllister.

respective heirs and assigns forever; and such title so as aforesaid vested under the provisions of this act is validated and confirmed.

Private act.

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

Approved April 1, 1946.

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## CHAPTER 45

AN ACT concerning the registration of motor vehicles in certain cases, and supplementing chapter three of Title 39 of the Revised Statutes.

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

C. 39:3-33.1.  
Temporary  
markers  
authorized.

1. Any person who served in the active military or naval service of the United States, and who has been discharged or released from such service under conditions other than dishonorable, and who purchases a motor vehicle from the War Assets Corporation or any other agency of the United States Government authorized to sell surplus property and has obtained from such corporation or agency a certificate of identification and a temporary identification marker which shall be displayed on such vehicle in accordance with the requirements of section 39:3-33 of the Revised Statutes, may operate such motor vehicle from the place of purchase to any place within the State for the purpose of registering such motor vehicle, without violating any of the provisions of section 39:3-4 of the Revised Statutes.

2. This act shall take effect immediately.

Approved April 1, 1946.

## CHAPTER 46

AN ACT concerning fees for the registration of certain motor vehicles, and amending section 39:3-20 of the Revised Statutes.

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

1. Section 39:3-20 of the Revised Statutes is amended to read as follows:

39:3-20. An applicant for registration for automobile commercial vehicles, trailers, semitrailers, and tractors shall pay to the commissioner a fee based on the gross weight of the vehicle and load, when loaded to its carrying capacity. When the gross weight of the vehicle and load exceeds the gross weight allowed by law for the particular size of tires set forth in the application for registration, the gross weight of the vehicle and load shall be determined according to law upon the size of tires given in the application. The plates to be used for commercial motor vehicles shall display the word "commercial," and the numerals shall be prefixed by the letter "X." Trailer plates shall have the letter "T." The fee shall be paid in accordance with the following table:

When the gross weight of vehicle and carrying capacity is—

1,000 pounds or less .....	\$10.00
1,001 to 2,000 pounds .....	12.00
2,001 to 3,000 pounds .....	15.00
3,001 to 4,000 pounds .....	20.00
4,001 to 5,000 pounds .....	24.00
5,001 to 6,000 pounds .....	27.00
6,001 to 7,000 pounds .....	30.00
7,001 to 8,000 pounds .....	33.00
8,001 to 9,000 pounds .....	36.00
9,001 to 10,000 pounds .....	39.00

Section  
amended.

Fees based on  
gross weight.

Schedule  
of fees.

10,001 to 11,000 pounds	43.00
11,001 to 12,000 pounds	47.00
12,001 to 13,000 pounds	51.00
13,001 to 14,000 pounds	55.00
14,001 to 15,000 pounds	59.00
15,001 to 16,000 pounds	68.00
16,001 to 17,000 pounds	72.00
17,001 to 18,000 pounds	76.00
18,001 to 19,000 pounds	80.00
19,001 to 20,000 pounds	84.00
20,001 to 21,000 pounds	93.00
21,001 to 22,000 pounds	97.00
22,001 to 23,000 pounds	101.00
23,001 to 24,000 pounds	105.00
24,001 to 25,000 pounds	109.00
25,001 to 26,000 pounds	118.00
26,001 to 27,000 pounds	122.00
27,001 to 28,000 pounds	126.00
28,001 to 29,000 pounds	130.00
29,001 to 30,000 pounds	134.00
30,001 to 31,000 pounds	145.00
31,001 to 32,000 pounds	151.00
32,001 to 33,000 pounds	157.00
33,001 to 34,000 pounds	163.00
34,001 to 35,000 pounds	169.00
35,001 to 36,000 pounds	180.00
36,001 to 37,000 pounds	186.00
37,001 to 38,000 pounds	192.00
38,001 to 39,000 pounds	198.00
39,001 to 40,000 pounds	204.00

Construing. This section shall not be construed to supersede or repeal the provisions of either sections 39:3-84 or 39:4-75 of this Title.

Act effective. 2. This act shall take effect on April first, one thousand nine hundred and forty-seven, and shall be applicable to the registration year beginning April first, one thousand nine hundred and forty-seven, and each year thereafter.

Approved April 4, 1946.



## CHAPTER 47

AN ACT respecting fishing, and amending section  
23:5-1 of the Revised Statutes.

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

1. Section 23:5-1 of the Revised Statutes is amended to read as follows: Section amended.

23:5-1. No person shall catch, take, kill or have in possession any: Open season for certain fish.

a. Black bass, Oswego bass, white bass, rock bass, calico bass or crappie, except from June fifteenth to November thirtieth;

b. Trout or landlocked salmon, except from April fifteenth to July fifteenth, and from September first to September thirtieth;

c. Pike perch, pike or pickerel, except from May twentieth to November thirtieth and from the first Saturday in January to the last Sunday in January; or

d. Angle in the streams stocked with trout with fly, bait or lure between the first day of March and April fourteenth, both dates inclusive;

Under a penalty of twenty dollars (\$20.00) for each fish so unlawfully caught, taken, killed or had in possession. Penalty.

2. This act shall take effect immediately.

Approved April 4, 1946.

## CHAPTER 48

AN ACT relating to mutilating game, and amending section 23:4-23 of the Revised Statutes.

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

Section  
amended.

1. Section 23:4-23 of the Revised Statutes is amended to read as follows:

Mutilating  
game  
prohibited.

23:4-23. No person in this State shall remove the skin or feathers, or in any way mutilate the body of a wild bird or animal killed, caught or taken while hunting, for the purpose of concealing its identity or sex, under a penalty of one hundred dollars (\$100.00). A person's possession of a wild bird or animal or part thereof that has been plucked, skinned or mutilated in the woods, fields, or meadows or on the waters of this State shall be prima facie evidence that he has violated this section.

May remove  
entrails  
of deer.

The removal of the entrails of a deer shall not be considered a violation of this section, but the carcass shall not be otherwise mutilated, cut up or divided until the Division of Fish and Game or one of its members or a fish and game warden has received notification or report of the killing from the person who killed it, together with all information as required. Any person having any part or portion of a deer in his or her possession, or under his control, or in any room, house, tent, camp, or building of any description, or in any conveyance while in the woods or fields or on the roads or highways during the open season for the killing of deer and during the day next following the last day of such open season shall be required to furnish satisfactory proof that the same came from a legally killed deer that has been properly reported and failing to do so shall be liable to a penalty of one hundred dollars (\$100.00).

2. This act shall take effect immediately.

Approved April 4, 1946.

## CHAPTER 49

AN ACT respecting rearing of game birds, and repealing section 23:3-40 of the Revised Statutes.

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

1. Section 23:3-40 of the Revised Statutes is repealed. Section repealed.

2. This act shall take effect immediately.

Approved April 4, 1946.

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CHAPTER 50

AN ACT regulating firearms to be used in hunting, and amending section 23:4-13 of the Revised Statutes.

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

1. Section 23:4-13 of the Revised Statutes is amended to read as follows: Section amended.

23:4-13. No person shall use in hunting any fowl or animals of any kind any firearm except a shotgun being not larger than ten gauge, and capable of holding not more than two cartridges at one time, or that may be fired more than twice without reloading, or use a silencer on any firearm when hunting for game or fowl, under a penalty of twenty dollars (\$20.00) for each offense; *provided, however,* that the board in its discretion may issue permits for the use of a rifle for shooting woodchucks only. No person shall have any missile larger than number four shot in possession in the woods or fields at any time other than during the open season for killing deer, under a penalty of one hundred dollars (\$100.00) for each offense. Regulations concerning guns. Proviso.

2. This act shall take effect immediately.

Approved April 4, 1946.

## CHAPTER 51

AN ACT concerning the renewal of certain licenses, registration certificates or permits by certain veterans.

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

C. 38:23A-4.  
Veteran  
defined.

1. The word "veteran" as used in this act shall mean any person who served in the active military or naval service of the United States on or after September sixteenth, one thousand nine hundred and forty, and prior to the termination of the war by lawful Federal authority, who was a resident of this State when he entered such active service, who shall have been discharged, or released, therefrom under conditions other than dishonorable and who either shall have served ninety days or shall have been discharged or released from active duty by reason of an actual service incurred injury or disability.

C. 38:23A-5.  
Renewal of  
permit, etc.,  
without  
examination.

2. Any veteran who at the time of entering such service or within one year prior thereto was the holder of a license, registration certificate or permit, to practice any profession or to engage in any occupation, issued by any State board, body or officer, pursuant to law, which expired, lapsed or was forfeited or shall expire, lapse or be forfeited, by limitation of time for failure to renew the same, or to pay an annual license or renewal fee, shall be entitled, without examination or re-examination, upon making application therefor within six months after his said discharge or release from such service, to a renewal or reinstatement of such license, registration certificate or permit until the next renewal or termination period of such license, registration certificate or permit, upon payment of the lawful fee,

if any, provided for a renewal or reinstatement thereof, and upon the giving or renewal of any bond provided to be given or renewed upon a renewal or reinstatement of such license, registration certificate or permit.

3. Any such State board, body or officer may adopt rules and regulations to carry into effect the provisions of this act. C. 38:23A-6.  
To make act effective.

4. This act shall take effect immediately.

Approved April 4, 1946.

## CHAPTER 52

AN ACT concerning housing, establishing a means for alleviation of congested, substandard and dangerous housing conditions in municipalities of this State; providing for the acquisition by municipalities of land areas within which such conditions obtain and for the leasing of such lands under agreements for limited return upon private capital invested in projects undertaken for the purpose of remedying such housing conditions; providing for exemption from property taxes of buildings rehabilitated or erected on municipal land and for the payment to the municipality of a percentage of income; authorizing condemnation, and providing for joinder of action in one condemnation proceeding and for a limited interest on condemnation awards.

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

1. This act shall be known and may be cited and referred to as the "Urban Redevelopment Law."

C. 55:14E-1.  
Urban  
redevelopment  
law.

2. It is hereby declared that congested, dilapidated, substandard, unsanitary and dangerous

C. 55:14E-2.  
Legislative  
determination.

housing conditions and excessive land coverage existing in portions of the municipalities in this State are a menace to the health, safety, morals and welfare of the public, and constitute social and economic liabilities; that the correction of these conditions is essential to the general public health, safety, and well-being; that to accomplish such purpose investment of private capital and participation by private enterprise should be encouraged; that the cost and difficulty of acquisition of lands and the buildings thereon, upon and within which such conditions exist, constitutes such a factor of the total cost of remedying such conditions as to discourage investment of private capital; that municipalities might appropriately acquire lands and buildings and lease them for the purpose of eliminating such conditions and for the reclamation and rehabilitation of such lands; that the necessity in the public interest for the provisions of this act is hereby declared as a matter of legislative determination. This act, being remedial in purpose, shall be liberally construed.

Liberally  
construed.

C. 55:14E-3.  
Application  
for housing  
project.

3. Any person, insurance company, bank or banking institution, trust company, savings bank or association, building and loan association, or savings and loan association, or any other corporation organized, or authorized to do business, under any law of this State, acting alone or conjointly, may present to the governing body of any municipality of this State an application for approval of a project for the construction at the expense of the applicant, of new housing facilities of proper standards of sanitation and safety upon a tract of land located within and owned or to be acquired by such municipality, unimproved or occupied in whole or in part by unsanitary or unsafe structures used, or unsuitable for use, as dwellings, under which project existing buildings shall be rehabilitated or demolished. The governing body may prescribe reasonable rules and preliminary requirements for submitting an application under this section. In accordance with the provisions of section seventeen

Rules and  
requirements.

Property of  
municipality.

of this act, rehabilitation improvements under such project shall eventually become the sole property of the municipality.

4. Such application shall contain a statement describing the project presented for approval to which shall be annexed the following exhibits: C. 55:14E-4.  
Contents of  
application:

a. A map showing the location of the tract of land and of the structures thereon required for the purposes of the project; Map;

b. A plan showing the housing facilities to be constructed upon such tract of land pursuant to the project, which may include stores, offices and other commercial space, and recreational and playground facilities, reasonably appropriate to a convenient, healthful and effectual use of such facilities; Plan;

c. An estimate of the cost of the entire project to the applicant; Estimated  
cost;

d. An estimate of the costs of operation and of the rentals for rooms or other units of dwelling accommodation which will be required to assure a net return of not less than four per centum (4%) upon the cost of the entire project, computed in accordance with the provisions of section eight of this act. Cost of  
operation.

5. (a) The governing body shall refer such application to the local planning board or, if there be no such board, to the local housing authority, and if there be neither, then to a committee to be named for the purpose by the governing body, for preliminary examination and report as to whether or not the proposed project will conflict with any master plan for housing development, or will be inconsistent with the most suitable development of the municipality or detrimental to the best interests thereof or of the public. The board, authority or committee which is to make such preliminary examination shall report thereon to the governing body within forty-five days after the application has been referred to it. Upon receipt of such report, the governing body shall examine into such application and shall determine whether or not the project therein proposed is in the public interest and C. 55:14E-5.  
Preliminary  
examination  
of application.  
  
Report.

Contract with  
applicant.

necessary for public use and welfare within the purposes of this act. If the governing body shall determine, by resolution, that the undertaking is in the public interest and necessary for public use and welfare, and that the governing body is satisfied as to the financial ability of the applicant to complete the same, then the said governing body may enter into a contract with the applicant, by which the municipality agrees (1) to acquire at its expense, by purchase, gift, devise or otherwise or by the exercise of eminent domain, all of the property included within the said tract of land, and (2) to lease the same to the applicant for a period not to exceed forty years, with a privilege in the applicant to renew for a further period not to exceed twenty years, upon such terms as to any rental or charge for occupancy as may be mutually agreed upon, which rental or charge may be nominal in view of the eventual ownership by the municipality of the buildings rehabilitated or constructed under the project and the payments to be made to it under the provisions of this act as income and percentage of rentals. The governing body may require the applicant to furnish bond or other security if deemed desirable to assure completion of the project.

Bond.

Terms and  
conditions  
of contract.

(b) Such contract shall (1) specify the period, not less than twenty-five years nor more than forty years but subject to the provisions of this act as to extension of such period, over which the cost of the entire project to the applicant shall be amortized; (2) provide for the disposition to be made of the property or buildings in the event of default in construction or operation or in the fulfillment of the terms of the contract; (3) provide that the applicant shall undertake and complete the work, and shall pay the cost of the entire project; (4) provide that upon the expiration or other termination of the term of the lease or of any renewal or extension thereof, the improvements existing or erected upon the lands shall become the sole property of the municipality; and the contract may con-



tain any other terms and conditions with regard to the project, or as to the operation and maintenance thereof, subject to and not inconsistent with the purposes and provisions of this act. Such contract shall be authorized by ordinance, in the manner provided by law, and the applicant shall accept or reject the same by writing filed with the clerk of the municipality within thirty days after the adoption of such ordinance.

6. Whenever any such contract shall have been so authorized and accepted, the municipality shall forthwith undertake to acquire the tract of land involved, at its expense, and may, if so requested by the applicant, deliver possession of any part or parcel included therein, as acquired, to enable the applicant to commence rehabilitation, demolition, and construction of new facilities. Should condemnation be necessary the municipality is authorized, following the institution by it of condemnation proceedings by the presentation of its petition for the appointment of commissioners, in the manner provided in chapter one of Title 20 of the Revised Statutes, to enter upon and take possession of any of the plots or parcels involved, in advance of making compensation, and to deliver possession to the applicant for the same purposes. In such condemnation cases interest on the compensation awarded shall run from the date of entry by the municipality; and because property shall be condemned under this act at public expense, and shall be subject in its use to the limitations and restrictions herein provided, interest on all compensation awarded for property condemned under this act shall be at the rate of two and one-half per centum ( $2\frac{1}{2}\%$ ) per annum, notwithstanding any law of this State to the contrary. In any one condemnation proceeding instituted by a municipality under the provisions of this act the municipality may join, in its petition, all or any number of the separate parcels or plots to be condemned and the owners or occupants, if any, and persons appearing of rec-

C. 55:14E-6.  
Municipality  
to acquire  
land.

Condemnation.

Interest on  
compensation  
awarded.

May join  
proceedings.

ord to have any interest in such separate plots or parcels.

C. 55:14E-7.  
To commence  
project.

7. Whenever the possession of land and structures, or any part thereof, necessary to the completion of the project, has been delivered to the applicant in accordance with the terms of the contract or the provisions of this act, the applicant shall, as soon as feasible, commence the project and carry the same to conclusion.

C. 55:14E-8.  
Schedule  
of rentals.

8. (a) A schedule of the maximum rentals per room or other unit of dwelling accommodation that are proposed to be charged by the applicant to the tenants of the new housing facilities, in the first instance and as revised in accordance with the provisions of this act, shall be submitted by the applicant to the governing body for approval. Such rentals shall be upon such a scale that the estimated annual income therefrom to the applicant shall be not less than four per centum (4%), and not more than six per centum (6%), of the cost of the entire project to the applicant, or of the balances of such cost as reduced by amortization payments, after provision has been made for payment from such rentals of: (1) ground rent; (2) the percentage of entire rentals required by this act to be paid to the municipality; (3) insurance premiums and charges; (4) all costs and expenses of operation and maintenance; (5) an annual amount sufficient to amortize the cost of the entire project to the applicant at the end of a period to be specified in the contract but which shall not be less than twenty-five years nor more than forty years from the completion of the project unless extended in accordance with the provisions of this act; (6) an annual amount of ten per centum (10%) of the entire rentals, set aside as a reserve for the purpose of providing against possible vacancies, or loss of rentals, or other contingencies. The governing body shall review such schedules and supporting estimates and shall approve such maximum rentals unless it appears that the estimates are un-

Limits income.

Approval of  
maximum  
rentals.

reasonable or that the limitations of this section are not being observed.

(b) Within thirty days after the end of each calendar year of operation of the project, the applicant shall determine the net annual return for that year by deducting from the entire rentals received from the property during the year, payments made from such rentals for (1) ground rent; (2) percentage of entire rentals required by this act to be paid to the municipality; (3) insurance premiums and charges; (4) all costs and expenses of operation and maintenance; (5) an annual amount sufficient to amortize the cost of the entire project to the applicant at the end of a period to be specified in the contract but which shall not be less than twenty-five years nor more than forty years from the completion of the project unless extended in accordance with the provisions of this act; (6) an annual amount of ten per centum (10%) of the entire rentals set aside as a reserve for the purpose of providing against possible vacancies, or loss of rentals, or other contingencies. In the event that the net annual return so determined exceeds four per centum (4%) of the cost of the entire project to the applicant, or the unpaid balance thereof, one-half of the excess over four per centum (4%) shall be paid to the municipality until the net annual return to the applicant amounts to six per centum (6%) of the cost of the entire project to the applicant or the unpaid balance thereof, and all net annual return in excess of such six per centum (6%) shall be paid to the municipality. Any amount paid to the municipality under the provisions of this section and all ground rent received by it, shall be dedicated revenue for the debt service of bonds or other obligations issued for the acquisition by the municipality of the lands and properties required for the project.

9. The contingency reserve fund of ten per centum (10%) of rentals, hereinbefore authorized, may be used by the applicant for any purpose connected with the operation of the project, except

Determining  
net annual  
return.

Revenue  
dedicated.

C. 55:14E-9.  
Use of  
reserve fund.

that it shall not be applied to the payment of net annual return, as determined under the provisions of this act, in excess of the prescribed four per centum (4%) of the cost of the entire project or the unpaid balances thereof. The balance of such contingency reserve fund shall not at any time exceed an amount equal to twenty per centum (20%) of the average of the entire annual rentals for the preceding two years, and any amount of the fund in excess of such prescribed limit shall be paid to the municipality as dedicated revenue for the debt service of bonds or other obligations issued for the acquisition by the municipality of the lands and properties required for the project. When the municipality shall acquire sole and unrestricted possession of the building and improvements, as in this act provided, any unused amounts then remaining in the said reserve fund shall be paid to the municipality.

10. From time to time, upon request of the applicant, the governing body shall review and revise the maximum rentals upon satisfactory evidence that such revision is necessary to assure an annual income of four per centum (4%) to the applicant as herein provided; and the said governing body may, at any time, upon three months notice to the applicant, revise or reduce the maximum rentals which may be thereafter charged by the applicant in cases of new or renewed lettings; *provided*, the scale of rentals as so revised or reduced shall be amply sufficient to assure such four per centum (4%) annual income to the applicant under the provisions of section eight. The applicant shall be permitted to extend the amortization period specified in the contract and to reduce, or adjust in any manner, the annual amortization payments therein, provided, notwithstanding the contract provisions dealing with such matters, upon presentation to the governing body of evidence that such extension or reduced or adjusted amounts appear to be necessary to enable the applicant to earn the net annual return of four per centum (4%) pre-

Limits fund.

Unexpended balance.

C. 55:14E-10.  
Revision of rentals.

Proviso.

May extend amortization period.

scribed by this act, or to amortize the cost of the entire project within the full term of sixty years, including the renewal period, permitted by this act; *provided*, that, in any event, the cost of the entire project to the applicant shall be amortized within sixty years from the completion of the project.

Proviso.

11. (a) All buildings which are rehabilitated or erected, by private capital, on land owned by a municipality, and used for the correction or removal of congested, dilapidated, substandard, unsanitary or dangerous housing conditions and the replacement thereof by new housing facilities of proper standards of sanitation and safety, as contemplated by this act; which are restricted as provided herein as to use and alienation; which are rehabilitated or erected pursuant to a plan approved by the municipality; which are subject to the approval by the municipality of the maximum rentals for dwelling accommodations therein; which become the sole and unrestricted property of the municipality after a period not to exceed sixty years after completion of the rehabilitation or construction; and the net annual return from which, as determined under the provisions of this act, is limited in amount, shall be exempt from all property taxation.

C. 55:14E-11.  
Buildings  
tax exempt.

(b) As payment for services, improvements or facilities furnished by the municipality for the benefit of the property, the applicant or owner or lessee of such buildings shall pay to the municipality, quarter-annually, within sixty days from the end of the preceding quarter-annual period, twelve per centum (12%) of the entire rentals received from the property during such preceding quarter-annual period. Such payments shall be in addition to any ground rent or charge to be paid to the municipality and to any portion of the net annual income to which the municipality shall be entitled. The amount so paid to the municipality shall be distributed by it among the county in which it is located, the school district fund, and the municipality for its own use, in the same proportions that the rates for county taxes, school district

Payment for  
municipal  
facilities.

Payments  
additional.

Use of  
payments.

taxes, and municipal taxes for the year in which the amount is paid, would bear to the local tax rate for that year if such local tax rate were made up of only such three items.

C. 55:14E-12.  
Records and  
audits.

12. The applicant shall keep and maintain such books, records and accounts as to the operation of the project as may be required by the municipality, which shall have the right to make periodic audits thereof.

C. 55:14E-13.  
Land tax  
exempt.

13. All land acquired by a municipality under the provisions of this act and used for the purposes contemplated by it, shall belong to and remain the property of the municipality and shall be exempt from taxation notwithstanding any future change in law as to exemption of public property. The buildings rehabilitated or constructed on such land shall, from and after the time that possession of the land is taken by the applicant, be and remain the property of the applicant until they become the sole property of the municipality by the terms of the contract or in accordance with the provisions of this act.

Ownership  
of buildings.

C. 55:14E-14.  
Conveying and  
mortgaging  
buildings.

14. The applicant shall not sell, convey or mortgage the buildings rehabilitated or constructed under the provisions of this act, or any interest therein, unless the governing body of the municipality shall, by ordinance, consent thereto. Until the ownership of such buildings shall vest in the municipality following the expiration of the period of occupancy or operation provided by the contract and this act, any purchaser or person acquiring any interest in such buildings shall take the same subject to the public use and charged with the duties and obligations imposed upon the applicant and the property by this act.

C. 55:14E-15.  
Municipality  
authorized to  
borrow and  
appropriate  
funds.

15. The governing body of any municipality which enters into a contract by the terms of which it is to acquire land and property for the purposes of this act, is authorized and empowered to borrow and appropriate moneys and to ask for and accept financial aid or grants from the government of the United States or of the State of New Jersey, or

from any agency of either, to enable or assist it to acquire the land and property required to complete a project in accordance with this act, and such municipality may enter into such contracts, obligations or agreements, not inconsistent with the provisions of this act, as may be necessary for such purposes.

16. Any municipality to which a project is submitted for approval under the provisions of this act may, in its contract with the applicant or at any later time, make such agreements as to improvements to the property, such as but not limited to sewers, streets, highways, sidewalks, and grading and planting, and as to vacation of existing facilities dedicated to the public use or used for public purposes, as may be necessary or desirable to a complete utilization of the land and buildings for the purposes of this act; and such municipality may agree to improve and maintain open public areas or park or playground space as provided in the project for use with the rehabilitation and construction of housing, as a municipal function for the use and benefit of the public generally.

C. 55:14E-16.  
Agreements  
as to im-  
provements.

17. At the final expiration of the period fixed by the contract as the term of the lease or occupancy, or renewal or extension thereof, as provided in this act, the municipality shall become the sole and unrestricted owner of the buildings rehabilitated or constructed by the applicant on the land owned by the municipality.

C. 15:14E-17.  
Municipality  
to be sole  
owner.

18. No municipality shall have the power to acquire by the exercise of the right of eminent domain for any of the purposes of this act any property used by any public utility (as defined in section 48:2-13 of the Revised Statutes) in furnishing any commodity or service which by law it is authorized to furnish.

C. 55:14E-18.  
Public utility  
property  
exempted.

If any municipality, after having entered into a contract with an applicant as herein provided, shall determine to vacate any street, avenue, highway, road, or other public place or way (hereinafter called "street"), on, in or under which is located any property used by any such public utility in

Vacating  
streets.

furnishing any such commodity or service, such municipality shall determine, upon the completion of the vacation proceedings, whether the retention of such property in the existing location will interfere with the consummation of the project provided for in such contract.

Public utility  
to remove or  
relocate.

If such municipality shall determine that the retention of such property in such location will interfere with the consummation of such project, it shall make an order requiring the public utility using such property to remove or relocate such property, and upon the receipt of such order such public utility shall remove or relocate such property in accordance with such order, and the cost and expense of such removal or relocation, including the cost of installing such property in a new location or new locations, and the cost of any lands or any rights or interest in lands, and any other rights acquired to accomplish such removal or relocation, shall be paid by the applicant as part of the cost of the entire project. In case of the relocation of any such property, the public utility using the same, its successors or assigns, may maintain and operate such property, with the necessary appurtenances, in the new location or new locations for as long a period and upon the same terms and conditions as it had the right to maintain and operate such property in its former location.

Public utility  
given right  
of entry.

If such municipality shall determine that the retention of such property in its existing location will not interfere with the consummation of the project provided for in such contract, it shall express such determination in a writing which shall be delivered to such public utility, and thereupon and thenceforth such public utility, its successors and assigns, shall have the right, privilege and authority to enter upon the lands which comprised such street prior to its vacation, for the purpose of maintaining, repairing, renewing or removing any such property.



19. To the extent that any corporation authorized by this act to present an application for approval of a project, is now or may hereafter be limited by any law of this State as to the amount or portion of its assets or capital which may be invested in real property or in leaseholds, such limitations shall, until removed, apply to the amount which may be invested by such corporation in a project under this act; but limitations existing at the time of the enactment hereof as to the kind, character or nature of investments for such corporation shall not apply to prevent investment under the provisions of this act unless the same are prescribed by law adopted subsequent to the enactment of this act; and limitations so prescribed shall not affect projects then approved, or construction then undertaken or for which the corporation has entered into binding contracts, covering all or part of the construction, which it cannot cancel or terminate without liability. Subject to the foregoing provisions of this section, investment in accordance with the provisions of this act shall be legal investment for any or all of the corporations authorized to act hereunder.

C. 55:14E-19.  
Limitation  
on capital  
investments.

Legal  
investment.

20. This act shall take effect immediately.  
Approved April 4, 1946.

## CHAPTER 53

AN ACT concerning bonds and other obligations of municipalities, providing that certain redevelopment housing projects shall be self-liquidating, and supplementing chapter one of Title 40 of the Revised Statutes.

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

C. 40:1-77.1.  
Certain bonds,  
etc., deductible  
from gross  
debt.

Project deemed  
self-liquidating.

Proviso.

Deficit  
capitalized.

1. Bonds, notes or other obligations for financing the acquisition by a municipality of land areas needed for a redevelopment housing project for alleviating or remedying congested, substandard or dangerous housing conditions within the municipality by the rehabilitation of existing properties used for dwelling purposes or the construction of new housing facilities, shall be deductible from the gross debt of the municipality if such project shall have been self-liquidating within the definition of the chapter to which this act is a supplement, within the fiscal year covered by the annual debt statement of the municipality. Any such redevelopment housing project on land owned or to be acquired by the municipality shall be deemed to be self-liquidating during the entire period of acquisition of the land and properties required for such project and of the subsequent work of rehabilitation and construction and until the redeveloped housing facilities shall have been in operation for at least one full fiscal year; *provided*, the Division of Planning and Engineering within the Department of Economic Development shall have determined by order, after investigation, that the income to be received by the municipality from the operation of the completed project will be sufficient to make the enterprise self-liquidating within the definition of the chapter to which this act is a supplement. To the extent that any such housing project shall not

be, or be determined to be, self-liquidating within the definition of the chapter to which this act is a supplement, the amount of the deficit in the income therefrom applicable to interest and debt redemption, or the prospective amount of such deficit as determined by the said Division of Planning and Engineering, shall be capitalized at five per centum (5%) and the capital sum so determined shall not be deductible from the gross debt.

2. This act shall take effect immediately.

Approved April 4, 1946.

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## CHAPTER 54

AN ACT agreeing with the State of New York upon the repayment by the Port of New York Authority of moneys advanced for preliminary studies upon and in aid of the construction of the Outerbridge crossing, the Goethals bridge and the Bayonne bridge.

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

1. The States of New Jersey and New York having heretofore advanced sums aggregating one hundred fifty thousand dollars (\$150,000.00) and one hundred forty-nine thousand nine hundred eighteen dollars and twenty cents (\$149,918.20), respectively, to the Port of New York Authority (herein called the Port Authority) for preliminary studies upon the interstate vehicular bridges now known as the Outerbridge crossing, the Goethals bridge and the Bayonne bridge, pursuant to agreements between the two States that said moneys should be paid back when the construction debt has been amortized, and said two States having advanced further sums aggregating four million dol-

C. 32:1-140.1.  
Payment by  
Port Authority  
to New York  
and New  
Jersey.

lars (\$4,000,000.00) each in aid of the construction of said bridges pursuant to agreements between the two States that said moneys should be paid back out of bridge revenues in specified annual installments, if and when earned over prior charges, and the revenues from said bridges having been insufficient to permit any such payments up to the present time but the Port Authority being in a position to fund its obligations to pay back said appropriations, now, therefore, upon the concurrence of the State of New York as provided in section seven hereof, the States of New Jersey and New York hereby agree that the obligations of the Port Authority to pay back said moneys may be satisfied and discharged by the delivery to the two States of bonds or moneys, or both, in an aggregate principal amount equal to said appropriations, as hereinafter provided.

C. 32:1-140.2.  
Payments.

2. Bonds, or moneys, or both, in an aggregate principal amount of two million fifty thousand dollars (\$2,050,000.00) shall be delivered to each State within three months after the date on which this act and the concurrent act of the State of New York take effect. Within fifteen months after the date on which this act and the concurrent act of the State of New York take effect, an additional two million one hundred thousand dollars (\$2,100,000.00) in aggregate principal amount of bonds, or moneys, or both, shall be delivered to the State of New Jersey and an additional two million ninety-nine thousand nine hundred eighteen dollars and twenty cents (\$2,099,918.20) in aggregate principal amount of bonds or moneys, or both, shall be delivered to the State of New York; *provided*, that if, in the opinion of the commissioners of the Port Authority, financial conditions are such as to make it desirable to postpone such delivery, then delivery of said additional amounts shall be postponed in whole or in part until such time, not later than five years from the effective date of this act, as in the judgment of said commissioners financial conditions permit such delivery.

Proviso.

The Port Authority shall determine whether payments made pursuant to this act and the concurrent act of the State of New York shall be made by the delivery of bonds or of moneys, or both, and, if both, in what proportions. The moneys may, at the option of the Port Authority, be paid in cash or by check. Delivery of bonds or moneys to the State of New Jersey shall be made by delivering or tendering delivery thereof to the State Treasurer at his office at Trenton during regular business hours. Delivery of bonds or moneys to the State of New York shall be made by delivering or tendering delivery thereof to the Comptroller of the State of New York at his office at Albany during regular business hours.

Method of  
payment.

3. The bonds delivered to the two States pursuant to this act and the concurrent act of the State of New Jersey shall be direct and general obligations of the Port Authority, and its full faith and credit shall be pledged for the prompt payment of the principal and interest thereof. The payment of the principal and interest thereof shall be secured by the general reserve fund of the Port Authority, authorized by chapter five of the laws of New Jersey of one thousand nine hundred and thirty-one and chapter forty-eight of the laws of New York of one thousand nine hundred and thirty-one; and said general reserve fund shall be pledged as security for the payment of the principal and interest of said bonds and for the fulfillment of other undertakings assumed by the Port Authority to or for the benefit of the holders of said bonds. Such pledge, however, shall be subject to the right of the Port Authority to pledge said general reserve fund as security for any other bonds, notes or evidences of indebtedness whatsoever hereafter issued by the Authority as security for which it may at the time be authorized to pledge the said general reserve fund, and also subject to the right of the Port Authority to use the moneys in said general reserve fund to meet, pay or otherwise fulfill any of its obligations under or in connection with any bonds, notes or

C. 32:1-140.3.  
Bonds.

Security  
for payment.

other evidences of indebtedness as security for which said general reserve fund has heretofore been or is now pledged or for which said general reserve fund may hereafter be pledged. Moreover, no greater rights in or to said general reserve fund shall be granted to or conferred upon the holders of the bonds delivered to the two States pursuant to this act and the concurrent act of the State of New York than have been granted to and conferred upon the holders of general and refunding bonds of the Port Authority issued pursuant to the resolution of the Port Authority adopted March eighteenth, one thousand nine hundred and thirty-five, and amended March twenty-fifth, one thousand nine hundred and thirty-five and September sixteenth, one thousand nine hundred and forty-three.

Maturity  
and rate.

The bonds delivered to the two States pursuant to this act and the concurrent act of the State of New York shall be dated as of a date not more than thirty days subsequent to the date on which delivery is made or tendered, shall mature forty years from their date, and shall bear interest at the rate of one and one-half per centum ( $1\frac{1}{2}\%$ ) per annum. Said bonds shall be subject to redemption at the option of the Port Authority, in whole or in part, on any interest payment date or dates at one hundred per centum (100%) of their par value, plus accrued interest to the date set for redemption.

Issuing  
details.

Except as hereinbefore specifically provided, the Port Authority shall, by resolution, determine the form, characteristics and all other matters in connection with said bonds, including without limiting the generality hereof, the denominations in which they shall be issued, provisions with respect to the exchange of bonds of one denomination into bonds of another denomination, provisions with respect to the issuance of temporary bonds and the exchange thereof for definitive bonds, provisions with respect to the establishment of a sinking fund or sinking funds and for the use of the moneys in sinking fund to purchase or redeem bonds prior to their maturity, provisions with respect to the place of payment,

provisions with respect to notice of redemption, provisions with respect to the paying agent or the registrar and provisions with respect to the method of signature.

4. The bonds delivered by the Port Authority to either or both States pursuant to this act and the concurrent act of the State of New York, and any bonds, notes or other evidences of indebtedness issued by the Authority to provide moneys with which to make payments to either or both States pursuant to this act and the concurrent act of the State of New York, are hereby made securities in which all State and municipal officers and bodies of both States, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever, who are now or may hereafter be authorized by either State to invest in bonds or other obligations of such State, may properly and legally invest any funds, including capital, belonging to them or within their control; and said obligations are hereby made securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency of either State for any purpose for which the deposit of bonds or other obligations of such State is now or may hereafter be authorized.

C. 32:1-140.4.  
Bonds legal  
investments.

5. The first two million fifty thousand dollars (\$2,050,000.00) paid to each State pursuant to this act and the concurrent act of the State of New York shall be deemed to be on account of the moneys advanced by such State for preliminary studies upon and in aid of the construction of the Bayonne bridge (formerly known as the Kill von Kull bridge); and from and after the date on which the Port Authority shall have delivered to each State pursuant to this act and the concurrent act of the State of

C. 32:1-140.5.  
States' claims  
satisfied as  
to Bayonne  
bridge.

New York, bonds or moneys or both in the aggregate principal amount of two million fifty thousand dollars (\$2,050,000.00), the duty and obligation of the Port Authority to pay back to the two States the moneys advanced for preliminary studies upon and in aid of the construction of said bridge by chapter ninety-seven of the laws of New Jersey of one thousand nine hundred and twenty-five, chapter two hundred seventy-nine of the laws of New York of one thousand nine hundred and twenty-six, chapter three of the laws of New Jersey of one thousand nine hundred and twenty-seven, and chapter three hundred of the laws of New York of one thousand nine hundred and twenty-seven, together with the claims of the two States and of each of them for such repayment, shall be and shall be deemed to be fully satisfied and discharged, and any lien or claim of the two States or either of them upon the tolls and revenues of the said bridge arising out of, under or because of the aforesaid statutes shall be and shall be deemed to be void and without force or effect.

C. 32:1-140.6.  
States' claims  
satisfied as to  
Outerbridge  
crossing and  
Goethals  
bridge.

6. After the payment of the first two million fifty thousand dollars (\$2,050,000.00) to each State, the further amounts paid to each State pursuant to this act and the concurrent act of the State of New York shall be deemed to be on account of the moneys advanced by such State for preliminary studies upon and in aid of the construction of the Outerbridge crossing (formerly known as the Perth Amboy-Tottenville bridge) and the Goethals bridge (formerly known as the Elizabeth-Howland Hook bridge); and from and after the date on which pursuant to this act and the concurrent act of the State of New York the Port Authority shall have delivered bonds or moneys, or both, to the State of New Jersey in the aggregate principal amount of two million one hundred thousand dollars (\$2,100,000.00) and to the State of New York in the aggregate principal amount of two million ninety-nine thousand nine hundred eighteen dollars and twenty cents (\$2,099,918.20), in each case in addition to the



first two million fifty thousand dollars (\$2,050,000.00) paid to such State under and pursuant to this act and the concurrent act of the State of New York, then the duty and obligation of the Port Authority to pay back to the two States the moneys advanced for preliminary studies upon and in aid of the construction of said two bridges by chapters one hundred twenty-five and one hundred forty-nine of the laws of New Jersey of one thousand nine hundred and twenty-four, chapters one hundred eighty-six and two hundred thirty of the laws of New York of one thousand nine hundred and twenty-four, chapter thirty-seven of the laws of New Jersey of one thousand nine hundred and twenty-five and chapter two hundred ten of the laws of New York of one thousand nine hundred and twenty-five, together with the claims of the two States and of each of them for such repayment, shall be and shall be deemed to be fully satisfied and discharged, and any lien or claim of the two States or either of them upon the tolls and revenues of said bridges arising out of, under or because of the aforesaid statutes shall be and shall be deemed to be void and without force or effect.

7. This act shall take effect when the State of New York concurs herein by enacting into law legislation (herein called the concurrent act of the State of New York) having an identical effect with sections one to six, inclusive, of this act; but if the State of New York has already enacted such legislation, this act shall take effect immediately.

Approved April 4, 1946.

C. 32:1-140.7.  
Act effective  
upon concur-  
rence by  
New York.

## CHAPTER 55

AN ACT concerning legal holidays, and amending  
section 36:1-1 of the Revised Statutes.

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

Section  
amended.

1. Section 36:1-1 of the Revised Statutes is amended to read as follows:

Legal holidays.

36:1-1. The following days and half days in each year shall, for all purposes whatsoever as regards the presenting for payment or acceptance, and of the protesting and giving notice of dishonor, of bills of exchange, bank checks and promissory notes be treated and considered as the first day of the week, commonly called Sunday, and as public holidays or half holidays: The first day of January, known as New Year's Day; the twelfth day of February, known as Lincoln's Birthday; the twenty-second day of February, known as Washington's Birthday; the day designated and known as Good Friday; the thirtieth day of May, known as Decoration Day; the fourth day of July, known as Independence Day; the first Monday of September, known as Labor Day; the twelfth day of October, known as Columbus Day; the eleventh day of November, known as Armistice Day; the fourth Thursday of November, known as Thanksgiving Day; the twenty-fifth day of December, known as Christmas Day; any general election day in this State; every Saturday from the first day of May to the thirtieth day of September, both inclusive; every Saturday from the first day of October of each year to the thirtieth day of April of the next succeeding year, both inclusive, from twelve o'clock noon until twelve o'clock midnight, which shall be a half holiday; and any day heretofore or hereafter appointed, ordered or recommended by the Governor of this State, or the President of the United

States, as a day of fasting and prayer, or other religious observance, or as a bank holiday or holidays. All such bills, checks and notes, otherwise presentable for acceptance or payment on any of the days herein enumerated, shall be deemed to be payable and be presentable for acceptance or payment on the secular or business day next succeeding any such holiday or half holiday; but instruments payable on demand may, at the option of the holder, be presented for payment before twelve o'clock noon on Saturday when that entire day is not a holiday.

Whenever any of the days herein enumerated can and shall fall on a Sunday, the Monday next following shall, for any of the purposes herein enumerated be deemed a public holiday; and bills of exchange, checks and promissory notes which otherwise would be presentable for acceptance or payment on such Monday, shall be deemed to be presentable for acceptance or payment on the secular or business day next succeeding such holiday.

When holiday  
falls on  
Sunday.

In construing this section, every Saturday, unless a whole holiday, shall, until twelve o'clock noon, be deemed a secular or business day, except as is hereinbefore provided in regard to bills of exchange, bank checks and promissory notes, and the days and half days herein enumerated, except bank holidays and Saturdays from the first day of May to the thirtieth day of September, both inclusive, shall be considered as the first day of the week; commonly called Sunday, and public holidays or half holidays, for all purposes whatsoever as regards the transaction of business in the public offices of this State, or counties of this State; but on all other days or half days, except Sunday, such offices shall be kept open for the transaction of business.

Construing.

2. This act shall take effect immediately.

Approved April 4, 1946.

## CHAPTER 56

AN ACT concerning savings and loan associations and building and loan associations, and revising chapter twelve of Title 17 of the Revised Statutes.

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

## ARTICLE I

## CONSTRUCTION AND DEFINITIONS

- |  |  |
|--|--|
| C. 17:12A-1.<br>Construing.                  | 1. Construction as revision of prior laws. This act shall be construed as a revision of, and shall supersede, all provisions of chapter twelve of Title 17 of the Revised Statutes, including all amendments thereof and supplements thereto.  |
| C. 17:12A-2.<br>Savings and loan act.        | 2. Citation. This act shall be known and may be cited as the "Savings and Loan Act."   |
| C. 17:12A-3.<br>Application of act.          | 3. Application of act. No association shall hereafter be incorporated for the purposes stated in this act, except pursuant to the provisions of this act. The provisions of this act shall apply to all associations in existence and operating under the provisions of chapter twelve of Title 17 of the Revised Statutes at the date of the enactment of this act.       |
| C. 17:12A-4.<br>Rights and liabilities.      | 4. Determination of members' rights and liabilities. The rights and liabilities of each member of an association, shall be determined by and shall be subject to the provisions of this act and all amendments thereof and supplements thereto, and to the provisions of the association's by-laws, and all changes which shall be made in such by-laws from time to time. |
| C. 17:12A-5.<br>Construing as to prior laws. | 5. Construction as continuation of prior laws. The provisions of this act, not inconsistent with those of prior laws, shall be construed as a continuation of such laws.   |

6. Inconsistent laws repealed. All laws and parts of laws inconsistent herewith, are hereby repealed.

C. 17:12A-6.  
Repealer.

7. Classification and arrangement. Effect on construction. The classification and arrangement of the several sections of this act have been made for the purpose of convenience, reference, and orderly arrangement, and except where the context indicates otherwise, no implication or presumption of a legislative construction is to be drawn therefrom.

C. 17:12A-7.  
Classification  
and  
arrangement.

8. Outline, analyses and head notes not part of act. In the construction of this act, or any part thereof, no outline or analyses of the contents of this act, or of any article or any part thereof, and no head note to any article or section or part of any section, shall be deemed to be a part of this act.

C. 17:12A-8.  
Outline not  
part of act.

9. Separability. Partial invalidity. If any provision of this act, or the application thereof to any person, is held invalid, the remaining provisions of this act, and the application of such provision to any other person, shall not be invalidated or affected thereby.

C. 17:12A-9.  
Provisions  
severable.

10. Definitions. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meaning:

C. 17:12A-10.  
Terms  
defined:

(1) "Association" shall mean any savings and loan association, building and loan association or any corporation, however named, now or hereafter operating pursuant to the provisions of this act.

Association;

(2) "Federal association" shall mean a savings and loan association organized pursuant to an Act of Congress approved June thirtieth, one thousand nine hundred and thirty-three, entitled "Home Owners' Loan Act of 1933" or any subsequent Act of Congress.

Federal  
association;

(3) "Board" shall mean the board of directors of any association.

Board;

(4) "Commissioner" shall mean the Commissioner of Banking and Insurance of the State of New Jersey, or such other official as may hereafter

Commissioner;

be charged by State law with the supervision of associations.

- |                         |  |
|-------------------------|--|
| Member;                 | (5) "Member" shall mean a person who holds a membership account in an association as a savings member or as a borrowing member.  |
| Savings member;         | (6) "Savings member" shall mean a person who holds a membership account representing savings in an association.  |
| Borrowing member;       | (7) "Borrowing member" shall mean a person to whom money of the association is loaned or one who is the owner of property upon which the association holds a mortgage.   |
| Direct reduction loan;  | (8) "Direct reduction loan" shall mean a loan the principal of which is repayable in periodical installments.  |
| Sinking fund loan;      | (9) "Sinking fund loan" shall mean a loan, the principal of which is contracted to be repaid with the participation value of an installment account pledged as collateral security for the payment of the loan.  |
| Straight mortgage loan; | (10) "Straight mortgage loan" shall mean a loan, the principal of which is repayable upon a fixed day and upon which no interim amortization is required.  |
| Account loan;           | (11) "Account loan" shall mean a loan secured by the pledge of a member's account and the shares, if any, issued in connection therewith.  |
| Capital;                | (12) "Capital" of an association shall mean the aggregate participation value of all savings members' accounts. It shall not be limited and shall be accumulated only by payments by savings members, plus dividends credited to their membership accounts.    |
| Participation value;    | (13) "Participation value" of a membership account shall mean the amount paid by savings members on such account, plus dividends credited thereto, less payments of withdrawals and retirements therefrom and any other amounts lawfully deductible therefrom. |
| Withdrawal value;       | (14) "Withdrawal value" of a membership account shall mean the participation value of such an account at the time application for withdrawal   |

of the account is filed, less such part, if any, of the dividends then credited to such account as the association is authorized to retain upon withdrawal.

(15) "Gross income" shall mean the sum, for an accounting period, of the following: Gross income;

- (a) Operating income.
- (b) Real estate income.
- (c) All profits actually received during such accounting period from the sale of securities, real estate or other property.
- (d) Any nonrecurring income.

(16) "Net income" shall mean gross income, for an accounting period, less the aggregate of the following: Net income;

- (a) Operating expenses.
- (b) Real estate expenses.
- (c) All losses actually sustained during such accounting period from the sale of securities, real estate or other property as shall not have been charged to reserves.
- (d) All interest paid, or due but unpaid, on borrowed money.
- (e) Any nonrecurring charges.

(17) "Insured association" shall mean an association whose members' accounts are insured by the Federal Savings and Loan Insurance Corporation. Insured association;

(18) "Federal Savings and Loan Insurance Corporation" shall mean the corporation so named, organized pursuant to an Act of Congress, or any Federal corporation, instrumentality or agency which succeeds to the powers and functions of the Federal Savings and Loan Insurance Corporation or undertakes to discharge the purposes for which said corporation was created. Federal Savings and Loan Insurance Corporation;

(19) "Federal Home Loan Bank Board" shall mean the board so named, organized pursuant to an Act of Congress, or any Federal corporation, instrumentality or agency which succeeds to the Federal home loan bank board;

powers and functions of the Federal Home Loan Bank Board, or which is formed to carry out the purposes for which such board was created.

Change in  
the by-laws;

(20) "Change in the by-laws" includes new by-laws and revisions, amendments, supplements and repealers of existing by-laws.

Account.

(21) "Account" shall mean the record of the financial relations of a member with an association as shown on the books of the association.

## ARTICLE II

### PURPOSES

C. 17:12A-11.  
Purposes.

11. Purposes. Associations operating under the provisions of this act shall be mutual associations for the purpose of promoting thrift, home ownership and housing.

## ARTICLE III

### INCORPORATION AND ORGANIZATION

C. 17:12A-12.  
Who may form  
corporation.

12. Persons who may form corporation. Any nine or more persons, citizens of this State, hereinafter referred to as incorporators, may associate to form a corporation for the purposes specified in this act, by complying with the terms, conditions and procedure herein stated.

C. 17:12A-13.  
Contents of  
certificate.

13. Contents of certificate of incorporation. The incorporators shall personally sign and prove or acknowledge as required for deeds of real estate, a certificate of incorporation, which shall state:

Name;

(1) The name of the association, which shall contain the words "savings and loan association." The name shall not be one already in use by another association in this State, nor one so similar thereto as to deceive the public or lead to uncertainty or confusion.

Location;

(2) The name of the municipality in this State where the association's office for the transaction of its business will be located.

Purpose;

(3) That it is incorporated to operate as an association pursuant to this act for the purposes herein stated.



(4) The name, residence (including street and number, if any) post-office address and occupation of each incorporator.

Residences of  
incorporators;

(5) The initial amount which each incorporator agrees to invest in the association before it commences business.

Amount  
invested.

14. Original by-laws. The incorporators shall adopt the original by-laws of the association.

C. 17:12A-14.  
By-laws.

15. Application to commissioner for approval. The certificate of incorporation and the by-laws shall be submitted to the commissioner for his approval. Within ten (10) days thereafter, the commissioner shall give written notice to each incorporator, of the time and place designated by him for a hearing, by mailing the same to each incorporator at the post-office address stated in the certificate of incorporation. The time designated for such hearing shall be not less than six (6) weeks nor more than eight (8) weeks after the date upon which the commissioner mails such notice.

C. 17:12A-15.  
Approval of  
commissioner;

16. Notice of application and hearing thereon. The incorporators shall give public notice of such application and of the time and place designated by the commissioner for the hearing thereon, by publishing the same prior to the time of hearing at least once a week for four (4) weeks in at least one newspaper published and circulating in the municipality where the office of the association will be located. If there is no newspaper published in such municipality, the notice shall be published in a newspaper, to be designated by the commissioner, circulating in said municipality.

C. 17:12A-16.  
Notice of  
application  
and hearing.

Said notice shall also state the proposed name of the association, the name of the municipality where the office of the association will be located, the names and addresses, both residence and post-office, of the incorporators, and the aggregate amount which they have agreed to invest in the association before it commences business.

Contents of  
notice.

The incorporators shall also mail or cause to be mailed, at least three (3) weeks prior to the time designated for said hearing, a copy of such notice

Notice to other  
associations.

to each association with an office located within the county where the office of the proposed association for the transaction of its business is to be located.

Upon the request of the incorporators, the commissioner shall furnish a written list showing the names and street addresses of all associations to which such notice must be sent.

C. 17:12A-17.  
Hearing.

17. Hearing. At such hearing or at any adjournment thereof which may be granted by the commissioner, there shall be afforded an opportunity to be heard to anyone desiring it. The commissioner shall also make such independent examination or investigation of such application as the circumstances shall require.

C. 17:12A-18.  
Commissioner's  
decision.

18. Commissioner's decision. Within thirty (30) days after the close of the hearing, the commissioner shall announce his decision upon such application and file in his office, a written memorandum stating the reasons therefor which shall be open to public inspection. If it shall appear to the commissioner that the establishment of such association is warranted by the conditions prevailing in the area where the association proposes to transact business and that it will be of service to the public and benefit to its members, and that the character, responsibility and general fitness of the incorporators are such as to command confidence and warrant belief that the business of the association will be honestly and efficiently conducted and that the name proposed for the association conforms with the requirements of this act and that the proposed by-laws are proper, the commissioner shall approve such application and issue a certificate of approval which shall be endorsed upon or annexed to the certificate of incorporation.

C. 17:12A-19.  
Certificate  
filed.

19. Certificate to be filed. The certificate of incorporation with the commissioner's approval endorsed thereon or annexed thereto, shall be recorded within thirty (30) days after such approval, in the office of the clerk of the county where the office of the association for the transaction of business is to be located and after being so recorded

shall be filed in the Department of Banking and Insurance of the State of New Jersey. Said certificate or a copy thereof duly certified by the commissioner or by the clerk of the county where the same is recorded shall be evidence in all courts and places. Upon the recording and filing of such certificate, the persons so associated, their successors and assigns shall from the date of the filings be a corporation by the name set forth in the certificate with all of the powers mentioned in this act.

20. Time limit for commencing business. If the incorporators fail to complete the organization of an association and to cause it to commence business within six (6) months from the date when authority is granted to them to do so, the said certificate of incorporation shall ipso facto become null and void.

C. 17:12A-20.  
Limits time  
for commencing  
business.

21. Branch offices. No association shall hereafter establish or maintain a branch office, except, that any association into which another association has been merged or which has acquired, by purchase, reorganization, or in any other manner, all or a substantial portion of the assets of another association, may, with the permission of the commissioner, and under such terms and conditions as he may prescribe, maintain the office previously maintained by such other association, or a suitable substitute therefor, as a branch office; *provided, however*, that the commissioner shall first determine that the maintenance of such branch is in the public interest and will be of benefit to the area served by such branch and to the members of the association.

C. 17:12A-21.  
Branch  
offices.

Proviso.

22. By-laws. Each association shall adopt such by-laws as may be required by the provisions of this act and as it may deem necessary or desirable for the regulation of its business and affairs and for the attainment of its purposes, consistent with the provisions of this act, and may change the same from time to time. The original by-laws of any association hereafter incorporated shall be adopted by the incorporators. Changes in the by-laws may be adopted by the board or by the members and

C. 17:12A-22.  
By-laws.

Changes.

- Use of words. upon such notice as the by-laws shall provide. The term "constitution" as used by any association heretofore incorporated, shall be construed to be synonymous with the term "by-laws" as used in this act.
- C. 17:12A-23. Approval of by-laws. 23. Commissioner's approval required. No by-law nor any change in the by-laws shall become effective until it shall have been submitted in writing to the commissioner and he shall either have approved it in writing, or have failed to take any action thereon for a period of thirty (30) days after it shall have been submitted to him. Approval shall not be withheld by the commissioner unless a proposed by-law or any change in the by-laws is in conflict with the provisions of this act.
- C. 17:12A-24. Changing location of office. 24. Change of office location. Any association may change the location of its principal office to a new location but where the office is to be removed from one municipality to another, such change shall take place only after application to and the written approval of the commissioner of such change of location. Within ten (10) days after the submission of any such application, the commissioner shall give written notice by mail to the association of a time and place designated by him for a hearing on such application. The time designated for such hearing shall be not less than six (6) weeks nor more than eight (8) weeks after the date upon which the commissioner mails such notice. The association shall thereupon give notice by mail of such application and of the time and place designated by the commissioner for a hearing thereon at least three (3) weeks prior to the date of such hearing to all associations located within the municipality in which it is proposed to locate the office of the association.
- Notice of hearing. Upon the request of the association, the commissioner shall furnish a written list showing the names and street addresses of all associations to which such notice must be sent.
- List of associations furnished. The notice shall set forth the name of the association, the street address and municipality from
- Contents of notice.

which its location is to be changed and the street address and municipality to which its location is to be changed. Within thirty (30) days after the close of the hearing, the commissioner shall announce his decision upon such application and file in his office a written memorandum stating the reasons therefor, which shall be open to public inspection. The commissioner shall not withhold his approval unless it appears that the interest of the members of the association or of the public will be adversely affected by such change. The commissioner may, in his discretion, dispense with such hearing in the event that (a) there is no association located in the municipality in which the applicant association intends to locate its office or (b) all associations in such municipality consent thereto in writing.

25. Change of name. An association may with the approval of the commissioner, change its name by a two-thirds vote of its board. A certificate signed by the president and secretary setting forth the former name and the new name and that it was adopted by a two-thirds vote of the board at a meeting held on the date specified in the certificate shall be recorded by the clerk of the county wherein the association is located and filed with the commissioner. The name so certified shall from the time of filing the certificate be the corporate title of the association. All deeds, mortgages, contracts, actions, judgments, transactions, proceedings and records made, received, entered into, carried on or done by an association before the adoption or certification of a change of name, but wherein the association is called by the name so subsequently adopted, shall be as valid as if the association were called therein by the name set forth in its original certificate of incorporation.

C. 17:12A-25.  
Change of  
name.

## ARTICLE IV

## POWERS

C. 17:12A-26.  
General  
powers.

26. General powers. Every association shall have all of the powers conferred by this act, both expressed and implied, and such others as are incidental thereto, and incidental or necessary to the operation of its business and the attainment of its purpose. Such powers shall be exercised in conformity with the provisions contained in this act.

C. 17:12A-27.  
Specific  
powers.

27. Specific powers. Without limiting the generality of the foregoing, every association shall have power to:

(1) Have succession by its corporate name for the period limited in its charter or certificate of incorporation, and when no period is limited, perpetually.

(2) Sue and be sued in any court.

(3) Adopt and use a common seal and alter the same.

(4) Purchase and otherwise acquire, hold, mortgage, pledge, lease, exchange, sell, convey and otherwise dispose of, any real and personal property, necessary or incidental to its operations and consistent with its powers and purposes.

(5) Insure its members' accounts with the Federal Savings and Loan Insurance Corporation, and comply with conditions necessary to obtain such insurance.

(6) Become a member of or stockholder in a Federal Home Loan Bank and to that end to comply with all conditions of membership therein.

(7) Act as agent for the United States or the State of New Jersey or any instrumentality of either of them, when designated for that purpose, and perform such reasonable duties as such agent as may be required of it.

(8) Join any co-operative league organized for the purpose of protecting and promoting the welfare of associations and their members and comply with all conditions of membership therein.

(9) Borrow money from any source in or out of the State, on the note, bond and mortgage or other obligation of the association upon such terms and conditions as the board may from time to time prescribe by resolution adopted by at least a majority of all the members of the board and duly recorded on the minutes and to pledge, assign or transfer mortgages, owned by the association and the obligations secured by such mortgages, together with the shares, if any pledged as collateral security therefor, or any real or other personal property, as security for the repayment of money so borrowed. No association shall borrow money if by doing so the aggregate of its indebtedness for borrowed money other than to the Federal Home Loan Bank will exceed twenty per centum (20%) of its capital, except with the approval of the commissioner.

(10) Take from its members, a premium for priority or privilege of loan or acquisition of real estate and no premium so taken shall be deemed usurious. The rate of premium may be agreed upon or be determined by auction.

(11) Require an advance payment of interest for a period of one (1) month on any loan; and accept advance payments of interest, if made at the option of the debtor, for any period on any loan. None of such payments shall be deemed usurious.

(12) Where shares are issued, charge an admission fee, not to exceed twenty-five cents (\$0.25) per share, which shall include the cost of the membership or share certificate and account book.

(13) Impose fines or charges upon a member for failure to make any payment to the association when due, but only as provided in this paragraph. Where the association issues installment share accounts it may impose such charge upon any member holding such an account or any borrower upon a sinking fund mortgage not in excess of one per centum (1%) a month upon the amount in arrears, except for the first month's arrearage or the amount by which such first month's arrearage may

be increased by subsequent arrearage in which case a charge not in excess of five per centum (5%) may be imposed. Such charges shall be subject to the further limitations that no such charge shall be deducted from any amount actually paid by a member upon an account nor shall the total of any such charges against any account in any fiscal year exceed the amount that may be charged for failure to make any payments for a six (6) month period nor shall any charge for default be made on a charge for default. Otherwise an association may impose a fine or charge for failure to make any required payment to it when due upon any loan or contract for the resale of real estate to a member not to exceed two per centum (2%) of the amount of each payment in arrears nor shall more than one such charge be made with respect to any one payment in arrears. None of such charges shall be deemed usurious.

(14) Compute interest upon any direct reduction loan, on designated payment dates, and add the same to the unpaid balance of such loan.

(15) Act as agent for any person where such agency will further the interests of the association and its members, subject to such limitations as may be prescribed by the commissioner.

(16) Provide for such retirement or disability benefits as its by-laws may prescribe and the commissioner may approve, for any of its officers or employees, in accordance with any plan sponsored by any Federal Home Loan Bank of which it is a member. Any association may at any time, withdraw from any such benefit plan and terminate its membership and participation therein and any and all prospective liability in connection therewith, by giving at least thirty (30) days written notice of its intention so to do to the officers and employees who will be affected thereby.



## ARTICLE V

## MANAGEMENT

28. Directors, number, powers. The business and affairs of every association shall be managed and directed by a board of directors. The board shall consist of such number as the by-laws provide, but not less than six (6). Each director shall be a member. He shall have such other qualifications and meet such eligibility requirements, as this act and the by-laws provide. The board may exercise any and all powers of an association not expressly reserved to the members of the association by the provisions of this act and the by-laws. If the by-laws so provide, the board may delegate any of its powers to any committee composed of members of the board.

C. 17:12A-28.  
Directors.

29. Directors' election, vacancies. The directors shall be elected by the members of the association by ballot at the annual meeting, for such term, not exceeding three (3) years, as the by-laws provide. Where the term is more than one (1) year, the by-laws shall establish terms of office so that an equal number of directors, so far as possible, shall be elected each year. A vacancy in the board may be filled by the board until the next annual meeting of the association, when it shall be filled by the members of the association for the remainder of the unexpired term. Each director shall hold office for the term for which he is elected and until his successor shall be chosen and qualified.

C. 17:12A-29.  
Election  
of directors.

Vacancies.

30. Attorneys, employees. The board may retain or employ one or more attorneys-at-law of this State for a term not longer than one (1) year. The board may employ, or authorize any officer to employ, any persons necessary for the conduct of the business of the association.

C. 17:12A-30.  
Attorneys  
and employees.

31. Officers. The officers of every association shall be a president, one or more vice-presidents, a secretary and a treasurer and such other officers as the by-laws may provide, all of whom shall be

C. 17:12A-31  
Officers.

members of the association. They shall be elected by the board unless the by-laws provide for their election by the members of the association. Each officer shall be elected for a term of not more than one (1) year, but shall continue in office until the election and qualification of his successor. Any two offices, except the offices of president and vice-president, may be held by one person. No officer shall act as attorney or conveyancer of his association. A vacancy in any office may be filled by the board for the unexpired term.

C. 17:12A-32.  
Officers'  
powers.

32. Officers' powers. Each officer in addition to such powers and duties as usually pertain to his office shall have such powers and duties as the by-laws may provide and as may be delegated to him by the board. All checks, notes and drafts of the association shall be signed by at least two (2) of its officers.

C. 17:12A-33.  
Oath of office.

33. Oath of office of directors and officers. Each officer and director shall, before entering upon the duties of his office, take and subscribe the following oath of office:

#### OATH OF OFFICE

STATE OF NEW JERSEY }  
COUNTY OF } ss:

of full age, being duly sworn on his oath according to law, deposes and says:

1. I reside at ; am a member of the Association; hereby accept the office of , to which I have been elected or appointed; will diligently and honestly administer the affairs of said Association within the scope of my powers and duties; and not knowingly violate, or permit to be violated, the provisions of the Savings and Loan Act of New Jersey, and the Association's by-laws.

Subscribed and sworn to before me this day of 19 . . . . .

All oaths of office shall be filed with the secretary. If any officer or director shall fail within a reasonable time after his election to take and subscribe the oath required by this section, the board may declare his office vacant. If any officer or director shall violate the provisions of his oath, the board, after affording him an opportunity to be heard, may declare his office vacant by a vote of two-thirds of the directors present at any meeting of the board, of which meeting notice shall have been given to each director.

34. Minimum account requirements for directors. Each director shall at all times own, in his own name, an unencumbered account in his association having a participation value of at least two hundred dollars (\$200.00) or an account upon which he shall pay at least five dollars (\$5.00) per month, without default, until a minimum unencumbered participation value of at least two hundred dollars (\$200.00) is attained which minimum shall thereafter be maintained; *provided, however*, that this section shall not disqualify any director, the participation value of whose account is reduced to less than two hundred dollars (\$200.00) due to the maturity of shares, provided that he resubscribes to an account upon which payments of at least five dollars (\$5.00) per month are made, without default, until a minimum unencumbered participation value of two hundred dollars (\$200.00) is again attained. If any director shall fail for more than three (3) months to maintain the minimum requirements of his account, his office shall thereupon automatically become vacated and he shall not become eligible to such office again until after the expiration of his then existing term of office.

C. 17:12A-34.  
Minimum  
account  
requirements  
for directors.

Proviso.

35. Loans to officers, directors, attorneys or employees. No loan shall be made by any association to any officer, director, attorney or employee of such association, nor upon the security of any real estate which is owned by a corporation or partnership of which he is a stockholder or member, or in the ownership of which he has any direct or indi-

C. 17:12A-35.  
Loans to  
personnel.

rect legal or equitable interest, except a mortgage loan made for the financing of the home of such officer, director, attorney or employee, or an account loan.

C. 17:12A-36.  
Default by  
directors and  
employees.

36. Default by directors and officers. No person who is in default for a period of more than three (3) months in the payment of any obligation to an association, shall be elected as an officer or director of such association. If any officer or director defaults for a period of more than three (3) months in the payment of any obligation to his association, his office shall thereupon automatically become vacant and he shall not become eligible to any office again until after the expiration of his then existing term of such office.

C. 17:12A-37.  
Restricts  
purchase  
of accounts.

37. Restriction upon purchase of accounts. No officer, director, attorney or employee of any association shall purchase any account in such association from any other person, directly or indirectly, for less than the withdrawal value thereof.

C. 17:12A-38.  
Limits  
expenses.

38. Limitation of expenses. The aggregate amount of an association's expenses in any fiscal year for the compensation of officers, employees and directors and for premiums, contributions, or other expenditures made in connection with retirement, life insurance, disability, hospitalization or other like benefits for officers and employees and rent for the association's office, shall not exceed two per centum (2%) of the association's assets at the end of its last preceding fiscal year. This section shall not apply to an association whose assets were less than one hundred thousand dollars (\$100,000.00) at the end of its last preceding fiscal year.

C. 17:12A-39.  
Bond required  
for certain  
employees.

39. Bonds required. The board shall require the secretary, treasurer, attorney, conveyancer and every other officer, director, employee, or agent handling or having the custody or charge of money, securities, books or records belonging to the association, before entering upon his duties, to be bonded in adequate amount and with good and sufficient surety, which shall be a surety company

authorized to transact business in this State, and such bonds shall be approved by the board. The board shall examine annually all the bonds and pass on their sufficiency, and, if insufficient, immediately require new or additional bonds. The failure of any person to furnish, or qualify for, such bond shall be ground for his summary removal by the board. The commissioner may at any time order the bond of any such person to be increased. In lieu of such individual bonds, the board may procure a blanket bond providing the same protection to the association. The association may pay the premiums on any and all such bonds.

## ARTICLE VI

### MEMBERSHIP, ACCOUNTS, SHARES

40. Membership generally. The members of an association shall be those in whose names accounts are established either as savings members or as borrowing members. Except as limited by the provisions of this act, or the by-laws of an association, or its board, any person may become a member of an association. C. 17:12A-40. Membership.

41. Membership plan. Each association shall operate upon one of the following membership plans: C. 17:12A-41. Membership plans.

Plan 1. The nonshare plan described in section forty-two.

Plan 2. The share plan described in section forty-three.

Plan 3. The plan upon which it is operating at the date of the enactment of this act.

Any association may, at any time hereafter, change from the plan upon which it shall then be operating to Plan 1 or 2, and may make such change in plan applicable only to those memberships established after such change, continuing, concurrently, to operate upon the plan upon which it previously operated with respect to those memberships established prior to such change. The by-laws of each

association shall designate which of said plans it elects to operate under.

C. 17:12A-42.  
Nonshare  
plan.

42. Nonshare plan. Membership in an association operating pursuant to the nonshare plan shall be evidenced by a membership certificate. Each member shall have an account book. Payments by savings members shall be made as provided in the by-laws. The same rate of dividend shall be declared to all savings members' accounts; *provided, however*, an additional reward profit dividend may be allowed when earned, if authorized by the by-laws. No such association shall impose any charge or fine against any savings member, nor retain any of the dividends credited to any member's account in the event of withdrawal of such account.

Proviso.

C. 17:12A-43.  
Share plan.

43. Share plan. Membership in an association operating pursuant to the share plan shall be evidenced by a share certificate; *provided, however*, the membership of a borrowing member may be evidenced only by a membership certificate. Every member shall have an account book, *provided, however*, it shall not be necessary to issue an account book where the share certificate shows the participation value of the account.

Proviso.

Proviso.

Types of  
shares:

Installment  
shares;

Such associations may issue the following types of shares, all of which shall be common shares, viz.:

(1) Installment shares, which shall be issued in connection with accounts upon which payments are made periodically in regular amounts as required by the by-laws. The by-laws shall specify the maturity value of such accounts. All such accounts shall have the same maturity value, but the by-laws may be amended to provide that accounts thereafter issued shall have a different maturity value from those theretofore issued.

Upon the maturity of an installment share account so much of its participation value as remains after payment of any obligation for which it may have been pledged, shall be disposed of in one of the following ways:

(a) The association may pay the same to the member in full, unless it shall be operating under the rotation payment plan, in which event payment shall be made in accordance with said plan.

(b) The association may transfer the same to any other type of account in said association to the credit of the member, giving him immediate written notice thereof, personally or by mail.

(c) The member may withdraw the same in accordance with the same terms and conditions which apply to other withdrawals.

(2) Savings shares, which shall be issued in connection with accounts upon which payments may be made at the option of the member.

Savings  
shares;

(3) Income shares, which shall be issued in connection with accounts requiring the investment of fixed amounts in units of one hundred dollars (\$100.00) or multiples thereof, upon which dividends are paid in cash.

Income shares.

44. Limitation upon accounts. No savings member shall hold an account or accounts in any one association with an aggregate participation value exceeding fifteen thousand dollars (\$15,000.00) or one per centum (1%) of the capital of the association, whichever is greater, but in no case in excess of thirty-five thousand dollars (\$35,000.00); *provided, however*, that such limitation shall not apply to—

C. 17:12A-44.  
Limitation  
upon accounts.

(a) An account held as provided in section forty-six (46) of this act; or

(b) An account which is pledged as security for the repayment of money due such association; or

(c) An installment share account; or

(d) An account, other than an installment share account, which exceeds the aforesaid limitation at the time of the enactment of this statute, but no additions other than dividends shall be made thereto; or

Proviso.

(e) Where such excess results from the addition of dividends to any such account, or from the acquisition of an account by gift, will or inheritance; or from the acquisition of an account previously held as collateral security for the payment of an obligation; or from the acquisition by one association of the assets of another association; or

(f) Where such excess results from a reduction in the capital of the association.

By-laws may provide for lesser limitations.

The by-laws may provide for any lesser limitation than set forth in this section. The board or any person or persons duly authorized by it, may refuse to accept any account and may limit the amount of payments which may be received on any account.

C. 17:12A-45.  
Form of membership certificate.

45. Forms of certificate. The following form of MEMBERSHIP certificate is hereby prescribed.

This certifies that.....is a savings borrowing ..... member of the undersigned and holds a membership account therein subject to the Savings and Loan Act of New Jersey and the by-laws of the undersigned.

Date..... Association  
Association's Seal By .....  
(Title of Officer or Officers)

The following form of SHARE certificate is hereby prescribed.

This certifies that.....is a member of the undersigned and holds .... (insert number and type of shares) ..... shares therein subject to the Savings and Loan Act of New Jersey and the by-laws of the undersigned.

Date..... Association  
Association's Seal By .....  
(Title of Officer or Officers)

Participation Value \$......

(To be added if account book is not issued)

Said membership certificates and share certificates shall be signed by such officer or officers as the board of each association shall direct.



46. Governmental agencies may be members. The United States of America, the State of New Jersey, or any agency or instrumentality of either of them, or any corporation incorporated under the laws of the United States, in the stock of which the Secretary of the Treasury of the United States may be authorized by an Act of Congress to invest, may be a member of any association and hold one or more accounts therein without limit as to amount. Any association may make an agreement with any such member, deferring or postponing the right to withdraw all or any part of such member's account, but such member shall not be entitled to any withdrawal preferences or priorities as against any other member, and shall otherwise be entitled to all rights and privileges and subject to all obligations and limitations of membership in such association.

C. 17:12A-46.  
Governmental  
agencies may  
be members.

47. Minors. Minors may be members and shall be entitled to all of the rights and privileges and subject to all of the duties and liabilities of membership to the same extent as persons over the age of twenty-one years; *provided, however*, that no minor shall be entitled to vote until he shall have attained the age of sixteen years.

C. 17:12A-47.  
Minors may  
be members.

Proviso.

48. Fiduciaries. Whenever an account is held by a person designated on the records of an association as a fiduciary, it shall be conclusively presumed, in all dealings between the association and the fiduciary or any other persons, with respect to such account, that a fiduciary relationship in fact, exists, and that such fiduciary has power to invest money in the association, and to withdraw the same or any part thereof, and to transfer his membership to any other person. The receipt or acquittance of such fiduciary shall fully exonerate and discharge the association from all liability to any person having any interest in such account and the association shall not be under any duty to see to the proper application of the trust property.

C. 17:12A-48.  
Fiduciaries.

Payment  
upon death of  
fiduciary.

Upon the death of any fiduciary, the value of his account may be paid, at the option of the association, either to the executor or administrator of such fiduciary, or to any substituted fiduciary, or to the person, if any, who is designated on the records of the association as the beneficiary of such account, if of the age of sixteen years or upwards, or to the guardian or parent or person standing in loco parentis to such person if under the age of sixteen years. The receipt or acquittance of any such person shall fully exonerate and discharge the association from all liability to any person having any interest in such account, and the association shall not be under any duty to see to the proper application of the trust property. This section is not intended to relieve an association of its duty to conform with the provisions of the laws imposing transfer inheritance taxes with respect to decedents' estates. This section is intended to protect associations in their dealings with persons designated on the records of an association as fiduciaries and persons having interests in trust property. It is not intended to regulate the rights and liabilities as between the fiduciaries and such persons.

Intendment  
of section.

C. 17:12A-49.  
Joint  
membership.

49. Joint membership. A single membership in an association may be held by two or more persons. In the absence of written instructions to the contrary, consented to by the association, the account value of such membership may be paid by such association to any one or more of such persons whether the others be living or not, and the receipt or acquittance of the person so paid shall fully exonerate and discharge the association from all liability to any person having any interest in such account and the last survivor of such persons may transfer such membership to himself or any other person. This section is intended to protect associations in their dealings with members holding such accounts. It is not intended to regulate the rights and liabilities of the parties having interests in such accounts, as among themselves. This section is not intended to relieve an association of its

duty to conform with the provisions of the laws imposing transfer inheritance taxes with respect to decedents' estates.

50. Transfer of membership. A member may transfer, absolutely or conditionally, his membership to any other person, subject to the provisions of this act, by a written assignment accompanied by delivery of his membership certificate or share certificate and the account book, if any, issued in connection therewith. Every such transfer of membership, shall be deemed to include the account and the membership certificate or share certificate issued in connection therewith. The provisions of chapter eight of Title 14 of the Revised Statutes and the amendments thereof and supplements thereto shall not apply to such transfers. No such absolute transfer shall be effective against an association until such written assignment and the accompanying membership certificate or share certificate, and account book, shall be delivered to the association with a request that it complete such transfer upon its records. No such conditional transfer shall be effective against an association unless and until it actually receives notice thereof in writing.

C. 17:12A-50.  
Transfer of  
membership.

51. Lost certificates and account books. Upon filing with an association by a member of record, or his legal representative, of an affidavit showing that his membership certificate, share certificate, or account book, or any of them has been lost, stolen or destroyed, and whether, and to whom the same has been pledged or assigned in whole or in part, such association may issue a duplicate membership certificate, share certificate, or account book, as the case may be, marked on the face thereof "A Duplicate;" *provided, however*, that the board of such association may, in its discretion, require such member or his legal representative to furnish a bond to the association in such amount, and with such security as it may deem necessary, to indemnify such association against any loss which might result from the issuance of such duplicate certifi-

C. 17:12A-51.  
Lost records.

Proviso.

cate or account book. Payment made by an association to the owner of record of a duplicate membership certificate, share certificate, or account book issued in accordance with this section shall release the association from all liability to any person claiming any interest in the original membership certificate, share certificate, or account book and the duplicate thereof.

C. 17:12A-52.  
Termination of  
membership.

52. Termination of membership. The membership of a savings member shall terminate when the amount of his account has been paid to him in full or when the transfer of his membership to another person has been recorded on the books of the association, or when his account has been retired as provided in this act. The membership of a borrowing member shall terminate when his status as a borrower from the association terminates or when his membership is transferred to another person and such transfer is recorded on the books of the association.

## ARTICLE VII

### MEMBERS' MEETINGS, NOTICES

C. 17:12A-53.  
Notice to  
members.

53. Notice to members. Except where this act expressly provides otherwise, all notices, statements, reports or other documents required to be given to any member, shall be given to him either personally or by mail, postage prepaid, addressed to him at his last address which appears on the records of the association. Service by mail shall be complete upon posting.

C. 17:12A-54.  
Copy of  
by-laws  
furnished.

54. By-laws furnished members. Every association shall make available to each member a copy of its by-laws and all changes therein.

C. 17:12A-55.  
Meeting  
places.

55. Meeting place. Members' meetings shall be held at the association's main office or at such other place within a radius of five (5) miles thereof as the board may designate.

C. 17:12A-56.  
Meetings:  
Annual;

56. Meetings.

(1) Annual. The members shall meet at least once in each year upon not less than ten (10) days,

written notice by mail or publication in a newspaper published or circulating in the municipality in which the association is located, for the election of directors and the transaction of any other business which may properly be brought before such meeting. The polls at every such election shall be open for such period of time, not less than one-half hour, between the hours of nine ante meridian and nine post meridian at the time the by-laws shall designate.

(2) Special. Special meetings of the members may be called as provided in the by-laws, but upon not less than ten (10) days' written notice by mail or publication in a newspaper published or circulating in the municipality in which the association is located and the notice of such meeting shall state the purposes for which it is called. The secretary shall attend to the mailing or publication of such notices. Special.

57. Quorum. The by-laws may prescribe the number of members which shall constitute a quorum at a meeting. In the absence of any provision in the by-laws, any number of members present at any meeting shall constitute a quorum. C. 17:12A-57.  
Quorum.

58. Voting rights. Each member sixteen years of age, or over, shall be entitled to one (1) vote at any meeting of the association, regardless of the number of shares or accounts standing in his name, provided, however, that only one (1) vote shall be allowed on an account held by two or more persons, jointly. C. 17:12A-58.  
Voting rights.

Members may vote by written proxy if the by-laws so provide.

The by-laws may prohibit voting by persons who have become members within sixty (60) days of the date when the vote is cast.

When accounts or shares are pledged, the pledgor may vote thereon.

## ARTICLE VIII

## RESERVES, UNDIVIDED PROFITS, DIVIDENDS

C. 17:12A-59.  
To determine  
net income.

59. Determination of net income. At the end of each accounting period and at least annually the board of each association shall determine the amount of net income, if any, earned during the accounting period. To aid the board in making such determination there shall be submitted to it, a financial statement including a statement of its operations during such accounting period and such additional data if any, as the board may require certified to be correct by an officer or by a competent accountant designated by the board.

C. 17:12A-60.  
General  
reserve  
account.

60. General reserve account. Each association shall establish a general reserve account which shall be maintained for the purpose of absorbing losses and extraordinary expenses. At the end of each accounting period and before the declaration of any dividends, each association shall transfer to the general reserve account, an amount equal to ten per centum (10%) of the association's net income for such accounting period, less any amount required by the Federal Savings and Loan Insurance Corporation to be allocated to a reserve account. Such transfer shall be made from the net income for the period, the undivided profits account, or any other unapportioned profits. No transfer to the general reserve account shall be required to be made so long as the amount held in such general reserve account plus the amount held in any reserve account required by the Federal Savings and Loan Insurance Corporation exceeds an amount equal to fifteen per centum (15%) of the association's total assets. The board of any association in its discretion may transfer additional amounts to the general reserve account beyond those required by the provisions of this section.

C. 17:12A-61.  
Special  
reserve.

61. Special reserve accounts. Each association shall establish and maintain such special reserve accounts as are required by the provisions of this

act and may establish and maintain such other reserve accounts as in the judgment of its board are necessary or desirable. Such reserve accounts may be established and maintained by transfers thereto from net income, the undivided profits account or any other unapportioned profits. Any amount remaining in any reserve account established in accordance with this section which is no longer needed for the purpose for which such reserve account was established may be transferred to the undivided profits account.

62. Dividend participation—exceptions. At least annually and after determination of the net income for the period and the establishment of reserves as required or permitted by this act, the board of each association shall determine by resolution the rate or rates of dividend, if any, which shall be declared for each class of account. Such dividends shall be taken only from net income or from the undivided profits account. Dividends shall be apportioned to members' accounts upon a compound interest plan. Accounts having a participation value of less than fifty dollars (\$50.00) may be excluded from participation in dividends if the by-laws so provide. Associations issuing installment share accounts may declare dividends to accounts of other classes at a rate less than, but no more than, the rate declared to installment share accounts for the same period, unless the by-laws provide for a reward profit plan in which event all dividends, except those provided for under the reward profit plan shall be declared at the same rate. Dividends shall be added to members' accounts except where otherwise provided by this act. Notwithstanding any other provisions of this article, an association may apportion dividends to installment share accounts at other than a regular dividend period for the purpose of maturing such accounts; *provided, however*, that the amount of dividends so apportioned shall be no greater than the pro rata share of income for the current period applicable for dividend purposes to such accounts.

C. 17:12A-62.  
Dividend  
participation.

Exception.

Proviso.

C. 17:12A-63.  
Undivided  
profits.

63. Undivided profits account. Any surplus net income or any other available profits which remain after reserve and dividend requirements have been met, may be maintained in an undivided profits account.

C. 17:12A-64.  
Restrictions  
on reserves  
and undivided  
profits.

64. Restrictions upon reserves and undivided profits account. The aggregate amount of all reserve and undivided profits accounts of any association shall not be increased so long as the aggregate amount of such accounts exceeds an amount equal to twenty-five per centum (25%) of an association's assets, except with the approval of the commissioner. If at any time the amount of the general reserve account of an association exceeds twenty-five per centum (25%) of its assets, the excess may, with the approval of the commissioner, be transferred to the undivided profits account.

C. 17:12A-65.  
Reward  
profit plan.

65. Reward profit plan. In order to stimulate systematic thrift and to provide greater regularity in the receipt of funds, which may be used for the financing of homes and the making of other authorized investments, the members of any association may create, by provision in the by-laws, a reward profit plan. Such reward profit plan shall provide for the payment of an additional dividend, designated a reward profit, to those members who make an agreed number of consecutive monthly payments of any amount agreed upon between the association and the member. The reward profit shall not exceed an amount equivalent to one per centum (1%) per year of the participation value of the member's account and consecutive payment shall not be required for a period greater than one hundred twenty (120) months in order to become eligible for such reward profit, except that associations issuing installment share accounts may provide for the payment of the reward profit upon the maturity of such installment share accounts.

Part payment  
of reward.

The by-laws may provide for the payment of part of the reward profit to any member who withdraws prior to the completion of the full term and after



payments for a period of at least thirty-six (36) months have been made.

The commissioner shall have power to establish uniform rules and regulations for the operation of the reward profit plan which shall be applicable to all associations which shall establish such plans and which rules and regulations shall be observed in the applicable by-law provisions, including reasonable provisions to conserve such reward profit for the benefit of members who may temporarily default in their required payments.

Uniform  
rules and  
regulations.

Each association whose by-laws provide for a reward profit plan shall establish, in addition to other reserve accounts, a reward profit reserve account. Such reward profit reserve account shall be maintained in an amount equal to the total of the reward profits which have been calculated for those accounts which are eligible to participate in the reward profit plan. An amount sufficient to maintain the reward profit reserve account in the required amount shall be transferred thereto from net income or from the undivided profits account at each dividend period. If, at any dividend period, the reward profit reserve account shall be in excess of the required amount, the excess may be transferred to the undivided profits account.

Reward profit  
reserve.

Any association may by change in its by-laws, abolish the reward profit plan provided that the association shall credit to the account of each member participating in such plan, the amount set aside at that time in the reward profit reserve account for his benefit, and any excess not required for such purposes shall be transferred to the undivided profits account. No further reward profits shall be calculated or applied to any account after the effective date of the abolition of the plan.

May abolish  
reward profit  
plan.

## ARTICLE IX

## WITHDRAWALS AND RETIREMENTS

C. 17:12A-66.  
Withdrawal  
application.

66. Application for withdrawal. Any member may at any time, file with his association a written application for payment of all or any part of the withdrawal value of any account standing in his name, whether or not such account has matured.

C. 17:12A-67.  
Cancellation of  
withdrawal  
application.

67. Cancellation of withdrawal application. Any withdrawal application may be cancelled, in whole or in part, at the written request of the withdrawing member, with the consent of the association, upon such reasonable terms, as such association may impose.

C. 17:12A-68.  
Other with-  
drawal plans  
prohibited.

68. Other withdrawal plans prohibited. No association shall obligate itself to pay withdrawals on any other plan than that provided in this act, nor shall any association purchase an account from any member.

C. 17:12A-69.  
Withdrawal  
payment  
procedure.

69. Withdrawal payment procedure. Every withdrawal application not paid when presented, shall be numbered, dated, and filed, by the association, in the order of its actual receipt, and shall be paid in such order, either in full or on the rotation plan as hereinafter prescribed. No association, however, shall pay any withdrawal application in full, and not pay every such application on file in full, except where payment in full results from the operation of the rotation plan.

C. 17:12A-70.  
Funds required  
for withdrawal.

70. Funds required for withdrawals. Within the first ten (10) days of each fiscal month, each association shall apply to the payment of withdrawal applications which shall have been filed with it on or before the first day of its preceding fiscal month, a sum equal to at least fifty per centum (50%) of its net receipts during such preceding fiscal month, or so much thereof as shall be necessary. Any association may apply a larger percentage of such receipts or other available funds for such purpose, but shall not obligate itself to do so. Net receipts, as used in this section, means all money received by an association, except borrowed money, less

Net receipts.

operating expenses, amounts due and paid or payable on creditor obligations, and amounts paid, appropriated or reserved for the conservation, preservation, or protection of any property or asset of such association.

71. Rotation plan. If, within the first ten (10) days of any fiscal month, the funds of an association, available for the payment of withdrawals, in accordance with the provisions of section seventy of this act, shall be insufficient to pay in full all withdrawal applications which shall have been filed with it on or before the first day of its preceding fiscal month, each such withdrawal application shall be paid in the order in which it was filed, fifty dollars (\$50.00) on account, or the balance due thereon, whichever is less; and, if the available funds are sufficient to make more than one such payment upon each such application, such rotating payment process shall be repeated until the available funds are exhausted. Each month thereafter the rotation payments shall begin with the application next following the one upon which the last preceding rotation payment was made. So long as an association is operating upon the rotation payment plan, no member shall have more than one withdrawal application on file at a time.

C. 17:12A-71.  
Rotation  
payment plan.

72. Application of withdrawal value to indebtedness. Nothing in this article shall prevent an association from applying and crediting, at any time, the full withdrawal value of any account pledged with it as security for the payment of any debt, toward the payment of such debt.

C. 17:12A-72.  
Crediting  
withdrawal  
value to  
indebtedness.

73. Dividend retention. Any association, except one which operates under the nonshare plan described in section forty-two of this act, may, upon the withdrawal of an account prior to its maturity, retain such portion of the dividends credited to such account as its by-laws may prescribe, not exceeding however, fifty per centum (50%), thereof if the withdrawal application is filed within two years from the date when such account was opened, and at least five per centum (5%) less for each

C. 17:12A-73.  
Retention of  
dividends.

succeeding year, if the withdrawal application is filed before the end of the third or any succeeding year; *provided, however*, five per centum (5%) of the dividends may be retained upon any withdrawal regardless of the time when the withdrawal application may be filed; *and provided further*, that any association may continue to apply its profit retention schedule which is in existence at the date of the enactment of this act, insofar as it is reasonable, but such changes, if any, as may hereafter be made therein, shall conform with the limitations of this section.

C. 17:12A-74.  
Restriction  
on suits.

74. Restrictions on suits. No person shall institute or prosecute any suit or action against an association to recover the value of any account or any part thereof, until an application for the withdrawal thereof has been filed, and not then, so long as such association pays withdrawals as provided in this act. At least thirty (30) days' written notice of the intention to institute such suit shall be served upon the association and upon the commissioner. Recovery in any such suit shall be limited to the amount which the claimant would have received up to the date of the entry of judgment, if payment had been made to him in accordance with the provisions of this act.

C. 17:12A-75.  
Retirement  
of accounts.

75. Retirement. If funds are on hand for the purpose, any association may, by resolution of its board, retire any account by giving at least thirty (30) days' written notice of its intention so to do, which may be sent by registered mail addressed to the member owning such account at his address appearing on the records of the association. Such notice shall identify the account; state the retirement date and the retirement value; and include a statement that said account will not participate in any dividend declared after such retirement date and that no interest or other income will accrue thereon. From and after such retirement date, the member owning such account shall cease to be a member and shall have no further rights or liabilities of membership with respect to such account.

In the case of the retirement of an installment share account upon which the required payments are in arrears for six (6) successive months, the retirement value shall be the withdrawal value as of the date of the passage of such resolution. In the case of the retirement of any other account, the retirement date shall be some date upon which dividends are credited and the retirement value shall be the participation value, including the dividend credited to such account on the retirement date.

Retirement  
value.

The member owning such an account shall be entitled to receive full payment of such retirement value by demanding the same on such retirement date or at any time thereafter, subject, however, to the provisions of section seventy-six of this act, and by surrendering to the association his account book and membership certificate or share certificate. An association may pay such retirement value without awaiting a demand for payment. No association shall retire any account when it has applications for withdrawal which have been on file for more than thirty (30) days and which are unpaid in whole or in part. No association shall retire an account of any of its officers or directors where such retirement shall operate to disqualify such officer or director from holding his office in the association.

Member  
entitled to  
full payment.

Not to dis-  
qualify officers.

If such retirement value is not paid or demanded within thirty (30) days after such retirement date, it shall be transferred to a retirement account and there remain to the credit of the person owning such account subject to his right to demand payment thereof, and to the association's right to pay the same, in accordance with the provisions of this section.

Transferred  
to retire-  
ment account.

76. Unclaimed accounts: If the address of a member or of his legal representative is not known and is not ascertained within one year from the time of the retirement of his account, the association may apply to the Orphans' Court of the county where it is located for an order, and the Court may make an order designating a bank, trust company

C. 17:12A-76.  
Unclaimed  
accounts.

or savings bank, in the county, in which such moneys may be deposited to the credit of the member or his legal representative. A compliance with the terms of the order shall be a full discharge of all liability on the part of the association to the member for the amount so deposited. The moneys so deposited shall be paid by the bank, trust company or savings bank to the member or his legal representative in the same manner and under the same conditions as if the deposit had been made personally by the member. There shall be deducted from the amount due the member, such reasonable sum for the cost of application, as the Court may direct.

## ARTICLE X

### INVESTMENTS

C. 17:12A-77.  
Investments.

77. Investments authorized. The funds of every association shall be invested in accordance with the provisions of this act.

C. 17:12A-78.  
Loans:

78. Loans. Investments in loans may be made as follows:

Mortgage  
loans;

(1) Mortgage loans. In direct reduction, sinking fund, and straight mortgage loans. Each such loan shall be evidenced by an obligation and secured by a mortgage which shall be a first lien, except as to current taxes, on real estate in this State used or to be used wholly or partially for dwelling purposes. An association may hold one or more subsequent mortgages on real estate provided it also holds all prior encumbrances, except current taxes, thereon. If the proceeds of any such loan are used in whole or in part to improve the mortgaged real estate, they may be advanced in installments as the construction of a building or the making of other improvements thereon progresses and the value of the contemplated improvement may be included in arriving at the appraised value of the property.

Periodic  
payments;

Each direct reduction loan shall require periodical payments sufficient to pay the principal and interest of the loan in full in a period of twenty

years or less. Any association may by agreement with the borrowing member reduce the amount of periodical payments, but the amount of the periodical payments thereafter required shall be sufficient to pay the balance of the loan and interest thereon within a period of twenty years or less from the time of making such agreement. Each sinking fund loan shall require periodical payments, at least monthly, on an account pledged as collateral security for such loan which shall be sufficient to pay such loan in a period of twenty years or less. Any association may by agreement with the borrowing member provide for the application of such account to the principal of the loan and for a reduction in the periodical payments required on an account thereafter; *provided, however*, that such periodical payments thereafter required shall be sufficient to retire the loan in a period of twenty years or less from the time of the making of such agreement. The amount of any direct reduction loan or sinking fund loan, less the withdrawal value of any account which may be pledged as collateral security therefor, shall not exceed eighty per centum (80%) of the value of such real estate as found by appraisal at the time when the loan is granted.

Proviso;

The term of any straight mortgage loan shall not exceed three years. The amount of any such straight mortgage loan shall not exceed fifty per centum (50%) of the value of the property as found by appraisal at the time the loan is granted. An association may renew any straight mortgage loan held by it for a period not exceeding three years and for amounts not in excess of fifty per centum (50%) of the value of the real estate as found by appraisal at the time of such renewal. The total amount invested in straight mortgage loans by any association, shall not exceed ten per centum (10%) of its assets at the time any such investment is made.

Term and amount of loan;

(2) Improvement or repair loans. In addition to members for the repair, alteration, or

Improvement and repair loans;

improvement of real estate owned by such members, upon which the lending association already holds a mortgage lien. If the mortgage already held by the lending association secures payment of a direct reduction loan, such additional loan shall not exceed the sum of one thousand dollars (\$1,000.00) or the amount which has been repaid in reduction of the principal of such mortgage loan, whichever is less. If the mortgage already held by the lending association secures payment of a sinking fund loan, such additional loan shall not exceed the sum of one thousand dollars (\$1,000.00) or the withdrawal value of the installment account which is pledged as collateral security for the payment of such sinking fund loan, whichever is less. Each such additional loan shall be evidenced by an obligation which shall state the terms on which such loan is made, and the amount thereof shall be added to the amount due on the association's mortgage against such real estate, and payment thereof shall be secured thereby. All persons who acquire any rights in, or liens upon, the mortgaged real estate subsequent to the recording of any association's mortgage shall hold such rights and liens subject to the association's right to make such additional loans. For the purpose of such additional loans, no search or examination of the title to the mortgaged real estate shall be required. The power to make such additional loans is in addition to, and not to the exclusion of, the power to make any other lawful loan.

Camp meeting  
leaseholds;

(3) Camp meeting leaseholds. In any obligation secured by first mortgage on any leasehold estate of real estate in this State of any camp meeting association, to the extent authorized by, and subject to, the limitations and restrictions contained in R. S. 17:2-1.

Purchase  
of loans;

(4) Purchase of loans. In the purchase of any loan which an association is authorized to make.

Account loans;

(5) Account loans. In loans secured by a pledge of a member's account. No such loan shall exceed the withdrawal value of the pledged account, less interest thereon for a period of six (6) months.



(6) Guaranteed loans. In loans guaranteed or insured in whole or in part by the United States of America or the State of New Jersey or any instrumentality or agency of either of them, or for which a commitment to so guarantee or insure has been made. Such loans shall not be subject to the limitations defined in section seventy-eight subdivision (1) and section eighty-two of this act. Such loans shall include only those which are made for the purchase or improvement of real estate in New Jersey, or for the construction, alteration, repair, or improvement of buildings erected thereon, used or to be used, wholly or partially for dwelling purposes, in which case they may or may not be secured by mortgages; or those which may be made for any other purpose provided they be secured by a mortgage on real estate in New Jersey used or to be used wholly or partially for dwelling purposes.

Guaranteed  
loans;

Not subject  
to limitations.

79. Other investments. Securities. An association may invest as follows:

C. 17:12A-79.  
Other  
investments:  
U. S. obliga-  
tions;

(1) Obligations of the United States. In obligations of or guaranteed as to principal and interest by, the United States of America.

(2) Federal Home Loan Bank Stock. In stock of the Federal Home Loan Bank, of which it is eligible to be a member; and in other obligations of any Federal Home Loan Bank or Banks or of the Federal Home Loan Bank System.

Federal home  
loan bank  
stock;

(3) Participation in mortgage loans. In the investment in participating interests in mortgage loans. The mortgage which secures payment of any such participating interest shall be a lien upon real estate in this state used or to be used wholly or partially for dwelling purposes and shall conform with the limitations, conditions and requirements set forth in this article regulating direct reduction mortgage and straight mortgage loans, with respect to priority of lien, the percentage of such loan to the appraised value of the mortgaged property, and the terms of repayment of such loan. Such participating interest shall entitle the asso-

Participation  
in mortgage  
loans;

ciation to share all money and other benefits derived from such mortgage loan, or incidental thereto, pro rata with, or with preference and priority over, the holder of any other participating interest therein. The total amount invested in such participating interests by any association, shall not exceed ten per centum (10%) of its assets at the time any such investment is made.

Accounts  
of other  
associations;

(4) Accounts of other associations. In accounts of any insured association of this State and of any Federal association whose principal office is located in this State, provided that no such investment shall be made in excess of the amount for which such account is insured by the Federal Savings and Loan Insurance Corporation.

Savings banks'  
investments;

(5) Savings banks' investments. In any investment in which savings banks of New Jersey are or shall be authorized to invest by any law of this State, other than investments which are, or which hereafter shall be, specifically designated and regulated by this act; *provided, however*, no funds may be invested pursuant to this subsection which are required for authorized loans to members.

Loans on  
securities.

(6) Loans on securities. In loans upon obligations secured by the pledge of any security designated in subsections (1) and (5) of this section, provided that such loans shall not exceed eighty per centum (80%) of the market value of the security pledged as collateral; *and provided further*, that no funds may be invested pursuant to this subsection which are required for other authorized loans to members.

C. 17:12A-80.  
Investments  
in real estate.

80. Real estate. Investments may be made in real estate as follows:

(1) Office building for transaction of association's business.

In the purchase of improved or unimproved real estate and in the erection or improvement of buildings thereon for the purpose of providing offices for the transaction of an association's business. Such buildings may also include space for rental purposes. The cost to the association of such lands

and buildings shall not exceed fifty per centum (50%) of the sum of such association's general reserve and undivided profits account at the time such investment is made.

(2) Property purchased for resale to members.

In the purchase of improved or unimproved real estate in this State and in the construction or improvement of buildings thereon, for resale to members, when the contracts for resale are executed concurrently with, or prior to, such purchase. The member with whom such contract for resale is made shall pay to the association upon the making of such contract, at least twenty per centum (20%) of the purchase price therein designated and shall pay the balance thereof, together with the interest thereon, in periodical installments over a period not exceeding twenty years. All such properties shall be used wholly or partially for dwelling purposes.

81. Appraisals. No real estate shall be purchased nor shall any investment in any mortgage loan be made until one or more appraisals of the value of the real estate purchased or loaned upon shall have been made and until the purchase or loan shall have been approved by the board or by a committee of the board designated for that purpose. Where the purchase price of such real estate or the amount of the mortgage loan is ten thousand dollars (\$10,000.00) or less, such appraisal shall be made by at least two (2) persons, one (1) of whom shall be an officer or director of the association, or in lieu thereof, by an independent qualified appraiser not an officer, director or employee of the association. Otherwise the appraisal shall be made by at least two (2) persons one (1) of whom shall be an independent qualified appraiser not an officer, director or employee of the association. The appraisal report of each appraiser shall be signed by him and shall be filed and preserved among the records of the association. Where more than one (1) person appraises the real estate in question, a joint report or separate reports may be filed.

C. 17:12A-81.  
Appraisals.

C. 17:12A-82.  
Limits real  
estate loans and  
investments.

82. Limitation on amounts of real estate loans and investments. No association shall loan upon the security of, nor invest in any contract for the resale of, any one property, more than ten thousand dollars (\$10,000.00) unless the aggregate amount owing to it on all of its mortgage loans exceeds five hundred thousand dollars (\$500,000.00) in which event, it may make any such loan or investment in an amount equal to two and one-half per centum ( $2\frac{1}{2}\%$ ) of its assets or fifteen thousand dollars (\$15,000.00) whichever amount is greater. The total amount owing to an association upon all such loans and investments in excess of fifteen thousand dollars (\$15,000.00) shall not exceed twenty-five per centum (25%) of the aggregate amount owing to it on all of its mortgage loans at the time any such loan or investment in excess of fifteen thousand dollars (\$15,000.00) is made.

C. 17:12A-83.  
Restrictions  
on investments.

83. Restrictions on investments.

(1) No association shall make any of the investments authorized by this act, except those authorized by section seventy-eight, subdivision five and section seventy-nine, subdivisions one and two of this act, if, and so long as, the sum of its cash on hand and in banks and the value of its investments in obligations of the United States of America, which either mature in ten (10) years or less from their respective dates or which may be redeemed at the option of the holder at a fixed redemption value prior to maturity, is less than five per centum (5%) of its total assets.

(2) No association shall make any of the investments authorized by this act, except investments authorized by section seventy-nine, subdivisions one and two of this act at any time when any application for withdrawal remains unpaid in whole or in part, six (6) months after the date of the filing thereof.

## ARTICLE XI

## REPORTS, EXAMINATIONS AND AUDITS

84. Reports to members. Every association shall make available to its members annually, a printed report of its financial condition as of the end of its fiscal year, either

C. 17:12A-84.  
Annual report  
to members.

(1) By mailing or delivering to each member, a statement of assets and liabilities, a statement of operations and a statement of the undivided profits account, or

(2) By publishing a statement of its assets and liabilities at least once in a newspaper published or circulating in the municipality in which the association is located and by furnishing to any member upon request, a printed statement of assets and liabilities, a statement of operations and a statement of the undivided profits account.

85. Reports to commissioner. Every association shall, within sixty (60) days after the close of each fiscal year, file in the department, on blanks to be provided by the commissioner, a report of its transactions, affairs and financial condition as of the end of its fiscal year. The report shall state the names and addresses of its directors, officers, attorneys, agents and other employees, and the compensation, if any, paid to each, and shall be verified by the oaths of the officers and such other persons as the commissioner shall designate. The commissioner may call for additional reports when he deems it expedient, but not oftener than once in every three (3) months.

C. 17:12A-85.  
Reports to  
commissioner.

If any association fails to file its annual report within the time herein specified, or any additional report within such reasonable period as the commissioner fixes, the officers whose duty it is to file the reports shall each be liable individually to a penalty of fifty dollars (\$50.00), to be recovered by the commissioner, in the name of the State, in a court of competent jurisdiction, and when collected to be paid into the State treasury and ap-

Penalty upon  
failure to file.

plied to the expenses of the department. The commissioner may, for sufficient cause, extend the time for filing any reports for not more than ten (10) days.

C. 17:12A-86.  
Examination.

86. Examinations by commissioner. Every association shall be subject to the inspection and supervision of the department, and the commissioner shall, either personally or by a person appointed by him, visit and examine every association at least once every two years, or oftener if deemed expedient. When deemed advisable, the examiner shall verify the liabilities of the association to its members by an inspection and verification of their accounts. The commissioner shall promptly communicate the result of every examination to the president of the association examined, who shall present the same to the board at the next regular meeting, or a special meeting, if deemed advisable, or if so directed by the commissioner. The action taken thereon by the board shall thereupon be promptly communicated by the president to the commissioner.

C. 17:12A-87.  
To produce  
books and  
records.

87. Testimony and production of books and securities; subpoenas. The officers, directors and employees of the association shall exhibit its books, papers and securities to the commissioner or the person appointed by him to conduct the examination, and otherwise facilitate the same so far as it may be in their power so to do. The commissioner and every examiner may administer an oath to any person whose testimony is required on any examination, and compel the appearance of any person for the purpose of examination, by subpoena ad testificandum, or subpoena duces tecum. The subpoena may be served by any police officer or constable of the municipality in which such person resides.

May admin-  
ister oaths.

Service of  
subpoena.

Order by  
Supreme Court  
upon failure  
to obey  
subpoena.

If any person shall refuse to obey the subpoena, give testimony, answer questions or produce any books, papers or documents as required, a justice of the Supreme Court may, upon application and proof of the refusal, make an order awarding proc-

ess of subpoena or subpoena duces tecum out of the court for the witness to appear and testify before the commissioner or examiner, and order that he give testimony, answer questions and produce books, papers or documents as required. Upon filing the order in the office of the Clerk of the Supreme Court, the clerk shall, under the seal of the court, issue process of subpoena for the appearance of the person before the commissioner or examiner at a time and place named therein, and thereafter from day to day until his examination is completed. The subpoena may contain a direction that the witness bring with him to the examination, books, papers or documents mentioned therein, and the clerk shall issue, under the seal of the court, such other or further order in reference to the examination, appearance, production of books, papers or documents before the commissioner or examiner as the justice shall direct.

88. Attachment for contempt. If any person so summoned by subpoena issued by said clerk shall refuse to obey the subpoena or any direction therein, or to give testimony, answer questions, produce any books, papers or documents as required, or obey any order made by the justice, the commissioner or examiner may upon affidavit proving the facts apply to the justice for an attachment against the person as for a contempt. The justice shall hear the application and if satisfactory proof is made of the refusal, issue an attachment, directed to any constable or police officer of the municipality, for the arrest of the person, and upon his being brought before him, shall hear the case. The justice may enforce, by imprisonment in the county jail, obedience to the subpoena, the answering of any proper questions, the production of any book, paper or document that the witness would be compelled to produce in a law court and the payment of the costs of the proceeding, as taxed by the justice.

C. 17:12A-88.  
Attachment  
for contempt.

89. False testimony; perjury. A person who shall willfully and corruptly testify falsely to a material matter, upon oath administered by the

C. 17:12A-89.  
Perjury.

commissioner or examiner upon such investigation or inquiry, or in regard to a report made to the commissioner, shall be guilty of perjury and be punished accordingly.

C. 17:12A-90.  
Immunity  
of witnesses.

90. Immunity to violator testifying. Any person violating this act shall be a competent witness and compellable to testify in any proceeding under sections eighty-six to eighty-eight of this act against any other person charged with so offending, but the testimony of the former person given in any such case shall not be used in any prosecution, civil or criminal, against the person so testifying.

C. 17:12A-91.  
Annual audit.

91. Audits. The board of every such association shall cause a thorough audit of the condition of the association to be made at least once in each calendar year in a manner and form approved by the commissioner. The audit shall be made by a competent accountant, not an officer, director, or employee of the association, or by a Federal or State supervisory authority. Each such audit shall include a verification of at least twenty per centum (20%) in number of the members' accounts. A written report of the result of each such audit shall be made and certified or sworn to by the person who shall make such audit and one copy of such report shall be retained by the association and another copy thereof shall be filed with the commissioner within sixty (60) days after the completion of such audit. If the board shall fail to provide for the making of a proper audit, by a person or agency herein designated, or if the required audit is not properly made, prepared or filed, the commissioner shall make such audit or cause the same to be made. Each association shall keep a copy of each of its audit reports on file at its office, available for inspection during ordinary business hours by any of its members.

Report of  
audit.



## ARTICLE XII

## SUPERVISION

92. Commissioner's additional powers. The commissioner's powers and duties conferred and imposed by this article shall be in addition to those conferred and imposed by the other provisions of this act.

C. 17:12A-92.  
Additional  
powers of  
commissioner.

93. Discontinuance of unauthorized practices. If it shall appear to the commissioner that an association has violated any law of this State, or any of its by-laws, or is conducting its business in an unsafe or unauthorized manner, he may order it in writing to discontinue its illegal or unsafe practices. Such order shall be sent to the association's president, who shall present it to the board at its next regular meeting, or at a special meeting, if he deems it advisable, or if the commissioner so directs. The board's action thereon shall be promptly communicated by the president to the commissioner.

C. 17:12A-93.  
Order to  
discontinue  
unauthorized  
practices.

An association which fails or refuses to comply with an order of the commissioner issued pursuant to this section within the time limited in such order, shall be liable to a penalty of five hundred dollars (\$500.00) to be recovered with costs by the State in any court of competent jurisdiction by action prosecuted by the Attorney-General.

Penalty upon  
failure  
to comply.

94. Grounds for action by commissioner. Revocation of authority to transact business. If it shall appear to the commissioner that the interests of the creditors or members of an association are being jeopardized because the association has violated any law of this State or any of its by-laws, or because it is conducting its business in an unsafe or unauthorized manner; or if the association refuses to submit its books, papers and concerns to the inspection of the commissioner, or an examiner appointed by him; or if an officer or director refuses to be examined on oath regarding the affairs of an association; or if an association suspends

C. 17:12A-94.  
Grounds for  
revocation of  
authority.

payment of its creditor obligations; or if any application for withdrawal shall remain unpaid in whole or in part for a period of two (2) years after it shall have been filed; or if, as a result of any examination or from any report made to him, the commissioner has reason to conclude that the association is in an unsound or unsafe condition to transact business; or that its capital is impaired; or that it is unsafe or inexpedient for it to continue business; or if it neglects or refuses to comply with any order issued by the commissioner pursuant to section ninety-three of this act, the commissioner may, if the association is a foreign association, revoke and cancel its authority to do business in this State, and if the association was incorporated under the laws of this State, proceed in the manner provided in sections ninety-five, ninety-six and ninety-seven of this act, or any one or more of said sections.

C. 17:12A-95.  
Conservation  
orders.

95. Conservation orders. For the purpose of conserving the assets of an association and of protecting the interests of its members and the public, the commissioner may require any association, by an order in writing effective for a period of ninety (90) days, to apply money received by it in the manner provided in section ninety-seven (6) of this act; to suspend payment of withdrawals and maturities; and to restrict or limit investments thereafter made. Such order may also prohibit all persons, including members, from instituting suit on any claim against said association during said period. The commissioner may continue the effectiveness of any such order for additional ninety (90) day periods from time to time but not for a total period longer than one (1) year from the date of the issuance of the original order. He may also modify any such order from time to time within said one (1) year period. The making of any such order, or modification thereof, shall not prohibit the commissioner from proceeding in accordance with the provisions of section ninety-six and ninety-seven of this act.

96. Application to the Chancellor for relief. The commissioner may apply to the Chancellor for an injunction to restrain the association from transacting further business, or from transferring or disposing of any of its property in any manner, or from paying excessive expenses of management, or for the removal of any attorney, conveyancer, officer, director, employee or agent of the association, or for such other relief as the case may require. If the Chancellor, after hearing upon notice, shall be satisfied of the sufficiency of the application, he may make such orders or decrees as shall be equitable and just and modify or revoke the same from time to time. Without limiting the generality of his powers, the Chancellor, may, upon application by the commissioner, issue an injunction and appoint a receiver with power to take possession, manage and dispose of all of the association's real and personal property, books and records and to hold and dispose of the proceeds thereof, as the court shall direct.

C. 17:12A-96.  
Application for  
restraining  
injunction.

97. Possession and operation by commissioner.

(1) Commissioner's authority. The commissioner may forthwith take charge of the association and possession of all its real and personal property, books and records, and continue the operation of its business until such possession and management shall be returned to its board, or until such association shall merge, reorganize or dissolve and commence liquidation.

C. 17:12A-97.  
Commissioner's  
authorized  
to take  
charge and  
operate.

(2) Purpose of possession and operation by commissioner. The purpose of the commissioner's management of an association and operation of its business and possession of its assets, shall be to enable him to determine, within one year from the date when he undertakes such management, whether it is for the best interests of its creditors, members and the public that the association should be continued as a going concern, or should be merged, reorganized or dissolved and liquidated.

Purpose of  
operation by  
commissioner.

(3) Return of management and possession. The commissioner may return the management of an

May return  
management  
to board.

association to its board and the possession of its property to the association at any time after he has taken charge and possession thereof, upon such terms and conditions, if any, as he may prescribe.

Powers of  
commissioner  
in possession.

(4) Powers of commissioner in possession. The commissioner shall have full and complete powers necessary to enable him to determine promptly and efficiently whether it is for the best interests of the association's creditors, members and the public that it be continued as a going concern or that it be merged, reorganized or dissolved and liquidated. Without limiting the generality of his powers, he shall have power to:

(a) Continue the operation of the association's business.

(b) Conserve its assets and business.

(c) Pay its debts and operating expenses.

(d) Collect moneys due to it.

(e) Compromise and settle claims by and against it.

(f) Exercise any power conferred by this chapter on the association or its board.

(g) Call meetings of its members.

(h) Submit for the approval of its members any terms which he sees fit to recommend with respect to merger, reorganization or dissolution and liquidation.

Assistants.

(5) Appointment and compensation of counsel and assistants. The commissioner may, from time to time, appoint one or more special assistant deputy commissioners of banking and insurance, who may or may not be employees in the department as the commissioner shall determine, as agent or agents, to assist him in administering the business and affairs of any association of which he has taken possession, and he may, from time to time, hire such employees and assistants as he shall deem necessary to the proper administration of the business and affairs of such association, including officers and employees of the association. He may

further, notwithstanding any other provision of the law, appoint an attorney or a counsellor-at-law of this State, who need not be a member or an employee of the department of law of this State, to represent and advise him and to act as counsel in the administration of the business and property of the association. He may further, at the expense of the association, obtain such security for the faithful performance of the duties of such assistant deputy commissioners, counsel, and other employees as he shall deem necessary. Appointments of special assistant deputy commissioners and counsel made pursuant to this subsection shall be evidenced by a writing signed by the commissioner and filed in the department.

The compensation of the special assistant deputy commissioners, counsel, and of all other persons engaged in the administration of the business and affairs of such association, shall be fixed by the commissioner, subject to the approval of the Court of Chancery as hereinafter provided, and shall, upon the certificate of the commissioner, be paid out of the funds of the association.

(6) Segregation and application of money paid after commissioner takes possession.

Segregation  
and application  
of moneys.

(a) All moneys, which shall be paid on any unpledged account or shares of an association after the commissioner has taken charge of such association and possession of its assets, shall be segregated from all other receipts, and held in trust, until the property and business of the association shall be returned to the management of its board, or until it shall merge, reorganize, or dissolve. Upon the happening of any of such events, such money shall, without any impairment whatever and at the option of each person who shall have paid the same either be repaid to him or credited to his account.

(b) All moneys, which shall be paid on any indebtedness due to the association, or on any

account which shall be pledged for the payment of any such indebtedness, after the commissioner has taken charge of such association and possession of its assets, shall be applied without impairment directly to the payment of such indebtedness.

Rights of  
third persons.

(7) Effect of commissioner's possession on rights of third persons. Upon taking charge of an association and possession of its property, the commissioner shall give notice thereof forthwith to all persons holding or having possession of any assets of the association. No person having knowledge or notice that the commissioner has taken charge of an association shall thereafter acquire any lien upon any of the association's assets for any payment advanced, or clearance thereafter made. Upon taking charge of an association by the commissioner, all judgments, decrees, levies and executions against such association's property shall be stayed, unless otherwise ordered by the Court of Chancery.

Financial  
statement by  
commissioner.

Contents.

First report.

(8) Financial statements by commissioner. At least annually, and upon the termination of his possession of the assets of an association, the commissioner shall submit a financial statement and report of the affairs of each association in his possession, or in liquidation by him to each of the members thereof. Such statement and report shall include a statement of assets and liabilities, a statement of operations, including an itemized statement of all fees and salaries paid to each special assistant deputy commissioner, agent and counsel of such association, and a statement showing the extent of the liquidation of its assets and the application of the proceeds thereof. The first such report shall be submitted to the members not later than one (1) year from the date when the commissioner takes possession, or in the case of an association in possession of the commissioner, when this act takes effect, not later than one (1) year from such effective date.

(9) Dissolution. Liquidation. Action by members. If the commissioner determines that it is for the best interests of the members and the public that the association be dissolved and liquidated, he shall after paying all claims which have been proved and allowed against the association, call a meeting of the members on ten (10) days' notice, stating the object thereof, at which the members shall determine whether the affairs of the association shall be managed and directed, during the liquidating period, by the commissioner or by three trustees, who shall be members and who shall be elected at such members' meeting. All questions submitted to the members at such meeting shall be decided by a majority of the votes cast, by person or by proxy.

Dissolution  
and liquidation.

Upon the adoption of such resolution by the members, the association shall be deemed to be dissolved and it shall be liquidated in accordance with the provisions of Article XIX. The commissioner or the trustees, as the case may be, shall have all the powers and duties conferred and imposed upon trustees by the provisions of Article XIX, and subject to such restrictions as may therein be contained.

Liquidation.

(10) Appeal to court from commissioner's action. If when an association, of whose property and business the commissioner has taken possession as aforesaid, or any member thereof, deems itself or himself aggrieved by any act of the commissioner, or any failure of the commissioner to act, while he is in charge of the affairs of the association and in possession of its assets, the association or such member, may file a petition in the Court of Chancery for appropriate relief. The court, upon notice to the commissioner, shall hear and determine the matter in a summary manner and enjoin or compel further proceedings or action by the commissioner, and make such other order or decree as shall be equitable and just.

Appeals from  
commissioner's  
actions.

(11) Disposition of unclaimed funds due to members and creditors. Report to Legislature. If any

Disposition of  
unclaimed  
funds.

liquidating dividend due to any member or any amount due to any creditor, remains in the hands of the commissioner for a period of six (6) months after the date of the order for final distribution, such moneys shall be deposited by the commissioner in one or more State banks of deposit, savings banks, trust companies, or insured associations, to the credit of the commissioner, in trust for the persons entitled thereto. In the commissioner's annual report to the Legislature, he shall include a statement showing the amounts remaining in his hands due to members and creditors of associations which he has taken possession of and liquidated and the names of said associations, respectively. The commissioner may pay the moneys so held by him to the persons entitled thereto, upon receipt of satisfactory evidence of their right thereto. He may apply the interest earned by such moneys towards defraying the expenses of paying and distributing the unclaimed amounts to the persons entitled thereto, and shall include in his annual report to the Legislature, a statement showing the amount of interest earned by such unclaimed moneys.

Liquidation  
and accounting  
by com-  
missioner.

(12) Liquidation and accounting by commissioner. On making application to the court for approval of expenses of administration as provided by subsection five, the commissioner shall file in the said court an accounting of the administration of the association's affairs from the date upon which possession thereof was taken, including an accounting of the administration of the association's affairs by the commissioner's predecessor or predecessors in office, where such possession was initially taken by such predecessor. Accountings subsequent to the first accounting filed pursuant hereto, shall be only for the period elapsed since the last prior accounting filed in the said court, but shall include a summary of the administration of the association's affairs for the period covered by prior accountings. Upon the filing of the application and the accounting, the court shall make an



order directing all members of the association and all claimants entitled to a distributive share of the proceeds of the association's liquidation to show cause, upon at least ten (10) days' notice, why the accounting should not be approved, and why the expenses of administration should not be allowed in the amounts determined by the commissioner. Copies of the order to show cause shall be mailed to members and claimants at their addresses as they appear on the association's records. Where it is made to appear to the court that the members and claimants are so numerous that service of the order to show cause upon each of them is impracticable or will impose unnecessary hardship, the court may by order designate individual members and other claimants to represent the respective classes of members and other claimants, and may direct that service of a copy of the order to show cause shall be made only upon the representatives so designated, and shall, in such case, direct that the order to show cause be printed once at least ten (10) days before the return day, in a newspaper published in the municipality in which the association has its principal office, and, if there be no such newspaper, then in a newspaper published in the place nearest thereto. Upon the return day of the order to show cause, the court shall have jurisdiction to hear and determine summarily all matters arising thereon, and shall make such decree thereon as justice and equity shall require. An appeal from a decree so made shall lie as in other cases in the Court of Chancery, provided such appeal is taken within thirty (30) days from the filing of the decree. Upon making complete distribution of the proceeds of the liquidation of any association, directed in an order of the Court of Chancery, made pursuant to the provisions of this subsection, the commissioner shall file in the Court of Chancery a statement of such distribution, and shall file in the department, a certificate that such statement has been filed, specifying the date of such filing. Upon the date of the filing of said certificate

in the department, the rights, privileges and franchises of said association shall be terminated. A copy of the certificate, certified by the commissioner, shall be evidence in all courts and places.

C. 17:12A-98.  
Proceedings  
upon com-  
missioner's  
refusal to act.

98. Proceedings in chancery upon commissioner's refusal to act. If the capital of an association becomes impaired, or if it suspends its ordinary business for want of funds to carry it on, and the commissioner refuses for a period of twenty (20) days after demand is made upon him by a creditor or member, to take charge of its operations and possession of its property, as hereinbefore provided, the Attorney-General, or any creditor or member of such association, may apply to the Court of Chancery, by petition, for appropriate relief. The court, upon due notice to the association and the commissioner, shall hear and determine the matter in a summary manner and upon being satisfied of the truth of the allegations of the petition, and that the capital of the association is impaired and that it cannot continue or resume the operation of its business in a short time thereafter with safety to its creditors and the public and advantage to its members, may issue an injunction to restrain the association, its officers and agents from exercising any of its privileges or any of its franchises and from collecting or receiving any money due to it and from paying out any of its money and from selling, assigning, transferring, or otherwise disposing of any of its assets, except to a receiver appointed by the court, and make such other orders and decrees as may be equitable and just. If the court appoints a receiver, he shall have the same powers and duties of a receiver appointed under the provisions of Title 14, Corporations, General, of the Revised Statutes of New Jersey.

C. 17:12A-99.  
Review of  
decision.

99. Proceedings before commissioner.

(1) Review of commissioner's determination. Except as herein otherwise expressly provided, any association or member aggrieved by any determination, decision, or order of the commission or by

any failure of the commissioner to make any such determination, decision or order, may, within thirty (30) days thereafter apply for a review thereof by an application for a writ of certiorari to the New Jersey Supreme Court or by a petition to the Chancellor of New Jersey, in accordance with the respective practices of said courts.

The reviewing court shall determine de novo, and in a summary manner, all questions, both of fact and of law, touching upon the legality and the reasonableness of such determination, decision or order, and render such judgment, and make such orders and decrees as shall be lawful and just.

(2) **Appearances before commissioner.** Any person, who is required or permitted to appear before the commissioner as a party in any proceeding, shall appear in person, or by an attorney-at-law of this State.

(3) **Evidence in proceedings before commissioner.**

(a) **Subpœnas.** The commissioner shall have power to issue subpœnas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence, before him, or any deputy appointed to act for him, in any matter over which he has jurisdiction, control, or supervision. The commissioner, or any such deputy, shall have the power to administer oaths and affirmations to any person whose testimony is required.

If any person shall refuse to obey any such subpœna, or to give testimony, or to produce evidence as required thereby, any Justice of the Supreme Court may, upon application and proof of such refusal, make an order awarding process of subpœna, or subpœna duces tecum, out of the Supreme Court, for the witness to appear before the commissioner, or such deputy, and to give testimony, and to produce evidence as required thereby. Upon filing such order in the office of the Clerk of the Supreme

Appearances  
before  
commissioner.

Evidence:

Subpœnas;

Order by  
Supreme  
Court;

Court, the clerk shall issue process of subpoena, as directed, under the seal of said court, requiring the person to whom it is directed, to appear at the time and place therein designated.

Penalty upon  
failure to  
obey;

If any person served with any such subpoena shall refuse to obey the same, and to give testimony, and to produce evidence as required thereby, the commissioner may apply to any Justice of the Supreme Court, for an attachment against such person, as for a contempt. The justice, upon satisfactory proof of such refusal, shall issue an attachment, directed to any sheriff, constable or police officer, for the arrest of such person, and upon his being brought before such justice, proceed to a hearing of the case. The justice shall have power to enforce obedience to such subpoena, and the answering of any question, and the production of any evidence, that may be proper, by a fine, not exceeding one hundred dollars (\$100.00) or by imprisonment in the county jail, or by both fine and imprisonment, and to compel such witness to pay the costs of such proceeding to be taxed.

Perjury;

(b) Perjury. Any person who, upon oath, shall willfully testify falsely in any proceeding before the commissioner, or any such deputy, shall be guilty of perjury.

Fees and  
mileage.

(c) Witness fees and mileage. Witnesses subpoenaed to appear before the commissioner, or any such deputy, shall receive the same fees and mileage as witnesses in civil actions.

Application  
for approval.

(4) Applications for commissioner's approval. In all cases where the commissioner's approval is required and no procedure for obtaining the same is specified, application therefor shall be made in writing and the commissioner shall, within thirty (30) days after receipt of such application, give written notice to the association either approving such application, when the same may be properly

disposed of ex parte, or designating a time and place when and where the commissioner will give opportunity to be heard thereon to the association, and to any party in interest who requests such opportunity. The commissioner may grant reasonable adjournments of such hearing. Within thirty (30) days after such hearing, or after the date designated therefor, if no one appears to be heard, the commissioner shall give written notice to the association of his decision, which notice shall state the reasons therefor, if the application is denied.

If the commissioner fails to give any such notice within the time prescribed therefor, such failure shall be construed as his approval of such application.

100. Requests for information by members.

(1) Application to association. Any member desiring information from his association may file with the association, an application therefor in writing, which shall state:

C. 17:12A-100.  
Form of  
request for  
information.

- (a) His full name and address.
- (b) The amount of the participation value of his account in the association.
- (c) The particular information which he seeks.
- (d) The purpose for which he seeks it.

(2) Appeal to commissioner. If the association shall fail to supply the information applied for within ten (10) days after receipt by it of said written application, such member may, within an additional ten (10) day period, apply to the commissioner for an order requiring the association to do so.

The application to the commissioner shall be in writing. It shall contain, or have attached thereto, a true copy of the application which was served upon the association, and shall state the date of such service. Within five (5) days after filing said affidavit with the commissioner, such member shall serve a true copy thereof upon the association.

Application  
in writing

Hearing.

The commissioner shall designate a time and place for a hearing upon such application, and give at least ten (10) days' written notice thereof, which may be sent by registered mail, to the association and the applicant. The date designated for the hearing shall be within thirty (30) days from the date of filing such application with the commissioner. The commissioner may grant reasonable adjournments of such hearing.

Determination  
by commis-  
sioner in  
ten days.

Within ten (10) days after the conclusion of such hearing, the commissioner shall determine whether the information is sought in good faith, and whether it will be for the best interests, not only of the applicant but of the association and its other members, that the application be granted. Upon such determination, the commissioner may refuse said application or grant the same in whole or in part and may impose such terms and conditions as he shall deem necessary or proper to protect the interests of the association and its other members.

Notices of  
determination.

True copies of the commissioner's determination, and the reasons therefor, and of the order based thereon, shall be sent by registered mail to the applicant and the association within five (5) days after it is filed in the commissioner's office.

Procedure  
exclusive.

(3) Procedure is exclusive. The procedure herein provided for obtaining information from an association, shall be exclusive; but application for a review of the reasonableness and legality of the commissioner's decision may be made in accordance with the provisions of this act.

C. 17:12A-101.  
Records and  
method of  
keeping.

101. Bookkeeping methods and accounting practices. The commissioner may adopt rules and regulations with respect to bookkeeping methods and accounting practices designed to produce safety of operation and each association and its officers and employees shall comply therewith.

## ARTICLE XIII

## MERGER

102. Procedure. Any two (2) or more associations located in the same or contiguous counties may, by the vote or written assent of two-thirds of the members of each association present in person or by proxy at separate meetings, merge into a single association, upon such terms as shall have been agreed upon by two-thirds of the board of each association, or, in the case of any association whose property and business are in the possession of the commissioner, upon such terms as shall be designated by the commissioner, notice of which terms shall have been given to each member of the associations in the calls for the meetings at which the proposed merger is to be considered by the members of the associations, or upon such modified terms as may be adopted at such meetings of members of the associations. Before the notice is mailed it shall be approved, as to form, by the commissioner. Members of the associations who do not attend the meetings or do not vote thereat shall, if the merger is so approved by the members, be deemed to assent to the merger. Notice of the meetings at which the proposed merger is to be considered shall be given by mail to the members of the associations at their addresses appearing on the books of the associations, not less than ten (10) nor more than twenty (20) days prior to the meetings. The terms of merger may provide that the business of the association into which or with which the other association or associations shall merge may be carried on at the place or places where the business of the association or associations so merged may have been carried on prior to the merger, subject to the limitations contained in section twenty-one of this act and for the exchange of accounts in the association or associations so merged for accounts of the same or a different class of the association into which the association or

C. 17:12A-102.  
Merger,  
procedure.

Notice.

associations shall be merged. Before a merger shall become effective the associations shall jointly certify to the commissioner that they have complied with all of the requirements of this section. The certificate shall be under the hands of the respective presidents and secretaries of the associations, except that the commissioner shall execute the certificate for any association whose property and business are in his possession. Within fifteen (15) days after the filing of said certificate with the commissioner, he shall determine whether the proposed merger is in the interest of the public and of the members of the merging associations, and approve or disapprove thereof in writing.

The approval of the commissioner of any merger shall be endorsed upon the certificate, which shall be recorded by the clerk of each county where the associations are located and filed with the department. Thereupon the merger shall take effect according to its terms and shall be binding upon all members of the associations so merging.

103. Effect of merger. Upon the merger of any association into another:

C. 17:12A-103.  
Rights, titles  
and interest  
vested in  
merged  
association.

(a) Its corporate existence shall be merged into that of the other association, and all its rights, privileges and franchises, and its right, title and interest in and to all property of whatever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest or asset of value or benefit then existing which would inure to it under an unmerged existence, shall be transferred to and vested in the association into which it has merged, without further act or deed and without any right or reversion. The last mentioned association shall have and hold the same in its own right as fully as the same was possessed and held by the merged association;

Rights and  
liabilities  
unimpaired.

(b) Its rights, liabilities, obligations and relations to any person shall remain unimpaired, and the association into which it has been merged shall, by the merger, succeed to all the relations, obligations and liabilities, as though it had itself assumed



or incurred the same. No obligation or liability of a member in an association a party to the merger shall be affected by the merger, but the obligations and liabilities shall continue as they existed before the merger;

(c) A pending action or other judicial proceeding to which a merged association is a party shall not abate or be discontinued by reason of the merger, but may be prosecuted to final judgment, order or decree as if the merger had not been effected, or the association into which the other association has been merged may be substituted as a party to the action or proceeding, and any judgment, order or decree may be rendered for or against it that might have been rendered for or against the other association if the merger had not occurred.

Legal actions  
not to abate.

#### ARTICLE XIV

##### FOREIGN ASSOCIATIONS

104. Application for admission. A savings and loan association of another State hereinafter designated as "foreign association" may be admitted to transact business in this State upon application to the commissioner for authority to transact business in this State and filing in the department the following:

C. 17:12A-104.  
Application  
by foreign  
associations.

(a) A duly authenticated copy of its charter or certificate of incorporation, its constitution and by-laws, and thereafter certified copies of all amendments thereto.

Contents of  
application.

(b) The names and addresses of its officers and directors, and the compensation paid each officer.

(c) A report of its condition, verified by the oath of the officers and other persons designated by the commissioner, and in the form prescribed by him.

105. Admission by commissioner; prerequisites. If it appears to the commissioner by the report and an examination of the foreign association that it has good assets of sufficient value to cover all its liabilities; that its methods of doing business

C. 17:12A-105.  
Prerequisites  
for admission.

are safe and not contrary to the laws governing associations of this State and that the association has complied with the further requirements of this article, it may be admitted to transact business in this State upon a certificate of authority issued by the commissioner.

C. 17:12A-106.  
Deposit  
securities.

106. Deposit of securities. Before issuing the certificate of authority, the commissioner shall require the foreign association to deposit with him such securities, amounting to at least one hundred thousand dollars (\$100,000.00), as he approves, to be held by him in trust for the exclusive benefit and security of the creditors and members of the association resident in this State. He may require it to deposit additional securities, and order a change in any of the securities so deposited at any time, and no change or transfer thereof shall be effectual without his assent. The deposit shall be maintained intact in the full sum required at all times, but the association making the deposit, so long as it continues solvent and complies with the provisions of this act applicable to it, may receive the dividends or interests on the securities deposited. It may, from time to time, with the assent of the commissioner, withdraw any of the securities on depositing with him other like securities, the cash value of which shall equal those withdrawn.

C. 17:12A-107.  
Attorney  
for service  
of process.

107. Attorney for service of process; manner of service. The certificate of authority shall be for the current year only and shall not be issued until the foreign association shall, by a duly executed instrument filed in the department, constitute the commissioner and his successors in office its true and lawful attorney, upon whom all original process in an action or legal proceeding against it may be served, and therein shall agree that any original process against it which may be served on the commissioner shall be of the same force and validity as if served on the association, and that the authority thereof shall continue in force irrevocable so long as any liability of the association remains outstanding in this State.

108. Transacting business without authority; penalty. If any such foreign association itself, or by its agents, attorneys, solicitors, surveyors, canvassers, collectors or other representatives of whatever designation or if any agent, attorney, solicitor, surveyor, canvasser, collector or other representative or any individual or firm, whether on behalf of the association or not, solicits, negotiates or in anywise transacts any business in this State except in the enforcement of contracts by legal process, without having complied with this act, the association and such persons shall respectively be liable in a penalty of two hundred and fifty dollars (\$250.00) and all costs of suit, to be sued for and collected in the name and for the benefit of the State, by the commissioner. The first process against any person may be by *capias ad respondendum*, and any person against whom judgment is obtained shall be committed to a county jail until the penalty and costs are paid.

C. 17:12A-108.  
Penalty for  
transacting  
business with-  
out authority.

109. Renewal of certificate of authority. The commissioner may refuse to renew the annual certificate of authority to do business in this State, if in his judgment the affairs of the foreign association are in an unsound condition, or its investments are illegal or unsafe, or its liabilities exceed its assets, or it is not complying with all the provisions of this act.

C. 17:12A-109.  
Renewal of  
certificates of  
authority.

110. Annual report; penalty. Every such foreign association doing business in this State shall annually in the month of January file in the department a report of its condition at the close of business on December thirty-first last preceding and of its transactions for the year ending on that day, in such form and verified by such officers and other persons as the commissioner designates. The commissioner shall furnish blank forms for all reports required, and may call for additional reports at such other times as he deems expedient. If the association fails to file the annual report prior to February first, or to furnish the additional reports called for by the commissioner within such reason-

C. 17:12A-110.  
Annual report.

Penalty upon  
failure to file.

able time as he shall fix, it shall be liable in a penalty of two hundred and fifty dollars (\$250.00) and costs of action, to be sued for and collected by the commissioner in the name and for the benefit of the State.

C. 17:12A-111.  
Investment  
of funds.

111. Investment of funds. The funds received by any such foreign association from members in this State shall be invested only in the manner provided by law for associations of this State.

#### ARTICLE XV

##### INSURANCE OF ACCOUNTS BY FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

C. 17:12A-112.  
Filing copy of  
application  
for insurance.

112. Filing copy of application and statement of acceptance or rejection. Each association which applies for the insurance of its accounts by the Federal Savings and Loan Insurance Corporation shall file with the commissioner within one week after its adoption, a certified copy of the resolution applying for such insurance adopted by its board or its members, and shall, further, within one week of the receipt by it of notice of acceptance or rejection by such corporation of such application file a statement of such acceptance or rejection in the office of the commissioner.

C. 17:12A-113.  
Terminating  
insurance.

113. Terminating insurance. No such association shall terminate such insurance except after thirty (30) days' prior written notice thereof to the commissioner, unless the commissioner shall have waived such notice in writing.

C. 17:12A-114.  
Construing  
as to com-  
missioner's  
powers.

114. Powers of commissioner not impaired; joint powers with insurance corporation. Nothing contained in this article shall be construed as repealing, modifying or impairing any powers, duties, rights or responsibilities of the commissioner in respect to any association organized under or subject to the provisions of this act; *provided, however*, that whenever the commissioner shall, pursuant to any of the provisions of this act, take possession of the property and business of an association whose members' or shareholders'

Proviso.

shares, accounts or investments have been insured by the Federal Savings and Loan Insurance Corporation, he shall forthwith give notice thereof in writing to the Federal Savings and Loan Insurance Corporation at Washington, D. C., by registered mail, a copy of which notice, with the original receipt of such mailing attached thereto, shall be filed in the department. At any time after such taking of possession, but not later than ten (10) days after the date of the mailing of such notice, the Federal Savings and Loan Insurance Corporation may file in the department its election in writing to assume and exercise or to decline the powers vested in it pursuant to the provisions of this section, and in default of its filing such election, it shall be deemed to have waived and declined to assume and exercise such powers. Upon its filing such election to assume and exercise such powers, the Federal Savings and Loan Insurance Corporation and the commissioner shall be vested jointly with the exercise of all the powers, duties and authority conferred and imposed upon the commissioner pursuant to section ninety-seven of this act. All acts done by the commissioner in administering the affairs of such association before the filing of such election by the Federal Savings and Loan Insurance Corporation shall be binding upon the Federal Savings and Loan Insurance Corporation; *provided, however,* that any exercise of the powers conferred by section ninety-seven (2) or of section ninety-seven (4) (h) of this act, any appointment, employment, hiring, retention, or compensation of legal or other personnel or assistance except as to service performed entirely before the filing of such election, and, except in the regular and ordinary course of business any sale or other disposition of assets and any compromise or release, shall require the approval of the Federal Savings and Loan Insurance Corporation to be effective, unless the Federal Savings and Loan Insurance Corporation shall decline to assume and exercise the powers conferred by this section. All notices, citations, plead-

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ings or other documents, which under the provisions of said sections are authorized or required to be filed with or served on the commissioner, need only be filed with or served on the commissioner, but he shall promptly furnish the Federal Savings and Loan Insurance Corporation with a copy of each such notice, citation, pleading, or document filed with or served upon him, except where the Federal Savings and Loan Insurance Corporation shall waive or shall have waived, in writing, the furnishing of such copy; *provided, however*, that failure of the commissioner to furnish such copy shall not affect the validity of such filing or service. The Federal Savings and Loan Insurance Corporation shall have all the rights, privileges and powers conferred upon it by the Federal statutes now or hereafter enacted, and may make loans on the security of, or purchase at public or private sale, or at any receiver's sale, and, when purchased, may liquidate or sell, any part of the assets of the association, and, in the event of the purchase of any of such assets, it shall bid for and pay a fair and reasonable price. Whether or not the Federal Savings and Loan Insurance Corporation shall serve as aforesaid, whenever it shall pay or make available for payment the liabilities of any such insured association in liquidation which are insured by it, it shall be subrogated upon the surrender and transfer to it of any share, share account or account insured by it, with respect to such share, share account or account, but such surrender and transfer of such share, share account or account shall not affect any right which the transferor thereof may have in any portion of such share, share account or account which is uninsured or any right to participate in the distribution of the net proceeds remaining from the disposition of the assets of such insured association; *provided*, that the rights of the investors in, and creditors of, such insured association shall be determined in accordance with the applicable provisions of the laws of this State. Notwithstanding any other provision or provisions of the

law granting, governing, defining or limiting the powers or right of members to vote upon any question or issue whatsoever requiring the consent or approval of the members of the association by a vote of the majority or otherwise, the Federal Savings and Loan Insurance Corporation, whether or not it shall serve as aforesaid, shall be entitled, at any meeting or meetings of the association held after the commissioner takes possession of the business and property of the association, to cast one (1) vote for each member of the association whose shares, share account, or account is insured and who is not entitled by way of withdrawal or maturity rights to a sum greater than the maximum amount for which a single member may be insured by the corporation, and whose account has been paid, or made available for payment. The right to vote herein conferred shall be exercised by the corporation by any of its officers, or by such person or persons as its board of trustees may designate. All votes so cast by the corporation shall have the same effect and shall be considered for all purposes whatsoever as if severally and individually cast by the members of the association whose shares, share account, or accounts are insured as aforesaid, and who are severally entitled to a sum not greater than the maximum amount for which a single member may be insured by the corporation.

#### ARTICLE XVI

##### CONVERSION INTO FEDERAL ASSOCIATION

115. Procedure. Any association which is a member of a Federal Home Loan Bank may convert itself into a Federal association with the same force and effect as though originally incorporated as a Federal association.

C. 17:12A-115.  
Conversion  
into Federal  
association,  
procedure.

(a) When, in the judgment of the board of such association, it shall be deemed advisable and for the interests of its members that the same shall be converted into a Federal association, as provided in this section, the board shall adopt a resolution to that effect.

(b) After the adoption of such resolution, a meeting of the members of the association shall be held upon not less than ten (10) days' written notice to the members by mail, postage prepaid, directed to their addresses appearing on the books of the association, which notice shall contain a statement of the time, place and purpose for which such meeting is called. Proof by affidavit of mailing of such notice shall be filed in the office of the commissioner before the time of such meeting.

(c) At a meeting of the members of any such association held as provided in paragraph (b) of this section, such members may by the affirmative vote of two-thirds of the members of the association present, either in person or by proxy, declare by resolution the determination to convert the association into a Federal association. A copy of the minutes of the proceedings of such meeting of the members, verified by the affidavit of the president or vice-president, and the secretary of the meeting, shall be filed in the office of the commissioner within twenty (20) days after the date of such meeting.

(d) Within three (3) months after the date of such meeting, the association shall take such action, in the manner prescribed or authorized by the laws of the United States as shall make it a Federal association, and there shall be filed in the office of the commissioner a copy of the charter issued to such Federal association by the Federal Home Loan Bank Board or a certificate showing the organization of such association as a Federal association, certified by the secretary or an assistant secretary of the Federal Home Loan Bank Board. Upon the granting to any association of a charter by the Federal Home Loan Bank Board, the association receiving such charter shall cease to be an association operating pursuant to this act and shall no longer be subject to the supervision and control of the commissioner.

C. 17:12A-116.  
Corporate  
existence  
continued.

116. Corporate existence continued upon conversion. Upon the conversion of any association into a Federal association, the corporate exist-



ence of such association shall not terminate, but such Federal association shall be deemed to be a continuation of the entity of the association so converted and all the property of the converted association, including all its right, title and interest in and to all property of whatsoever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest and asset of any conceivable value or benefit then existing, belonging or pertaining to it or which would inure to it, shall immediately, by operation of law and without any conveyance or transfer and without any further act or deed, remain and be vested in and continue and be the property of the Federal association into which the State association has converted itself, and such Federal association shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by the converting association; and such Federal association, as of the time of taking effect of such conversion, shall continue to have and succeed to all the rights, obligations and relations of the converting association. Pending actions, and other judicial proceedings to which the converting State association is a party shall not be deemed to have abated or to have discontinued by reason of such conversion, but may be prosecuted to final judgment, order or decree in the same manner as if such conversion into such Federal association had not been made, and such Federal association resulting from such conversion may continue such action or other judicial proceeding in its corporate name as a Federal association, and any judgment, order or decree may be rendered for or against it, which might have been rendered for or against the converting State association theretofore involved in such judicial proceedings.

117. Conversion from Federal to State charter; procedure. Any Federal association may convert itself into an association of this State with the same force and effect as though originally incor-

C. 17:12A-117.  
Conversion  
from Federal  
to State  
charter  
procedure.

porated under this act, and the proceedings to effect such conversion shall be as follows:

(a) When in the judgment of the board of such Federal association it shall be deemed advisable and for the interests of its members that the same shall be converted into an association of this State, the board of directors shall adopt a resolution to that effect.

(b) After the adoption of such resolution, a meeting of the members of the association shall be held upon not less than ten (10) days' written notice to the members by mail, postage prepaid, directed to their addresses appearing on the books of the association, which notice shall contain a statement of the time, place and purpose for which such meeting is called. Proof by affidavit of mailing of such notice shall be mailed to the Federal Home Loan Bank Board before the time of such meeting.

(c) At a meeting of the members of any such Federal association held as provided in paragraph (b) of this section, such members may by the affirmative vote of two-thirds of the members present either in person or by proxy, declare by resolution the determination to convert the association into an association of this State. A copy of the minutes of the proceedings of such meeting of the members, verified by the affidavit of the president or vice-president, and the secretary of the meeting, shall be filed in the office of the commissioner and mailed to the Federal Home Loan Bank Board, within ten (10) days after the date of such meeting.

(d) Within thirty (30) days after the date of the meeting held as provided in paragraphs (b) and (c) of this section, a majority of the board of such Federal association shall subscribe, acknowledge and deposit with the commissioner in duplicate, a certificate which shall contain:

1. The name of the association, which shall not be so nearly like that of any other association as to deceive the public, and the words "savings and loan association" shall form a part thereof;

2. The municipality where it is to be located and its business transacted, which shall be within this State;

3. A statement that it is to operate as an association pursuant to this act for the purposes stated herein;

4. The name, residence, occupation and post-office address of each officer and director;

5. Application for the approval of the commissioner to the conversion of said association into an association of this State.

118. Approval by commissioner; filing of certificate; corporate existence continued. Upon the filing with the commissioner of the certificate as provided in paragraph (d) of section one hundred and seventeen of this act and before approving the conversion of any Federal association into an association of this State, the commissioner shall determine, as a result of an examination or otherwise, that the assets of such association have a sound value at least equal to the capital of the association, plus all creditor obligations; that such association will function normally after conversion and that it will earn and be able to pay regularly a reasonable dividend; and upon such determination, and upon compliance by the association with such requirements or conditions as the commissioner may prescribe, and not later than three (3) months from the date of the members' meeting held as provided in paragraphs (b) and (c) of section one hundred and seventeen of this act, the commissioner shall endorse his consent to the conversion of such Federal association into an association upon the certificates filed in accordance with paragraph (d) of section one hundred and seventeen of this act, one of which certificates shall remain on file in the office of the commissioner and the other shall be recorded by the clerk of the county where the association is located. Within ten (10) days thereafter, a copy of said certificate certified by the commissioner, shall be mailed to the Federal Home Loan

C. 17:12A-118.  
Commissioner's  
approval.

Bank Board. Upon the filing of such certificate in the office of the commissioner the association shall cease to be a Federal association and shall no longer be subject to the supervision and control of the Federal Home Loan Bank Board.

Upon the conversion of any Federal association into an association of this State, the corporate existence of such association shall not terminate, but such association of this State shall be deemed to be a continuation of the entity of the association so converted, and all property of the converted association, including its right, title and interest in and to all property of whatsoever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest and asset of any conceivable value or benefit then existing belonging or pertaining to it or which would inure to it, shall immediately by act of law and without any conveyance or transfer and without any further act or deed, remain and be vested in and continue and be the property of such association of this State into which the Federal association has converted itself, and such association of this State shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by the converting association, and such association of this State as of the time of the taking effect of such conversion, shall continue to have and succeed to all of the rights, obligations and relations of the converting association. Pending actions and other judicial proceedings to which the converting Federal association is a party shall not be deemed to have abated or to have discontinued by reason of such conversion, but may be prosecuted to final judgment, order or decree in the same manner as if such conversion into such association of this State had not been made and such association of this State resulting from such conversion may continue such action in its corporate name as an association of this State and any judgment, order or decree may be rendered for or against it, which might

have been rendered for or against the converting Federal association theretofore involved in such judicial proceedings.

## ARTICLE XVII

### FEES AND CHARGES

119. Fees and charges. Every association of this State shall pay, on filing its annual report or any certificate required to be filed in the office of the commissioner, five dollars (\$5.00). C. 17:12A-119. Fees and charges.

Every foreign association shall pay filing fees as follows:

Certified copy of its charter or certificate of incorporation, twenty dollars (\$20.00).

Original and annual reports, twenty dollars (\$20.00).

Certificate of authority, annually, two hundred and fifty dollars (\$250.00).

Certificate for each agency, ten dollars (\$10.00).

Every association of this State and every foreign association shall defray all expenses incurred in making an examination of its affairs as herein provided, and the commissioner may maintain an action, in the name of the State, against the association, for the recovery of the expenses, in a court of competent jurisdiction.

120. Payment of commissioner's expenses. The necessary expenses incurred by the commissioner in carrying out the provisions of this act, when not otherwise provided for, shall be paid out of the fees collected as herein provided. C. 17:12A-120. Payment of commissioner's expenses.

## ARTICLE XVIII

### REORGANIZATION

121. Associations may reorganize. Any association may reorganize in the manner in this article set forth. C. 17:12A-121. May reorganize.

122. Action by board. The board of any association may at a meeting called for that purpose adopt a plan of reorganization of such association. C. 17:12A-122. Action by board.

Two copies of such plan, signed by the president or a vice-president and by the secretary or treasurer shall be submitted to the commissioner.

C. 17:12A-123.  
Action by  
commissioner.

123. Action by commissioner. If the commissioner shall determine by an examination, or in any other manner:

(a) That the association's liability to members, creditors and for unpaid taxes, exceeds the fair value of its assets; or

(b) That the association is in an unsound condition because the amount of real property owned by it is excessive in proportion to its other assets; or

(c) That the aggregate amount owing to the association on defaulted mortgages is excessive; and

(d) That the adoption of such plan of reorganization will remedy the conditions affecting the association and be beneficial to its members and creditors and to the community in which its office is located, he shall endorse his approval thereon.

One copy so endorsed shall remain on file with the commissioner and the other shall be returned by the commissioner to the association.

C. 17:12A-124.  
Action by  
members.

124. Action by members. After such approval, the proposed plan shall be submitted to the members of such association at an annual meeting, or at a special meeting called for the purpose of considering and voting upon such plan. At any such meeting, members may vote in person or by proxy. At least ten days' written notice of such meeting shall be mailed to each member. At least twenty (20) days before such meeting, a copy of such notice shall be published, at least once in a newspaper published in the municipality in which such association has its principal office, and if there be no such newspaper, then in one published and circulating in the county in which such principal office is located.

If at such meeting, or at any adjournment thereof, the majority of the votes cast are in favor of such plan, a certificate thereof, signed by the president, or a vice-president, and by the secretary or treasurer, of such association shall be filed with the

commissioner and thereafter such association may proceed to reorganize in accordance with the provisions of such plan.

125. Objections to plan. Any member desiring to dissent from such plan shall file a petition of dissent in the Court of Chancery in a cause to be entitled "In the Matter of the Reorganization of .....Association"; the blank to be supplied with the name of the association. Such petition shall set forth the respects in which the petitioner dissents from such plan, and the grounds therefor, and shall be filed at least five (5) days prior to the day appointed for the meeting of the members to consider and vote upon such plan. No such petition shall be filed unless it shall have endorsed thereon, or attached thereto, a proof of service of a copy thereof upon such association.

C. 17:12A-125.  
Objections  
to plan.

Upon the filing of such petition, the court shall hear and dispose of the matter summarily. If the court shall find that the plan is equitable and fair, it shall make an order approving said plan and dismissing said petition, and thereupon the proposed plan shall be binding upon the dissenting member as fully to all intents and purposes as if he had filed no dissent thereto. If the court shall find that said plan is inequitable or unfair, it shall make an order disapproving said plan and thereafter such association shall not proceed with the proposed reorganization unless and until such order is modified or vacated. No order disapproving any such plan shall prevent an association from proceeding to reorganize in pursuance of the terms of a new or modified plan, either by further proceeding in the cause then pending, upon such notice to the members and the commissioner as the court shall direct, or by proceeding in accordance with the provisions of this article, in the same manner as if no previous reorganization proceeding had occurred. All members shall be conclusively presumed to have assented to such plan unless they dissent therefrom as herein provided.

Hearing.

C. 17:12A-126.  
Appeals.

126. Appeal. Any person aggrieved by any order of the Court of Chancery made pursuant to the provisions of this article may appeal therefrom to the Court of Errors and Appeals within twenty (20) days from the date of the filing of the order appealed from. For the purposes of this section "persons aggrieved" shall include the association, the commissioner, and any member who shall have filed a petition of dissent, or participated as a dissenter in the proceedings in the Court of Chancery.

C. 17:12A-127.  
Reorganiza-  
tion plan  
provisions:

127. Provisions authorized in reorganization plan. Without limiting the generality of the methods by which an association may reorganize, any plan of reorganization may provide:

Name;

(a) For reorganization under the existing name of the association, or under a different name.

Effective date;

(b) For the date upon which the reorganization shall become effective. If the plan fails to designate an effective date, the effective date shall be the date upon which the certificate of the adoption of the proposed plan by the members of the association is filed with the commissioner; *provided, however*, that if a petition of dissent from said plan has been filed in the Court of Chancery, the effective date of reorganization shall be fixed by an order of said court.

Crediting  
accounts;

(c) For the crediting of the participation value of accounts pledged to secure loans against the amount due on such loans.

Cancellation of  
withdrawals;

(d) For the cancellation of applications for withdrawal on file with the association on the effective date of reorganization.

Transfer of  
title to assets;

(e) For the transfer of the title to such assets of the association as may be determined by the board with the approval of the commissioner to a corporation, to be organized pursuant to the provisions of this article, for the sole purpose of liquidating such assets in an orderly manner, and distributing the proceeds thereof.

Transfer of  
assets to  
reserve  
account;

(f) For the transfer of title to such assets of the association as may be determined by the board, with the approval of the commissioner, to a partici-



pating reserve account, to be set up on the books of the association, for the purpose of liquidating such assets in an orderly manner and distributing the proceeds thereof.

(g) For the transfer of title to such assets as may be determined by its board and approved by the commissioner to another association, which may or may not be a new association organized in accordance with the provisions of section one hundred and twenty-nine of this act or to a Federal savings and loan association which has its principal office in this State. Upon the completion of such transfer of title, and the recording and filing of the certificate required by section one hundred and thirty-five of this act, the association shall be constituted a liquidating corporation within the meaning of this article.

Transfers to  
liquidating  
corporation;

(h) For the exchange of accounts, membership certificates and share certificates in the association for accounts, membership certificates or share certificates in any association to which the title to any of the association's assets may be transferred.

Exchange  
of accounts,  
membership,  
etc.;

(i) For the reduction of the liability of the association to its members to the extent required to meet actual or anticipated losses, and to create a reserve for such purposes.

Reduction of  
liability;

(j) For the manner in which the expenses of reorganization shall be paid.

Expenses;

(k) For the borrowing of money necessary or convenient to effect the reorganization without limit as to amount or source, and for the terms and security for the repayment thereof.

Borrowing;

(l) For the suspension of the payment of withdrawals and maturities, and for the segregation of moneys received by the association from members, except moneys paid in reduction of debts due to the association, for the period beginning with the adoption by the board of the resolution to reorganize, and ending with the date when the reorganization plan is rejected or takes effect. If the reorganization plan becomes effective, the moneys received during said period from savings members shall be

Suspension  
of payments;

credited to the accounts of such members without decrease or impairment for any cause. If for any reason said reorganization plan does not become effective, the amount so paid by savings members shall, at the option of the members who have paid them, be returned to them in cash or credited to their accounts without decrease or impairment. Moneys paid during said period by members indebted to the association, shall be credited without decrease or impairment in reduction of such indebtedness.

Method of  
transferring  
title to assets.

(m) That, if the association shall transfer title to any of its assets as authorized by subdivisions (e), (f) and (g) of this section, it may either charge off against the value of the assets so transferred, or transfer together with such assets, to the association or to the participating reserve account which receives the same, such part of its reserve accounts as the plan of reorganization shall provide.

C. 17:12A-128.  
Liquidation  
corporation,  
creation:

#### 128. Liquidating corporation.

(1) Creation. Each liquidating corporation created pursuant to the provisions of section one hundred and twenty-seven (e) of this act shall be created by executing, recording and filing a certificate of incorporation which shall set forth:

(a) The name of the liquidating corporation, which may or may not be the same as that of the reorganizing association with the addition of the words "liquidating corporation";

(b) The location of its principal office and the name and address of its agent in charge thereof upon whom process may be served;

(c) That the purpose for which the corporation is formed is to liquidate the assets which are transferred to it pursuant to the provisions of this article.

Said certificate shall be signed by a majority of the board of the reorganizing association as incorporators. It shall be proved or acknowledged in the same manner as provided for deeds for real property, and shall be recorded

in the office of the clerk of the county where the principal office of the corporation is to be located, and after being so recorded shall be filed with the commissioner; *provided, however*, no such certificate of incorporation shall be recorded or filed until the commissioner has approved the same as to form and endorsed his approval thereon. For the filing of such certificate, the commissioner shall receive thirty-five dollars (\$35.00).

(2) Purposes and powers. Upon the recording and filing of such certificate, the incorporators and their successors and assigns shall be a corporation for the sole purpose of liquidating, promptly and in an orderly manner, all assets which shall be transferred to it and of distributing the proceeds thereof. Purposes  
and powers;

Each such corporation shall have all powers necessary to accomplish such liquidation and distribution including, but not by way of limitation, those specified in section one hundred and forty-two in this act. The provisions of sections one hundred and forty-one, one hundred and forty-four, one hundred and forty-five, one hundred and forty-six, one hundred and forty-seven and one hundred and fifty of this act shall apply to such corporation.

(3) By-laws. The incorporators shall adopt appropriate by-laws with the approval of the commissioner. By-laws;

(4) Membership. The original members of each such corporation shall be those who were members of the association which transferred assets to such association pursuant to section one hundred and twenty-seven (e) of this act at the time of such transfer. The incidents of membership in such corporation shall be the same as the incidents of membership in an association. Membership;

(5) Directors. Each such corporation shall have a board of directors consisting of not less than six Directors;  
(6) persons, of such number as its by-laws shall prescribe, all of whom shall be members. They

shall elect a president, vice-president, secretary and treasurer and such other officers as they shall deem necessary, all of whom shall be members of the corporation. The election of officers and directors and their terms of office shall be subject to the provisions of this act relating to officers and directors of an association. The board may exercise all of the powers of the corporation not expressly reserved to its members by the provisions of this act and its by-laws. The terms and conditions of the sale of any property of any such corporation shall be determined by a majority of its board.

Creditors;

(6) Creditors. Claims barred. The corporation shall give public notice that all persons having claims against any association whose assets have been transferred to it pursuant to section one hundred and twenty-seven (e) of this act shall present such claims under oath at the corporation's office within three (3) months of the date of such notice or be barred, forever after, from any action therefor. Such notice shall be advertised at least once each week for twelve (12) successive weeks in at least two newspapers published in the county in which each such association has its principal office and shall bear the date of the day of the first publication. Within ten (10) days after date of such notice, a copy thereof shall be mailed to each creditor or other person who is known to have any claim against such association, addressed to his last known post-office address. Proof of such publication and mailing shall be filed with the commissioner. If the corporation disputes all or any part of any claim which is duly presented to it, and gives written notice of such dispute to the claimant, his attorney, or agent, such claimant shall institute suit thereon within thirty (30) days from the receipt of such notice or be barred, forever after, from any action therefor.

The provisions of this subdivision shall not be applicable to or in any way affect any indebtedness on account of any loan made to an association to enable it to effect a reorganization or sale of its as-

sets, and any such indebtedness shall become and be an indebtedness of such corporation; and any obligation evidencing such indebtedness, any mortgage, assignment of mortgage or other document securing such obligation and any agreement with respect to any such indebtedness shall become and be binding upon such corporation and upon its assets with like force and effect as if originally incurred by such corporation.

(7) Jurisdiction of Court of Chancery. Each such corporation or its board may apply to the Court of Chancery for instructions with respect to any matter pertaining to the liquidation of its assets, the distribution of the proceeds thereof, and the settlement of its affairs. Upon petition filed with the court for that purpose, and upon such notice, if any, to creditors, members and the commissioner, as the court shall direct, the court may proceed in a summary manner to hear and determine the matters presented to it and make such order or decree as shall be equitable and just. No such petition for instructions shall confer upon the Court of Chancery general jurisdiction over the affairs of such corporation.

Court of  
jurisdiction;

(8) Termination of corporate existence. Within ninety (90) days after the affairs of each such corporation shall have been fully settled and its assets liquidated and the proceeds thereof distributed, or within such further time as the commissioner may allow, it shall file with the commissioner a certificate, verified by at least two (2) of its officers, that the affairs of said corporation have been finally settled and its assets liquidated and distributed, and if the commissioner as a result of an examination or otherwise, is satisfied that the contents of the certificate are true, he shall so endorse the said certificate, and thereupon the said corporation shall be dissolved and its corporate existence terminated.

Corporate  
existence  
terminated.

129. New association to continue business. Each new association which is created in accordance with the provisions of section one hundred and twenty-seven (g) of this act shall be created by executing,

C. 17:12A-129.  
Certificate  
filed by new  
corporations:

recording and filing a certificate of incorporation which shall set forth:

- Name; (a) The name of the association which shall contain the words "savings and loan association."
- Location; (b) The name of the municipality in this State where the association's office for the transaction of its business will be located.
- Purpose; (c) That it is incorporated to operate as an association pursuant to this act for the purposes herein stated.
- Incorporators; (d) The names, residence (including street and number, if any), post-office addresses and occupations of at least nine (9) members of the association or associations whose assets are to be transferred to it and who shall be its incorporators.

Proof and filing. Such certificate of incorporation shall be proved or acknowledged in the same manner as provided for deeds for real property, and recorded in the office of the clerk of the county where the principal office of the association is to be located, and after being so recorded shall be filed with the commissioner; *provided, however*, no such certificate of incorporation shall be recorded or filed until the commissioner has approved the same as to form and endorsed his approval thereon. Said certificate or a copy thereof, duly certified by the commissioner or by the clerk of the county where the same is recorded, shall be evidence in all courts and places.

Proviso. Upon the recording and filing of such certificate, the persons so associated, their successors and assigns, shall from the date of such filing be an association by the name set forth in the certificate, with all of the powers mentioned in this act. The provisions of sections twelve, thirteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty of this act shall not apply to associations incorporated under the provisions of this section.

C. 17:12A-130.  
Participation  
certificates.

130. Participation certificates; rights of holders. Each member shall receive a participation certificate evidencing his pro rata interest in all assets which are to be liquidated pursuant to the provisions of section one hundred and twenty-seven (e),

(f) and (g) and section one hundred and thirty-four (2) of this act.

The aggregate amount of the participation certificates issued with respect to assets to be liquidated shall equal the value of such assets. Such assets shall be liquidated for the sole benefit of the persons holding participation certificates therein.

Liquidating  
assets.

The net income from such assets and the proceeds received from the liquidation thereof, shall be first applied to the payment of debts and obligations and the expenses of liquidation, including the repayment of such moneys, if any, as may have been advanced by an association to maintain and conserve such assets as it may have transferred to a participating reserve account pursuant to section one hundred and twenty-seven (f) of this act and the balance thereof shall be distributed and paid pro rata to the persons holding participation certificates therein.

Application  
of income  
and proceeds.

Participation certificates may be transferred separate and apart from any share or membership certificate.

Transfers.

Only those assets against which participation certificates are issued shall be answerable for the payment of such certificates. If the aggregate amount realized on the ultimate liquidation of such assets is insufficient to satisfy in full the participation certificates issued against them, the deficiency shall be borne pro rata by the holders of such certificates and such holders shall have no right to recover such deficiency from the association issuing such certificates.

Deficiency  
prorated  
among holders.

131. Accounts issued for assets transferred. Each association to which assets shall be transferred pursuant to section one hundred and twenty-seven (g) of this act shall issue its accounts accompanied by membership or share certificates of the type determined by the reorganization plan to the members of the reorganizing association pro rata, in an aggregate amount equal to the value of the assets transferred to it.

C. 17:12A-131.  
Share  
certificates  
issued  
pro rata.

C. 17:12A-132.  
Associations  
may  
reorganize.

132. Associations in possession of the commissioner may reorganize. Any association, which is in the possession of the commissioner or upon which the commissioner has served notice that he will take possession, may reorganize in accordance with the provisions of this article. If the commissioner is in possession of an association he may, in his discretion, initiate the plan for reorganization and give the required notice to, and conduct the required meeting of, the members.

C. 17:12A-133.  
Refusal to take  
possession  
not implied.

133. Refusal of commissioner to take possession is not implied. No action by an association looking toward its reorganization under the provisions of this article, nor any order made by the Court of Chancery in a proceeding incidental thereto, or any act or failure to act by the commissioner pursuant hereto, shall be construed as a demand upon and as a failure or refusal by the commissioner to take possession of such association within the meaning of section ninety-eight of this act.

C. 17:12A-134.  
Bulk transfers  
authorized.

134. Bulk transfers.  
(1) Bulk transfers authorized. Any association may with the written approval of the commissioner, transfer, sell, or exchange in bulk and not in the regular and usual course of its business, all or any part of its assets, including its name and good will, to any other association; and accept as consideration therefor, cash and accounts or either of them, of the purchasing association upon such terms as may be determined by the vote of a majority of the board of such association and by a majority of the votes cast by the members of such association, present in person or by proxy, at any annual meeting or at any special meeting called for that purpose. At least ten (10) days' notice of any such members meeting shall be mailed to each member and shall state the matter to be acted upon. The consideration received for such bulk transfer, sale or exchange shall be applied to the payment of the association's debts and the discharge of its liabilities and the balance thereof shall be distributed to its members pro rata.



(2) Dissolution and liquidation following bulk transfer. If such bulk transfer, sale or exchange shall include all or substantially all of the assets of an association or all or substantially all of its mortgage assets the association shall thereupon be dissolved and shall liquidate and distribute its remaining assets as follows:

Dissolution  
and  
liquidation.

Its members, by a majority of the votes cast in person or by proxy at the meeting at which the bulk transfer sale or exchange is approved, shall determine whether the association shall be managed and directed during liquidation by its board in accordance with the provisions of section one hundred and thirty-five of this act or by trustees in accordance with the procedure prescribed in Article XIX of this act.

If such members determine to liquidate by trustees, they shall elect trustees, at the same meeting, in accordance with the provisions of section one hundred and thirty-seven of this act.

135. Certificate of transfer of assets. Resultant liquidating corporation. Whenever any assets of an association are to be liquidated as provided in section one hundred and twenty-seven (g) of this act or by the board of an association, as provided in section one hundred and thirty-four (2) of this act, the association shall, within ten days after the transfer of assets has been made, make a certificate which shall state:

C. 17:12A-135.  
Certificate  
of transfer  
of assets,  
contents.

(a) That such transfer of assets has been made.

(b) The section of this act pursuant to which such transfer was made.

(c) The name of the association which made the transfer. The name by which the transferring association shall thereafter be known, which may be the same as that of the transferring association, with the addition of the words "liquidating corporation."

(d) The name of the association to which the assets were transferred.

(e) The address, including street and number, of the principal office of the transferring associa-

tion and the name of the agent in charge thereof upon whom process may be served.

Certificate  
recorded.

Such certificate, executed and acknowledged or proved in the manner required for deeds to real property, shall be recorded in the office of the clerk of the county in which the transferring association has its principal office and a copy thereof shall be filed with the commissioner and thereupon the association shall become a liquidating corporation for the sole purpose of liquidating promptly and in an orderly manner all its remaining assets and of distributing the proceeds thereof.

May act  
under by-laws.

The board may act under the by-laws of the association except where they are inconsistent with the purposes of the corporation and otherwise the corporation and its directors shall have the powers and duties and be subject to the limitations and restrictions provided in section one hundred and twenty-eight of this act for liquidating corporations.

C. 17:12A-136.  
Power to  
acquire assets.

136. Power to acquire assets. Any association may accept assets from another association which reorganizes in accordance with the provisions of section one hundred and twenty-seven subdivision (g) of this act or may purchase assets from another association which sells all or part of its assets in accordance with section one hundred and thirty-four of this act for such consideration and upon such terms and conditions as its board determines and the provisions of Article X of this act shall not apply to such transactions.

## ARTICLE XIX

### DISSOLUTION AND LIQUIDATION

C. 17:12A-137.  
Dissolution.

137. Dissolution. Action by the board and the members. Trustees. Commissioner's approval. Any association may be dissolved as follows: Its board may adopt a resolution declaring that in its opinion it is advisable and for the best interests of its members that it be dissolved, its business and affairs wound up and its assets liquidated and distributed. Such resolution shall fix the time and

place for a meeting of the members to take action thereon. Notice of the adoption of such resolution, and of the time, place and object of such members' meeting shall be mailed to each member at least ten (10) days prior to the date fixed for such meeting. The meeting may be adjourned from time to time. If two-thirds in interest of the members present at the members' meeting shall favor dissolution and liquidation, the members shall then elect, at said meeting, three (3) trustees to manage and direct the affairs of the association during liquidation. Said trustees may exercise, in the name of the association, any and all of its powers except those which may be expressly reserved to its members by the provisions of its by-laws or this act. More than three (3) trustees may be elected if the commissioner consents thereto in writing. The candidates receiving the highest number of votes shall be declared elected. No person who has served as an officer, director, attorney or employee of such association prior to the date of the election of the trustees, shall be elected a trustee unless prior to such election there shall have been filed with the association the approval by the commissioner of such person's candidacy for trustee. No person who is indebted to the association shall be eligible for election as trustee. Each trustee shall be a member of the association. Members may vote at such meeting in person or by proxy.

Within five (5) days after such members' meeting, the association shall file with the commissioner, a certificate signed by its president and secretary which shall state the name of the association; the dates upon which its board and its members met and acted with respect to dissolution and liquidation; the names and addresses of the persons who were elected as trustees; and that attached thereto are true copies of the resolutions adopted at said meetings of the board and of the members respectively, with respect to dissolution and liquidation, and of the notice mailed to members, together with proof of mailing thereof.

Certificate  
filed.

Certificate of dissolution. Within five (5) days after said certificate and the documents required to be attached thereto shall have been filed with the commissioner, he shall determine whether the proceedings certified to therein have been taken in accordance with the provisions of this section, and if he is satisfied that they have, he shall forthwith date and issue to the association a certificate of dissolution and thereupon the association shall be dissolved and proceed to liquidate as herein provided.

C. 17:12A-138. Liquidation defined. 138. Definition of liquidation. As used in this act, liquidation shall include the winding up and settlement of the business and affairs of an association, the liquidation of its assets, the payment and satisfaction of its debts and obligations and the expenses of its liquidation, the distribution of its surplus assets to its members pro rata and the management and direction of its affairs during the liquidating period.

C. 17:12A-139. Corporate existence continued. 139. Continuation of corporate existence. After dissolution, an association shall continue to be a body corporate and retain title to all its real and personal property for the purpose of liquidation but not for the transaction of further business as a going concern.

C. 17:12A-140. Trustee's bonds. 140. Trustees. Bonds. Removal. Successors. Action by majority. Each trustee before entering upon his duties, shall file with the commissioner a bond to the association in such sum as the commissioner shall fix, conditioned for the faithful performance of his duties.

Removal of trustees. The Court of Chancery may remove any trustee for cause, upon the application of the commissioner, and may appoint a trustee to serve in the place of any trustee who fails to qualify or whose office as trustee becomes vacant for any cause. No person, other than a member of the association, shall be appointed as a trustee for such association unless it appears to the court that no member, qualified to act, will do so. In the event that a trustee is removed, dies or fails to qualify after election as such, the acts of the remaining trustees

shall be valid and effectual until the vacancy is filled.

The trustees shall act by a majority vote and the signatures of a majority of them to any deed or other document shall suffice. Majority vote to act.

The trustees shall apply to the Chancellor for approval of any account filed by them and for their compensation and discharge. They shall have the powers of receivers as provided in Revised Statutes 14:14-11 and 12. The provisions of Revised Statutes 14:14-11 shall apply to persons refusing to be sworn, to answer questions, or to declare the whole truth. Powers of trustees.

141. Liquidation period. Extension. All liquidation proceedings hereafter commenced shall be completed within five (5) years from the date of dissolution or within such further time as may be allowed by the Court of Chancery or by the members at any meeting which shall be called for that purpose upon at least ten (10) days notice to every member. C. 17:12A-141. Liquidation period.

142. Powers. Every dissolved association shall have all powers necessary to accomplish its liquidation promptly, efficiently and completely, including, but not by way of limitation, the following: C. 17:12A-142. Powers.

(a) To employ, retain, and reasonably compensate agents, employees and attorneys.

(b) To sue and be sued.

(c) To acquire title in any manner to any real or personal property in which it has any interest, or in settlement, satisfaction or payment in whole or in part, of any claim.

(d) To enforce all lawful claims, demands, rights, remedies, and liens against persons and property.

(e) To collect all money due to it.

(f) To compromise and settle all claims by or against it.

(g) To sell or otherwise dispose of any asset upon any reasonable terms and conditions.

(h) To rent, manage, conserve and protect any asset.

(i) To accept any member's account in such association, at such value as the trustees may place thereon, in payment of not more than twenty-five per centum (25%) of the purchase price of any real estate. A higher percentage of the purchase price may be paid in such manner with the approval of the Court of Chancery.

(j) To execute all contracts, deeds, leases, mortgages, assignments, or other documents or writings necessary or incidental to the exercise of any of its powers.

(k) To borrow money and pledge any asset as security for the repayment thereof. No service charge or bonus for procuring any such loan shall be paid, but this prohibition shall not apply to ordinary and reasonable legal and search fees.

(l) To apply to the Chancellor for instructions with respect to any of its powers and duties, but, without obligation to do so.

C. 17:12A-143.  
Creditors.

143. Creditors. Claims barred. The association shall give public notice that all persons having claims against it, shall present them under oath, at the association's office, within three (3) months from the date of such notice, or be barred, forever after, from any action therefor. Such notice shall be advertised at least once each week for twelve (12) successive weeks, in at least two newspapers published in the county in which the association has its principal office, and shall bear the date of the day of the first publication. Within ten (10) days after the date of such notice a copy thereof shall be mailed to each of the association's creditors addressed to his last known post-office address. Proof of such publication and mailing shall be filed with the commissioner.

Notice to  
creditors.

Disputed  
claims.

If the association disputes all or any part of any claim which is duly presented to it, and gives written notice to such dispute to the claimant, his attorney, or agent, such claimant shall institute suit thereon within thirty (30) days from the receipt of such notice or be barred forever after, from any action therefor.

144. Application of participation value to indebtedness. The participation value, at the date of dissolution of an association, of any account in such association which is pledged as security for the payment of any indebtedness to such association, shall be applied to the payment of such indebtedness.

C. 17:12A-144.  
Participation  
value applied to  
indebtedness.

145. Sinking fund mortgages. Extension of time for payment. Any owner of land, which is subject to a sinking fund mortgage held by an association which has been dissolved, may apply in writing to such association, within ninety (90) days after the date of its dissolution, for an extension of time, not exceeding five years from the date of said dissolution, within which the amount due upon such mortgage, and the obligation accompanying the same, shall be paid. The association shall grant such request, provided that:

C. 17:12A-145.  
Sinking  
fund  
mortgages.

(a) There shall be no existing default in the performance of the terms and conditions of said mortgage and obligation; and

(b) The applicant shall agree to perform all of the other terms and agreements of said mortgage and obligation; and

(c) The applicant shall agree to pay monthly, in reduction of the principal sum due on said mortgage and obligation, such amount as the association shall require, not exceeding, however, one per centum (1%) of the amount of the original loan secured by said mortgage. Such amount shall be applied first to the payment of interest and other lawful charges, and the surplus to the reduction of the principal. Nothing herein contained shall prevent the association and the applicant from agreeing upon the payment of larger monthly payments.

If, at the date of said dissolution, any default has existed for more than two (2) months in the performance of any of the terms and conditions of said mortgage and obligation, the application for extension of time may be refused, or granted upon such terms as the association may prescribe.

Construing.

The provisions of this section shall not be construed to prevent an association in liquidation from making any compromise which it is otherwise authorized to make.

C. 17:12A-146.  
Notice to  
sinking fund  
mortgagors.

146. Notice to sinking fund mortgagors. Within thirty (30) days after the date of its dissolution, the association shall mail to each owner of land, which is subject to a sinking fund mortgage held by such association, a notice stating that the association has dissolved and will liquidate; the date of its dissolution; and that applications for the extension of the time for payment of such mortgage loans may be made in accordance with the provisions of section one hundred and forty-five of this act. A copy of section one hundred and forty-five shall be enclosed with each such notice.

C. 17:12A-147.  
Commissioner's  
jurisdiction.

147. Commissioner's jurisdiction. Each association in liquidation shall remain subject to the jurisdiction and supervision of the commissioner.

C. 17:12A-148.  
Trustees'  
account.

148. Accounting by trustees. Examination by commissioner. Report to members. Notice to creditors. Appeals. At least annually, unless the commissioner, for good cause, extends the time therefor, and at such other times as the commissioner may require, the trustees of an association in liquidation shall file in the Court of Chancery a true report and account of their administration of the assets and affairs of the association and simultaneously therewith, shall file a copy thereof with the commissioner. The commissioner shall, personally, or by one or more examiners designated by him, audit each such report and account and make such examination of the affairs of the association, including a verification of members' accounts, as shall be required in such audit. If, as a result of such audit and examination the commissioner shall find that such report and account is correct, he shall report accordingly to the court and the court shall thereupon, without further inquiry or verification, approve and allow such report and account. If the commissioner shall find, by such audit and examination or in any other man-



ner, that said report and account or either of them is incorrect, or that the trustees have violated any provision of this act, or that the affairs of the association have been mismanaged, he shall report accordingly to the court, and the court shall thereupon, upon motion of the commissioner or upon its own motion, upon notice, make such inquiry and order in the interest of the members and creditors of the association as shall be equitable and just. The commissioner shall receive for all services performed by him pursuant to the provisions of this article, the fees which are fixed by law for like services performed by him in connection with associations not in dissolution and liquidation.

At least ten (10) days before the filing of each trustees' report and account, a report of the operations of the association for the period of the accounting in the form which is provided for associations not in dissolution, shall be mailed to each member. Said report shall state the time and place when and where the report and account will be filed and the amount of the allowances for compensation which the trustees will apply for. Proof of the mailing of said report to members shall be filed in the Court of Chancery simultaneously with the filing of said report and account. No other notice to members need be given of any proceeding for the approval and disposition of any report and account or of any matter which may be presented to the court in connection therewith or incidental thereto. Such notice, if any, as the court may prescribe, of the filing of the report and account and the application for allowances shall be given to the creditors of the association. Any person aggrieved by any decree or order of the Court of Chancery, made in proceedings attendant upon the filing of any such report and account, may appeal therefrom to the Court of Errors and Appeals at any time within thirty (30) days after the making of such order or decree.

Report mailed  
to each  
member.

149. Chancery jurisdiction. Trustees compensation. Court of Chancery shall have full and com-

C. 17:12A-149.  
Chancery  
jurisdiction.

plete jurisdiction of associations in liquidation and their trustees, and of all matters and questions arising or growing out of liquidation, and may make such orders and decrees with respect thereto as shall be equitable and just. The court shall allow reasonable compensation to the trustees for their services and costs and expenses of the administration of the trust.

C. 17:12A-150.  
Limiting  
appeals.

150. Appeals. Limitation. No appeal shall be allowed from any order, judgment, or decree made by any court in favor of or against an association in liquidation in any suit or proceeding, unless notice thereof be filed with the clerk of such court and a copy thereof be served upon such association within thirty (30) days from the date of the making of such order, judgment or decree.

## ARTICLE XX

### MISCELLANEOUS

C. 17:12A-151.  
Insured  
accounts legal  
investments  
for trust  
funds, etc.

151. Insured accounts eligible for investment of trust and public funds, and as security. All public funds, including those of the State of New Jersey, or any county or municipality or other political subdivision of New Jersey, and those in the control or possession of any public board or official, and all trust funds of every character in the control or possession of any fiduciary or other person or corporation, may, without any order of any court, be invested in one or more accounts in any insured association or any Federal association whose principal office is located in New Jersey in any amounts up to, but not exceeding, the amounts for which such accounts are insured.

As security  
for loan.

Any such account, in any amount up to, but not exceeding, the amount for which it is insured, shall be eligible for acceptance as security, whenever security is required by any law of this State.

152. This act shall take effect immediately.

Approved April 4, 1946.

## CHAPTER 57

AN ACT to amend "An act adding Routes 100 and S-100 to the State highway system," approved March thirtieth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 50), and designating Route 100 as a freeway.

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 is amended to read as follows: Section amended.

1. The State Highway Commissioner shall, as soon as practicable and in accordance with the procedure set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the present State highway system the following described routes: Additional routes.

Routes No. 100 and S-100. Beginning at the George Washington bridge and from thence to Route No. 26 in North Brunswick township passing in the vicinity of Ridgefield, North Bergen, Newark, Elizabeth (east of Route No. 25) and Woodbridge; with a branch from the vicinity of Elizabeth across Newark bay to Bayonne. S-100. Beginning at a point in Route No. 100 in or near Elizabeth and connecting with Route No. 25 in or near Elizabeth. Description of route.

2. Route No. 100 hereby established in hereby designated as a freeway, pursuant to chapter eighty-three of the laws of one thousand nine hundred and forty-five. Route number.

3. This act shall take effect immediately.

Approved April 4, 1946.

## CHAPTER 58

AN ACT concerning savings banks, and amending  
section 17:6-54 of the Revised Statutes.

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

Section  
amended.

1. Section 17:6-54 of the Revised Statutes is amended to read as follows:

Railroad  
bonds.

17:6-54. The deposits may also be invested:

Security.

(a) In mortgage bonds issued, guaranteed or assumed by any railroad company not at the time of such investment in reorganization or receivership, or which the railroad company has otherwise covenanted or agreed to pay; and secured by a first lien upon not less than three-fourths of the rail mileage included in the mortgage or by refunding mortgage under which bonds may be issued for the retirement or refunding of all prior lien mortgages on the property covered by the refunding mortgage, or by liens prior to the refunding mortgage; *provided*, that the railroad company (hereinafter in this section sometimes called an "eligible railroad company").

Proviso.

(1) shall have had an average balance of income available for the payment of fixed charges for the latest three fiscal years preceding the investment (for which the necessary statistical data as respects both such railroad company and all Class I railroads shall have been published), such that when divided by an amount equivalent to the fixed charges for such fiscal year next preceding the investment shall produce a quotient not less than the quotient produced by dividing the average balance of income available for the payment of fixed charges of all Class I railroads in the United States for the same three years by an

amount equivalent to the total fixed charges of all such Class I railroads for such fiscal year next preceding the investment, and shall have had remaining during the same three years after the deduction from its average balance of income available for the payment of fixed charges as aforesaid of an amount equivalent to the fixed charges for such fiscal year next preceding investment an average amount equivalent to at least as great a proportion of its railway operating revenues as the average proportion of railway operating revenues of all Class I railroads in the United States remaining during the same three years after deducting from the average balance of income available for the payment of fixed charges of all Class I railroads as aforesaid an amount equivalent to the fixed charges for such fiscal year next preceding investment of all such Class I railroads; *provided, however*, that the average balance of income of such company available for the payment of fixed charges during the same three years shall not be less than one and one-quarter times the fixed charges for such fiscal year next preceding investment; and

(2) shall, or its corporate predecessor shall, for five fiscal years next preceding the investment, have owned and operated not less than five hundred miles of standard gauge railroad line within the United States, exclusive of sidings, or shall have had railway operating revenues of not less than ten million dollars (\$10,000,000.00).

The terms "balance of income available for the payment of fixed charges," "fixed charges" and "railway operating revenues," as used in this section, are to be given the same meaning as in the accounting reports filed or published by the railroad company pursuant to the regulations for common carriers by rail subject to the provisions of

Use of terms.

Proviso.

the Interstate Commerce Act or as in the financial reports published by the railroad company; *provided*, that the "balance of income available for the payment of fixed charges," and "amount remaining after deduction of an amount equivalent to the fixed charges" or "to the annual requirement for fixed charges," as the terms are used in this section, shall be computed before deduction of Federal income or excess profits taxes; and that in computing "annual requirement for fixed charges," as the term is therein used, interest and amortization charges in respect of debt called for redemption, or which will otherwise mature, within six months from the time of such investment, for the payment of which funds have been or are being contemporaneously specifically set aside in trust, shall be excluded.

Security for mortgage bonds.

(b) in mortgage bonds secured by  
(I) a lien upon property leased to and operated by any railroad company which

(1) has guaranteed or assumed or otherwise covenanted or agreed to pay the interest upon such bonds and a sum sufficient to pay dividends upon the capital stock of the lessor company outstanding at the time of the investment of not less than four per centum (4%) per annum during the unexpired term of the lease, and is an eligible railroad company, or

(2) has guaranteed or assumed or otherwise covenanted or agreed to pay the principal and interest of such bonds and a sum sufficient to pay dividends upon the capital stock of the lessor company outstanding at the time of the investment of not less than four per centum (4%) per annum during the unexpired term of the lease, and which (i) shall have had a balance of income available for the payment of fixed charges annually for at least four of the five fiscal years, and in the last fiscal year, next preceding the investment, (for which the

necessary statistical data shall have been published), or for at least four of five consecutive twelve-months periods ending within six months next preceding the investment, and in the last of such periods, equivalent to one and one-half times the annual requirement for fixed charges at the time of such investment, and shall have had remaining after the deduction from its balance of income available for payment of fixed charges as aforesaid of an amount equivalent to the annual requirement for fixed charges at the time of such investment, an amount equivalent to at least seven and one-half per centum ( $7\frac{1}{2}\%$ ) of its railway operating revenues, and (ii) shall meet the requirements of subparagraph (2) of the preceding paragraph (a); or

(II) a lien upon leased property which is prior to the lien of a refunding mortgage thereon, under which bonds may be issued for the retirement or refunding of all prior lien mortgages on the property covered by the refunding mortgage and the bonds secured by which are legal for investment under the preceding subparagraph (I).

(c) In bonds secured by any mortgage upon a railroad terminal, depot, tunnel or bridge used by or leased to and operated by one or more railroad companies which have guaranteed or assumed the payment of principal and interest of the bonds or have otherwise covenanted or agreed to pay the same; *and provided*, that (1) at least one such guarantor company is an eligible railroad company, or (2) that at least two such guarantor companies (i) shall have had a balance of income available for the payment of fixed charges annually for at least four of the five fiscal years, and in the last fiscal year, next preceding the investment (for which the necessary statistical data shall have been published), or for at least four of five consecutive twelve-months periods ending within six months next preceding the investment, and in the last of

Proviso.

such periods, equivalent to one and one-half times the annual requirement for fixed charges at the time of such investment, and shall have had remaining after the deduction from their respective balances of income available for the payment of fixed charges as aforesaid of an amount equivalent to their respective annual requirements for fixed charges at the time of such investment, an amount equivalent to at least seven and one-half per centum ( $7\frac{1}{2}\%$ ) of their respective railway operating revenues, and (ii) shall meet the requirements of subparagraph (2) of the preceding paragraph (a).

(d) In bonds of any railway terminal or dock company of this State, secured by first mortgage on terminal or dock property fronting on the Hudson River or New York Bay and having an assessed value for the purpose of taxation in excess of the amount of the entire issue of bonds, and used and occupied as a dock or terminal railroad by a railroad company now operating in this State; *provided*, that the payment of no part of the principal or interest of such bonds is in default at the time of the investment.

2. This act shall take effect immediately.

Approved April 4, 1946.

## CHAPTER 59

AN Act permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to Mildred C. Broughton.

Preamble.

WHEREAS, Mildred C. Broughton, a resident of the city of Trenton in the county of Mercer and State of New Jersey, has served the city in the capacity of head of the business technology department of the staff of the Free Public Library for over twenty-six years, rendering excellent, efficient and faithful service to the city of Trenton, in the performance of her duties; and



WHEREAS, The said Mildred C. Broughton is becoming incapacitated and disabled from performing said work; and

Preamble.

WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of the said Mildred C. Broughton; therefore,

Preamble.

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

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to Mildred C. Broughton for the remainder of her natural life, a pension to be effective upon the passage of this act, in the sum of one hundred thirty-three dollars and thirty-three cents (\$133.33) per month, being one-half of her former monthly salary, which pension shall be paid in monthly installments.

Trenton  
authorized to  
pay pension.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said Mildred C. Broughton of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

Provision in  
annual budget

3. This act shall take effect immediately.  
Approved April 4, 1946.

## CHAPTER 60

AN ACT concerning the board of beauty culture, and amending sections 45:4A-2 and 45:4A-3 of the Revised Statutes.

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

Section  
amended.

1. Section 45:4A-2 of the Revised Statutes is amended to read as follows:

Members.

Qualifications.

45:4A-2. The department shall be governed, as heretofore, by a board to be known as the board of beauty culture control and consisting of six members. Four of the members of the board to be appointed under the provisions of this chapter shall have been engaged in the occupation of beauty culture for a period of at least five years immediately preceding the date of their appointment; one member shall have been engaged in the business of conducting a school for the teaching of beauty culture for a period of at least five years immediately preceding the date of appointment; and one member shall not, at the time of the appointment, be directly or indirectly identified with the business of beauty culture in any of its branches. At least two members of the board shall be women. All members of the board shall be citizens of the United States and of the State of New Jersey for at least five years prior to the date of their appointment. All members of this board shall be appointed by the Governor. The members shall serve for a period of three years. Each members shall hold his office until his successor has been appointed and qualified. The Governor may remove any member of the board for cause and appoint some other person to fill the vacancy. Appointments made to fill vacancies caused by death, resignation or removal shall be for the unexpired term only. Members of the board shall receive as compensation for their

Terms.

Hold over.

Removal.

Vacancies.

Salary.

services two thousand dollars (\$2,000.00) per annum and necessary traveling expenses, which shall include only the cost of transportation to and from the place of the performance of their duties.

The present members of the board shall continue in office until the expiration of their respective terms and the additional member of the board shall take office on the seventh day of October, one thousand nine hundred and forty-six.

Present  
members  
to continue.

2. Section 45:4A-3 of the Revised Statutes is amended to read as follows:

Section  
amended.

45:4A-3. The board shall organize each year by the selection of a chairman and the appointment of a secretary, who shall be an employee of the department. The chairman shall receive for his services as chairman an additional salary of one thousand dollars (\$1,000.00) per annum. The board shall hold not less than twelve State meetings each year and all State minutes of the meetings thereof shall be open to the public.

Annual  
organization.

Chairman's  
salary.

State meetings.

3. This act shall take effect immediately.

Approved April 4, 1946.

## CHAPTER 61

AN ACT relating to corporations, and amending section 14:10-7 of the Revised Statutes.

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

1. Section 14:10-7 of the Revised Statutes is amended to read as follows:

Section  
amended.

14:10-7. Every person holding stock in any 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

May vote  
stock.

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 the stock and vote thereon.

Voting jointly  
held stock.

Where shares are held jointly by any number of fiduciaries, unless the instrument or order appointing such fiduciaries otherwise directs, such shares shall be voted by, or according to the proxy of, the majority of such fiduciaries or if the fiduciaries are equally divided thereon, the Chancellor or a judge of the orphans' court having jurisdiction may, upon petition filed by any of such fiduciaries or by any beneficiary under the trust, appoint an additional person to act with such fiduciaries in such matter and the stock shall be voted by, or according to the proxy of the majority of, such fiduciaries and such additional person.

2. This act shall take effect immediately.

Approved April 5, 1946.

## CHAPTER 62

AN ACT concerning the surplus revenue fund, and amending section 52:8-6 of the Revised Statutes.

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

Section  
amended.

1. Section 52:8-6 of the Revised Statutes is amended to read as follows:

Apportioning  
income  
of fund.

52:8-6. The income of the fund shall be apportioned annually on or before the thirtieth day of June to the several counties in the proportion that the amount repaid or redeposited in the State treasury by each county shall bear to the total of the principal of the fund so repaid or redeposited.

The amounts so apportioned shall be paid by the State Treasurer to the several treasurers of the counties entitled to receive the same. The amount so received by the treasurer of the county shall be further apportioned among the several school districts of that county in the same manner as other school funds are apportioned.

In making the first apportionment under this amendatory statute the same may include income from the twelfth day of March, one thousand nine hundred and forty-five, to the thirtieth day of June, one thousand nine hundred and forty-six.

2. This act shall take effect immediately.

Approved April 10, 1946.

First  
apportionment.

## CHAPTER 63

AN ACT concerning State aid for schools, and supplementing Title 18 of the Revised Statutes.

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

1. Unless the context indicates that a different meaning is intended, the following words and phrases shall, for the purposes of this act, have the following meaning:

C. 18:10-29.1.  
Terms defined:

“Pupils” means resident pupils in average daily attendance in a school district during the school year.

Pupils;

“Average daily attendance” means average daily attendance during a school year.

Average daily  
attendance;

“District” includes every school district to which chapters six or seven of Title 18 of the Revised Statutes are applicable.

District;

A “regional school district” means a regional high school district established in accordance with chapter eight of Title 18 of the Revised Statutes.

Regional  
school district;

Elementary;	“Elementary” pupils means pupils in kindergarten to grade six, inclusive, who are not pupils in an “approved special class.”
High school;	“High school” pupils means pupils in grades seven to twelve, inclusive, who are not pupils in an “approved special class,” or “in vocational schools.”
Evening school;	“Evening school” pupils means pupils enrolled in evening schools, except in classes for foreign-born residents, or in vocational schools.
Local valuations;	“Local valuations” means the net valuations of property taxable in a district as shown by the latest abstracts of ratables prepared by the Director of Taxation in the Department of Taxation and Finance and on file in the office of the Comptroller of the Treasury.
Approved special classes;	“Approved special classes” means classes for subnormal, blind, deaf and crippled children, and other classes for atypical pupils approved by the Commissioner of Education.
Foundation program;	“Foundation program” means the amount of money as computed pursuant to section four of this act.
Basic aid;	“Basic aid” means the sum of money computed pursuant to section six of this act.
State school aid.	“State school aid” means the amount of money payable to any district or county under this act for any school year.
C. 18:10-29.2. Creates State public school account.	2. There is hereby created an account in the State treasury to be known as the “State Public School Account,” which shall be used for the support of the public schools throughout the State and the equalization of educational opportunity therein.
C. 18:10-29.3. Revenues credited to account.	3. There shall be credited annually to such account such part of the receipts of the taxes assessed in each year, by virtue of the railroad tax law of one thousand nine hundred and forty-one, or any amendment, supplement or revision thereof, as are not required by law to be first deducted and devoted or applied to any other specific purpose; the income from the fund for the support of the

public schools otherwise known as the "State School Fund"; the interest of the "Surplus Revenue Fund" of one thousand eight hundred and thirty-seven, whether held by the State or by any county thereof; the sum of four million dollars (\$4,000,000.00) out of the proceeds of the taxes, interest and penalties collected pursuant to the provisions of the corporation business tax act (1945), being chapter one hundred sixty-two of the laws of one thousand nine hundred and forty-five, or any amendment, supplement or revision thereof; and such additional sums as may be necessary to make the payments required by, and carry out the provisions of, this act, which latter sum the Legislature shall appropriate annually for said purposes.

4. The foundation program for each district in each school year shall be determined as follows: C. 18:10-29.4.  
Foundation  
program.

(a) Ninety-four dollars (\$94.00) for each elementary pupil of the district;

(b) Two thousand three hundred fifty dollars (\$2,350.00) for each approved special class of the district;

(c) One hundred seventeen dollars and fifty cents (\$117.50) for each high school pupil of the district; and

(d) One hundred seventeen dollars and fifty cents (\$117.50) for each evening school pupil of the district.

5. The equalization aid to which each district shall be entitled in each school year shall be the higher of the following: C. 18:10-29.5.  
Equalization  
aid.

(a) The excess, if any, of the foundation program for such district, for such year, over the higher of

(1) such sum as will result from an application of a rate of ten mills on each dollar of local valuation of the district; or

(2) the lesser of the sum which will result from multiplying the number of inhabitants in such district, according to the latest Federal census, excluding patients and inmates in Federal, State and county charitable, penal and correctional institutions by ten dollars (\$10.00) or the sum which will result from the application of a rate of thirty mills on each dollar of the local valuation of the district; or

(b) The sum total of such sum as will result from multiplying the number of elementary pupils in the district by three dollars (\$3.00), the number of approved special classes in the district by seventy-five dollars (\$75.00), and the number of high school and evening school pupils in the district by three dollars and seventy-five cents (\$3.75).

C. 18:10-29.6.  
Basic aid.

6. The basic aid to which each district shall be entitled in each school year shall be as follows:

(1) The equalization aid for the district, as determined by section five of this act; and

(2) Seventy-five per centum (75%) of the cost to the district of transportation of pupils to a public school when the necessity for such transportation and the cost and method thereof have been approved by the county superintendent of schools of the county in which the district paying the cost of such transportation is situated.

C. 18:10-29.7.  
Payment for  
each person of  
school age.

7. Each district shall be entitled to receive also in each school year the sum of forty-five dollars (\$45.00) for each person of school age,

(1) whose name has been certified to the commissioner by the district as having attended the public schools of the district for at least three months during the preceding school year and is approved by the county superintendent



as a resident of the district, on property belonging to the State or county which is not taxable, or by placement in the district by a public body authorized by the State to make such placement, or by location therein at the direction of any organization, society or agency incorporated and located in this State, having for its object the care and welfare of indigent, neglected or abandoned children, or as an inmate of a charitable institution located in the district; and

(2) whose name and record of attendance has been certified to the commissioner by the district as residing on a United States Government reservation and as having attended the schools of such district for at least three months during the preceding school year; and

(3) whose name has been certified to the commissioner by the county superintendent as having attended the schools of the district and having parents or legal guardians who are engaged in farm labor in New Jersey, as provided by an "Act relating to the public schools of this State and supplementing Title 18 of the Revised Statutes," approved April sixth, one thousand nine hundred and forty-three (P. L. 1943, c. 91), which said sums shall be payable on or before February first.

8. Each regional school district shall be entitled to receive in each school year the following:

C. 18:10-29.8.  
Payment to  
regional school  
districts.

(a) Four hundred dollars (\$400.00) for each of its full-time teachers and for its principal,

(b) Three hundred dollars (\$300.00) for each of its full-time nurses,

(c) One hundred dollars (\$100.00) for each of its part-time nurses,

(d) Seventy-five per centum (75%) of the cost of transportation of its pupils when the necessity for such transportation and the cost and method thereof have been approved by

the county superintendent of schools of the county in which the district paying the cost of such transportation is situated,

(e) Three cents (\$0.03) a day for the attendance of each person of school age within such regional school district in such year, and

(f) Sixty dollars (\$60.00) for each of its pupils residing in any district within the regional high school district which did not previously maintain a high school.

C. 18:10-29.9.  
Counties to  
receive  
amounts to  
cover salaries.

9. Each county shall be entitled to receive in each school year the amounts requisite to pay the salaries and expenses of its

(a) helping teachers;

(b) county supervisors of child study; and

(c) county attendance officers, in such school year as certified by the commissioner.

Dates of  
payment.

Said sums shall be payable September first and February first in each school year.

C. 18:10-29.10.  
Report by  
county super-  
intendents.

10. On or before a date to be set by the commissioner, but not earlier than the first day of July in each year, each county superintendent of schools shall make and transmit to the Commissioner of Education a report in such form and containing such information, based on the statistics for the preceding school year, as the commissioner may determine to be necessary in order to carry out the provisions of this act, which reports shall be sworn to before officials authorized by law to administer oaths.

Estimating  
average daily  
attendance.

In estimating the average daily attendance of evening school pupils, the same shall be calculated according to such formula as shall be prescribed by the State Board of Education.

C. 18:10-29.11.  
Commissioner  
to calculate  
appropriation.

11. On or before the first day of October in each year the commissioner shall calculate the amount necessary to be appropriated to carry out the provisions of this act for the succeeding school year and shall determine the amounts to be paid to each

of the counties, districts and regional school districts, under this act, for such succeeding school year.

Except as to the sums to be ascertained and paid under section nine of this act, the commissioner shall make such calculation and determination upon the basis of the statistics for the preceding school year upon which the reports of the several county superintendents were based and the payments to be made under this act for the succeeding school year, except those to be made under section nine hereof, shall be made upon the same basis, and in estimating the average daily attendance of evening school pupils, the same shall be calculated according to such formula as shall be prescribed by the State Board of Education.

Bases of calculation.

12. The sums payable to the counties, districts and regional school districts for each school year shall be paid on the certificate of the commissioner to the State Commissioner of Taxation and Finance according to the warrants of the State Commissioner of Taxation and Finance drawn on the State Treasurer in favor of the county treasurers of the counties in which the respective districts are situated.

C. 18:10-29.12.  
Making payments.

The sums payable under this act to the districts and regional school districts for each school year shall be apportioned by the county superintendent of schools in accordance with the determinations made by the Commissioner of Education under this act, of the sums payable to each of said districts and regional school districts for said year and shall be paid to the districts and regional school districts according to the warrants of the county superintendents of schools drawn on the county treasurers in favor of the custodians of school moneys of the respective districts and regional school districts.

Apportioned by county superintendents.

13. In event that the basic aid determined to be payable to any district in any school year shall be less than the total amount apportioned to that district by way of State aid by the county superin-

C. 18:10-29.13.  
Municipality to meet deficiency in basic aid.

tendent of schools for the school year beginning July first, one thousand nine hundred and forty-three, exclusive of the apportionments made for that year under Revised Statutes 18:10-24, chapter ninety-one of the laws of one thousand nine hundred and forty-three, Revised Statutes 18:13-22, Revised Statutes 18:14-45, Revised Statutes 18:14-46, Revised Statutes 18:14-48 and Revised Statutes 18:14-112, such deficiency to a maximum equivalent to seventy-four and seventeen one-hundredths per centum (74.17%) of the State school tax paid by the municipality or municipalities, comprised in such district, in the year one thousand nine hundred and forty-three, shall be paid to such district by its municipality or municipalities in two equal installments, one on or before September first and the other on or before December first of such year. The municipality or municipalities shall place such amounts in their budgets in any year upon certification of the commissioner on or before December thirty-first of the preceding year.

C. 18:10-29.14.  
Additional  
appropriation.

14. In addition to the sums required to be appropriated and paid into the "State Public School Account" by the other provisions of this act, there shall be appropriated annually and be paid into the said fund the sum of seven hundred thousand dollars (\$700,000.00) for the purpose of apportionment and payment by the Commissioner of Education to needy districts of such sums as he shall determine to be necessary for the use of said districts, when the same shall be approved by the State Board of Education, and of making up any deficit in State school aid which may occur in any district in which the basic aid payable under this act and the amounts provided to be raised by taxation under section thirteen of this act shall be less than the total apportionment of State school moneys to that district by the county superintendents of schools for the school year beginning July first, one thousand nine hundred and forty-three.

Payment.

The sums payable under this section shall be paid on or before February first of each year on the

certification of the Commissioner of Education to the State Commissioner of Taxation and Finance according to the warrant of the State Commissioner of Taxation and Finance drawn on the State Treasurer in favor of the custodians of school moneys of the respective districts exclusive of the apportionments made for that year under Revised Statutes 18:10-24, chapter ninety-one of the laws of one thousand nine hundred and forty-three, Revised Statutes 18:13-22, Revised Statutes 18:14-45, Revised Statutes 18:14-46, Revised Statutes 18:14-48 and Revised Statutes 18:14-112.

15. All funds received by any district in accordance with the provisions of this act shall be used for the payment of current operating expenses only, and no part of such funds shall be used for debt service, or for the construction, alteration or repair of any building. If at the end of any year there shall remain unexpended in the hands of any county treasurer any balance of funds received by him pursuant to the provisions of section nine of this act, the same shall be repaid to the State Treasurer.

C. 18:10-29.15.  
Use of funds.

16. In order to participate in any apportionment made according to the provisions of this act, a district or regional school district shall comply with the regulations and standards for the equalization of opportunity which have been or which may hereafter be prescribed by law, or formulated by the Commissioner of Education or the State Board of Education pursuant to law. The Commissioner of Education is hereby authorized to withhold all or part of such apportionment for failure to comply with any regulation or standard. No apportionment under this act shall be paid to any district which has not provided public school facilities for at least one hundred eighty days during the preceding school year, but the commissioner, for good cause shown, may remit the penalty.

C. 18:10-29.16.  
Requirements  
to participate  
in apportionment.

17. When the apportionment shall have been made for any year and a part of any district becomes a new school district or a part of another

C. 18:10-29.17.  
Adjustments in  
apportionments.

school district, or comes partly under the authority of a regional board of education, the commissioner shall adjust such apportionment or apportionments among the districts affected, or between the district and the regional board, as the case may be, on an equitable basis in accordance with the intent of this act.

C. 18:10-29.18.  
Operation  
of act.

18. This act shall take effect immediately; but the first report to be made by the county superintendents, pursuant to section ten of this act, shall be made and transmitted on or after July first, one thousand nine hundred and forty-six on the basis of the school year which began July first, one thousand nine hundred and forty-five; the first calculation of the amount necessary to be appropriated to carry out the provisions of this act, to be made pursuant to section eleven hereof, shall be made on or before October first, one thousand nine hundred and forty-six; the deficiency in basic aid for any school district, to be certified under section thirteen hereof, shall be certified on or before December first, one thousand nine hundred and forty-six, and the said deficiency, or part thereof, required to be raised by taxation, shall be so raised in the year beginning January first, one thousand nine hundred and forty-seven; the first appropriation to carry out the purposes of this act shall be made by the Legislature in the legislative year beginning on January fourteenth, one thousand nine hundred and forty-seven; and the first moneys appropriated under this act shall be apportioned, and be available, for the school year beginning July first, one thousand nine hundred and forty-seven.

Approved April 11, 1946.

## CHAPTER 64

AN ACT concerning education for certain veterans  
and making an appropriation therefor.

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

1. The word "veteran," as used in this act, shall mean any person who served in the active military or naval service of the United States on or after September sixteenth, one thousand nine hundred and forty, and prior to the termination of the present war by lawful Federal authority, and who shall have been discharged or released therefrom under conditions other than dishonorable, and who either shall have served ninety days or more, exclusive of any period he was assigned for a course of education or training under the Army Specialized Training Program, or the Naval College Training Program, which course was a continuation of his civilian course and was pursued to completion, as a cadet or midshipman at one of the service academies, or who shall have been discharged or released from active service by reason of an actual service-incurred injury or disability, and who was a resident of this State when he entered such active service.

C. 18:14A-1.  
Veteran  
defined.

2. The Commissioner of Education may, subject to the approval of the State Board of Education, establish and maintain a program of education and training for veterans including:

C. 18:14A-2.  
Veterans'  
educational  
program.

a. Courses of collegiate grade in, and in connection with, any or all of the State teachers colleges in the arts, sciences, business administration, teacher training, and any other branch of higher education;

b. Courses to be established and maintained in school districts, including regional and vocational school districts, in any or all fields of vocational

education and training, including pre-employment, apprenticeship, refresher and retraining courses and instruction supplementary to any such courses;

c. Courses to be established and maintained in school districts, including regional and vocational school districts, in the field of education for adults and out-of-school youth;

d. Courses of high school grade to be established and maintained in school districts, including regional and vocational school districts, for veterans who, in the judgment of local boards of education and the commissioner, will derive greater benefit from instruction in special classes than in the usual high school classes.

C. 18:14A-3.  
To establish  
admission  
requirements.

3. The commissioner shall establish the standards, curricula, and admission requirements for such courses and shall prescribe the necessary rules and regulations for establishing and maintaining the educational programs authorized by this act. The courses of collegiate grade in the arts, sciences, business administration and other branches of higher education other than teacher training shall be in harmony with the service of the State University of New Jersey, and the standards, curricula and admission requirements for these courses shall be so set as to assure the equivalence of these courses to like courses taught in the State University of New Jersey. The commissioner may confer with the State University of New Jersey as to the means of carrying out these provisions, and may call upon the State University of New Jersey for such assistance as he may find necessary.

C. 18:14A-4.  
May use  
facilities of  
teachers  
colleges.

4. The commissioner may use the facilities of any or all of the State teachers colleges and may, within the limits of available appropriations, employ personnel, lease buildings, and purchase such books, supplies and equipment as he may deem necessary to establish and maintain the courses mentioned in subsection "a" of section two of this act. No veteran enrolled in any such course shall be required to sign the agreement referred to in section 18:16-26 of the Revised Statutes.

Agreement  
not required.



5. The board of education of any school district which shall determine to establish and maintain any course or courses mentioned in subsections "b," "c" and "d" of section two of this act shall, before establishing the same, submit to the commissioner an application for the approval thereof, together with an estimate of the cost of the same for a period of three months, in the manner and on forms prescribed by him.

C. 18:14A-5.  
Approval of  
courses by  
commissioner.

6. If the commissioner shall approve any such application, there shall be paid to the school district

C. 18:14A-6.  
Payment to  
school districts.

(1) the estimated cost of establishing and maintaining the courses described in the application, for a period of three months, if the application is made pursuant to subsection "b" or "c" of section two of this act, or

(2) the estimated cost of teaching service, not to exceed three dollars (\$3.00) for each class, meeting for not less than fifty minutes, for a period of three months, if the application is made pursuant to subsection "d" of section two of this act.

All such payments shall be made on the certificate of the commissioner according to the warrant of the Commissioner of Taxation and Finance drawn on the State Treasurer in favor of the custodian of school moneys of the school district.

7. Applications for continuation of courses so approved shall be made in like manner and form for each three months and, if approved by the commissioner, the cost thereof, calculated as provided in section six of this act, shall be paid to the several school districts in the same manner as provided in said section.

C. 18:14A-7.  
Application  
to continue  
courses.

8. The custodian of school moneys of the school district shall be the legal custodian of all funds received for establishing and maintaining such courses. He shall keep a separate and distinct account thereof and shall disburse the moneys on orders signed by the president and district clerk or

C. 18:14A-8.  
Custodian of  
school moneys.

Separate  
account.

secretary of the board of education. In the event that the courses are discontinued, any amount remaining in the account shall be repaid to the State treasury.

C. 18:14A-9.  
May require  
district to  
take outside  
veterans.

9. The commissioner may require school districts operating courses and receiving State aid under this act to receive free of charge a reasonable number of veterans residing in districts which do not offer courses suited to their needs. If, in the opinion of any board of education, it has been required to receive an unreasonable number of nonresident veterans, an appeal may be taken to the State Board of Education under section 18:3-15 of the Revised Statutes.

C. 18:14A-10.  
May utilize  
facilities.

10. School districts establishing and maintaining courses under the terms of this act may utilize such school facilities of the district, employ such personnel, lease such buildings, purchase such books, supplies and equipment and prescribe such rules and regulations as shall be approved by the commissioner.

C. 18:14A-11.  
Requisite  
powers  
granted.

11. The commissioner and the State board shall have all the other powers requisite to the performance of their duties under this act.

C. 18:14A-12.  
Reports  
furnished.

12. The secretary or district clerk of each school district participating in the benefits of this act shall submit to the commissioner, at such times, and in the manner and on forms prescribed by him, such educational, financial, and statistical reports as he may require, which reports shall, among other things, show the actual expenditures under the programs maintained under subsections "b," "c" and "d" of section two of this act.

C. 18:14A-13.  
Administrator  
billed for costs.

13. Upon the basis of reports required under section twelve of this act and similar reports from the State teachers colleges, the commissioner shall, from time to time, submit to the Administrator of the Veterans Administration bills for the cost of the education and training of veterans enrolled in courses mentioned in subsections "a," "b" and "c" of section two of this act in accordance with agreements entered into with the Administrator of

the Veterans Administration, pursuant to the terms of the "Servicemen's Readjustment Act of 1944" of the Congress of the United States of America and any amendments thereof or supplements thereto.

14. There is hereby established in the general State treasury the Veterans Education Revolving Account, to which shall be transferred the sum of seven hundred fifty thousand dollars (\$750,000.00) from funds previously appropriated to the Veterans Guaranteed Loan Fund, which sum hereby is reappropriated for the carrying out of the purposes of this act.

C. 18:14A-14.  
Veterans  
education  
revolving  
account.

15. All payments made by the Veterans Administration for the instruction of veterans under the provisions of this act shall be made to the commissioner who shall keep a true and correct account thereof and shall pay over or transmit to the State Treasurer between the first and fifth days of each month all such payments received by him during the preceding month. The sums so transmitted shall be credited to the Veterans Education Revolving Account in the general State treasury.

C. 18:14A-15.  
Payments  
credited.

16. The funds in the Veterans Education Revolving Account shall be used to carry out the provisions of this act as follows:

C. 18:14A-16.  
Use of  
account.

(1) the sum of eleven thousand eight hundred and thirty dollars (\$11,830.00), or so much thereof as may be necessary, for the expenses of administration, including salaries;

(2) the sum of twelve thousand dollars (\$12,000.00), or so much thereof as may be necessary for that purpose, to defray the net cost to the State of the maintenance of additional classes for veterans in the regular teacher training program of the State; and

(3) such sums as may be necessary for the carrying out of the programs of education described in subsections "a," "b" and "c" of section two of this act.

(4) Said Veterans Education Revolving Account shall be reimbursed from time to time by crediting thereto the sums received from the Veterans Administration by way of payment for the instruction of veterans under the provisions of this act, which said sums and any sums remaining unexpended in said account may be used from time to time without further appropriation to carry out the programs of education described in subsections "a," "b" and "c" of section two of this act.

C. 18:14A-17.  
Certification  
of sums used.

17. Each school district participating in this program may, with the approval of the commissioner, use any funds, temporarily available, for the carrying out of the purposes of subsection "d" of section two of this act. The commissioner shall certify to the Governor on or before January first, one thousand nine hundred and forty-seven, and to each House of the one hundred and seventy-first Legislature, the total amount of the sums so used, which amount shall be appropriated by the Legislature out of the general funds of the State treasury for the fiscal year one thousand nine hundred and forty-six—one thousand nine hundred and forty-seven remaining unexpended to a maximum of three hundred twenty-four thousand dollars (\$324,000.00), which amount shall be apportioned and distributed by the commissioner among the school districts in reimbursement for the funds so used, and shall be paid according to the warrant of the Commissioner of Taxation and Finance drawn upon the State Treasurer in favor of the respective custodians of school moneys of the school districts as certified to the Commissioner of Taxation and Finance by the Commissioner of Education.

C. 18:14A-18.  
Funds  
transferred.

18. When the Commissioner of Education shall certify to the Commissioner of Taxation and Finance that the programs of education described in subsections "a," "b" and "c" of section two of this act have been completed, the balance remain-

ing unexpended in said Veterans Education Revolving Account shall be transferred to the Veterans Guaranteed Loan Fund of this State and said Veterans Education Revolving Account shall remain an asset of such Veterans Guaranteed Loan Fund for that purpose.

19. This act shall take effect immediately.

Approved April 11, 1946.

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## CHAPTER 65

AN ACT concerning certain extensions of sewerage systems in municipalities, and amending section 40:63-19 of the Revised Statutes.

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

1. Section 40:63-19 of the Revised Statutes is amended to read as follows: Section amended.

40:63-19. Any municipality may extend its sewerage system into another municipality for the purpose of furnishing sewerage service to a resident or to residents of such other municipality. The extension shall be installed in the manner prescribed by the municipality making it and under the supervision of its proper officers and such service shall be subject to the rules and regulations of that municipality. The extension shall be at the expense of the property holder desiring such service and he shall pay such annual service charge as may be fixed by the municipality. The municipality shall have a lien upon the property served for the payment of the service charge until paid. Any such extension shall be made only with the consent of the governing body of the other municipality. Extension of sewerage systems.

2. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 66

AN ACT to amend "An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters twenty-two, thirty-two and thirty-six of Title 17 of the Revised Statutes and repealing sections 17:22-1, 17:22-2, 17:22-3, 17:22-4, 17:22-5, 17:23-3, 17:32-6 and 17:32-11 of the Revised Statutes and section one of 'An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter twenty-two of Title 17, and amending section 17:33-1 of the Revised Statutes,' approved May sixteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 118)," approved April twentieth, one thousand nine hundred and forty-four (P. L. 1944, c. 175).

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

C. 17:22-6.13.  
Section  
amended.  
Annual fees.

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

13. The annual fee to be paid to the commissioner by each person licensed shall be ten dollars (\$10.00) for an agent's license except that the fee shall be two dollars (\$2.00) for persons exempt from examination under the provisions of section ten (a), and shall be twenty-five dollars (\$25.00) for a broker's license and twenty-five dollars (\$25.00) for a solicitor's license.

2. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 67

AN ACT providing for legal aid to police officers in suits against them arising from incidents in the line of duty.

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

1. Where a member of any police department is made a defendant in any suit arising out of the performance of police duty or out of any incident arising in the line of such duty, the officer, board or body in control of such police department shall provide all necessary legal aid necessary for the defense of such suit. C. 40:11-19.  
To provide  
legal aid.

2. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 68

AN ACT concerning street lighting districts, and amending sections 40:155-3, 40:155-4, 40:155-5, 40:155-6 and 40:155-7 of the Revised Statutes.

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

1. Section 40:155-3 of the Revised Statutes is amended to read as follows: Section  
amended.

40:155-3. On the third Saturday of February in each year the legal voters of any such district so created may meet for the purpose of electing three persons, who shall be known and designated as commissioners of street lighting district number ....., and at the same time the legal voters Election of  
commissioners  
of street  
lighting.

shall determine, by ballot, by the vote of the majority of those present and voting, the sum of money to be raised and expended within such district for the ensuing year for the erection and maintenance of street lights and the carrying out of the powers herein conferred.

Voters to  
authorize  
contract.

The legal voters of any such district may at any annual election, by ballot, by the vote of a majority of those present and voting, authorize the commissioners of said district to contract for the erection and maintenance or for the maintenance of street lights within the district, for a specified term not to exceed five years, and determine the sum of money to be raised and expended within such district in each year during the term of such contract for such purposes and for the carrying out of the powers conferred by this act.

May use  
surplus.

Nothing herein contained shall be taken to prohibit the commissioners from adding to or expending in addition to the yearly appropriation any surplus or excess remaining from the appropriations of the year or years previous.

Section  
amended.

2. Section 40:155-4 of the Revised Statutes is amended to read as follows:

Notice of  
meeting.

40:155-4. The meeting for the election of commissioners and the determination of the sum or sums to be raised shall be held at such public place within the district as the township committee may designate, and notice of the time and place of such election shall be given by the township clerk, by setting up the same in at least three of the most public places within the district ten days before the said election. The polls on said election shall be open at one o'clock in the afternoon and close at seven o'clock in the evening. The voters there assembled, before any votes are cast, shall elect by viva voce vote, a judge, inspector and clerk of said election.

Polls open.

Election  
officials.



3. Section 40:155-5 of the Revised Statutes is amended to read as follows:

40:155-5. The sum or sums fixed and appropriated by the majority of the votes cast shall be certified forthwith to the commissioners elected as aforesaid, who shall forthwith certify to the same and give notice to the township assessor of the sum or sums so fixed, and he shall assess the same upon the taxable property within said district in the same manner as township taxes are assessed, for the year or years for which the same are so determined and appropriated and the money shall be assessed, levied and collected in the same manner as other township moneys.

Section amended.

Sum appropriated certified to commissioner.

Property assessed.

4. Section 40:155-6 of the Revised Statutes is amended to read as follows:

40:155-6. The collector of the township in which said district is situate shall pay over one-half of all moneys on or before July first of the year for which said funds are to be raised and the other one-half on or before January first of the following year which shall have been assessed as aforesaid to the treasurer or custodian of funds of such lighting district, who shall disburse and pay out said moneys only on the presentation to him of a written order or orders duly signed by the commissioners elected as aforesaid or by a majority thereof.

Section amended.

Payments by collector.

Disbursement of funds.

The commissioners may also pay back or cause to be paid back, to the township in which said district is situate, any funds, or any part thereof, paid to the treasurer or custodian of funds of such lighting district by the collector of the township, representing taxes levied for street lighting purposes within the said district but not actually collected in cash by the collector of said township.

Commissioners may turn back certain funds.

5. Section 40:155-7 of the Revised Statutes is amended to read as follows:

40:155-7. The commissioners may expend said moneys for the purposes aforesaid and may make contracts for said district with electric light or gas companies for the lighting and maintenance of street lights, on the basis of the schedules of rates

Section amended.

Commissioners empowered.

Limits funds. for such services duly filed with the Board of Public Utility Commissioners, during their term of office or during the term of any contract which they may be authorized to make. The sum or sums to be paid by virtue of said contract shall not exceed the amount or amounts voted for at said election in addition to any surplus or excess remaining from any previous appropriation.

6. This act shall take effect immediately.

Approved April 12, 1946.

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## CHAPTER 69

AN ACT concerning the payment of money deposited with the county clerk in certain cases, and supplementing chapter sixty-six of Title 2 of the Revised Statutes.

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

C. 2:66-7.  
Petition for  
return of  
money on  
deposit.

1. A person entitled to moneys deposited pursuant to chapter sixty-six of Title 2 of the Revised Statutes, may obtain the same by petition directed to the court wherein the money is deposited, setting forth the claimant's right or title thereto. Thereupon the court may make such order for the payment of the money, or any portion thereof, with accrued interest, as it may deem proper.

2. This act is to take effect immediately.

Approved April 12, 1946.

## CHAPTER 70

AN ACT concerning the payment of interest on transfer inheritance taxes, and amending section 54:35-3 of the Revised Statutes.

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

1. Section 54:35-3 of the Revised Statutes is amended to read as follows: Section amended.

54:35-3. If such tax is not paid within one year after the death of the decedent, the tax shall bear interest at the rate of ten per centum (10%) per annum from the expiration of one year after the death of the decedent to the date when the tax is paid, unless, by reason of claims made upon the estate, necessary litigation or other unavoidable cause of delay, the decedent's estate, or a part thereof, cannot be settled before the expiration of a year from the death of the decedent, in which case only six per centum (6%) per annum shall be charged from the expiration of such year until the cause of delay is removed; *provided, however*, that Interest rate upon delay in payment. if the decedent shall have heretofore died or shall Proviso. hereafter die while a member of the armed forces of the United States, no such tax shall commence to bear such interest until the expiration of one year after receipt of official notification of the death of the decedent by the wife, husband, father, mother, or next of kin of such decedent.

2. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 71

AN ACT concerning the substitution of motor busses, trackless trolleys or other vehicles for street railway operation or the operation of an elevated railroad or subway by street cars or vehicles which may have been substituted therefor, and authorizing the interchange of such substituted vehicles, and amending section 48:15-41 of the Revised Statutes.

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

Section  
amended.

1. Section 48:15-41 of the Revised Statutes is amended to read as follows:

May substitute  
autobusses.

48:15-41. Any traction company or company operating or authorized by the laws of this State to operate a street railway or railroad operated as a street railway or an elevated railroad or a subway by means of an overhead trolley system may, if the Board of Public Utility Commissioners has approved or hereafter shall approve substitution on any such line or part thereof, substitute in whole or in part, in the operation of its lines or any part thereof over which it has a franchise or consent for the construction and operation of an electric street railway, an elevated railroad or a subway, or the approval of the Board of Public Utility Commissioners for the operation of autobusses in substitution for railway service pursuant to section 48:15-38 of the Revised Statutes, for the operation of street railway cars or substituted autobusses, the operation of vehicles known as trackless trolleys or trolley busses or motor vehicles which are operated in part by electricity furnished by an overhead trolley system and in part by other motive power, and for the purpose of providing electric power for the operation of such substituted

May construct  
overhead  
wires.

vehicles as aforesaid may use, construct and reconstruct in and along all public highways, streets and public places in, along, on, over or under which such company is authorized to operate, such poles and overhead wires as may be necessary or proper for such operation including overhead ground wire or wires parallel to each trolley wire or wires necessary for such substituted operation. In case any poles or wires theretofore used for such street railway operation shall have been removed, any such company may restore the same. Whenever the Board of Public Utility Commissioners has approved or hereafter shall approve the substitution of vehicles of the character described herein on any line or part thereof, and there exists any emergency or unusual traffic or transportation condition, the company operating such substituted vehicles, in order to furnish safe, adequate and proper service to the public, may, during the continuance of such emergency or unusual traffic or transportation condition, operate autobusses on such line or part thereof. Whenever the Board of Public Utility Commissioners has approved or hereafter shall approve the substitution of vehicles of the character described herein on any line or part thereof, the company operating any such line may, from time to time, with the approval of the Board of Public Utility Commissioners, utilize in lieu of such vehicles, autobusses in the operation of any such line, or part thereof, including any extension or substitution thereof made pursuant to the provisions of section 43.3 of this chapter.

May use  
substituted  
vehicles.

2. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 72

AN ACT concerning the breeding of live stock, and  
repealing chapter two of Title 4 of the Revised  
Statutes.

BE IT ENACTED *by the Senate and General Assem-  
bly of the State of New Jersey:*

Chapter 2 of  
Title 4  
repealed.

1. Chapter two of Title 4 of the Revised Statutes  
is repealed.

2. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 73

AN ACT concerning counties, and supplementing  
Title 40 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assem-  
bly of the State of New Jersey:*

C. 40:23-6.17.  
May contract  
with U. S.  
Government  
for care of  
soldiers, etc.

1. Boards of chosen freeholders are authorized  
to enter into contracts with the United States Gov-  
ernment, or any of its agencies through the proper  
Federal officials, for the care and treatment in any  
county hospital, including clinic or out-patient serv-  
ice, of any soldier, sailor, marine or nurse under  
the jurisdiction of the Veterans Administration of  
the United States Government, without regard to  
his legal settlement, and to receive and care for  
such soldiers, sailors, marines and nurses upon such  
terms and conditions, and upon such payments by  
the United States Government, as shall be mutu-  
ally agreed upon between any such board of chosen  
freeholders and the proper officials of the United  
States Government.

2. To meet any necessary expenses incurred by any board of chosen freeholders under the provisions of this act, it shall be lawful for such board to appropriate and raise funds annually in the same manner as appropriations are made for county purposes.

C. 40:23-6.18.  
Annual  
appropriation.

3. If, during the fiscal year in which this act shall be adopted, upon the commencement of the care and treatment of such soldiers, sailors, marines and nurses, any board of chosen freeholders shall have made no provision in its annual budget for the necessary expense thereof during such fiscal year, said board may appropriate and use any county funds not otherwise appropriated or dedicated, or may appropriate and raise such funds as may be necessary for such purpose during such fiscal year, and may borrow the same, or any part thereof, on the credit of the county, and may issue obligations therefor in the same manner as other similar obligations are issued under the provisions of the act to which this act is a supplement.

C. 40:23-6.19.  
May appropriate funds  
for current  
year.

4. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 74

AN ACT concerning fish, and amending section 23:5-7 of the Revised Statutes.

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

Section  
amended.

1. Section 23:5-7 of the Revised Statutes is amended to read as follows:

Minimum size  
for certain fish.

23:5-7. No person shall kill, sell, expose for sale or have in possession any black bass, Oswego bass or white bass measuring less than nine inches in length, or any strawberry or calico bass, or crappie measuring less than six inches in length, or any pike perch, pike or pickerel measuring less than twelve inches in length, or any trout measuring less than seven inches in length, except for the purpose of stocking the waters of this State therewith, and then only at the direction of the board, or upon license first obtained from the board under a penalty of twenty dollars (\$20.00) for each fish so unlawfully killed, sold, exposed for sale or had in possession. The *esox fasciatus*, commonly known as Long Island pickerel, varied and grass pike, is not included among the fish protected by this section.

Penalty.

2. This act shall take effect immediately.

Approved April 12, 1946.



## CHAPTER 75

AN ACT to amend "An act concerning hunting, killing or destroying and attempting to hunt, kill or destroy certain birds and animals while snow is on the ground in certain cases in certain counties, and having in possession any such bird or animal so hunted, killed, destroyed or taken," approved May second, one thousand nine hundred and forty-two (P. L. 1942, c. 55), as said Title was amended by chapter one hundred thirty-one of the laws of one thousand nine hundred and forty-three.

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 is amended to read as follows:

Section  
amended.

1. No person shall hunt, kill or destroy, or attempt to hunt, kill or destroy, a partridge, grouse, pheasant, quail, woodcock, squirrel or hare, commonly known as rabbit, in the counties of Burlington, Camden, Gloucester, Atlantic, Salem, Cumberland and Cape May in this State, while there is snow on the ground in such condition that the bird or animal may be tracked therein, or by tracking the bird or animal in the snow, or have in possession any such bird or animal which has been so hunted, killed, destroyed or taken, under a penalty of twenty dollars (\$20.00) for each bird or animal so hunted, killed, destroyed or had in possession.

C. 23:9-61.1.  
Hunting  
certain game  
in snow.

Penalty.

2. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 76

AN ACT concerning the collection, removal and disposal of ashes, garbage, refuse and waste matter, and the licensing of public scavengers, in villages in counties of the first class.

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

C. 40:162A-1.  
Ordinance  
relative to  
garbage  
removal.

1. The governing body of any village in counties of the first class may provide by an ordinance in accordance with chapter fifty-two of Title 40 of the Revised Statutes, for the collection, removal and disposal of ashes, garbage, refuse and waste matter, and the licensing of public scavengers, and the regulating and carrying on of the business of public scavengers within the village.

C. 40:162A-2.  
May limit  
number of  
scavengers.

2. By ordinance under section one of this act, any such governing body may limit the number of public scavenger licenses within the village to one or more in accordance with the needs and best interest of the village.

3. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 77

AN ACT concerning the jurisdiction, practice and procedure of the juvenile and domestic relations courts, and amending sections 9:18-12, 9:18-14, 9:18-18 and 9:18-31 of the Revised Statutes.

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

1. Section 9:18-12 of the Revised Statutes is amended to read as follows: Section amended.

9:18-12. The juvenile and domestic relations court shall have exclusive jurisdiction to hear and determine all cases of juvenile delinquency. Jurisdiction.

Juvenile delinquency is hereby defined as the commission by a child under eighteen years of age of any act which when committed by a person of the age of eighteen years or over would constitute: Juvenile delinquency defined.

(a) A felony, high misdemeanor, misdemeanor, or other offense, or

(b) The violation of any penal law or municipal ordinance, or

(c) Any act or offense for which he could be prosecuted in the method of partaking of the nature of a criminal action or proceeding, or

(d) Being a disorderly person,

And also the following acts on the part of a child under the age of eighteen years:

(e) Habitual vagrancy, or

(f) Incurability, or

(g) Immorality, or

(h) Knowingly associating with thieves or vicious or immoral persons, or

(i) Growing up in idleness or delinquency, or

(j) Knowingly visiting gambling places, or patronizing other places or establishments, his admission to which constitutes a violation of law, or

- (k) Idly roaming the streets at night, or
- (l) Habitual truancy from school, or
- (m) Deportment endangering the morals, health or general welfare of said child.

May refer case  
to prosecutor.

If it shall appear to the satisfaction of the court that the case of any person between the ages of sixteen and eighteen years should not be dealt with by the court, either because of the fact that the person is an habitual offender, or has been charged with an offense of a heinous nature, under circumstances which may require the imposition of a sentence rather than the disposition permitted by this chapter for the welfare of society, then the court may refer such case to the prosecutor of the pleas of the county wherein the court is situate.

Such case will thereafter be dealt with in exactly the same manner as any other criminal case involving an adult offender.

Offender  
may demand  
presentment  
and trial.

Any offender between the ages of sixteen and eighteen years may demand a presentment and trial by jury and, in such case, when this fact is made known to the court, such case shall be referred to the prosecutor of the pleas and dealt with in exactly the same manner as any other criminal case involving an adult offender. Every case so referred shall be accompanied by all documents pertaining thereto.

Section  
amended.

2. Section 9:18-14 of the Revised Statutes is amended to read as follows:

Concurrent  
jurisdiction.

9:18-14. The court shall also have jurisdiction to hear and determine disputes involving the domestic relation or the welfare of children, jurisdiction over which is or may be vested by law in any court of this State except the Court of Chancery or the orphans' court. This court, however, shall have concurrent jurisdiction with the Court of Chancery in matters of support and temporary custody of children as hereinafter set forth, and the procedure shall be in accordance with the rules and practice as established in this court. It shall have jurisdiction to hear and determine complaints

for the violation of the following laws: subtitle fifteen of the Title Administration of Civil and Criminal Justice (§2:201-1 et seq.), chapter one of the Title Poor (§44:1-1 et seq.), chapter six and chapter seventeen of this Title (§9:6-1 et seq., and 9:17-1 et seq.), and article four of chapter five of the Title Institutions and Agencies (§30:5-33 et seq.), together with any other laws or future enactments covering similar complaints or offenses, where the gravamen of the complaint under such laws or enactments is the failure or neglect of one member of the family to satisfy or discharge his legal obligations to another of a family.

The court shall also have jurisdiction to hear and determine complaints against any person who shall abuse, neglect, cruelly treat or abandon a child or who shall contribute to the delinquency of a child.

The court shall also have jurisdiction to hear and determine in a summary manner disputes and complaints involving the domestic relation and may order the adequate support of the spouse, child, children or the entire family and shall have power to provide by appropriate order for their support and maintenance.

Any person who fails to comply with the order of the court relative to the support of spouse, child, children or the entire family, may be adjudged guilty of contempt.

3. Section 9:18-18 of the Revised Statutes is amended to read as follows:

Section  
amended.

9:18-18. The court shall have power to frame and publish rules of procedure and practice and rules for the conduct of officers and employees of the court.

Court rules.

The court is empowered to make suitable provision for the destruction of any of the records thereof provided that no case records shall be destroyed until a period of ten years shall have elapsed following the date of final disposition of any offender.

Destruction  
of records.

Section  
amended.

Disposition  
of juvenile  
offender.

4. Section 9:18-31 of the Revised Statutes is amended to read as follows:

9:18-31. The court or judge on proper cause shown may:

a. Place the child on probation to the chief probation officer of the county upon such terms as the court may deem to be to the best interest of the child; or

b. Commit the child (1) to a public institution established for the care, custody, instruction and reform of juvenile offenders or to any other appropriate institution which is maintained by the State or the county or by any county or municipality in which the child shall reside or have a settlement; (2) to any other like institution commitment to which may be authorized by law; (3) to the care, custody and control of the State Board of Children's Guardians and such commitment shall have the same force and effect of a commitment made under the provisions of chapter five, Title 30, Revised Statutes.

5. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 78

AN ACT to amend and supplement "An act providing for the escheat of unclaimed bank deposits," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 199).

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

C. 17:9-19.  
Section  
amended.

Unclaimed  
bank deposit.

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

2. "Unclaimed bank deposit" means and includes an unpaid balance of money to the credit of a depositor with a bank in any demand or time

deposit account, together with all interest accrued thereon whether credited thereto or not on the records of the bank, which after a period of twenty years has remained unclaimed exclusive of the following:

(a) the unpaid balance in any such account which has been reduced by withdrawal or increased by deposit, exclusive of interest credit within twenty years;

(b) the unpaid balance in any such account which is evidenced by a passbook in which entry of interest credit has been made within twenty years or which passbook has been presented for entry of interest credit within twenty years;

(c) the unpaid balance in any such account with respect to which the bank has written evidence received within twenty years that the depositor or other person entitled thereto had knowledge thereof;

(d) the unpaid balance in any such account of a depositor known by an officer or employee of the bank to be living;

(e) the unpaid balance in any such account which is evidenced by a passbook, which book has, to the knowledge of the bank, within twenty years been balanced or verified.

2. Any bank which in its report to the State Treasurer for the year ended December thirty-first, one thousand nine hundred and forty-five, made pursuant to the provisions of section five of the act of which this act is amendatory and supplementary, did not, with respect to any unclaimed bank deposit reported therein, include as part of such unclaimed bank deposit all the interest accrued thereon, whether such interest had been credited thereto or not on the records of the bank, shall within thirty days after the date this amendatory and supplementary act takes effect make in duplicate a written report to the State Treas-

C. 17:9-22.1.  
Revised  
report.

**New Jersey State Library**

urer containing a true and accurate statement of all unclaimed bank deposits, including all interest accrued thereon whether credited thereto or not on the records of the bank, held by said bank as of December thirty-first, one thousand nine hundred and forty-five. Such report shall be entitled "Revised report of unclaimed bank deposits for year ended December thirty-first, one thousand nine hundred and forty-five," and shall conform in all respects to the provisions of section five of the act of which this act is amendatory and supplementary; and any such bank which fails to file such revised report with the State Treasurer as herein required shall forfeit to the State the sum of twenty-five dollars (\$25.00) for each day such report shall not be filed, and if not paid, such penalty shall be sued for and be recovered by the State Treasurer in an action at law in the name of the State.

Penalty.

C. 17:9-22.2.  
Notice in re  
revised report.

3. Any bank which on October first, one thousand nine hundred and forty-five, had any unpaid balance of money to the credit of a depositor in any demand or time deposit account which was evidenced by a passbook and with respect to which account interest had been credited or not on the records of the bank within twenty years and with respect to which passbook it was not known to the bank whether the passbook had been presented within twenty years for the entry of interest credit, and which bank did not, regardless of the reason therefor, treat such unpaid balance as an unclaimed bank deposit and did not comply with the provisions of sections four and five of the act of which this act is amendatory and supplementary, shall:

(a) comply with the provisions of section four of the act of which this act is amendatory and supplementary, except that the notice required to be advertised during the months of October and November, one thousand nine hundred and forty-five, shall be advertised during the two months succeeding the month in



which this act takes effect and shall be entitled "notice of names of persons appearing as the owners of unclaimed amounts held by (name of bank), which names were not advertised during the months of October and November, one thousand nine hundred and forty-five"; and

(b) comply with the provisions of section five of the act of which this act is amendatory and supplementary, except that the written report required to be made in duplicate to the State Treasurer not later than the thirty-first day of January, one thousand nine hundred and forty-six, shall be made not later than the thirty-first day of the fourth month following the month in which this act takes effect and shall be entitled "Supplemental report for the year ended December thirty-first, one thousand nine hundred and forty-five."

Any such bank which fails to file such report with the State Treasurer as herein required shall forfeit to the State the sum of twenty-five dollars (\$25.00) for each day such report shall not be filed, and if not paid, such penalty shall be sued for and be recovered by the State Treasurer in an action at law in the name of the State. Penalty.

4. All unclaimed bank deposits less than fifty dollars (\$50.00) held by any bank as of December thirty-first of any year shall escheat to the State when report thereof is made to the State Treasurer pursuant to the provisions of section five of the act of which this act is amendatory and supplementary, and shall be paid to the State Treasurer simultaneously with the making of such report; *provided*, C. 17:9-22.3.  
Certain  
deposits to  
escheat. *however*, that in cases where such reports have already been filed in complete form by any bank, such payment shall be made to the State Treasurer within ten days after this amendatory and supplementary act takes effect, and in cases where revised or supplemental reports are required to be made pursuant to the provisions of sections two and Proviso.

Deposits listed separately.	three of this amendatory and supplementary act, such payment shall be made to the State Treasurer simultaneously with the filing of such revised or supplemental report. All unclaimed bank deposits of less than fifty dollars (\$50.00), when reported in any report or revised report or supplemental report filed after this amendatory and supplementary act takes effect, shall be separately listed under the heading "Deposits of less than fifty dollars (\$50.00)" and the total of all such deposits shall be separately indicated.
C. 17:9-23.	5. Section six of the act of which this act is amendatory is amended to read as follows:
Institution of suits.	6. (a) It shall be the duty of the Attorney-General within a reasonable time after receipt by him of the duplicate reports to institute suit for escheat to the State of the unclaimed bank deposits of fifty dollars (\$50.00) or more in amount disclosed by such reports. The Attorney-General may join in one suit any number of unclaimed bank deposits held by any one bank.
Court of jurisdiction.	(b) Such suits shall be instituted in the Court of Chancery which shall have jurisdiction of all such suits and such suits shall be governed by the statutes applicable to and the rules of that court in so far as applicable and not inconsistent with this act.
Parties to suit.	(c) Such suits shall be instituted by bills of complaint in the name of the State and shall name as defendants the bank holding the unclaimed bank deposits, the depositors to whose credit the unclaimed bank deposits stand credited on the books of the bank and any others whom the Attorney-General may have reasonable cause to believe may have or claim any right, title or interest thereto.
Bill of complaint.	(d) The bill of complaint shall set forth the name and address of the bank holding the unclaimed bank deposits and where such name has been changed by merger, reorganization, consolidation or otherwise shall also set forth the name and address of the bank in which the deposits originated, the names of the depositors, their last

addresses appearing on the records of the bank, the amounts of the unclaimed bank deposits, the identification numbers of the accounts, if any, and the pertinent facts upon which the claim of escheat is based.

Upon the filing of the bill of complaint of a subpoena ad respondendum shall issue directed to all the defendants and service thereof shall be made by the sheriff of the appropriate county upon the defendant bank and upon the other defendants if found. The Attorney-General shall serve upon the bank a copy of the bill of complaint certified by him to be a true copy thereof and the bank shall not be bound to answer or take any other steps with respect to the complaint. Subpoena.

(e) If the subpoena shall be returned not served as to any defendant other than the bank, such defendant shall be deemed and taken to be an absent defendant, and upon application by the Attorney-General the Chancellor, without requiring further proof by affidavit or otherwise, shall, by order, direct such absent defendant to answer the bill of complaint within sixty days after the date of such order, or a decree will be taken against such absent defendant. Notice of such order, entitled in the cause, shall be published once in a newspaper designated in such order. The newspaper so designated shall be one of general circulation published, or if none is published, then one of general circulation circulated in the municipality in which the bank has its office, or if it has offices in more than one municipality, then in the municipality in which it has its principal office. The publication shall be made within ten days after the date of the order. Such notice shall be addressed to the depositors and other defendants by name stating the date of the order, the name of the complainant and the time within which the defendants are required to appear and answer the bill of complaint and shall state also in general terms that the object of the suit is to escheat to the State unclaimed bank deposits specifying the name and address of the bank Service on absent defendant.

holding the deposits, the last address of the depositors appearing on the records of the bank, the identification numbers of the accounts, if any, but not the amounts of the unclaimed deposits. In case of change of name by merger, reorganization, consolidation or otherwise of the bank which originally held any unclaimed bank deposit, the name and address of the bank in which the deposit originated shall be stated in such notice as well as the name and address of the bank holding the unclaimed bank deposit. Such notice shall be signed with the name, title and address of the Attorney-General.

Cost of publication.

The cost of publishing such notice shall be paid by the State Treasurer out of the unclaimed bank deposits escheat reserve fund hereinafter provided for or if no or insufficient funds are available therein then out of the general funds of the State.

Mailing of notice not required.

The mailing of such notice to any such absent defendant shall not be required, notwithstanding the provisions of any other law or rule of court.

Failure to answer.

(f) If no answer or other pleading be filed as to the or any of the unclaimed bank deposits named in the bill of complaint within the time limited in the subpoena or order of the court, the court shall, upon the application of the Attorney-General, decree that the depositors entitled to such unclaimed bank deposits shall be presumed to be dead intestate without surviving spouse or next of kin and that such unclaimed bank deposits have escheated to the State and are the property of the State and order the bank holding the same to pay the same to the State Treasurer.

Claim contested.

(g) If the right of the State to escheat the or any of the unclaimed bank deposits named in the bill of complaint is contested, the issue as to such unclaimed bank deposits, when joined, shall be determined according to the practice of the Court of Chancery in other suits therein and if determined for the State a decree shall be entered that such unclaimed bank deposits have escheated to the State and are the property of the State and ordering the bank to pay the same to the State Treasurer.

(h) Upon the entry of a final decree declaring an escheat of any unclaimed bank deposit and upon service of a true copy of such decree certified by the Clerk in Chancery upon the bank holding the escheated unclaimed bank deposit, the bank shall, unless notice of appeal shall have been served on the bank, pay the same to the State Treasurer.

Final decree.

(i) Appeal from the decree of the Chancellor shall lie to the Court of Errors and Appeals and any such appeal shall be taken within forty days after the entry of the escheat decree and shall be taken and prosecuted according to the statutes and the rules of the Courts of Chancery and Errors and Appeals in such case made and provided.

Appeals.

In case of appeal and affirmance of the escheat decree or in case of dismissal of the appeal, the bank holding the unclaimed bank deposit shall pay the same to the State Treasurer.

Affirmance  
of decree.

6. Section seven of the act of which this act is amendatory is amended to read as follows:

C. 17:9-24.  
Section  
amended.

7. Upon payment by any bank to the State Treasurer of escheated unclaimed bank deposits, all liability of the bank to the depositor and his next of kin, surviving spouse, executors, administrators, assigns and all others having any right, title or interest in or to the same shall cease and be at an end.

Liability  
to cease.

7. No bank shall destroy or otherwise dispose of any of its records or files pertaining to any unclaimed bank deposit which is subject to escheat to the State or which shall have escheated to the State; but all banks shall preserve such records and files, and any of the originals thereof or photostatic copies thereof duly certified by any official of the bank to be true copies, shall be furnished to the State Treasurer whenever he shall make request therefor in writing.

C. 17:9-24.1.  
Records not to  
be destroyed.

8. Section eight of the act of which this act is amendatory is hereby amended to read as follows:

C. 17:9-25.  
Section  
amended.

8. (a) The State Treasurer shall establish and maintain records of all escheated unclaimed bank deposits received by him showing in alphabetical

Maintain  
records.

order the names of the depositors, the amounts received, the name and address of the bank from which the funds were received, the identification numbers of the accounts if any, and shall establish and maintain an index thereto, which records and index shall at all times during the usual business hours be open to public examination.

Amount  
credited  
to general  
State fund.

(b) The State Treasurer shall credit seventy-five per centum (75%) of the amount of each escheated unclaimed bank deposit received by him to the general funds of the State to be held, used and expended by the State Treasurer in the same manner as other general funds of the State and shall establish and maintain an account to be designated as the "unclaimed bank deposits escheat reserve fund" which is hereinafter referred to as the "reserve fund" and shall credit to the reserve fund, the other twenty-five per centum (25%) of the amount of each escheated unclaimed bank deposit received by the State Treasurer.

Reserve funds  
invested.

(c) The State Treasurer shall invest and reinvest all moneys credited to the reserve fund in bonds or interest-bearing notes or obligations of the United States or in bonds or interest-bearing notes or obligations guaranteed as to principal and interest by the United States or in bonds or interest-bearing notes or obligations for the payment of the principal and interest of which the faith and credit of the United States are distinctly pledged or in bonds or interest-bearing notes or other obligations of this State or in bonds or interest-bearing notes or other obligations of any county, city, town, township, borough, village or other municipal or political subdivision of this State, issued under authority of any law of this State.

Treatment  
of income.

(d) The income received from the investments and reinvestments of the reserve fund shall be commingled with and added to the reserve fund and held and retained as part thereof subject to like investment and reinvestment, as part of the reserve fund.

(e) The reserve fund shall be used and expended by the State Treasurer for the payment of expenses and costs incurred by the State Treasurer and the Attorney-General pursuant to the provisions of section nine of this act.

Use of  
reserve fund.

(f) At any time after receipt by the State Treasurer of any escheated unclaimed bank deposit any one claiming to be entitled thereto or to any part thereof may file claim therefor with the State Treasurer who is authorized to pass upon and determine the claimant's claim; if the State Treasurer shall determine the claimant's proofs of title thereto to be sufficient he shall pay the escheated unclaimed bank deposit or such part thereof to which he may determine the claimant is entitled, without interest, out of the reserve fund, to the claimant, and if the cash balance in the reserve fund is insufficient to make such payment the State Treasurer shall sell such of the investments of the reserve fund as may be necessary to make such payment.

Claims filed  
with treasurer.

(g) If the State Treasurer determines that the claimant's proofs of title are not sufficient to entitle the claimant to such payment, the claimant may, within sixty days after the date of such determination by the State Treasurer, file in the suit in which the escheat decree was entered a petition setting forth the fact of the escheat of the unclaimed bank deposit and the facts of petitioner's claim thereto or to any part thereof, whereupon an order to show cause shall be made directed to the State Treasurer commanding him to show cause why the petition should not be granted and a copy of said petition and of the order to show cause shall be served upon the State Treasurer and upon the Attorney-General, and it shall be their duty to take such action with respect thereto as they may deem necessary to protect the interests of the State. Upon proof satisfactory to the court of petitioner's claim of title to the escheated unclaimed bank deposit or any part thereof, an order shall be entered estab-

Order to  
show cause.

Order  
establishing  
petitioner's  
claim.

lishing petitioner's claim and ordering the State Treasurer to pay to the petitioner the amount specified in such order together with such costs and counsel fees as the court may allow the petitioner, and upon service upon the State Treasurer of a copy of such order certified to be a true copy by the Clerk in Chancery, the State Treasurer shall pay to the petitioner out of the reserve fund the amount or amounts specified in such order.

Court of  
appeals.

(h) If the court shall determine that petitioner's proofs of title are not sufficient to establish petitioner's claim to the escheated unclaimed bank deposit or any part thereof, an order to that effect shall be made from which order appeal will lie to the Court of Errors and Appeals, and any such appeal shall be taken within forty days after the entry of such order and shall be taken and prosecuted according to the statutes and the rules of the Courts of Chancery and Errors and Appeals in such case made and provided. If on such appeal the order is reversed and petitioner's claim of title to the escheated unclaimed bank deposit or any part thereof is sustained, the State Treasurer shall pay to the claimant, out of the reserve fund, the amount or amounts to which the petitioner shall be entitled, together with such costs and counsel fees as may be allowed to the petitioner.

C. 17:9-26.  
Section  
amended.

Fees and  
costs.

9. Section nine of the act of which this act is amendatory is amended to read as follows:

9. All services required to be performed by the Clerk in Chancery, the Clerk of the Court of Errors and Appeals, the sheriff of any county and any other salaried public official shall be without fees, costs, counsel fees or any other charge, but the State Treasurer shall pay out of the reserve fund all expenses and costs incurred by the State Treasurer for the administration of said fund and for the establishment and maintenance of his records relative to escheated unclaimed bank deposits, and also all expenses and costs incurred by the Attorney-General, including costs and expenses for legal and clerical services. The State Treasurer



and the Attorney-General may each employ such persons as may be necessary to assist him in carrying out the provisions of this act and fix their compensation, and such persons so employed shall not be subject to the provisions of the Civil Service law.

10. This act shall take effect immediately.

Approved April 12, 1946.

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## CHAPTER 79

AN ACT to authorize any city, borough, village, town, township, or other municipality, other than a county or school district, to provide temporary or permanent safe and sanitary dwellings for citizens of this State, and to manage and maintain the same to borrow funds for such purpose and to issue municipal obligations therefor.

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

1. It is hereby found and declared that the discharge of veterans engaged in World War II has resulted in the return to civilian life, in large numbers, of many persons for whom no adequate dwellings exist, and that an emergency exists in the total lack of safe, sound and sanitary dwellings for families of veterans of World War II and other citizens of this State, which causes untold hardship, overcrowding of existing dwellings, the occupation of substandard and insanitary houses, and creates a menace to the health, safety and moral and general welfare of the people, that it is vitally important that action be taken to provide adequate housing for such veterans and their families and for other citizens in the State and for the governing bodies of the municipalities of the State to pro-

C. 55:14F-1.  
Purpose.

vide safe, sound and sanitary dwellings in this crisis and to make appropriations and to borrow funds with which to provide such dwellings for its citizens and to issue notes, bonds, debentures or other municipal obligations therefor; and that the provision of necessary safe, sound and sanitary dwellings, as authorized by this act, is a public purpose and is for the public use.

C. 55:14F-2.  
Use of terms.

2. As used in this act, unless a different meaning clearly appears from the context, (a) "municipality" shall mean any city of any class or any borough, village, town, township, or other municipality, other than a county or a school district; (b) "governing body" shall mean the commission, council, board, or body, by whatever name it may be known, having charge of the finances of the municipality; (c) "real property" shall mean lands and improvements thereof or thereon, or any rights or interests therein; and (d) "Federal Government" shall mean the United States of America, or any department, agent, or officer thereof, or any corporation created thereby.

C. 55:14F-3.  
Resolution to  
be adopted  
determining  
conditions.

3. No municipality shall exercise any of the powers conferred by this act unless its governing body shall, by resolution, determine that (1) the number of safe and sanitary dwellings within the municipality available for veterans and their families or other citizens is not adequate to meet the needs of such and their families and (2) the number of new dwellings within the municipality then in course of construction or for which applications for building permits have been filed within the municipality is not adequate to remedy the shortage in dwelling accommodations and (3) the shortage in dwelling accommodations, unless remedied, threatens the health, safety and morals of the public and (4) the shortage in dwelling accommodations cannot be remedied within any reasonable period of time otherwise than by provision of safe, sound and sanitary dwellings by public agencies and (5) the number of accommodations which the municipality will provide under the said resolution

and whether the same will be temporary or permanent and the method of financing the construction or the erection of the same. The governing body of any municipality which proposes to adopt such a resolution shall cause a copy of the proposed resolution to be published with a notice stating that, at a time and place specified in the notice, the governing body will hold a public hearing at which all persons attending shall be given an opportunity to be heard concerning the resolution and the determinations to be made thereby. The copy of the resolution and notice shall be published at least once in a newspaper printed and circulating in the municipality, if there be one, and if not, in a newspaper printed in the county in which such municipality is located and circulating in the municipality. If there be more than one such publication of notice, the first publication shall be at least ten days prior to the time fixed for the public hearing. The governing body shall hold a public hearing in accordance with the notice so published and all persons attending shall be given an opportunity to be heard concerning the resolution and the determinations to be made thereby. The resolution shall not be finally adopted until the public hearing has been completed and closed.

Resolution  
published.

Public  
hearing.

4. Any municipality shall have power to provide, in the manner prescribed and subject to the limitations imposed by this act, safe and sanitary dwellings suitable for the use of veterans and their families and other citizens of the State. In order to provide such dwellings any such municipality may acquire by purchase, lease or gift necessary real property, and may erect, reconstruct, alter or otherwise improve buildings, either permanent or temporary, and may acquire and install therein the furnishings and equipment necessary to render such buildings suitable for human habitation, and may construct any streets, sewers, water service pipes or other utilities, not competitive with any public utility as defined in section 48:2-13 of the Revised Statutes, necessary or convenient for the

C. 55:14F-4.  
May provide  
dwellings.

use of persons living in such dwellings, and may purchase or acquire by gift or rent from the Federal Government portable or temporary or movable dwellings and may accept donations of money or of materials, furnishings or equipment. Any such municipality may do any and all things necessary or advisable to co-operate with, or to act as agent for, the Federal Government, with respect to any housing procured from it, or to secure from the Federal Government financial aid in providing such dwelling accommodations.

C. 55:14F-5.  
Powers exercised by governing body.

5. The powers hereby granted to any municipality shall be exercised by its governing body. Notwithstanding the provisions of any other law, in exercising such powers the governing body shall act by resolution.

C. 55:14F-6.  
Repair and maintenance.

Veterans given preference.

6. Any municipality providing dwellings by authority of this act shall have power to repair such dwellings from time to time and to maintain them in a condition suitable for human habitation. Such dwellings may be rented or leased upon such terms as may be prescribed by the governing body of such municipality. Such dwellings shall be rented or leased, first, to veterans of World War II, and, if there is not sufficient demand by the said veterans for the use of all of such dwellings, then the overplus may be rented or leased to other citizens of the municipality in need of such dwellings. The municipality is hereby authorized, if there is a local housing authority in such municipality, to appoint such local housing authority as managing agent for any or all of such dwellings to collect the rents therefor and to repair and maintain the same under such restrictions and limitations as the said municipality may care to appoint.

Housing authority as agent.

C. 55:14F-7.  
Authorized to make appropriations.

Bond ordinance not to apply.

7. The governing body of any municipality which shall undertake to provide dwellings by authority of this act shall have power to make appropriations, from time to time, for any of the purposes described in section four of this act. The provisions of section 40:1-12 of the Revised Statutes shall not apply to any municipal bond ordinance

authorizing the issuance of bonds or notes to finance any of such purposes. Notwithstanding anything contained in section 40:1-34 of the Revised Statutes the period of usefulness of any such purpose, according to its reasonable life, shall be twenty years or such shorter period as the governing body of such municipality may in its discretion determine.

Period of usefulness.

8. The powers granted and the duties imposed by this act shall be construed to be independent and severable. If any one or more sections, subsections, sentences, or parts of this act shall for any reason be questioned in any court and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provisions so held unconstitutional or invalid.

C. 55:14F-8.  
Powers and duties to be independent and severable.

9. None of the powers granted by section four of this act shall be exercised except by resolution passed prior to January first, one thousand nine hundred and forty-seven.

C. 55:14F-9.  
Limitation of powers granted.

10. This act shall take effect immediately.

Approved April 12, 1946.

## CHAPTER 80

A. SUPPLEMENT to "An act providing for the retirement of certain persons holding office, position or employment in State penal institutions and providing a pension for such persons and their dependents," passed June twenty-fourth, one thousand nine hundred and forty-one (P. L. 1941, c. 220), as said title was amended by pamphlet laws of one thousand nine hundred and forty-three, chapter one hundred ninety-three.

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

C. 43:7-15.1.  
May withdraw  
from fund.

1. Any employee of the State, who is a veteran of any war and who has joined the prison officers' pension fund, may, at any time within one year of the effective date of this act, apply to withdraw from the fund during the continuance of his employment.

C. 43:7-15.2.  
May withdraw  
while employed.

2. Any such employee, who is such veteran and who shall hereafter join said fund and who shall have been a member of said fund for at least one year, may also apply for such withdrawal during the continuance of his employment; *provided, however*, that he makes such application within one year from the date that he shall have become eligible to apply for such withdrawal.

Proviso.

C. 43:7-15.3.  
Payment with-  
out prejudice  
to rights.

3. Upon his making application, of which ten days' notice shall be given, he shall receive, upon demand, the amount of his payments, without prejudice to his right as a veteran to any benefit or pension to which he may be entitled under any other law.

4. This act shall take effect immediately.

Approved April 16, 1946.

## CHAPTER 81

AN ACT concerning fireworks, and amending section 21:3-5 of the Revised Statutes.

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

1. Section 21:3-5 of the Revised Statutes is amended to read as follows: Section amended.

21:3-5. The governing body of the municipality shall require surety which may be cash, government bonds, personal bond, or other form of insurance in a sum of not less than twenty-five hundred dollars (\$2,500.00), conditioned for the payment of all damages, which may be caused either to a person or persons or to property, by reason of the display so as aforesaid licensed, and arising from any acts of the licensee, his agents, employees or subcontractors. Such surety shall run to the municipality in which the license is granted, and shall be for the use and benefit of any person, persons, or the owner or owners of any property so damaged, who is or are authorized to maintain an action thereon, or his or their heirs, executors, administrators, successors or assigns. Bond by licensee.

2. This act shall take effect immediately.

Approved April 16, 1946.

## CHAPTER 82

AN ACT dedicating certain funds appropriated to the State Highway Department to provide for contribution by the State to the excess cost to the counties and municipalities of snow removal and ice control and road maintenance and repair caused by the severe winter conditions which prevailed during the calendar year beginning January first, one thousand nine hundred and forty-five.

Preamble. WHEREAS, By Senate Resolution passed March twenty-seventh, one thousand nine hundred and forty-five, a committee of five Senators was created to make a study of the damage done to county and municipal roads of the State during the calendar year one thousand nine hundred and forty-five and of the extent to which this damage is unusual and of the probable cost involved in the repair and reconditioning of such roads, attributable to the unusual amount of damage so done; and

Preamble. WHEREAS, Said committee has received reports from seventy-eight per centum (78%) of the municipalities and all of the counties of the State, estimating the additional cost of snow removal, ice control, maintenance and repair and reconstruction during said year at more than five million dollars (\$5,000,000.00); and

Preamble. WHEREAS, This cost has placed a heavy burden on the taxpayers of the municipalities and counties involved; now, therefore,



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

1. The sum of five hundred thousand dollars (\$500,000.00) or so much thereof as may be necessary for that purpose of the funds heretofore appropriated to the State Highway Department hereby is dedicated to the purpose of reimbursing the municipalities and counties, in part, for the additional cost of snow removal and ice control and road maintenance and repair, caused by the severe winter conditions which existed during the calendar year beginning January first, one thousand nine hundred and forty-five, over and above the normal cost of such items.

Fund dedicated to reimburse municipalities and counties.

2. The proper financial officer of each municipality and each county shall certify to the State Highway Department, separately, the additional cost of snow removal and ice control, and the additional cost of road maintenance and repair, for the calendar year beginning January first, one thousand nine hundred and forty-five, over and above the average cost of such items for the calendar years beginning January first, one thousand nine hundred and forty-two, January first, one thousand nine hundred and forty-three and January first, one thousand nine hundred and forty-four.

Certification of additional cost.

3. There shall be paid to each county and municipality forty per centum (40%) of the additional cost of snow removal and ice control, and twenty per centum (20%) of the additional cost of road maintenance and repair, as shown by said certificates, which payments shall be made, on or before June first, one thousand nine hundred and forty-six, on the order of the State Highway Department according to the warrant of the State Commissioner of Taxation and Finance drawn upon the State Treasurer in favor of the respective municipalities and counties.

Percentages of additional cost to be paid.

4. In event that forty per centum (40%) of the total amount so certified as additional cost of snow removal and ice control and twenty per centum (20%) of the total amount so certified as additional

Sum to be pro rated.

cost of road maintenance and repair shall exceed said sum of five hundred thousand dollars (\$500,000.00), the said sum shall be prorated among the several municipalities and counties by the State Highway Department on the basis of the amounts so certified.

5. This act shall take effect immediately.

Approved April 16, 1946.

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### CHAPTER 83

AN ACT respecting woodcock licenses, and amending section 23:3-23 and 23:3-27 of the Revised Statutes.

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

Section  
amended.

1. Section 23:3-23 of the Revised Statutes is amended to read as follows:

Special wood-  
cock hunting  
license.

23:3-23. No person shall at any time hunt for, kill or pursue with a gun or any firearm of any kind or character, any woodcock, unless he has first procured, as hereinafter provided, a special license therefor, in addition to the license required by article one of this chapter (§23:3-1 et seq.), and unless at the time of hunting he has the licenses on his person and exhibits the same for inspection to any warden, deputy warden, police officer or other person requesting to see them.

The license issued under sections 23:3-23 to 23:3-27 of this Title shall be designated as the "special woodcock hunting license," and shall authorize its holder to hunt woodcock at the time and in the manner provided by law. The license shall be invalid from the date of its issuance when issued to a person not entitled thereto hereunder.

2. Section 23:3-27 of the Revised Statutes is amended to read as follows: Section amended.

23:3-27. Any person who shall kill or have in possession any bird or animal, the killing of which is prohibited during the prescribed woodcock season, except woodcock, shall be liable to a penalty of one hundred dollars (\$100.00), for each bird or animal, except woodcock, killed, injured or had in possession. Penalty for killing or having certain game.

3. This act shall take effect immediately.

Approved April 16, 1946.

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## CHAPTER 84

AN ACT concerning the practice of medicine and surgery, and amending sections 45:9-1 and 45:9-5 of the Revised Statutes.

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

1. Section 45:9-1 of the Revised Statutes is amended to read as follows: Section amended.

45:9-1. The State Board of Medical Examiners, hereinafter in this chapter designated as the "board," created and established by the act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four (L. 1894, c. 306, p. 454), as supplemented by an act approved April second, one thousand nine hundred and thirteen (L. 1913, c. 224, p. 408), and by an act approved March thirty-first, one thousand nine hundred and twenty-one (L. 1921, c. 136, p. 263), is continued and the members and officers of said board as constituted pursuant to said act, and the amendments State board of medical examiners.

Membership.	and supplements of said act, shall continue to hold office until the expiration of their terms. The board shall consist of eleven full members and one qualified member, who shall be persons of recognized professional ability and honor, and who shall be appointed by the Governor from a list to be furnished within thirty days after any vacancy occurs in the membership of said board by the society or organization of whom the persons nominated are members, if there be such a society or organization, or if such society or organization has a membership in good standing of not less than one hundred, and for every membership filled in said board at least three names shall be submitted to the Governor, and from the names thus submitted the Governor shall select one person to be a member of said board; <i>provided, however,</i> that the said board shall consist of nine graduates of schools of medicine who shall possess the degree of M.D., of whom five shall be old school physicians, three shall be homeopaths, and one an eclectic, and in addition the membership of said board shall comprise one osteopath, one chiropractor and the qualified member who shall be a chiropodist. The qualified member shall have equal rights and privileges in all matters affecting chiropody but shall vote only on chiropody matters and shall have no vote on the selection of officers. The term of office of members of the board hereafter appointed shall be three years or until their successors are appointed. Said appointees shall, within thirty days after receipt of their respective commissions, take and subscribe the oath or affirmation prescribed by law and file the same in the office of the Secretary of State.
Proviso, how constituted.	
Term.	
Section amended.	2. Section 45:9-5 of the Revised Statutes is amended to read as follows:
Meetings, examinations and salaries.	45:9-5. The board shall hold meetings once a month, and shall hold meetings for examinations on the third Tuesday of June and October of each year, which shall be held at the capitol of this State and at such other times and places as it may deem expedient. The secretary of the board shall

receive an annual salary as provided by section 45:1-4 of this Title, and each member thereof, including said secretary and the qualified member, shall receive the sum of two hundred fifty dollars (\$250.00) for each regular examination so held, which sum shall be paid from the receipts of the board before any unused balances are paid over to the State Treasurer; but if an appropriation is made for the expenses of the board such sums shall be paid from such appropriation. The board shall keep an official record of all its meetings and an official register of all applicants for a license to practice medicine and surgery in this State. The register shall show the name, age, nativity, last and intended place of residence of each applicant, the time he has spent in obtaining a competent academic and professional education as hereinafter provided, and the names and location of all professional schools or colleges, or examining and licensing boards which have granted the applicant any degree or certificate of attendance upon lectures upon medicine and surgery or State examinations. The register shall also show whether the applicant was licensed or rejected under this article; if licensed, whether the applicant was examined or licensed without examination, and the register shall be prima facie evidence of all matters therein contained. Records.

3. This act shall take effect immediately.

Approved April 16, 1946.

## CHAPTER 85

AN ACT concerning compensation for blind soldiers, sailors, and marines, and amending sections 38:18-1, 38:18-2 and 38:18-3 of the Revised Statutes.

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

Section  
amended.

1. Section 38:18-1 of the Revised Statutes is amended to read as follows:

Soldier  
defined.

38:18-1. As used in this chapter the word "soldier" means and includes any officer, soldier, sailor, marine, nurse or any other person, male or female, regularly enlisted or inducted, who was, or shall have been a part of the military or naval forces of the United States, and who took part in any war in which the United States was engaged, or who took part or shall have taken part in the present wars with the governments of Japan, Germany and Italy, or any of them, and who was a resident of this State at the time he was or shall be commissioned, enlisted, inducted, appointed or mustered into the military or naval service of the United States, and who has been or shall have been given an honorable or ordinary discharge or release therefrom, and continues to be a resident of this State.

Section  
amended.

2. Section 38:18-2 of the Revised Statutes is amended to read as follows:

Pension for  
blind soldiers.

38:18-2. A soldier, who has sustained a total loss of sight as a result of his service during any of the wars mentioned in section one of this chapter, shall be paid for the term of his life, provided that he shall continue as a resident of this State, the sum of five hundred dollars (\$500.00) annually, in monthly payments. Such payments shall be due and payable from the date of his discharge or release if application therefor shall be made within

Payment.

one year from the date of such discharge or release. If the application shall be made after one year from the date of his discharge or release such payments shall be due and payable from the date of such application. Accrued payments to the date of certification shall be paid in one lump sum.

3. Section 38:18-3 of the Revised Statutes is amended to read as follows: Section  
amended.

38:18-3. Evidence of the service and disability mentioned in this chapter shall be furnished to the Department of Economic Development, which shall examine the same and upon being satisfied that the service was performed and the soldier has been rendered totally blind as a result thereof, shall so certify to the State Comptroller who shall, upon receipt thereof, draw his warrant on the State Treasurer in favor of the applicant in a bulk sum for any accrued payments and in the sum of five hundred dollars (\$500.00) annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature. Evidence  
of service

4. This act shall take effect immediately.

Approved April 16, 1946.

## CHAPTER 86

AN ACT concerning public health, prescribing standards of minimum vitamin and mineral content for certain flour, white bread and rolls, providing for the enrichment thereof by the addition of certain vitamins and other ingredients, providing penalties for violation hereof, supplementing subtitle one of Title 24 of the Revised Statutes, and making an appropriation to the Department of Health.

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

C. 24:11A-1.  
Short title.

1. This act shall be known, and may be cited, as the Flour and Bread Enrichment Act of 1946.

C. 24:11A-2.  
Purpose.

2. The purpose of this act is to promote public health and nutrition and to promote fair dealing in the interest of consumers of flour and bread through standardization of certain vitamin and mineral contents; and to provide for general health and dietary improvement through vitamin and mineral enrichment of bread and flour as staple food products consumed in high proportion by the mass of the people.

C. 24:11A-3.  
Terms defined:

3. As used in this act, unless the context otherwise requires:

Flour;

a. "Flour" includes and shall be limited to the foods commonly known in the milling and baking industries as (1) white flour, also known as wheat flour or plain flour; (2) bromated flour; (3) self-rising flour, also known as self-rising white flour or self-rising wheat flour, and (4) phosphated flour, also known as phosphated white flour or phosphated wheat flour, but excludes whole wheat flour and also excludes special flours not used for bread, roll, bun, or biscuit baking, such as specialty cake, pancake and pastry flours.



b. "White bread" means any bread made with flour, whether baked in a pan or on a hearth or screen, which is commonly known or usually represented and sold as white bread, including Vienna bread, French bread and Italian bread. White bread;

c. "Rolls" means plain white rolls and buns of the semibread dough type, namely: soft rolls, such as hamburger rolls; hot dog rolls; Parker House rolls; and hard rolls, such as Vienna rolls; Kaiser rolls; but shall not include yeast-raised sweet rolls or sweet buns made with fillings or coatings, such as cinnamon rolls or buns and butterfly rolls. Rolls;

d. "Person" means an individual, a corporation, a partnership, an association, a joint stock company, a trust, or any group of persons, whether incorporated or not, engaged in the commercial manufacture, mixing, compounding, or sale of flour, or in the commercial manufacture, baking, sale, or serving of white bread or rolls, with or without other foods, and any institution supported wholly or partly by public funds or tax exemption. Person;

e. "Department" means the Department of Health of the State of New Jersey or any agency which may succeed to its functions, powers and duties. Department.

4. Until the department shall establish other standards as hereinafter provided, it shall be unlawful for any person to manufacture, mix, compound, sell, expose or offer for sale for human consumption in this State, any flour which does not contain vitamins and minerals in each pound thereof as follows: not less than 2.0 milligrams and not more than 2.5 milligrams of thiamine; not less than 1.2 milligrams and not more than 1.5 milligrams of riboflavin; not less than 16.0 milligrams and not more than 20.0 milligrams of niacin or niacinamide; not less than 13.0 milligrams and not more than 16.5 milligrams of iron; except in the case of self-rising flour which, in addition to the above ingredients, shall contain not less than 500 milligrams and not more than 1500 milligrams of cal- C. 24:11A-4.  
Minimum  
standards  
for flour.

Proviso.

cium; *provided, however*, that the requirements of this section shall not apply to flour sold to distributors, bakers, or other processors, if the purchaser furnishes to the seller a certificate in such form as the department shall by regulation prescribe, certifying that such flour shall be (1) resold to a distributor, baker or other processor, or (2) used in the manufacture, mixing or compounding of flour, white bread or rolls enriched to meet the requirements of this act, or (3) used in the manufacture of products other than flour, white bread or rolls. It shall be unlawful for any such purchaser so furnishing any such certificate to use or resell the flour so purchased in any manner other than as described in such certificate.

C. 24:11A-5.  
Minimum  
standards for  
white bread  
and rolls.

5. Until the department shall establish other standards, as hereinafter provided, it shall be unlawful for any person to manufacture, bake, sell, serve, expose or offer for sale, for human consumption in this State, any white bread or rolls which does not contain vitamins and minerals in each pound of such bread or rolls as follows: not less than 1.1 milligrams and not more than 1.8 milligrams of thiamine; not less than 0.7 milligrams and not more than 1.6 milligrams of riboflavin; not less than 10.0 milligrams and not more than 15.0 milligrams of niacin; not less than 8.0 milligrams and not more than 12.5 milligrams of iron.

C. 24:11A-6.  
May add  
enrichment  
ingredients.

6. Flour, white bread and rolls which would not otherwise meet the requirements of this act, may be enriched to meet the vitamin and mineral standards hereof by the addition, in the case of flour, of vitamins and harmless and assimilable iron salts; and, in the case of white bread and rolls, by addition to the flour or the dough mix of vitamins and harmless and assimilable iron salts, or by the use of enriched flour, enriched yeast or other enriching ingredients, or by any combination of harmless methods which will produce white bread or rolls in conformity with the requirements of this act. The enrichment ingredients shall be uni-

formly distributed throughout the flour, white bread or rolls.

7. Whenever any of the vitamin and mineral requirements set forth in this act do not conform with legally established flour or bread enrichment standards governing interstate commerce, the department may modify or revise such requirements to conform with standards for flour and bread enrichment governing interstate commerce; *provided, however*, that the department shall so far as possible maintain uniformity between intrastate and interstate vitamin and mineral requirements for the foods within the provisions of this act. Any such modification or revision shall be adopted only after a public hearing, shall be issued and promulgated in the same form and manner as State sanitary regulations, shall be certified to the Secretary of State by the department, and shall be published at the end of the first volume of the session laws of the Legislature published after the adoption of the resolution. Such modified or revised standards shall have the force and effect of law and shall take effect as provided in the department's rule or regulation, but not less than thirty days after it has been certified to the Secretary of State.

C. 14:11A-7.  
Department  
may modify  
requirements.

Proviso.

8. Whenever the department shall find that there is an existing or imminent shortage of any of the vitamins or minerals required by or pursuant to this act, and that because of such shortage the sale and distribution of flour or white bread or rolls may be impeded by the enforcement of this act, the department shall issue an order, to be effective immediately upon issuance, temporarily suspending all or part of the vitamin or mineral standards established by or pursuant to this act; *provided, however*, that the department shall so far as possible consistent with the best interest of the public health, conform such temporary suspension order with appropriate Federal standards governing interstate shipments of the same products. The department shall make such finding of existing or imminent shortage of vitamins or minerals either

C. 24:11A-8.  
Order  
suspending  
vitamin  
requirements.

Proviso.

(1) after public hearing, or (2) upon the issuance of an order or the supplying of factual information by the Federal agency or officer administering the Federal vitamin and mineral standards governing interstate shipments of flour, white bread and rolls. In no event shall any such order remain effective for a longer period than one year unless extended for a like period after public hearing.

Effective  
period limited.

C. 24:11A-9.  
Enforcement  
of act.

9. The department shall administer and enforce the provisions of this act. The department and any authorized agent, officer or employee thereof, is authorized to take samples for analysis and to conduct examinations and investigations and shall have full access to any place, container or conveyance used in the production, preparation and manufacture, packing, storage, transportation, handling, distribution or sale of any flour, white bread or rolls, and may examine and open any package or container which is believed to contain any flour, bread or rolls manufactured, sold, exposed for sale, or had in possession with intent to distribute, sell or serve, in violation of any provision of this act, or of any rule or regulation issued hereunder, and inspect the contents thereof and take therefrom samples for examination or analysis.

C. 24:11A-10.  
Penalty.

10. Any violation of this act, or of any rule or regulation of the department lawfully issued hereunder shall be punishable by a penalty of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00). All such penalties shall be sued for and recovered in an action at law by and in the name of the department or by and in the name of the local board of health of the municipality in which the violation occurred.

Recovery  
of penalty.

Pleadings.

The pleadings in any such action shall conform in all respects to the practice prevailing in the court in which the action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated. Upon the atten-

Defect  
corrected.

tion of the court being called to any such formal or technical defect, the same shall be immediately corrected and the pleading or process amended as a matter of course. As to all other defects in pleadings or process, the same may be amended in the discretion of the court, as in any other action or proceeding in such court.

Any penalty recovered in any such action shall be paid to the plaintiff therein. When the plaintiff is the department, the penalty recovered shall be paid by the department into the State treasury. When the plaintiff is a local board of health, the penalty recovered shall be paid by the local board into the treasury of the municipality within which the local board has jurisdiction.

11. The production, manufacture, distribution, sale, offering or exposing for sale or serving, or the possession with intent to distribute, sell or serve, of flour, white bread or rolls in different places on the same day, or in the same place on different days, in violation of any provision of this act, shall each be deemed to be a separate violation.

12. The department, either before or after the institution of a proceeding for the collection of a penalty imposed by this act for violation of any provision thereof, may file a bill in the Court of Chancery in the name of the State at the relation of the department, for an injunction to restrain such violation and for such other or further relief as the court shall deem proper. The filing of such bill or any of the proceedings thereon, shall not relieve any party to such proceeding from any penalty prescribed by this act for such violation.

13. All acts and parts of acts in conflict herewith are hereby repealed insofar as they may be in conflict with this act. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in

Penalty paid  
to plaintiff.

C. 24:11A-11.  
Separate  
violations.

C. 24:11A-12.  
Restraining  
injunction.

Not to relieve  
penalty.

C. 24:11A-13.  
Repealer.

Sections  
severable.

the controversy in which such judgment shall have been rendered.

Appropriation.

14. There is hereby appropriated to the department out of any available funds in the State treasury the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be necessary, when included in any annual appropriation act, to defray expenses to be incurred by the department in carrying out the provisions of this act for the fiscal year ending June thirtieth, one thousand nine hundred and forty-seven.

C. 24:11A-14.  
Act effective.

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

Approved April 17, 1946.

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## CHAPTER 87

AN ACT concerning certain members of police and fire departments in municipalities or counties.

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

C. 40:47-3.2  
Veterans'  
seniority.

1. Any person who has been, or shall be, appointed a member of the police or fire department in any municipality or county while serving in the military or naval service of the United States in time of war, and who has been, or shall be, delayed in qualifying and becoming a member of such police or fire department as a result of such service, and who has qualified and become a member of such police or fire department, or who shall qualify and become a member of such police or fire department within six months after his discharge or release from such service under conditions other than dishonorable, shall be considered, for the purpose of determining his years of service, rank and grade, increase in pay, or any other rights or benefits as

having qualified and to have become a member of any such department, as of the date of his appointment, notwithstanding the requirements of any other law concerning the appointment of members to such police or fire department.

2. This act shall take effect immediately.

Approved April 17, 1946.

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## CHAPTER 88

AN ACT concerning State aid for public schools, amending sections 18:10-15, 18:10-16, 18:10-33, 18:10-35, 18:10-39, 18:10-49, 18:11-2, 18:14-48 and 18:14-113 of the Revised Statutes and repealing sections 18:10-17 to 18:10-28, inclusive, 18:10-34, 18:10-37, 18:10-38, 18:10-40, 18:10-41, 18:10-42, 18:10-43, 18:10-44, 18:10-46, 18:10-47; 18:13-22, 18:13-119; 18:14-46; 18:15-104, 18:15-105; 18:23-1 to 18:23-18, inclusive, of the Revised Statutes; "An act relating to the public schools of this State, and supplementing Title 18 of the Revised Statutes," approved May seventeenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 58); "An act concerning appropriations for the support of the free public schools and the distribution and apportionment of certain school moneys, and supplementing Title 18 of the Revised Statutes," approved April twelfth, one thousand nine hundred and forty-three (P. L. 1943, c. 181); section two of "An act relating to the public schools of this State and supplementing Title 18 of the Revised Statutes," approved April sixth, one thousand nine hundred and forty-three (P. L. 1943, c. 91); "A supplement to an act entitled 'An act to establish a thorough and efficient system of free

public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved May tenth, one thousand nine hundred and thirty-three (P. L. 1933, c. 155); "An act declaratory of the legislative purpose and intent in the enactment of chapter three hundred and eighty-five of the laws of one thousand nine hundred and thirty-three, entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved May tenth, one thousand nine hundred and thirty-three,' approved September fifth, one thousand nine hundred and thirty-three," approved February eighth, one thousand nine hundred and thirty-four (P. L. 1934, c. 14); and "An act declaratory of the legislative purpose and intent in the enactment of an act entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act to authorize a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and thirty-three," approved May tenth, one thousand nine hundred and thirty-three, approved June twenty-first, one thousand nine hundred and thirty-three,' constituting chapter two hundred fifty-four of the session laws of one thousand nine hundred and thirty-three," approved May ninth, one thousand nine hundred and thirty-four (P. L. 1934, c. 183).



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

1. Section 18:10-15 of the Revised Statutes is amended to read as follows: Section amended.

18:10-15. The income of the school fund shall be used for the support of public schools, the payment of the salaries of the county superintendents of schools, and the payment of accrued interest on bonds purchased by the board of trustees of the fund, and for no other use or purpose whatsoever. The payment of premiums on bonds purchased shall be made out of the investment account. Use of income from school fund.

2. Section 18:10-16 of the Revised Statutes is amended to read as follows: Section amended.

18:10-16. There shall be credited to the State public school account annually the income of the school fund for the support of public schools. Account credited with income.

3. Section 18:10-33 of the Revised Statutes is amended to read as follows: Section amended.

18:10-33. The moneys devoted by this article to the maintenance and support of a thorough and efficient system of free public schools shall be credited annually to the State public school account on or before September first next succeeding the date when said railroad taxes were due. When account credited.

4. Section 18:10-35 of the Revised Statutes is amended to read as follows: Section amended.

18:10-35. If in any year after the distribution of the tax as provided in this article, or after the crediting of any part thereof to the State public school account in the State treasury, the amount of the tax is reduced by order of any court of this State, and by reason thereof there shall have been paid from the treasury of this State or credited to said account a sum in excess of the amount finally determined as available for that distribution during that year, the Comptroller of the Treasury and the State Treasurer, their respective heirs, executors, administrators, and assigns and the bondsmen on the bonds given by the Comptroller and Treasurer for the faithful performance of their duties shall not be held liable for any sum paid from the Payment in excess of fund.

treasury of this State under the provisions of this article or so credited in excess of the amount finally determined as aforesaid; but the Comptroller, prior to making the then next annual distribution under this article shall deduct from the amount to be distributed the sum paid from the treasury of this State in excess of the amount which was finally determined as available for distribution, and the sum so deducted shall become a part of the general moneys of the State treasury.

Section  
amended.

5. Section 18:10-39 of the Revised Statutes is amended to read as follows:

Interest on  
surplus reve-  
nues credited.

18:10-39. The several counties in this State shall pay the interest of the surplus revenue into the State treasury and the same shall be credited to the State public school account.

Section  
amended.

6. Section 18:10-49 of the Revised Statutes is amended to read as follows:

Reimbursement  
of district for  
excess cost.

18:10-49. Whenever the amount estimated by the board of education as the excess cost above that of educating pupils of normal needs, arising out of the provisions of statutes relating to the cost of educating physically handicapped pupils, as set forth in section 18:14-69 of this Title, has been approved by the Commissioner of Education, the district shall be entitled to reimbursement for one-half of such excess cost out of any State moneys appropriated for the purpose to the Commissioner of Education. This reimbursement shall be paid by the State Treasurer to the custodian of school moneys of the school district upon the warrant of the Commissioner of Education.

Section  
amended.

7. Section 18:11-2 of the Revised Statutes is amended to read as follows:

Order upon  
failure to  
provide  
facilities.

18:11-2. When any school district shall fail to provide such facilities or accommodations, the county superintendent of schools shall transmit to the custodian of the school moneys of the school district an order directing him to withhold from the district all moneys in his hands, or which shall thereafter come into his hands, to the credit of the school district received from the State school aid

until such suitable facilities or accommodations shall be provided, and shall notify the board of education of the district of his action with the reasons therefor. Such order shall not take effect until approved in writing by the Commissioner of Education, and his approval shall state when the order shall take effect.

8. Section 18:14-48 of the Revised Statutes is amended to read as follows: .

Section amended.

18:14-48. The salary of the attendance officer or officers shall be paid in ten equal monthly installments on orders issued by the county superintendent drawn on the county treasurer and paid out of the moneys apportioned to the county for that purpose. All claims for the expenses of the county attendance officer or officers shall be paid after being audited by the county superintendent on orders issued by the county superintendent and drawn on the county treasurer. The expenses for each such officer shall not exceed in any one year the sum of seven hundred dollars (\$700.00).

Salary and expenses of attendance officers.

9. Section 18:14-113 of the Revised Statutes is amended to read as follows:

Section amended.

18:14-113. The salary of the supervisor shall be paid in ten equal monthly installments, on orders issued by the county superintendent drawn on the county treasurer and paid out of the money apportioned to the county for that purpose. All claims for expenses of the supervisor not exceeding in any one year the sum of five hundred dollars (\$500.00), shall be paid after being audited by the county superintendent on orders issued by the county superintendent and drawn on the county treasurer.

Salary and expenses of supervisor.

10. Sections 18:10-17, 18:10-22 to 18:10-28, inclusive, 18:10-34, 18:10-37, 18:10-38, 18:10-40, 18:10-41, 18:10-42, 18:10-43, 18:10-44, 18:10-46, 18:10-47; 18:13-22, 18:13-119; 18:14-46; 18:15-104, 18:15-105; 18:23-1 to 18:23-18, inclusive, of the Revised Statutes; "An act relating to the public schools of this State, and supplementing Title 18 of the Revised Statutes," approved May

Sundry sections and acts repealed.

seventeenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 58); "An act concerning appropriations for the support of the free public schools and the distribution and apportionment of certain school moneys, and supplementing Title 18 of the Revised Statutes," approved April twelfth, one thousand nine hundred and forty-three (P. L. 1943, c. 181); section two of "An act relating to the public schools of this State and supplementing Title 18 of the Revised Statutes," approved April sixth, one thousand nine hundred and forty-three (P. L. 1943, c. 91); "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved May tenth, one thousand nine hundred and thirty-three (P. L. 1933, c. 155); "An act declaratory of the legislative purpose and intent in the enactment of chapter three hundred and eighty-five of the laws of one thousand nine hundred and thirty-three, entitled 'An act to amend an act entitled 'A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,' approved May tenth, one thousand nine hundred and thirty-three,' approved September fifth, one thousand nine hundred and thirty-three," approved February eighth, one thousand nine hundred and thirty-four (P. L. 1934, c. 14); and "An act declaratory of the legislative purpose and intent in the enactment of an act entitled 'An act to amend an act entitled 'A supplement to an act entitled 'An act to authorize a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and thirty-three,' approved May tenth, one thousand nine hundred and thirty-three, approved June twenty-

first, one thousand nine hundred and thirty-three,' constituting chapter two hundred fifty-four of the session laws of one thousand nine hundred and thirty-three," approved May ninth, one thousand nine hundred and thirty-four (P. L. 1934, c. 183), are repealed.

11. Sections 18:10-18 to 18:10-21, inclusive, of the Revised Statutes are repealed. Section repealed.

12. This act shall take effect as follows: section eleven shall take effect on January first, one thousand nine hundred and forty-seven, and the other sections of this act shall take effect on July first, one thousand nine hundred and forty-seven. Act effective.

Approved April 17, 1946.

## CHAPTER 89

AN ACT to amend "An act to provide for the imposition of a franchise tax upon certain corporations and for the distribution of the proceeds thereof, repealing sections 54:13-1 through 54:13-8 and chapter thirty-two-A of Title 54 of the Revised Statutes, and making an appropriation for the administration of such tax," approved April thirteenth, one thousand nine hundred and forty-five (P. L. 1945, c. 162).

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

1. Section twenty-four of the act of which this act is amendatory is amended to read as follows: C. 54:10A-24.  
Section amended.

24. Out of the proceeds of the taxes, interest and penalties collected pursuant to this act, there is hereby appropriated, for the purpose of maintaining free public schools, the sum of four million dollars (\$4,000,000.00) annually, which sum shall on or before December twentieth in each year be cred- Appropriation.

ited by the State Treasurer to the State public school account. Such appropriation shall be applied to the support of the free public schools, and shall be apportioned and distributed as provided by law.

Act effective.

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

Approved April 17, 1946.

## CHAPTER 90

AN ACT concerning the adoption of the Employees' Retirement System by a county, municipality or school district, and amending section 43:15-1 of the Revised Statutes.

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

Section amended.

1. Section 43:15-1 of the Revised Statutes is amended to read as follows:

Resolution required to effectuate chapter.

43:15-1. Except as otherwise provided in this chapter, the provisions of chapter fourteen of this Title (§43:14-1 et seq.) shall apply to the employees of any county or municipality, but this chapter shall not become effective in any county or municipality until its governing body shall, by resolution, have directed that the question of its adoption by that county or municipality shall be submitted to the qualified voters thereof at a general election and a majority of the voters voting on the question at such election shall have voted in favor of its adoption or submitted to the qualified voters in accordance with the procedure as set forth in section 11:20-1 to 11:20-8 of the Revised Statutes inclusive insofar as the same may be made applicable.

2. This act shall take effect immediately.

Approved April 17, 1946.

## CHAPTER 91

AN ACT authorizing the State House Commission to sell certain lands and premises belonging to the State of New Jersey in the town of Kearny in the county of Hudson, to the Joseph Edwin Frobisher, Jr., Post, No. 99, Department of New Jersey, American Legion, a corporation of this State.

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

1. The State House Commission, acting for, on behalf and in the name of the State of New Jersey, is hereby authorized and empowered to sell to the Joseph Edwin Frobisher, Jr., Post, No. 99, Department of New Jersey, American Legion, a corporation of this State, the members of which consist of veterans of the World Wars, certain lands and premises, together with the buildings thereon erected, situate, lying and being in the town of Kearny, county of Hudson and State of New Jersey, the area beginning at a point in the Easterly line of Belgrove Drive which point is distant 177.61 feet in a south westerly direction from the corner formed by the intersection of the easterly line of Belgrove Drive with the southerly line of Afton Street, said point being also the south westerly corner of property of Joseph Edwin Frobisher, Jr., Post, No. 99, American Legion and running, thence (1) along the Easterly line of Belgrove Drive S32°-18'W 75 feet more or less to a point, being the North Westerly corner of property of Wilson Gugleman Post, No. 1302, Veterans of Foreign Wars, thence (2) along the northerly line of said property S57°-42'E 205.09 feet more or less to a point in the Westerly line of Brighton Ave. being also the north easterly corner of property of said Wilson Gugleman Post, No. 1302, Veterans of

State House  
commission  
authorized to  
sell certain  
lands, etc.

Foreign Wars, thence (3) along the westerly line of Brighton Avenue N33°-38'E 10.41 feet to an angle in the said westerly line of Brighton Avenue, thence (4) still along the westerly line of Brighton Avenue N34°-17'E 64.59 feet more or less to a point, being the south easterly corner of property of Joseph Edwin Frobisher, Jr., Post, No. 99, American Legion, thence (5) along the southerly line of said property N57°-42'W 210 feet more or less to the point or place of beginning.

Price and purpose of sale.

2. Such sale shall be executed in the name of the State by the said State House Commission at a sale price of seventy-five dollars (\$75.00). This sale is actuated by the desire of the Frobisher Post to erect thereon a suitable memorial to those who gave their services to their country and who in the declining years of their lives enjoyed the peace and contentment of the memorial home. Any attempt to assign, sell or use this property for any purpose inconsistent with the provisions herein expressed or by the loss of the charter of the said Joseph Edwin Frobisher, Jr., Post, No. 99, the title will revert to the State.

Title to revert to State.

Other terms.

3. The remaining terms, conditions and provisions of said deed shall be as determined by the said State House Commission, not inconsistent with the provisions hereof.

Repealer.

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

5. This act shall take effect immediately.

Approved April 17, 1946.



## CHAPTER 92

AN ACT concerning steam boilers, and amending sections 34:7-14, 34:7-15, 34:7-16, 34:7-19, 34:7-24, and 34:7-26 of the Revised Statutes.

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

1. Section 34:7-14 of the Revised Statutes is amended to read as follows: Section amended.

34:7-14. All steam boilers carrying a pressure of more than fifteen pounds per square inch and having ten or more square feet of heating surface shall be inspected internally and externally and be subject to a hydrostatic test, if necessary, at least once in each year by an inspector of the boiler inspection bureau, excepting, however, such steam boilers as may be insured after having been regularly inspected in accordance with the terms of this article by insurance companies, whose inspectors shall have satisfactorily passed an examination or received certificates of competency approved by the commissioner of labor. The inspections of any steam boiler by a certified inspector of an insurance company shall be acceptable in lieu of other inspections. This article shall not apply to steam boilers in marine or railroad service that are subject to United States Government inspection and regulations, or to fire department apparatus or motor road vehicles. Inspection of steam boilers.  
Exceptions.

2. Section 34:7-15 of the Revised Statutes is amended to read as follows: Section amended.

34:7-15. For each annual internal and external boiler inspection, which shall include hydrostatic test if found necessary, the owner, lessee or operator of the boiler shall pay to the inspector a fee of three dollars (\$3.00) for steam boilers having ten and not over sixty square feet of heating surface; six dollars (\$6.00) for steam boilers over sixty and Inspection fee.

not over one thousand square feet of heating surface, and twelve dollars (\$12.00) for steam boilers over one thousand square feet of heating surface together with the actual cost of travel incurred by the inspector in going to and returning from the place of inspection. The money so collected shall be paid by the inspector to the commissioner who shall pay it over to the State Treasurer.

Section  
amended.

3. Section 34:7-16 of the Revised Statutes is amended to read as follows:

Additional  
external  
inspection.  
Fee.

34:7-16. In addition to the annual internal and external inspection, there may be an external inspection if found necessary of each steam boiler, which shall be made as nearly as may be at the expiration of six months from each annual inspection and for which the owner, lessee or operator shall pay to the inspector a fee of two dollars (\$2.00), in addition to the actual cost of travel incurred by the inspector in going to and returning from the place of inspection. Each steam boiler insured by an insurance company shall also be given an external inspection by a certified inspector as a part of the obligation of the insurance policy.

Section  
amended.

4. Section 34:7-19 of the Revised Statutes is amended to read as follows:

Report of  
inspection by  
insurance  
company.  
Fee.

34:7-19. An insurance company making an inspection of any steam boiler shall make a report of such inspection to the commissioner in such manner and at such intervals as he may by rules provide, and shall pay to the commissioner a fee of two dollars (\$2.00) payable by and collected from the owner, lessee or operator by the insurer or inspector at the time of inspection for each boiler insured within the State.

Section  
amended.

5. Section 34:7-24 of the Revised Statutes is amended to read as follows:

Certificate  
of approval.

34:7-24. Upon payment of inspection fees and filing of inspection report, the commissioner shall deliver to the owner, lessee or operator of any boiler passing inspection a certificate of approval.

6. Section 34:7-26 of the Revised Statutes is amended to read as follows: Section amended.

34:7-26. Except as provided by sections 34:7-23 and 34:7-23.1 of this Title, any owner, lessee or operator of any steam boiler or refrigerating plant who shall use or allow to be used such steam boiler or refrigerating plant in violation of any provision of this article shall be liable to a penalty of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00), to be collected by suit or compromise. All such suits shall be brought by the commissioner as plaintiff, and may be brought before any district court, police magistrate or justice of the peace of the city or county wherein such violation shall occur, and such district courts, police magistrates or justices of the peace are hereby authorized to hear and determine such causes and issue execution for the collection of such penalties. Penalties.

Approved April 17, 1946. Recovery

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## CHAPTER 93

AN ACT making an appropriation of eighteen thousand dollars (\$18,000.00) to the State Department of Conservation for the acquisition of the Fort Mott Military Reservation in Lower Pennsneck township, Salem county, New Jersey.

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

1. There is hereby appropriated from the treasury of this State to the State Department of Conservation the sum of eighteen thousand dollars (\$18,000.00), when and if included in any annual appropriation bill, for the acquisition from the United States Government of the tract of land in Lower Pennsneck township, Salem county, formerly Appropriation.

known as the Fort Mott Military Reservation, together with the buildings, structures and improvements thereon, for the use and enjoyment of the public as a State park and historic site, to be disbursed and paid by the State Treasurer on warrant of the State Commissioner of Taxation and Finance, and on vouchers properly signed and approved by the Commissioner of Conservation.

2. This act shall take effect immediately.

Approved April 17, 1946.

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#### CHAPTER 94

AN ACT making an appropriation to the Legislature.

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

Appropriation.

1. The sum of eighteen thousand, three hundred dollars (\$18,300.00), or so much thereof as may be necessary, is appropriated to the Legislature to provide for the payment of compensation of officers and employees and for miscellaneous expenses.

2. This act shall take effect immediately.

Approved April 17, 1946.

## CHAPTER 95

AN ACT to facilitate the financing and effectuation of a motor bus terminal by the Port of New York Authority, and to effectuate an agreement with the State of New York with respect thereto.

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

1. Upon the concurrence of the State of New York as provided in section five hereof, the States of New Jersey and New York hereby agree that the moneys in the general reserve funds of the Port of New York Authority (herein called the Port Authority), authorized by chapter five of the laws of New Jersey of one thousand nine hundred and thirty-one and chapter forty-eight of the laws of New York of one thousand nine hundred and thirty-one, as amended, may be pledged in whole or in part by the Port Authority as security for or applied by it to the repayment with interest of any moneys which it may raise upon bonds, notes or other obligations or evidences of indebtedness, issued by it from time to time to provide funds for the establishment, acquisition or rehabilitation of a motor bus terminal (by which is meant a terminal consisting of one or more buildings, structures, improvements, loading or unloading areas, parking areas or other facilities, necessary, convenient or desirable in the opinion of the Port Authority for the accommodation of omnibuses and other motor vehicles operated by carriers engaged in the transportation of passengers, or for the loading, unloading, interchange or transfer of such passenger or their baggage, or otherwise for the accommodation, use or convenience of such passengers or such carriers or their employees) or for purposes incidental thereto; and that the moneys in said general reserve fund may be applied by the Port Authority

C. 32:2-23.1.  
Agreement in  
re use of  
funds for bus  
terminal.

Right of  
eminent  
domain.

to the fulfillment of any other undertakings which it may assume to or for the benefit of the holders of any of such bonds; and the two said States further agree that the Port Authority may acquire by condemnation or the right of eminent domain such real property in each State as it may from time to time deem necessary for or in connection with the establishment, acquisition and rehabilitation of such motor bus terminal.

C. 32:2-23.2.  
Bonds,  
etc., legal  
investments.

2. The bonds, notes or other obligations or evidences of indebtedness issued by the Port Authority to provide funds for the establishment, acquisition and rehabilitation of such motor bus terminal are hereby made securities in which all State and municipal officers and bodies of both States, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever, who are now or may hereafter be authorized by either State to invest in bonds or other obligations of such State, may properly and legally invest any funds, including capital, belonging to them or within their control; and said obligations are hereby made securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency of either State for any purpose for which the deposit of bonds or other obligations of such State is now or may hereafter be authorized.

C. 32:2-23.3.  
Considered a  
governmental  
function.

3. The establishment, maintenance and operation of such motor bus terminal within the Port of New York district is and will be in all respects for the benefit of the people of the States of New Jersey and New York, for the increase of their commerce and prosperity and for the improvement of their health and living conditions; and the Port Authority shall be regarded as performing an essential

governmental function in undertaking the construction, maintenance and operation thereof and in carrying out the provisions of law relating thereto.

4. Any powers granted to the Port Authority by this act and the concurrent act of the State of New York shall be regarded as in aid of and supplemental to and in no sense as a limitation upon any of the other powers vested in it by the two States or either of them; and the Port Authority shall be authorized not only to establish, acquire, rehabilitate, maintain, operate and from time to time improve such motor bus terminal, but also to make incidental uses of properties acquired for or in connection with such motor bus terminal.

C. 32:2-23.4.  
Powers  
granted not  
in limitation.

5. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with sections one to four, inclusive, of this act, but if the State of New York shall have already enacted such legislation, this act shall take effect immediately.

C. 32:2-23.5.  
Act effective.

Approved April 17, 1946.

## CHAPTER 96

AN ACT to repeal "An act to provide for a standard of time in the State of New Jersey, and amending section 1:1-2.3 of the Revised Statutes," approved February third, one thousand nine hundred and forty-two (P. L. 1942, c. 7).

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

1. An act to provide for a standard of time in the State of New Jersey, and amending section 1:1-2.3 of the Revised Statutes, approved February third, one thousand nine hundred and forty-two, is repealed.

Act repealed.

2. This act shall take effect immediately.

Approved April 17, 1946.

## CHAPTER 97

AN ACT concerning standard time, and amending section 1:1-2.3 of the Revised Statutes.

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

Section amended.

1. Section 1:1-2.3 of the Revised Statutes is amended to read as follows:

Legal standard time.

1:1-2.3. The standard time of this State shall be the time of the seventy-fifth meridian west from Greenwich, and wherever time is named within this State, in any manner whatsoever, it shall be deemed and taken to be such standard time except that the time of this State shall be one hour in advance of such prescribed time from the last Sunday in April until the last Sunday in September and except where otherwise expressed.

2. This act shall take effect immediately.

Approved April 17, 1946.

## CHAPTER 98

AN ACT concerning the dredging of a channel in Lake's bay from the Pleasantville municipal yacht basin to the upper end of the Inland waterway channel in Lake's bay, and making an appropriation to the State Department of Conservation.

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

Appropriation.

1. There is hereby appropriated to the State Department of Conservation, Division of Navigation, the sum of forty-five thousand dollars (\$45,000.00)



when included in any annual appropriation act, to dredge a channel in Lake's bay from the Pleasantville municipal yacht basin to the upper end of the Inland Waterway channel in Lake's bay.

2. This channel shall have a bottom width of one hundred feet and a minimum depth of six feet at local mean low water. Dimensions of channel.

3. This act shall take effect immediately.

Approved April 17, 1946.

## CHAPTER 99

AN ACT concerning county vocational schools, and amending section 18:15-46 of the Revised Statutes.

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

1. Section 18:15-46 of the Revised Statutes is amended to read as follows: Section amended.

18:15-46. For each county system of vocational schools established in accordance with this article, there shall be a board of education consisting of the county superintendent of schools and four persons to be appointed. Board of education.

In counties of the first class the four appointive members of such board shall be appointed by the county supervisor. In all counties of the second class, and in counties of the third and fifth classes having populations in excess of one hundred eighty thousand, the four appointive members of the board shall be appointed by the director of the board of chosen freeholders, with the advice and consent of that board. Not more than two members appointed in any such county of the second, third, or fifth class shall be members of the same political party, but no changes for adjustment of party representa- Appointment.

tion shall be made in a board except as vacancies occur. In other counties, the four appointive members of the board shall be appointed by the judge of the court of common pleas or in counties where there is more than one judge by a majority of them.

In making the first appointments to a board, one person shall be appointed to serve for one year, one for two years, one for three years and one for four years from November first next succeeding the date of their respective appointments. The persons so appointed shall also serve from the date of their respective appointments until November first next ensuing.

**Term.** Annually during the month of October a member of the board shall be appointed to serve for a term of four years, and until the appointment and qualification of his successor, to take the place of the member whose term shall expire on November first then next ensuing.

**Vacancies.** A vacancy in the board caused by the death, resignation or removal of a member shall be reported forthwith by the secretary of the board to the county supervisor, director of the board of chosen freeholders, or the judge or judges, as the case may be, who, within thirty days thereafter, and in the manner herein prescribed for making appointments for a full term, shall appoint a person to fill the vacancy for the unexpired term.

2. This act shall take effect immediately.

Approved April 17, 1946.

## CHAPTER 100

AN ACT concerning teachers in certain schools under control and management of the Department of Institutions and Agencies.

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

1. Whenever in the judgment of both the Commissioner of Education and the Commissioner of Institutions and Agencies the work of a school under the control and management of the State Department of Institutions and Agencies is equivalent to that of the public schools, the State Department of Institutions and Agencies shall be empowered in its discretion to require any or all of the teachers in such a school to hold a teacher's certificate of the same type as that held by a teacher in the public schools doing similar teaching.

C. 30:1-10.1.  
May require  
teacher's  
certificate.

2. The State Board of Examiners shall, upon the application of a teacher employed in such a school, issue a teacher's certificate under the same procedures and regulations as prescribed for the issuance of certificates to teachers employed in the public schools; *provided*, such application is approved by the Commissioner of Institutions and Agencies.

C. 30:1-10.2.  
Certificate  
issued.

Proviso.

3. This act shall take effect immediately.

Approved April 17, 1946.

## CHAPTER 101

AN ACT concerning the acceptance and repayment of advances or grants of money made by the Federal Government to aid in financing the cost of preparing plans for public projects undertaken by any city, borough, village, town, township or other municipality, other than a county or a school district.

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

C. 40:48-17.4.  
May accept  
federal grant.

1. Any municipality shall have power to accept any advance or grant of money made by the Federal Government to aid in financing the cost of preparing plans for any public project which the municipality has lawful authority to undertake, and shall have power to agree to repay any such advance or grant if and when the municipality shall undertake such public project. Notwithstanding the provisions of any other law, any municipality may make such an agreement although the funds necessary to make the repayment required by the agreement shall not have been previously made available by an appropriation or by the authorization of bonds.

C. 40:48-17.5.  
Provision for  
repayment.

2. Before undertaking any public project for which plans are prepared in accordance with such an agreement, the municipality shall, either by an appropriation lawfully made or by an authorization of bonds, make available the funds necessary to make any repayment required by such agreement. Notwithstanding the provisions of any other law, moneys raised for such public project by the issuance of bonds duly authorized at any time prior to the undertaking of such public project may, if the bond ordinance authorizing the bonds shall so provide, be used to make any such repayment.

3. As used in this act, "municipality" shall mean any city, borough, village, town, township or other municipality other than a county or a school district, and "Federal Government" shall mean the United States of America or any department, agent, agency or officer thereof or any corporation created thereby, and "public project" shall mean the construction, reconstruction or alteration of, or addition to, any physical public betterment or improvement and the construction, reconstruction or alteration of, or addition to, any public building or structure, and "plans" shall mean architectural, engineering, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, estimates of costs, procedures and other planning activities in advance of undertaking a public project.

C. 40:48-17.6.  
Use of terms.

4. This act shall take effect immediately.

Approved April 17, 1946.

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## CHAPTER 102

AN ACT to validate certain conveyances by executors, administrators, administrators, c.t.a., guardians and trustees.

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

1. Every deed of lands, tenements and hereditaments heretofore made by any executor, administrator, administrator, c.t.a., guardian or trustee, or the survivors of them, shall be held to have vested in the grantee or grantees thereof as full and ample an estate in said lands as was thereby intended to be conveyed notwithstanding the true or actual consideration for said deed shall not have been stated therein, and the record of every such deed shall be

Certain deeds  
of executor's,  
etc., validated.

Proviso.

admissible in evidence as fully and completely for all purposes as if such deed had the true or actual consideration stated therein; *provided, however*, that all such deeds have been recorded for a period of at least five years and are good and valid in all other respects.

2. This act shall take effect immediately.  
Approved April 17, 1946.

### CHAPTER 103

AN ACT for the protection of certain game, and amending section 23:4-25 of the Revised Statutes.

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

Section amended.

1. Section 23:4-25 of the Revised Statutes is amended to read as follows:

Dogs running at large; penalty.

23:4-25. The owner, lessee or custodian of a dog found running at large in the woods or fields, or a person going into the woods or fields with a hound or firearm, except during the open season for quail, rabbit, squirrel, English or ring-necked pheasant, raccoon, woodchuck, ruffed grouse, or partridge, shall be liable to a penalty of twenty dollars (\$20.00) for each offense.

Running at large.

The occupant of a farm may permit his dog to run at large on the land he occupies, except during the open season for deer. The owner, lessee or custodian of a dog may go into the woods or fields with the dog without firearms for the purpose of exercising or training it in daylight at any time, except during the open season for deer.

Section: not to apply.

This section shall not apply to hunting deer, raccoon, woodchuck, woodcock, snipe, rail, mud hen and waterfowl at the time and in the manner pro-

vided by law, or to the killing of crows, hawks, woodchuck and vermin at any time of the year when in the act of destroying poultry, crops or property.

2. This act shall take effect immediately.

Approved April 17, 1946.

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## CHAPTER 104

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-six, and regulating the disbursement thereof," approved March twenty-eighth, one thousand nine hundred and forty-five.

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

### B. LEGISLATIVE

#### B 1. LEGISLATURE

1. For the purposes of meeting expenditures incurred by the Judiciary Committee of the House of Assembly, in the matter of its investigation of impeachment charges presented in the matter of Walter D. Van Riper, and for the payment of all claims arising in connection therewith, there is hereby appropriated the sum of seventy-five hundred dollars (\$7,500.00). Appropriation.

2. This act shall take effect immediately.

Approved April 17, 1946.

## CHAPTER 105

AN ACT supplementing "An act to incorporate the German Theological School of Newark, New Jersey," approved February second, one thousand eight hundred and seventy-one (P. L. 1871, c. 18).

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

Authorized  
to increase  
number of  
directors.

1. It shall be lawful for the Presbytery of Newark, New Jersey, upon recommendation of the Board of Directors of the German Theological School of Newark, New Jersey, now known by the corporate title of the Bloomfield College and Seminary, to increase the number of directors of the Bloomfield College and Seminary from time to time to any number not exceeding forty-four in the aggregate; and whenever such increase shall be made, it shall be so made that one-half of the additional directors shall be clergymen and one-half laymen. Such directors shall be elected at the time and in the manner directed by the act to which this is a supplement, for the election of directors; and when they are so elected the additional directors shall be added to the existing classes in the board as the Presbytery of Newark, New Jersey, may direct but in such manner as to maintain as nearly as may be equality among the several classes.

2. This act shall take effect immediately.

Approved April 17, 1946.



## CHAPTER 106

AN ACT concerning the sale by municipalities of property owned by such municipalities, and amending section 40:60-26 of the Revised Statutes.

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

1. Section 40:60-26 of the Revised Statutes is amended to read as follows: Section amended.

40:60-26. The governing body of any municipality may sell any lands or buildings or any right or interest therein not needed for public use. All such sales or disposition except as provided in sections 40:60-27 to 40:60-29 of this Title shall be authorized to be made by one of the following methods: Authorized to sell certain public lands.

(a) By public sale to the highest bidder after public advertisement thereof in a newspaper circulating in a municipality in which the lands are situated by two insertions at least once a week during two consecutive weeks, the last publication to be not more than seven days prior to the sale. In the case of public sales the governing body of any municipality may by resolution fix a minimum price to be included in the advertisement of sale of lands and public notice thereof given at the time of sale, or may by resolution provide that upon the completion of the public sale, the highest bid made thereat shall be subject to acceptance or rejection by the governing body, but the acceptance or rejection thereof shall be made not later than at the second regular meeting of the governing body following the sale, and, that if the governing body shall fail or refuse to accept or reject any such highest bid, as aforesaid, the said bid shall be deemed to have been rejected. Such sales may be adjourned at the time advertised for not more than one week without readvertising. Public sale.

Private sale.

(b) Such governing body may from time to time by ordinance authorize the sale of any such properties at private sale for a period of time to be stated in said ordinance, which ordinance shall also fix the minimum sale price for each property so to be sold. A list of the properties so authorized to be sold, together with the minimum prices respectively, as determined by the governing body, shall be included in the ordinance and said list shall be posted in the city hall, or in such other municipal building in which the governing body usually holds its regular meetings. Additional copies of said list shall be made available for distribution. Offers for any or all properties so listed may be made to the governing body, at not less than the minimum prices as published by any prospective purchaser or any real estate broker or other persons legally authorized to consummate the transaction. The commission to be paid to any such broker or person consummating a sale, other than the purchaser, shall be not more than five per centum (5%) of the sale price, and may be paid out of the down payment on account of the purchase price.

Private sale  
ratified.

Any and all private sales made in the manner specified shall not become effective until ratified by the governing body of the municipality at a regular meeting.

Additional  
method for  
private sale.

(c) In place of the above methods the governing body of any municipality may sell any such properties at private sale, as follows: Upon any offer being made by any person to the municipality to purchase any such property, the said offer shall be submitted to and considered by the governing body thereof at a regular or special meeting, and said governing body may then reject said offer, or may approve the same subject to final approval at a further public meeting of said governing body not less than ten days after said first meeting. Notice of the said further meeting of the governing body, containing said offer of purchase with a description of the land to be sold, the price thereof and the terms and conditions of said sale, shall be

published at least once in a newspaper circulating in said municipality, not less than two days nor more than ten days before said further meeting; and at said further meeting the said offer to purchase said property shall be considered by the governing body, which may then reject the same, or may confirm and ratify said sale under said terms and conditions, or a modification thereof; *provided*, that no higher price or better terms shall then be bid for said property by any other person; and said governing body may then authorize the proper officers thereof either to execute a formal agreement of sale with the purchaser which shall be binding upon said municipality and upon the purchaser, or may authorize the proper officers to make a deed of conveyance to said purchaser, as the case may require.

(d) In place of the above methods the governing body of any municipality may sell any such properties at public or private sale upon such terms and conditions as shall be authorized by resolution of said governing body, with the approval in writing of the commissioner of local government.

Sale by  
resolution  
approved by  
commissioner.

All sales, either public or private, may be for cash or upon credit. The governing body may by resolution fix the time for settlement and payment of the consideration and when the sales are upon credit the municipality may accept a purchase money mortgage to be given by the purchaser or purchasers, the terms and conditions of which mortgage shall be fixed by the resolution of the governing body of the municipality; *provided, however*, that any such mortgage shall be fully payable within five years from the date of the sale and shall bear interest at a rate not less than five per centum (5%) per annum. The governing body may also impose conditions and restrictions on the use to be made of such land in the manner and to the same extent as any other vendor of real estate, whether such sale shall be made at public or private sale; *provided, however*, that any conditions for the payment of the consideration upon credit and

Terms of sale.

Proviso.

Conditions and  
restrictions.

Proviso.

any conditions and restrictions on the use to be made of the land shall be set forth at length in any advertisement of sale hereinabove required. In all sales made pursuant to paragraphs (a), (c) or (d) of this section, the governing body of any municipality may pay a commission to any real estate broker or other person other than the purchaser actually consummating such sale, but said commissions shall not be more than five per centum (5%) of the sale price.

2. This act shall take effect immediately.

Approved April 18, 1946.

## CHAPTER 107

AN ACT regulating the furnishing or serving of straws, tubes or other similar devices for drinking out of containers in restaurants and other public places and providing penalties for the violation thereof.

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

C. 24:10A-1.  
Straws, etc.,  
for drinking.

1. It shall be unlawful to furnish or serve, in any restaurant or other public place, any straw, tube or other similar device for drinking out of glasses, cups or containers of any type unless the same is so wrapped or packed as to keep it in a clean and sanitary condition.

C. 24:10A-2.  
Rules and  
regulations.

2. The State Department of Health may establish reasonable rules and regulations to carry out the provisions of this act.

C. 24:10A-3.  
Penalty.

3. Any person who violates any of the provisions of this act shall be liable to a penalty of twenty-five dollars (\$25.00) for the first offense and fifty dollars (\$50.00) for each subsequent offense, to be recovered in an action at law brought by and in the

name of the State Department of Health or the local board of health of the municipality within which the violation occurred.

4. This act shall take effect January first, one thousand nine hundred and forty-seven. C. 24:10A-4.  
Act effective.

Approved April 18, 1946.

## CHAPTER 108

AN ACT concerning the establishment of county boards of agriculture, and amending section 4:14-2 of the Revised Statutes.

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

1. Section 4:14-2 of the Revised Statutes is amended to read as follows: Section  
amended.

4:14-2. The membership of the county boards shall consist of all the members of the agricultural and horticultural associations of each county, and such others as they may elect: County  
boards:

a. In counties having no agricultural or horticultural associations any number of citizens not less than ten may organize a county board of agriculture by electing a president, a secretary, a treasurer, and a board of not less than five directors, adopting the name of "the ..... county board of agriculture" (inserting in each case the name of the proper county), and filing with the secretary of agriculture a certificate of such organization. Upon the formation of any agricultural or horticultural association in the county, they shall become members of such county board, as provided in paragraphs "b" and "c" of this section; Membership  
and  
organization;

b. In counties having but one agricultural or horticultural organization (whether known and desig-

nated as a "society," "club" or "grange"), such organization may become the county board of agriculture for such county by electing the officers and directors prescribed in paragraph "a" of this section, adopting the name of "the ..... county board of agriculture" (inserting the name of the proper county) and filing with the secretary of agriculture a certificate of such organization;

c. In counties having more than one agricultural or horticultural organization (whether known and designated as "societies," "clubs" or "granges"), such organizations, or so many of them (not less than two) as may elect so to do, may organize a county board of agriculture by electing a president, a secretary, a treasurer, and a board of directors to consist of at least one member of each agricultural or horticultural organization of the county (that may elect to become members of such county board), adopting the name of "the ..... county board of agriculture" (inserting in each case the name of the proper county), and filing with the secretary of agriculture a certificate of such organization;

Ex-officio  
members;

d. The president, secretary and treasurer of the county board of agriculture shall be ex-officio members of the board of directors of the board;

Contents of  
certificate.

e. Every certificate filed, as provided in this section, shall truly and correctly state—first, the name of the county board filing the same; second, the date of its organization under this section; third, the names of its officers and directors; fourth, the names of bona fide members in each organization represented in the county board at the date of organizing said board, and the names of such organizations.

Approved April 18, 1946.

## CHAPTER 109

AN ACT to amend "An act relating to explosives, prescribing rules and regulations for their manufacture, having, keeping, storage, sale, transportation and use, providing penalties for all violations of this act and empowering the Commissioner of Labor and the bureau of explosives of the Department of Labor to enforce the provisions of the act, and repealing chapter one of Title 21 of the Revised Statutes, excepting only sections 21:1-41, 21:1-42, 21:1-43, 21:1-44, 21:1-50 and 21:1-51 of the Revised Statutes," approved March twenty-eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 27).

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

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

C. 21:1A-27.  
Section  
amended.

27. Separate and distinct permits shall be required concerning explosives as follows, subject to the conditions specified in the act:

Separate  
permits  
required.

(1) To manufacture explosives, except that explosives plants that have been engaged in the manufacture of explosives prior to the passage of the act and have complied with the existing statutes of this State shall not require such a permit; *provided*, that there are neither changes in ownership or major physical characteristics. A notice of registration as required by the labor laws for manufacturing plants as provided in Title 34 of the Revised Statutes of the State of New Jersey must be posted in all explosives plants.

Proviso.

(2) To have, possess, keep or store any explosives.

(3) To sell any explosives.

(4) To transport explosives on highways, by motor truck or any other vehicle; *provided, however*, that a permit to transport explosives not in excess of either ten pounds of explosives or twenty blasting caps shall not be required by the holder of a valid limited agricultural permit to use explosives for blasting purposes; *provided, further*, that the vehicle used for the transportation of explosives over the highways complies with the requirements of this act.

(5) To use explosives for blasting operations.

(6) To use explosives for other than blasting operations.

C. 21:1A-33.  
Section  
amended.

Permits to  
have, etc.,  
requirements.

Proviso.

Inspection.

Permit issued.

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

33. Permits to have, possess, keep or store as required by section twenty-seven, subsection (2), of this act shall not be issued unless it has been established by the commissioner that there is complete compliance with all of the requirements of articles eight and nine of this act; *provided, however*, that local county representative of the Agricultural Extension Service shall be empowered to issue annual limited agricultural permits to use explosives for blasting purposes, and procurement certificates in a manner prescribed by the commissioner as provided in section forty-one and section fifty-three. The commissioner shall, as soon as may be after receiving the application, cause an inspection to be made of the magazine, if then constructed, and in the case of a new magazine, or the removal of an existing magazine, as soon as may be after the same is found to be constructed or removed in accordance with the specifications provided in this act, and before any explosives may be stored therein the commissioner shall determine the amount of explosives that may be kept or stored in such magazines by reference to the quantity and distance table set forth in this act, and shall issue a permit to the



person applying therefor, showing compliance with the provisions of this act, which permit shall set forth the character and maximum quantity of explosives that may be had, kept or stored in said magazine. Such permit shall be valid until canceled for one or more of the causes hereinafter provided, and a facsimile copy of said permit shall be conspicuously posted on the inside of said magazine near the door. Whenever by reason of change in the physical conditions surrounding said magazine at the time of the issuance or renewal of the permit therefor, such as:

Change in  
physical  
conditions.

(a) The erection of buildings nearer said magazine.

(b) The construction of railroads nearer said magazine, or

(c) The opening for public travel of highways nearer said magazine; then, notice of said change or changes must be given in writing to the commissioner, and the amounts of explosives which may be lawfully had, kept or stored in said magazine must be reduced to conform to such changed conditions in accordance with the quantity and distance table, notwithstanding the permit, and the commissioner shall, after inspection, modify or cancel such permit in accordance with the changed conditions. Whenever any person to whom a permit has been issued keeps or stores in the magazine covered by such permit any quantity of explosives in excess of the maximum amount set forth in said permit, or whenever any person fails for thirty days to pay the annual license fee hereinafter provided after the same becomes due or otherwise violates any of the provisions of this act, the commissioner may cancel such permit. Whenever a permit is canceled by the commissioner for any cause hereinbefore specified, the commissioner shall notify in writing the person to whom such permit is issued of the fact of such cancellation,

Notice of  
changed  
conditions.

Grounds for  
canceling.

Notice of  
cancellation.

and shall, in said notice, direct the removal of all explosives stored in said magazine within ten days from the giving of said notice. Failure to remove the explosives stored in said magazine within the time specified in said notice shall constitute a violation of this act.

C. 21:1A-41.  
Section  
amended.

Applicant  
to furnish  
information.

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

41. The applicant for a permit shall, at his own expense, furnish the commissioner with any information the commissioner may require concerning the purpose for which the permit may be issued, as well as any other pertinent information, all in addition to that specified herein. The application must be accompanied by a fee in accordance with article six of this act. Applications by a person engaged in agricultural work for either limited agricultural permits to use explosives for blasting purposes or procurement certificates, or both, shall be made to the county representative of the Agricultural Extension Service on forms prescribed by the commissioner; any such person shall be known and recognized by the county representative of the Agricultural Extension Service in the county in which such person is actively engaged in agricultural work, in lieu of which photographs and fingerprints shall not be required.

C. 21:1A-53.  
Section  
amended.  
  
Permits  
granted.

4. Section fifty-three of the act of which this act is amendatory is amended to read as follows:

53. If the results of the investigation of the commissioner are found to be in conformity with the requirements of this act, the commissioner shall issue the permit for which an annual fee shall be payable to the Commissioner of Labor, said fees to be based on the following schedule:

Schedule  
of fees.

(1) Permit for each location to manufacture, possess, store, keep or otherwise dispose of, except sell or use explosives—not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00), as provided by regulation; *provided, however*, that no fee shall be paid for the storage of not more than

Proviso.

fifteen pounds of explosives or thirty blasting caps or both, by any person to whom a limited agricultural permit to use explosives for blasting purposes has been issued; *and provided further*, that the fee for the storage of between more than fifteen pounds and not more than one hundred pounds of explosives, or between more than fifteen and not more than one hundred blasting caps shall be one dollar (\$1.00). Proviso.

(2) Permit to sell explosives—not less than one dollar (\$1.00) nor more than twenty-five dollars (\$25.00), as provided by regulation.

(3) Permit per vehicle to transport explosives—not less than one dollar (\$1.00) nor more than five dollars (\$5.00), as provided by regulation; *provided, however*, that no fee shall be paid for the transportation of either not more than ten pounds of explosives or twenty blasting caps by any person to whom a limited agricultural permit to use explosives for blasting purposes has been issued. Proviso.

(4) Permit to use explosives—five dollars (\$5.00); *provided, however*, that a fee of one dollar (\$1.00) shall be paid to the commissioner for a limited agricultural permit to use explosives for blasting purposes. Proviso. Such limited agricultural permits shall be issued only to persons actively engaged in agriculture and only by the local county representative of the Agricultural Extension Service of the county in which such persons are known by the said local county representative to be actively engaged in agricultural work. The said county representative shall refuse to issue any such aforesaid permit to any other person. Limited agricultural permit forms shall be furnished by the commissioner to the county representative and then only when requested. Copies of all such permits shall be forwarded to the commissioner by the said county representatives immediately after issuance and in a manner as prescribed by the commissioner. Procurement certificates shall be issued by the local county representatives of the Agricultural Exten-

sion Service on a form and in a manner prescribed by the commissioner to any known and recognized holder of a limited agricultural permit to use explosives for blasting purposes and shall entitle such holder to procure at one time not more than ten pounds of explosives or twenty blasting caps or both from any person who is in possession of a valid permit to sell explosives. The seller of explosives shall return the procurement certificate to the county representative of the Agricultural Extension Service who issued the certificate, promptly after each sale.

C. 21:1A-84.  
Section  
amended.

Fire  
extinguishers.

5. Section eighty-four of the act of which this act is amendatory is amended to read as follows:

84. Every vehicle, when used for transporting explosives shall be equipped with approved means for the extinguishment of fires, suitable for use on oil fires, filled and ready for instant use and located near the driver's seat.

6. This act shall take effect immediately.

Approved April 18, 1946.

## CHAPTER 110

AN ACT concerning public assistance to needy persons; providing for the consolidation and coordination of municipal public assistance activities; abolishing the offices of overseer of the poor, and deputy overseer of the poor; transferring to, and vesting in the municipal directors of welfare the functions, powers and duties of said overseers of the poor and deputy overseers of the poor; and supplementing Title 44 of the Revised Statutes.

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

1. Notwithstanding any provisions of law to the contrary, the offices of overseer of the poor and deputy overseer of the poor in each of the municipalities of this State are hereby abolished, and the functions, powers and duties, records and property of each of such offices, are hereby transferred to and vested in, and shall be exercised and used by, the director of welfare of such municipality appointed pursuant to the provisions of chapter one hundred thirty of the laws of one thousand nine hundred and forty; except, however, as otherwise provided in section five of this act.

C. 44:1-73.1.  
Office  
abolished.

Duties, etc.,  
transferred.

2. Whenever the terms "overseer of the poor," "overseer," "deputy overseer of the poor," and "deputy overseer," occur or any reference is made to any of said terms, in any law, they, and each of them, shall be deemed to mean or refer to the municipal director of welfare appointed pursuant to the provisions of chapter one hundred thirty of the laws of one thousand nine hundred and forty.

Use of terms.  
C. 44:1-73.2.

3. Nothing in this act shall be construed to deprive counties which have adopted Title 44:4 of

C. 44:1-73.3.  
Construing,  
as to powers  
and duties.

the Revised Statutes of their powers and duties as provided in 9:17-1.1 of the Revised Statutes.

C. 44:1-73.4.  
Construing,  
as to term.

4. Nothing in this act shall be construed to affect the term of office, or the compensation of any director of welfare appointed by any local assistance board.

C. 44:1-73.5.  
Construing  
as to tenure.

5. Nothing in this act shall be construed to deprive any person of any right or protection provided him by Title 11 of the Revised Statutes or by any pension law or retirement system.

C. 44:1-73.6.  
Act not to  
affect present  
incumbent.

6. This act shall not affect the term, tenure or compensation of any overseer of the poor or deputy overseer of the poor, of any municipality, holding such office on the effective date hereof, and such overseer of the poor or deputy overseer of the poor, or both, shall continue to exercise the functions, powers and duties of his office, and maintain the records and property thereof, as required by law, for the balance of the term during which he shall have been appointed, and any term or terms for which he may be reappointed to succeed himself in such office; and at the expiration of such term or terms such functions, powers and duties, records and property, shall be transferred to and vested in, and shall be exercised and used by, the director of welfare of such municipality appointed pursuant to the provisions of chapter one hundred thirty of the laws of one thousand nine hundred and forty.

C. 44:1-73.7.  
Act effective.

7. This act shall take effect on the first day of July, one thousand nine hundred and forty-six.

Approved April 18, 1946.

## CHAPTER 111

AN ACT making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-seven, and regulating the disbursement thereof.

## ANTICIPATED REVENUES FOR THE FISCAL YEAR 1946-47

*Revenues*

Revenues anticipated in excess of 1945-46 estimates .....		Anticipated revenues.
Transfer inheritance taxes .....	\$8,000,000 00	
Main stem and franchise-excise taxes .....	8,500,000 00	
Miscellaneous corporation taxes, domestic and foreign .....	11,000,000 00	
Domestic life insurance corporation taxes .....	6,500,000 00	
Beverage taxes .....	1,500,000 00	
Beverage licenses .....	11,500,000 00	
Hunters and anglers licenses (transfer from dedicated fund) .....	500,000 00	
Foreign insurance corporation taxes .....	667,786 06	
Fertilizer inspection fees, et cetera .....	3,550,000 00	
Outdoor advertising permits .....	85,000 00	
Department of Banking and Insur- ance .....	65,000 00	
Secretary of State .....	1,000,000 00	
Clerk in Chancery .....	250,000 00	
Clerk of the Supreme Court .....	420,000 00	
Real Estate Commission .....	50,000 00	
Board of Beauty Culture Control ..	90,000 00	
Board of Barber Examiners .....	60,000 00	
Commissions .....	25,000 00	
Judicial fees .....	50,000 00	
	10,000 00	

Department of Conservation, Division of Navigation .....	10,000 00
Department of Conservation, excess water diversion fees .....	100,000 00
Department of Conservation, Division of Shell Fisheries .....	28,000 00
Department of Labor .....	85,000 00
Department of Labor (from dedicated receipts) .....	62,050 00
Dividends .....	18,870 00
Counties repayment of advances for purchase of voting machines ...	300,000 00
Athletic Commissioner .....	60,000 00
Division of Local Government ...	80,000 00
Department of Health .....	100,000 00
Rabies control licenses (transfer from dedicated funds) .....	80,000 00
Tenement House Supervision .....	15,000 00
Department of Conservation (from Morris canal fund) .....	15,370 00
Department of Conservation, Division of Forestry, et cetera ...	30,000 00
Department of Conservation (transfer from State forest fund)	43,700 00
Public Utility Tax (Administration) .....	16,000 00
Department of Weights and Measures .....	60,000 00
Academic Certificate Fund .....	18,000 00
Manual Training and Industrial School for Colored Youth .....	75,000 00
School for the Deaf .....	4,000 00
State Teachers College, Glassboro:	
Extension fees .....	15,000 00
Tuition fees .....	16,000 00
Dormitory fees .....	38,000 00
State Teachers College, Jersey City:	
Extension fees .....	17,000 00
Tuition fees .....	38,000 00
State Teachers College, Newark:	
Extension fees .....	38,000 00
Tuition fees .....	35,000 00



State Teachers College, Paterson:	
Extension fees .....	25,000 00
Tuition fees .....	20,000 00
State Teachers College, Montclair:	
Extension fees .....	30,000 00
Tuition fees .....	65,000 00
Dormitory fees, cafeteria-board-	
ing hall fees .....	90,000 00
State Teachers College, Trenton:	
Extension fees .....	20,000 00
Tuition fees .....	55,000 00
Dormitory fees, cafeteria-board-	
ing hall fees .....	130,000 00
State Board of Examiners .....	16,000 00
Agricultural Experiment Station ..	80,000 00
Department of Agriculture .....	8,000 00
Milk control licenses and fees.....	90,000 00
Rehabilitation Commission .....	5,000 00
Colony for Feeble-Minded Males,	
New Lisbon .....	180,000 00
Colony for Feeble-Minded Males,	
Woodbine .....	155,000 00
Commission for the Blind (Federal	
Aid) .....	15,000 00
Home for Disabled Soldiers, Menlo	
Park (Federal Aid) .....	21,767 00
Home for Disabled Soldiers, Menlo	
Park (State) .....	500 00
Home for Disabled Soldiers, Vine-	
land (Federal Aid) .....	10,590 00
Home for Disabled Soldiers, Vine-	
land (State) .....	500 00
North Jersey Training School,	
Totowa .....	135,000 00
Reformatory, Annandale .....	1,000 00
Reformatory, Rahway .....	300 00
Sanatorium for Tuberculous Dis-	
eases .....	110,000 00
State Home for Boys .....	15,000 00
State Home for Girls .....	10,000 00
State Hospital, Greystone Park ..	1,250,000 00

State Board of Children's Guardians (Federal Aid) .....	125,000 00
State Hospital, Marlboro .....	535,000 00
State Hospital, Trenton .....	700,000 00
State Prison .....	500 00
Village for Epileptics .....	295,000 00
Vineland State School .....	260,000 00
Miscellaneous sources .....	110,000 00
Tax on motor fuels .....	23,000,000 00
Motor vehicle fees, fines, et cetera. ....	22,000,000 00
Motor vehicle inspection fees .....	1,000,000 00
Bus excise tax .....	80,000 00
Miscellaneous highway revenues ..	135,000 00
Federal Aid, highway construction (1945-46) .....	8,391,957 00
Federal Aid, highway construction (1946-47) .....	8,391,957 00
Total revenues .....	\$122,783,847 06

*Transfers*

Transfers.	From Racing Receipts Fund .....	3,091,898 58
	Transfer from School Fund .....	455,000 00
	Transfer from Post-War Reserve Account .....	26,403,901 26
	Totals transfers .....	\$29,950,799 84

Total revenues and transfers  
anticipated .....\$152,734,646 90

## Less Amounts Reserved For:

Grade crossing elimination (1945-46) .....	\$2,000,000 00
Grade crossing elimination (1946-47) .....	2,000,000 00
State Capitol Building Pro- gram .....	6,000,000 00

Funding of Highway Department		
Deficit .....	11,178,900	00
Prison Officers Pension Fund ..	250,000	00
Appropriation pursuant to chapter 166, laws of 1945	172,000	00
Total reservations		21,600,900 00
Balance available for appropriation .....	\$131,133,746	90

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

1. The appropriations herein made or so much thereof as may be necessary are hereby appropriated for the respective public officers and for the several purposes herein specified for the fiscal year ending on the thirtieth day of June, one thousand nine hundred and forty-seven. The appropriations herein made for debt service, for State aid to counties and municipalities under R 3, and for State Highway purposes under R 8, herein shall not lapse by reason of the expiration of said period. The appropriations herein made, other than those for debt service, State aid to counties and municipalities under R 3, and for State Highway purposes under R 8, shall be available for expenditure during said fiscal year and for a period of two months thereafter to pay obligations incurred during said period only. At the expiration of said two months period all unexpended balances except in appropriations herein made for debt services, State aid to counties and municipalities under R 3 and for State Highway purposes under R 8 and in appropriations to the extent specifically held by contracts on file with the Commissioner of Taxation and Finance shall lapse into the State treasury or, in cases of appropriations from special funds, shall lapse to the credit of such special funds. Nothing

Annual  
appropriations

Unexpended  
balances  
to lapse.

Construing.

in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under any appropriation contained in any highway appropriation bill of the previous year or years.

# A. EXECUTIVE AND ADMINISTRATIVE

## A 1. DEPARTMENT OF LAW

Law  
department.

### Salaries:

Attorney-General . . . .	\$15,000 00	
Deputy Attorney-General . . . . .	12,000 00	
Other officers and employees . . . . .	218,595 20	
	<hr/>	\$245,595 20

### Materials and Supplies:

Motor vehicular transportation supplies .	\$1,050 00	
Stationery and office supplies . . . . .	1,600 00	
Printing and binding .	600 00	
Law books . . . . .	1,000 00	
	<hr/>	4,250 00

### Services Other Than Personal:

Traveling expenses . .	\$2,100 00	
Household expenses .	230 00	
Miscellaneous expenses . . . . .	650 00	
Advertising . . . . .	2,000 00	
Subscriptions . . . . .	310 00	
Expenses of special investigations . . . . .	22,200 00	
	<hr/>	27,490 00

## Current Repairs and Maintenance:

Automotive equipment	\$812 00	
Office furniture, machines and equipment .....	50 00	
		862 00
		<u>\$278,197 20</u>

A 2. DEPARTMENT OF TAXATION AND FINANCE  
EXECUTIVE—ADMINISTRATIVE BUREAU

## Salaries:

Commissioner .....	\$12,000 00		Taxation and finance:
Other officers and employees .....	55,580 00		
		\$67,580 00	

## Material and Supplies:

Stationery and office supplies .....	\$650 00	
Printing and binding.	900 00	
		1,550 00

## Services Other Than Personal:

Traveling expenses ..	\$600 00	
Rent of office appliances .....	12,738 00	
Subscriptions .....	40 00	
Miscellaneous expenses .....	292 60	
		13,670 60

## Current Repairs and Maintenance:

Office furniture, fixtures and machines .....		67 40
		<u>\$82,868 00</u>

**New Jersey State Library**

*Division of Budget and Accounting*Budget and  
accounting;

## Salaries:

Other officers and employees ..... \$217,450 00

## Materials and Supplies:

Motor vehicular trans- portation supplies..	\$350 00	
Stationery and office supplies .....	3,400 00	
Printing and binding.	3,000 00	
		<hr/> 6,750 00

## Services Other Than Personal:

Traveling Expenses ..	\$7,700 00	
Freight, express and cartage .....	75 00	
Subscriptions .....	41 20	
Miscellaneous ex- penses .....	576 23	
		<hr/> 8,392 43

## Current Repairs and Maintenance:

Office furniture, fixtures and ma- chines .....		1,677 57
--	--	----------

## Unclassified Expenditures:

Centralized payroll .....	2,000 00	
		<hr/> \$236,270 00

## Unclaimed Wages:

The Commissioner of  
Taxation and Fi-  
nance is hereby au-  
thorized to pay from  
this fund any claim  
for unclaimed  
wages, properly ap-  
proved. The State

Treasurer shall pay same upon warrants of the Commissioner of Taxation and Finance.

Unclassified:

The balance in the re-finishing project account, as of June 30, 1946, is hereby reappropriated.

The balance in the amount appropriated for the purpose of setting up a central payroll system, as of June 30, 1946, is hereby reappropriated.

*Division of Taxation*

Salaries:

Director .....	\$10,000 00	
Other officers and employees .....	1,158,202 00	
	<hr/>	\$1,168,202 00

Taxation;

Materials and Supplies:

Motor vehicular transportation supplies..	\$9,450 00	
Stationery and office supplies .....	17,550 00	
Photographing, blue-printing and drafting supplies .....	800 00	
Motor fuel and outdoor advertising license plates .....	2,800 00	
Briefs and law books.	2,500 00	
Printing and binding.	5,000 00	
	<hr/>	38,100 00

## Services Other Than Personal:

Traveling expenses ..	\$24,000 00	
Rents .....	6,735 36	
Insurance (fire) .....	136 00	
Subscriptions .....	726 50	
Miscellaneous ex- penses .....	2,000 00	
Boat crew expenses..	1,800 00	
Maintenance of patrol boat .....	2,500 00	
Garage rents .....	3,756 00	
Rent of equipment...	3,000 00	
		44,653 86
Current repairs and maintenance....		7,500 00
		<u>\$1,258,455 86</u>

## Refunds;

## Refunds:

## Corporation Taxes:

Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and directed to allow and certify to the State Treasurer for payment any duplicate payment of tax, or any amount legally adjudged to be an overpayment of franchise taxes and interest thereon by any so-called miscellaneous corporation, provided any such



taxes shall not have been assessed or fixed earlier than two years prior to the date of instituting proceedings to recover such overpayment. The State Treasurer is hereby authorized and directed to pay warrants issued therefor by the Commissioner of Taxation and Finance.

**Transfer Inheritance Taxes:**

Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and it shall be his duty to withdraw from the State fund such amounts as shall be required to carry out the provisions of R. S. 54:33-10, payment of five per centum (5%) of tax collected to counties, and to refund and pay such claims as may be necessary

and the State  
 Treasurer shall  
 pay same upon the  
 warrants of said  
 Commissioner of  
 Taxation and Fi-  
 nance, and there  
 is hereby appro-  
 priated the amount  
 necessary there-  
 fore, approxim-  
 ing ..... \$300,000 00

Railroad Tax:

The Commissioner  
 of Taxation and  
 Finance is hereby  
 authorized and  
 empowered to ad-  
 just and repay  
 any overpayment  
 of tax assessed  
 and penalty there-  
 on for any year,  
 pursuant to sec-  
 tion 14, chapter  
 208, laws of 1888,  
 and the acts  
 amendatory there-  
 of and supple-  
 mentary thereto,  
 or R. S. 54:28-4,  
 made by any rail-  
 road and/or canal  
 company, and the  
 State Treasurer is  
 directed to pay  
 warrants therefor  
 issued by the  
 Commissioner of  
 Taxation and Fi-  
 nance, such pay-

ment shall be deducted from the amount originally paid into and remaining undistributed in the Treasury of the State, and the amount of money necessary for such purpose, as ascertained, is hereby appropriated.

**Motor Fuel Taxes:**

Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and empowered to pay any refund of motor fuel taxes, pursuant to chapter 39 of Title 54 of the Revised Statutes, and the State Treasurer is directed to pay warrants issued therefor by the Commissioner of Taxation and Finance.

**Outdoor Advertising Taxes:**

Upon certification of the Director of the Taxation Di-

vision, the Commissioner of Taxation and Finance is hereby authorized and it shall be his duty to withdraw from the State fundmoneys to refund and pay all claims for any duplicate payment of tax or any amount legally adjudged to be an overpayment of outdoor advertising taxes. The State Treasurer is hereby authorized and directed to pay warrants issued therefor by the Commissioner of Taxation and Finance and there is hereby appropriated the amount necessary therefor in the sum of

75 00

. In addition thereto, the Commissioner of Taxation and Finance, upon certification of the Director of the Taxation Division, is hereby authorized and it shall be his duty to withdraw from

the State fund such amounts as shall be required to carry out the provisions of R. S. 54:40-7, dividing proportionately among municipalities in which billboards are located excess outdoor advertising revenues.

The State Treasurer shall pay same upon warrants of the Commissioner of Taxation and Finance and there is hereby appropriated the amount necessary therefor, approximating .....

18,000 00

**General Tax Refunds:**

Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and it shall be his duty to withdraw from the State fund, moneys to refund and pay such claims for refund as may be necessary under the au-

thorized provisions of Title 54 of the Revised Statutes and any statutes superseded thereby, and the State Treasurer shall pay same upon warrants of the said Commissioner of Taxation and Finance.

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\$318,075 00

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*Division of Local Government*

Local  
government;

Salaries:

Director .....	\$10,000 00	
Members of Board (3)	12,000 00	
Other officers and employees .....	114,060 00	
	<hr/>	\$136,060 00

Materials and Supplies:

Motor vehicular transportation supplies .	\$2,000 00	
Stationery and office supplies .....	1,800 00	
Printing and binding	5,000 00	
	<hr/>	8,800 00

Services Other Than Personal:

Traveling expenses ..	\$16,000 00	
Freight, express and cartage .....	50 00	
Subscriptions .....	290 00	
Miscellaneous expenses .....	145 00	
	<hr/>	16,485 00

## Current Repairs and Maintenance:

Office furniture, fixtures and machines .....	375 00
	<hr/>
	\$161,720 00

*Division of Tax Appeals*

## Salaries:

Tax appeals;

Members of board. <sup>(1)</sup>	\$28,200 00	
President ..... <sup>(2)</sup>	6,500 00	
Other officers and employees .....	51,140 00	
	<hr/>	\$85,840 00

## Materials and Supplies:

Motor vehicular transportation supplies..	\$125 00	
Stationery and office supplies .....	2,500 00	
Printing and binding.	450 00	
	<hr/>	3,075 00

## Services Other Than Personal:

Traveling expenses ..	\$1,900 00	
Freight, express and cartage .....	30 00	
Subscriptions .....	105 00	
Miscellaneous expenses .....	195 00	
	<hr/>	2,230 00

## Current Repairs and Maintenance:

Office furniture, fixtures and machines	\$75 00	
Automotive equipment	100 00	
	<hr/>	175 00
		<hr/>
		\$91,320 00

## CHAPTER 111, LAWS OF 1946

If Assembly Bill No. 68 becomes a law,

(<sup>1</sup>) Salary of board members (6) will be \$8,000.00 each.

(<sup>2</sup>) Salary of president will be \$9,000.00.

*Division of Purchase and Property*

Purchase and  
property;

Salaries:

Director .....	\$10,000 00	
Other officers and employees .....	501,240 00	
	<hr/>	\$511,240 00

Materials and Supplies:

Heat, light, power, water, gas and electricity .....	\$65,180 00	
Motor vehicular transportation supplies..	1,100 00	
Household and organization supplies ...	200 00	
Stationery and office supplies .....	6,900 00	
Other materials and supplies (property bureau) .....	18,780 00	
Laboratory testing supplies .....	100 00	
	<hr/>	92,260 00

Services Other Than Personal:

Traveling expenses ..	\$750 00	
Freight, express and cartage .....	500 00	
Advertising .....	2,000 00	
Subscriptions .....	275 00	
Miscellaneous expenses .....	633 50	
Technical and laboratory testing service	250 00	
Maintenance, Stacy Park and Capitol grounds .....	6,500 00	
	<hr/>	10,908 50



## Current Repairs and Maintenance:

Buildings and grounds .....	30,000 00
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## Extraordinary Expenditures:

Reconditioning and re- pairing and painting interior of State House, Annex and Office Building ....	\$10,000 00
Remodeling wash rooms, State House	15,000 00
Repairing roof, State House .....	5,000 00
Reconditioning roof, Annex .....	2,500 00
Replace rough coat, exterior of State House .....	2,500 00
	<hr/> 35,000 00

In addition to the  
amounts herein-  
above appropriated  
there is appro-  
priated out of the  
1945-46 unexpended  
balances of Depart-  
ment of Taxation  
and Finance a sum  
not to exceed \$25,-  
000.00 to establish a  
Testing Bureau in  
the Division of Pur-  
chase and Property

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\$679,408 50

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\$2,828,117 36

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## State Purchase Fund:

The unexpended bal-  
ance of the State  
purchase fund is  
hereby reappro-

Purchase  
fund;

priated, together with such sums as may be returned to the State treasury for the reimbursement of said fund, so that a "purchase fund" not exceeding \$350,000.00 will be established and maintained for the purpose of making payments for purchases pursuant to the purchase act (Chapter 25 of Title 52 of the R. S., as superseded by Chapter 112, P. L. 1944), and for the expenses of handling, storing and transporting purchases so made, the cost of said purchases to be apportioned among the various using agencies and the appropriations current for their use so as to reimburse the said "purchase fund" for said purchases when so made; said amounts so appropriated to be credited to said

fund when deposited in the State treasury for disbursement in accordance with the provisions of said chapter 25 of Title 52 of the R. S., as superseded by chapter 112, P. L. 1944. The fund above shall be a revolving fund and the unexpended balances and reimbursements above mentioned shall constitute said fund for the purpose of carrying out the provisions of said purchase act; *provided, however,* that any sum or sums in excess of the amount hereby appropriated received by the Commissioner of Taxation and Finance from any source shall by him be paid to the State Treasurer and deposited in the general fund of the State; *provided, however,* that the Commissioner of Taxation and Fi-

Proviso;

Proviso;

nance, on application of the State Purchase Director, may transfer to the State purchase fund, from time to time, moneys appropriated to any spending agency, said moneys so transferred to be returned to the funds from which they were taken during the fiscal year for which said appropriations were made.

*Special Accounts*

Special  
accounts.

Telephone and Telegraph:

Present departments  
and agencies whose  
telephone and tele-  
graph charges are  
paid by the Com-  
missioner of Taxa-  
tion and Finance .. \$93,921 00

New departments  
whose telephone and  
telegraph charges  
were paid from De-  
partmental appro-  
priations and which  
will now be paid by  
the Commissioner of  
Taxation and Fi-  
nance ..... 20,523 00

\$114,444 00

## Rents:

Present departments and agencies whose rents are paid by the Commissioner of Taxation and Fi- nance .....	\$413,297 61	
New departments whose rents were paid from depart- mental appropria- tions and which will now be paid by the Commissioner of Taxation and Fi- nance .....	162,753 76	\$576,051 37
		<hr/> <hr/>

## Insurance:

For payment of insur- ance premiums not otherwise provided for, maturing during the current fiscal year, including pur- chase of equipment required to effect reductions in fire rates .....	\$160,515 09	
New departments whose insurance premiums were paid from departmental appropriations and which will now be paid by the Commis- sioner of Taxation and Finance .....	36,443 46	\$196,958 55
		<hr/> <hr/>

## Postage:

Present departments and agencies whose postage is paid by the Commissioner of Taxation and Fi- nance .....	\$142,450 00	
New departments whose postage was paid from depart- mental appropri- ations and which will now be paid by the Commissioner of Taxation and Fi- nance .....	52,663 00	
	<hr/>	\$195,113 00
		<hr/>

## A 3. CIVIL SERVICE COMMISSION

Civil Service  
Commission.

## Salaries:

President .....	\$10,000 00	
Commissioners (4) ...	20,000 00	
Chief examiner and secretary .....	10,000 00	
Compensation for other officers and employees .....	284,375 00	
	<hr/>	\$324,375 00

## Materials and Supplies:

Stationery and office supplies .....	\$10,000 00	
Printing .....	1,500 00	
Vehicular transporta- tion supplies .....	1,700 00	
	<hr/>	13,200 00

## Services Other Than Personal:

Traveling expenses ..	\$5,500 00	
Advertising .....	3,000 00	
Subscriptions .....	300 00	
Freight, express and cartage .....	25 00	
Garage rent .....	420 00	
Rent of equipment...	750 00	
Rent of rooms for conducting examina- tions .....	750 00	
Miscellaneous ex- penses .....	100 00	
	<hr/>	10,845 00

## Current Repairs and Maintenance:

Automotive equipment	\$300 00	
Office furniture, ma- chines and equip- ment .....	500 00	
	<hr/>	800 00
		<hr/>
		\$349,220 00
		<hr/>

## A 4. COMPTROLLER'S DEPARTMENT

## Salaries:

Chief clerk and deputy comptroller	\$1,000 00	Comptroller's department.
	<hr/>	

## A 6. EXECUTIVE DEPARTMENT

## Salaries:

Governor .....	\$20,000 00	Executive department.
Secretary to Governor	10,000 00	
Compensation for as- sistants .....	44,560 00	
	<hr/>	\$74,560 00

## CHAPTER 111, LAWS OF 1946

## Materials and Supplies:

Stationery and office supplies .....	\$2,000 00	
Vehicular transportation supplies .....	3,000 00	
	<hr/>	5,000 00

## Services Other Than Personal:

Subscriptions .....	\$275 00	
Miscellaneous expenses .....	925 00	
	<hr/>	1,200 00

## Current Repairs and Maintenance:

Office furniture, machines and equipment .....		100 00
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## Extraordinary Expenditures:

To enable the Governor to meet any emergency requiring the expenditure of money not otherwise appropriated, including entertainment on behalf of the State and to cover any incidental personal expenses or the expenses of commissioners appointed by him under statute, or in his discretion .....

\$10,000 00

Expenses of inauguration of the Governor .....

2,500 00

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12,500 00



The unexpended balance June 30, 1946, in the appropriation to enable the Governor to carry out the provisions of chapter 16, laws of 1941, is hereby reappropriated.

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\$93,360 00

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## A 8. SECRETARY OF STATE

## Salaries:

Secretary .....	\$10,000 00	
Chief clerk .....	7,500 00	
Compensation for as-		
sistants .....	55,460 00	
	<hr/>	\$72,960 00

Secretary  
of State.

## Materials and Supplies:

Stationery and office		
supplies .....	\$9,000 00	
Vehicular transporta-		
tion supplies .....	400 00	
	<hr/>	9,400 00

## Services Other Than Personal:

Traveling expenses ..	\$250 00	
Election expenses		
(chapter 102, laws		
of 1940) .....	26,500 00	
Photostating copies of		
certificates of incor-		
poration .....	5,000 00	
	<hr/>	31,750 00

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\$114,110 00

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## A 9. STATE AUDITOR'S DEPARTMENT

State auditor's department.	Salaries:		
	State Auditor .... <sup>(1)</sup>	\$9,000 00	
	Compensation for as- sistants .....	173,850 00	
		<hr/>	\$182,850 00
	Materials and Supplies:		
	Stationery and office supplies .....	\$600 00	
	Printing and binding.	100 00	
		<hr/>	700 00
	Services Other Than Personal:		
	Traveling expenses ..	\$15,000 00	
	Subscriptions .....	75 00	
	Miscellaneous ex- penses .....	50 00	
		<hr/>	15,125 00
	Current Repairs and Maintenance:		
	Office furniture, machines and equipment .....		100 00
	<sup>(1)</sup> Salary schedule adopted by Civil Service Commission and ap- proved by Governor and Ap- propriation Committee, \$7,500.00 to \$10,000.00.		
		<hr/>	\$198,775 00
		<hr/>	

## A 11. TREASURER'S DEPARTMENT

Treasurer's department.	Salaries:	
	Treasurer .....	\$10,000 00
	Cashier and deputy treasurer .....	8,000 00

Compensation for other assistants ...	70,151 00	
	<hr/>	\$88,151 00
Materials and Supplies:		
Stationery and office supplies .....	\$1,500 00	
P r i n t i n g, binding, photographing and blueprinting .....	100 00	
	<hr/>	1,600 00
Services Other Than Personal:		
Traveling expenses ..	\$1,000 00	
Rent of equipment ...	1,100 00	
Subscriptions .....	100 00	
Miscellaneous ex- penses .....	300 00	
	<hr/>	2,500 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment .....	750 00	
	<hr/>	\$93,001 00

*Teachers' Retirement Fund—Pension and  
Annuity Fund*

For expenses incurred in connection with the fund, pursuant to article 3, chapter 13 of Title 18 of the R. S.		
Salaries of clerks .....	\$5,600 00	
Materials and supplies and miscellaneous ex- penses .....	150 00	
	<hr/>	5,750 00
		<hr/>
		\$98,751 00
		<hr/> <hr/>

## A 13. STATE ATHLETIC COMMISSIONER

State athletic  
commissioner.

## Salaries:

Commissioner .....	\$5,200 00	
Compensation for other assistants ...	18,250 00	
Per diem inspectors and physicians ....	11,140 00	
	<hr/>	\$34,590 00

## Materials and Supplies:

Stationery and office supplies .....	350 00
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## Services Other Than Personal:

Traveling expenses, including telephone and miscellaneous expense .....	\$2,500 00	
Subscriptions and membership fees ..	130 00	
	<hr/>	2,630 00

## Current Repairs and Maintenance:

Office furniture, machines and equipment .....	50 00	
	<hr/>	\$37,620 00
	<hr/>	

## A 16. STATE PROPERTY OFFICER

State property  
officer.

## Salaries:

Other employees .....	\$5,660 00
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## Materials and Supplies:

Stationery and office supplies ....	100 00
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## Services Other Than Personal:

Traveling expenses ..	\$100 00	
Miscellaneous expenses .....	100 00	
		<u>200 00</u>
		<u>\$5,960 00</u>

## B. LEGISLATIVE

## B 1. LEGISLATURE

## Salaries:

Legislature.

Senators and members of General Assembly	\$40,833 32	
Compensation for officers and employees.	45,450 00	
		<u>\$86,283 32</u>

## Materials and Supplies:

Manuals of the Legislature .....	4,000 00
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## Services Other Than Personal:

Indexing Journal and Minutes and other incidental and contingent expenses .....	82,500 00	
		<u>\$172,783 32</u>

## B 2. COMMISSION ON POST-WAR ECONOMIC WELFARE

Salary .....	\$3,000 00	Post-war economic welfare commission.
Expenses in connection with hospital survey .....	5,000 00	
Miscellaneous expenses .....	9,500 00	
	<u>\$17,500 00</u>	

## CHAPTER 111, LAWS OF 1946

## B 4. LEGISLATIVE VETERANS COMMISSION

Legislative  
veterans  
commission.

## Salaries:

Other officers and employees ..... \$5,440 00

## Materials and Supplies:

Stationery and office

supplies ..... \$500 00

Printing and binding. 500 00

1,000 00

## Services Other Than Personal:

Traveling expenses ..... 500 00

\$6,940 00

## B 5. LEGISLATIVE PRINTING

Legislative  
printing.

## Materials and Supplies:

Legislative printing.. \$70,000 00

Printing and binding

public documents .. 9,000 00

\$79,000 00

## B 6. LAW REVISION AND BILL DRAFTING COMMISSION

Law revision  
and bill  
drafting  
commission.

## Salaries:

Counsel (2) ..... \$15,000 00

Other officers and em-

ployees ..... 23,760 00

\$38,760 00

## Materials and Supplies:

Stationery and office

supplies ..... \$400 00

Library supplies ..... 600 00

Printing, binding,

photostating and

blueprinting ..... 1,000 00

2,000 00

## Services Other Than Personal:

Traveling expenses ..	\$750 00	
Household expenses ..	30 00	
	<hr/>	780 00

## Current Repairs and Maintenance:

Office furniture, machines and equipment .....	45 00
The unexpended balances remaining in this account as of June 30, 1946, are hereby reappropriated.	

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\$41,585 00

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## C. JUDICIAL

## C 1. CLERK IN CHANCERY

## Salaries:

Clerk in Chancery. <sup>(1)</sup>	\$7,500 00	
Chief clerk .....	6,250 00	
Compensation for as- sistants .....	137,220 00	
	<hr/>	\$150,970 00

Clerk in  
Chancery.

## Materials and Supplies:

Stationery and office supplies .....	7,000 00
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## Services Other Than Personal:

Traveling expenses ..	\$250 00	
Freight, express and cartage .....	650 00	
	<hr/>	900 00

## Current Repairs and Maintenance:

Office furniture, machines and equipment .....	350 00
( <sup>1</sup> ) To conform with the salary schedule adopted by the Civil Service Commission and ap- proved by the Governor and the	

Appropriations Committee  
whereby the salary of the Clerk  
in Chancery shall be \$10,000.00  
per annum, authorization is  
hereby granted to the Chancellor  
to pay from the Chancellor's  
Trust Fund \$2,500.00 per annum  
as salary to the Clerk in Chan-  
cery.

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\$159,220 00

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## C 2. CLERK OF THE SUPREME COURT

Clerk  
Supreme  
Court.

### Salaries:

Clerk of the Supreme Court .....	\$6,000 00	
Chief clerk .....	6,250 00	
Compensation for as- sistants .....	50,880 00	
	<hr/>	\$63,130 00

### Materials and Supplies:

Stationery and office supplies .....	\$2,000 00	
Printing, binding, photographing, en- grossing and blue- printing .....	150 00	
	<hr/>	2,150 00

### Services Other Than Personal:

Miscellaneous expenses .....		21 00
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### Current Repairs and Maintenance:

Office furniture, machines, dockets and equipment .....		590 00
	<hr/>	\$65,891 00



## C 3. COURT OF CHANCERY

## Salaries:

Chancellor .....	\$19,000 00	
Vice-Chancellors ....	180,000 00	
Secretaries to Vice-Chancellors .....	27,480 00	
Chancellor's secretary	2,700 00	
Compensation and traveling expenses of sergeants-at-arms	46,920 00	
Compensation and allowance of Advisory Masters and their official stenographers	25,160 00	
Compensation of stenographers, and for services pursuant to R. S. 2:2-25 and 2:2-28 .....	63,750 00	
Compensation of law assistants to Vice-Chancellors .....	20,700 00	
	<hr/>	\$385,710 00

Court of  
Chancery.

## Materials and Supplies:

Stationery and office supplies .....	\$3,000 00	
Printing and binding (Rules of Court) ..	2,500 00	
Library supplies ....	2,000 00	
Vehicular transportation supplies .....	275 00	
	<hr/>	7,775 00

## Services Other Than Personal:

Traveling expenses for casual court attendants .....	\$250 00	
Miscellaneous expenses .....	100 00	
	<hr/>	350 00

## Current Repairs and Maintenance:

Automotive equipment	\$125 00	
Office furniture, machines and equipment .....	100 00	225 00
		<hr/>
		\$394,060 00
		<hr/>

## C 4. COURT OF ERRORS AND APPEALS

Court of  
Errors and  
Appeals.

## Salaries:

Compensation of judges of the Court of Errors and Appeals, at \$40.00 per diem .....	\$54,000 00	
Compensation of officers .....	4,500 00	\$58,500 00
		<hr/>

## Materials and Supplies:

Printed or typewritten copies of draft of opinions of the Lay Judges .....	\$2,000 00	
Binding state of cases, briefs, et cetera, and printing list of causes, et cetera ...	1,000 00	3,000 00
		<hr/>
		\$61,500 00
		<hr/>

## C 5. COURT OF PARDONS

## Salaries:

Court of  
Pardons.

Compensation of judges of the Court of Pardons, at \$40.00 per diem ....	\$10,000 00	
Compensation of clerk and stenographer ..	3,600 00	
	<hr/>	\$13,600 00

## Materials and Supplies:

Stationery and office supplies .....	300 00
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## Services Other Than Personal:

Miscellaneous expenses .....	100 00
	<hr/>
	\$14,000 00

## C 7. LAW AND EQUITY REPORTS

## Salaries:

Law and  
equity reports.

Chancery reporter ...	\$500 00	
Supreme Court re- porter .....	500 00	
	<hr/>	\$1,000 00

## Services Other Than Personal:

Publication of chan- cery reports .....	\$9,000 00	
Publication of law re- ports .....	9,000 00	
Binding chancery and law reports .....	3,630 00	
	<hr/>	21,630 00
		<hr/>
		\$22,630 00

## C 8. STENOGRAPHIC REPORTERS

Stenographic  
reporters.

For amount to be refunded to various  
counties in this State for salaries of  
stenographic reporters appointed  
by the justices of the Supreme  
Court, pursuant to R. S. 2:16-21 .. \$58,233 25

## C 9. SUPREME COURT

Supreme  
Court.

## Salaries:

Chief Justice .....	\$19,000 00	
Associate justices ...	144,000 00	
Circuit Court judges.	224,000 00	
Salaries of secretaries to justices of the Su- preme Court, pursu- ant to R. S. 2:4-13.	24,840 00	
Compensation for as- sistants .....	2,500 00	
Board of Bar Exam- iners, salary of three members, secretary, assistant secretary and messenger ....	17,150 00	
	<u>          </u>	\$431,490 00

## Materials and Supplies:

Stationery and office supplies .....	\$350 00	
Educational and li- brary supplies ....	3,000 00	
	<u>          </u>	3,350 00

## Services Other Than Personal:

Expenses of Board of Bar Exam- iners incurred by court order, including disbarment proceedings	2,000 00	
	<u>          </u>	\$436,840 00

## C 10. JUDICIAL COUNCIL

Salaries:			
Secretary .....	\$1,500 00		Judicial council.
Materials and Supplies:			
Stationery and office supplies .....	\$50 00		
Printing .....	200 00		
		250 00	
		<u>\$1,750 00</u>	

## D 1. DEPARTMENT OF CONSERVATION

Department of  
conservation:

To carry out the provisions of chapter 22,  
P. L. 1945.

*Commissioner's Office*

Commissioner;

Salaries:			
Commissioner .....	\$12,000 00		
Deputy commissioner.	7,500 00		
Administrative assist- ant .....	2,400 00		
		\$21,900 00	
Materials and Supplies:			
Vehicular transporta- tion supplies .....	\$850 00		
Stationery and office supplies .....	250 00		
		<u>\$1,100 00</u>	
Services Other Than Personal:			
Traveling expenses ..	\$1,000 00		
		<u>\$24,000 00</u>	

*Division of Water Policy and Supply*Water policy  
and supply;

## Salaries:

Engineer-in-charge ..	\$6,500 00
Other officers and em- ployees .....	84,432 00
	<hr/>
	\$90,932 00

## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....	\$300 00
Household supplies ..	30 00
Motor vehicle trans- portation supplies..	1,500 00
Stationery and office supplies .....	450 00
Engineering supplies.	600 00
Printing and binding.	400 00
Other materials and supplies .....	25 00
	<hr/>
	\$3,305 00

## Services Other Than Personal:

Traveling expenses ..	\$4,000 00
Telephone and tele- graph .....	800 00
Rents .....	5,705 00
Insurance (other than fire) .....	100 00
Postage .....	400 00
Miscellaneous ex- penses .....	50 00
Advertising (legal) ..	50 00
Subscriptions and memberships .....	85 00
	<hr/>
	\$11,190 00

## Current Repairs and Maintenance:

Automotive equipment	\$500 00
Buildings and grounds	4,000 00
Office furniture, machines and equipment .....	50 00
Scientific and laboratory equipment ....	300 00
Other repairs .....	200 00
	<hr/>
	\$5,050 00

## Extraordinary Expenditures:

Repair, rehabilitation and improvement of Delaware and Raritan canal .....	\$200,000 00
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## Operation and Maintenance Expenses:

Great Notch Interconnection Pumping Station .....	3,000 00
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The balance in the Interconnection Revolving Fund is hereby reappropriated; *provided, however,* that there shall be appropriated out of this fund the sum of \$12,000.00 for new employees for conducting the program of flood control.

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\$203,000 00

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313,477 00

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*Division of Fish and Game*Fish and  
game;

## Salaries:

Other officers and employees .....	\$245,042 65
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## Materials and Supplies:

Food for fish and game .....	\$105,000 00
Clothing (uniforms) ..	6,000 00
Heat, light, power, water, gas and electricity .....	7,400 00
Motor vehicle transportation supplies ..	15,000 00
Replacement of motor vehicles .....	18,000 00
Stationery and office supplies .....	1,250 00
Farm, stable and ground supplies ....	9,700 00
Household supplies ..	350 00
Educational, recreational and library supplies .....	500 00
Office equipment replacement .....	500 00
Other materials and supplies .....	525 00
Printing, binding, blue-printing and photographing supplies..	4,300 00
Purchase of live fish and game .....	30,500 00
Boat transportation supplies .....	2,000 00
Replacement boats and motors .....	1,000 00

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\$202,025 00



## Services Other Than Personal:

Traveling expenses ..	\$6,500 00
Telephone and tele- graph .....	6,585 00
Rents .....	5,000 00
Insurance .....	2,850 00
Freight, express and cartage .....	475 00
Fair exhibits .....	600 00
Medical expenses ....	1,000 00
Postage .....	2,000 00
Miscellaneous ex- penses .....	1,225 00
Garage rents .....	1,800 00
Dock and other rents .	920 00
	<hr/>
	\$28,955 00

## Current Repairs and Maintenance:

Automotive equipment	\$13,500 00
Buildings and grounds	8,200 00
Repairs to boat equip- ment .....	2,500 00
Repairs to plant equip- ment .....	2,750 00
	<hr/>
	\$26,950 00

## Additions and Improvements:

New office equipment.	\$600 00
Holding pens at game farms .....	8,500 00
Other equipment ....	1,350 00
	<hr/>
	\$10,450 00

All receipts from hunters' and anglers' licenses pursuant to the provisions of article 1, chapter 3 of Title 23; R. S. 23:3-3, R. S.

23:3-23 to 27; all receipts, licenses and sales pursuant to the provisions of R. S. 52:18-31; all fines pursuant to the provisions of R. S. 23:10-19, together with balances of appropriations that may not have been disbursed during the fiscal year ending June thirtieth, one thousand nine hundred and forty-six, are hereby appropriated to the Division of Fish and Game but there may only be expended of said receipts and balances the amounts as itemized above and no portion of any receipts shall lapse into the general funds of the State; *provided, however*, that an excess may be expended and is hereby appropriated above the amounts herein above indicated when expressly approved by the Commissioner of Taxation and Finance, but limited to the amount of the receipts of the division for the fiscal year.

Proviso;

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513,422 65

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*Public Shooting Grounds*

## Salaries:

Other officers and employees .....	\$41,088 00
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Public shooting grounds;

## Materials and Supplies:

Heat, light, power, water, gas and electricity .....	\$400 00
Motor vehicular transportation supplies .	2,400 00
Replacement of motor vehicles .....	4,000 00
Stationery and office supplies .....	100 00
Purchase of live fish and game .....	40,000 00
Operating materials and supplies.....	5,000 00
Printing and binding.	250 00
Other materials and supplies .....	350 00

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\$52,500 00

## Services Other Than Personal:

Traveling expenses ..	\$775 00
Telephone and telegraph .....	450 00
Rents (garage) .....	60 00
Insurance (other than fire) .....	655 41
Freight and express..	50 00
Miscellaneous expenses .....	50 00

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\$2,040 41

## Current Repairs and Maintenance:

Building and grounds	\$5,000 00
Repairs to auto equipment .....	1,500 00
Office furniture, machines and equipment .....	400 00
	<hr/>
	\$6,900 00

## Additions and Improvements:

New equipment .....	\$1,825 00
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## New Buildings and Land:

Purchase of land for public hunting ....	50,000 00	
	<hr/>	154,353 41

*Division of Shell Fisheries*Shell  
fisheries

## Salaries:

Director .....	\$5,100 00
Other officers and employees .....	71,160 00
Pension—Mrs. Myron Jones (Chapter 86, P. L. 1923) .....	1,200 00
	<hr/>
	\$77,460 00

## Materials and Supplies:

Heat, light, power, water, gas and electricity .....	\$1,630 00
Stationery and office supplies .....	200 00
Motor boat transportation supplies..	3,370 00
License plates .....	200 00
	<hr/>
	\$5,400 00

## Services Other Than Personal:

Traveling expenses ..	\$2,500 00
Rent of offices and boats .....	1,950 00
Miscellaneous ex- penses .....	200 00
Surveying and map- ping .....	1,500 00
	<hr/>
	\$6,150 00

## Current Repairs and Maintenance:

Boats and equipment.	\$7,000 00
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## Additions and Improvements:

Shelling beds, dyna- miting and netting drumfish, depart- ment of Maurice river cove and At- lantic coast, and con- trol of oyster drill in Cumberland and Cape May counties	\$20,000 00
Staking State's natu- ral spawning oyster beds .....	500 00
	<hr/>
	\$20,500 00

## Extraordinary Expenditures:

New engine for guard boat "Senator Reeves" .....	15,000 00
	<hr/>
	131,510 00

*Division of Forestry, Geology, Parks and  
Historic Sites*

Forestry,  
geology,  
parks and  
historic sites;

Salaries:

State Forester and director .....	\$6,500 00
Other officers and em- ployees .....	465,689 00
	<hr/>
	\$472,189 00

Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....	\$12,500 00
Household supplies ..	1,500 00
Drugs, medical and chemical supplies ..	430 00
Motor vehicular trans- portation supplies ..	6,580 00
Stationery and office supplies .....	2,500 00
Engineering supplies..	435 00
Farm, stable and grounds supplies ..	2,000 00
Educational, recrea- tional and library supplies .....	110 00
Other materials and supplies .....	3,600 00
Printing, binding, blue- printing and photo- graphing supplies..	6,000 00
Supplies for Zoo ....	100 00
	<hr/>
	\$35,755 00

## Services Other Than Personal:

Traveling expenses ..	\$14,050 00
Telephone and telegraph .....	6,423 00
Rents .....	875 00
Freight, express and cartage .....	85 00
Miscellaneous expenses .....	455 00
Garage rents .....	940 00
Household expenses..	1,060 00
Advertising .....	100 00
Subscriptions and memberships .....	202 40
Skidding logs and cord wood from woods ..	50 00
	<hr/>
	\$24,240 40

## Current Repairs and Maintenance:

Automotive equipment	\$3,710 00
Buildings and grounds	28,642 00
Machinery and plant equipment .....	1,000 00
Office furniture, machines and equipment .....	450 00
Scientific equipment..	456 00
Recreational equipment .....	400 00
Other repairs .....	1,300 00
	<hr/>
	\$35,958 00

## Additions and Improvements:

Development of Princeton Battlefield .....	\$100,000 00
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## Unclassified Expenditures:

Receipts at High Point Park, estimated at .....	\$15,000 00
Compensation awards	2,601 79
	<hr/>
	\$17,601 79

## Extraordinary Expenditures:

Tax lien .....	\$6,337 32
Fire fighting costs ...	25,000 00
Geodetic control surveys .....	10,400 00
	<hr/>
	\$41,737 32

## New Buildings and Land:

Interior exceptions—Stokes State Forest	\$55,000 00
All unexpended balances in the accounts derived from revenues received from all State parks under the jurisdiction of the Department of Conservation; and also the revenues received from the same parks are hereby appropriated for the use of the Department of Conservation for the operation, maintenance and development of said parks.	
	<hr/>

782,481 51



*Morris Canal Fund*

Salaries .....	\$10,940 00	Morris
Materials and supplies..	750 00	canal fund
Current repairs .....	500 00	
Services other than per- sonal .....	500 00	
Additions and improve- ments .....	3,100 00	
There shall be refunded to the State fund such amounts as have here- tofore been advanced from said fund to the Morris Canal fund whenever and to the extent that the canal funds exceed the liabil- ities of said fund for the balance of the fis- cal year ending June 30, 1947.		
	<hr/>	15,790 00

*State Forest Fund*

Labor—for silvicultural improvement of the State forests .....	\$18,000 00	Forest fund;
Additional equipment at Stokes forest group camp .....	16,550 00	
Bass river project .....	9,150 00	
	<hr/>	
		43,700 00
		<hr/>

*Old Barracks*

Old Barracks; For maintenance and administration of the Old Barracks, Trenton, as an historical landmark and repository.

## Salaries:

Officers and employees	\$2,760 00	
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## Materials and Supplies:

Heat, light, power and water .....	\$90 00	
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Household supplies ..	30 00	
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Stationery and office supplies .....	20 00	
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	<hr/>	\$140 00
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## Current Repairs and Maintenance:

Buildings and grounds	\$138 00	
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	<hr/>	3,038 00
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*Division of Navigation*

Navigation.

## Salaries:

Director .....	\$9,000 00	
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Other officers and employees .....	163,670 00	
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	<hr/>	\$172,670 00
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## Materials and Supplies:

Clothing .....	\$400 00
Heat, light, power, water, gas and elec- tricity .....	3,000 00
Household supplies (house boat) .....	600 00
Drugs, medical and chemical supplies..	200 00
Motor vehicle trans- portation supplies..	2,000 00
Stationery and office supplies .....	2,000 00
Photographing, blue- printing and draft- ing supplies .....	2,000 00
Engineering supplies.	1,000 00
Motor boat transporta- tion supplies .....	3,100 00

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\$14,300 00

## Services Other Than Personal:

Traveling expenses ..	\$3,800 00
Rents .....	1,200 00
Miscellaneous ex- penses .....	1,200 00
Garage rent .....	1,170 00
Advertising for bids and legal notices ..	1,600 00
Subscriptions and memberships .....	235 00
Expenses in connec- tion with riparian survey and study of plans for beach pro- tection measures ..	1,400 00

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\$10,605 00

## Current Repairs and Maintenance:

Automotive equipment	\$2,000 00
Buildings and grounds	15,000 00
Repairs to cranes . . . .	2,000 00
Motor boats . . . . .	3,900 00
Office machines and equipment . . . . .	250 00
	<hr/>
	\$23,150 00

## Additions and Improvements—

## Expenditures for Waterways:

Lights and buoys . . .	\$2,950 00
Maintenance naviga- tion lights, Cape M a y - Manasquan river . . . . .	2,950 00
Maintenance Newark bay lights and re- placements . . . . .	350 00
Maintenance Barnegat light . . . . .	3,000 00
Bulkheading Manas- quan canal . . . . .	50,000 00
Construction, recon- struction and main- tenance and im- provement inland waterways . . . . .	50,000 00
Dredging inland waterways . . . . .	73,000 00
	<hr/>
	\$182,250 00

## Extraordinary Expenditures:

Enforcement of collec- tions of licenses and provisions for fees.	\$2,000 00
S t a t e boundaries— c h a p t e r 52:29-1 R. S. . . . .	1,800 00

To comply with power vessel bill, chapter 306, laws of 1938 ..	350 00
For construction and maintenance of beach protection projects already constructed along Atlantic coast towards which the municipality has contributed in the past two years their allotted shares as provided for in the appropriated items for beach erosion without any further appropriation by municipality, including a survey to be undertaken in conjunction with the Federal Government, the cost of which survey is not to exceed \$100,000.00 of this appropriation .....	250,000 00
Marine railway at Forked river .....	10,000 00
To comply with chapter 24, laws of 1945—dredge Beach Channel in Barnegat bay .....	160,000 00
To comply with chapter 237, laws of 1945—dredge Deal lake .....	90,000 00
To comply with chapter 239, laws of 1945—dredge Greenwood lake .....	25,000 00

The unexpended balance of State funds as provided in chapter 118, P. L. 1944, for beach protection at Sea Girt, Monmouth county, is hereby reappropriated for beach protection measures on the beaches fronting on State camp grounds only, without any further appropriation in conjunction thereto by the municipality.

539,150 00

942,125 00

The unexpended balances of the appropriation, as provided under chapter 93, laws of 1944, and the unexpended balances of the appropriation for beach protection as provided under chapter 52, laws of 1945, are hereby reappropriated.

\$2,923,897 57

## D 2. COMMISSION ON INTERSTATE CO-OPERATION

Interstate  
co-operation  
commission.

### Salaries:

Secretary ..... \$1,200 00  
Other employees ..... 530 00

\$1,730 00

### Materials and Supplies:

Stationery and office  
supplies ..... \$40 00  
Printing and binding. 200 00

240 00

## Services Other Than Personal:

Traveling expenses ..	\$500 00	
Telephone and telegraph .....	175 00	
Postage .....	90 00	
Miscellaneous expenses .....	12 00	
Expenses of conferences .....	150 00	
		<u>927 00</u>

## Commitments to Out-of-State Agencies:

Interstate Commission on the Delaware River Basin .....	\$8,750 00	
Council of State Governments .....	8,500 00	
Governor's Conference	100 00	
Atlantic States Marine Fisheries Commission .....	1,400 00	
National Conference Commissioners on Uniform State Laws	150 00	
American Parole Association .....	300 00	
Federation of Tax Administrators .....	750 00	
		<u>19,950 00</u>
		<u>\$22,847 00</u>

## D 3. BOARD OF PUBLIC UTILITY COMMISSIONERS

## Salaries:

Members of the board	\$36,000 00	
Secretary .....	7,500 00	
Other employees ....	249,170 00	
Reporting hearing ...	7,000 00	
		<u>\$299,670 00</u>

Public utility  
commissioners.

Materials and Supplies:		
Printing .....	\$3,700 00	
Motor Vehicular Transportation Sup- plies .....	1,750 00	
Stationery and office supplies .....	3,500 00	
	<hr/>	8,950 00
Services Other Than Personal:		
Traveling expenses ..	\$8,000 00	
Freight, express and cartage .....	25 00	
Subscriptions .....	900 00	
Household expenses..	300 00	
	<hr/>	9,225 00
Current Repairs and Maintenance:		
Office furniture, machines and equip- ment .....	450 00	
	<hr/>	\$318,295 00
	<hr/>	

## D 5. COUNTY BOARDS OF TAXATION

County boards of taxation.	For salaries of members of the county boards of taxation .....	\$172,940 00
		<hr/>

## D 6. DEPARTMENT OF BANKING AND INSURANCE

Banking and insurance department.	Salaries:	
	Commissioner .....	\$12,000 00
	Other employees ....	694,234 43
		<hr/>
		\$706,234 43



## Materials and Supplies:

Motor vehicular transportation supplies..	\$125 00	
Printing .....	11,000 00	
Stationery and office supplies .....	5,300 00	
Compiling and printing valuations .....	450 00	
	<hr/>	16,875 00

## Services Other Than Personal:

Traveling expenses ..	\$50,000 00	
Household expenses..	65 00	
Subscriptions and Membership Fee		
National Association State Banks ..	795 00	
Rent of office appliances .....	7,792 00	
Miscellaneous expenses .....	100 00	
Freight, express and cartage .....	350 00	
	<hr/>	59,102 00

## Current Repairs and Maintenance:

Automotive equipment	\$100 00	
Office furniture, machines and equipment .....	1,329 85	
	<hr/>	1,429 85
		<hr/>
		\$783,641 28
		<hr/>

## D 8. DEPARTMENT OF HEALTH

Department  
of health.

## Salaries:

Director .....	\$7,760 00	
Director, Federal	{	1,240 00
Supervision .....		
Other employees ....	438,181 96	
	<hr/>	\$447,181 96

## Materials and Supplies:

Stationery and office supplies .....	\$3,500 00	
Educational, recrea- tional and library supplies .....	200 00	
Engineering supplies.	750 00	
Vehicular transporta- tion supplies .....	1,900 00	
Laboratory supplies..	20,000 00	
Inspector's supplies..	100 00	
Dental health educa- tion materials .....	1,000 00	
Printing .....	10,000 00	
	<hr/>	37,450 00

## Services Other Than Personal:

Traveling expenses ..	\$19,000 00	
Miscellaneous ex- penses .....	270 00	
Rental of tabulation machines .....	1,296 00	
Binding volumes of birth, marriage and death certificates ..	750 00	
Garage rents .....	960 00	
Subscriptions .....	325 00	
Maintenance of dental trailer .....	750 00	
Freight, express and cartage .....	980 00	

Bleeding sheep .....	480 00	
Maintenance of boats and plants .....	2,800 00	
Household expenses..	355 00	
	<hr/>	27,966 00
Current Repairs and Maintenance:		
Automotive equipment	\$1,200 00	
Office furniture, equip- ment and machines	800 00	
	<hr/>	2,000 00
Extraordinary Expenditures:		
Pneumonia and measles serum ....	\$3,500 00	
Biological assays ....	500 00	
Diphtheria toxoid and smallpox vaccine ..	9,500 00	
Whooping cough im- munization .....	8,000 00	
Expansion of dental trailer program ...	20,900 00	
Expansion of milk in- spection program (travel) .....	5,000 00	
Typhoid vaccine .....	900 00	
	<hr/>	48,300 00
		<hr/>
		\$562,897 96
		<hr/>

*Bureau of Venereal Disease Control*

Salaries:		
Chief .....	\$6,250 00	Venereal disease control.
Other employees .....	17,580 00	
	<hr/>	\$23,830 00

## Materials and Supplies:

Drugs and clinic supplies .....	\$5,000 00	
Printing .....	1,050 00	
Stationery and office supplies .....	300 00	
		<hr/>
		6,350 00

## Services Other Than Personal:

Traveling expenses ..	\$1,050 00	
Freight, express and cartage .....	5 00	
Subscriptions .....	80 00	
		<hr/>
		1,135 00

## Current Repairs and Maintenance:

Office furniture, fixtures and machines.	\$200 00	
Scientific and laboratory equipment ....	70 00	
		<hr/>
		270 00
		<hr/>
		\$31,585 00
		<hr/>

*Maternal and Child Health Bureau*Maternal and  
child health.

## Salaries:

Consultant .....	\$5,250 00	
Other employees ....	97,316 04	
		<hr/>
		\$102,566 04

## Materials and Supplies:

Stationery and office supplies .....	\$1,220 00	
Baby welfare station supplies .....	675 00	
Printing .....	500 00	
		<hr/>
		2,395 00

## Services Other Than Personal:

Traveling expenses ..	\$14,000 00	
Freight, express and cartage .....	11 00	
Subscriptions .....	25 00	
Miscellaneous ex- penses .....	85 00	
		14,121 00

## Current Repairs and Maintenance:

Office furniture, fixtures and ma- chines .....	150 00	
		\$119,232 04

*Bureau of Industrial Health*

## Salaries:

Physicians, nurses, clerks, et cetera	\$40,050 00	Industrial health.
---------------------------------------	-------------	-----------------------

## Materials and Supplies:

Drugs, medical, surgi- cal and chemical supplies .....	\$450 00	
Stationery and office supplies .....	300 00	
Educational, recrea- tional and library supplies .....	100 00	
P r i n t i n g, binding, photographing, et cetera .....	1,350 00	
		2,200 00

## Services Other Than Personal:

Traveling expenses ..	\$4,800 00	
Freight, express and cartage .....	10 00	

## CHAPTER 111, LAWS OF 1946

Subscriptions .....	108 00	
Miscellaneous ex- penses .....	62 00	
		<hr/> 4,980 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment .....		20 00
		<hr/> \$47,250 00

*Rabies Control*Rabies  
control.

Salaries:		
Veterinarian in charge and other employees .....		\$21,140 00
Materials and Supplies:		
Motor vehicular trans- portation supplies..	\$200 00	
Stationery and office supplies .....	200 00	
Office equipment re- placement .....	100 00	
Printing .....	700 00	
		<hr/> 1,200 00
Services Other Than Personal:		
Traveling expenses ..	\$2,600 00	
Telephone and tele- graph .....	300 00	
Rents (office) .....	915 00	
Rents (garage) .....	84 00	
Insurance .....	8 00	
Postage .....	500 00	
Court expenses .....	100 00	
Miscellaneous ex- penses .....	245 00	
		<hr/> 4,752 00
Current Repairs and Maintenance ..		155 00

Extraordinary Expenditures:		
Antirabic serum .....	\$1,000 00	
Expansion of rabies control program ...	25,000 00	
		<hr/> 26,000 00
		<hr/> \$53,247 00
		<hr/> \$814,212 00
		<hr/> <hr/>

## D 9. DEPARTMENT OF LABOR

Salaries:		Department of labor.
Commissioner of Labor	\$12,000 00	
Deputy Commissioners		
Workmen's Compensa- tion, including di- rector .....	77,500 00	
Deputy Commissioners of Labor and chiefs of bureaus .....	35,200 00	
Examiners, inspectors, clerks and other em- ployees .....	570,140 00	
		<hr/> \$694,840 00
Materials and Supplies:		
Stationery and office supplies .....	\$11,400 00	
Printing .....	8,000 00	
Coal, Jersey City, Trenton and Pater- son .....	1,500 00	
Vehicular transporta- tion supplies .....	500 00	
Clinic supplies .....	500 00	
Lighting, power and water service .....	1,400 00	
		<hr/> 23,300 00

## Services Other Than Personal:

Traveling expenses ..	\$27,000 00	
Household expenses ..	1,150 00	
Subscriptions .....	782 00	
Garage rents .....	144 00	
Rent of office appliances .....	3,288 00	
Miscellaneous expenses .....	750 00	
Expenses for Industrial Safety Campaign .....	1,000 00	
	<hr/>	34,114 00

## Current Repairs and Maintenance:

Automotive equipment	\$300 00	
Scientific and laboratory equipment ....	400 00	
Office furniture, machines and equipment .....	500 00	
	<hr/>	1,200 00

## Unclassified Expenditures:

Compensation award—May K. Ireland .....	1,042 86	
	<hr/>	\$754,496 86

*State Board of Mediation*State board  
of mediation.

## Salaries:

Board members .....	\$14,600 00	
Other employees ....	36,560 00	
	<hr/>	\$51,160 00

## Materials and Supplies:

Stationery and office supplies .....	\$1,140 00	
Printing and binding.	460 00	
	<hr/>	1,600 00



## Services Other Than Personal:

Traveling expenses ..	\$2,000 00	
Subscriptions .....	402 00	
Miscellaneous ex-		
penses .....	300 00	
	<hr/>	2,702 00

## Current Repairs and Maintenance:

Office furniture, machines and		
equipment .....		47 00
	<hr/>	\$55,509 00

*Migrant Labor Division*

## Salaries:

Officers and employees .....	\$42,910 00	Migrant labor.
------------------------------	-------------	----------------

## Materials and Supplies:

Motor vehicular trans-		
portation supplies..	\$200 00	
Office supplies .....	500 00	
Printing .....	2,000 00	
	<hr/>	2,700 00

## Services Other Than Personal:

Traveling expenses ..	\$3,000 00	
Garage rent .....	96 00	
Miscellaneous ex-		
penses .....	1,000 00	
	<hr/>	4,096 00

## Current Repairs and Maintenance:

Automotive equipment .....		200 00
	<hr/>	\$49,906 00

The unexpended balances remaining  
in the Migrant Labor Division on  
June 30, 1946, are hereby reappro-  
priated.

*Bureau of Explosives*

Explosives.	Salaries .....		\$7,860 00
	Materials and Supplies:		
	Laboratory equipment	\$1,000 00	
	Laboratory supplies..	500 00	
		<hr/>	1,500 00
	Services Other Than Personal:		
	Rent .....		1,800 00
			<hr/>
			\$11,160 00
			<hr/>

*Industrial Homework Division*

	Salaries .....		\$10,440 00
Industrial homework.	Materials and Supplies:		
	Office supplies .....	\$100 00	
	Printing .....	250 00	
		<hr/>	350 00
	Services Other Than Personal:		
	Rent .....		660 00
			<hr/>
			\$11,450 00
			<hr/>

*Bureau of Structural Inspection*

Structural inspection.	Salaries .....		\$33,660 00
	Materials and Supplies:		
	Engineering supplies.	\$400 00	
	Laboratory equipment	3,100 00	
	Office equipment replacement .....	1,000 00	
		<hr/>	4,500 00

## Services Other Than Personal:

Rent .....	\$780 00	
Miscellaneous ex- penses .....	500 00	
		<u>1,280 00</u>
		<u>\$39,440 00</u>
		<u>\$921,961 86</u>

## D 10. DEPARTMENT OF WEIGHTS AND MEASURES

## Salaries:

Superintendent .....	\$5,200 00		Department of weights and measures.
Other employees, in- spectors and one clerk (coal statute enforcement) .....	50,940 00		
		<u>\$56,140 00</u>	

## Materials and Supplies:

Vehicular transporta- tion supplies .....	\$1,450 00	
Seals and license plates .....	2,000 00	
Printing and binding.	1,950 00	
Stationery and office supplies .....	700 00	
Other materials and supplies .....	75 00	
		<u>6,175 00</u>

## Services Other Than Personal:

Travel expenses .....	\$8,500 00	
Rent of garages .....	312 00	
Subscriptions .....	50 00	
Miscellaneous ex- penses .....	150 00	
Freight, express and cartage .....	15 00	
		<u>9,027 00</u>

## CHAPTER 111, LAWS OF 1946

## Current Repairs and Maintenance:

Automotive equipment .....	\$1,000 00	
Scientific and laboratory equipment .....	50 00	
		<u>1,050 00</u>
		<u>\$72,392 00</u>

## D 11. HEALTH OFFICERS, PORT OF PERTH AMBOY.

Health  
officers.

## Salaries:

Health officer .....	\$1,120 00	
Deputy health officer .....	370 00	
		<u>\$1,490 00</u>

D 13. STATE BOARD OF TENEMENT HOUSE  
SUPERVISIONTenement  
house  
supervision.

## Salaries:

Secretary and executive officer ..... <sup>(1)</sup>	\$7,000 00	
Compensation for assistants and other employees .....	116,952 00	
		<u>\$123,952 00</u>

## Materials and Supplies:

Stationery and office supplies .....	\$700 00	
Vehicular transportation supplies .....	600 00	
Industrial and vocational supplies .....	40 00	
Printing .....	100 00	
		<u>1,440 00</u>

## Services Other Than Personal:

Traveling expenses ..	\$9,500 00	
Garage rent .....	216 00	
Household expenses..	150 00	
Subscriptions .....	120 00	
	<hr/>	9,986 00

## Current Repairs and Maintenance:

Automotive equip- ment .....	\$500 00	
Office furniture, ma- chines and equip- ment .....	160 00	
	<hr/>	660 00

(<sup>1</sup>) Salary range adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$7,000.00 to \$8,500.00.

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\$136,038 00

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## D 14. REAL ESTATE COMMISSION

## Salaries:

Commissioners .....	\$21,000 00	
Secretary .....	( <sup>1</sup> ) 6,500 00	
Other officers and em- ployees .....	33,100 00	
	<hr/>	\$60,600 00

Real estate  
commission.

## Materials and Supplies:

Stationery and office supplies .....	\$300 00	
Printing .....	2,180 00	
	<hr/>	2,480 00

## Services Other Than Personal:

Traveling expenses ..	\$2,750 00	
Household expenses..	149 20	
Miscellaneous ex-		
penses .....	75 00	
Subscriptions .....	139 00	
Subpœna and class		
room fees .....	500 00	
		3,613 20

## Current Repairs and Maintenance:

Office furniture, machines and		
equipment .....		115 00
( <sup>1</sup> ) Salary range adopted by Civil		
Service Commission and ap-		
proved by Governor and Appro-		
propriations Committee, \$6,500.00		
to \$8,000.00.		

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\$66,808 20

## D 15. DEPARTMENT OF STATE POLICE

State police.

## Salaries:

Colonel and superin-		
tendent .....	\$10,000 00	
Major and deputy		
superintendent .( <sup>1</sup> )	7,000 00	
Other officers and em-		
ployees .....	1,427,545 32	
Medical and surgical		
services .....	10,000 00	
		\$1,454,545 32

## Materials and Supplies:

Food and lodging ...	\$280,160 00	
Clothing .....	44,000 00	
Heat, light, power, water, gas and elec- tricity .....	12,000 00	
Vehicular transporta- tion supplies .....	53,500 00	
Household and organ- ization supplies ...	13,000 00	
Medical, surgical and chemical supplies ..	2,000 00	
Stationery and office supplies .....	10,000 00	
Photographing, blue- printing and draft- ing supplies .....	3,000 00	
	<hr/>	417,660 00

## Services Other Than Personal:

Traveling expenses ..	\$1,600 00	
Freight, express and cartage .....	75 00	
Emergency fund ....	1,500 00	
Garage rents .....	3,900 00	
Rental, fingerprint sorter .....	2,832 00	
Rental of communica- tions instruments and power .....	42,000 00	
	<hr/>	51,907 00

## Current Repairs and Maintenance:

Automotive equip- ment .....	\$30,000 00	
Buildings and grounds	6,850 00	
Parts, tools and re- pairs .....	5,000 00	
Office furniture, ma- chines and equip- ment .....	450 00	

Recreational equip- ment .....	275 00	
Household furniture, machinery and equipment .....	250 00	
Other equipment ....	175 00	
		43,000 00
(1) Salary range adopted by Civil Service Commission and ap- proved by Governor and Ap- propriations Committee, \$7,- 000.00 to \$9,000.00.		
		<u>\$1,967,112.32</u>

## D 18. DEPARTMENT OF AVIATION

Department  
of aviation.

Expenses incurred by the Department  
of Aviation, established pursuant to  
chapter 1 of Title 6 of the R. S.

## Salaries:

Director .....	(1) \$7,500 00	
Other employees ....	17,280 00	
		\$24,780 00

## Materials and Supplies:

Stationery and office supplies .....	\$300 00	
Maintenance of air- craft .....	500 00	
		800 00

## Services Other Than Personal:

Traveling expenses ..	\$2,500 00	
Rent of hangar .....	144 00	
Household expenses..	55 00	
Subscriptions .....	150 00	
Miscellaneous ex- penses .....	195 00	
		3,044 00



## Current Repairs and Maintenance:

Aircraft .....	356 00
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(1) This salary effective if Senate Bill  
No. 101 becomes a law.

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\$28,980 00

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D 19. DEPARTMENT OF ALCOHOLIC BEVERAGE  
CONTROL

## Salaries:

Commissioner .....	\$16,500 00	
Compensation for other assistants and clerical services ...	461,546 48	
	<hr/>	\$478,046 48

Alcoholic  
beverage  
control.

## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....	\$100 00	
Stationery and office supplies .....	3,240 00	
Household and organ- ization supplies ...	275 00	
Printing and binding.	5,000 00	
Other materials and supplies .....	250 00	
Medical, surgical and chemical supplies ...	400 00	
	<hr/>	9,265 00

## Services Other Than Personal:

Traveling expenses ..	\$55,000 00
Household expenses..	350 00
Rent of equipment ..	170 00
Advertising .....	600 00
Subscriptions, mem- bership fees and press clippings ....	1,355 00

Rent of storage and control rooms .....	1,100 00	
Miscellaneous expenses .....	864 00	
Trucking and wrecking .....	2,000 00	
Subpœna fees and court reporting services .....	650 00	
		62,089 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment .....		655 00
Extraordinary Expenditures:		
For the rehabilitation of alcoholics and the promotion of temperance education to be administered by the Commissioner of Alcoholic Beverage Control, the Commissioner of the Department of Institutions and Agencies, the Commissioner of Education and the State Director of Health .....		25,000 00
The unexpended balances of this appropriation as of June 30, 1946, are reappropriated.		
		<u>\$575,055 48</u>

## D 20. STATE BOARD OF BEAUTY CULTURE CONTROL

Beauty culture control board.

## Salaries:

Commissioner—Chairman of Board .....	\$3,200 00	
Commissioners ((4) @ \$2,200.00) .....	8,800 00	
Secretary .....	3,200 00	
Inspectors, stenographers and other employees .....	19,080 00	
		\$34,280 00

## Materials and Supplies:

Vehicular transportation supplies .....	\$700 00	
Stationery and office supplies .....	250 00	
Printing .....	600 00	
	<hr/>	1,550 00

## Services Other Than Personal:

Traveling expenses ..	\$1,400 00	
Subscriptions .....	50 00	
Garage rents .....	480 00	
Miscellaneous expenses .....	50 00	
	<hr/>	1,980 00

## Current Repairs and Maintenance:

Automotive equipment .....	500 00	
	<hr/>	\$38,310 00
	<hr/>	

## D 21. BOARD OF BARBER EXAMINERS

## Salaries:

Members of the board	\$11,779 76	
Officers and employees	8,190 00	
	<hr/>	\$19,969 76

Barber  
examiners.

## Materials and Supplies:

Stationery and office supplies .....	\$375 00	
Printing .....	300 00	
	<hr/>	675 00

## Services Other Than Personal:

Traveling expenses ..	\$4,500 00	
Rent of examination rooms .....	40 00	
Household expenses..	5 00	
Subscriptions .....	25 00	
	<hr/>	4,570 00

## Current Repairs and Maintenance:

Office furniture, machines and equipment .....	40 00
	<u>\$25,254 76</u>

## D 22. INTERSTATE SANITATION COMMISSION

Interstate  
sanitation  
commission.Expenses incurred by the commission  
appointed pursuant to chapter 321,  
laws of 1935.

Salaries .....	\$12,304 00	
Materials and supplies	378 50	
Services other than personal .....	2,317 50	
	<u>\$15,000 00</u>	

## D 23. RACING COMMISSION

Racing  
commission.

## Salaries:

Secretary .....	\$7,500 00	
Other employees ....	17,940 00	
Per diem inspectors, mutuel calculators, assistant veteri- narian and clerks ..	40,380 00	
	<u>\$65,820 00</u>	

## Materials and Supplies:

Vehicular transporta- tion supplies .....	\$500 00	
Printing .....	800 00	
Stationery and office supplies .....	1,000 00	
	<u>2,300 00</u>	

## Services Other Than Personal:

Traveling expenses ..	\$4,760 00	
Subscriptions and membership fees ..	928 50	
Miscellaneous expenses .....	28 00	
Investigations and engineering inspections .....	2,500 00	
	<hr/>	8,216 50

## Current Repairs and Maintenance:

Automotive equipment .....	\$400 00	
Typewriter repairs ..	110 00	
	<hr/>	510 00
		<hr/>
		\$76,846 50
		<hr/>

## D 30. DEPARTMENT OF ECONOMIC DEVELOPMENT

## Salaries:

Commissioner .....	\$12,000 00	
Director, Division of Commerce and Municipal Aid .....	7,500 00	
Director, Division of Planning and Engineering .....	7,500 00	
Director, Division of Veterans' Services.	7,500 00	
Other officers and employees .....	425,587 28	
Technical and professional services ..	10,000 00	
	<hr/>	\$470,087 28

Economic  
development  
department.

## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....	\$850 00	
Household and organ- ization supplies ...	50 00	
Drugs, medical, surgi- cal and chemical supplies .....	30 00	
Motor vehicular trans- portation supplies..	650 00	
Stationery and office supplies .....	4,000 00	
Educational, recrea- tional and library supplies .....	300 00	
Printing and binding.	6,000 00	
		<hr/> 11,880 00

## Services Other Than Personal:

Traveling expenses..	\$20,000 00	
Freight, express and cartage .....	1,000 00	
Household expenses..	50 00	
Subscriptions .....	1,250 00	
Miscellaneous ex- penses .....	400 00	
Rent of trucks .....	6,600 00	
Rent of garages .....	192 00	
Conference charges ..	500 00	
		<hr/> 29,992 00

## Current Repairs and Maintenance:

Automotive equip- ment .....	\$350 00	
Buildings and grounds	270 00	
Office furniture, ma- chines and equip- ment .....	2,000 00	
		<hr/> 2,620 00

## Extraordinary Expenditures:

Promotional expenses	\$100,000 00	
Relief subsidies	900,000 00	
		<hr/> 1,000,000 00

\$100,000.00 of the unexpended balances remaining in the Municipal Aid account as of December 31, 1946, are hereby reappropriated.

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\$1,514,579 28

## E. EDUCATIONAL

## E 1. STATE BOARD OF EDUCATION

*Commissioner's Office*

## Salaries:

Commissioner	.....	\$15,000 00	
Six assistant commissioners	..... <sup>(1)</sup>	46,500 00	
Twenty-one county superintendents of schools	.....	126,000 00	
Other officers and employees	.....	141,862 08	
		<hr/>	\$329,362 08

State board  
of education.

## Materials and Supplies:

Stationery and office supplies	.....	\$15,500 00	
Educational, recreational and library supplies	.....	250 00	
Printing special bulletins	.....	4,000 00	
Printing educational bulletins	.....	4,000 00	
Printing and binding	.....	175 00	
Vehicular transportation supplies	.....	1,400 00	
		<hr/>	25,325 00

## Services Other Than Personal:

Traveling expenses ..	\$7,500 00	
Postage .....	3,000 00	
Telephone and telegraph .....	1,680 00	
Rents .....	21,819 00	
Subscriptions and membership fees ..	100 00	
Garage rents .....	486 00	
Miscellaneous expenses .....	650 00	
Freight, express and cartage .....	350 00	
Fire and other insurance premiums on buildings under control of State Board of Education .....	22,500 00	
		58,085 00

## Current Repairs and Maintenance:

Automotive equipment .....	\$300 00	
Office furniture, machines and equipment .....	350 00	
		650 00

## Unclassified:

For the purpose of carrying out the provisions of article 9, chapter 15 of Title 18 of the R. S. to provide evening schools for foreign-born residents ....	\$15,000 00	
Establishment and maintenance of libraries for use of teachers .....	400 00	
		15,400 00



- (<sup>1</sup>) Salary range for six assistant commissioners adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$7,500.00 to \$10,000.00.

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\$428,822 08

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*Division of the State Library, Archives and History*

Salaries:

Librarian .....	\$5,400 00	
Head of general reference library, law library, bureau of archives and history	5,200 00	
Officers and employees	53,760 00	
	<hr/>	\$64,360 00

State library,  
archives and  
history.

Materials and Supplies:

Vehicular transportation supplies .....	\$500 00	
Stationery and office supplies .....	2,500 00	
Educational and library supplies ....	35,000 00	
Printing and binding.	6,000 00	
	<hr/>	44,000 00

Services Other Than Personal:

Traveling expenses ..	\$600 00
Garage rent .....	86 00
Freight, express and cartage .....	625 00
Miscellaneous expenses .....	125 00
Legislative reference division .....	250 00

Formation and aid of county and school libraries .....	10,000 00	
Donations to libraries	200 00	
	<hr/>	11,886 00
Current Repairs and Maintenance:		
Automotive equipment	\$150 00	
Office furniture, ma- chines and equip- ment .....	250 00	
	<hr/>	400 00
Additions and Improvements:		
Microfilming .....	4,500 00	
	<hr/>	\$125,146 00
		<hr/>

*Division of the State Museum*State  
Museum.

Salaries:		
Officers and employees	\$41,624 00	
Special services.....	1,000 00	
	<hr/>	\$42,624 00
Materials and Supplies:		
Clothing .....	\$100 00	
Stationery and office supplies .....	1,250 00	
Educational, recrea- tional and library supplies .....	600 00	
Other materials and supplies .....	750 00	
Printing and binding.	1,500 00	
Lantern slides and films .....	7,500 00	
	<hr/>	11,700 00

## Services Other Than Personal:

Traveling expenses ..	\$250 00	
Rent of equipment ...	200 00	
Freight, express and cartage .....	400 00	
Subscriptions and memberships .....	130 00	
Fees for lectures ....	275 00	
	<hr/>	1,255 00

## Current Repairs and Maintenance:

Machines and equip- ment .....	\$50 00	
Repairs to exhibits, equipment and lend- ing collections .....	1,150 00	
	<hr/>	1,200 00
		<hr/>
		\$56,779 00

Payments under this account to be  
made pursuant to R. S. 18:10-31,  
and subsequent legislation.

*Academic Certificate Fund*

Salaries .....	\$7,440 00		
Materials and supplies..	275 00		Academic certificate fund.
Services other than per- sonal .....	2,000 00		
	<hr/>	\$9,715 00	

*Division Against Discrimination*

## Salaries:

Assistant commis- sioner of educa- tion ..... <sup>(1)</sup>	\$7,750 00		Division against discrimination.
Other officers and em- ployees .....	23,640 00		
	<hr/>	\$31,390 00	

## Materials and Supplies:

Motor vehicular transportation supplies..	\$500 00	
Stationery and office supplies .....	1,500 00	
Educational and library supplies .....	1,000 00	
Printing and binding.	1,000 00	
	<hr/>	4,000 00

## Services Other Than Personal:

Traveling expenses ..	\$3,200 00	
Miscellaneous expenses .....	200 00	
	<hr/>	3,400 00
		<hr/>
		\$38,790 00

There is appropriated to the Division Against Discrimination, the unexpended balances of the fiscal year 1945-46, not to exceed \$10,000.00.

(<sup>1</sup>) Salary range adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$7,500.00 to \$10,000.00

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\$659,252 08

## TEACHERS' COLLEGES

## E 2-I. GLASSBORO

For salaries and for the maintenance  
of the State Teachers College,  
Glassboro.

Teachers'  
colleges:  
Glassboro;

## Salaries:

President .....	( <sup>1</sup> )	\$7,500 00	
Teachers .....		120,692 80	
Other employees ....		44,044 00	
		<hr/>	\$172,236 80

## Materials and Supplies:

Food .....		\$22,000 00	
Heat, light, power, water, gas and elec- tricity .....		12,000 00	
Farm, stable and grounds supplies ..		400 00	
Educational, recrea- tional and library supplies .....		4,800 00	
Stationery and office supplies .....		350 00	
Industrial and voca- tional supplies ....		200 00	
Printing and binding.		465 00	
Household supplies ..		1,700 00	
Medical, surgical and chemical supplies ..		50 00	
Vehicular transporta- tion supplies .....		75 00	
		<hr/>	42,040 00

## CHAPTER 111, LAWS OF 1946

## Services Other Than Personal:

Traveling expenses ..	\$1,400 00	
Subscriptions and memberships .....	100 00	
Rents (extension classroom) .....	80 00	
Freight, express and cartage .....	50 00	
Miscellaneous expenses .....	100 00	
Sewer rental .....	175 00	
Advertising .....	100 00	
Laundry service ....	775 00	
		<hr/>
		2,780 00

## Current Repairs and Maintenance:

Automotive equipment .....	\$45 00	
Buildings and grounds	4,500 00	
Farm machinery ....	100 00	
Recreational equipment .....	50 00	
Scientific and laboratory equipment ....	50 00	
Office furniture, machines and equipment .....	50 00	
Household furniture, machinery and equipment .....	225 00	
		<hr/>
		5,020 00

## Additions and Improvements:

Replace water main ..	\$5,000 00	
Replacement of boiler	180 00	
		<hr/>
		5,180 00
		<hr/>
		\$227,256 80
		<hr/>

## E 2-J. JERSEY CITY

For salaries and for the maintenance  
of the State Teachers College,  
Jersey City.

Jersey City;

## Salaries:

President .....	( <sup>1</sup> )	\$7,500 00	
Teachers .....		157,453 00	
Other employees ....		31,155 00	
			<u>\$196,108 00</u>

## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....		\$8,000 00	
Educational, recrea- tional and library supplies .....		8,000 00	
Stationery and office supplies .....		800 00	
Other materials and supplies .....		50 00	
Printing, including catalog .....		340 00	
Household supplies ..		1,400 00	
Ground supplies .....		600 00	
Medical, surgical and chemical supplies ..		50 00	
			<u>\$19,240 00</u>

## Services Other Than Personal:

Traveling expenses ..		\$950 00
Miscellaneous ex- penses .....		75 00
Freight, express and cartage .....		60 00
Household expenses..		178 00

Entertainment e x -		
penses .....	100 00	
Subscriptions and		
memberships .....	85 00	
	<hr/>	1,448 00
Current Repairs and Maintenance:		
Buildings and grounds	\$6,000 00	
Office furniture, ma-		
chines and equip-		
ment .....	100 00	
Household furniture,		
machinery and		
equipment .....	1,550 00	
	<hr/>	7,650 00
Additions and Improvements:		
Buildings and improvements, in-		
cluding alterations to garage ...		327 00
		<hr/>
		\$224,773 00
		<hr/> <hr/>

## E 2-K. NEWARK

Newark;

For salaries, and for maintenance of  
the State Teachers College, Newark.

## Salaries:

President .....	( <sup>1</sup> )	\$7,500 00	
Teachers .....		186,840 00	
Other employees ....		39,820 00	
		<hr/>	\$234,160 00

## Materials and Supplies:

Heat, light, power,		
water, gas and elec-		
tricity .....		\$6,950 00
Educational, recrea-		
tional and library		
supplies .....		6,500 00



Stationery and office supplies .....	1,000 00	
Ground supplies (including ash removal) .....	500 00	
Household supplies ..	650 00	
Printing .....	2,350 00	
Medical, surgical and chemical supplies ..	100 00	
	<hr/>	18,050 00
Services Other Than Personal:		
Traveling expenses ..	\$1,400 00	
Subscriptions and memberships .....	25 00	
Freight, express and cartage .....	50 00	
Advertising .....	150 00	
Commencement and social program expenses .....	200 00	
	<hr/>	1,825 00
Current Repairs and Maintenance:		
Buildings and grounds	\$4,685 00	
Household furniture, machinery and equipment .....	300 00	
Office furniture, machines and equipment .....	200 00	
Other equipment ....	100 00	
	<hr/>	5,285 00
Additions and Improvements:		
Altering classroom .....	500 00	
	<hr/>	\$259,820 00
	<hr/>	

## E 2-L. PATERSON

Paterson; For salaries, and for maintenance of the State Teachers College, Paterson, pursuant to the provisions of R. S. 18:16-29 and R. S. 18:16-19.

## Salaries:

President .....	( <sup>1</sup> )	\$7,500 00	
Teachers .....		107,370 00	
Other employees ....		17,800 00	
			<hr/> \$132,670 00

## Materials and Supplies:

Heat, light, power, water, gas and electricity .....		\$3,450 00	
Educational, recreational and library supplies .....		5,000 00	
Stationery and office supplies .....		500 00	
Printing .....		850 00	
Drugs, medical, surgical and chemical supplies .....		50 00	
Other materials and supplies .....		20 00	
Household supplies ..		540 00	
			<hr/> 10,410 00

## Services Other Than Personal:

Traveling expenses ..		\$900 00	
Household expenses..		100 00	
Advertising .....		200 00	
Telephone and telegraph .....		550 00	
Freight, express and cartage .....		75 00	
Subscriptions .....		200 00	
Commencement expenses .....		50 00	
			<hr/> 2,075 00

## Current Repairs and Maintenance:

Office furniture, machines and equipment .....	\$75 00	
Buildings and grounds	250 00	
Scientific and laboratory equipment .....	50 00	
		375 00
		<u>\$145,530 00</u>

## E 2-M. MONTCLAIR

For salaries and for maintenance of  
the State Teachers College, Mont-  
clair.

Montclair;

## Salaries:

President ..... <sup>(1)</sup>	\$7,500 00	
Teachers .....	281,520 00	
Other employees .....	75,504 00	
		\$364,524 00

## Materials and Supplies:

Food .....	\$40,000 00	
Heat, light, power, water, gas and electricity .....	22,050 00	
Educational, recreational and library supplies .....	10,000 00	
Engineering supplies.	35 00	
Stationery and office supplies .....	1,300 00	
Ground supplies .....	900 00	
Other materials and supplies .....	425 00	
Printing .....	2,125 00	
Household supplies ..	3,600 00	

Vehicular transportation supplies .....	80 00	
Medical, surgical and chemical supplies ..	200 00	
		<u>80,715 00</u>
Services Other Than Personal:		
Traveling expenses ..	\$2,350 00	
Freight, express and cartage .....	125 00	
Advertising .....	130 00	-
Subscriptions and memberships .....	200 00	
Commencement expenses .....	700 00	
		<u>3,505 00</u>
Current Repairs and Maintenance:		
Other equipment ....	\$150 00	
Buildings and grounds	15,000 00	
Household furniture, machinery and equipment .....	300 00	
Office furniture, machines and equipment .....	200 00	
Scientific and laboratory equipment ....	125 00	
		<u>15,775 00</u>
		<u>\$464,519 00</u>

## E 2-N. TRENTON

For salaries, and for the maintenance  
of the State Teachers College,  
Trenton.

Trenton.

## Salaries:

President ..... <sup>(1)</sup>	\$7,500 00	
Business manager ...	4,500 00	
Teachers .....	286,720 00	
Other employees ....	124,880 00	
	<hr/>	\$423,600 00

## Materials and Supplies:

Food .....	\$64,900 00	
Heat, light, power, water, gas and elec- tricity .....	35,000 00	
Educational, recrea- tional and library supplies .....	10,000 00	
Stationery and office supplies .....	1,000 00	
Printing .....	1,425 00	
Vehicular transporta- tion supplies .....	300 00	
Ground supplies .....	450 00	
Household supplies ..	4,000 00	
Medical, surgical and chemical supplies ..	300 00	
	<hr/>	117,375 00

## Services Other Than Personal:

Traveling expenses ..	\$2,050 00	
Household expenses..	6,000 00	
Subscriptions and memberships .....	140 00	
Freight, express and cartage .....	100 00	
	<hr/>	8,290 00

## Current Repairs and Maintenance:

Automotive equip- ment .....	\$100 00	
Office furniture, ma- chines and equip- ment .....	100 00	
Buildings and grounds	10,000 00	
Household furniture, machinery and equipment .....	800 00	
Scientific and labora- tory equipment ....	580 00	
Recreational equip- ment .....	40 00	
Farm machinery ....	50 00	
		11,670 00
		<u>\$560,935 00</u>
Total teachers' colleges .....	\$1,882,833 80	

(<sup>1</sup>) Salary range for Presidents of Teachers Colleges adopted by Civil Service Commission and approved by the Governor and the Appropriations Committee, \$7,500.00 to \$9,000.00.

In addition to the several amounts above appropriated, there may be expended, upon the approval of the Commissioner of Taxation and Finance, any moneys received from dormitory, boarding hall or extension course fees or charges in excess of the receipts anticipated.

The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to R. S. 18:10-31, and subsequent legisla-  
tion.

E 3. THE SCHOOL FOR THE DEAF AND THE MANUAL  
TRAINING AND INDUSTRIAL SCHOOL FOR  
COLORED YOUTH

E 3-I. SCHOOL FOR THE DEAF

For salaries and for maintenance of  
the New Jersey School for the Deaf.

School for  
the Deaf.

Salaries:

Superintendent .....	\$5,200 00	
Principal, teachers and instructors ....	180,952 66	
Other officers and em- ployees .....	120,776 00	
Medical and surgical fees .....	900 00	
		\$307,828 66

Materials and Supplies:

Food .....	\$37,000 00
Clothing .....	1,500 00
Heat, light, power, water, gas and elec- tricity .....	27,500 00
Household supplies ..	8,000 00
Farm, stable and grounds supplies ..	1,200 00
Industrial and voca- tional supplies ....	7,500 00
Medical, surgical and chemical supplies ..	1,000 00
Educational, recrea- tional and library supplies .....	4,500 00
Stationery and office supplies .....	265 00
Vehicular transporta- tion supplies .....	600 00

## CHAPTER 111, LAWS OF 1946

Other materials and supplies (fire fighting) .....	350 00	
Earphones and equipment .....	2,000 00	
	<hr/>	91,415 00
Services Other Than Personal:		
Traveling expenses (including children's carfare) .....	\$1,000 00	
Entertainment expenses .....	750 00	
Freight, express and cartage .....	50 00	
Telephone and telegraph .....	1,300 00	
	<hr/>	3,100 00
Current Repairs and Maintenance:		
Automotive equipment .....	\$400 00	
Buildings and grounds .....	12,000 00	
	<hr/>	12,400 00
		<hr/>
		\$414,743 66
		<hr/>

E 3-J. MANUAL TRAINING AND INDUSTRIAL SCHOOL  
FOR COLORED YOUTHBordentown  
Industrial  
School.For salaries, and for maintenance of  
the Manual Training and Industrial  
School for Colored Youth.

Salaries:		
Principal .....	\$6,000 00	
Teachers .....	89,946 00	
Other officers and employees .....	63,084 00	
Student labor .....	6,000 00	
Religious services ...	200 00	
	<hr/>	\$165,230 00



Materials and Supplies:		
Food .....	\$32,000 00	
Heat, light, power, water, gas and elec- tricity .....	29,700 00	
Household and organ- ization supplies ...	8,000 00	
F a r m , s t a b l e and grounds supplies ..	12,500 00	
Industrial and voca- tional supplies ....	4,000 00	
Printing .....	300 00	
Educational, recrea- tional and library supplies .....	4,000 00	
Medical, surgical and chemical supplies ..	750 00	
Stationery and office supplies .....	200 00	
Vehicular transporta- tion supplies .....	650 00	
Other materials and supplies .....	100 00	
	<hr/>	92,200 00
Services Other Than Personal:		
Traveling expenses ..	\$600 00	
Entertainment e x - penses .....	600 00	
Freight, express and cartage .....	30 00	
Subscriptions .....	20 00	
Commencement e x - penses .....	68 00	
Rental of railroad sid- ing .....	32 00	
	<hr/>	1,350 00
Current Repairs and Maintenance:		
Buildings and grounds .....		10,600 00

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## Additions and Improvements:

Clean settling tanks and overhaul chlorinators .....	1,300 00
	<hr/>
	\$270,680 00
	<hr/>

Payments under this account to be  
made pursuant to R. S. 18:10-31,  
and subsequent legislation.

## E 4. THE STATE UNIVERSITY OF NEW JERSEY

*General University*

New Jersey  
State  
University.

## Salaries:

Officers, members of faculty and other employees .....	\$1,984,833 51
---	----------------

## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....	\$64,550 00	
Supplies .....	58,225 00	
Stationery and print- ing, including cata- logues .....	23,720 00	
Equipment .....	23,135 00	
Educational and li- brary supplies ....	47,500 00	
	<hr/>	217,130 00

## Services Other Than Personal:

Traveling expenses ..	\$17,400 00
Telephone and tele- graph .....	10,950 00
Insurance .....	54,200 00
Retired allowances ..	28,080 00
Freight, express and cartage .....	1,550 00

Auditing and legal ex-		
penses .....	4,000 00	
Taxes .....	15,000 00	
Membership fees ....	650 00	
Interest .....	13,475 00	
Rutgers studies .....	500 00	
Investment custodian		
expense .....	4,000 00	
Postage .....	13,870 00	
Commencement ex-		
penses .....	6,000 00	
Incidentals and con-		
tingent .....	34,355 00	
	<hr/>	204,030 00
Current Repairs and Maintenance:		
Buildings and grounds	\$114,000 00	
Equipment .....	8,775 00	
	<hr/>	122,775 00
Additions and Improvements:		
Construction program (first unit of		
new chemistry building to serve		
the several colleges) .....	965,000 00	
Unclassified:		
Research grants .....	\$80,000 00	
Expenses chargeable		
to special endow-		
ment fund income..	70,750 00	
Agricultural research	126,620 00	
Agricultural extension	182,447 00	
	<hr/>	459,817 00
		<hr/>
		\$3,953,585 51

## CHAPTER 111, LAWS OF 1946

Less university income, including student tuition, endowment income, Federal appropriations and mis- cellaneous income .....	1,592,815 00
	<hr/>
	\$2,360,770 51
Less State scholarships .....	116,000 00
	<hr/>
Net State appropriation other than scholarships .....	\$2,244,770 51
	<hr/>

*New Jersey College for Women*College for  
women.

Salaries:	
Officers, members of faculty and other employees .....	\$614,863 00
Materials and Supplies:	
Heat, light, power, water, gas and elec- tricity .....	\$20,980 00
Stationery and print- ing, including cata- logue .....	8,700 00
Equipment .....	8,275 00
Educational, recrea- tional and library supplies .....	10,700 00
Supplies .....	16,935 00
	<hr/>
	65,590 00
Services Other Than Personal:	
Traveling expenses ..	\$2,755 00
Telephone and tele- graph .....	5,000 00
Insurance .....	11,500 00
Auditing and legal ex- penses .....	800 00

Taxes .....	6,500 00	
Interest .....	13,000 00	
Investment custodian expense .....	1,300 00	
Postage .....	2,770 00	
Commencement ex- penses .....	1,000 00	
Incidentals and con- tingent .....	14,123 00	
	<hr/>	58,748 00
Current Repairs and Maintenance:		
Buildings and grounds	\$45,000 00	
Equipment .....	1,175 00	
	<hr/>	46,175 00
Unclassified:		
Expenses chargeable to special en- dowment fund income .....		42,700 00
		<hr/>
		\$828,076 00
Less university income, including student tuition, endowment income, Federal appropriations and miscel- laneous income .....		227,376 00
		<hr/>
		\$600,700 00
Less State scholarships .....		84,000 00
		<hr/>
Net State appropriation other than scholarships .....		\$516,700 00
		<hr/>

*Agricultural Experiment Station*

Salaries:		
Director .....	\$6,000 00	
Other officers and em- ployees .....	545,782 84	
	<hr/>	\$551,782 84

Agricultural  
Experiment  
Station.

## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....	\$21,835 00	
Farm, stable and grounds supplies ..	47,772 00	
Household and organ- ization supplies ...	150 00	
Drugs, medical, surgi- cal and chemical supplies .....	19,037 00	
Motor vehicular trans- portation supplies .	5,617 00	
Stationery and office supplies .....	3,120 00	
Printing, binding, photographing and blueprinting .....	8,371 00	
	<hr/>	105,902 00

## Services Other Than Personal:

Traveling expenses	\$8,000 00	
Rents .....	402 00	
Freight, express and cartage .....	450 00	
Household expenses..	300 00	
Development and operation of mos- quito traps .....	400 00	
Subscriptions .....	1,309 00	
Registration of ani- mals .....	360 00	
Garage rents .....	718 00	
Veterinary and medical treatment .....	980 00	
	<hr/>	12,919 00

## Current Repairs and Maintenance:

Automotive equipment	\$5,289 00	
Building and grounds	8,600 00	
Scientific equipment..	2,910 00	
	<hr/>	16,799 00
		<hr/>
		\$687,402 84
		<hr/>

*Scholarships*Scholarships at Rutgers University  
and The New Jersey College for  
Women:

Scholarships.

General University.	\$116,000 00	
New Jersey College for Women .....	84,000 00	
	<hr/>	\$200,000 00
		<hr/>
		\$3,648,873 35
		<hr/>

In addition thereto, it is recommended that all balances remaining in the Scholarship Fund as of June 30, 1946, be reappropriated for the benefit of veterans who were attending the university under State scholarships and whose education was interrupted as a result of serving their country.

Payments under this account to be made pursuant to R. S. 18:10-31, and subsequent legislation.

**New Jersey State Library**

E 5. NEWARK TECHNICAL SCHOOL AND  
NEWARK COLLEGE OF ENGINEERING

Newark  
Technical  
School and  
College of  
Engineering.

For the purchase of higher education  
at the Newark Technical School  
and Newark College of Engineering \$154,300 00

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Payments under this account to be  
made pursuant to R. S. 18:10-31,  
and subsequent legislation.

E 6. INDUSTRIAL EDUCATION, MANUAL TRAINING  
AND VOCATIONAL SCHOOLS

INDUSTRIAL EDUCATION

Industrial  
education.

For payments to schools established  
for industrial education pursuant  
to R. S. 18:15-24 ..... \$69,000 00

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MANUAL TRAINING

Manual  
training.

Payments to schools for manual train-  
ing, pursuant to R. S., chapter 9 of  
Title 52 ..... 700,000 00

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VOCATIONAL SCHOOLS

Vocational  
schools.

For the purpose of carrying into effect  
the provisions of chapter 76, laws  
of 1916, which provides for the ap-  
propriation of State funds for the  
purpose of carrying out the provi-  
sions of article 5, chapter 15, of  
Title 18 of the R. S., which author-  
ized State aid for vocational schools 410,000 00



For the purpose of carrying into effect the provisions of article 1, chapter 17 of Title 18 of the R. S., which provides that the State shall appropriate a sum not less than the maximum amount received from the Federal Government under an act of Congress which provides for Federal co-operation in the promotion of such education as agriculture and the trades and industries, and for the proper preparation of teachers of vocational subjects.... 31,755 49

Matching George-Deen Vocational Law ..... 26,000 00

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\$467,755 49

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\$1,236,755 49

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Payments under this account to be made pursuant to R. S. 18:10-31, and subsequent legislation.

#### E 19. TEACHERS' PENSION AND ANNUITY FUND

##### Unclassified:

State's contribution to Teachers' Pension and Annuity Fund, pursuant to article 3, chapter 13 of Title 18 of the R. S.

Teachers' pension and annuity fund.

Pension Accumulation Fund .....\$2,459,687 00

##### Pension Fund—

Normal contribution ..... 393,407 00

Deficiency contribution ..... 3,826,733 00

For interest due Teachers' Pension and Annuity Fund pursuant to chapter 159, laws of 1941 .....	176,055 57	
Payments to the Teachers' Pension and Annuity Fund out of receipts of li- cense fees, whether vehicular or driver, 1/5 of the sum cer- tified as due and payable to that fund on July 1, 1943, pur- suant to chapter 190, laws of 1942 ..	1,266,556 00	
Interest .....	75,993 36	
		<u>\$8,198,431 93</u>

Should School Apportionment Funds be insufficient to make payment pursuant to the provisions of 18:10-31, additional funds to meet this appropriation shall be drawn from the General State Fund.

#### E 21. TRANSFER TO STATE SCHOOL TAX ACCOUNT

Transfer to  
State school  
tax account.

To carry out the provisions of chapter 162, laws of 1945, to appropriate, out of the proceeds of the Corporation Franchise Tax, interest and penalties collected pursuant to said act, for the purpose of maintaining free public schools, the sum of \$4,000,000.00 annually, which sum shall

on or before December 20 in each year be transferred by the State Treasurer to the State School Tax Account. Such appropriation shall be applied toward reduction of the State School Tax as provided by section 18:10-18 of the Revised Statutes and shall be apportioned and distributed in the same manner and for the same purposes as the proceeds of the State School Tax ..\$4,000,000 00

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## TE 9. STATE SCHOOL FUND

The following sums or so much thereof as may be necessary are hereby appropriated out of the income of the school fund for the purposes specified:

State  
school fund.

For the support of free public schools,  
the income of the fund, not exceed-  
ing ..... \$450,000 00

## Premiums and Accrued Interest:

Such sum as is required to pay  
premiums and accrued interest  
on bonds purchased.

*School Fund Expenses*

## Necessary Legal and Other Expenses:

Salaries ..... \$4,500 00  
Other expenses ..... 500 00

School fund  
expenses.

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5,000 00

*Refunds*

Refunds.

Whenever by the conversion of a lease into a grant, or by the execution of a new lease, the rental that has been paid in advance to the State for land under water under riparian lease is in excess of the amount actually accruing and owing thereunder, the same has been carried to the credit of the trustees of the school fund, the State Treasurer, upon warrant of the Commissioner of Taxation and Finance, is hereby authorized and directed at any time upon application of the persons entitled to the same, to repay such excess from the income of the school fund.

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\$455,000 00

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## F. AGRICULTURE

## F 2. DEPARTMENT OF AGRICULTURE

Department of  
agriculture.

Salaries and administration of the Department of Agriculture pursuant to chapter 1 of Title 4 of the R. S.

## Salaries:

Secretary .....	\$10,000 00	
Other officers and employees .....	401,672 00	
	<hr/>	\$411,672 00

## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....	\$1,920 00	
Drugs, medical, surgi- cal and chemical supplies .....	6,500 00	
Vehicular transporta- tion supplies .....	7,845 00	
Stationery and office supplies .....	5,880 00	
Educational, recrea- tional and library supplies .....	250 00	
Other materials and supplies .....	750 00	
Printing and binding.	8,000 00	
Field and exhibit sup- plies .....	2,305 00	
	<hr/>	33,450 00

## Services Other Than Personal:

Traveling expenses ..	\$23,805 00	
Freight, express and cartage .....	80 00	
Household expenses..	300 00	
Subscriptions and membership fees ..	675 00	
Miscellaneous ex- penses (including postage) .....	750 00	
Maintenance of adult fairs .....	4,500 00	
Garage rents .....	2,296 00	
U. S. Department of Agriculture fees ...	650 00	
Miscellaneous rentals.	563 00	
Maintenance boys' and girls' 4-H Club Ex- hibits .....	17,500 00	
Exhibits .....	1,600 00	
	<hr/>	52,719 00

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## Current Repairs and Maintenance:

Buildings and grounds	\$700 00	
Automotive equipment	5,000 00	
Office furniture, machines and equipment .....	540 00	
Scientific equipment..	400 00	
		<hr/> 6,640 00

## Unclassified Expenditures:

Indemnities — C o n - demned Cattle ....	\$90,000 00	
Vaccination of cattle against Bang's disease .....	25,000 00	
		<hr/> 115,000 00

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\$619,481 00

Less fees available for departmental use, approximately .....	24,340 00	
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\$595,141 00

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## F 3. STATE BOARD OF MILK CONTROL

Milk control  
board.

## Salaries:

Director .....	\$10,000 00	
Other officers and employees .....	82,020 00	
Fees (members of board) .....	3,600 00	
Professional service at hearings .....	1,000 00	
		<hr/> \$96,620 00

## Materials and Supplies:

Vehicular transportation supplies .....	\$2,300 00	
Stationery and office supplies .....	1,500 00	
Printing .....	400 00	
		<hr/> 4,200 00

## Services Other Than Personal:

Traveling expenses ..	\$5,500 00	
Garage rents .....	95 00	
Advertising (notices of hearings) .....	200 00	
Subscriptions .....	200 00	
Miscellaneous ex- penses .....	500 00	
		6,495 00

## Current Repairs and Maintenance:

Automotive equipment	\$1,750 00	
Office furniture, ma- chines and equip- ment .....	300 00	
		2,050 00
		<u>\$109,365 00</u>

## F 4. STATE SOIL CONSERVATION COMMITTEE

## Salaries:

Employees .....	\$2,000 00	Soil conservation committee.
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## Materials and Supplies:

Printing .....	150 00
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## Services Other Than Personal:

Traveling expenses .....	875 00
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Current repairs .....	500 00
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\$3,525 00

## G. MILITARY

## G 1-I. ADJUTANT-GENERAL'S DEPARTMENT

Adjutant-  
General's  
department.

## Salaries:

Adjutant-General . . . .	\$7,944 00	
Deputy Adjutant-Gen- eral . . . . .	7,744 00	
Chief, War Records and Mobilization Di- vision and Other Clerical Services . . .	72,998 00	
		\$88,686 00

## Materials and Supplies:

Stationery and office supplies . . . . .	\$1,000 00	
Vehicular transporta- tion supplies . . . . .	590 00	
Educational, recrea- tional and library supplies . . . . .	75 00	
Printing and binding.	1,400 00	
		3,065 00

## Services Other Than Personal:

Traveling expenses ..	\$450 00	
Household expenses..	60 00	
Subscriptions and membership fees ..	561 50	
		1,071 50

## Current Repairs and Maintenance:

Automotive equipment	\$160 00	
Office furniture, ma- chines and equip- ment . . . . .	150 00	
Repair of old flags ...	1,000 00	
		1,310 00
		\$94,132 50



## G 1-J. ADJUTANT-GENERAL'S DEPARTMENT

*Voting Records Division*

Salaries:			
Employees .....	\$22,380 00		Voting records.
Materials and Supplies:			
Stationery and office supplies .....	\$4,000 00		
Printing .....	11,000 00		
		15,000 00	
Services Other Than Personal:			
Miscellaneous expenses .....	1,400 00		
		\$38,780 00	
		\$132,912 50	

## G 2. NATIONAL GUARD AND/OR STATE GUARD

*For Maintenance and Operation of Installations  
and Expenses of National Guard and/or  
State Guard*

Salaries:			National guard and/or State guard.
Employees .....	\$335,858 25		
Fees of examining surgeons .....	2,000 00		
		\$337,858 25	
Materials and Supplies:			
Heat, light, power, water, gas and electricity .....	\$108,600 00		
Household and organization supplies ...	12,000 00		
Motor vehicular transportation supplies..	2,000 00		
		122,600 00	

## Services Other Than Personal:

Telephone and telegraph .....	\$6,000 00	
Traveling expenses (military board) ..	375 00	
Rent of buildings ....	5,560 00	
Insurance (fire) .....	35,000 00	
Insurance (other than fire) .....	24,000 00	
Household expenses..	252 00	
Postage .....	300 00	
	<hr/>	71,487 00

## Current Repairs and Maintenance:

Buildings and grounds	\$37,000 00	
Furniture and equipment .....	1,200 00	
Automotive equipment	1,800 00	
	<hr/>	40,000 00

## Unclassified Expenses:

Medical attendance for National and/or State Guard claims.	\$6,000 00	
Death claims for Pvt. Thomas Leidner ...	531 96	
Transportation and expenses of State Guard and/or National Guard for drills, inspections, parades, schools of instruction, etc. ....	2,000 00	
Encampment expenses	65,000 00	
Equipping and maintaining of the State Guard and/or National Guard .....	50,000 00	
	<hr/>	123,531 96
		<hr/>
		<u>\$695,477 21</u>

## G 3. NAVAL MILITIA

## Salaries:

Armoreders and caretakers .....	\$10,680 00	Naval militia.
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## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....	\$2,000 00	
Household and organ- ization supplies ....	1,000 00	
	<hr/>	3,000 00

## Services Other Than Personal:

Telephone and tele- graph .....	\$200 00	
Household expenses..	50 00	
Allowance for organ- ization .....	3,900 00	
	<hr/>	4,150 00

## Current Repairs and Maintenance:

Buildings and grounds .....	350 00	
	<hr/>	\$18,180 00
	<hr/>	

## G 4. QUARTERMASTER-GENERAL'S DEPARTMENT

## Salaries:

Quartermaster - Gen- eral .....	\$7,944 00	
Compensation for as- sistants .....	57,278 82	
	<hr/>	\$65,222 82

Quartermaster-  
General's  
department.

## CHAPTER 111, LAWS OF 1946

Materials and Supplies:	
Stationery and office supplies .....	500 00
Services Other Than Personal:	
Subscriptions and membership fees	100 00
Current Repairs and Maintenance:	
Office furniture, machines and equipment .....	100 00
	<u>\$65,922 82</u>

## H. PENSION AND RETIREMENT FUND

## H 1. JUDICIAL RETIREMENT FUND

Judicial retirement fund.	For the purpose of carrying out the provisions of article 1, chapter 6 of Title 43 of the R. S. ....	\$24,000 00
		<u><u></u></u>

## H 2. PENSIONS

Pensions.	For amount required to pay pensions pursuant to various acts relative thereto, irrespective of any pro- visions therein that pensions shall be made in the appropriation or tax levy for the department of the pub- lic service from which the pensioner shall be so retired .....	\$175,000 00
		<u><u></u></u>

## H 3. STATE EMPLOYEES' RETIREMENT SYSTEM

Expenses in carrying into effect the provisions of chapter 14 of Title 43 of the R. S.

State  
employers'  
retirement  
system.

## Salaries:

Secretary ..... <sup>(1)</sup>	\$5,100 00	
Compensation paid from receipts .....	1,440 00	
Compensation for as- sistants .....	39,380 00	
	<hr/>	\$45,920 00

## Materials and Supplies:

Stationery and office supplies .....	\$1,000 00	
Printing .....	700 00	
	<hr/>	1,700 00

## Services Other Than Personal:

Rent of safe deposit box .....	\$125 00	
Freight, express and cartage .....	25 00	
Miscellaneous ex- penses .....	100 00	
Subscriptions .....	280 00	
Medical examinations	250 00	
	<hr/>	780 00

## Current Repairs and Maintenance:

Office furniture, maintenance and equipment .....	150 00
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## Unclassified:

To the Treasurer of  
the State of New  
Jersey custodian  
for interest on de-  
ferred payment of

\$100,000.00 to Con- tingent Reserve Fund created by R. S. 43:14-12 and 43:14-14 State's Ac- crued Liability Con- tribution .....	\$3,000 00	
State's share, contri- butions on account of members' service	434,532 00	
State's share, contri- butions on account of members' service of employees whose salaries were paid from the State High- way Fund .....	171,640 00	
Receipts from counties or municipalities pursuant to chapter 15 of Title 43 of the R. S., estimated ...	4,700 00	613,872 00
		<hr/>

(<sup>1</sup>) Salary range adopted by Civil  
Service Commission and ap-  
proved by Governor and  
Appropriations Committee,  
\$5,100.00 to \$6,000.00

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\$662,422 00

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#### H 4. ANNUITY FOR WIDOWS OF GOVERNORS

Annuity for  
Governors'  
widows.

Annuity for widows of Governors of New Jersey, pursuant to R. S. 43:8-2 .....	\$5,000 00
	<hr/>

## H. 5. STUDY OF STATE PENSION SYSTEMS

To the Commissioner of Taxation and Finance in the event it becomes necessary to retain actuaries or other assistants to conduct a study into the financial requirements of present State pension funds.

Study of  
pension  
systems.

The unexpended balance in this account as of June 30, 1946, is hereby reappropriated.

## H 6. POLICE AND FIREMEN'S RETIREMENT SYSTEM

For administration costs ..... \$21,620 00

Police and  
firemen's  
retirement  
system.

## H 7. POLICE AND FIREMEN'S APPORTIONMENT FUND

Apportionment Fund as provided by  
chapter 254, laws of 1944 ..... \$1,000,000 00

Police and  
firemen's  
apportionment  
fund.

## J. CONSTRUCTIVE

## J 2. SOUTH JERSEY PORT COMMISSION

For the purpose of carrying out the provisions of chapter 11 of Title 12 of the R. S.

South Jersey  
port  
commission.

## Salaries:

Secretary ..... \$5,000 00

Other employees .... 19,919 00

                     \$24,919 00

## Materials and Supplies:

Motor vehicular transportation supplies..	\$250 00	
Stationery and office supplies .....	225 00	
Printing .....	300 00	
Educational and library supplies ....	300 00	
Engineering supplies.	100 00	
	<hr/>	1,175 00

## Services Other Than Personal:

Traveling expenses ..	\$1,000 00	
Telephone and telegraph .....	175 00	
Insurance (other than fire) .....	415 00	
Advertising (legal) ..	75 00	
Subscriptions and membership fees ..	375 00	
Postage .....	200 00	
Traffic and stream surveys .....	250 00	
Miscellaneous expenses .....	175 00	
	<hr/>	2,665 00

## Current Repairs and Maintenance:

Automotive equipment	\$200 00	
Repairs to office machines and equipment .....	38 00	
	<hr/>	238 00
		<hr/>
		\$28,997 00
		<hr/>



## K. GENERAL

## K 1. BURIAL GROUNDS

For the care and maintenance of burial grounds, purchased by the State pursuant to chapter 171, laws of 1898 .....	\$75 00	Burial grounds.
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## K 3. PALISADES INTERSTATE PARK COMMISSION

Salaries:		
Employees .....	\$132,743 00	Palisades Interstate Park commission.
Materials and Supplies:		
Clothing .....	\$750 00	
Heat, light, power, water, gas and elec- tricity .....	6,000 00	
Ground supplies .....	200 00	
Household and organ- ization supplies ...	500 00	
Medical, surgical and chemical supplies ..	50 00	
Motor vehicular trans- portation supplies..	550 00	
Stationery and office supplies .....	400 00	
Photographing, blue- printing and draft- ing supplies .....	100 00	
Engineering supplies.	100 00	
	8,650 00	
Services Other Than Personal:		
Traveling expenses ..	\$50 00	
Telephone and tele- graph .....	1,000 00	
Postage .....	250 00	
	1,300 00	

## CHAPTER 111, LAWS OF 1946

## Current Repairs and Maintenance:

Automotive equipment	\$1,950 00	
Buildings and grounds	2,420 00	
Other equipment . . . .	430 00	
		<hr/> 4,800 00
		<hr/> \$147,493 00
		<hr/>

## K 4. STATE CRIPPLED CHILDREN'S COMMISSION

Carrying out the provisions of chapter 188, laws of 1926, and supplements.

Crippled  
children's  
commission.

## Salaries:

Director . . . . .	\$5,500 00	
Other clerical services	9,080 00	
		<hr/> \$14,580 00

## Materials and Supplies:

Stationery and office supplies . . . . .	\$275 00	
Hospitalization, braces, et cetera . . . . .	31,180 00	
		<hr/> 31,455 00

## Services Other Than Personal:

Traveling expenses . . . . .	750 00	
		<hr/> \$46,785 00
		<hr/>

## K 8. REHABILITATION COMMISSION

## Salaries:

Physicians, assistants and other employees .....	\$3,120 00	
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Rehabilitation  
commission.

## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity .....	\$100 00	
Artificial appliances..	11,430 00	
C u r a t i v e workshop equipment .....	5,000 00	
Tuition and vocational supplies .....	47,000 00	
		63,530 00

## Services Other Than Personal:

Household expenses..	\$200 00	
Hospitalization .....	5,100 00	
Medical examinations	11,615 00	
Medical treatments ..	17,634 00	
		34,549 00
Current repairs and maintenance ...		100 00

## Unclassified Expenditures:

Compensation award to Estate of Lila S. Myers .....	\$685 68	
Specific department expenses .....	1,000 00	
		1,685 68
		<u>\$102,984 68</u>

## K 15. NEW JERSEY ARCHIVES

New Jersey Archives.	Salaries .....	\$1,650 00
	Materials and Supplies:	
	Printing and binding New Jersey Archives .....	3,402 06
		<u>\$5,052 06</u>

## K 17. COMMISSION ON URBAN COLORED POPULATION

Urban colored population commission.	Salaries, officers and employees .....	\$20,880 00
	Materials and Supplies:	
	Stationery and office supplies .....	\$400 00
	Educational, recreational and library supplies .....	200 00
	Printing, binding, photographing and blueprinting .....	350 00
		<u>950 00</u>
	Services Other Than Personal:	
	Traveling expenses ..	\$3,000 00
	Rent of equipment ..	66 00
	Educational expenses.	1,000 00
	Miscellaneous expenses .....	200 00
		<u>4,266 00</u>
	Current Repairs and Maintenance:	
	Office furniture, machines and equipment .....	110 00
		<u>\$26,206 00</u>

## K 20. COMMISSION ON STATE TAX POLICY

For the expenses for the fiscal year  
 ending June 30, 1947 (Chapter  
 157, Laws of 1945) ..... \$10,000 00

State tax policy  
 commission.

## L. SPECIAL FUNDS

## L 1. STATE EMERGENCY FUND

For the Commissioner of  
 Taxation and Finance  
 to meet any condition  
 of emergency until  
 legislation appropri-  
 ate therefor shall be  
 enacted; *provided,*  
*however,* that all dis-  
 bursements therefrom  
 shall be made only  
 upon the written au-  
 thorization of the Gov-  
 ernor ..... \$25,000 00

For the Commissioner of  
 Taxation and Finance  
 to pay compensation  
 awards allowed State  
 employees upon the  
 written authorization  
 of the Governor ..... 25,000 00

Emergency  
 fund.

Proviso.

\$50,000 00

## L 2. EQUIPMENT ACCOUNT

Equipment  
account.

To the Commissioner of Taxation and Finance, through the division of purchase and property, for centralized purchases of furniture, motor vehicles, institutional and departmental equipment ..... \$799,000 00

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L 3. SALARY ADJUSTMENTS, INCREMENTS, AND  
WAR ADJUSTMENTSSalary  
adjustments.

For the increased cost of an institutional program to adjust the work-day comparable to other State employees, and to fix the minimum salary at \$1,560.00 (less maintenance) for certain institutional employees ..... \$1,250,000 00

For length of service increments to reclassified employees; for the cost of length of service increments to career men in the unclassified service based on a salary schedule adopted by the Civil Service Commission, on March 5, 1946, which salary schedule was approved by the Governor and the Appropriations Committee; for modified war adjustment to continue provisions under chapter 91, P. L. 1945. \$1,500,000 00

Less amounts provided  
to bring certain line  
item employees to new  
minimums as estab-  
lished by aforemen-  
tioned schedule  
adopted by the Civil  
Service Commission  
and approved by the  
Governor and Appro-  
priations Committee.. 26,600 00

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1,473,400 00

It is hereby provided that transfers  
may be made to line item salary  
appropriations, for length of serv-  
ice increases to those officers and  
employees whose positions have  
been placed on a salary range basis  
in the schedule aforementioned as  
adopted by the Civil Service Com-  
mission, approved by the Governor  
and the Appropriations Committee.

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\$2,723,400 00

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## X. INSTITUTIONS AND AGENCIES

### X 1. DEPARTMENT OF INSTITUTIONS AND AGENCIES

#### Salaries:

Commissioner .....	\$15,000 00	
Director of adminis- tration and ac- counts—deputy com- missioner ..... <sup>(1)</sup>	8,000 00	
Other officers and em- ployees .....	209,150 00	
	<hr/>	\$232,150 00

Institutions  
and agencies.

Materials and Supplies:		
Stationery, office supplies and equipment	\$5,000 00	
Vehicular transportation supplies .....	2,600 00	
	<hr/>	7,600 00
Services Other Than Personal:		
Traveling expenses ..	\$3,000 00	
Miscellaneous expenses .....	2,000 00	
Deporting aliens and nonresidents .....	2,000 00	
	<hr/>	7,000 00
Current Repairs and Maintenance:		
Automotive equipment .....		1,400 00

*Central Parole Bureau*

Parole bureau.	Salaries:		
	Deputy commissioner, director, parole and domestic relations .....	( <sup>1</sup> ) \$7,500 00	
	Other employees ....	176,500 16	
	Special services .....	1,000 00	
		<hr/>	185,000 16
Materials and Supplies:			
	Stationery, office supplies and equipment	\$2,000 00	
	Vehicular transportation supplies .....	4,000 00	
		<hr/>	6,000 00
Services Other Than Personal:			
	Traveling expenses ..	\$7,000 00	
	Miscellaneous expenses .....	900 00	
		<hr/>	7,900 00
Current Repairs and Maintenance:			
	Automotive equipment .....		1,000 00



*Division of Old Age Assistance*

Salaries:		Old age assistance.
Director ..... <sup>(2)</sup>	\$6,000 00	
Other officers and em- ployees .....	62,160 00	
	<hr/>	68,160 00
Materials and Supplies:		
Stationery, office sup- plies and equipment	\$2,500 00	
Vehicular transporta- tion supplies .....	850 00	
	<hr/>	3,350 00
Services Other Than Personal:		
Traveling expenses ..	\$1,500 00	
Miscellaneous ex- penses .....	30 00	
Garage rent .....	570 00	
Rental of I. B. M. equipment .....	1,800 00	
	<hr/>	3,900 00
Current Repairs and Maintenance:		
Automotive equipment .....		150 00

*Industrial Supervision*

Salaries:		Industrial supervision.
Director institutional industries ..... <sup>(3)</sup>	\$7,500 00	
Assistant director of industries ..... <sup>(4)</sup>	5,280 00	
Clerical services and other employees ...	28,980 00	
	<hr/>	\$41,760 00
Unclassified:		
Compensation Award—Peter Walsh .....		1,040 00
		<hr/>
		\$42,800 00
		<hr/> <hr/>

State use  
revolving  
fund.

For the State Use Revolving Fund there is hereby appropriated the unexpended balance of the fund now known as the "State Use Working Capital Fund," and in accordance with the provisions of R. S. 30:4-100, all receipts when received derived from State use production will be credited to the State Use Revolving Fund.

The following sum is appropriated from the State Use Revolving Fund, for further plant and equipment for State use industries from the surplus in the revolving fund in excess of the amount of \$50,000.00.

Repair, replacement and extension of State use industry, as follows:

State Prison .....	}	
Rahway Reformatory .....		
Vineland State School .....		
State Home for Girls .....		
North Jersey Training School, Totowa .....		
Criminal Insane and Penal Institutions .....		
Reformatory, Annandale .....		
Prison Farm, Bordentown .....		
Prison Farm, Leesburg .....		
Reformatory, Clinton .....		
Commission for the Blind .....		
Central Office .....		
		<u>\$67,500 00</u>

*Division of Architecture, Construction and  
Maintenance*

## Salaries:

Director .....	( <sup>2</sup> )	\$6,500 00	
Assistant director and mechanical en- gineer .....	( <sup>5</sup> )	5,460 00	
Other employees ....		74,720 00	
		<hr/>	\$86,680 00

Architecture,  
construction  
and  
maintenance.

## Materials and Supplies:

Vehicular transporta- tion supplies .....		\$1,200 00	
Stationery and office supplies .....		600 00	
Photographing, photo- stating and blue- printing supplies ..		500 00	
		<hr/>	2,300 00

## Services Other Than Personal:

Traveling expenses ..		\$1,500 00	
Miscellaneous ex- penses .....		600 00	
		<hr/>	2,100 00

## Current Repairs and Maintenance:

Automotive equipment .....			600 00
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It is hereby provided that additional employees shall be paid from the fees received by the division at rates fixed by the Civil Service Commission.

Salary ranges adopted by Civil Service Commission and approved by Governor and Appropriations Committee as follows:

- (<sup>1</sup>) \$7,500.00 to \$10,000.00
- (<sup>2</sup>) 6,000.00 to 7,500.00
- (<sup>3</sup>) 7,500.00 to 9,000.00
- (<sup>4</sup>) 5,100.00 to 6,000.00
- (<sup>5</sup>) 5,000.00 to 6,000.00

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\$615,290 16

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#### X 1-N. INSTITUTIONS CONSTRUCTION FUND

Institution  
construction  
fund.

Fireproofing and Reconstruction of  
Housing Units for Patients and  
Inmates:

New Jersey State Hospital at Greystone Park — Dormitory Building .....	}	\$300,000 00
New Jersey State Hospital at Trenton—Annex Building .....		
New Jersey State Home for Boys, Jamesburg — Administration Building .....		
New Jersey Reformatory at Clin- ton—Dormitory Building .....		

Establishment of a Diagnostic Center:

Central Clinic Building .....	}	300,000 00
Utilities, heat, light, power, water, sewerage disposal .....		
Three small separated ward build- ings .....		
One strong building .....		
Equipment .....		

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\$600,000 00

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X 2. COLONY FOR FEEBLE-MINDED MALES,  
NEW LISBON

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, on the basis of eight hundred inmates.

New Lisbon colony.

Salaries and Wages:

Superintendent ... <sup>(1)</sup>	\$5,700 00	
Other officers and employees .....	194,600 29	
Medical and surgical fees .....	1,200 00	
Religious services ...	1,200 00	
	<hr/>	\$202,700 29

Materials and Supplies:

Food .....	\$50,000 00	
Clothing .....	13,750 00	
Heat, light, power, water, gas and electricity .....	40,000 00	
Household supplies ..	13,500 00	
Farm, stable and grounds supplies ..	27,000 00	
Industrial and vocational supplies ....	1,800 00	
Medical, surgical and chemical supplies ..	3,000 00	
Vehicular transportation supplies .....	1,900 00	
Stationery and office supplies .....	600 00	
Educational, recreational and library supplies .....	900 00	
Other materials and supplies .....	1,750 00	
Replacement of band instruments .....	200 00	
	<hr/>	154,400 00

## Services Other Than Personal:

Traveling expenses ..	\$500 00	
Telephone and telegraph .....	2,100 00	
Entertainment expenses .....	650 00	
Freight, express and cartage .....	300 00	
	<hr/>	3,550 00

## Current Repairs and Maintenance:

Automotive equipment	\$600 00	
Buildings and grounds	8,500 00	
	<hr/>	9,100 00

## New Buildings:

Housing for patients .....	165,000 00	
	<hr/>	\$534,750 29
	<hr/>	

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for the training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4-176, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the colony.

- (<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$5,000.00 to \$6,000.00, plus maintenance.

## X 3. COLONY FOR FEEBLE-MINDED MALES, WOODBINE

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, Woodbine, on the basis of eight hundred fifty inmates.

Woodbine  
colony.

## Salaries and Wages:

Superintendent ... <sup>(1)</sup>	\$5,700 00	
Attendants, nurses and other employees ...	233,937 76	
Medical, surgical and dental fees .....	1,000 00	
	<hr/>	\$240,637 76

## Materials and Supplies:

Food .....	\$83,000 00	
Clothing .....	9,500 00	
Heat, light, power, water, gas and elec- tricity .....	31,000 00	
Household supplies ..	11,000 00	
Farm, stable and grounds supplies ..	5,000 00	
Medical, surgical and chemical supplies ..	3,000 00	
Stationery and office supplies .....	600 00	
Vehicular transporta- tion supplies .....	725 00	
Educational, recrea- tional and library supplies .....	1,200 00	
Other materials and supplies .....	400 00	
	<hr/>	145,425 00

## Services Other Than Personal:

Telephone and telegraph .....	\$1,100 00	
Traveling expenses ..	1,000 00	
Funeral expenses ....	200 00	
Freight and express..	100 00	
Miscellaneous expenses .....	100 00	
Subscriptions and membership fees ..	50 00	
Entertainment expenses .....	150 00	
		<hr/>
		2,700 00

## Current Repairs and Maintenance:

Automotive equipment	\$575 00	
Buildings and grounds	8,000 00	
		<hr/>
		8,575 00

## New Buildings:

Housing for patients .....	165,000 00	
		<hr/>
		\$562,337 76
		<hr/> <hr/>

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4-176, whatever sum or sums received from the counties to pay the cost of such maintenance of any said patient in the colony.

- (<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$5,000.00 to \$6,000.00, plus maintenance.



## X 4. COMMISSION FOR THE BLIND

## Salaries:

Commission  
for the blind

Executive officer and secretary ..... <sup>(1)</sup>	\$6,000 00	
Teachers of occupa- tional subjects and other employees ...	84,610 00	
	<hr/>	\$90,610 00

## Materials and Supplies:

Extension of home in- dustries .....	\$1,500 00	
Vehicular transporta- tion supplies .....	500 00	
Stationery and office supplies .....	1,400 00	
	<hr/>	3,400 00

## Services Other Than Personal:

Traveling expenses ..	\$7,500 00	
Rents (garage) .....	252 00	
Rent of equipment ..	64 80	
Support and instruc- tion of the blind ...	55,000 00	
Higher education of the blind .....	5,000 00	
Expressage .....	1,100 00	
Entertainment for the blind .....	500 00	
Prevention of blind- ness .....	1,000 00	
State relief for the blind .....	250 00	
	<hr/>	70,666 80

## Current Repairs and Maintenance:

Automotive equipment	\$300 00	
Office furniture, ma- chines and equip- ment .....	175 00	
	<hr/>	475 00

## Unclassified:

Maintenance of summer camp .....	\$3,000 00	
Payments to be made to counties in accordance with provisions of chapter 348, laws of 1941 ..	8,500 00	
		11,500 00

The balance to the credit of the outdoor relief or aid to the blind—Revolving Fund—on the thirtieth day of June, one thousand nine hundred and forty-six, is hereby reappropriated, said sum not to exceed \$8,500.00.

The balance to the credit of the Revolving Industrial Fund on the thirtieth day of June, one thousand nine hundred and forty-six, is hereby reappropriated as a Revolving Industrial Fund, in the sum of \$2,000.00.

(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$6,000.00 to \$7,500.00.

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\$176,651 80

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## X 5. COUNTY INSANE HOSPITALS

County  
hospitals for  
the insane.

For the support of patients pursuant to R. S. 30:4-78, in County Insane Hospitals:

Atlantic .....	\$61,500 00
Burlington .....	54,000 00

Camden .....	140,000 00
Cumberland .....	43,000 00
Essex .....	635,000 00
Hudson .....	360,000 00
	<u>\$1,293,500 00</u>

Said amounts to include payment of  
bills prior to current fiscal year.

## X 6. COUNTY TUBERCULOSIS HOSPITALS

For the support of patients pursuant  
to subdivision C, article 4, chapter  
9 of Title 30, of the R. S., in the  
following county hospitals:

County  
hospitals for  
tuberculosis.

Atlantic .....	\$19,000 00
Bergen .....	58,000 00
Burlington .....	18,000 00
Camden .....	42,000 00
Cape May .....	3,400 00
Cumberland .....	5,900 00
Essex .....	110,000 00
Gloucester .....	7,000 00
Hudson .....	132,000 00
Hunterdon .....	3,000 00
Mercer .....	35,000 00
Middlesex .....	58,000 00
Monmouth .....	26,000 00
Morris .....	20,000 00
Ocean .....	6,500 00
Passaic .....	73,000 00
Salem .....	4,000 00
Somerset .....	8,000 00
Sussex .....	3,000 00
Union .....	85,000 00
Warren .....	3,250 00
	<u>\$720,050 00</u>

Said amounts to include payment of  
bills prior to current fiscal year.

## X 7. FEEBLE-MINDED

Feeble- minded.	Clothing, maintenance, support and instruction of feeble-minded . . . .	\$175,000 00
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## X 8-I. HOME FOR DISABLED SOLDIERS, MENLO PARK

Soldiers' home,  
Menlo Park.

For salaries and wages, and for main-  
tenance of the Home for Disabled  
Soldiers, Menlo Park, on the basis  
of eighty veterans.

## Salaries and Wages:

Superintendent (in- cludes cash in lieu of maintenance) . . . (1)	\$6,100 00	
Other officers and em- ployees . . . . .	40,379 00	
Religious services . . . .	150 00	
		\$46,629 00

## Materials and Supplies:

Food . . . . .	\$13,000 00	
Clothing . . . . .	1,000 00	
Heat, light, power, water, gas and elec- tricity . . . . .	4,900 00	
Household supplies ..	1,000 00	
Grounds . . . . .	750 00	
Stationery and office supplies . . . . .	250 00	
Medical, surgical and chemical supplies ..	1,200 00	
Vehicular transporta- tion supplies . . . . .	410 00	
Laundry supplies ....	1,000 00	
Other materials and supplies . . . . .	100 00	
		23,610 00

## Services Other Than Personal:

Traveling expenses ..	\$200 00	
Telephone and tele- graph .....	400 00	
Funeral expenses ....	150 00	
Entertainment ex- penses .....	175 00	
Freight and express..	25 00	
		<hr/> 950 00

## Current Repairs and Maintenance:

Automotive equipment	\$290 00	
Buildings and grounds	1,000 00	
		<hr/> 1,290 00

(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$5,000.00 to \$6,000.00, plus maintenance.

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\$72,479 00

X 8-J. THE ARTHUR BRISBANE MEMORIAL HOME  
FOR VETERANS, ALLAIRE, N. J.

## Salaries:

Officers and employees .....	\$15,180 00	Veterans' home, Allaire.
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## Materials and Supplies:

Food .....	\$9,300 00	
Clothing .....	500 00	
Fuel, light and power	4,000 00	
Household supplies ..	750 00	
Grounds supplies ....	250 00	
Vehicular transporta- tion supplies .....	400 00	
Medical supplies ....	500 00	
Stationery and office supplies .....	100 00	
		<hr/> 15,800 00

## Services Other Than Personal:

Traveling expenses ..	\$100 00	
Telephone and telegraph .....	300 00	
Freight and express..	25 00	
Entertainment ex-penses .....	150 00	
Laundry service .....	500 00	
		<hr/> 1,075 00

## Current Repairs and Maintenance:

Buildings and grounds .....	500 00	
		<hr/> \$32,555 00

## X 9. HOME FOR DISABLED SOLDIERS, ETC., VINELAND

Soldiers' home,  
Vineland. For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Sailors, et cetera, Vineland, on the basis of one hundred twenty members.

## Salaries and Wages:

Superintendent ... <sup>(1)</sup>	\$5,200 00	
Other officers and employees .....	87,750 24	
Religious services ...	200 00	
Medical and surgical fees .....	1,000 00	
		<hr/> \$94,150 24

## Materials and Supplies:

Food .....	\$26,500 00	
Clothing .....	1,500 00	
Heat, light, power, water, gas and elec- tricity .....	18,000 00	
Household supplies ..	6,000 00	
Ground supplies .....	500 00	
Medical, surgical and chemical supplies ..	1,800 00	
Stationery and office supplies .....	450 00	
Vehicular transporta- tion supplies .....	400 00	
Other materials and supplies .....	300 00	
		55,450 00

## Services Other Than Personal:

Traveling expenses ..	\$150 00	
Telephone and tele- graph .....	450 00	
Entertainment ex- penses .....	500 00	
Freight and express..	25 00	
Laundry service .....	3,000 00	
Funeral expenses ....	100 00	
		4,225 00

## Current Repairs and Maintenance:

Automotive equipment	\$200 00	
Buildings and grounds	6,000 00	
		6,200 00

(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$5,000.00 to \$6,000.00, plus maintenance.

\$160,025 24

## X 10. NORTH JERSEY TRAINING SCHOOL, TOTOWA

Training  
school,  
Totowa.

For salaries and wages and for maintenance of the North Jersey Training School for Females, Totowa, on the basis of six hundred twenty-five inmates.

Salaries and Wages:	
Superintendent ... <sup>(1)</sup>	\$5,200 00
Attendants, nurses and other employees ...	197,792 00
Medical, surgical, dental, veterinary and religious fees .....	3,980 00
	<hr/> \$206,972 00

Materials and Supplies:	
Food .....	\$48,000 00
Clothing .....	11,000 00
Heat, light, power, water, gas and electricity .....	45,000 00
Household supplies ..	13,500 00
Farm, stable and grounds supplies ..	25,000 00
Industrial and vocational supplies ....	1,200 00
Educational, recreational and library supplies .....	1,750 00
Medical, surgical and chemical supplies ..	4,000 00
Stationery and office supplies .....	700 00
Vehicular transportation supplies .....	1,625 00
	<hr/> 151,775 00



## Services Other Than Personal:

Traveling expenses ..	\$400 00	
Telephone and telegraph .....	1,400 00	
Entertainment expenses .....	300 00	
Freight, express and cartage .....	700 00	
Miscellaneous expenses .....	30 00	
	<hr/>	2,200 00

## Current Repairs and Maintenance:

Automotive equipment	\$375 00	
Buildings and grounds	10,000 00	
Office furniture, machines and equipment .....	100 00	
	<hr/>	10,475 00

## New Buildings:

Housing for patients (2) .....	350,000 00
( <sup>1</sup> ) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$5,000.00 to \$6,000.00, plus maintenance.	

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\$721,422 00

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## X 11. REFORMATORY, ANNANDALE

Annandale  
reformatory.

For salaries and wages and for maintenance of the Reformatory at Annandale, on the basis of five hundred fifty inmates.

## Salaries and Wages:

Superintendent ... <sup>(1)</sup>	\$6,000 00	
Deputy superintendent	3,080 00	
Medical and surgical fees .....	1,500 00	
Other officers and employees .....	256,131 27	
		\$266,711 27

## Materials and Supplies:

Food .....	\$28,000 00	
Clothing .....	13,000 00	
Heat, light, power, water, gas and electricity .....	31,000 00	
Farm, stable and grounds supplies ..	27,000 00	
Household supplies ..	6,500 00	
Medical, surgical and chemical supplies ..	1,400 00	
Vehicular transportation supplies .....	725 00	
Stationery and office supplies .....	700 00	
Educational, recreational and library supplies .....	2,450 00	
Other materials and supplies (including protective equipment) .....	750 00	
Photographing, blue-printing and drafting supplies .....	100 00	
		111,625 00

## Services Other Than Personal:

Traveling expenses ..	\$400 00	
Telephone and telegraph .....	1,050 00	
Freight and express .	200 00	
Entertainment expenses .....	500 00	
Funeral expenses ....	60 00	
Payments to discharged inmates and recapturing escapes	2,300 00	
Laundry service .....	2,250 00	
	<hr/>	6,760 00

## Current Repairs and Maintenance:

Automotive equipment	\$475 00	
Buildings and grounds	5,500 00	
	<hr/>	5,975 00

(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$5,000.00 to \$6,500.00, plus maintenance.

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\$391,071 27

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## X 12. REFORMATORY, RAHWAY

For salaries and wages and for maintenance of the Reformatory at Rahway on the basis of eight hundred inmates.

Rahway  
reformatory.

## Salaries and Wages:

Superintendent ...( <sup>1</sup> )	\$6,000 00	
Other officers and employees .....	353,494 00	
Inmates' wages .....	10,000 00	
Medical and surgical fees .....	750 00	
	<hr/>	\$370,244 00

## Materials and Supplies:

Food .....	\$65,000 00	
Clothing .....	18,000 00	
Heat, light, power, water, gas and elec- tricity .....	52,500 00	
Household supplies ..	10,500 00	
Farm, stable and grounds supplies ..	20,000 00	
Industrial and voca- tional supplies ....	600 00	
Educational, recrea- tional and library supplies .....	1,000 00	
Photographing, blue- printing and draft- ing supplies .....	200 00	
Medical, surgical and chemical supplies ..	1,400 00	
Stationery and office supplies .....	1,200 00	
Vehicular transporta- tion supplies .....	940 00	
	<hr/>	171,340 00

## Services Other Than Personal:

Traveling expenses ..	\$500 00	
Telephone and tele- graph .....	1,100 00	
Freight and express..	50 00	
Payments to dis- charged inmates and recapturing escapes	150 00	
	<hr/>	1,800 00

## Current Repairs and Maintenance:

Automotive equipment	\$560 00	
Buildings and grounds	19,000 00	
	<hr/>	19,560 00

- (<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$5,000.00 to \$6,500.00, plus maintenance.

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\$562,944 00

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### X 13. REFORMATORY FOR WOMEN, CLINTON

For salaries and wages, and for maintenance of the Reformatory for Women, Clinton, on the basis of four hundred fifty inmates.

Clinton  
reformatory.

#### Salaries and Wages:

Superintendent ... ( <sup>1</sup> )	\$5,000 00	
Other officers and employees .....	128,678 00	
Medical and surgical fees .....	3,500 00	
Religious services ...	1,200 00	
		<hr/> \$138,378 00

#### Materials and Supplies:

Food .....	\$25,000 00	
Clothing .....	9,000 00	
Heat, light, power, water, gas and electricity .....	25,000 00	
Household supplies ..	9,500 00	
Farm, stable and ground supplies ...	15,000 00	
Medical, surgical and chemical supplies ..	3,200 00	
Stationery and office supplies .....	750 00	
Educational, recreational and library supplies .....	650 00	
Vehicular transportation supplies .....	900 00	
Cannery supplies ....	1,800 00	
		<hr/> 90,800 00

## Services Other Than Personal:

Traveling expenses ..	\$425 00	
Telephone and telegraph .....	750 00	
Freight and express ..	100 00	
Entertainment expenses .....	600 00	
Funeral expenses ....	100 00	
Payments to discharged inmates and recapturing escapes	1,600 00	
	<hr/>	3,575 00

## Current Repairs and Maintenance:

Automotive equipment	\$200 00	
Buildings and grounds	5,600 00	
	<hr/>	5,800 00

(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$5,000.00 to \$6,000.00, plus maintenance.

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\$238,553 00

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## X 14. SANATORIUM FOR TUBERCULOUS DISEASES

Sanatorium for  
tuberculous  
diseases.

For salaries and wages, and for the maintenance of the Sanatorium for Tuberculous Diseases, on the basis of four hundred fifty patients.

## Salaries and Wages:

Superintendent ...( <sup>1</sup> )	\$8,000 00
Physicians, clerks, nurses, farm help, instructors and others, including school teachers .....	373,899 13

Clinic salaries .....	13,170 00	
Medical and surgical fees .....	100 00	
Religious services ...	1,600 00	
	<hr/>	\$396,769 13
Materials and Supplies:		
Food .....	\$137,000 00	
Clothing .....	500 00	
Heat, light, power, water, gas and electricity .....	60,000 00	
Household supplies ..	19,500 00	
Farm, stable and ground supplies ...	5,700 00	
Medical, surgical and chemical supplies ..	13,000 00	
Stationery and office supplies .....	1,500 00	
Educational, recreational and library supplies .....	600 00	
Vehicular transportation supplies .....	1,610 00	
Clinic supplies .....	175 00	
	<hr/>	239,585 00
Services Other Than Personal:		
Traveling expenses ..	\$500 00	
Telephone and telegraph .....	2,600 00	
Freight and express..	250 00	
Entertainment expenses .....	250 00	
Miscellaneous expenses .....	50 00	
Clinic expenses .....	3,295 00	
	<hr/>	6,945 00
Current Repairs and Maintenance:		
Automotive equipment	\$890 00	
Buildings and grounds	15,000 00	
	<hr/>	15,890 00

## Unclassified:

Compensation award, Joan Mac-	
Lennon .....	1,040 00
( <sup>1</sup> ) Salary schedule adopted by Civil	
Service Commission and ap-	
proved by Governor and Appro-	
priations Committee, \$7,500.00	
to \$9,000.00, plus maintenance.	
	<hr/>
	\$660,229 13
	<hr/>

## X 15. STATE BOARD OF CHILDREN'S GUARDIANS

Board of  
children's  
guardians.

## Salaries:

Executive director. ( <sup>1</sup> )	\$7,500 00	
Compensation for		
other assistants ...	598,593 68	
	<hr/>	\$606,093 68

## Materials and Supplies:

Stationery and office		
supplies .....	\$7,000 00	
Vehicular transporta-		
tion supplies .....	10,000 00	
	<hr/>	17,000 00

## Services Other Than Personal:

Traveling expenses ..	\$6,000 00	
Telephone and tele-		
graph .....	6,000 00	
Garage rents .....	5,040 00	
Rent of equipment ..	960 00	
Miscellaneous ex-		
penses .....	500 00	
Subscriptions and		
memberships .....	100 00	
Social service ex-		
changes .....	750 00	
	<hr/>	19,350 00



## Current Repairs and Maintenance:

Automotive equipment	\$7,000 00	
Office furniture, machines and equipment .....	3,000 00	
		<u>10,000 00</u>

## Revolving Fund:

For the State Board of Children's Guardians to purchase clothing and other necessary articles for children in their care and for expenses incidental thereto the Revolving Fund of \$75,000.00 heretofore appropriated is reappropriated, all receipts when received to be credited to this fund. The same to be known as the State Board of Children's Guardians Revolving Fund.

- (<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$7,500.00 to \$9,000.00.

\$652,443 68

## X 16. STATE HOME FOR BOYS

For salaries and wages and for maintenance of the State Home for Boys, on the basis of five hundred twenty-five inmates.

State Home  
for Boys.

## Salaries and Wages:

Superintendent ... ( <sup>1</sup> )	\$5,500 00	
Other officers and employees .....	282,631 44	
Medical, surgical and veterinary fees ....	1,000 00	
		<u>\$289,131 44</u>

Materials and Supplies:		
Food .....	\$37,000 00	
Clothing .....	18,000 00	
Heat, light, power, water, gas and elec- tricity .....	44,000 00	
Household supplies ..	11,000 00	
Farm, stable and ground supplies ...	21,000 00	
Industrial and voca- tional supplies ....	3,000 00	
Educational, recrea- tional and library supplies .....	3,000 00	
Medical, surgical and chemical supplies ..	2,900 00	
Stationery and office supplies .....	1,000 00	
Vehicular transporta- tion supplies .....	1,650 00	
	<hr/>	142,550 00
Services Other Than Personal:		
Traveling expenses ..	\$550 00	
Telephone and tele- graph .....	1,450 00	
Entertainment ex- penses .....	300 00	
Freight and express..	150 00	
	<hr/>	2,450 00
Current Repairs and Maintenance:		
Automotive equipment	\$500 00	
Buildings and grounds	11,000 00	
	<hr/>	11,500 00
(1) Salary schedule adopted by Civil Service Commission and ap- proved by Governor and Appro- priations Committee, \$5,000.00 to \$6,000.00, plus maintenance.		
		<hr/>
		\$445,631 44
		<hr/>

## X 17. STATE HOME FOR GIRLS

For salaries and wages, and for maintenance of the State Home for Girls on the basis of three hundred fifty inmates.

State Home  
for Girls.

## Salaries and Wages:

Superintendent ... <sup>(1)</sup>	\$5,000 00	
Other employees .....	144,851 59	
Medical, surgical and dental fees .....	2,300 00	
	<hr/>	\$152,151 59

## Materials and Supplies:

Food .....	\$35,000 00	
Clothing .....	8,000 00	
Heat, light, power, water, gas and electricity .....	5,200 00	
Household supplies ..	9,000 00	
Farm, stable and grounds supplies ..	6,000 00	
Educational, recreational and library supplies .....	2,000 00	
Stationery and office supplies .....	700 00	
Medical, surgical and chemical supplies ..	1,300 00	
Vehicular transportation supplies .....	300 00	
	<hr/>	67,500 00

## Services Other Than Personal:

Traveling expenses ..	\$300 00
Telephone and telegraph .....	1,250 00
Subscriptions .....	150 00
Freight and express .	100 00

Entertainment ex-		
penses .....	325 00	
Payments to dis-		
charged inmates ...	200 00	
Fire alarm and time		
services .....	125 00	
	<hr/>	2,450 00
Current Repairs and Maintenance:		
Automotive equipment	\$290 00	
Buildings and grounds	5,000 00	
	<hr/>	5,290 00
( <sup>1</sup> ) Salary schedule adopted by Civil		
Service Commission and ap-		
proved by Governor and Appro-		
priations Committee, \$5,000.00		
to \$6,000.00, plus maintenance.		
		<hr/>
		\$227,391 59
		<hr/>

## X 18. STATE HOSPITAL, GREYSTONE PARK

State Hospital,  
Greystone  
Park.

For salaries and wages, and for main-  
tenance of the State Hospital, Grey-  
stone Park, on the basis of five thou-  
sand eight hundred inmates.

Salaries and Wages:	
Medical superintend-	
ent and chief execu-	
tive .....( <sup>1</sup> )	\$8,000 00
Business manager ...	5,200 00
Other officers and em-	
ployees .....	1,847,644 80
Religious services....	1,300 00
Clinic salaries .....	51,740 00
	<hr/>
	\$1,913,884 80

## Materials and Supplies:

Food .....	\$475,000 00	
Clothing .....	75,000 00	
Heat, light, power, water, gas and elec- tricity .....	197,000 00	
Household supplies ..	100,000 00	
Farm, stable and grounds supplies ..	95,000 00	
Industrial and voca- tional supplies ....	5,000 00	
Medical, surgical and chemical supplies ..	36,000 00	
Stationery and office supplies .....	2,500 00	
Vehicular transporta- tion supplies .....	3,800 00	
Other materials and supplies .....	6,500 00	
Clinic supplies .....	4,000 00	
Educational, recrea- tional and library supplies .....	500 00	
Supplies for nursing school .....	500 00	
	<hr/>	1,000,800 00

## Services Other Than Personal:

Traveling expenses ..	\$2,000 00	
Telephone and tele- graph .....	8,200 00	
Freight and express..	1,500 00	
Funeral expenses ....	4,500 00	
Medical library sub- scriptions .....	200 00	
Miscellaneous ex- penses .....	800 00	
Clinic expenses .....	2,000 00	
	<hr/>	19,200 00

## CHAPTER 111, LAWS OF 1946

## Current Repairs and Maintenance:

Automotive equipment	\$3,200 00	
Buildings and grounds	55,000 00	
		<hr/> 58,200 00

## Unclassified:

Compensation awards .....	5,000 00	
( <sup>1</sup> ) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$7,500.00 to \$9,000.00, plus maintenance.		

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\$2,997,084 80

## X 19. STATE HOSPITAL, MARLBORO

State Hospital,  
Marlboro.

For salaries and wages, and for maintenance of the State Hospital, Marlboro, on the basis of three thousand inmates.

## Salaries and Wages:

Medical director .. ( <sup>1</sup> )	\$7,500 00	
Business manager and superintendent ....	6,000 00	
Other officers and employees, and medical fees .....	937,074 00	
Clinic salaries .....	22,310 00	
		<hr/> \$972,884 00

## Materials and Supplies:

Food .....	\$225,000 00	
Clothing .....	38,000 00	
Heat, light, power, water, gas and electricity .....	115,000 00	
Farm, stable and grounds supplies ..	44,000 00	

Household supplies ..	46,000 00	
Medical, surgical and chemical supplies ..	27,000 00	
Industrial and voca- tional supplies ....	2,400 00	
Educational, recrea- tional and library supplies .....	2,000 00	
Stationery and office supplies .....	2,700 00	
Vehicular transporta- tion supplies .....	2,900 00	
Clinic supplies .....	550 00	
Other materials and supplies .....	3,000 00	
	<hr/>	508,550 00
Services Other Than Personal:		
Traveling expenses ..	\$800 00	
Telephone and tele- graph .....	3,500 00	
Funeral expenses ....	500 00	
Freight and express..	400 00	
Advertising .....	100 00	
Miscellaneous ex- penses .....	160 00	
Clinic expenses .....	450 00	
	<hr/>	5,910 00
Current Repairs and Maintenance:		
Automotive equipment	\$1,100 00	
Buildings and grounds	35,000 00	
	<hr/>	36,100 00
Unclassified Expenditures:		
Compensation award—Charles B. Lanning .....		1,040 00
( <sup>1</sup> ) Salary schedule adopted by Civil Service Commission and ap- proved by Governor and Appro- priations Committee, \$7,500.00 to \$9,000.00, plus maintenance.		
		<hr/>
		<u>\$1,524,484 00</u>

## X 20. STATE HOSPITAL, TRENTON

State Hospital, Trenton. For salaries and wages, and for maintenance of the State Hospital, Trenton, on the basis of three thousand two hundred fifty inmates.

## Salaries and Wages:

Medical director .. <sup>(1)</sup>	\$7,500 00	
Business manager ...	6,000 00	
Other officers and employees .....	1,236,484 92	
In lieu of maintenance of eleven physicians and their families..	16,134 00	
Religious services ...	700 00	
Clinic salaries .....	42,092 00	
	<hr/>	\$1,308,910 92

## Materials and Supplies:

Food .....	\$260,000 00	
Clothing .....	38,000 00	
Heat, light, power, water, gas and electricity .....	140,000 00	
Household supplies ..	55,000 00	
F a r m , s t a b l e and grounds supplies ..	56,000 00	
Medical, surgical and chemical supplies ..	37,000 00	
Stationery and office supplies .....	3,200 00	
Vehicular transportation supplies .....	1,900 00	
Industrial and vocational supplies ....	5,000 00	
Other materials and supplies .....	4,000 00	
Clinic supplies .....	2,050 00	
	<hr/>	602,150 00



## Services Other Than Personal:

Traveling expenses ..	\$2,000 00	
Telephone and telegraph .....	4,400 00	
Entertainment expenses .....	500 00	
Funeral expenses ....	1,000 00	
Subscriptions, newspapers and magazines .....	400 00	
Freight and express..	150 00	
Cemetery maintenance	500 00	
Miscellaneous expenses .....	450 00	
Clinic expenses .....	550 00	
		9,950 00

## Current Repairs and Maintenance:

Automotive equipment	\$1,600 00	
Buildings and grounds	35,000 00	
		36,600 00

## Unclassified:

Compensation award—		
Anna Bakley .....	\$118 58	
Compensation award—		
Donald Burd .....	1,040 00	
		1,158 58

In addition to the amounts above appropriated there is appropriated out of the receipts of the Trenton State Hospital, the sum of \$90,200.00 to outfit abandoned Navy Barracks at Trenton Airport to provide additional housing for 450 patients.

(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$7,500.00 to \$9,000.00, plus maintenance.

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\$1,958,769 50

## X 21. STATE PRISON

State Prison. For salaries and wages, and for maintenance of the State Prison on the basis of one thousand one hundred fifty inmates.

## Salaries and Wages:

Principal keeper (includes \$1,550.00 for maintenance) .....	\$7,550 00	
Other officers and employees .....	469,157 94	
Wages for inmates at prison (other than State use) .....	15,000 00	
Medical, surgical and dental fees .....	1,800 00	
Religious services ...	5,838 00	
		<hr/>
		\$499,345 94

## Materials and Supplies:

Food .....	\$95,000 00
Clothing .....	27,000 00
Heat, light, power, water, gas and electricity .....	48,500 00
Household supplies ..	13,500 00
Ground supplies .....	100 00
Medical, surgical and chemical supplies ..	5,000 00
Stationery and office supplies .....	1,700 00
Educational, recreational and library supplies .....	1,850 00
Vehicular transportation supplies .....	960 00
Industrial and vocational supplies .....	150 00

Photographing, blue-printing and drafting supplies .....	600 00	
Other materials and supplies .....	900 00	
Protective equipment replacement .....	1,000 00	
	<hr/>	196,260 00
Services Other Than Personal:		
Traveling expenses ..	\$1,300 00	
Telephone and telegraph .....	1,600 00	
Electrocution plant ..	800 00	
Payments to discharged inmates ...	800 00	
Funeral expenses ....	150 00	
Miscellaneous expenses .....	400 00	
	<hr/>	5,050 00
Current Repairs and Maintenance:		
Automotive equipment	\$500 00	
Buildings and grounds	12,000 00	
	<hr/>	12,500 00
Unclassified:		
Compensation award to Mrs. Butcher .....		7 35
		<hr/>
		<u>\$713,163 29</u>

## X 22. STATE PRISON FARM, BORDENTOWN

Prison farm,  
Bordentown.

For salaries and wages, and for maintenance of the State Prison Farm, Bordentown, on the basis of six hundred inmates.

## Salaries and Wages:

Superintendent (includes \$1,550.00 for maintenance) ... <sup>(1)</sup>	\$5,894 00	
Chief deputy .....	3,930 00	
Medical, surgical and dental fees .....	500 00	
Custodial officers and other employees ...	210,920 84	
Inmates' wages .....	7,500 00	
	<hr/>	\$228,744 84

## Materials and Supplies:

Food .....	\$49,000 00	
Clothing .....	14,000 00	
Heat, light, power, water, gas and electricity .....	35,000 00	
Household supplies ..	6,050 00	
Farm, stable and grounds supplies ..	24,000 00	
Vehicular transportation supplies .....	850 00	
Stationery and office supplies .....	600 00	
Educational, recreational and library supplies .....	500 00	
Tobacco and other materials and supplies	150 00	
	<hr/>	130,150 00

## Services Other Than Personal:

Telephone and telegraph .....	\$800 00	
Miscellaneous expenses .....	50 00	
		850 00

## Current Repairs and Maintenance:

Automotive equipment	\$250 00	
Office furniture, machines and equipment .....	50 00	
Buildings and grounds	6,500 00	
		6,800 00

(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$5,000.00 to \$6,000.00, plus maintenance.

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\$366,544 84

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## X 23. STATE PRISON FARM, LEESBURG

For salaries and wages, and for maintenance of the State Prison Farm, Leesburg, on the basis of two hundred fifty inmates.

Prison farm,  
Leesburg.

## Salaries and Wages:

Superintendent (includes \$1,800.00 for maintenance) ..( <sup>1</sup> )	\$5,208 00	
Other officers and employees (includes \$1,500.00 for maintenance) .....	77,140 00	
Wages for inmates ..	3,000 00	
Medical and surgical fees .....	50 00	
		\$85,398 00

## Materials and Supplies:

Food .....	\$13,500 00	
Clothing .....	7,000 00	
Heat, light, power, water, gas and elec- tricity .....	12,000 00	
Household supplies ..	4,700 00	
Farm, stable and grounds supplies ..	4,500 00	
Medical, surgical and chemical supplies ..	300 00	
Stationery and office supplies .....	450 00	
Educational, recrea- tional and library supplies .....	400 00	
Vehicular transporta- tion supplies .....	200 00	
		43,050 00

## Services Other Than Personal:

Traveling expenses ..	\$150 00	
Freight, express and cartage .....	60 00	
Telephone and tele- graph .....	700 00	
Entertainment ex- penses .....	30 00	
Miscellaneous ex- penses .....	10 00	
		950 00

## Current Repairs and Maintenance:

Automotive equipment	\$200 00	
Buildings and grounds	3,000 00	
		3,200 00

(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$3,600.00 to \$4,500.00, plus maintenance.

\$132,598 00

## X 24. VILLAGE FOR EPILEPTICS

For salaries and wages, and for maintenance of the Village for Epileptics on the basis of one thousand six hundred fifty inmates.

Village for  
epileptics.

## Salaries and Wages:

Superintendent ... <sup>(1)</sup>	\$8,000 00	
Other officers and employees .....	470,370 78	
Medical and surgical fees .....	800 00	
Religious services ...	1,200 00	
	<hr/>	\$480,370 78

## Materials and Supplies:

Food .....	\$127,000 00	
Clothing .....	14,000 00	
Heat, light, power, water, gas and electricity .....	70,000 00	
Household supplies ..	30,000 00	
Farm, stable and grounds supplies ..	42,000 00	
Medical, surgical and chemical supplies ..	12,000 00	
Stationery and office supplies .....	800 00	
Industrial and vocational supplies ....	700 00	
Educational, recreational and library supplies .....	800 00	
Vehicular transportation supplies .....	2,100 00	
Other materials and supplies .....	1,500 00	
	<hr/>	300,900 00

## Services Other Than Personal:

Traveling expenses ..	\$1,300 00	
Telephone and telegraph .....	1,500 00	
Freight and express..	150 00	
Entertainment ex-penses .....	500 00	
Funeral expenses ....	300 00	
Miscellaneous ex-penses .....	100 00	
	<hr/>	3,850 00

## Current Repairs and Maintenance:

Automotive equipment	\$900 00	
Buildings and grounds	20,000 00	
	<hr/>	20,900 00

(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$7,500.00 to \$9,000.00, plus maintenance.

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\$806,020 78

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## X 25. VINELAND STATE SCHOOL

Vineland  
State School.

For salaries and wages, and maintenance of the Vineland State School, on the basis of one thousand nine hundred inmates.

## Salaries and Wages:

Superintendent ...( <sup>1</sup> )	\$7,500 00	
Physicians, executive assistants, clerks, mechanics and others .....	346,782 00	
Medical, surgical and oculist fees .....	2,500 00	
Religious services ...	500 00	
	<hr/>	\$357,282 00



## Materials and Supplies:

Food .....	\$130,000 00	
Clothing .....	25,000 00	
Heat, light, power, water, gas and elec- tricity .....	52,000 00	
Household supplies ..	23,000 00	
Farm, stable and grounds supplies ..	39,000 00	
Industrial and voca- tional supplies ....	1,400 00	
Medical, surgical and chemical supplies ..	5,500 00	
Stationery and office supplies .....	900 00	
Vehicular transporta- tion supplies .....	1,000 00	
Educational, recrea- tional and library supplies .....	1,600 00	
Other materials and supplies .....	150 00	
	<hr/>	279,550 00

## Services Other Than Personal:

Traveling expenses ..	\$1,500 00	
Telephone and tele- graph (includes col- ony) .....	1,600 00	
Entertainment ex- penses .....	1,000 00	
Funeral expenses ....	500 00	
Freight and express..	200 00	
	<hr/>	4,800 00

## Current Repairs and Maintenance:

Automotive equipment	\$500 00	
Buildings and grounds	15,000 00	
	<hr/>	15,500 00

## New Buildings:

Housing for Patients (2) .....	330,000 00
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## Unclassified:

Compensation award .....	520 00
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(<sup>1</sup>) Salary schedule adopted by Civil Service Commission and approved by Governor and Appropriations Committee, \$7,500.00 to \$9,000.00, plus maintenance.

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\$987,652 00

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This institution is authorized to pay for the maintenance of any county indigent patient transferred from the institution to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4-176, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the institution.

SOCIAL SECURITY SUBSIDIES (IN CONFORMANCE WITH  
FEDERAL LEGISLATION)

X 26. STATE SUBSIDY FOR DIVISION OF  
OLD AGE ASSISTANCE

State subsidy,  
old age  
assistance.

For the purpose of making payments for Old Age Assistance pursuant to chapter 7 of Title 44 of the R. S...\$3,500,000 00

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The balance remaining in the appropriations for reimbursement to the counties for the State Subsidy for Old Age Assistance for the fiscal year ending June 30, 1946, including State's net share of reimbursement,

together with the net balance remaining, after full payment of sums due the Federal Government, of all funds recovered under 44:7-14 R. S. during the fiscal year ending June 30, 1946, or so much thereof as may be necessary, is hereby reappropriated; in addition thereto, all such funds recovered under 44:7-14 R. S. during the fiscal year ending June 30, 1947, or so much thereof as may be necessary, are hereby appropriated.

X 27. STATE SUBSIDY FOR MAINTENANCE OF  
CHILDREN UNDER THE CARE OF THE BOARD  
OF CHILDREN'S GUARDIANS

For the purpose of making payments  
for the maintenance of children  
under the care of the Board of  
Children's Guardians pursuant to  
chapter 5 of Title 30 of the Revised  
Statutes .....\$2,000,000 00

State subsidy,  
children's  
guardians.

The balance remaining in the appropriations for the State Subsidy for maintenance of children under the care of the State Board of Children's Guardians for the fiscal year ending June 30, 1946, or so much thereof as may be necessary, is hereby reappropriated.

There is hereby appropriated to the State Board of Children's Guardians any sums of money received heretofore by it from the several counties as the county share of assistance to children, and the board

is authorized and empowered to credit said sums to the several counties prorated on the basis of the total cost of assistance in each county, said sums representing credits due said counties.

Highway:

## R. HIGHWAY

### MANDATORY APPROPRIATIONS

#### R 1. DEBT SERVICE

Debt service.	1930 Bond Act:	
	Principal requirement	
	of highway improve-	
	ment bonds . . . . .	\$940,000 00
	Interest, highway im-	
	provement bonds ..	1,163,400 00
	Principal requirement	
	of institutional con-	
	struction bonds ....	230,000 00
	Interest, institutional	
	construction bonds.	290,525 00
		<hr/>
	Total debt service on 1930 bond	
	act . . . . .	\$2,623,925 00
	Amortization and Interest on	
	\$70,000,000.00 Issue:	
	Annual requirement	
	for amortization ...	\$707,222 00
	Interest on roads,	
	bridges and viaducts	
	bonds . . . . .	800,000 00
		<hr/>
		1,507,222 00
		<hr/>
	Total debt service . . . . .	<u><u>\$4,131,147 00</u></u>

## R 3. STATE AID TO COUNTIES AND MUNICIPALITIES

Construction, recon-  
struction, mainte-  
nance, et cetera, of  
county roads .....\$6,000,000 00

State aid to  
counties and  
municipalities.

Expenditures pursuant  
to section 27:14-1 of  
the Revised Statutes. 735,000 00

Construction, grading,  
maintenance, et cetera,  
of village and town-  
ship roads ..... 2,625,000 00

Expenditures pursuant  
to section 27:15-10 of  
the Revised Statutes  
and chapter 218, laws  
of 1940 ..... 525,000 00

Total State aid to counties and  
municipalities .....\$9,885,000 00

The total appropriation for State aid  
herein contained is for the calendar  
year 1947. This appropriation is  
due and payable on January 2, 1947.

Total mandatory appropria-  
tions .....\$14,016,147 00

R 5. DELAWARE RIVER JOINT TOLL BRIDGE  
COMMISSION

Delaware  
river joint  
toll bridge  
commission.

Salaries:

Officers and employees ..... \$188,600 56

Materials and Supplies:

Clothing ..... \$3,500 00

Heat, light, power,  
water, gas and elec-  
tricity ..... 9,042 00

Ground supplies .... 250 00

Household and organ-  
ization supplies ... 25 00

Drugs, medical, surgi-  
cal and chemical  
supplies ..... 100 00

Motor vehicular trans-  
portation supplies.. 1,750 00

Replacements of mo-  
tor vehicles ..... 2,400 00

Stationery and office  
supplies ..... 650 00

Printing, blueprinting  
and photostating .. 600 00

Engineering supplies. 550 00

Books and pamphlets 25 00

18,892 00

Services Other Than Personal:

Traveling expenses .. \$1,500 00

Telephone and tele-  
graph ..... 1,550 00

Rents ..... 1,644 00

Insurance (fire) ..... 3,183 49

Insurance (other than  
fire) ..... 2,540 25

Freight, express and  
cartage ..... 100 00

Household expenses.. 36 00

Advertising ..... 250 00

Subscriptions .....	20 00	
Postage .....	300 00	
Weighing trucks .....	50 00	
Miscellaneous ex- penses .....	50 00	
	<hr/>	11,223 74
Current Repairs and Maintenance:		
Buildings and grounds	\$12,000 00	
Other equipment .....	1,000 00	
	<hr/>	13,000 00
Extraordinary Expenditures:		
Steel open grate floor and footwalk for 5 bridges .....	\$42,000 00	
Remodel Pennsylvania approach and raze bridge house, Yard- ley .....	10,000 00	
Remove old trolley tracks from Easton- Phillipsburg bridge	6,000 00	
Clean and paint entire superstructure steel- work, lower Tren- ton - Morrisville bridge .....	55,000 00	
Complete remaining sections of brick roadway paving, lower Trenton-Mor- risville bridge .....	5,700 00	
Repair piers, Milford- Montague bridge ..	22,000 00	
Reconstruct New Jer- sey approach, Wash- ington Crossing bridge .....	2,300 00	
New officers' shelters, Washington Cross- ing bridge .....	1,200 00	
	<hr/>	144,200 00

New Jersey State Library

## Unclassified Expenditures:

Expense of New Jersey Commission	300 00	
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\$376,216 30

## Less—

Pennsylvania's share	\$185,466 90	
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Rentals and miscellaneous receipts . . . .	4,982 50	
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190,449 40

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\$185,766 90

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## R 7. MOTOR VEHICLE DEPARTMENT

## Salaries:

Commissioner . . . . .	\$12,000 00	
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Other employees . . . .	1,619,648 00	
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\$1,631,648 00

Motor vehicle  
department.

## Materials and Supplies:

Heat, light, power, water, gas and elec- tricity . . . . .	\$11,500 00	
--	-------------	--

Motor vehicular trans- portation supplies .	50,000 00	
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Stationery and office supplies . . . . .	35,000 00	
---	-----------	--

Printing, binding, pho- tography and blue- printing . . . . .	28,000 00	
---	-----------	--

Replacement and rent- als of typewriters (Agents) . . . . .	4,000 00	
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Station and central office supplies . . . .	1,000 00	
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Metal and material for markers . . . . .	255,000 00	
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Station cleanser, oil and grease . . . . .	1,000 00	
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Radio system supplies and maintenance . . .	3,600 00	
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389,100 00



## Services Other Than Personal:

Traveling expenses ..	\$3,000 00	
Rents .....	7,212 00	
Freight, express and cartage .....	2,000 00	
Subscriptions .....	200 00	
Miscellaneous ex- penses .....	4,750 00	
Addressing postal notices, testing sta- tions .....	13,500 00	
Witness fees .....	2,250 00	
Safety education ....	10,000 00	
		<hr/>
		42,912 00

## Current Repairs and Maintenance:

Equipment (28 testing stations) .....	\$7,500 00	
Automotive equipment	12,500 00	
		<hr/>
		20,000 00

## Extraordinary Expenditures:

Establishment and equipment of new testing stations in critical areas .....	115,200 00
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## Unclassified Expenditures:

Compensation award, Edythe Gill .	1,040 00
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In addition to the amounts herein-  
above appropriated, there is also  
appropriated out of the 1945-46 un-  
expended balances the sum of \$67,-  
790.00, or so much thereof as may  
be necessary for the following:

R e p l a c e m e n t s of motor vehicles ....	\$15,000 00
Replacements and rental of agents' typewriters .....	18,000 00
Station and central of- fice equipment .....	11,790 00

## CHAPTER 111, LAWS OF 1946

Printing, binding, photographing and blueprinting .....	10,000 00
Additions and im- provement (filing cabinets) .....	8,000 00
Safety education pro- gram .....	5,000 00
	<u>\$67,790 00</u>
	<u>\$2,199,900 00</u>

## R 8. STATE HIGHWAY DEPARTMENT

State highway  
department.

## Salaries and Wages:

Commissioner .....	\$15,000 00
Chief engineer .....	14,000 00
Other officers and em- ployees .....	3,885,328 84
Wages and labor ....	2,284,475 64
Special services, tem- porary and outside.	100,000 00
	<u>\$6,298,804 48</u>

## Materials and Supplies:

Heat, light and power	\$100,588 00
G a s o l i n e, oil and grease .....	135,000 00
Stationery and office supplies .....	30,000 00
Tires and tubes .....	37,500 00
Highway lighting ....	290,000 00
Parts .....	55,000 00
Municipal aid .....	320,000 00
Printing, binding, blueprinting and photographing ....	30,000 00
Road construction and maintenance, sup- plies and materials.	944,700 00
Tools .....	10,000 00
	<u>1,952,788 00</u>

## Services Other Than Personal:

Traveling expenses ..	\$50,000 00	
Telephone .....	40,000 00	
Rent of equipment—		
mileage .....	36,400 00	
Insurance .....	30,000 00	
Postage .....	15,000 00	
Advertising, subscrip-		
tions, dues, et cetera	14,025 00	
Rent—land and build-		
ings .....	44,640 00	
Rent—equipment ....	90,000 00	
Freight, cartage and		
storage .....	3,500 00	
Miscellaneous ex-		
penses .....	7,500 00	
	<hr/>	331,065 00
Current repairs and maintenance ...		10,000 00
Unclassified:		
Compensation, claims,		
awards, medical ...	\$50,000 00	
Maintenance by agree-		
ment and contract..	402,342 52	
Contingent .....	20,000 00	
	<hr/>	472,342 52
		<hr/>
		\$9,065,000 00
		<hr/>

Highway  
projects:  
Purchase of  
rights-of-way;

## HIGHWAY PROJECTS

*Purchase of Rights-of-Way*

<i>Route</i>	<i>From</i>	<i>To</i>	<i>Mileage</i>	
4	Rt. 25	Irvington	11.7	\$2,000,000 00
100	Elizabeth	Rt. 25 (partial)	16.5	1,000,000 00
S100				
25-A	Passaic River Bridge			
	Approaches	.....	1.0	1,500,000 00
25	Port St.	Skyway (partial)	2.7	500,000 00
25	Robbinsville to Bordentown			100,000 00
28-29	Con. Somerville to No.			
	Branch	.....	2.5	50,000 00
	Miscellaneous and Emergencies			100,000 00
				<hr/>
				\$5,250,000 00

Construction.

*Construction of Roads and Bridges*

4	Rt. 25	Irvington	11.7	\$5,000,000 00
100-S100	Elizabeth	Rt. 25 near Metuchen	(partial)	5,000,000 00
S3	Rt. 2	Rt. 6—Paving		220,000 00
25-A	Passaic River Bridge Approaches			270,000 00
	Miscellaneous and Emergencies			300,000 00
4	Toll Gate Corner to Adelphia			743,914 00
25	Port St. to Skyway			
25	Cranbury to Hightstown			
25	Robbinsville to Bordentown			
S31	Branchville to Ross Corner			
28 & 29	Con. Somerville to No. Branch			743,914 00
S49	Grassy Sound Bridge and Approaches			
				<hr/>
				\$11,533,914 00

Total Construction ..... \$16,783,914 00

Total Highway Department ..... \$25,848,914 00

Total Regular Appropriations—1946-47...\$111,544,070 35

If it appears because of economic conditions that the State's interest can be better served by deferring projects for which specific appropriations are

provided herein, the State Highway Commissioner with the written approval of the Governor is hereby empowered to transfer as between appropriations for construction projects which projects shall also include those listed in the following substitution program.

PROJECTS FOR SUBSTITUTION IN  
STATE HIGHWAY CONSTRUCTION PROGRAM

Substitution  
projects.

1946-47 FISCAL YEAR

<i>Route</i>	<i>Location</i>	<i>Mileage</i>
4	Cheesequake to Toll Gate Corner ..	14.0
4	Toms River By-pass .....	3.0
4	Cape May Court House Relocation	4.0
4	Fort Lee to Route 2 (Revision) ..	...
4	Columbia Avenue Extension, Fort Lee .....	0.5
6	Fort Lee to Little Ferry (Conver- sion) .....	4.0
6	Spicertown to Mt. Hope-Rockaway Road .....	2.8
6	Mt. Hope-Rockaway Road to Morris Avenue .....	2.0
6	Morris Avenue to Denville .....	1.2
17	Terrace Avenue to Route 4 .....	4.0
17	Franklin Turnpike to N. Y. State Line .....	3.5
26	Extension through Trenton .....	3.2
28	Middle Brook Bridge .....	0.2
29	Chimney Rock Road to Somerville Circle .....	3.2
35	Laurence Harbor to Keyport .....	4.0
S41	Palmyra to King's Highway .....	5.6
43	Absecon By-pass .....	5.0
44	Pierce's Corner to Paulsboro .....	3.6
44	Bridgeport to Nortonville .....	2.0
54	From Route 43 to Route 48 .....	12.4
S4B	From Route 4 to Goffle Road, Haw- thorne .....	4.0

## CHAPTER 111, LAWS OF 1946

It is hereby provided that out of the unexpended balances of 1945-46, the Highway Department is authorized to reconstruct the Fernwood Paint Shop.

*Appropriations for Deficiencies in Prior  
Fiscal Year*

## A 10. STATE HOUSE COMMISSION

State House  
Commission.

The balances remaining from the appropriation provided in Chapter 7, Laws of 1944, for the purchase of voting machines and all revenues received by the State House Commission in connection with the installation of such voting machines in the several counties are hereby reappropriated.

## B 5. LEGISLATIVE PRINTING

Deficiency  
legislative  
printing.

Deficiency in Legislative Printing for  
the fiscal year ending June 30, 1946      \$50,000 00

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## C 5. COURT OF PARDONS

Court of  
pardons.

Compensation of judges of the Court  
of Pardons, at \$40.00 per diem ....      \$6,400 00

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## D 23. NEW JERSEY RACING COMMISSION

New Jersey  
racing  
commission  
deficiency.

Deficiency in appropria-  
tions for the fiscal  
year 1945-1946, as  
follows:

Salaries .....	\$7,116 00	
Traveling expenses ..	552 00	
Equipment .....	2,332 00	
	<hr/>	\$10,000 00

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The appropriations above set forth  
shall not be available unless racing  
operations begin on June 10, 1946.

#### E 1. STATE BOARD OF EDUCATION

To reimburse school districts for one-  
half of excess cost of educating  
crippled children for school year  
ending June 30, 1945 ..... \$120,005 60

#### E 6. INDUSTRIAL EDUCATION

For reimbursement to school districts for manual training expenses for the school year 1945-46 .....	Industrial education.  \$126,174 12
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Payments under this account to be  
made pursuant to R. S. 18:10-31.

#### E 19. TEACHERS' PENSION AND ANNUITY FUND

For interest due Teachers' Pension and Annuity Fund, pursuant to Chapter 159, Laws of 1941, which payment was omitted from the 1945-46 Appropriations Act .....	Interest, teachers' pension and annuity.  \$176,055 57
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#### E 21. STATE SCHOOL TAX

For deficiency for the support of free public schools for the school year 1945-46 from the General State Fund, which sum shall be trans- ferred by the State Treasurer to reserve fund of the State School Tax, and when so transferred paid out of the treasury of this State on certification of the Commissioner of Education in order that all school districts of the State shall receive from State apportionments the quotas prescribed .....	State school tax.  \$2,012,789 76
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## F 2. DEPARTMENT OF AGRICULTURE

Indemnities for cattle.	For deficiency in amount required for Indemnities—Condemned Cattle for fiscal year 1945-46 .....	\$25,000 00
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## H 2. PENSIONS

Pensions.	For deficiency in amount required for fiscal year 1945-46, to pay pensions pursuant to various acts relative thereto .....	\$12,500 00
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## H 3. STATE EMPLOYEES' RETIREMENT SYSTEM

Interest employees' retirement system.	For interest on deferred payment to Contingent Reserve Fund, created by R. S. 43:14-12 and 43:14-14, for the fiscal year 1945-46 .....	\$3,000 00
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X 27. STATE SUBSIDY FOR MAINTENANCE OF  
CHILDREN UNDER THE CARE OF THE BOARD  
OF CHILDREN'S GUARDIANS

Deficiency State subsidy, children's guardians.	To meet estimated deficiency for fiscal year 1945-1946 .....	\$250,000 00
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## R 8. STATE HIGHWAY DEPARTMENT

Highway  
projects  
1945-46.

## HIGHWAY PROJECTS, FISCAL YEAR 1945-46

*Rights-of-Way*

<i>Route</i>	<i>Mileage</i>	
4 Rt. 25 to Irvington		
Partial .....	11.7	\$1,300,000 00
100-S100 Elizabeth to Rt. 25 near		
Metuchen .....	16.5	2,000,000 00
4 Cape May Canal Bridge	...	10,000 00
6 Little Falls to Pine		
Brook Bridge .....	5.0	100,000 00
25 Twelfth Street to		
Cooper River, Cam-		
den .....	0.8	250,000 00
Miscellaneous .....		100,000 00
Total Rights-of-Way .....		\$3,760,000 00

*Construction*

<i>Route</i>	<i>Mileage</i>	
S101 Planning of Route 101,		
Bergen County .....	...	\$25,000 00
Reconstructing road be-		
tween Highpoint Park		
and Port Jervis .....	...	30,000 00

## CHAPTER 111, LAWS OF 1946

S100-100	Elizabeth to Rt. 25 near Metuchen .....	16.5	300,000 00
	Miscellaneous and emergencies .....	...	300,000 00
S3	Rt. 2 to Passaic Avenue (grading bridges)	2.6	2,240,000 00
3	Passaic Avenue to Rt. 6 (bridges) .....	...	555,000 00
3	Passaic River Bridge ..	...	1,510,000 00
25-A	Passaic River Bridge superstructure .....	...	1,132,500.00
3	Secaucus By-pass .....	1.8	} 6,931,414 00
4	Cape May Canal Bridge ..	...	
6	Little Falls to Pine Brook Bridge .....	5.0	
25	Twelfth Street to Cooper River, Camden .....	0.8	
28	Annandale Relocation ..	1.8	
44	Westville to Pierce's Corner .....	3.0	
49	Maurice River Bridge, Millville .....	0.1	
			13,023,914 00
			<u>\$16,783,914 00</u>

If it appears because of economic conditions that the State's interest can be better served by deferring projects for which specific appropriations are provided herein, the State Highway Commissioner with the written approval of the Governor is hereby empowered to transfer as between appropriations for construction projects which projects shall also include those listed in the following substitution program.

PROJECTS FOR SUBSTITUTION IN  
STATE HIGHWAY CONSTRUCTION PROGRAM

1945-46 FISCAL YEAR

<i>Route</i>	<i>Location</i>	<i>Mileage</i>	
4	Cheesequake to Toll Gate Corner ..	14.0	Substitution projects.
4	Toms River By-pass .....	3.0	
4	Cape May Court House Relocation.	4.0	
4	Fort Lee to Route 2 (Revision) ....	..	
4	Columbia Avenue Extension, Fort Lee .....	0.5	
6	Fort Lee to Little Ferry (Conver- sion) .....	4.0	
6	Spicertown to Mt. Hope-Rockaway Road .....	2.8	
6	Mt. Hope-Rockaway Road to Morris Avenue .....	2.0	
6	Morris Avenue to Denville .....	1.2	
17	Terrace Avenue to Route 4 .....	4.0	
17	Franklin Turnpike to N. Y. State Line .....	3.5	
26	Extension through Trenton .....	3.2	
28	Middle Brook Bridge .....	0.2	
29	Chimney Rock Road to Somerville Circle .....	3.2	
35	Laurence Harbor to Keyport .....	4.0	
S41	Palmyra to King's Highway .....	5.6	
43	Absecon By-pass .....	5.0	
44	Pierce's Corner to Paulsboro .....	3.6	
44	Bridgeport to Nortonville .....	2.0	
54	From Route 43 to Route 48 .....	12.4	
S4B	From Route 4 to Goffle Road, Haw- thorne .....	4.0	

## Claims:

## CLAIMS

## E 1. STATE BOARD OF EDUCATION

Board of  
education.

Board of education of the township of  
Florence, representing reimburse-  
ment for school transportation.... \$13,837 50

## R 8. STATE HIGHWAY DEPARTMENT

Highway  
department.

Fehlhaber Pile Co.,  
Inc., for payment of  
claim for all addi-  
tional out-of-pocket  
expenses resulting  
from the construc-  
tion of the super-  
structure of the  
Berrys Creek bridge  
on Route No. S-3 .. \$40,000 41

Fred Berlanti & Son,  
Inc., additional costs  
due to the damage  
occasioned by the  
flood which occurred  
on July 9 and 10,  
1945, in the Phillips-  
burg area, on Route  
24, Section 22, and  
Route 24N, Section 1 19,904 68

Nesto Construction  
Co., for additional  
costs incurred in the  
repavement of the  
Pulaski Skyway ... 9,691 18

Warren F. Volker, for damage caused as a result of the pro- truding iron rein- forcement on the curb on Route 35 at South Amboy, August 12, 1945 ...	16 85
Robert E. Braund, damage to car, on June 24, 1945, on Route 29 in Hillside	70 75
Ward Wheelock, dam- age to yacht "Margot" on May 13, 1945 .....	557 58
Lester J. Barrett, damage to tire, June 22, 1945, Route 23..	24 41
Mrs. Prentiss P. Bas- sett, damage to car, July 16, 1944 .....	44 51
	<hr/> \$70,310 37 <hr/>

The hereinabove listed claims amounting to \$70,310.37 shall be paid from appropriations herein made to the State Highway Department.

Total deficiencies and claims	\$19,589,676 55
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Total regular, deficiency and claims appropriation ....	\$131,133,746 90
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The above appropriated items for claims are in full settlement of all claims of every character, and the acceptance of said sums shall constitute a full and complete release and acquittance to the State of New Jersey, its agencies and instrumentalities.

The foregoing amounts appropriated for Deficiencies and Claims in prior fiscal years shall be available for expenditure immediately upon passage of this act.

Out of the \$21,600,900.00 reserved on recommendation in the Governor's Budget Message, after allowing for the transfer by executive order of \$4,000,000.00 to the Grade Crossing Elimination Fund the following amounts are hereby appropriated:

*Post-War Reserve Account*

Post-war  
reserve  
account.

To transfer to the Post-War Reserve Account .....	\$11,178,900 00
of highway users revenues received during the years 1945-46 and 1946-47, to fund the unrealized revenues anticipated from the sale of bonds in the years 1933, 1934 and 1936. It is expressly provided that this sum in the Post-War Reserve Account shall be earmarked for highway purposes and reserved for subsequent legislative action.	

*Appropriation Pursuant to Chapter 166,  
Laws of 1945*

Such sum required to carry out the provisions of Chapter 166, Laws of 1945, estimated to be .....	172,000 00	To carry out provisions of chapter 166, P. L. 1945.
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*Prison Officers Pension and Annuity Fund*

Such sum representing the State's share to June 30, 1947, as provided by Chapter 220, Laws of 1941, not to exceed .....	250,000 00	Prison officers pension fund.
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J 5. STATE CAPITOL BUILDING COMMISSION

For the cost of planning and constructing Unit No. 1 (State Office Building) of the State Capitol Building program. Construction shall not be started until:		State Capitol building commission.
<p>(1) The Capitol Building Commission has determined and agreed that priorities and materials for veterans' housing and other more essential projects have first been made available, and</p> <p>(2) The Governor has then given his written approval .....</p>		
	\$6,000,000 00	

The unexpended balances in this account as of June 30, 1946, are hereby reappropriated.

2. Any additional allotments of funds for highway purposes which may be made by the Federal Government to the State of New Jersey, are hereby appropriated for the purposes for which such moneys are allocated, and the State Highway Com-	Federal allotments.
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missioner is hereby authorized to carry out such projects as may be designated by the Federal Government.

Moneys used  
as specified.

3. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums as may be required to refund amounts credited to the State Treasurer which do not represent State revenues, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, taxes for the use of taxing districts in this State, Grade Crossing Elimination Fund, Forest Fire Fund, Forest Nursery Fund, Forest Land Fund, Workmen's Compensation Tax Fund, Educational Aid Fund, moneys directed by any law to be paid to the Teachers' Pension and Annuity Fund, 1837 Surplus Revenue Fund income, State Police Retirement Fund, Clerk in Chancery Enrollment Fund, moneys received pursuant to chapter 199 of the laws of 1945, unclaimed accounts of patients and prisoners in State institutions, Unemployment Compensation Funds and Employment Service Funds, provided employment service functions are transferred by the Federal Government to the State, Compensation awards, moneys received by the several institutions representing garage rentals which moneys shall be devoted exclusively by such institution to erection of new garages where needed, vocational schools, funds received by the sale of articles made in occupational therapy departments of the several institutions, said funds to be devoted to the purchase of additional material and other incidental expenses, Crippled Children's Commission, Palisades Interstate Park Commission, Interconnection Revolving Fund of the Division of Water Policy and Supply of the Department of Conservation, Federal funds subsidizing the State; Funds appropriated for institution construction; moneys received representing insurance to cover losses by fire and other casualties; this section shall not be construed to prohibit the payment due upon

Construing.



any contract made under an appropriation of previous years; moneys received by the Department of Conservation from the sale or lease of forest reserve lands pursuant to R. S. 13:8-9; moneys received by the Department of Conservation representing revenues from parks; moneys received by the Quartermaster-General under the provisions of article 3, chapter 2, of Title 38 of the R. S.; nor shall this act apply to moneys appropriated by joint resolution of the Legislature where such moneys have been set apart by the Commissioner of Taxation and Finance.

4. In order that there be flexibility in the handling of appropriations, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the Commissioner of Taxation and Finance for permission to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the Commissioner of Taxation and Finance shall consent thereto, he shall place the amount so transferred to the credit of the item so designated; *provided, however*, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose.

Transfer of appropriations

Proviso.

5. The Commissioner of Taxation and Finance is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department or branch, to transfer such appropriations to such department or branch as shall be charged with the responsibility of administering the functions of such department or branch so transferred. The Commissioner of Taxation and Finance shall also have the authority to create such new accounts as may be necessary to carry out the intent of the Legislature.

Commissioner authorized to make transfers.

May create new accounts.

Corrections  
made to  
comply with  
intentions.

6. The Commissioner of Taxation and Finance shall make such correction of the title, text or account number of an appropriation, necessary to make such appropriation available for the purpose or purposes intended. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Commissioner of Taxation and Finance and filed in the division of budget and accounting of said Department of Taxation and Finance as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

Transfer from  
various  
appropriations.

7. The Commissioner of Taxation and Finance is hereby empowered, notwithstanding any other provision of the law, to transfer from the various appropriations for construction, reconstruction, additions to and betterments of State buildings and appurtenances thereto, herein contained, to the appropriation for the division of architecture and construction of the Department of Institutions and Agencies a sufficient sum to pay for the cost of all architectural work, superintendence and other expert services in connection with such work.

Petty cash  
fund.

8. The Commissioner of Taxation and Finance may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum to establish a petty cash fund, for the payment of expenses under rules and regulations established by the Commissioner of Taxation and Finance. The allotments thus made by the Commissioner of Taxation and Finance shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making request therefor, and the money thus allotted shall be disbursed by such custodian, who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Commissioner of Taxation and Finance for audit, and said Commissioner of Taxation and Finance shall

tion and Finance shall likewise make regulations governing disbursements from petty cash funds.

9. This act shall take effect on the first day of July, one thousand nine hundred and forty-six, except as to the section covering deficiencies and claims, which section shall take effect immediately.

Approved April 18, 1946.

## CHAPTER 112

AN ACT to amend "An act authorizing the payment of five million, eight hundred sixty-eight thousand, five hundred and nineteen dollars (\$5,868,519.00), and interest thereon, to the Teachers' Pension and Annuity Fund out of the forty million dollar (\$40,000,000.00) bond act created by chapter two hundred sixty-two of the laws of one thousand nine hundred and twenty-two and the thirty million dollar (\$30,000,000.00) bond act created by chapter one hundred eighty-one of the laws of one thousand nine hundred and twenty-seven, when the bonds issued under such acts, and the interest thereon, have been fully paid, and providing for the payment of the balance, if any, which cannot be paid from said funds," approved June third, one thousand nine hundred and forty-one (P. L. 1941, c. 159).

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 is amended to read as follows:

1. There shall be paid to the Teachers' Pension and Annuity Fund the sum of five million, nine hundred eighty-nine thousand, four hundred and forty-

Act effective.

Section amended.

Payment to fund authorized.

five dollars (\$5,989,445.00) when the bonds issued pursuant to the forty million dollar (\$40,000,000.00) bond act created by chapter two hundred sixty-two of the laws of one thousand nine hundred and twenty-two and the thirty million dollar (\$30,000,000.00) bond act created by chapter one hundred eighty-one of the laws of one thousand nine hundred and twenty-seven, and the interest on said bonds, shall have been fully paid as aforesaid. When the bonds and interest have been paid as aforesaid, the funds created by said acts, together with all interest accumulated on the same, shall lapse into the treasury of the State, whereupon the State Treasurer shall out of said fund pay to the Teachers' Pension and Annuity Fund the said sum of five million, nine hundred eighty-nine thousand, four hundred and forty-five dollars (\$5,989,445.00) before payment is made therefrom for any other purpose. The said sum of five million, nine hundred eighty-nine thousand, four hundred and forty-five dollars (\$5,989,445.00) shall bear interest at the rate of three per centum (3%) per annum from the first day of July, one thousand nine hundred and forty-two, up to and including such date in the year one thousand nine hundred and fifty, as the said sum of five million, nine hundred eighty-nine thousand, four hundred and forty-five dollars (\$5,989,445.00) shall be paid. Said interest shall be paid semiannually out of the General State Fund by the Treasurer of this State. When this bill becomes a law five million, nine hundred eighty-nine thousand, four hundred and forty-five dollars (\$5,989,445.00) shall be deducted from the payment to be made to the Teachers' Pension and Annuity Fund for the fiscal year beginning the first day of July, one thousand nine hundred and forty-two, and five million, nine hundred eighty-nine thousand, four hundred and forty-five dollars (\$5,989,445.00) or such part thereof as would otherwise be paid out of the main stem railroad tax due December, one thousand nine hundred and forty-one, shall be retained in the treasury of the State.

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

Section  
amended.

2. If the full amount of five million, nine hundred eighty-nine thousand, four hundred and forty-five dollars (\$5,989,445.00) cannot be paid from the funds so lapsed into the treasury of the State as aforesaid, the balance shall be paid in the year one thousand nine hundred and fifty from the General State Fund.

Provision for  
full payment.

3. This act shall take effect immediately.

Approved April 18, 1946.

### CHAPTER 113

AN ACT concerning the State Highway Department,  
and adding a route to the State highway system.

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

1. The State Highway Commissioner shall, as soon as practicable, and in accordance with the procedure set forth in article one of chapter seven, Title 27, of the Revised Statutes, add to the present State highway system the following described route: Route No. beginning at a point in State Highway Route 40 in the vicinity of Browning road circle, Pennsauken township, Camden county, New Jersey, and from thence by direct route to Delaware river bridge, said highway roughly paralleling State Highway Route No. 38 and Route No. 25 (entrance road) in the township of Pennsauken, and city of Camden, New Jersey.

Additional  
route.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law.

To number  
route.

Free parkway.

3. The route hereby established is hereby designated as a freeway pursuant to chapter eighty-three of the laws of one thousand nine hundred and forty-five.

4. This act shall take effect immediately.

Approved April 18, 1946.

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## CHAPTER 114

AN ACT concerning the State Highway Department,  
and adding a route to the State highway system.

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

Additional  
route.

1. The State Highway Commissioner shall, as soon as practicable, and in accordance with the procedure set forth in article one of chapter seven, Title 27, of the Revised Statutes, add to the present State highway system the following described route: Route No.        extending State Highway Routes No. 44, No. 45, and No. 47 in the vicinity of Westville, Gloucester county, New Jersey, by direct route to Delaware river bridge, running through Camden county on the alignment of or roughly parallel to the alignment of Broadway in Brooklawn borough, Gloucester and Camden cities, New Jersey.

Numbered.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law.

3. This act shall take effect immediately.

Approved April 18, 1946.

## CHAPTER 115

AN ACT concerning the State Highway Department,  
and adding a route to the State highway system.

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

1. The State Highway Commissioner shall, as soon as practicable, and in accordance with the procedure set forth in article one of chapter seven, Title 27, of the Revised Statutes, add to the present State highway system the following described route: Route No. <sup>Additional route.</sup> beginning on Route No. 25 (entrance road) in the vicinity of Cooper river, Camden city, New Jersey, and running thence, via the Camden business center to the Pennsylvania ferry at the foot of Market street and Federal street, Camden city.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law. <sup>Numbered.</sup>

3. This act shall take effect immediately.

Approved April 18, 1946.

## CHAPTER 116

AN ACT concerning investments by insurance companies generally, and amending section 17:24-1 of the Revised Statutes.

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

Section  
amended.

1. Section 17:24-1 of the Revised Statutes is amended to read as follows:

Investments:

17:24-1. Any insurance company of this State, for the purpose of investing its capital, surplus and other funds, or any part thereof, may:

Government  
obligations;

a. Purchase or hold as collateral security or otherwise and sell and convey any bonds or public stock issued, created or guaranteed by the United States, or any territory or insular possession thereof, or by this State, or by any of the other States of the United States or the District of Columbia, or the Dominion of Canada or any of the provinces thereof, or by any of the incorporated cities, counties, parishes, townships or other municipal corporations situated in any of the countries or subdivisions thereof hereinabove mentioned; or bonds authorized to be issued by any commission appointed by the Supreme Court of this State;

Real estate;

b. Purchase or hold real estate for business or residential purposes (other than as provided for in sections 17:19-8 to 17:19-12, inclusive, of this Title) as an investment for the production of income, and improve or otherwise develop such real estate; *provided*, that if the commissioner shall decide, after due hearing upon notice to any such insurance company, that the interests of such insurance company's policyholders require that any specified real estate so purchased or held be disposed of, then such insurance company shall dispose of such real estate within such reasonable time as the commissioner shall direct; *and provided further*, the ag-

Proviso;

Proviso;



gregate amount of such investments and all other real estate held by such insurance company, except real estate held as provided for in said sections 17:19-8 to 17:19-12, inclusive, and except such real estate as may be necessary for its accommodation in the convenient transaction of its business, shall not exceed five per centum (5%) of the total admitted assets of such insurance company. The term "real estate" as used in this subsection "b" shall include a leasehold of real estate for business or residential purposes having an unexpired term of not less than twenty years, inclusive of the term which may be provided by any enforceable option of renewal. Income produced by investment in any such leasehold shall be applied by such insurance company in a manner calculated to amortize the amount invested for acquisition and improvement thereof within a period not exceeding eight-tenths of such unexpired term of the leasehold following such acquisition or improvement, or within a period of forty years thereafter, whichever is less;

c. Invest in bonds or notes secured by mortgages or trust deeds on unencumbered fee simple or leasehold real estate, which shall include areas above the surface of the ground but not contiguous thereto, or any interest therein located within said States, the District of Columbia, or the Dominion of Canada, worth at least one-half more than the sum invested or loaned; or invest in bonds or notes secured by mortgages or trust deeds on unencumbered fee simple or leasehold real estate or any interest therein so located worth less than as above provided but worth at least one-third more than the sum so invested, *provided*, (1) that any such bonds or notes so secured shall provide for amortization payments to be made by the borrower on the principal amount thereof at least once in each year, and (2) that in every such case such insurance company shall carry as a reserve any amount by which such investment or loan, or balance thereof remaining after such amortization payments, may exceed the amount which could otherwise have been so invested

Bonds or  
notes secured  
by mortgage;

Proviso;

or loaned as hereinabove provided. No loan may be made on leasehold real estate unless the terms of such loan provide for amortization payments to be made by the borrower on the principal thereof at least once in each year in amounts sufficient to completely amortize the loan within a period not exceeding nine-tenths of the term of the leasehold unexpired at the time the loan is made. For the purposes of this section fee simple or leasehold real estate or any interest therein shall not be deemed to be encumbered within the meaning of this section by reason of the existence of taxes or assessments that are not delinquent, easements, profits or licenses, nor by reason of building restrictions or other restrictive covenants, nor when such real estate or interest therein is subject to lease in whole or in part whereby rents or profits are reserved to the owner; *provided*, that the security created by the mortgage or trust deed on such real estate or interest therein securing such bond or note is a first lien upon such real estate or interest therein;

Proviso;

Bonds  
and notes  
evidencing  
veterans'  
loans;

d. Invest in bonds or notes evidencing loans to veterans if the full amount of any such loan is guaranteed by the Government of the United States or by the Administrator of Veterans' Affairs pursuant to the Servicemen's Readjustment Act of one thousand nine hundred and forty-four, as heretofore or hereafter amended; and in the case of loans so guaranteed for less than the full amount thereof, the maximum amount which may be loaned or invested by any such insurance company pursuant to the provisions of any law of this State shall be increased by the amount so guaranteed;

Purchase  
mortgages  
of railroads;

e. Lend on or purchase mortgage or collateral trust bonds of railroad companies organized under the laws of said States, or the District of Columbia, or the Dominion of Canada, or operated wholly or partly in such States, district or country; or equipment trust certificates payable within sixteen years from their date of issue in annual or semiannual installments beginning not later than the fifth year after such date, and which certificates are a first

lien on the specific equipment pledged as security for the payment thereof, which are either the direct obligations of such railroad companies, or are guaranteed by them, or are executed by trustees holding title to the equipment; or certificates of receivers of any corporation where such purchase is necessary to protect an investment in the securities of such corporation theretofore made under authority of chapters seventeen to thirty-three of this Title (§17:17-1, et seq.); or the capital stock, bonds, securities or evidences of indebtedness created by any corporation of the United States or of any State; *provided*, that no purchase of any bond or evidence of indebtedness which is in default as to interest shall be made by such company unless such purchase is necessary to protect an investment theretofore made under authority of said chapters seventeen to thirty-three in the securities of the corporation which issued, assumed or guaranteed such bond or evidence of indebtedness in default; *provided, further*, that no purchase of the stock of any company of a class on which dividends have not been paid during each of the past five years preceding the time of purchase shall be made unless the stock so purchased shall represent a majority in control of all the stock then outstanding; *and provided further*, that in the case of the stock of a corporation resulting from or formed by merger or consolidation less than five years prior to such purchase, each consecutive year next preceding the effective date of such merger or consolidation during which dividends shall have been paid by any one or more of its constituent corporations on any or all classes of its or their stock in an aggregate amount sufficient to have paid dividends on that class of stock of the existing corporation whose stock is to be purchased, had such corporation then been in existence, shall be deemed a year during which dividends have been paid on such class of stock; *provided, however*, that nothing herein contained shall prohibit the purchase of stock of any class which is preferred, as to dividends, over any class the pur-

Proviso. chase of which is not prohibited by this section; *and provided further*, that no purchase of its own stock shall be made by any insurance company except for the purpose of the retirement of such stock or except as specifically permitted by any law of this State applicable by its terms only to insurance companies.

2. This act shall take effect immediately.

Approved April 22, 1946.

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## CHAPTER 117

AN ACT adding a new route to the State highway system and designating the same as a parkway.

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

Additional  
route.

1. The State Highway Commissioner shall, as soon as practicable in accordance with the procedure set forth in article one, chapter seven, Title 27, of the Revised Statutes add to the present State highway system the following described route:

Location.

Beginning at Route No. 6 at Clifton and running in a general southerly direction via Essex county, Union township, Cranford, Clark township and Woodbridge township to Cape May; with a branch from Woodbridge township to Trenton.

Parkway.

2. The route hereby established is hereby designated as a parkway, pursuant to chapter eighty-three of the laws of one thousand nine hundred and forty-five.

3. This act shall take effect immediately.

Approved April 22, 1946.

## CHAPTER 118

AN ACT to provide for the establishment of a diagnostic center, the commitment and admission of persons thereto, the general administration thereof, and supplementing Title 30 of the Revised Statutes.

WHEREAS, By the provisions of section 2:192-1.1 et seq., Revised Statutes, a procedure has been established in this State whereby the several criminal courts, before imposition of sentence upon the defendant, may arrange for the mental and physical examination of such defendant, with a view to securing accurate scientific information designed to indicate the type of sentence that would be most helpful for the defendant; and

Preamble.

WHEREAS, The use of this procedure of presentence study has been of invaluable assistance to the judges of the several criminal courts and it is now deemed necessary and proper to enlarge existing facilities so that this type of service may be rendered not only on a larger scale to the criminal courts, but also to every State, county and municipal administrative agency requiring same; and

Preamble.

WHEREAS, It is determined that the facilities can most properly be enlarged and extended by the establishment of a centrally located unit in the State to be known as the diagnostic center and to provide service for all governmental agencies in this valuable and important field of human welfare; now, therefore,

Preamble.

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

1. The State Board of Control of Institutions and Agencies is hereby authorized, empowered and di-

C. 30:4A-1.  
Diagnostic  
center.

rected to make suitable arrangements, by the acquisition, purchase or condemnation of existing buildings and lands, or by the construction of appropriate buildings on acquired lands, for the establishment of a unit, which shall be centrally located in the State and not adjacent or contiguous to any existing institution, to be known as the diagnostic center.

C. 30:4A-2.  
Operation,  
staff and  
maintenance.

2. The diagnostic center shall be fully equipped with all modern scientific equipment and shall be provided with a staff of competent specialists in the field of medicine, psychiatry and psychology, to the end that full and complete diagnostic services will be available to any governmental agency desiring to secure a complete diagnosis of any individual having need for such services, prior to a final disposition of the case of such person, consistent with the best interests of the welfare of the person and the community. The diagnostic center shall be so administered as to furnish a complete physical and mental inventory of each individual committed to the care and custody of the department, thereby assuring commitment to the institution best suited to care for his particular case, development of the most effective curative or rehabilitative procedures in such case, and the most effective co-ordination of all the institutional facilities provided by the State.

Admissions.

Any person may apply for voluntary admission to the diagnostic center and shall be admitted upon good cause shown, after execution of the voluntary admission application and payment in advance of the full per capita cost for the period covered by the diagnostic services to be rendered.

C. 30:4A-3.  
Supervision.

3. The diagnostic center shall be under the direct supervision of the superintendent, who shall be appointed and whose salary shall be fixed by the State Board of Control of Institutions and Agencies, and who shall serve at the will of said board. Such further specialists in the field of medicine, psychiatry and psychology shall be appointed to the staff, together with such other assistants as shall appear necessary, subject to the provisions of Title

11, Revised Statutes, Civil Service. Wherever possible the services of specialists now attached to the several State and county mental hospitals shall be utilized.

4. Any county court or juvenile court or any agency of the State, county or municipal government, desiring to utilize the services of the diagnostic center prior to the disposition of the case of any individual, may do so upon application as herein provided. Any person requiring diagnostic services, whether male, female, adult or minor, may be admitted to the center under the terms of this act.

C. 30:4A-4.  
Use by  
governmental  
agencies.

5. Every judge, before imposing sentence upon a defendant, may order an examination of the mental and physical condition of such defendant and may order his commitment for such purpose to the diagnostic center and shall arrange for the entry of an appropriate order of commitment on forms to be prescribed by the Department of Institutions and Agencies, which shall accompany the defendant to the diagnostic center.

C. 30:4A-5.  
Commitment  
for diagnosis.

6. If the person, for whom the diagnosis is sought, is confined by virtue of any type of criminal or other process, then admission to the diagnostic center may be secured upon application to the Commissioner of the Department of Institutions and Agencies, who may, after examination of the facts and circumstances, arrange for the transfer of such person from his place of confinement to the diagnostic center. Such person shall remain in the diagnostic center for a period not exceeding ninety days, during which time a complete diagnosis shall be made and a report and recommendation thereon in writing given to the agency requesting the service. Upon completion of the diagnosis, the commissioner shall order the retransfer of the person to his former place of confinement, there to be dealt with in accordance with the statutes in such case made and provided. If necessary, the center may make said retransfer to the former place of confinement.

C. 30:4A-6.  
Transfer of  
criminal for  
diagnostic  
treatment.

7. If the person for whom the diagnosis is sought by any county or juvenile court or agency of the

C. 30:4A-7.  
Admission by  
court order.

State, county or municipal government, desiring to utilize the services of the diagnostic center is not under confinement or process of any nature whatsoever, then admission to the diagnostic center shall be secured upon application to the common pleas court or the juvenile and domestic relations court if over eighteen years of age and to the juvenile and domestic relations court if under eighteen years of age, upon forms to be provided by the Department of Institutions and Agencies. The county adjuster shall be the official in the county charged with the responsibility of assisting with processing of such applications and shall perform functions similar to those set forth in Title 30, Revised Statutes. In connection with each such application, the court shall order a hearing to be held, which may be in camera at the discretion of the court. At least ten days' notice of the time, date and place of such hearing shall be served upon the person, and if he be a minor or incompetent, upon the parent, guardian, person standing in loco parentis or person having custody and control of such minor or incompetent. At such hearing, the court shall determine whether the services of the diagnostic center shall be made available to the said person and may order the confinement of such person in the center for a period not to exceed ninety days and shall cause a copy of said order of confinement to accompany the said person to the center.

C. 30:4A-8.  
Admission  
of minors.

8. If the person for whom the diagnosis is sought is a minor under the age of eighteen years and is within the jurisdiction of the juvenile and domestic relations court, the said court may make an order placing the said minor in the care and custody of the diagnostic center for a period required for a complete diagnosis and study, not in excess, however, of ninety days and shall cause a copy of said order to accompany said minor to the center. In such case no final commitment or disposition shall be made until the coming in of the report of the diagnostic center. Such report and any recommendation thereon shall not be binding upon the



said court but shall be for its guidance in the final disposition of the matter consistent with the best interests of the welfare of the said minor and the community.

9. Any agency of the State, county or municipal government, desiring to utilize the services of the diagnostic center, upon good cause shown, may arrange for the voluntary admission of the subject for whom the diagnosis is required by securing the execution by said person of a voluntary admission application on forms to be furnished by the center; *provided*, that such person has attained majority. If such person is a minor then the voluntary admission may be secured by having a parent, person standing in loco parentis or the guardian of such minor, execute the voluntary admission application.

C. 30:4A-9.  
Voluntary  
admissions.

Proviso.

10. When a person is properly admitted to the diagnostic center, accompanied by the order of the court, or on voluntary admission as provided for herein, he shall be received and thereafter a complete diagnosis made and a report and recommendation thereon in writing shall be given to the agency or court requesting the original admission of the person. The agency, following receipt of the report, shall advise the diagnostic center of the disposition to be made of the person and upon failure so to do the diagnostic center shall release the person within the ninety-day period of commitment, or effect his actual transfer to his former place of confinement, placement or residence.

C. 30:4A-10.  
Report of  
diagnosis.

Agency advised  
as to disposition  
of patient.

11. The Department of Institutions and Agencies shall compute and determine the per capita cost per day for maintaining, treating and diagnosing a person and the court or agency requesting the diagnostic services shall be required to defray the cost of such maintenance. The superintendent of the center shall cause regular financial statements to be issued to the several agencies utilizing the services of the center and the revenue when received shall be forwarded to the State Treasurer to become part

C. 30:4A-11.  
Defraying  
cost of  
maintenance.

Revenues sent  
to general  
State fund.

Cost charged  
against person  
diagnosed.

of the General State Fund. Any funds expended by any court or agency for diagnostic services shall be a proper charge against the person diagnosed or his estate or his legally responsible relatives and may be recovered and reimbursed to said court or agency by the entry of an appropriate order of reimbursement or by any other legal process available for the recovery of just debts and legal obligations.

C. 30:4A-12.  
Persons not  
required to  
submit to  
treatment.

12. Any person who indicates that he subscribes to the art of healing by prayer as practiced by any well recognized religious denomination, the principles of which are opposed to medical treatment, shall not be required to submit to medical treatment unless he, or his parent, guardian or person standing in loco parentis, consents, and shall, if he desires, receive such other treatment permitted under Title 45, chapter nine, of Revised Statutes. Any such person, however, shall be subject to all rules and regulations with reference to quarantine and isolation in case of contagious or infectious diseases and subject to physical restraint in case of emergency or violence.

C. 30:4A-13.  
Active  
treatment.

13. In addition to the diagnostic services to be rendered, the superintendent shall in his discretion arrange for active treatment of any person requiring same during the period of diagnostic observation.

C. 30:4A-14.  
Segregation  
of patients.

14. There shall be full and complete segregation of all persons admitted to the center according to their age, sex and nature of their physical and mental condition. Minors shall not come into contact with adults at the center, neither shall those already convicted of crime mix and mingle with others at the center.

C. 30:4A-15.  
Management,  
etc.

15. Except as otherwise provided for herein, the management, operation and administration of the diagnostic center and the disposition and release of all persons admitted or committed thereto, shall be in conformity with the provisions of Title 30, Revised Statutes. The State Board of Control of Institutions and Agencies shall be empowered to pro-

mulgate such reasonable rules and regulations as shall be necessary to give full force and effect to this act.

16. When the Department of Institutions and Agencies shall certify that the diagnostic center, provided for herein, has commenced to function in accordance with this act, then all commitments heretofore made under the provisions of sections 2:192-1.1 and 2:192-1.2, Revised Statutes, shall be made under this act and no further commitments shall be made under the said sections 2:192-1.1 and 2:192-1.2, Revised Statutes.

C. 30:4A-16.  
Further  
commitments  
under this act.

17. This act shall take effect on July first, one thousand nine hundred and forty-six.

C. 30:4A-17.  
Act effective.

Approved April 22, 1946.

## CHAPTER 119

AN ACT concerning the reserves of life insurance companies of this State for certain policies of life insurance, and supplementing chapter thirty-four of Title 17 of the Revised Statutes.

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

1. Subject to the approval of the commissioner, any life insurance company of this State may set up, in addition to the reserve liabilities required pursuant to section 17:34-22 of the Revised Statutes, reserves to provide for any additional liability at maturity, on the basis of rates of interest and of mortality appropriate to the valuation of annuities, on policies under which by their terms or otherwise a right has been or may be exercised to elect optional modes of settlement.

C. 17:34-22.1.  
Additional  
reserves in  
case of optional  
settlements.

Valuation  
of reserves.

The commissioner shall, at the time of the annual valuation pursuant to section 17:34-22 of the Revised Statutes, make or cause to be made a valuation of the additional reserves so set up, and shall thereupon include the amount of such additional reserves in any certification of reserves made pursuant to section 17:34-22 of the Revised Statutes, specifying the mortality table or tables and rate or rates of interest used in the calculation of such additional reserves.

Approval for  
change of basis.

The basis of such additional reserves set aside by any company at the close of any year shall not thereafter be changed to a basis producing smaller aggregate reserves except upon approval by the commissioner of the company's application therefor.

2. This act shall take effect immediately.

Approved April 22, 1946.

## CHAPTER 120

AN ACT to supplement "An act to establish a department of economic development, defining its functions, powers and duties, and providing thereby for the consolidation and co-ordination of post-war planning and activities, and making an appropriation therefor," approved April sixth, one thousand nine hundred and forty-four (P. L. 1944, c. 85); to prescribe additional duties and powers of the department of economic development with regard to building regulations; to provide for the preparation by the department of a standard building code and as to the form of ordinance or resolution by which the code may be adopted; and to provide, and make an appropriation, for the department's expenses arising under this act.

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

1. The department of economic development, through its division of planning and engineering, shall prepare a code to be known as the standard building code of New Jersey and thereafter may prepare amendments altering it or adding to it.

C. 52:27C-54.  
Standard  
building code.

2. The code, or the same as amended, shall regulate the design, construction, repair, alteration, demolition and removal of buildings and structures of every kind within such municipalities as may adopt it and shall govern such counties, state boards, departments or other State agencies as may adopt it. Provisions may be made in the code prohibiting, within certain limits, the construction, repair or alteration of buildings or structures with specified materials.

C. 52:27C-55.  
Purpose  
of code.

C. 52:27C-56.  
Adoption by  
municipality.  
Proviso.

3. Any municipality may adopt the code, and any amendments thereto, by ordinance, without incorporating the same in the ordinance; *provided*, reference is made therein to the code as the "Standard Building Code of New Jersey" or, in the case of amendments, to the section numbers and dates of the amendments. In the same manner any county, State board, department or other State agency may, by ordinance or resolution, adopt the code and amendments thereto.

Other agencies  
may adopt.

C. 52:27C-57.  
Operation  
of code.

4. The department, from time to time pursuant to such authority as may be granted it by the code and after having conducted hearings, (a) may interpret the code, (b) may investigate and prescribe tests or accept authoritative tests to determine the strength and quality of structural materials and the efficiency and safety of appliances and devices and methods of construction and may establish standards accordingly, and (c) may approve the use of structural materials, appliances, devices and methods of construction found to be efficient and safe.

C. 52:27C-58.  
Approval or  
testing cost  
paid by  
applicant.

5. Any person making application to have the department approve the use of structural materials, appliances, devices, or methods of construction, shall pay the reasonable cost of all labor, expert services, materials, appliances and testing machinery required to conduct any test or investigation of the same.

C. 52:27C-59.  
Code printed  
and filed.

6. The code, amendments and interpretations thereof and all standards for and approvals of materials, appliances, devices and methods of construction shall be printed by the department as and when adopted by it; and three copies thereof shall be filed with each of the following, the Secretary of State, the county clerk of every county and the chief clerical officer of every municipality. Other copies shall be sold at a charge to be determined by the department.

C. 52:27C-60.  
Organization  
of committee.

7. To advise the department in the performance of its duties provided by this act, the commissioner of the department shall appoint a committee, of

such number as he shall determine, to serve at his pleasure, of which one shall be a registered architect of this State, one a licensed professional engineer of this State actively practicing as a mechanical engineer, one a licensed professional engineer of this State actively practicing as a structural engineer, one a general building contractor and one an official of any municipality of this State charged with supervision over the construction of buildings therein. The members of the committee shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties. No salary.

8. The sum of twenty-five thousand dollars (\$25,000.00), or so much thereof as may be necessary, is hereby appropriated, when included in any annual appropriation act, to provide technical assistance in the drafting of the code and to defray other expenses of the department arising under this act. Appropriation.

9. This act shall take effect immediately.

Approved April 22, 1946.

## CHAPTER 121

AN ACT to amend the title of "An act to provide for guaranteed bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small business or a profession, and providing an appropriation therefor," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), so that the same shall read "An act to provide for guaranteed or insured bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small businesses or professions, and of enabling them to purchase household furnishings and household appliances required by them for use in their homes, and providing appropriations therefor," and to amend and supplement the body of said act, and to amend the title of "An act to amend and supplement 'An act to provide for guaranteed bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small business or a profession, and providing an appropriation therefor,' approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), and to repeal section fifteen of said act," approved April seventeenth, one thousand nine hundred and forty-five (P. L. 1945, c. 185), so that the same shall read "An act to amend and supplement 'An act to provide for guaranteed or insured bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small businesses or professions, and of enabling them



to purchase household furnishings and household appliances required by them for use in their homes, and providing appropriations therefor,' approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), and to repeal section fifteen of said act," and to amend the body of said act, and providing an appropriation therefor.

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

1. The title of "An act to provide for guaranteed bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small business or a profession, and providing an appropriation therefor," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), is amended to read "An act to provide for guaranteed or insured bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small businesses or professions, and of enabling them to purchase household furnishings and household appliances required by them for use in their homes, and providing appropriations therefor." Title amended.  
New title.
2. The title of "An act to amend and supplement 'An act to provide for guaranteed bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small business or a profession, and providing an appropriation therefor,' approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), and to repeal section fifteen of said act," approved April seventeenth, one thousand nine hundred and forty-five (P. L. 1945, c. 185), is amended to read "An act to amend and supplement 'An act to provide for guaranteed or insured bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small businesses or professions, and of enabling them to purchase household furnishings and household appliances re- Title amended.  
New title.

quired by them for use in their homes, and providing appropriations therefor,' approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), and to repeal section fifteen of said act."

C. 38:23B-1.  
Section  
amended.

3. Section one of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

Purpose  
of act.

1. The purposes of this act are to make it possible for certain qualified veterans to obtain: a. venture capital, at low rates of interest, which may be necessary to establish or re-establish themselves in a business or profession; and b. loans, at low rates of interest, which may be necessary to enable them to purchase household furnishings and household appliances required by them for use in their homes.

Additional  
capitalization.

4. The veterans loan authority shall have an additional capitalization of six million dollars (\$6,000,000.00), which shall be subscribed by the Treasurer of the State of New Jersey, and which is hereby appropriated out of the Post-War Reserve Account of the General State Fund or the balance held as reserve for post-war needs.

C. 38:23B-5.  
Section  
amended.

5. Section five of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

Fund held  
in trust.

5. All capital and revenues of the authority shall be held in trust in a veterans loan guaranty and insurance fund, hereinafter referred to as the "fund," to meet the obligations of the authority under this act; but any amounts in the fund in excess of the total amount of guaranteed or insured loans outstanding at any time shall be subject to such disposition as may be provided by law. Such amounts in the fund as the authority shall estimate are not needed for its current operations shall be invested and re-invested by the State Treasurer in such obligations as are legal for savings banks of this State.

6. Section eight of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 38:23B-8.  
Section  
amended.

8. A veteran may apply to any bank for a loan under the provisions of this act. Any veteran, otherwise eligible for a loan pursuant to the provisions of this act, who is under the age of twenty-one years, is hereby empowered to enter into and contract for a loan or loans subject to the provisions of this act; *provided, however*, and notwithstanding any contrary provisions of law, such veteran shall not void such contract because of his age, nor shall such veteran hereafter interpose the defense that he is, or was at the time he entered into such contract, a minor in any action or proceeding arising out of any loan pursuant to the provisions of this act.

Veteran may  
apply for loan.

Proviso.

7. Section nine of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 38:23B-9.  
Section  
amended.

9. Any application for a business loan made under this act shall be submitted to the commissioner for his approval. The commissioner shall approve the application only if he finds that:

Application  
for business  
loan, approval.

a. The purpose of the loan is to establish or re-establish one or more veterans in a business, including any agricultural pursuit, or profession; and

b. The applicant has training or experience in the business or profession described in the application, or is otherwise qualified; and

c. The amount of the loan would not exceed the maximum amount reasonably necessary to start in the business or profession or three thousand dollars (\$3,000.00), whichever is less; and

d. The ability and experience of the veteran, and the conditions under which he proposes to pursue such business or profession are reasonably favorable for the successful liquidation of the loan.

C. 38:23B-9.1.  
Household  
loan applica-  
tion, approval.

8. Any application for a loan to finance the purchase of household furnishings or household appliances, or both, made under this act shall be submitted to the commissioner for his approval. The commissioner shall approve the application only if he finds that:

a. The purpose of the loan is to finance the purchase by the applicant of specific household furnishings or household appliances, or both; and

b. Such household property is required by the applicant for use in his home; and

c. The amount of the loan would not exceed the maximum amount reasonably necessary to purchase such household property or one thousand dollars (\$1,000.00), which ever is less; and

d. The conditions under which the applicant proposes to finance the purchase of such household property are reasonably favorable for the successful liquidation of the loan.

C. 38:23B-12.  
Section  
amended.

9. Section twelve of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

Business loan.

12. Each business loan made under this act shall:

Note evidenc-  
ing loan.

a. Be evidenced by a note or other obligation approved by the commissioner.

Rate.

b. Bear interest at a rate not exceeding four per centum (4%) per annum upon the unpaid balance.

Payable.

c. Be payable as follows:

(1) In monthly or quarterly installments of interest, the first of which shall be payable not less than six months after the making of the loan and the last of which shall be payable not exceeding six years from the date of the obligation; and

(2) In monthly or quarterly installments of principal, the first of which shall be payable not less than twelve months

after the making of the loan and the last of which shall be payable not exceeding six years from the date of the obligation; except, however, that any veteran at his option, may, on such form as the commissioner shall prescribe, waive the grace period, or any part thereof, herein provided him for the payment of the first installment of interest, or the grace period, or any part thereof, herein provided him for the payment of the first installment of principal, or both.

d. Be secured only by the personal liability of the maker, and not by any endorsers, co-makers, collateral or other security; except that where the maker is married endorsement of the spouse shall be required, and where the loan, or any part thereof, is made to finance the purchase of any specific property (used in the business or profession) a lien on such property shall be required. Security.

10. Each loan to finance the purchase of household furnishings or household appliances, or both, made under this act shall: C. 38:23B-12.1.  
Household  
loan.

a. Be evidenced by a note or other obligation approved by the commissioner. Note evidencing loan.

b. Bear interest at a rate not exceeding four per centum (4%) per annum upon the unpaid balance. Interest rate.

c. Be payable in monthly or quarterly installments of principal and interest, the first of which shall be payable not less than three months after the making of the loan and the last of which shall be payable not exceeding two years from the date of the obligation; except, however, that any veteran at his option, may, on such form as the commissioner shall prescribe, waive the grace period, or any part thereof, herein provided him for the payment of the first installment of principal and interest. Payable.

Security.

d. Be secured only by the personal liability of the maker, and not by any endorsers, co-makers, collateral or other security; except that a lien on the property purchased with the proceeds of the loan shall be required, and where the maker is married endorsement of the spouse shall be required.

C. 38:23B-13.  
Section  
amended.

11. Section thirteen of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

Cost.

13. The entire cost to the borrower of making any loan, regardless of amount, shall be included in a single charge of ten dollars (\$10.00) for all costs, exclusive of interest, of which two dollars (\$2.00) shall be paid by the bank to the authority; except, however, that whenever any veteran's loan is, under the provisions of this act, required to be secured by a lien on property purchased with all or part of the proceeds of such loan, an additional amount, not to exceed a maximum amount which shall be prescribed by the commissioner, may be charged to the borrower to defray the expenses incurred in connection with the making of the instrument creating the lien, including search fees and recording fees.

C. 38:23B-14.  
Section  
amended.

12. Section fourteen of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

Loan for less  
than six years.

14. Subject to such rules and regulations as the commissioner may prescribe, any veteran's loan heretofore or hereafter made under and pursuant to the provisions of this act for a period of less than six years may be extended or refinanced in the discretion of the bank without affecting the obligation of the authority hereunder; *provided*, provision is made for complete discharge of the obligation, and interest thereon, not later than six years from the date of the original loan. Except as the commissioner may prescribe in the terms of any instrument creating a lien required under the provisions of this act, installments may not be accelerated.

Proviso.

Installments  
not accelerated.

ated on any veteran's loan unless the loan is more than three months in arrears. A loan may be reduced at any time in the option of the borrower.

Reduction  
of loan.

13. Any bank which has heretofore elected, pursuant to the provisions of section eight of chapter one hundred eighty-five of the laws of one thousand nine hundred and forty-five, to have its approved veterans' loans guaranteed by the authority in accordance with the provisions of section ten of said chapter one hundred eighty-five of the laws of one thousand nine hundred and forty-five, may at any time elect to have all of its approved veterans' loans then outstanding and all approved veterans' loans thereafter to be made by it insured in accordance with the provisions of section nine of said chapter one hundred eighty-five of the laws of one thousand nine hundred and forty-five. Notice of such election shall be made on such form as the commissioner shall prescribe.

C. 38:23B-14.2a.  
Bank may  
have veterans'  
loans insured.

14. The sum total of all reserve funds set aside by the authority in accordance with the provisions of section nine of chapter one hundred eighty-five of the laws of one thousand nine hundred and forty-five, together with such amount as the commissioner may set aside, out of the veterans guaranty and insurance fund, to meet the payment by the authority of approved veterans' notes submitted to it for purchase in accordance with the provisions of section ten of chapter one hundred eighty-five of the laws of one thousand nine hundred and forty-five, shall in no event be less than twenty per centum (20%) of the total face amount of all approved veterans' loans from time to time outstanding.

C. 38:23B-14.4a.  
Reserve not  
to be less  
than 20%.

15. Section eleven of chapter one hundred eighty-five of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 38:23B-14.5.  
Section  
amended.

11. The total amount of guaranty and insurance liability of the authority which may be outstanding at any time shall in no event exceed the sum of eleven million dollars (\$11,000,000.00).

Total amount  
of guaranty.

16. Section eighteen of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 38:23B-18.  
Section  
amended.

Counselors.

18. The commissioner shall, through the business counselors, consult with veterans applying for loans for the purpose of approving or disapproving such loans. Business counselors shall from time to time visit the place of business or profession of veterans using business loans under this act, and shall supervise the uses of such loans, advise and assist the veteran with respect to the business or profession, and perform such other duties as the commissioner may delegate to them.

C. 38:23B-19.  
Section  
amended.

17. Section nineteen of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

Limited to  
one loan.

19. For either one of the purposes set forth in section one of this act, no veteran shall accept more than one loan under the provisions of this act, regardless of the amount of such loan, except that a veteran who has received a veteran's loan for less than the maximum amount of the loan to which he may be entitled for such purpose under this act, and who is otherwise eligible for a veteran's loan, may apply for and receive a second veteran's loan for such purpose. In such application the veteran shall disclose that it is for a second veteran's loan for such purpose, and the bank making such loan shall make certain that any unpaid portion of the first loan is paid in full, both as to principal and interest, from the proceeds of such second veteran's loan. In no event shall any veteran receive more than four veterans' loans under the provisions of this act, of which not more than two, totalling not more than three thousand dollars (\$3,000.00), shall be for the purpose of establishing or re-establishing himself in a business or profession, and not more than two, totalling not more than one thousand dollars (\$1,000.00) shall be for the purpose of financing the purchase of specific household furnishings or household appliances, or both, required by him for use in his home.

C. 38:23B-21.  
Section  
amended.

18. Section twenty-one of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:



21. This act shall be known as the Veterans' Loan Act (1944). Veterans' loan act (1944).

19. There is hereby appropriated to the Department of Economic Development, out of the income of the veterans loan guaranty and insurance fund, the sum of twenty-one thousand dollars (\$21,000.00), or so much thereof as shall be necessary, to defray the additional administrative expenses required by the provisions of this act. Appropriation.

20. This act shall take effect immediately.

Approved April 22, 1946.

## CHAPTER 122

AN Act to provide for the registration and voting in certain elections of certain persons who are or have been in the military or naval service, and supplementing Title 19 of the Revised Statutes.

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

1. Any person in the military or naval service or any person who has been released or discharged therefrom, since the last general election, under conditions other than dishonorable, and who is not permanently registered pursuant to Title 19 of the Revised Statutes shall be entitled to vote in any election in the district in which he actually resides upon presenting himself to the district board of elections holding such election in such district; *provided*, he make proof to such district board of election that he resides in such election district, that he possesses the qualifications of an elector, as required by the Constitution of the State of New Jersey, and that he is presently in the military or naval service, or by presenting his certificate of service or discharge or a photostatic copy thereof to such board, that he has been released or discharged therefrom under conditions other than dishonorable. Veteran entitled to vote. Proviso.

District board  
to register  
veterans.

2. Such district board of elections shall upon such proof being submitted thereupon register such voter in the same manner as persons are permanently registered in accordance with Title 19 of the Revised Statutes upon permanent registration form provided by the commissioner of registration of the county in which such voter actually resides and after so permanently registering him shall permit him to vote at such election.

Permanent  
registration  
forms  
furnished.

3. For the purpose of this act and under no other circumstances the commissioner of registration of the several counties shall furnish each district election board with enough permanent registration forms to meet the requirements of this act.

Forms  
returned.

4. Upon the closing of the polls on any election day, each district board of elections shall forthwith return to such commissioner of registration the permanent registration forms of all voters registered under this act together with all such permanent registration forms, so furnished to it, which remain unused or which have been spoiled.

False state-  
ments, etc.,  
and non-  
compliance  
with act a  
misdemeanor.

5. Any person who shall permanently register or shall participate in the permanent registration of any person in the military service who does not actually reside in the election district from which he is so registered or who permanently registers or participates in the permanent registration of anyone other than a person entitled to permanently register under this act, or any person required by this act, so to do, who does not forthwith return any permanent registration form, whether the same be used, unused or spoiled, to the commissioner of registration furnishing the same, or any person who makes any false statement or submits any false proof to any member of any district board of election for the purpose of being permanently registered in order to vote in any election shall be guilty of a misdemeanor.

Act  
inoperative.

6. This act shall take effect immediately but shall become inoperative after July first, one thousand nine hundred and forty-six.

Approved April 22, 1946.

## CHAPTER 123

AN ACT relating to the establishment of sewerage districts in first- and second-class counties, the creation of Sanitary Sewer District Authorities by the establishing of such districts, prescribing the powers and duties of any such authority and of other public bodies in connection with the construction of sewers and sewage disposal facilities in any such district, and providing the ways and means for paying the costs of construction and operation thereof.

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

1. Whenever any river or stream flows in, through or along the territory of any first- or second-class county and the natural drainage area of such river or stream within the county includes the territory of more than one municipality in the county and such river or stream is subject to pollution to such degree that, in the judgment of the board of chosen freeholders of the county, the pollution thereof is, or is likely to become, a threat to the public health of the communities within such drainage area, the board of chosen freeholders of such county hereby is authorized and empowered to establish, by resolution, a sewerage district for the purpose of protecting such river or stream from pollution in the county, which district shall consist of the territory of such municipalities, within the county, lying in whole or in part within the natural drainage area of such river or stream, within the county, as the board, in its judgment, shall determine to be practical and convenient to include within such district for such purpose by designation in such resolution, and of the territory of such other municipalities of the same character as may

C. 40:36A-1.  
May establish  
sewerage  
district.

Name district.	from time to time thereafter be included in such district by subsequent resolution or resolutions of such board of chosen freeholders. A resolution establishing a sewerage district shall designate an identifying name for such district.
Resolution entered and filed.	Any resolution adopted under the provisions of this act by a board of chosen freeholders shall be entered upon the minutes of said board and a copy of the same, certified by the clerk of the board, under the seal of the county, shall be filed in the office of the county clerk of the county wherein such district is situate and an additional copy so certified shall be filed with the State Department of Health.
C. 40:36A-2. Sanitary sewer district authority created.	2. Whenever in any such county a sewerage district is established under the provisions of this act a Sanitary Sewer District Authority shall thereby be created for such district to be known as the "_____County_____Sanitary Sewer District Authority" inserting the name of the county whose board of chosen freeholders established such district and the name designated by the said board to identify the district. Whenever "the county" is hereinafter referred to "the county" shall mean the county whose board of chosen freeholders established the sewerage district. Whenever an "authority" or the "authority" is hereinafter referred to "authority" shall mean a Sanitary Sewer District Authority of a county created as provided by this act.
Use of terms.	A sewerage district whenever established shall be deemed to be the district of the authority created by the establishment of the district.
District of authority.	An authority shall consist of five members (hereinafter sometimes referred to as "commissioners") who shall be appointed by the board of chosen freeholders of the county.
Members of authority.	The commissioners first to be appointed shall be appointed at, or immediately following, the time of the adoption of the resolution establishing the sewerage district.
Appointment of commissioners.	

The commissioners first appointed shall hold office, one for one year, one for two years, one for three years, one for four years and one for five years. Upon the expiration of the term of office of any commissioner, his successor shall be appointed by the board of chosen freeholders of the county for the term of three years. Any vacancy occurring by death, resignation or otherwise, shall be filled for the unexpired term only, in the same manner in which the original appointment was made.

Terms.

Vacancies.

3. The members of an authority shall be resident voters within its sewer district, and shall each take an oath of office, which shall be filed with the clerk of the board of chosen freeholders of the county and may each receive an annual salary, fixed as provided in this section, payable in equal monthly installments, and they shall receive no other compensation for such duties than that herein provided. Until the beginning of the second fiscal year of an authority, as determined by section forty-four, the salaries, if any, of the members of an authority shall be fixed annually for a period of not more than one year by the board of chosen freeholders of the county. In January of such second fiscal year, said board shall fix such salaries, if any, for the unexpired term of office of such members, and thereafter the salary, if any, of each member, for his term of office, shall be fixed by said board at the time of his appointment. Such salaries, if any, shall be paid by the authority. An authority may reimburse its members for necessary expenses incurred in the discharge of their duties.

C. 40:36A-3.  
Qualifications,  
oath and  
salaries.

4. Any member of an authority may be removed for cause by the board of chosen freeholders of the county, after notice and hearing, and no member shall continue to serve as a member unless he continues to be a resident voter within the sewer district.

C. 40:36A-4.  
Removal of  
member.

5. No member of an authority shall be directly or indirectly interested in any contract made under the provisions of this act, nor in the furnishing of

C. 40:36A-5.  
Members not to  
have interest in  
contracts, etc.

materials or supplies therefor to any person or corporation, nor in the furnishing of security for the performance of any such contract. If at any time it shall appear to the satisfaction of the board of chosen freeholders of the county that any member of an authority is violating or has violated the provisions of this section, either directly or indirectly or by reason of ownership of stock in any corporation, or that he is the owner of any lands or rights and interests in lands taken or to be taken and used in or for any construction under the provisions of this act, or is a stockholder in any corporation owning or leasing such lands, or rights and interests in lands, it shall be the duty of the board of chosen freeholders to remove such member of the authority forthwith, and all contracts made by an authority wherein any such member shall have been interested, directly or indirectly, as aforesaid, shall thereupon be voidable at the option of the authority, and payments on account thereof may be stopped by the authority; *provided, however*, that the residence of any member of an authority in, or his capacity as any official or officer in the government of, or his liability to pay taxes, assessments or other charges to, the State, or any political subdivision thereof, or any like facts or circumstances, shall not be deemed to make him interested within the meaning, terms and provisions of this section.

Contracts  
voidable.

Proviso.

C. 40:36A-6.  
Annual meet-  
ing and  
organization.

6. An authority shall, at the earliest practicable time after the appointment of its first members, and annually thereafter, meet and organize by the election of a chairman and a vice-chairman who shall be members of the authority and shall serve for the current year and until their respective successors are appointed.

C. 40:36A-7.  
Quorum.

7. Three members shall constitute a quorum for the transaction of business at any meeting of an authority, and the affirmative vote of three members shall be necessary for the taking of any action. The meetings of an authority shall be public. An authority may adopt by-laws and rules and regu-

Meetings  
public.

By-laws.

lations for the conduct of its business and meetings, and shall cause full records to be kept of its proceedings, which shall be open to public inspection on reasonable notice, and at reasonable times.

8. An authority shall appoint a secretary and a treasurer and may appoint such assistant officers as may be necessary, none of whom shall be a member of the authority. Each of said officers shall give bond to the authority, conditioned for the faithful performance of his duties of his office, in such sum and with such surety as the authority may approve, and shall perform such duties as the authority may prescribe.

C. 40:36A-8.  
May appoint a secretary and a treasurer.

Bond.

9. The term of office of a secretary shall be three years. He shall keep a record of all the proceedings and transactions of the authority and shall have charge of the seal of the authority and shall affix it to such instruments as shall be designated by the authority. He shall prepare the annual report of the authority and perform such other duties as the authority may from time to time require. He shall receive an annual salary to be fixed and determined by the authority.

C. 40:36A-9.  
Secretary's term and duties.

Salary.

10. The term of office of a treasurer shall be three years. He shall have charge and custody of all moneys and securities received, owned or held by the authority. He shall keep an accurate record and account of the receipts, disbursements and deposits of all such moneys and securities and shall invest, deposit, dispose of, disburse and pay out the same at such times and in such manner as the authority may direct by written resolution and under such rules and regulations as it may from time to time establish. He shall receive an annual salary to be fixed and determined by the authority.

C. 40:36A-10.  
Treasurer's term and duties.

Salary.

11. An authority may appoint one person to act as both secretary and treasurer, who shall receive such compensation as may be fixed and determined by the authority.

C. 40:36A-11.  
Secretary-treasurer.

12. The chairman shall preside at all meetings of an authority, and shall, with the treasurer, sign all checks, drafts, notes, requisitions of funds, con-

C. 40:36A-12.  
Chairman's powers and duties.

Disposition  
of receipts.

Disbursements.

Investments.

C. 40:36A-13.  
Designation  
of depository.

tracts and other agreements and obligations of the authority. In the absence or incapacity of the chairman, the vice-chairman shall for the time being have all the powers and perform all the duties of the chairman. Any moneys of an authority may be deposited with the State Treasurer, as agent of the authority, who shall receive such moneys and shall not commingle such moneys with any other moneys whatsoever, and shall pay the same out on requisition of the authority. No disbursements shall be made, except upon the affirmative vote of three members of the authority. All disbursements by an authority shall be by check, signed by both the chairman and treasurer. In the absence or incapacity of the secretary or treasurer, and at such other times as an authority may prescribe or approve, some other person shall be designated by an authority to act as such secretary or treasurer who shall have all the powers and perform all the duties of the secretary or treasurer.

An authority may invest any of its moneys in securities of the United States Government having a maturity of less than five years from the date of purchase of such securities.

13. An authority may select, as depository or depositories wherein all public moneys and other funds of the authority shall be deposited, any bank organized under the laws of the United States, having its place of business in this State, or any bank or trust company organized under the laws of this State. The designation of such depository or depositories shall be by resolution of the authority. An authority or any of its employees charged with custody of such public funds shall thereafter, in accordance with the resolution provided aforesaid, deposit such funds or other moneys belonging to the authority, only in the depository or depositories so named, and upon so depositing in good faith such funds or moneys such employee shall be relieved of any liability for loss of such funds or moneys which may be due to the insolvency or closing of such depository or depositories.



14. An authority shall at all times keep or cause to be kept full and accurate accounts of its receipts and expenditures, and of its resources and liabilities, and shall prepare or cause to be prepared detailed annual statements thereof, and shall employ the services of the Division of Local Government of the State Department of Taxation and Finance or of a competent registered municipal accountant, who is also a certified public accountant of New Jersey, to audit, annually, the books, accounts and statements of the authority, and shall cause copies of said annual audits, when completed, to be preserved as part of its permanent records and shall transmit certified copies of such audits to the board of chosen freeholders of the county.

C. 40:36A-14.  
Record of  
receipts and  
expenditures.

Annual  
statement.

15. The members of an authority, the secretary and treasurer and the sureties on their bonds, shall be liable to any interested person or body in the same manner and to the same extent as are the members and officers of any public body, and the sureties on their bonds.

C. 40:36A-15.  
Liability  
on bonds.

16. An authority may employ counsel to serve at its pleasure and may fix a reasonable compensation for his services.

C. 40:36A-16.  
Counsel.

17. An authority shall have power to hire and furnish with suitable equipment, the necessary office facilities for the transaction of its business; to employ all necessary clerical assistance and the services of such agents, employees, workmen and servants as it may deem necessary or proper; to fix and determine the duties and compensation of persons employed by it, and to remove or discharge such persons, or any of them, at pleasure.

C. 40:36A-17.  
Offices and  
clerical  
assistants.

18. An authority shall have power, in its discretion, to engage, or to contract for, the services of competent engineers or engineering firms, and to do all other acts and things as may in the judgment of the authority be necessary or proper to effectuate and carry out the plans and purposes of this act, but such contract and employment shall not be for a longer period of time than five years; *provided, however*, that this provision shall not

C. 40:36A-18.  
May hire  
engineers.

Proviso.

preclude an authority from extending any such contract and employment for additional periods of not exceeding five years each from the date of each such extension.

C. 40:36A-19.  
Corporate  
powers.

19. An authority shall be a body politic and corporate, with perpetual succession as a governmental instrumentality for the purpose, among others, of the protection of the public safety, health and welfare, with power to sue and be sued, to adopt and use a corporate seal, to borrow money or contract debt, to issue negotiable bonds, and to provide for the rights of the holders thereof, and with the right, power and authority to acquire, use, hold and dispose of all property, real and personal, and to make and perform all contracts and do all acts and things and with all other powers proper or necessary to design, finance, construct, acquire and operate as hereinafter provided, such a system of trunk, intercepting and outlet sewers, pumping and ventilating stations, treatment plants and other plants and structures (hereinafter sometimes referred to as the "district sewer system") as in its judgment will provide the most effectual and advantageous plan or method for relieving any river, and its tributaries and other streams, whether navigable or otherwise, within its sewer district, from pollution and for preventing pollution of the same, and for carrying out and effectuating the purposes and plan herein provided for. The word "sewage" when used in this act shall be deemed to include industrial wastes and other matter having a tendency to pollute streams and water-courses when discharged therein.

Sewerage  
defined.

C. 40:36A-20.  
Bonds and  
obligations  
solely a debt of  
the authority.

20. An authority shall be a separate corporate entity, and the bonds and other obligations of an authority shall not be in any way a debt of the State or of any county or municipality, and shall not create any indebtedness or obligation, either legal, moral or otherwise, of the State or of any county or municipality, nor shall the State or any county or municipality be liable thereon, nor shall such bonds or other obligations be payable out of

any funds other than those of the authority, and nothing in this act contained shall be construed to authorize an authority to incur any indebtedness on behalf of or in any way to obligate the State or any county or municipality, except to the extent, if any, provided in any contract entered into by any municipality, pursuant to the provisions of this act.

21. Whenever in any such county a sewerage district is established under the provisions of this act the board of chosen freeholders of the county shall not establish another sewerage district which will be competitive with the district sewer system of the district first established and the State of New Jersey for itself and the county wherein the sewerage district is established does pledge to and agree with the holders of any bonds authorized to be issued pursuant to this act, that neither the State nor the county will establish such a competitive sewerage district or system and that neither the State nor the county will authorize the construction or maintenance of any system of trunk, intercepting and outlet sewers, pumping and filtering stations, works or other plants, or structures, which will be competitive with a district sewer system of an authority under this act, nor limit or alter the rights hereby vested in an authority or in any municipality to make, perform and enforce contracts entered into pursuant to this act, so as to produce sufficient revenue to meet the expense of maintenance and operation of such a district sewer system and to fulfill the terms of any agreements made with the holders of such bonds, or in any way impair the rights and remedies of such holders until the bonds, together with interest thereon, and with interest on any unpaid installment of interest, and all costs and expenses in connection with any actions, suits or proceedings by or on behalf of such holders, are fully met and discharged. Nothing in this section or act, or done pursuant thereto, shall, however, affect or limit in any way the rights or powers of the Passaic

C. 40:36A-21.  
Not to establish  
competitive  
system.

Not to affect.

Valley Sewerage Commissioners or the rights or powers of any municipality, any part of which is situated and lies within the natural drainage area of the Passaic River or its tributaries, to enter into and perform contracts with such commissioners, or be deemed to prohibit any municipality or municipalities, which shall not have entered into a contract for sewage disposal with the authority, as herein set forth, from constructing its or their own sewage disposal plant, plants or joint plants in accordance with the provisions of section twenty-eight.

C. 40:36A-22.  
May contract  
with adjacent  
authorities.

22. An authority may enter into contract with adjacent authorities, commissions, counties or other similar bodies, to convey to a point of treatment and to treat the sewage of said bodies or to have said bodies convey to a point and to treat the sewage of said authority, whenever a plant of joint action is found to be necessary and proper by an authority.

C. 40:36A-23.  
Authority's  
powers and  
responsibilities.

23. An authority shall have full power, authority and responsibility to do or to cause to be done, all acts and things necessary or proper in the designing, financing, construction, acquisition, maintenance and operation of its district sewer system, as authorized by this act, including but in no way limited to the negotiation and execution of all the various contracts hereinafter mentioned, the preparation of estimates, designs, working drawings and forms of contracts for construction work and permanent record drawings of completed construction work and property acquired, the supervision of all engineering and construction work, and the management and direction of the forces engaged in the construction or operation of its sewer system.

C. 40:36A-24.  
Right of  
entry.

24. In the performance of the duties imposed upon it by law, an authority may, by its experts, engineers, officers, agents, employees, workmen and servants, enter at all times upon any lands or waters public or private, and make such reasonable use thereof as the authority may deem necessary

or proper. Nothing contained in this act shall authorize the authority to take property and to disturb facilities belonging to a common carrier engaged in interstate commerce unless provision is made for the restoration, relocation or duplication of such facilities elsewhere at the sole cost of the authority.

Not to disturb existing facilities.

25. Whenever any work or labor to be done or materials or supplies to be purchased for the construction or operation of a district sewer system or any part thereof of an authority under this act shall involve the expenditure of a sum of money exceeding one thousand dollars (\$1,000.00), the authority shall prepare and file in its office particular and detailed specifications of and a form of contract for such work, labor, materials or supplies, and shall cause notice thereof and of the time when the authority will meet at its office or designated place of business to receive and consider proposals in writing to enter into a contract with the authority for the performance of such work and labor or the furnishing of such materials and supplies, to be given by advertisement inserted and published at least ten days before the time of such meeting in at least two newspapers, one of which shall be published and printed in the county seat of the county. All proposals so received shall be publicly opened by the authority at the time and place designated in such notice, and the contract shall be awarded to the lowest responsible bidder. All persons or corporations entering into a contract with an authority, as provided in this section, may, in the discretion of the authority, be required to give bond to the authority for the full and faithful performance of such contracts, in such penal sum and with such good and sufficient surety or sureties as the authority may approve.

C. 40:36A-25.  
Bids for labor and material.

Proposals publicly opened.

Bond at discretion of authority.

26. Before construction of any kind whatsoever is commenced under any contract or otherwise, the plans and specifications for such construction shall be submitted to the State Board of Health for approval as a sanitary measure, and a permit shall

C. 40:36A-26.  
Approval of plans by State board of health.

be obtained from said department to proceed with the work. A reasonable portion of any contract price for the construction of any work shall be retained by an authority until such work has been completed, and the final payment to the contractor shall not be made until such construction shall receive the approval of the State Board of Health has to its condition and prospective sanitary operation.

C. 40:36A-27.  
Requirements  
of contractors.

27. An authority may require any and all contractors to conform to such regulations as it may impose with regard to the kind and quality of materials to be furnished, the kind of labor to be employed, and the hours of such employment, and other similar matters, including any and all such requirements which may be imposed by any agency of the Federal or State Government or any other individual, corporation or institution in connection with the purchase of any bonds or other obligations issued pursuant to this act, or any grant made by such agency to an authority.

C. 40:36A-28.  
Limits  
contracts.

28. After the appointment of the members of an authority no municipality in its sewer district shall enter into a contract or other agreement for the construction or operation of a sewage disposal plant or any other sewerage facilities for the use of more than one municipality, except with the prior written consent and approval of the authority; *provided, however*, that the foregoing provision may be changed by law and shall not prohibit contracts with the Passaic Valley Sewerage Commissioners.

Proviso.

C. 40:36A-29.  
Project report.

29. An authority shall with all practicable speed prepare or cause to be prepared a project report together with maps, designs and costs and other estimates, which shall show a proposed plan or method of construction of its district sewer system. In its discretion, an authority may defer consideration of and action regarding parts of its district sewer system. In such event, it may proceed under this act with action regarding and consideration and completion and operation of the remaining part

or parts, and, as used in this and following sections of this act, the term "district sewer system" shall mean such remaining part or parts.

30. Any project report, maps, designs and estimates provided for in the preceding section shall also show:

C. 40:36A-30.  
Contents of  
project report:

(a) The location and route of the proposed district sewer system, including trunk, intercepting and outlet sewers, treatment plants, pumping stations and other plants and structures.

Location  
and route;

(b) The location and route of existing sewer systems, treatment plants and like plants and structures, within the said sewer district, and proposed points of connection thereof, with the proposed district sewer system.

Location and  
route of exist-  
ing systems;

(c) Records or estimates of the volume of the amount of sewage which could advantageously be discharged into the proposed district sewer system by each and every existing municipal or private sewer system within the said district.

Estimates  
of volume;

(d) An estimate of a specified minimum percentage of the volume of sewage estimated pursuant to subdivision (c) of this section, the annual discharge of which into the proposed district sewer system in the judgment of the authority must be assured, in order to make possible and advisable the advantageous and economical construction and operation of the proposed district sewer system and the financing of the same, according to the plan and purpose of this act.

Estimate of  
minimum  
percentage of  
volume;

(e) Detailed estimates of the cost of the construction of the proposed district sewer system which said cost shall include: (1) All sums estimated by the authority be required for the payment of interest accruing prior to the first fiscal year as hereinafter defined, on indebtedness incurred for or in connection with such construction; (2) The cost of the issuance and sale of bonds authorized to be issued pursuant to this act; (3) All expenses incurred or to be incurred by the authority in preparing such project report; (4) The cost of all construction of the proposed district

Detail estimate  
of cost;

sewer system, the acquisition of all rights-of-way, all costs and expenses for operating and maintaining the authority and sewer system from the date of its inception to the beginning of its first fiscal year as set forth in section forty-four hereof.

Estimate  
of money  
required;

(f) **Estimates and schedules** of the sums of money deemed by the authority to be required in each and every year during the first forty years from the estimated time for the commencement of operation of the district sewer system, for the payment of principal and interest of the bonds authorized to be issued pursuant to this act, and for the cost and expense of the operation, maintenance, depreciation and repair of the district sewer system.

Estimate and  
schedule  
of rates;

(g) Estimates and schedules calculated as hereinafter provided, of such rates to be charged in each year and to be paid to the authority as shall be amply sufficient, together with the sums previously so paid to or otherwise received for the same purpose by, and remaining unexpended in the hands of the authority, to raise the sums of money required by the authority for at least the first ten fiscal years, as defined herein, as shown by the estimates and schedules prepared in pursuance of subdivision (f) of this section.

Other  
information.

(h) Such other information as the authority shall deem necessary.

C. 40:36A-31.  
To supply  
copies of  
report.

31. An authority shall supply copies of any project report to the board of chosen freeholders of the county.

C. 40:36A-32.  
Approval of  
project report.

32. An authority shall submit a copy of any project report to the State Board of Health for approval of a proposed district sewer system as therein described as a sanitary measure.

C. 40:36A-33.  
May enter  
into contracts.

33. An authority may negotiate and enter into contracts, in the form and with the force and effect provided in sections fifty, fifty-one, fifty-two and fifty-three of this act, with municipalities within its sewer district and with private sewer companies operating therein and may negotiate and enter into like contracts with any other municipality or any



private sewer company which may be discharging sewage directly or indirectly into any river or its tributaries and which might advantageously use the facilities of a proposed district sewer system, and may negotiate and enter into like contracts with persons or corporations engaged in public or private industry (herein called "industry" or "industries") within its sewer district who or which shall be discharging into any river or its tributaries any sewage which cannot conveniently be disposed of through the sewer system of any municipality or private sewer company. Nothing in this act shall be construed to prohibit any municipality which has not entered into a contract with an authority, as herein provided, from constructing its own sewerage disposal plant for its own sole use.

Construing.

34. When and if an authority shall have entered into contracts with municipalities and private sewer companies pursuant to the next preceding section and section fifty of this act which in its judgment will assure the annual delivery and discharge into its district sewer system of an amount of sewage equal to or in excess of the amount of sewage estimated in a project report in accordance with subdivision (d) of section thirty of this act, such authority shall with all practicable speed commence and proceed with the construction and acquisition of its district sewer system.

C. 40:36A-34.  
May proceed  
with con-  
struction, etc.

35. An authority shall have full discretion in the determination of the size, capacity, route and location of all trunk, intercepting and outlet sewers, pumping and filtering stations, treatment plants or works or other plants and structures, and is hereby empowered to proceed with the construction or acquisition or both, of its district sewer system, and to commence the operation thereof, in such sections or parts of the whole and at such time or times as such authority may deem proper or expedient and consistent with the plan or purpose of this act.

C. 40:36A-35.  
Authority  
granted full  
discretion to  
locate system.

36. An authority shall have full power and authority in its name to acquire, by purchase, gift,

C. 40:36A-36.  
Acquisition  
of land.

Right of  
eminent  
domain.

grant, or devise, lands and rights or interest in lands, within its sewer district, which may be deemed by such authority necessary for the construction of any sewers, pumping or filtering stations, treatment plants or works or other plants and structures and the necessary appurtenances thereto, authorized by this act. An authority shall have full power and authority to acquire such lands or rights and interests in lands by condemnation, in the manner provided by chapter one of the Title, Eminent Domain of the Revised Statutes (R. S. 20:1-1 et seq.); and upon the filing of a petition pursuant to said chapter may enter upon and take property in advance of making compensation therefor when for any reason it cannot acquire the property by agreement with the owner.

C. 40:36A-37.  
Authorized to  
proceed with  
construction.

37. An authority shall have full power and authority in its discretion, at any time, and from time to time, after it has become authorized under this act, to proceed with the construction of its district sewer system, or any part or unit thereof.

C. 40:36A-38.  
Title vested  
in authority.

38. The title to all property, real and personal, acquired by an authority to effecuate the purposes of this act shall be vested in such authority. All property acquired by an authority for the purposes of this act shall be exempt from municipal, county and State taxes.

Tax exempt.

C. 40:36A-39.  
May install  
meters.

39. An authority may provide and install meters or other approved devices for measuring the flow of all sewage which shall be delivered and discharged into its district sewer system and may install such meters or other devices at the points of such delivery and discharge.

C. 40:36A-40.  
Contract with  
users of  
system.

40. Each municipality, private sewer company or industry which shall enter into a contract with an authority as provided in section fifty of this act shall, upon notice from such authority, permit its sewer or drainage system or the outfall thereof to be connected with the district sewer system of such authority at such point or points as the authority may designate, the said connection to be so made or constructed as to deliver and discharge into such

district sewer system the sewage arising within or collected or caused by such municipality, private sewer company or industry, as the case may be.

41. Upon the acquisition or completion and acceptance of any sections or parts of a district sewer system of an authority under this act the authority shall, as soon as may be practicable, cause the same to be put into operation, and shall operate, repair and maintain its district sewer system and any additions thereto and extensions thereof so as to effectuate and carry out the plan and purposes of this act.

C. 40:36A-41.  
Sections to  
be put into  
operation.

42. An authority shall make and keep permanent records of the amounts of sewage delivered and discharged into its district sewer system by each municipality, private sewer company and industry, during the period beginning at the commencement of operation of its said system and ending on the last day of the next ensuing month of December, and, during every yearly period thereafter, beginning on the first day of January and ending on the last day of the following December.

C. 40:36A-42.  
Records kept.

43. After the commencement of operation of a district sewer system of an authority under this act the authority may prescribe and change from time to time rates to be charged for the discharge and disposal of sewage through its district sewer system. Said rates shall be prescribed and from time to time revised as hereinafter provided, so that an authority and its district sewer system shall be and always remain self-supporting with earnings sufficient to provide for all expenses of operation, maintenance, depreciation and repair and the payment of the principal and interest of any bonds issued or to be issued pursuant to this act, so as to prevent the accrual of any deficit. Such rates being in the nature of use or service charges, shall be uniform throughout a district for the same type, class and amount of use or service of a district sewer system and shall be based upon the total annual volume of sewerage from each municipality, private sewer company or institution; but may give

C. 40:36A-43.  
May prescribe  
and change  
rates.

Rates uniform.

weight to the characteristics of the sewage and other wastes and any other special matter affecting the cost of treatment and disposal thereof, including chlorine demand, biochemical oxygen demand, concentration of solids and chemical composition.

C. 40:36A-44.  
Fiscal year.

44. The first fiscal year of an authority shall begin on the day estimated by the authority as the day upon which its district sewer system or any part or unit thereof will be completed and put into operation and end on the last day of December following. Each fiscal year thereafter shall begin on the first day of January.

C. 40:36A-45.  
Rates to be  
calculated  
on or before  
January 15th  
of each year.

45. On or before the fifteenth day of January immediately preceding the beginning of any first fiscal year, and on or before the fifteenth day of January in every year thereafter, each such authority shall calculate the rate pursuant to section forty-three of this act upon which are to be based the payments to be made to it during the current fiscal year under any contracts made pursuant to section fifty of this act. The rate referred to in section forty-three of this act shall be calculated to provide such amount as such authority reasonably estimates will be required (in addition to any funds on hand applicable to such purposes) during such fiscal year for security or payments of principal and interest of any of the bonds or other obligations authorized by this act and for the cost of the operation, maintenance, depreciation and repair of its district sewer system, including establishment and maintenance of working capital and reserves. The provisions of this section and of section forty-three and of section forty-seven shall be deemed a contract between any authority and the holders of all bonds or other obligations authorized by this act and issued by such authority and shall be enforceable by appropriate proceedings at law or in equity.

C. 40:36A-46.  
Permanent  
record of rates.

46. An authority shall make and keep permanent records of the rates calculated by each year.

47. On or before the seventeenth day of January in any year in which any such authority shall calculate any rate, such authority shall calculate and certify to each municipality, private sewer company and industry, which shall have entered into a contract with it pursuant to section fifty of this act, the amount of money which it shall be required to pay to the authority during that year, under the terms and provisions of the contract so entered into by it. Such amount shall be calculated by such authority by applying the rate to the volume of sewage delivered and discharged into its district sewer system by the municipality, private sewer company or industry, during the yearly period ending on the last day of the preceding December, as shown by the records of such authority. If the terms and provisions of a contract so entered into by a municipality, private sewer company or industry require payment of any other or different amount to an authority, then such other or different amount shall be fixed and determined by such authority pursuant to the contract and shall be certified to such municipality, private sewer company or industry as hereinabove provided. If the terms and provisions of a contract so entered into by any industry require payments to an authority of a further amount in addition to the amount of money calculated as hereinabove provided, then such further and additional amount shall be fixed and determined by such authority and added to the amount calculated by it as hereinabove provided and the sum of such amounts shall be certified to such industry as hereinabove provided. In any year in which any municipality, private sewer company or industry shall not have used a district sewer system of an authority under this act for a full year prior to such last day of December, the volume of sewage to be used in calculating the amount which such municipality, private sewer company or industry shall pay to such authority shall be the volume which such authority at such time estimates will be delivered and discharged by

C. 40:36A-47.  
Users notified  
of amount  
to be paid.

Calculating  
rate.

Basis for  
calculating use  
for part year.

such municipality, private sewer company, or industry during the first full year of operation of its district sewer system. In the event that any part or parts of a district sewer system shall be put into operation prior to the beginning of the first fiscal year such authority shall certify from time to time to the municipalities, private sewer companies or industries which may discharge sewage into said part or parts prior to the first fiscal year an amount or amounts which in the case of each such municipality, private sewer company and industry shall be sufficient to pay its share of the cost of operation and maintenance of said part or parts during the period of operation prior to said fiscal year based upon its proportion of the total volume of sewage so discharged into said part or parts of such district sewer system.

C. 40:36A-48.  
Provision  
for meeting  
expenses and  
cost prior to  
construction.

48. For the purpose of assuring to an authority money to pay its costs and expenses in preparing a project report mentioned and described in sections twenty-nine and thirty of this act, and of doing all other acts and things authorized by this act or which an authority shall deem necessary and proper to carry out its terms, up to the time of the commencement of, but not including, the construction or acquisition or both, of its district sewer system, the county and such authority shall be and hereby are authorized and empowered to enter into and carry out and perform a contract one with the other as hereinafter provided.

C. 40:36A-49.  
Freeholders to  
pay amounts  
agreed upon.

49. A contract authorized by the preceding section of this act shall provide that the board of chosen freeholders of the county shall pay such amounts as may be agreed upon on the order or orders of such authority at such time or times, in such installments as such authority may by resolution request and as shall be agreed upon between the contracting parties. Any such contract authorized by the two preceding sections of this act shall further provide that any moneys advanced and paid by the board of chosen freeholders of the county to such authority shall be repaid by such

Repayment  
by authority.

authority to the board of chosen freeholders of the county out of the proceeds of the sale of any bonds which may be issued by such authority next subsequent to the advance and payment of any moneys advanced and paid to such authority by such board of chosen freeholders, or that the said moneys so advanced and paid shall be repaid out of any other available moneys of such authority.

50. Any municipality with which an authority is authorized to contract under the terms and provisions of section thirty-three of this act shall have power, by ordinance of the body or board, by whatsoever name it may be known, having charge of the finances of said municipality (hereinafter called "governing body"), to authorize its proper officials to enter into and execute for it a perpetual contract, as hereinafter provided, with an authority, for the disposal of all or any specified part of the sewage arising or collected in or by such municipality, and such contract shall be valid and binding upon the municipality notwithstanding that no appropriation was made or provided to cover the estimated cost of such contract, and the governing body of the municipality shall have full power and authority to do and perform all acts and things on the part of the municipality to be done and performed under the terms and provisions of such contract. Any private sewer company or industry shall likewise have power to enter into a contract with an authority for the disposal of its sewage or the sewage collected or discharged by it.

C. 40:36A-50.  
Perpetual  
contract by  
municipal gov-  
erning body.

Private sewer  
company may  
contract.

51. The contracts of an authority with municipalities, private sewer companies and industries authorized by the next preceding section shall be in form to be prescribed by the contracting authority, shall upon execution be filed with the authority and shall provide in substance that the contracting municipality, private sewer company or industry shall, in the manner and at the time and place within the sewer district to be designated by such authority, permit the authority to connect the sewer or drainage system of such municipality, private

C. 40:36A-51.  
Form of  
contract.

sewer company or industry or the outfall thereof with, and thereafter deliver and discharge all sewage arising within it or collected by it into, any trunk or other sewer system or treatment plants or other plants or structures that such authority may specify and shall pay quarterly as defined in such contract to such authority, for the services thus rendered or to be rendered to it in the disposal of such sewage, the sum of money which shall theretofore have been calculated and certified to it by such authority as provided in section forty-seven of this act and shall contain such other provisions as to the rights and powers of such authority and the duties and liabilities of the contracting municipality, private sewer company or industry in the event that such sums of money are not paid as provided in such contract or in the event of other default such contract on the part of such municipality, private sewer company or industry as may be prescribed by such authority, including without limitation provisions empowering such authority to refuse to permit such contracting municipality, private sewer company or industry to discharge into its district sewer system the sewage arising or collected in or by such contracting municipality, private sewer company or industry.

C. 40:36A-52.  
Payment by  
municipality.

52. Each contract authorized by section fifty shall, if one of the parties thereto is a municipality, further provide in substance that the municipality shall in each year make provision for all payments to become due from it to the contracting authority, and said municipality shall pay the same as provided in said contract.

C. 40:36A-53.  
Contracts  
null and void.

53. Any contracts authorized by section fifty of this act shall provide in substance that such contracts shall become null and void and have no further force and effect on and after a specified date unless the authority shall have sooner commenced the construction and acquisition of its district sewer system, or some part thereof, and may contain any other or further provisions which in the discretion of the parties to such contract may be



necessary, proper or advisable for the purpose of obtaining or securing grants, loans or financial assistance of any kind or sort to or for the authority under any act of the Congress of the United States of America.

54. An authority shall have power and is hereby authorized, from time to time, to issue its negotiable bonds and, in anticipation thereof, its notes, to provide for the cost of the construction of its district sewer system as defined by subdivision (e) of section thirty and for the purposes herein provided. Such bonds or notes shall be authorized by resolution of such authority adopted only after public hearing thereon by such authority held not less than ten days after notice of such hearing advertised in a newspaper published at the county seat of the county and shall be sold by such authority in the manner or mode of procedure prescribed for the sale of bonds or notes, respectively, of a county by article one of chapter one of the Title, Municipalities and Counties, of the Revised Statutes (R. S. 40:1-1 et seq.). Such bonds may be issued in one or more series, and shall bear such date or dates, mature at such time or times in accordance with this section not exceeding forty years from their date, bear interest at such rate or rates not exceeding six per centum (6%) per annum payable at such time or times, be in such denominations and in such form either coupon or registered, carry such registration privileges, be executed in such manner, be payable at such place or places and be subject to such terms of redemption with or without premium, as may be determined in said resolution of such authority. The maturities of the bonds of each such series shall be so arranged that the total amount payable in any year on account of principal and interest thereof shall not exceed by more than one-half the total amount payable on account of such principal and interest in any prior year other than the first four years next ensuing after their issuance. Notes issued hereunder may be renewed, but all such notes, including re-

C. 40:36A-54.  
Empowered to  
issue bonds  
and notes.

Issuing  
details.

Rate.

Maturities.

Notes  
renewable.

newals thereof, shall mature and be paid not more than five years from the date of the original notes. The bond issues authorized and issued by an authority may provide for the total cost of its district sewer system to be constructed as defined by subdivision (e) of section thirty, or an estimate thereof, including any deficits, salaries, working capital, reserves, repayment of moneys advanced for administrative expenses, and temporary borrowing, up to the beginning of the first fiscal year of the authority as set forth in section forty-four. After the beginning of the first fiscal year, all administrative expenses, operating and maintenance expenses shall be paid out of revenue received by an authority under contracts for sewage disposal and services as herein provided. Should an authority authorize or issue any bonds for the purposes herein provided and after using the proceeds of said bonds for the purposes provided in the resolution authorizing said bond issue, there remain an unexpended balance of the proceeds of said bond issue, then such unexpended balance shall be used to retire the last due bonds. After the beginning of the first fiscal year as provided in section forty-four of this act, no bond issue shall be authorized or issued to pay for the maintenance, operating or other current expenses of an authority. The validity and regularity of the proceedings taken by an authority pursuant to this section for the issuance of such bonds or notes and the obligation of the authority to pay such bonds or notes and interest thereon, and to perform the covenants contained in such bonds or notes or such proceedings, shall not be dependent on or affected by the validity or regularity of any other proceedings taken, contracts entered into, acts performed, or things done by such authority, or by any municipality, private sewer company or industry. No resolution authorizing the issuance of any bonds pursuant to this section shall be finally passed if it appears that the aggregate of all bonds of such authority then outstanding, including those authorized by such resolution,

Administrative  
expenses paid  
from revenue.

Validity of  
proceedings.

Bond limit.

exceeds five per centum (5%) of the average assessed valuation of real property (including improvements) in the municipalities which have signed contracts with such authority pursuant to section fifty hereof as shown on the annual debt statements last filed in or by such municipalities pursuant to sections 40:1-75 et seq. of the Revised Statutes.

55. Any resolution or resolutions authorizing any bonds of an authority may contain provisions which shall be a part of the contract with the holders of the bonds as to: pledging the contracts of such authority entered into pursuant to section thirty-three, or the sums of money to be received by such authority pursuant to said contracts or any other revenues of such authority; the setting aside of reserves and sinking funds and the amount, regulation and disposition thereof; limitations on the right of such authority to restrict and regulate the use of its district sewer system; limitations on the purpose to which the proceeds of the sale of any issue of bonds then or thereafter to be issued by such authority may be applied; limitations on the issuance of additional bonds by such authority; the procedure, if any, by which the terms of any contract of such authority with such holders may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given. Neither the members of an authority nor any person executing said bonds shall be liable personally on said bonds or be subject to any personal liability or accountability by reason of the issuance thereof. An authority shall have power to purchase, out of any funds available therefor, on public tenders upon sealed proposals after at least seven days' notice published at least once in a publication carrying municipal bond notices and devoted primarily to financial news or the subject of State and municipal bonds, published in New York City, and at least seven days' notice published at least once in a newspaper published at the county seat of the

C. 40:36A-55.  
Provisions for  
bondholders.

Not personally  
liable.

county any bonds issued by it at a price not more than the principal amount thereof, and accrued interest and all bonds so purchased shall be canceled.

C. 40:36A-56.  
Bonds, legal  
investments.

56. Any bonds authorized by this act are hereby made securities in which all public officers and bodies of this State and all municipalities, and municipal subdivisions, all insurance companies and associations, all savings banks and savings institutions, including savings and loan associations, administrators, guardians, executors, trustees and other fiduciaries in the State may properly and legally invest funds in their control. Any such bonds shall be exempt from taxation except for transfer inheritance taxes.

Tax exempt.

C. 40:36A-57.  
Quarterly  
payments by  
municipality.

57. The chief fiscal officer of each municipality which shall have entered into a contract pursuant to section fifty of this act, shall cause to be paid to the contracting authority, in quarterly payments, the amount of money certified to the municipality by such authority pursuant to section forty-seven of this act. The power and obligation of such municipality to provide for and make all such payments shall be unlimited. If any part of the amount certified to a municipality by an authority, pursuant to section forty-seven of this act, shall remain unpaid for thirty days following the date fixed for payment by the contract, the municipality thus in default shall be charged with and liable for, and the chief fiscal officer thereof shall pay to such authority interest upon the amount unpaid at the rate of eight per centum (8%) per annum. The provisions of this section shall be deemed a contract between each and every municipality which shall have entered into a contract pursuant to section fifty of this act, and the holders of all bonds authorized by this act, and shall be enforceable by appropriate action at law or suit in equity.

Interest upon  
unpaid balance.

Provisions  
deemed a  
contract.

C. 40:36A-58.  
Enforcement  
of contracts.

58. Every obligation imposed upon any municipality, private sewer company or industry, by this act, and every obligation assumed by any municipality, private sewer company or industry, under

any contract authorized hereby, shall be enforceable by mandamus or other appropriate action, suit or proceeding at law or in equity instituted by an authority.

59. Each private sewer company or industry which shall have entered into a contract with an authority pursuant to section fifty of this act, shall pay quarterly as provided in such contract to the contracting authority, the sum of money certified to it by such authority pursuant to section forty-seven of this act, on or before the date provided for such payment in such contract, and the amount unpaid on said date shall bear interest thereafter until paid at the rate of eight per centum (8%) per annum. Any such sum of money so certified by an authority shall be a lien in favor of such authority on and against the property of such private sewer company or industry. If such sum of money or any part thereof is not paid to the contracting authority on or before such contract payment date, such authority shall make and record, in the same manner as conveyances of interest in real property are recorded, a certificate setting forth the facts and giving notice of the existence and amount of such lien remaining unsatisfied. So far as permitted by law, such lien shall have priority over all other liens theretofore or thereafter attaching except those for Federal, State and local taxes.

C. 40:36A-59.  
Quarterly  
payments  
by private  
company.

Interest upon  
unpaid balance.

Lien recorded.

Priority  
of lien.

60. Authority and all necessary powers are hereby given to do and perform all things and acts necessary and power is hereby granted to and conferred upon an authority to apply for and receive grants or loans to fulfill the purposes of this act from the Federal Government or any agency thereof and to enter into any agreement, contract or other undertaking with the Federal Government, or any agency of the Federal Government for the purpose of obtaining grants, loans, or financial assistance of any kind or sort and under such conditions and such terms as may be determined to be advisable or necessary for the purpose of fulfilling the purposes of this act.

C. 40:36A-60.  
Federal aid.

C. 40:36A-61.  
Provisions  
controlling.

61. In so far as the provisions of this act are inconsistent with the provisions of any act, general or special, the provisions of this act shall be controlling.

C. 40:36A-62.  
Object and  
design of act.

62. The object and design of this act being the protection and preservation of public health, safety and welfare, this act shall be liberally construed and the powers granted and the duties imposed by this act shall be construed to be independent and severable. If any one or more sections, clauses, sentences or parts of this act shall for any reason be questioned in any court, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provisions so held unconstitutional or invalid.

Constitutionality.

C. 40:36A-63.  
Not to limit  
jurisdiction.

63. Nothing herein contained shall in any way affect or limit the jurisdiction or rights of Passaic Valley Sewerage Commissioners.

64. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 124

AN ACT concerning education, providing for tenure of service for professors, associate professors, assistant professors, instructors, supervisors, registrars, teachers and other persons employed in a teaching capacity, who are or shall hereafter be employed by the State Board of Education or by the Commissioner of Education in certain State educational institutions, and supplementing Title 18 of the Revised Statutes.

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

1. The services of all professors, associate professors, assistant professors, instructors, supervisors, registrars, teachers, and other persons employed in a teaching capacity, who are or shall hereafter be employed by the State Board of Education or by the Commissioner of Education in any New Jersey State Teachers College or Normal School, in the New Jersey School for the Deaf, in the New Jersey Manual Training and Industrial School for Colored Youth, or in any other educational institution, shall be during good behavior and efficiency, (a) after the expiration of a period of employment of three consecutive calendar years in any such institution or institutions, or (b) after employment for three consecutive academic years together with employment at the beginning of the next succeeding academic year in any such institution or institutions, or (c) after employment in any such institution or institutions, within a period of any four consecutive academic years, for the equivalent of more than three academic years; *provided*, that the time any professor, associate professor, assistant professor, instructor, supervisor, registrar, teacher, or other person employed in a teaching capacity, has

C. 18:16-37.  
Tenure of  
service  
granted.

Proviso.

taught in any such institution or institutions at the time this act becomes operative shall be counted in determining such period or periods of employment.

Academic  
year.

An academic year, for the purpose of this act, means the period between the time school opens in the institution after the general summer vacation until the next succeeding summer vacation.

C. 18:16-38.  
Dismissal, etc.,  
after hearing.

2. No professor, associate professor, assistant professor, instructor, supervisor, registrar, teacher, or other person employed in a teaching capacity under the tenure referred to in section one of this act shall be dismissed or subjected to a reduction of salary except for inefficiency, incapacity, conduct unbecoming a teacher or other just cause and after a written charge of the cause or causes has been preferred against him, signed by the person or persons making the same, and filed with the State Board of Education through its secretary or with the Commissioner of Education, whichever is in control of the institution in which the service is being rendered, and after the charge has been examined into and found true in fact by the State Board of Education or Commissioner of Education, as the case may be, upon reasonable notice to the person charged, who may be represented by counsel at the hearing. Charges may be filed by the Commissioner of Education, a member of the State Board of Education, or by any other person, whether a member of the State Board of Education or not.

Who may  
file charges.

C. 18:16-39.  
Subpœnas.

3. For the purpose of examining into any charge filed as provided in section two of this act, the State Board of Education may issue subpœnas on behalf of either party to compel the attendance of witnesses to testify before the State Board of Education or Commissioner of Education, as the case may be, in the matter. The subpœnas shall be issued under the seal of the State Board of Education and be signed by the secretary thereof, and shall be served in the same manner as subpœnas issued out of the court of common pleas.



Any person who shall neglect or refuse to obey the command of the subpoena, or who after appearing shall refuse to be sworn and testify, shall in either event be liable to a penalty of fifty dollars (\$50.00) to be sued for in the name of the State Board of Education in any court of competent jurisdiction. Such penalty when collected shall be paid to the State Treasurer.

Penalty.

The Commissioner of Education or any member of the State Board of Education may administer oaths to such witnesses as may appear or be brought before him or it, and any person who has been so sworn and who shall testify falsely shall be guilty of perjury.

Administering oaths.

4. Nothing contained in sections one, two or three of this act shall be held to limit the right of the State Board of Education or Commissioner of Education to reduce the number of professors, associate professors, assistant professors, instructors, supervisors, registrars, teachers, or other persons employed in a teaching capacity in any such institution or institutions when the reduction is due to a natural diminution of the number of students or pupils in the institution or institutions. Dismissals resulting from such reduction shall not be by reason of residence, age, sex, marriage, race, religion, or political affiliation. When such professors, associate professors, assistant professors, instructors, supervisors, registrars, teachers, or other persons employed in a teaching capacity under tenure are dismissed by reason of such reduction those professors, associate professors, assistant professors, instructors, supervisors, registrars, teachers, or other persons employed in a teaching capacity having the least number of years of service to their credit shall be dismissed in preference to those having longer terms of service. Should any such professor, associate professor, assistant professor, instructor, supervisor, registrar, teacher, or other person employed in a teaching capacity under tenure be dismissed as a result of such reduction such person shall be and remain upon a preferred eligi-

C. 40:16-40.  
Not to limit powers.

Seniority to prevail.

Place on preferred list

ble list in the order of years of service for re-employment whenever vacancies occur and shall be re-employed by the State Board of Education or Commissioner of Education, whichever caused the dismissal, in such order, when and if a vacancy in a position for which such professor, associate professor, assistant professor, instructor, supervisor, registrar, teacher, or other person employed in a teaching capacity shall be qualified. Such re-employment shall give full recognition to previous years of service.

C. 18:16-41.  
Act effective.

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

Approved April 23, 1946.

## CHAPTER 125

AN ACT concerning public utilities, defining the term "autobus," and amending section 48:4-1 of the Revised Statutes.

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

Section  
amended.

1. Section 48:4-1 of the Revised Statutes is amended to read as follows:

Autobus  
defined.

48:4-1. The term "autobus" as used in this chapter means and includes, except as hereinafter noted, any motor vehicle or motorbus operated over public highways or public places in this State for the transportation of passengers for hire in intrastate business, notwithstanding such motor vehicle or motorbus may be used in interstate commerce.

Construing.

Nothing contained herein shall be construed to include:

a. vehicles engaged in the transportation of passengers for hire in the manner and form commonly called taxi-cab service unless such service becomes or is held out to be regular service between stated termini;

b. hotel busses used exclusively for the transportation of hotel patrons to or from local railroad or other common carrier stations including local airports;

c. busses operated solely for the transportation of school children and teachers;

d. any autobus with a carrying capacity of not more than six passengers operated under municipal consent upon a route established wholly within the limits of a single municipality, which route does not in whole or in part parallel upon the same street the line of any street railway or traction railway or any other autobus route.

The word "person" as used in this chapter means and includes any individual, copartnership, association, corporation or joint stock company, their lessees, trustees, or receivers appointed by any court. Person.

The word "street" as used in this chapter means and includes any street, avenue, park, parkway, highway, road or other public place. Street.

The term "charter bus operation" as used in this chapter means and includes the operation of an autobus or autobusses by the person owning or leasing such bus or busses pursuant to a contract, agreement or arrangement to furnish an autobus or autobusses and a driver or drivers thereof to a person, group of persons or organization (corporate or otherwise) for a trip designated by such person, group of persons or organization for a fixed charge per trip, per autobus or per mile. Charter bus operation.

The term "special bus operation" as used in this chapter means and includes the operation by the owner or lessee of an autobus or autobusses for the purpose of carrying passengers for hire, each passenger paying a fixed charge for his carriage, on a special trip arranged and designated by such owner Special bus operation.

or lessee, which fixed charge may or may not include meals, lodging, entertainment or other charges.

2. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 126

AN ACT concerning the acquisition, use and disposition of school property in certain cases, and amending sections 18:5-27 and 18:5-28 of the Revised Statutes.

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

Section  
amended.

1. Section 18:5-27 of the Revised Statutes is amended to read as follows:

Authorized to  
convey certain  
property to  
veterans  
organizations.

18:5-27. Whenever the board of education of a municipality shall determine that all or any part of a tract of land with or without a school building or buildings erected thereon is no longer desirable or necessary, or required for school purposes, such board may transfer and convey such land or any portion thereof, with or without improvements thereon, to such municipality, board, body or commission, or may transfer or convey such land to any American Legion Post, Veterans of Foreign Wars, or other recognized veterans organization of the United States of America, located in such county or municipality, for a nominal consideration as a meeting place for any such American Legion Post, Veterans of Foreign Wars or other recognized veterans organization of the United States of America located in such municipality or county.

2. Section 18:5-28 of the Revised Statutes is Section amended.  
amended to read as follows:

18:5-28. No transfer or conveyance of school Resolution.  
property as provided in section 18:5-27 of this  
Title shall be made until the board of education has  
adopted a resolution declaring the property to be  
no longer desirable or necessary or required for  
school purposes, and authorizing the conveyance  
thereof to such municipality, board, body or com-  
mission or authorizing the conveyance thereof to  
any American Legion Post, Veterans of Foreign  
Wars or other recognized veterans organization of  
the United States of America located in such mu-  
nicipality or county, by deed to be executed in the  
name and under the seal of the board of education  
by its president and secretary.

Should the property conveyed, pursuant to the Title to revert.  
terms of this act to any such veterans organiza-  
tions, cease to be used for any of the purposes con-  
templated by this statute, such property shall  
thereupon revert to and the title thereof be vested  
in the board of education making the conveyance  
authorized by this act.

3. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 127

AN ACT concerning the Washington Association of New Jersey, and amending sections 28:2-10 and 28:2-11 of the Revised Statutes.

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

Section  
amended.

1. Section 28:2-10 of the Revised Statutes is amended to read as follows:

Stock not  
transferable.

28:2-10. No certificate of stock issued by the Washington Association shall be assignable or transferable to any person other than a descendant of the subscriber to the stock of this association, except that the stock of any stockholder who shall die without leaving any descendant or descendants him or her surviving may be transferable by specific bequest contained in his or her will to some person other than a descendant, if the board of trustees shall give its express approval and consent to such transfer. When no such descendant or legatee shall appear and establish his or her claim within five years after the death of the stockholder from whom he or she would have inherited, then the share or shares of stock thus unclaimed shall be deemed forfeited, waived and surrendered to the association and become its property.

Section  
amended.

2. Section 28:2-11 of the Revised Statutes is amended to read as follows:

Powers of  
trustees.

28:2-11. The board of trustees may:

a. Purchase, hold and convey real estate in the name of the association;

b. Receive donations of land, money, books, relics and other articles of value or of interest, and execute receipts or other proper vouchers therefor;

c. Appoint persons with police powers to be exercised within the limits of the property of the association;

d. Prevent the erection of any nuisance adjoining their property;

e. Purchase or otherwise acquire books, relics and other articles of value or of interest;

f. Grant, assign, transfer and convey, with or without valuable consideration, to the United States of America, or the State of New Jersey, or to any agency or department of either thereof existing for the purpose of the maintenance and preservation of articles and property of historical interest, or to any other responsible and established association, corporation or society existing for such purpose, such of its property, real and personal, as the board of trustees may deem proper and suitable for the accomplishment of the purposes of the association.

The property of the association represented by the board of trustees shall at all times during the continuance of this association be exempt from all taxes and assessments whatever. Tax exempt.

3. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 128

AN ACT concerning the State Highway Department and adding an additional route to the State highway system.

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

Additional  
route.

1. The State Highway Commissioner shall, as soon as practicable and in accordance with the procedure set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the present State highway system the following-described route:

Location.

Beginning at the intersection of New Jersey State Highway Route No. 51 and the Woodbury-Auburn road and proceeding thence in a southeasterly direction crossing Routes Nos. 45 and 47; thence to the intersection of State Highway Route No. 42 in Monroe township in the county of Gloucester.

Numbered.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law.

3. This act shall take effect immediately.

Approved April 23, 1946.



## CHAPTER 129

AN ACT concerning public holidays and regulating the transaction of business in the public offices in this State and the counties and municipalities in this State on such days, and supplementing chapter one of Title 36 of the Revised Statutes.

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

1. Each Saturday in the month of July and August in each year shall, for all purposes whatsoever as regards the transaction of business in the public offices of this State, and the counties and municipalities in this State, be considered as the first day of the week, commonly called Sunday, and as public holidays. C. 36:1-1.1. Public holidays.

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

3. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 130

AN ACT concerning public utilities, prescribing the application of the law concerning franchise taxes to charter bus operations and special bus operations, and amending section 48:4-14 of the Revised Statutes.

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

Section  
amended.

1. Section 48:4-14 of the Revised Statutes is amended to read as follows:

Statement of  
gross receipts.

48:4-14. Every person owning or operating an autobus in any municipality of this State shall, on or before the tenth day of each calendar month, file with the chief fiscal officer of the municipality a statement, verified by oath, showing the gross receipts from the business of such autobus or busses during the preceding calendar month, and shall at the same time pay to such fiscal officer of such municipality five per cent of such gross receipts as a monthly franchise tax for revenue for the use of the streets; *provided*, that if the route over which the autobus is operated shall extend beyond the limits of such municipality, such person shall include in such statement the length of the route over which the autobus is operated both within and without the municipality, and shall pay as such franchise tax to such municipality five per cent of such proportion of the gross receipts as the length of the route in the municipality bears to the entire length of the route; *provided, however*, that none of the provisions of this article shall be applicable to a charter bus operation or special bus operation.

Amount of tax.

Proviso.

Proviso.

In lieu of  
other taxes.

The sum accruing to any municipality under this section when paid shall be in lieu of all other franchise taxes and municipal license fees.

2. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 131

AN ACT concerning public utilities, defining the requirement of a municipal consent with relation to charter bus operations and special bus operations, and amending section 48:4-3 of the Revised Statutes.

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

1. Section 48:4-3 of the Revised Statutes is amended to read as follows: Section amended.

48:4-3. No autobus shall be operated or run while carrying passengers for hire wholly or partly along any street in any municipality, whether such operation is over a route wholly or partly within the territorial limits of the municipality, except as set forth in section 48:4-10 of this Title, until the person owning or possessing the right to use the same shall obtain the consent of such municipality given by its governing body or the official, board or body thereof which by law has control of the public streets therein for such operation and the use of any street or streets in such municipality; *provided, however,* Municipal consent required. that none of the provisions of this article two shall be applicable to a charter bus operation or special bus operation. Proviso.

2. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 132

AN ACT to amend and supplement "An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to create the State Board of Barber Examiners to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health and to provide penalties for violation thereof," approved May seventeenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 197), and repealing certain sections thereof.

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

Section  
amended.

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

C. 45:4-27.  
Certificate of  
registration  
required.

1. No person shall practice or attempt to practice barbering without a certificate of registration as a registered barber issued pursuant to the provisions of this act by the State Board of Barber Examiners.

To hire regis-  
tered help.

No proprietor, manager or supervisor of any barber shop, barber school, or barber college shall employ, engage or hire any person who does not hold a certificate of registration as a registered barber, registered teacher, or a certificate as a registered apprentice, issued pursuant to the provisions of this act by the State Board of Barber Examiners.

Apprentices  
permits.

No person shall serve or attempt to serve as an apprentice barber unless he has been a resident of New Jersey for at least one year and has secured a certificate of registration as a registered apprentice issued by the State Board of Barber Examiners.

It shall be unlawful to operate a barber shop unless it is at all times under the direct supervision and management of a registered barber.

Manager to be registered barber.

All new applicants for certificates of registration as registered barbers, apprentice barber's certificates, et cetera, shall be accompanied by a certificate from a practicing medical doctor of this State dated not more than ten days prior to the date of application, attesting that the applicant is free from any contagious or infectious disease.

Health certificate.

It shall be unlawful to display any price list for barber services in or upon any part of premises of a barber shop, barber school, or barber college.

Price list not displayed.

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

Section amended.

3. No registered apprentice shall independently practice barbering, but he may, as an apprentice, do any or all of the acts constituting the practice of barbering under the immediate supervision of a registered barber, and only one such apprentice shall be employed in any barber shop. Each apprentice shall be registered with the State Board of Barber Examiners by the master barber employing such apprentice. The apprentice certificate issued to such apprentice shall be valid for eighteen months from the date of issue, except that the certificate issued upon failure of an examination shall be valid for six months. The apprentice shall pay the fee as hereinafter provided.

C. 45:4-29.  
Apprentice not to practice independently.

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

Section amended.

5. A person is qualified to receive a certificate of registration to practice barbering:

C. 45:4-31.  
Qualifications.

(1) Who is qualified under the provisions of section six of this act; and

(2) Who is at least eighteen years of age; and

(3) Who is of good moral character and temperate habits; and

(4) Who has practiced as a registered apprentice for a period of eighteen months under the personal supervision of a registered barber, or who has practiced as a registered barber in this State but who has retired from the practice of barbering for a period in excess of two years, or who has practiced barbering in another State or country for at least eighteen months, or who has a license or certificate of registration as a practicing barber from another State or country which has substantially the same requirements for licensing or registering as required by this act; and

(5) Who has passed a satisfactory examination conducted by the State Board of Barber Examiners to determine his fitness to practice barbering.

Re-examinations.

An apprentice barber or any person who has practiced as a registered barber in this State but who has retired from the practice of barbering for a period in excess of two years, who is an applicant for a certificate of registration to practice as a registered barber and who fails to pass a satisfactory examination conducted by the State Board of Barber Examiners, must obtain an apprentice certificate valid for six months from date of issue and must practice as an apprentice barber for six months before he is again entitled to take the examination for a registered barber. An apprentice barber or any person who has practiced as a registered barber in this State but who has retired from the practice of barbering for a period in excess of two years, who fails three consecutive times must cease to practice barbering.

Lapse a bar to practice.

Sections 9 and 10 repealed.

4. Sections nine and ten of "An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to create the State Board of Barber Examiners to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the

protection of the public health and to provide penalties for violation thereof," approved May seventeenth, one thousand nine hundred and thirty-eight, are repealed.

5. Every journeyman's permit heretofore issued shall continue in effect and expire by its own limitation, but in no case shall any such permit continue in effect after one year from the effective date of this act.

C. 45:4-35.3.  
Permits  
effective.

6. Every apprentice certificate heretofore issued shall continue in effect until the holder of such certificate has qualified to receive a certificate of registration to practice barbering or has had an opportunity to so qualify at three consecutive scheduled examinations subsequent to the issuance of the apprentice certificate, whichever occurs first. Notice to any such holder of an examination and failure of such holder to appear at such examination shall be construed to be an opportunity to qualify.

C. 45:4-29.1.  
Apprentice  
certificates  
effective.

Notice of  
examination.

7. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 133

AN ACT concerning the regulation and licensing of barber shops, and amending and supplementing "An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to create the State Board of Barber Examiners to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health and to provide penalties for violation thereof," approved May seventeenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 197).

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

C. 45:4-50.1.  
License  
required.

1. No person shall use or maintain any premises as a barber shop unless he shall first obtain a license so to do from the State Board of Barber Examiners.

C. 45:4-50.2.  
Requirements  
for license.

2. No person shall receive a license to use or maintain any premises as a barber shop unless he has had at least two years' experience as a registered barber in this State immediately prior to his application for such license, or unless such barber shop shall be under the direct supervision of a registered barber who has had at least two years' experience as a registered barber in this State immediately prior to his application, or unless he is a veteran of World War II who was a member of the armed forces of the United States and who immediately prior to his entry into such service was a registered barber in this State and who is a registered barber at the time of his application for such license and who has been a registered barber for one year immediately prior to such application.



3. No person shall receive a license to use or maintain any premises as a barber shop unless such person shall have furnished the State Board of Barber Examiners satisfactory proof that such shop or premises are to be used and maintained in compliance with the provisions of the act of which this act is amendatory and supplementary.

C. 45:4-50.3.  
Shop to be  
maintained  
in compliance  
with act.

4. Every application for such license shall contain such proof, and such other information as the board by rule or regulation may require. A fee of twenty-five dollars (\$25.00) shall accompany each application except that in the case of an application, by a holder of the license required by this act, to remove to a new location or premises the fee shall be five dollars (\$5.00).

C. 45:4-50.4.  
Contents of  
application, fee.

5. If the board is satisfied that such shop or premises are to be used and maintained in compliance with the provisions of the act of which this act is amendatory and supplementary, the board shall cause a license to be issued forthwith to such applicant, which license shall remain in full force and effect until July first, following its issue. Such license may be renewed annually thereafter during the month of July upon application and payment of a renewal fee of five dollars (\$5.00).

C. 45:4-50.5.  
License issued.

Renewal.

6. Any person who held the license required by this act and who closed his shop in order to enter the military or naval service of the United States in time of war, may, within six months after his discharge or release from such service under conditions other than dishonorable, upon application to the board as provided herein accompanied by a fee of five dollars (\$5.00) and subject to the provisions of section five hereof, obtain a license to use or maintain any premises as a barber shop.

C. 45:4-50.6.  
Renewal of  
veteran's  
license.

7. Any person using or maintaining any premises as a barber shop at the time of the effective date of this act, may, within ninety days thereafter upon application to the board as provided herein accompanied by a fee of five dollars (\$5.00) and subject to the provisions of section five hereof, obtain a

C. 45:4-50.7.  
Fee for shop  
currently  
operating.

license to use or maintain such premises as a barber shop.

C. 45:4-50.8.  
License  
displayed.

8. Every holder of a license issued hereunder shall display such license in a conspicuous place within such barber shop so licensed.

C. 45:4-50.9.  
Grounds for  
refusal to  
issue or renew.

9. The State Board of Barber Examiners may refuse to issue or renew, or may suspend or revoke any license issued hereunder for any one or combination of the causes enumerated in section fourteen of the act of which this act is amendatory and supplementary or for failure to comply with the regulations prescribed by section twenty-six of said act.

Section  
amended.

10. Section twenty-six of the act of which this act is amendatory is amended to read as follows:

C. 45:4-52.  
Sanitary  
regulations  
for schools:

26. The following regulations pertaining to sanitation shall apply to all barber shops, barber schools and barber colleges in New Jersey and to the practice of barbering in this State. A copy of these regulations shall be furnished by the State Board of Barber Examiners to the person in charge of each barber shop, barber school and barber college in the State and a copy shall be kept posted in a conspicuous place in each such establishment.

Lighting and  
equipment.

(1) All barber shops and barber schools or colleges shall be well lighted and ventilated, and all furniture, equipment, tools and utensils therein and the floors, walls and ceilings thereof, shall at all times be kept clean.

Conditions  
to operate:

(2) It shall be unlawful to own, manage, operate or control any barber shop, barber school or barber college except under the following conditions:

Water;

(a) There shall be readily available at such shop, school or college an adequate supply of hot and cold water and where a public water supply under pressure and a sewerage system is available, there shall be provided in such shop, school or college, a supply of hot and cold running water under pressure.

Towels:

(b) No towel shall be used on any patron which has been used upon another patron un-

less such towel shall have been relaundersed and thoroughly dried and no towel shall be used on any patron which has been placed in a steamer or sterilizer.

(c) The head rest of a barber chair shall be covered with a clean covering such as a towel or paper before used on any patron. Head rests;

(d) There shall be placed about the neck of each patron served a clean towel or other clean material to prevent the hair cloth touching the skin of the patron. Neck towel;

(e) Any tool or part thereof which comes into contact with the head, face or neck of the patron such as razors, scissors, tweezers, combs and parts of vibrators shall be immersed in boiling water or in alcohol of a strength of seventy per centum (70%) or higher or treated by some other equally effective method before being used on each patron. Tools;

(f) Any shaving mug and shaving brush shall be thoroughly rinsed in hot water immediately before use in serving a patron. Shaving mug and brush;

(g) If any cuspidor is provided it shall be thoroughly cleaned at least once each day and there shall be kept in such receptacle a disinfecting solution. Cuspidors;

(h) At least two receptacles for soiled towels and waste shall be provided. Only used towels shall be deposited in one and wastes such as used shaving paper shall be deposited in the other. Receptacles for soiled towels;

(i) No styptic pencil, finger bowl, sponge, lump alum or powder puff shall be used except of the individual applicator type. Styptic pencils, etc.;

(j) No room used as a barber shop or barber school or college shall be used as a sleeping room, and shall not be located in any sleeping room, feed store, restaurant or lunch room unless separated therefrom by a substantial partition extending from floor to ceiling. Sleeping on premises prohibited;

(k) There shall be at least seventy-eight square feet of floor space in every barber Floor space;

shop having one barber chair and there shall be at least sixty square feet of floor space for each additional barber chair.

Toilet  
facilities.

(1) Any barber shop maintaining toilet facilities for public use shall maintain such facilities in a clean and sanitary condition.

C. 45:4-50.10.  
Construing.

11. Nothing in this act shall be construed to limit or impair the right of any municipality to regulate or license barber shops by ordinance as provided by law.

C. 45:4-50.11.  
Act effective.

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

Approved April 23, 1946.

## CHAPTER 134

AN ACT concerning veterans' loans by certain minors.

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

C. 38:23B-23.  
Veterans loans  
to minors  
valid.

1. Any contract, promissory note or other written obligation, pledge, mortgage or conveyance, made by any person over eighteen years of age and under twenty-one years of age, to any person, firm, association or corporation or to any governmental agency or corporation, either State or Federal, to repay, or secure payment of, a veteran's loan under the provisions of Title 3, Public Laws 346, Seventy-eighth Congress of the United States, approved January twenty-second, one thousand nine hundred and forty-four, known as the "Servicemen's Readjustment Act of 1944," or under the provisions of "An act to provide for guaranteed bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small busi-

ness or a profession, and providing an appropriation therefor," approved April fourteenth, one thousand nine hundred and forty-four, and of any act amendatory thereof or supplemental thereto, or payment whereof is guaranteed by any such governmental agency or corporation as such a veteran's loan or which forms part of the same transaction as the making of such a veteran's loan, shall be as valid and binding as if said person were, at the time of making and executing the same, of the age of twenty-one years and may be enforced in any action or proceeding by and against such person in his or her own name and shall be valid without the consent thereto of the parent or guardian of such person.

2. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 135

AN ACT concerning certain employees of any school district which is coterminous with a municipality in which chapter fifteen of Title 43 of the Revised Statutes has been or shall be adopted.

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

1. All employees of any school district which is coterminous with a municipality or municipalities in which chapter fifteen of Title 43 of the Revised Statutes has been or shall be adopted, who are not eligible to join the Teachers' Pension and Annuity Fund, shall be entitled to receive the same benefits as employees of such municipality or municipalities are entitled to receive and the municipality or municipalities will have the same obligations with respect to such employees as it has to its own em-

C. 43:15-2.2.  
Employees to  
receive same  
benefits.

ployees under said chapter fifteen of Title 43 of the Revised Statutes.

2. This act shall take effect immediately.  
Approved April 23, 1946.

## CHAPTER 136

AN ACT concerning purchase, sale and transfer of motor vehicles, and amending sections 39:10-1, 39:10-2, 39:10-6, 39:10-8, 39:10-9, 39:10-10, 39:10-11, 39:10-12, 39:10-13, 39:10-14, 39:10-15, 39:10-16, 39:10-18, 39:10-19, 39:10-20, 39:10-21, 39:10-22, 39:10-23, 39:10-24, and 39:10-25, and repealing section 39:10-17 of the Revised Statutes.

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

Section  
amended.

1. Section 39:10-1 of the Revised Statutes is amended to read as follows:

Short title.

39:10-1. This chapter may be known and cited as the "motor vehicle certificate of ownership law."

Section  
amended.

2. Section 39:10-2 of the Revised Statutes is amended to read as follows:

Terms defined:

39:10-2. As used in this chapter unless other meaning is clearly apparent from the language or context, or unless inconsistent with the manifest intention of the Legislature:

New motor  
vehicle;

"New motor vehicle" means only a newly manufactured motor vehicle, and includes all such vehicles propelled otherwise than by muscular power, and motor cycles, trailers and tractors, excepting such vehicles as run only upon rails or tracks.

Used motor  
vehicle;

"Used motor vehicle" means every motor vehicle, title to, or possession of, which has been transferred from the person who first acquired it from

the manufacturer or dealer, and so used as to become what is commonly known as "secondhand" within the ordinary meaning thereof, and includes every motor vehicle other than a "new motor vehicle."

"Any motor vehicle," "every motor vehicle," or similar term, means both new and used motor vehicles. Any motor vehicle;

"Manufacturer's or importer's certificate of origin" means the original written instrument or document required to be executed and delivered by the manufacturer to his agent or a dealer, or a person purchasing direct from the manufacturer, certifying the origin of the vehicle. Manufacturer;

"Certificate of ownership" means the document issued in conformance with this chapter, certifying ownership of a motor vehicle, other than manufacturer's or importer's certificate of origin. Certificate of ownership;

"Assignment" means the execution of a prescribed form transferring ownership of a motor vehicle from the person named therein to the purchaser. Assignment;

"Contract" means conditional sale agreement, bailment, lease, chattel mortgage, trust receipt or any other form of security or possession agreement, wherein and whereby possession of a motor vehicle is delivered to the buyer and title therein is to vest in the buyer at a subsequent time upon the payment of part or all of the price, or upon the performance of any other condition or happening of any contingency, or upon the payment of a sum substantially equivalent to the value of the motor vehicle, by which contract it is agreed that the buyer is bound to become, or has the option of becoming, the owner of the motor vehicle upon full compliance with the terms of the contract. Contract;

"Abstract of contract" means the duplicate copy of the original certificate of ownership recording any encumbrance. Abstract of contract;

"Title papers" means any instrument or document that is evidence of ownership of a vehicle. Title papers;

- Commissioner;** "Commissioner" means the Commissioner of Motor Vehicles, his deputy or duly authorized agent.
- Manufacturer;** "Manufacturer" means the person who originally manufactured the motor vehicle.
- Dealer;** "Dealer" means the agent, distributor or authorized dealer of the manufacturer of the new motor vehicle, and who has an established place of business.
- Used motor vehicle dealer;** "Used motor vehicle dealer" means a person engaged in the business of selling, buying or dealing in used motor vehicles, and who has an established place of business.
- Person;** "Person" includes natural persons, firms or co-partnerships, corporations, associations, or other artificial bodies, receivers, trustees, common law or statutory assignees, executors, administrators, sheriffs, constables, marshals, or other persons in representative or official capacity, and members, officers, agents, employees, or other representatives of those hereinbefore enumerated.
- Buyer;** "Buyer" includes purchaser, conditional vendee, lessee, bailee, transferee, chattel mortgagor, and any person buying, attempting to buy, or receiving a motor vehicle, under conditional sale contract, lease, bailment, transfer agreement, chattel mortgage, trust receipt or any other form of security or possession agreement, or legal successor in interest.
- Seller;** "Seller" includes manufacturer, dealer, lessor, bailor, transferor, conditional vendor, chattel mortgagee, and any person selling, attempting to sell, or delivering a motor vehicle, under conditional sale contract, lease, bailment, transfer agreement, chattel mortgage, trust receipt or other form of security or possession agreement, or legal successor in interest.
- Sell or sale;** The term "sell" or "sale" or "purchase" or any form thereof includes absolute or voluntary sales and purchases, agreements to sell and purchase, bailments, chattel mortgages, leases, trust receipts and other forms of security agreement



whereby any motor vehicles are sold and purchased, or agreed to be sold and purchased, involuntary, statutory and judicial sales, inheritance, devise or bequest, gift or any other form or manner of sale or agreement of sale thereof, or the giving or transferring possession of a motor vehicle to a person for a permanent use; continued possession for sixty days or more is to be construed as permanent use.

“Manufacturer’s numbers” means the original manufacturer’s serial number affixed or attached to, or imprinted upon, the body or chassis, or either or both of them, of a motor vehicle, and the original manufacturer’s number affixed to, or imprinted upon, the engine or motor of a motor vehicle. Manufacturer’s numbers;

“Purchaser” means a person who takes possession of a motor vehicle by transfer of ownership, either for use or resale, “except a dealer when he takes possession through a certificate of origin.” Purchaser.

3. Section 39:10-6 of the Revised Statutes is amended to read as follows: Section amended.

39:10-6. Every person shall have for each motor vehicle in his possession in this State (a) certificate of ownership therefor in conformity with this chapter, and (b) the registration certificate for the motor vehicle, if it is registered by the commissioner and a registration certificate has been issued therefor. He shall produce either the certificate of ownership or registration certificate, upon demand for production of certificate of ownership by the commissioner or a motor vehicle inspector. If he fails to do so, the commissioner or motor vehicle inspector may seize and take possession of the motor vehicle and hold and dispose of it in accordance with section 39:10-21 of this Title. Title papers for each motor vehicle.

If a motor vehicle is registered in or bears the registration plates of another State or country and is being used or operated in this State, the person in possession of it or using or operating it in this State must be entitled to ownership or possession in accordance with the laws of the State or country where it is registered, or the registra- Papers on out-of-State motor vehicle.

tion plates of which it bears, and shall produce to the commissioner or motor vehicle inspector documents showing title to, or right of possession in, the motor vehicle in that person or in the person who has authorized him to use and operate it, or registration certificate or other evidence of registration, besides plates, issued by the State or country or department thereof to that person, or to the person who has authorized him to use and operate the motor vehicle, evidencing the registration of the motor vehicle in that State or country.

Papers showing possession for garage keepers.

When a motor vehicle is in the possession of a garage keeper, motor vehicle dealer, both new and used, or motor vehicle service station in this State, the production of a writing signed by the person delivering possession of the motor vehicle to the garage keeper, dealer or service station, stating that the person is the owner or entitled to the possession of the motor vehicle and has title papers or the registration certificate therefor shall be deemed a compliance with this section in so far as the garage keeper, dealer and service station are concerned.

Section amended.

4. Section 39:10-8 of the Revised Statutes is amended to read as follows:

Certificate of origin.

39:10-8. When a new motor vehicle is delivered in this State by the manufacturer to his agent or a dealer, or a person purchasing direct from the manufacturer, the manufacturer shall execute and deliver to his agent or a dealer, or a person purchasing direct from the manufacturer, a certificate of origin in the form prescribed by the commissioner of motor vehicles, and no person shall bring into this State any new motor vehicle unless he has in his possession the certificate of origin as prescribed by the commissioner. The certificate of origin shall contain the manufacturer's numbers of the motor vehicle sold, the name of the manufacturer, the horse power, a general description of the body, if any, the type and model.

Contents of certificate.

Assignment certificate of origin.

When a new motor vehicle is sold in this State, the manufacturer, his agent or a dealer shall exe-

cute and deliver to the purchaser, in case of an absolute sale, assignment of the certificate of origin, or if other than absolute sale, assignment of the certificate of origin subject to contract, signed or executed by the manufacturer, his agent or a dealer, with the genuine names and business or residence addresses of both stated thereon, and certified to have been executed with full knowledge of the contents and with the consent of both purchaser and seller.

5. Section 39:10-9 of the Revised Statutes is amended to read as follows:

Section  
amended.

39:10-9. In all sales after a new motor vehicle is sold by the manufacturer, his agent or a dealer, and in every sale of a used motor vehicle, the seller shall, except as provided in section 39:10-15 of this chapter, execute and deliver to the purchaser, in the case of absolute sale, assignment of the certificate of ownership or assignment of bill of sale issued prior to the effective date of this amendment; if other than absolute sale, assignment of the certificate of ownership, subject to contract, or assignment of bill of sale, subject to contract, issued prior to the effective date of this amendment.

Assignment  
certificate of  
membership.

6. Section 39:10-10 of the Revised Statutes is amended to read as follows:

Section  
amended.

39:10-10. When the contract described in the certificate of origin, or certificate of ownership has been performed by the purchaser and title in the motor vehicle described therein is to vest in the purchaser, the seller shall deliver to the purchaser the certificate of ownership thereto, executed as provided in this chapter, with proper evidence of satisfaction of the contract. The contract shall contain a provision to this effect, that within a period of five days after the performance of the contract the seller shall file with the commissioner a notice, in such form as he shall prescribe, containing proper evidence of the satisfaction of the contract. The commissioner shall thereupon cause a notation to be made on his records of certificate of owner-

Certificate of  
ownership  
delivered to  
purchaser.

Commissioner  
notified of sale.

ship of the motor vehicle that the contract has been satisfied.

Penalty for  
failure to  
comply.

Any person failing to comply with the provisions of this act shall pay a penalty of twenty-five dollars (\$25.00), which may be sued for by the commissioner; the procedure for the collection thereof shall be the same as that set forth in chapter five of this Title.

Section  
amended.

7. Section 39:10-11 of the Revised Statutes is amended to read as follows:

Title papers  
submitted to  
commissioner.

39:10-11. The purchaser of a motor vehicle in this State shall, within five days after its purchase, submit to the commissioner evidence of purchase. Upon presentation of the certificate of origin, or certificate of ownership, or bill of sale issued prior to the effective date of this amendment, with proper assignment and certification of the seller, to the commissioner, record of the transaction shall be made and filed. Certificate of ownership will be issued by the commissioner and delivered to the purchaser in the case of an absolute sale, and the commissioner shall collect a fee of one dollar and fifty cents (\$1.50) for the issuance and filing thereof.

Issuance and  
filing fee.

Fee for  
recording  
encumbrance.

In the case of a sale other than absolute, copy of the certificate of ownership recording the encumbrance shall be delivered to the purchaser, and the commissioner shall collect a fee of two dollars (\$2.00) for the issuance and filing thereof.

Fee for notice  
of satisfaction.

In addition to the issuing and filing fee, there shall be paid to the commissioner a fee of twenty-five cents (\$0.25) for notice of satisfaction of contract on the record or abstract of contract, where the motor vehicle is subject to a lien or encumbrance as provided in section 39:10-14.

Proviso.

*Provided, however,* when any dealer licensed under the provisions of this act is the purchaser of a motor vehicle in this State, he shall, within ten days after its purchase, submit to the commissioner the evidence of purchase. Upon presentation of the certificate of ownership with proper assignment and certification of the seller to the commissioner, a

record of the transaction shall be made and filed. Certificate of ownership will be issued by the commissioner and delivered to such purchaser and the commissioner shall collect a fee of fifty cents (\$0.50) for the issuing and filing thereof.

Any purchaser of a motor vehicle who fails to comply with the provisions of this section shall pay to the commissioner a penalty of five dollars (\$5.00) plus the issuing and filing fee.

Penalty for failure to comply.

8. Section 39:10-12 of the Revised Statutes is amended to read as follows:

Section amended.

39:10-12. If certificate of ownership, or title papers, are lost, the commissioner may, upon proof by certification or otherwise in the manner required by him and if satisfied of the bona fides of the application, prepare a certificate of ownership, certify it and authorize its use in place of the original, with the same effect as the original. The commissioner shall collect a fee of one dollar (\$1.00) for this duplicate certificate.

Certified copy of lost papers.

Fee.

9. Section 39:10-13 of the Revised Statutes is amended to read as follows:

Section amended.

39:10-13. The commissioner shall retain a file of all certificates of ownership until the vehicles described therein shall be eight years old according to the year of manufacture stated in such certificate of ownership. Authority is hereby granted to the commissioner to destroy all other certificates of ownership.

File for certificates of ownership.

Destruction after 8 years.

10. Section 39:10-14 of the Revised Statutes is amended to read as follows:

Section amended.

39:10-14. The commissioner shall make a notation on the record or abstract of contract of every motor vehicle registered with him, which may be subject to contract of conditional sale, or other form of instrument showing the existence of such contract or other form of instrument, and shall index same under the name of the purchaser of the vehicle as long as the lien remains unsatisfied of record.

Record of conditional sale.

Index.

Upon request from any person the commissioner shall issue a certificate showing names and ad-

Abstract of conditional sale furnished.

	<p>addresses of the parties to such contract of conditional sale or other instrument, the name and address of the holder of the lien, the date thereof, the date of filing, the make, model, serial and motor numbers of the motor vehicle, and, if the condition in the contract has been performed, a statement to that effect, for which he shall be entitled to a fee of twenty-five cents (\$0.25).</p>
Fee.	
Charge for certified copy of lien.	<p>For a full certified copy of any instrument showing a lien on a motor vehicle, the commissioner shall be entitled to charge a fee of one dollar (\$1.00) for the certificate plus fifty cents (\$0.50) for each copy of any paper certified.</p>
Notation of satisfaction.	<p>When evidence of satisfaction of any contract of conditional sale or other instrument as aforesaid shall be presented to the commissioner, he shall make a notation thereof on the record of the sale of such motor vehicle showing that the condition in the contract has been performed.</p>
Section amended.	<p>11. Section 39:10-15 of the Revised Statutes is amended to read as follows:</p>
Title papers surrendered to commissioner upon seizure.	<p>39:10-15. If a motor vehicle is seized, levied upon, or attached and taken into possession, actually or constructively, by virtue of judicial process issued by a court of competent jurisdiction in this State, or by virtue of a statute, State, Federal or otherwise, the person from whose possession the motor vehicle was taken, and without prejudice to his rights in the premises, shall surrender the title papers to the commissioner upon written notice or demand from the commissioner. The officer or person so seizing and taking possession of the motor vehicle shall immediately file with the commissioner a notice in writing giving a full description of the motor vehicle, as provided in section 39:10-8 of this Title, and the name and address of the person from whom taken, and shall attach a copy of process or statutory or other authority to the notice. If the motor vehicle is sold in pursuance thereof, the officer so selling it shall execute and deliver to the purchaser at the sale an application for certificate of ownership, in the</p>
Notice of seizure.	
Application for certificate of ownership upon sale.	

same form and manner as provided in said section 39:10-8, which shall also contain the name and address of the person from whom the motor vehicle was taken. A copy of the writ, order, decree, execution or other process under which the motor vehicle is sold and a copy of the notice of sale, which notice of sale shall contain a description of the motor vehicle as required by this chapter, shall be attached thereto. If the sale is held by a bailiff or attorney in fact for a lienor, the lienor shall also execute the application for certificate of ownership. The commissioner, upon due application to him by the purchaser at the sale, shall file and record purchase of the vehicle as provided in section 39:10-8.

Purchase  
recorded.

12. Section 39:10-16 of the Revised Statutes is amended to read as follows:

Section  
amended.

39:10-16. If the title papers or certificate of ownership are defective or improper, or if the motor is permanently changed, or if the motor vehicle was purchased and its sale consummated in another State or country, in accordance with the laws of such State or country regulating the sale of motor vehicles, and not made for the purpose of evading the provisions of this chapter, the bona fide owner of the motor vehicle may apply to the commissioner to correct the defects, permit the title papers to be received or change the number of the motor so changed.

Defective  
title papers.

The commissioner shall, upon such proof as he requires showing that it is just and equitable that the defects be corrected or that the title papers or certificate of ownership be received, with or without hearing, determine the truth and merits of the application and whether the holder appears to be the bona fide owner of the motor vehicle, and may issue his certificate correcting the defects or permitting the title papers or certificate of ownership to be so recorded and filed. The person submitting the papers shall pay to the commissioner a fee of two dollars (\$2.00) for the issuing and filing of the certificate.

Correction  
of defects.

Fee.

May require  
to advertising.

Before issuing the certificate the commissioner may, in his discretion, require the person to advertise in a newspaper having a general circulation in the county where he resides, for the space of two weeks, at least once a week, making three insertions in all, a notice briefly stating that the person has applied to the commissioner to correct defects in the motor vehicle title papers or to receive the title papers out of time, or as the case may be, giving a description of the motor vehicle as provided in section 39:10-8 of this Title, and that if anyone desires to be heard in opposition thereto he may do so by appearing before the commissioner on a date and at a place named, or communicating with him prior thereto. He shall also serve like notice on local police, State Police and any other person or agency, as prescribed by the commissioner, personally or by registered mail. Proofs of the publication and service shall be submitted to the commissioner. The commissioner, his agent or inspector may have the notice advertised or served at the cost and expense of that person.

Section  
repealed.

13. Section 39:10-17 of the Revised Statutes is repealed.

Section  
amended.

14. Section 39:10-18 of the Revised Statutes is amended to read as follows:

Refusal to  
grant registra-  
tion and plates.

39:10-18. The commissioner may refuse to grant a registration certificate and plates for a motor vehicle, unless there is furnished to him or his agent title papers or certificate of ownership in conformity with this chapter, in addition to the requirements of subtitle one, this Title (39:1-1 et seq.).

Section  
amended.

15. Section 39:10-19 of the Revised Statutes is amended to read as follows:

Dealers to  
be licensed.

39:10-19. No person shall engage in the business of buying, selling or dealing in motor vehicles in this State, unless he is authorized to do so under the provisions of this chapter. The commissioner may, upon application in such form as he prescribes, license any proper person as such dealer. No person who has been convicted of a crime, arising out of fraud or misrepresentation in the sale



or financing of a motor vehicle, shall be eligible to receive a license and each applicant for a license shall at the time such license is issued have established and maintained, or, by said application shall agree to establish and maintain, within ninety days after the issuance thereof, a place of business consisting of a permanent building not less than one thousand square feet in floor space located in the State of New Jersey; to be used principally for the servicing and display of motor vehicles with such equipment installed therein as shall be requisite for the servicing of motor vehicles in such manner as to make them comply with the laws of this State and with any rules and regulations made by the Commissioner of Motor Vehicles governing the equipment, use and operation of motor vehicles within the State. A license fee of one hundred dollars (\$100.00) shall be paid by the applicant not licensed at the time of the effective date of this amendment, which shall be renewed on the dealer's application from year to year thereafter without payment of a renewal fee. Every license shall expire on March thirty-first of each year terminating the period for which it is issued. On and after February first of each year the commissioner shall issue licenses for the following yearly period to expire on March thirty-first of the following year.

Requirements.

Fee.

Expiration  
of license.

16. Section 39:10-20 of the Revised Statutes is amended to read as follows:

Section  
amended.

39:10-20. The commissioner may suspend for a period less than the unexpired term of a license or revoke a license, after hearing, for a violation of any provision of this chapter or any rules and regulations made by the commissioner under authority hereof, or upon the final conviction of the licensee of a crime, arising out of fraud or misrepresentation in the sale or financing of a motor vehicle, or upon proof of the failure of a licensee to make payment of the amount of any final judgment, rendered by a court of competent jurisdiction against such licensee and founded upon a claim arising out of fraud or misrepresentation in the sale of a motor

Suspension or  
revocation of  
dealers license

vehicle, within ninety days after the same is finally entered, or upon such licensee's failure to maintain, or establish within ninety days after the issuance of such license and to maintain a place of business consisting of a permanent building not less than one thousand square feet in floor space located in the State of New Jersey; to be used principally for the servicing and display of motor vehicles with such equipment installed therein as shall be requisite for the servicing of motor vehicles in such manner as to make them comply with the laws of this State and with any rules and regulations made by the Commissioner of Motor Vehicles governing the equipment, use and operation of motor vehicles within the State. The clerk of the court in which any conviction is rendered, or the court where it has no clerk, shall forward to the commissioner, immediately upon the entry thereof, a certified copy of the conviction or a transcript thereof. The clerk of the court in which any judgment founded upon fraud or misrepresentation is rendered, or the court where it has no clerk, shall forward to the commissioner, immediately after the expiration of the ninety days, a certified copy of the judgment, or a transcript thereof, showing it to have been unsatisfied more than ninety days after it became final. The commissioner shall, before suspending or revoking the license, and at least ten days prior to the date set for the hearing, notify the holder of the license, in writing, of any charges made, and shall afford him an opportunity to be heard in person or by counsel. The written notice may be served either personally or by registered mail addressed to the last known address of the licensee.

**Hearing.** The commissioner may subpoena and bring before him any person in this State, or take testimony by deposition, in the same manner as prescribed by law in judicial proceedings in the courts of this State, and shall also issue and deliver to the dealer such subpoenas as are requested by him. The Supreme Court shall have power to review a final decision or determination of the commissioner if

application by petition is made to a justice of the court by the aggrieved person within thirty days after the determination. The justice may hear and dispose of the matter summarily.

17. Section 39:10-21 of the Revised Statutes is amended to read as follows:

Section  
amended.

39:10-21. All dealers for both new and used motor vehicles in this State shall have a certificate of origin, certificate of ownership, or writing provided in section 39:10-6 of this Title, for all motor vehicles in their possession. The commissioner, either personally or by agent or motor vehicle inspector, may demand production of, and examine, the certificate of origin, certificate of ownership, or writing provided in section 39:10-6 of this Title, for any motor vehicle in a dealer's possession, and examine and inspect any motor vehicle in his possession.

Possession of  
title papers  
by dealer.

If the demand is not complied with, or there is no certificate of origin, certificate of ownership or writing provided in section 39:10-6 of this Title, for a motor vehicle in the possession of a dealer, or if it is not in conformity with this chapter, the commissioner or his agent or motor vehicle inspector may seize and take possession of the motor vehicle, and hold it until the certificate of origin, certificate of ownership or writing provided in section 39:10-6 of this Title is produced or is corrected, if defective, or ownership of the motor vehicle is established according to law. After the expiration of ninety days from the date the motor vehicle came into his possession, the commissioner may sell it at public sale, upon at least ten days' written notice of sale to the dealer, served personally or by registered mail, addressed to the dealer at his last known place of business, and notice of the sale being published for a space of two weeks, once a week, making three insertions in all, in one or more newspapers published and circulating in the county where the dealer has his established place of business and also by posting the notice in five public places in the county. The newspapers and places

Seizure and  
sale for non-  
conformity.

of posting shall be designated by the commissioner. Upon the sale of the motor vehicle all valid liens and claims for interest therein, if any, shall be transferred from the vehicle to the proceeds of sale, which subject thereto, shall become the sole property of the State, to be used as other moneys received by the commissioner.

Section amended.

18. Section 39:10-22 of the Revised Statutes is amended to read as follows:

Forms prepared and supplied.

39:10-22. The commissioner may prepare and prescribe any or all forms necessary for the proper administration of this chapter. The commissioner or motor vehicle inspector may seize and take possession of any certificate of ownership or other title papers to which the commissioner may be entitled, for which a person is under duty to return to the commissioner, from any person or place in this State, with all the rights, privileges and immunities conferred by law on an officer executing a writ of replevin.

Section amended.

19. Section 39:10-23 of the Revised Statutes is amended to read as follows:

Title papers surrendered upon junking vehicle.

39:10-23. When a motor vehicle is scrapped, junked or destroyed, or a person permanently parts with its possession other than by sale, he shall immediately surrender and deliver the certificate of ownership to the commissioner, who shall issue a receipt therefor to the person surrendering it. When a motor vehicle is sold to be scrapped, junked or destroyed, assignment shall be made to the purchaser in accordance with the provisions of section 39:10-8 of this Title. The purchaser shall within five days deliver the certificate of ownership to the commissioner, who shall issue a receipt therefor to the person surrendering it.

Section amended.

20. Section 39:10-24 of the Revised Statutes is amended to read as follows:

Violations.

39:10-24. A person who:

a. Knowingly or willfully violates a provision of this chapter which does not provide for a specific penalty;

b. Knowingly or willfully makes a misrepresentation or false statement in any title papers or other papers submitted to the commissioner in connection therewith;

c. Purchases, receives or obtains a motor vehicle on a title paper in violation of this chapter;

d. Forges, changes or counterfeits a part of title papers;

e. Misrepresents a number placed on a motor vehicle by the manufacturer, or in any other manner misrepresents the description of a motor vehicle; or

f. Uses title papers on or for a wrong motor vehicle, with intent to evade or violate the requirements of this chapter,

Shall be guilty of a misdemeanor and punished by a fine not exceeding two thousand dollars (\$2,000.00) or by imprisonment not exceeding two years, or both, at the court's discretion, and shall immediately return the title papers involved to the commissioner. Misdemeanor.

21. Section 39:10-25 of the Revised Statutes is amended to read as follows: Section amended.

39:10-25. The commissioner may designate any person to be his agent for the issuing and filing of certificates of origin and certificates of ownership in accordance with the provisions of section 39:10-11 of this Title, subject to the requirements of chapter ten, and to any rules and regulations the commissioner shall impose. The agent shall so act until his authority is revoked by the commissioner. The fee allowed the agent for issuing and filing each certificate of ownership shall be fixed by the commissioner to be deducted and remitted to the agent by the commissioner from the fees collected for the issuing and filing of such certificates. The commissioner may limit the fee so paid to a maximum. The balance of all fees collected by the commissioner pursuant to this chapter for fees paid to agents shall be deposited with the State Treasurer in accordance with the statutes. Designation of agents.

Disposition of fees.

Expenses of  
administration.

All other expenses of administering this chapter shall be paid by the State Treasurer on a voucher of the commissioner from appropriations made for the purpose of administering this act, and the balance of the fund remaining at the end of each fiscal year shall be accounted for by the treasurer in the manner prescribed by law.

Act effective.

22. This act shall take effect October first, one thousand nine hundred and forty-six.

Approved April 23, 1946.

## CHAPTER 137

AN ACT directing the Agricultural Experiment Station of the State University of New Jersey to make a study of the effect of air pollution by industrial fumes within the State of New Jersey and to report thereon and authorizing the expenditure of certain funds for said purposes.

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

Study of air  
pollution  
authorized.

1. The Agricultural Experiment Station of the State University of New Jersey hereby is authorized and directed to make a study of the effect of air pollution by industrial fumes and the contamination thereby of the soil of agricultural lands adjoining the source of such industrial fumes or subjected thereto and the effect of such air pollution upon animal and plant life within the State of New Jersey and to report to the next Legislature with its recommendations as to remedial measures which can be taken in the premises.

Expenditure  
authorized.

2. The Agricultural Experiment Station of the State University of New Jersey hereby is authorized to expend not to exceed the sum of fifteen thousand dollars (\$15,000.00) in the making of said

study and the preparation of said report out of any funds already appropriated to it, which sum, or so much thereof as may be necessary, shall be available for expenditure for said purposes upon the taking effect of this act and thereafter throughout the fiscal year beginning July first, one thousand nine hundred and forty-six, and any unencumbered balance thereof remaining on said date shall not lapse into the general unappropriated funds of the State Treasury on said date but hereby is reappropriated for said purposes.

3. This act shall take effect immediately.

Approved April 23, 1946.

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### CHAPTER 138

AN ACT relating to the authorization, acquisition, financing and operation of sewage disposal systems by or on behalf of any county or any one or more municipalities, providing for the creation of sewerage authorities to undertake the same, for the issuance of bonds and other obligations therefor, and for service charges to meet the expense thereof, repealing article three of chapter sixty-three of Title 40 (sections 40:63-140 et seq.) of the Revised Statutes, and supplementing Title 40 of the Revised Statutes.

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

1. This act shall be known and may be cited as the "sewerage authorities law."
2. It is hereby declared to be in the public interest and to be the policy of the State to foster and promote by all reasonable means the relief of waters in and bordering the State from pollution

C. 40:14A-1.  
Sewerage  
authorities law.

C. 40:14A-2.  
State policy.

and thus to reduce and ultimately abate the menace to the public health resulting from such pollution. It is the purpose and object of this act to further and implement such policy by

**Construct, etc.,  
sewerage  
disposal plants.** (1) Authorizing counties, or municipalities either separately or in combination with other municipalities, by means and through the agency of a sewerage authority, to acquire, construct, maintain, operate or improve works for the collection, treatment, purification or disposal of sewage or other wastes;

**Service  
charges.** (2) Authorizing service charges to occupants or owners of property for direct or indirect connection with and the use or services of such works, and providing for the establishment, collection and enforcement of such charges;

**Corporate  
sewerage  
authorities.** (3) Creating as a body corporate and politic sewerage authorities to have full responsibility and powers with respect to such works and the establishment, collection, enforcement, use and disposition of all such service charges;

**Financing.** (4) Providing for the financing of such works, for the issuance of bonds therefor, and for the payment and security of such bonds; and

**Discretionary  
power in re  
pollution.** (5) In general, granting to counties and municipalities and to such sewerage authorities discretionary powers to provide for sewerage services designed to relieve pollution of such waters at the expense of the users of such services and without increasing the burden of taxation in such counties or municipalities.

**C. 40:14A-3.  
Terms defined:** 3. As used in this act, unless a different meaning clearly appears from the context:

**Municipality;** (1) "Municipality" shall mean any city of any class, any borough, village, town, township, or any other municipality other than a county or a school district;

**County;** (2) "County" shall mean any county of any class;

**Governing  
body;** (3) "Governing body" shall mean, in the case of a county, the board of chosen freeholders, and, in the case of a municipality, the commission, council,



board or body, by whatever name it may be known, having charge of the finances of the municipality;

(4) "Person" shall mean any person, association, corporation, nation, State or any agency or subdivision thereof, other than a county or municipality of the State or a sewerage authority; Person;

(5) "Sewerage authority" shall mean a public body created pursuant to section four of this act; Sewerage authority;

(6) Subject to the exceptions provided in section four of this act, "district" shall mean the area within the territorial boundaries of the county, or of the municipality or municipalities, which created or joined in the creation of a sewerage authority; District;

(7) "Local unit" shall mean the county, or any municipality, which created or joined in the creation of a sewerage authority; Local unit;

(8) "Sewerage system" shall mean the plants, structures and other real and personal property acquired, constructed or operated or to be acquired, constructed or operated by a sewerage authority for the purposes of the sewerage authority, including sewers, conduits, pipe lines, mains, pumping and ventilating stations, sewage treatment or disposal systems, plants and works, connections, and outfalls, and other plants, structures, boats, conveyances, and other real and personal property, and rights therein, and appurtenances necessary or useful and convenient for the collection, treatment, purification or disposal in a sanitary manner of any sewage, liquid or solid wastes, night soil or industrial wastes; Sewerage system;

(9) "Cost" shall mean, in addition to the usual connotations thereof, the cost of acquisition or construction of all or any part of a sewerage system and of all or any property, rights, easements and franchises deemed by the sewerage authority to be necessary or useful and convenient therefor, including reimbursements to the sewerage authority or any county, municipality or other person of any moneys theretofore expended for the purposes of the sewerage authority and including interest or discount on bonds to finance such cost, engineering Cost;

- and inspection costs and legal expenses, the cost of financial, professional and other advice, and the cost of issuance of any such bonds;
- Real property; (10) "Real property" shall mean lands both within and without the State, and improvements thereof or thereon, or any rights or interests therein;
- Construct; (11) "Construct" and "construction" shall connote and include acts of construction, reconstruction, replacement, extension, improvement and betterment of a sewerage system;
- Industrial wastes; (12) "Industrial wastes" shall mean liquid or other wastes resulting from any processes of industry, manufacture, trade or business or from the development of any natural resource;
- Sewage; (13) "Sewage" shall mean the water-carried wastes created in and carried, or to be carried, away from residences, hotels, apartments, schools, hospitals, industrial establishments, or any other public or private building, together with such surface or ground water and industrial wastes as may be present;
- Pollution; (14) "Pollution" means the condition of water resulting from the introduction therein of substances of a kind and in quantities rendering it detrimental or immediately or potentially dangerous to the public health, or unfit for public or commercial use;
- Ordinance; (15) "Ordinance" means a written act of the governing body of a municipality adopted and otherwise approved and published in the manner or mode of procedure prescribed for ordinances tending to obligate such municipality pecuniarily; and
- Resolution; (16) "Resolution" means a written act of the governing body of a local unit adopted and otherwise approved in the manner or mode of procedure prescribed for resolutions tending to obligate such local unit pecuniarily.
- Bonds. (17) "Bonds" shall mean bonds or other obligations issued pursuant to this act.

4. (a) The governing body of any county may, by resolution duly adopted, create a public body corporate and politic under the name and style of "the .....sewerage authority" with all or any significant part of the name of such county inserted. Said body shall consist of the five members thereof, who shall be appointed by resolution of the governing body as hereinafter in this section provided, and it shall constitute the sewerage authority contemplated and provided for in this act and an agency and instrumentality of said county. After the taking effect of the resolution for the creation of said body and the filing of a certified copy thereof as in subsection (d) of this section provided, five persons shall be appointed as the members of the sewerage authority. The members first appointed shall, by the resolution of appointment, be designated to serve for terms respectively expiring on the first days of the first, second, third, fourth and fifth Februarys next ensuing after the date of their appointment. On or after the first day of January in each year after such first appointments, one person shall be appointed as a member of the sewerage authority to serve for a term commencing on the first day of February in such year and expiring on the first day of February in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during an unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term.

C. 40:14A-4.  
County may  
create sewerage  
authority.

Members.

Terms.

Vacancies.

(b) The governing body of any municipality may, by ordinance duly adopted, create a public body corporate and politic under the name and style of "the ..... sewerage authority" with all or any significant part of the name of such municipality inserted. Said body shall consist of the five members thereof, who shall be appointed by resolution of the governing body as hereinafter in this section provided, and it shall constitute the sewerage authority contemplated and

Municipality  
may create  
sewerage  
authority.

Members.

	provided for in this act and an agency and instrumentality of said municipality. After the taking effect of such ordinance and the filing of a certified copy thereof as in subsection (d) of this section provided, five persons shall be appointed as the
Terms.	members of the sewerage authority. The members first appointed shall, by the resolution of appointment, be designated to serve for terms respectively expiring on the first days of the first, second, third, fourth and fifth Februarys next ensuing after the date of their appointment. On or after the first day of January in each year after such first appointments, one person shall be appointed as a member of the sewerage authority to serve for a term commencing on the first day of February in
Vacancies.	such year and expiring on the first day of February in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during an unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term.
May create joint authority.	(c) The governing bodies of any two or more municipalities, the areas of which together comprise an integral body of territory, may, by parallel ordinances duly adopted by each of such governing bodies within any single calendar year, create a public body corporate and politic under the name and style of "the ..... sewerage authority" with all or any significant part of the name of each such municipality or some identifying geographical phrase inserted. Said body shall consist of the members thereof, in an aggregate number determined as hereinafter in this subsection provided, who shall be appointed by resolutions of the several governing bodies as hereinafter in this section provided, and it shall constitute the sewerage authority contemplated and provided for in this act and an agency and instrumentality of the
Members.	said municipalities. The number of members of the sewerage authority to be appointed at any time for full terms of office by the governing body of any
Terms.	

such municipality shall be as may be stated in said ordinances which shall be not less than one nor more than three. After the taking effect of the said ordinances of all such municipalities and after the filing of certified copies thereof as in subsection (d) of this section provided, the appropriate number of persons shall be appointed as members of the sewerage authority by the governing body of each municipality. The members first appointed or to be first appointed shall serve for terms expiring on the first day of the fifth February next ensuing after the date of the first appointment of any member. On or after the first day of January in the year in which expire the terms of the said members first appointed and in every fifth year thereafter, the appropriate number of persons shall be appointed as members of the sewerage authority by the governing body of each municipality, to serve for terms commencing on the first day of February in such year and expiring on the first day of February in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during an unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term by the governing body which made the original appointment for such unexpired term.

(d) A copy of each resolution or ordinance for the creation of a sewerage authority adopted pursuant to this section, duly certified by the appropriate officer of the local unit, shall be filed in the office of the Secretary of State. Upon proof of such filing of a certified copy of the resolution or ordinance or of certified copies of the parallel ordinances for the creation of a sewerage authority as aforesaid, the sewerage authority therein referred to shall, in any suit, action or proceeding involving the validity or enforcement of, or relating to, any contract or obligation or act of the sewerage authority, be conclusively deemed to have been lawfully and properly created and established and authorized to transact business and exercise its powers under this

Vacancies.

Resolution  
creating filed.

Deemed  
properly  
created.

Certified copy  
as evidence.

act. A copy of any such certified resolution or ordinance, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any suit, action or proceeding.

Resolution  
appointing  
member filed.

(e) A copy of each resolution appointing any member of a sewerage authority adopted pursuant to this section, duly certified by the appropriate officer of the local unit, shall be filed in the office of the Secretary of State. A copy of such certified resolution, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any suit, action or proceeding and, except in a suit, action or proceeding directly questioning such appointment, shall be conclusive evidence of the due and proper appointment of the member or members named therein.

Not to join in  
more than one  
authority.

(f) No governing body which may create or join in the creation of any sewerage authority pursuant to this section shall thereafter create or join in the creation of any other sewerage authority. No governing body of any municipality within a district shall create or join in the creation of any sewerage authority except upon the written consent of the sewerage authority and in accordance with the terms and conditions of such consent, and in the event such consent be given and a sewerage authority be created pursuant thereto, the area within the territorial boundaries of such municipality shall not thereafter be part of the district. In the event that prior to the creation of a sewerage authority of a county the governing body of any municipality located in said county shall have created or joined in the creation of a sewerage authority, the area within the territorial limits of such municipality shall not be part of the district of the sewerage authority of said county.

Creating  
resolution  
filed with clerk.

(g) Within ten days after the filing in the office of the Secretary of State of a certified copy of a resolution for the creation of a sewerage authority adopted by the governing body of any county pursuant to this section, a copy of such resolution, duly certified by the appropriate officer of the county,

shall be filed in the office of the clerk of each municipality within the county. In the event that the governing body of any such municipality shall, within sixty days after such filing in the office of the Secretary of State, adopt a resolution determining that such municipality shall not be a part of the district of such sewerage authority and file a copy thereof, duly certified by its clerk, in the office of the Secretary of State, the area within the territorial limits of such municipality shall not thereafter be part of such district.

Municipality  
not to be  
included.

5. (a) The powers of a sewerage authority shall be vested in the members thereof in office from time to time. A majority of the entire authorized membership of the sewerage authority shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the sewerage authority at any meeting of the members thereof by vote of a majority of the members present, unless in any case the by-laws of the sewerage authority shall require a larger number. The sewerage authority may delegate to one or more of its officers, agents or employees such powers and duties as it may deem proper.

C. 40:14A-5.  
Powers vested  
in authority.

May delegate  
powers.

(b) Each member of a sewerage authority shall hold office for the term for which he was appointed and until his successor has been appointed and has qualified.

Hold over  
for members.

(c) No member, officer or employee of a sewerage authority shall have or acquire any interest, direct or indirect, in the sewerage system or in any property included or planned to be included in the sewerage system or in any contract or proposed contract for materials or services to be furnished to or used by the sewerage authority, but neither the holding of any office or employment in the government of any county or municipality or under any law of the State nor the owning of any property within the State shall be deemed a disqualification for membership in or employment by a sewerage authority. A member of a sewerage authority may be removed only by the governing body by

Members, etc.,  
not to have  
interest in  
contracts, etc.

Removal of  
member.

which he was appointed and only for inefficiency or neglect of duty or misconduct in office and after he shall have been given a copy of the charges against him and, not sooner than ten days thereafter, had opportunity in person or by counsel to be heard thereon by such governing body.

Expenses and  
compensation  
of members.

(d) A sewerage authority may reimburse its members for necessary expenses incurred in the discharge of their duties. The resolution, ordinance or parallel ordinances for the creation of a sewerage authority may provide that the members of the sewerage authority may receive compensation for their services within an annual and other limitations to be stated in such resolution, ordinance or parallel ordinances, and in that event, each member may receive from the sewerage authority such compensation for his services as the sewerage authority may determine within the limitations stated in such resolution, ordinance or parallel ordinances. No member of any sewerage authority shall receive any compensation for his services except as provided in this subsection.

Annual  
organization.

(e) Every sewerage authority, upon the first appointment of its members and thereafter on or after the first day of February in each year, shall annually elect from among its members a chairman and a vice-chairman who shall hold office, until the first day of February next ensuing and until their respective successors have been appointed and have qualified. Every sewerage authority may also appoint and employ a secretary and such professional and technical advisers and experts and such other officers, agents and employees as it may require, and it shall determine their qualifications, terms of office, duties and compensation.

Secretary  
and other  
employees.

C. 40:14A-6.  
Purpose of  
sewerage  
authority.

6. (a) The purposes of every sewerage authority shall be the relief of the waters in and bordering the State from pollution arising from causes within the district and the consequent improvement of conditions affecting the public health.

Authorized  
to acquire  
plants, etc.

(b) Every sewerage authority is hereby authorized and directed, subject to the limitations of this



act, to acquire, in its own name but for the local unit or units, by purchase, gift, condemnation or otherwise, and, notwithstanding the provisions of any charter, ordinance or resolution of any county or municipality to the contrary, to construct, maintain, operate and use such trunk, intercepting and outlet sewers, conduits, pipe lines, pumping and ventilating stations, treatment plants or works at such places, and such other plants, structures, boats and conveyances, as in the judgment of the sewerage authority will provide an effective and satisfactory method for promoting the purposes of the sewerage authority.

(c) Every sewerage authority is hereby authorized and directed, when in its judgment its sewerage system or any part thereof will permit, to collect from any and all public sewage systems within the district all sewage and treat and dispose of the same in such manner as to promote the purposes of the sewerage authority.

May collect from public systems.

7. Every sewerage authority shall be a public body politic and corporate constituting a political subdivision of the State established as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare and shall have perpetual succession and have the following powers:

C. 40:14A-7.  
Public body politic and corporate.

Powers.

(1) To adopt and have a common seal and to alter the same at pleasure;

(2) To sue and to be sued;

(3) In the name of the sewerage authority and on its behalf, to acquire, hold, use and dispose of its service charges and other revenues and other moneys;

(4) In the name of the sewerage authority but for the local unit or units, to acquire, hold, use and dispose of other personal property for the purposes of the sewerage authority;

(5) In the name of the sewerage authority but for the local unit or units, to acquire by purchase, gift, condemnation or otherwise, real property and easements therein, necessary or useful and con-

venient for the purposes of the sewerage authority, and subject to mortgages, deeds of trust or other liens, or otherwise, and to hold and to use the same, and to dispose of property so acquired no longer necessary for the purposes of the sewerage authority;

(6) To provide for and secure the payment of any bonds and the rights of the holders thereof, and to purchase, hold and dispose of any bonds;

(7) To accept gifts or grants of real or personal property, money, material, labor or supplies for the purposes of the sewerage authority, and to make and perform such agreements and contracts as may be necessary or convenient in connection with the procuring, acceptance or disposition of such gifts or grants;

(8) To enter on any lands, waters or premises for the purpose of making surveys, borings, soundings and examinations for the purposes of the sewerage authority;

(9) To make and enforce by-laws or rules and regulations for the management and regulation of its business and affairs and for the use, maintenance and operation of the sewerage system and any other of its properties, and to amend the same;

(10) To do and perform any acts and things authorized by this act under, through or by means of its own officers, agents and employees, or by contracts with any persons; and

(11) To enter into any and all contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the sewerage authority or to carry out any power expressly given in this act.

C. 40:14A-8.  
Services  
charges  
authorized.

8. (a) Every sewerage authority is hereby authorized to charge and collect rents, rates, fees or other charges (in this act sometimes referred to as "service charges") for direct or indirect connection with, or the use or services of, the sewerage system. Such service charges may be charged to and collected from any person contracting for such

connection or use or services or from the owner or occupant, or both of them, of any real property which directly or indirectly is or has been connected with the system or from or on which originates or has originated sewage or other wastes which directly or indirectly have entered or may enter the sewerage system, and the owner of any such real property shall be liable for and shall pay such service charges to the sewerage authority at the time when and place where such service charges are due and payable.

(b) Such rents, rates, fees and charges, being in the nature of use or service charges, shall as nearly as the sewerage authority shall deem practicable and equitable be uniform throughout the district for the same type, class and amount of use or service of the sewerage system, and may be based or computed either on the consumption of water on or in connection with the real property, making due allowance for commercial use of water, or on the number and kind of water outlets on or in connection with the real property, or on the number and kind of plumbing or sewerage fixtures or facilities on or in connection with the real property, or on the number of persons residing or working on or otherwise connected or identified with the real property, or on the capacity of the improvements on or connected with the real property, or on any other factors determining the type, class and amount of use or service of the sewerage system, or on any combination of any such factors, and may give weight to the characteristics of the sewage and other wastes and any other special matter affecting the cost of treatment and disposal thereof, including chlorine demand, biochemical oxygen demand, concentration of solids and chemical composition.

Service  
charges  
uniform.

(c) The sewerage authority shall prescribe and from time to time when necessary revise a schedule of such service charges, which shall comply with the terms of any contract of the sewerage authority and in any event shall be such that the revenues of the sewerage authority will at all times be adequate

Revision of  
schedule.

to pay all expenses of operation and maintenance of the sewerage system, including reserves, insurance, extensions, and replacements, and to pay punctually the principal of and interest on any bonds and to maintain such reserves or sinking funds therefor as may be required by the terms of any contract of the sewerage authority or as may be deemed necessary or desirable by the sewerage authority. Said schedule shall thus be prescribed and from time to time revised by the sewerage authority after public hearing thereon which shall be held by the sewerage authority at least seven days after such published notice as the sewerage authority may determine to be reasonable. The sewerage authority shall likewise fix and determine the time or times when and the place or places where such service charges shall be due and payable and may require that such service charges shall be paid in advance for periods of not more than one year. A copy of such schedule of service charges in effect shall at all times be kept on file at the principal office of the sewerage authority and shall at all reasonable times be open to public inspection.

Fix time  
of payment.

C. 40:14A-9.  
Local unit  
may make  
appropriation.

9. Any local unit shall have power, in the discretion of its governing body, to appropriate moneys for the purposes of the sewerage authority, and to loan or donate such moneys to the sewerage authority in such installments and upon such terms as may be agreed upon between such local unit and the sewerage authority.

C. 40:14A-10.  
Bond issue.

10. For the purpose of raising funds to pay the cost of any part of its sewerage system, a sewerage authority shall have power to authorize or provide for the issuance of bonds pursuant to this act. Such sewerage authority shall adopt a resolution (in this act sometimes referred to as "bond resolution") which shall

Contents of  
bond resolution.

- (1) describe in brief and general terms sufficient for reasonable identification the part (in this act sometimes called "project") of the sewerage system to be constructed or acquired;

(2) state the cost or estimated cost of the project; and

(3) provide for the issuance of the bonds in accordance with either section eleven or section twelve of this act.

11. (a) A bond resolution of a sewerage authority may provide for the issuance of bonds of the local unit or units in accordance with this section for the purpose stated in section ten. Such a bond resolution shall (1) determine and state the share of the cost of the project allocated and to be financed by each of the local units and (2) determine and state all of the details (except the rate or rates of interest payable thereon) of the bonds to be authorized and issued by each of the local units for the purpose of financing the project, all within the limitations and in accordance with the applicable requirements of article one of chapter one of Title 40 of the Revised Statutes (R. S., section 40:1-1 et seq.). A copy of such bond resolution, duly certified by the appropriate officer of the sewerage authority, shall be delivered to the governing body of each local unit.

C. 40:14A-11.  
Bond resolution  
to state share  
allocated to  
local unit.

Resolution  
certified.

(b) Upon receipt of such certified copy of the bond resolution, each local unit may appropriate the share of the cost of the project allocated to it by the bond resolution and shall have power to incur indebtedness, borrow money and issue its negotiable bonds for the purpose of financing such project and appropriation. Such bonds shall comply with the description thereof stated in the bond resolution and, if the governing body of such local unit shall determine to issue the same, shall be authorized by municipal bond ordinance or county bond resolution, as the case may be, finally adopted by the governing body of the local unit in accordance with the limitations, and any exceptions thereto, and in the manner or mode of procedure prescribed by article one of chapter one of Title 40 of the Revised Statutes (R. S., section 40:1-1 et seq.) except that (1) the purpose of such bonds may be described and identified merely by reference to the

Financing by  
local unit.

Bonds to  
comply with  
resolution.

bond resolution, and (2) no down payment shall be required.

Bond ordinance  
irrevocable.

(c) If within ninety days after adoption of the bond resolution, the governing body of every local unit shall have adopted a municipal bond ordinance or county bond resolution authorizing the issuance of all of the bonds of such local unit contemplated and described in the bond resolution, no municipal bond ordinance or county bond resolution authorizing the issuance of any of the bonds contemplated and described in the bond resolution shall thereafter be repealed, amended or revoked, except with the previous consent of the sewerage authority.

Sale.

(d) Such bonds shall be sold by the sewerage authority in accordance with this section at such times and in such blocks or installments and bearing such rates of interest and for such prices not less than their par value as the sewerage authority may direct. Such bonds may be sold by the sewerage authority in the manner or mode of procedure prescribed by section 40:1-53 of article one of chapter one of Title 40 of the Revised Statutes (R. S., section 40:1-1 et seq.) but if not so sold, shall be sold only at public sale upon sealed proposals after at least seven days' notice published at least once in a publication carrying municipal bond notices and devoted primarily to financial news or the subject of State and municipal bonds, published in New York City or in New Jersey, to the bidder on whose bid the total loan may be made at the lowest net cost, such net cost to be computed, as to each bid, by adding to the total principal amount of the bonds which the bidder offers to accept, the total interest which will be paid under the terms of the bid, and deducting therefrom the amount bid for the bonds which shall not exceed by more than one thousand dollars (\$1,000.00) the par value of the bonds offered for sale. Such bonds shall be executed by the appropriate officials of the local unit and delivered to the purchasers in accordance with the contract of sale and the proceeds thereof shall be paid to the sewerage authority.

Proceeds.

12. (a) A bond resolution of a sewerage authority may provide for and authorize the issuance of bonds of the sewerage authority in accordance with this section for the purpose stated in section ten or for the purpose of funding or refunding any bonds. A bond resolution providing for and authorizing the issuance of bonds to fund or refund bonds shall, in lieu of the matters described in clauses (1) and (2) of section ten, describe the bonds which are to be funded or refunded.

C. 40:14A-12.  
Funding or  
refunding  
bonds.

(b) Upon adoption of the bond resolution, the sewerage authority shall have power to incur indebtedness, borrow money and issue its bonds for the purpose of financing the project or of funding or refunding the bonds described therein. Such bonds shall be authorized by the bond resolution and may be issued in one or more series and shall bear such date or dates, mature at such time or times not exceeding forty years from the date thereof, bear interest at such rate or rates not exceeding six per centum (6%) per annum, be in such denomination or denominations, be in such form, either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable from such sources in such medium of payment at such place or places within or without the State, and be subject to such terms of redemption (with or without premium) as the bond resolution may provide.

Financing by  
authority.

Issuing  
details.

(c) Bonds of a sewerage authority may be sold by the sewerage authority at public or private sale at such price or prices as the sewerage authority shall determine; *provided, however*, that the interest cost to maturity of the money received for any issue of bonds (computed according to standard tables of bond values) shall not exceed six per centum (6%) per annum.

Sale.

Proviso.

13. After sale of any bonds pursuant to section eleven or section twelve of this act, the sewerage authority shall have power to authorize the execution and issuance to the purchasers, pending the preparation of the definitive bonds, of interim cer-

C. 40:14A-13.  
Temporary  
bonds.

tificates therefor or of temporary bonds or other temporary instruments exchangeable for the definitive bonds when prepared, executed and ready for delivery. The holders of such interim certificates, temporary bonds or other temporary instruments shall have all the rights and remedies which they would have as holders of the definitive bonds.

C. 40:14A-14.  
Publication  
of resolution.

Action within  
20 days on  
validity of  
bonds, etc.

Action barred.

14. Any sewerage authority may cause to be published in a newspaper published in the district a copy of any bond resolution adopted by it, together with a notice stating the date of such adoption and also the date of the first publication of such notice and also that any action or proceeding of any kind or nature in any court questioning the validity of the creation and establishment of the sewerage authority, or the validity or proper authorization of bonds provided for by the bond resolution, or the validity of any covenants, agreements or contracts provided for by the bond resolution shall be commenced within twenty days after the first publication of such notice. If no such action or proceeding shall be commenced or instituted within twenty days after the first publication of such notice, then all residents and taxpayers and owners of property in the district and users of the sewerage system and all other persons whatsoever shall be forever barred and foreclosed from instituting or commencing any action or proceeding in any court, or from pleading any defense to any action or proceeding, questioning the validity of the creation and establishment of the sewerage authority, the validity or proper authorization of such bonds, or the validity of any such covenants, agreements or contracts, and said bonds, covenants, agreements and contracts shall be conclusively deemed to be valid and binding obligations in accordance with their terms and tenor.

C. 40:14A-15.  
Bonds  
negotiable.

15. Any provision of any law to the contrary notwithstanding, any bond or other obligation issued pursuant to this act shall be fully negotiable within the meaning and for all purposes of the negotiable instruments law of the State, and each holder or



owner of such a bond or other obligation, or of any coupon appurtenant thereto, by accepting such bond or coupon shall be conclusively deemed to have agreed that such bond, obligation or coupon is and shall be fully negotiable within the meaning and for all purposes of said negotiable instruments law.

16. Any bond resolution of a sewerage authority providing for or authorizing the issuance of any bonds may contain provisions, and such sewerage authority, in order to secure the payment of such bonds and in addition to its other powers, shall have power by provision in the bond resolution to covenant and agree with the several holders of such bonds, as to:

(1) the custody, security, use, expenditure or application of the proceeds of the bonds; C. 40:14A-16.  
Bond covenants:

(2) the construction and completion, or replacement, of all or any part of the sewerage system; Construction, etc.;

(3) the use, regulation, operation, maintenance, insurance or disposition of all or any part of the sewerage system, or restrictions on the exercise of the powers of the sewerage authority to dispose, or to limit or regulate the use, of all or any part of the sewerage system; Use and maintenance of system;

(4) payment of the principal of or interest on the bonds, or any other obligations, and the sources and methods thereof, the rank or priority of any such bonds or obligations as to any lien or security, or the acceleration of the maturity of any such bonds or obligations; Payment of principal and interest;

(5) the use and disposition of any moneys of the sewerage authority, including revenues (in this act sometimes called "system revenues") derived or to be derived from the operation of all or any part of the sewerage system, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired; Use of revenues;

(6) pledging, setting aside, depositing or trusteeing all or any part of the system revenues or other moneys of the sewerage authority to secure the Pledging revenue;

payment of the principal of or interest on the bonds or any other obligations, or the payment of expenses of operation or maintenance of the sewerage system, and the powers and duties of any trustee with regard thereto;

Reserves; (7) the setting aside out of the system revenues or other moneys of the sewerage authority of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

Expenses of operation; (8) determination or definition of the system revenues or of the expenses of operation and maintenance of the sewerage system;

Rates, rents and fees; (9) the rents, rates, fees, or other charges for connection with or the use or services of the sewerage system, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired, and the fixing, establishment, collection and enforcement of the same, the amount or amounts of system revenues to be produced thereby, and the disposition and application of the amounts charged or collected;

Assumption or discharge of claims; (10) the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of the sewerage system or any obligations having or which may have a lien on any part of the system revenues;

Bond limitations; (11) limitations on the issuance of additional bonds or any other obligations or on the incurrence of indebtedness of the sewerage authority;

Construction, etc., of competing systems; (12) limitations on the powers of the sewerage authority to construct, acquire or operate, or permit the construction, acquisition or operation of, any plants, structures, facilities or properties which may compete or tend to compete with the sewerage system;

Rights, powers and duties of trustees; (13) vesting in a trustee or trustees such property, rights, powers and duties in trust as the sewerage authority may determine which may include any or all of the rights, powers and duties of the trustee appointed by the holders of bonds pursuant

to section seventeen of this act, and limiting or abrogating the right of such holders to appoint a trustee pursuant to section seventeen of this act or limiting the rights, duties and powers of such trustee;

(14) payment of costs or expenses incident to the enforcement of the bonds or of the provisions of the bond resolution or of any covenant or contract with the holders of the bonds;

Expenses incident to enforcement;

(15) the procedure, if any, by which the terms of any covenant or contract with, or duty to, the holders of bonds may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given or evidenced; or

Procedure to amend, etc., contract;

(16) any other matter or course of conduct which, by recital in the bond resolution, is declared to further secure the payment of the principal of or interest on the bonds.

Other security for payment.

All such provisions of the bond resolution and all such covenants and agreements shall constitute valid and legally binding contracts between the sewerage authority and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or holders by mandamus or other appropriate action, suit, or proceeding at law or in equity in any court of competent jurisdiction.

Covenants valid contracts.

17. (a) The provisions of this section shall be applicable to a series of bonds authorized or issued under this act only if the bond resolution of the sewerage authority authorizing or providing for the issuance of such bonds shall provide in substance that the holders of the bonds of such series shall be entitled to the benefits, and be subject to the provisions, of this section.

C. 40:14A-17. Application in re serial bonds.

(b) In the event that there shall be a default in the payment of principal of or interest on any bonds of such series after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days, or in the event that the sewerage

Trustees in event of default.

authority shall fail or refuse to comply with the provisions of this act or shall fail or refuse to carry out and perform the terms of any contract with the holders of any of such bonds, and such failure or refusal shall continue for a period of thirty days after written notice to the sewerage authority of its existence and nature, the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding, by instrument or instruments filed in the office of the Secretary of State and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds of such series for the purposes provided in this section.

Enforcement of  
bond-holders'  
rights.

(c) Such trustee may and upon written request of the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding shall, in his or its own name:

(1) By mandamus, certiorari or other action, suit, writ or proceeding at law or in equity, enforce all rights of the holders of such bonds, including the right to require the sewerage authority to charge and collect service charges adequate to carry out any contract as to, or pledge of, system revenues, and to require the sewerage authority to carry out and perform the terms of any contract with the holders of such bonds or its duties under this act;

(2) Bring action or suit upon all or any part of such bonds or interest coupons or claims appurtenant thereto;

(3) By action or suit in equity require the sewerage authority to account as if it were the trustee of an express trust for the holders of such bonds;

(4) By action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds; or

(5) Declare all such bonds due and payable, whether or not in advance of maturity, upon thirty days' prior notice in writing to the sewerage authority and, if all defaults shall be made good, then with the consent of the holders of twenty-five per centum (25%) of the principal amount of such bonds then outstanding, annul such declaration and its consequences.

(d) Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of the functions specifically set forth herein or incident to the general representation of the holders of bonds of such series in the enforcement and protection of their rights.

Trustees  
further  
empowered.

(e) In any suit, action or proceeding by such trustee, the fees, counsel fees and expenses of the trustee and of the receiver, if any, appointed pursuant to this act, shall constitute taxable costs and disbursements, and all costs and disbursements, allowed by the court, shall be a first charge upon any service charges and system revenues of the sewerage authority pledged for the payment or security of bonds of such series.

Cost taxable.

18. If a bond resolution of a sewerage authority authorizing or providing for the issuance of the bonds of any series shall contain the provision authorized by subsection (a) of section seventeen of this act and shall further provide in substance that any trustee appointed pursuant to said section shall have the powers provided by this section, then such trustee, whether or not all of the bonds of such series shall have been declared due and payable, shall be entitled as of right to the appointment of a receiver of the sewerage system, and such receiver may enter upon and take possession of the sewerage system and, subject to any pledge or contract with the holders of such bonds, shall take possession of all moneys and other property derived from or applicable to the acquisition, construction,

C. 40:14A-18.  
Appointment  
of receiver.

operation, maintenance or reconstruction of the sewerage system and proceed with such acquisition, construction, operation, maintenance or reconstruction which the sewerage authority is under any obligation to do, and operate, maintain and reconstruct the sewerage system and fix, charge, collect, enforce and receive the service charges and all system revenues thereafter arising subject to any pledge thereof or contract with the holders of such bonds relating thereto and perform the public duties and carry out the contracts and obligations of the sewerage authority in the same manner as the sewerage authority itself might do and under the direction of the court.

C. 40:14A-19.  
No personal  
liability.

Not liability  
of State.

19. Neither the members of the sewerage authority nor any person executing bonds issued pursuant to this act shall be liable personally on the bonds by reason of the issuance thereof. Bonds or other obligations issued pursuant to this act shall not be in any way a debt or liability of the State, and bonds or other obligations issued by a sewerage authority pursuant to this act shall not be in any way a debt or liability of the State or of any local unit or of any county or municipality and shall not create or constitute any indebtedness, liability or obligation of the State or of any such local unit, county or municipality, either legal, moral or otherwise, and nothing in this act contained shall be construed to authorize any sewerage authority to incur any indebtedness on behalf of or in any way to obligate the State or any county or municipality.

C. 40:14A-20.  
Right of  
eminent  
domain.

20. Every sewerage authority is hereby empowered, in its own name but for the local unit or units, to acquire by purchase, gift, grant or devise and to take for public use real property, within or without the district, which may be deemed by the sewerage authority necessary for its purposes. Such sewerage authority is hereby empowered to acquire and take such real property by condemnation, in the manner provided by chapter one of Title 20, Eminent Domain, of the Revised Statutes

(R. S. §20:1-1 et seq.) and, to that end, may invoke and exercise in the manner or mode of procedure prescribed in said chapter, either in its own name or in the name of any local unit or units, all of the powers of such local unit or units to acquire or take property for public use.

21. (a) In the event that a service charge of any sewerage authority with regard to any parcel of real property shall not be paid as and when due, interest shall accrue and be due to the sewerage authority on the unpaid balance at the rate of one per centum (1%) per month until such service charge, and the interest thereon, shall be fully paid to the sewerage authority.

C. 40:14A-21.  
Interest upon  
unpaid service  
charges.

(b) In the event that a service charge of any sewerage authority with regard to any parcel of real property owned by any person other than the State or an agency or subdivision thereof shall not be paid as and when due, the unpaid balance thereof and all interest accruing thereon shall be a lien on such parcel. Such lien shall be superior and paramount to the interest in such parcel of any owner, lessee, tenant, mortgagee or other person except the lien of municipal taxes and shall be on a parity with and deemed equal to the lien on such parcel of the municipality where such parcel is situate for taxes thereon due in the same year and not paid when due. Such lien shall not bind or affect a subsequent bona fide purchaser of such parcel for a valuable consideration without actual notice of such lien, unless the sewerage authority shall have filed in the office of the collector or other officer of said municipality charged with the duty of enforcing municipal liens on real property a statement showing the amount and due date of such unpaid balance and identifying such parcel, which identification may be sufficiently made by reference to the assessment map of said municipality. The information shown in such statement shall be included in any certificate with respect to said parcel thereafter made by the official of said municipality vested with the power to make official certificates

Charges  
a lien.

of searches for municipal liens. Whenever such service charge and any subsequent service charge with regard to such parcel and all interest accrued thereon shall have been fully paid to the sewerage authority, such statement shall be promptly withdrawn or cancelled by the sewerage authority.

Sewerage  
service  
suspended.

(c) In the event that a service charge of any sewerage authority with regard to any parcel of real property shall not be paid as and when due, the sewerage authority may, in its discretion, enter upon such parcel and cause the connection thereof leading directly or indirectly to the sewerage system to be cut and shut off until such service charge and any subsequent service charge with regard to such parcel and all interest accrued thereon shall be fully paid to the sewerage authority.

Water service  
suspended.

(d) In the event that a service charge of any sewerage authority with regard to any parcel of real property shall not be paid as and when due, the sewerage authority may, in accordance with section twenty-six of this act, cause the supply of water to such parcel to be stopped or restricted until such service charge and any subsequent service charge with regard to such parcel and all interest accrued thereon shall be fully paid to the sewerage authority. If for any reason such supply of water shall not be promptly stopped or restricted as required by section twenty-six of this act, the sewerage authority may itself shut off or restrict such supply and, for that purpose, may enter on any lands, waters or premises of any county, municipality or other person. The supply of water to such parcel shall, notwithstanding the provisions of this subsection, be restored or increased if the State Department of Health, upon application of the local board of health or health officer of the municipality where such parcel is situate, shall after public hearing find and shall certify to the sewerage authority that the continuance of such stopping or restriction of the supply of water endangers the health of the public in such municipality.

Water service  
restored.



(e) The collector or other officer of every municipality charged by law with the duty of enforcing municipal liens on real property shall enforce, with and as any other municipal lien on real property in such municipality, all service charges and the lien thereof shown in any statement filed with him by any sewerage authority pursuant to subsection (b) of this section, and shall pay over to the sewerage authority the sums or a pro rata share of the sums realized upon such enforcement or upon liquidation of any property acquired by the municipality by virtue of such enforcement.

Enforcement  
of lien.

(f) In the event that any service charge of a sewerage authority shall not be paid as and when due, the unpaid balance thereof and all interest accrued thereon, together with attorneys' fees and costs, may be recovered by the sewerage authority in a civil action, and any lien on real property for such service charge and interest accrued thereon may be foreclosed or otherwise enforced by the sewerage authority by action or suit in equity as for the foreclosure of a mortgage on such real property.

Civil action  
to recover  
charges.

(g) All rights and remedies granted by this act for the collection and enforcement of service charges shall be cumulative and concurrent.

Rights, etc.,  
cumulative and  
concurrent.

22. Any county, by resolution of its governing body, or any municipality, by ordinance of its governing body, or any other person is hereby empowered, without any referendum and without the consent of any board, officer or other agency of the State, to sell, lease, lend, grant or convey to any sewerage authority, or to permit any sewerage authority to use, maintain or operate as part of the sewerage system, any real or personal property owned by it, including all or any part of any system of main, lateral or other sewers or other sewerage facilities, which may be necessary or useful and convenient for the purposes of the sewerage authority and which may be accepted by the sewerage authority. Any such sale, lease, loan, grant, conveyance or permit may be made with or without

C. 40:14A-22.  
Authorized  
to convey to  
authority.

Consideration.

Agreements  
by authority.

C. 40:14A-23.  
Municipal  
contracts for  
sewage  
disposal.

Payment.

consideration and for a specified or an unlimited period of time and under any agreement and on any terms and conditions which may be approved by such county, municipality or other person and which may be agreed to by the sewerage authority in conformity with its contracts with the holders of any bonds. Subject to any such contracts with holders of bonds, the sewerage authority may enter into and perform any and all agreements with respect to property so accepted by it, including agreements for the assumption of principal or interest or both of indebtedness of such county, municipality or other person or of any mortgage or lien existing with respect to such property or for the operation and maintenance of such property as part of the sewerage system.

23. Any sewerage authority and any municipality within or without the district by ordinance of its governing body may enter into a contract or contracts providing for or relating to the treatment and disposal of sewage originating in the district or in such municipality by means of the sewerage system or any sewerage facilities of such municipality or both, and the cost and expense of such treatment and disposal. Any sewerage authority and any municipality within the district by ordinance of its governing body may enter into a contract or contracts providing for the payment to the sewerage authority by such municipality of a sum or sums of money, computed as fixed amounts or by a formula based on any factors or other matters described in subsection (b) of section eight of this act or otherwise as said contract or contracts may provide, in lieu of all or any part of the service charges which would otherwise be charged and collected by the sewerage authority with regard to persons or real property within such municipality. Any such contract may be made with or without consideration and for a specified or an unlimited time and on any terms and conditions which may be approved by such municipality and which may be agreed to by the sewerage authority in conform-

ity with its contracts with the holders of any bonds. Such municipality is hereby authorized and directed to do and perform any and all acts or things necessary, convenient or desirable to carry out and perform every such contract and to provide for the payment or discharge of any obligation thereunder in the same manner as other obligations of such municipality. Subject to any such contracts with the holders of bonds, the sewerage authority is hereby authorized to do and perform any and all acts or things necessary, convenient or desirable to carry out and perform every such contract and, in accordance with any such contract, to reduce ratably the service charges which would otherwise be charged and collected by the sewerage authority with regard to persons or real property within such municipality, but nothing in this section or any such contract shall prevent the sewerage authority from charging and collecting, as if such contract had not been made, service charges with regard to such persons and real property sufficient to meet any default or deficiency in any payments agreed in such contract to be made by such municipality.

Municipality  
empowered to  
carry out  
contract.

24. Any sewerage authority, subject to its contracts with the holders of any bonds, is hereby empowered to provide, construct, maintain and operate facilities for the treatment and disposal of industrial wastes originating in the district and to enter into a contract or contracts with any person on such terms and conditions as such contract or contracts may contain, providing for or relating to the treatment and disposal of any such industrial wastes. The sewerage authority and such person are hereby authorized and directed to do and perform any and all acts or things necessary, convenient or desirable to carry out and perform every such contract and to provide for the payment or discharge of any obligation thereunder in the same manner as other obligations of such sewerage authority or person.

C. 40:14A-24.  
Contracts for  
treatment of  
industrial  
wastes.

C. 40:14A-25.  
Use of exist-  
ing facilities.

25. (a) In order to carry out and effectuate its purposes, every sewerage authority is hereby authorized to enter upon and use and connect with any existing public drains, sewers, conduits, pipe lines, pumping and ventilating stations and treatment plants or works or any other public property of a similar nature within the district and, if deemed necessary by the sewerage authority, close off and seal outlets and outfalls therefrom. No sewerage authority shall, however, take permanent possession or make permanent use of any such treatment plant or works unless it acquires the same.

Authorized to  
use public  
streets, etc.

(b) In order to carry out and effectuate its purposes, every sewerage authority is hereby authorized to construct, maintain and operate its sewerage system along, over, under and in any streets, alleys, highways and other public places within the district, doing no unnecessary injury thereto and making no unnecessary interruption in or interference with the public use of such places and restoring the same to their former usefulness and condition within a reasonable time.

C. 40:14A-26.  
Use of public  
records.

26. (a) Each county and municipality within the district, and every person owning or operating any sewer or drain or any system of water distribution serving three or more parcels of real property in the district, shall at the request of the sewerage authority make available to the sewerage authority any and all of its maps, plans, specifications, records, books, accounts or other data or things deemed necessary by the sewerage authority for its purposes.

County, etc.,  
to pay service  
charges.

(b) Each county, municipality and other public body shall promptly pay to any sewerage authority all service charges which the sewerage authority may charge to it, as owner or occupant of any real property, in accordance with section eight of this act, and shall provide for the payment thereof in the same manner as other obligations of such county, municipality or public body.

(c) Each county, municipality and other person owning or operating any sewer or drain which serves three or more parcels of real property in the district and which discharges sewage into waters in or bordering the State shall, upon notice from the sewerage authority of its availability and a proposed point of connection with the sewerage system, cause such sewer or drain to be connected with the sewerage system at such point and in such manner as the sewerage authority may specify and shall thereafter cause said sewer or drain to discharge into the sewerage system.

To connect  
with authority's  
system.

(d) Each county, municipality and other person owning or operating any system of water distribution serving three or more parcels of real property in the district shall, from time to time after request therefor by the sewerage authority, deliver to the sewerage authority copies of the records made by it in the regular course of business of the amount of water supplied by it to every such parcel of real property in the district. Such copies shall be delivered to the sewerage authority within sixty days after the making of such records, and the sewerage authority shall pay the reasonable cost of preparation and delivery of such copies.

Water companies to  
furnish record.

(e) Each county and municipality owning or operating any system of water distribution serving three or more parcels of real property in the district shall, and every other person owning or operating any such system may, and is hereby authorized to enter into and perform a contract with the sewerage authority that it will, upon request by the sewerage authority specifying a parcel of real property in the district with regard to which a service charge under section eight of this act is unpaid, cause the supply of water from its system to such parcel of real property to be stopped or restricted, as the sewerage authority may request, until such service charge and any subsequent service charge with regard to such parcel and the interest accrued thereon shall be fully paid or until the sewerage authority directs otherwise. No such

Contracts to  
stop water  
service.

No liability  
to attach.

county, municipality or other person shall be liable for any loss, damage or other claim based on or arising out of the stopping or restricting of such supply, and the sewerage authority shall pay the reasonable cost of so stopping or restricting such supply and of restoring the same and may agree to indemnify such county, municipality or other person from all loss or damage by reason of such stopping or restriction, including loss of profits.

C. 40:14A-27.  
May not mortgage system.

Part of contract.

Property exempt from levy and sale.

Proviso.

27. Neither the sewerage authority nor any local unit shall have power to mortgage, pledge, encumber or otherwise dispose of any part of the sewerage system, except that the sewerage authority may dispose of such part or parts thereof as may be no longer necessary for the purposes of the sewerage authority. The provisions of this section shall be deemed to constitute a part of the contract with the holder of any bonds. All property of a sewerage authority shall be exempt from levy and sale by virtue of an execution and no execution or other judicial process shall issue against the same nor shall any judgment against a sewerage authority be a charge or lien upon its property; *provided*, that nothing herein contained shall apply to or limit the rights of the holder of any bonds to pursue any remedy for the enforcement of any pledge or lien given by a sewerage authority on its system revenues.

C. 40:14A-28.  
Pollution of waters forbidden.

Proviso.

28. (a) No county, municipality or other person shall discharge, or suffer to be discharged, directly or indirectly into any waters in or bordering a district any sewage which may or will cause or contribute to the pollution of such waters; *provided*, that this prohibition shall be applicable only to such part or parts of such waters as are in an area of the district bounded and described in a notice, inserted at least once in a newspaper published in the district, to the effect that the sewerage authority has provided facilities reasonably sufficient in its opinion for the treatment and disposal of sewage which by discharge into such waters might

cause or contribute to pollution of such waters, and that pollution of such waters is forbidden by law. Such a notice shall constitute prima facie evidence of the existence of facilities sufficient for the treatment and disposal of all such sewage.

(b) No county, municipality or other person shall discharge or suffer to be discharged directly or indirectly into the sewerage system of any sewerage authority any matter or thing which is or may be injurious or deleterious to such sewerage system, or to its efficient operation.

Discharge  
of injurious  
substance.

(c) Any county, municipality or other person may be restrained, enjoined or otherwise prevented from violating or continuing the violation of any provision of this section by injunction, mandamus or other appropriate remedy at law or in equity by any court of competent jurisdiction upon action, bill, suit or other proceeding instituted by a sewerage authority or by any prosecutor of the pleas.

Restraining  
orders.

(d) No violation of any provision of this section shall be deemed to have occurred by reason of the discharge of sewage from any boat or vessel while afloat or on marine railway or in drydock.

Sewage  
from boats.

29. No sewage disposal plant or other facilities for the collection, treatment or disposal of sewage arising within a district shall be constructed unless the sewerage authority shall give its consent thereto and approve the plans and specifications therefor. Each sewerage authority is hereby empowered to give such consent and approval, subject, however, to the terms and provisions of any agreement with the holders of bonds.

C. 40:14A-29.  
Authority's  
approval to  
construct, etc.

30. Notwithstanding any restriction contained in any other law, the State and all public officers, municipalities, counties, political subdivisions and public bodies, and agencies thereof, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all

C. 40:14A-30.  
Bonds legal  
investments.

executors, administrators, guardians, trustees and other fiduciaries, may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds, and such bonds shall be authorized security for any and all public deposits.

C. 40:14A-31.  
Property  
tax exempt.

Bonds and  
interest tax  
exempt.

31. Every sewerage system and all other property of a sewerage authority are hereby declared to be public property of a political subdivision of the State and devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of the State or any subdivision thereof. All bonds are hereby declared to be issued by a political subdivision of this State and for an essential public and governmental purpose and to be a public instrumentality, and such bonds, and the interest thereon and the income therefrom, and all service charges, funds, revenues and other moneys pledged or available to pay or secure the payment of such bonds, or interest thereon, shall at all times be exempt from taxation except for transfer inheritance and estate taxes and taxes on transfers by or in contemplation of death.

C. 40:14A-32.  
State covenants  
not to authorize  
competitive  
system.

32. The State of New Jersey does hereby pledge to and covenant and agree with the holders of any bonds issued pursuant to a bond resolution of a sewerage authority that the State will not authorize or permit the construction or maintenance of any system of sewers or sewage disposal plants which will be competitive with the sewerage system of the sewerage authority, and will not limit or alter the rights hereby vested in the sewerage authority to acquire, construct, maintain, reconstruct and operate its sewerage system, and to fix, establish, charge and collect its service charges and to fulfill the terms of any agreement made with the holders of such bonds or other obligations, and will not in any way impair the rights or remedies of such holders, and will not modify in any way the exemptions from taxation provided for in this act, until the bonds, together with interest thereon, with in-



terest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged.

33. All banks, bankers, trust companies, savings banks, investment companies and other persons carrying on a banking business are hereby authorized to give to any sewerage authority a good and sufficient undertaking with such sureties as shall be approved by the sewerage authority to the effect that such bank or banking institution as hereinbefore described shall faithfully keep and pay over to the order of or upon the warrant of the sewerage authority or its authorized agent all such funds as may be deposited with it by the sewerage authority and agreed interest thereon, at such times or upon such demands as may be agreed upon with the authority or, in lieu of such sureties, deposit with the sewerage authority or its authorized agent or any trustee therefor or for the holders of any bonds, as collateral, such securities as the sewerage authority may approve; *provided*, such securities shall consist of obligations in which public officers and bodies of the State and its municipal subdivisions, savings institutions, including savings and loan associations, insurance companies and associations, executors, administrators, guardians, trustees and other fiduciaries in the State may properly and legally invest the funds within their control, in such principal amount, market value or other description as may be approved by the sewerage authority. The deposits of the sewerage authority may be evidenced by a depository collateral agreement in such form and upon such terms and conditions as may be agreed upon by the sewerage authority and such bank or banking institution.

C. 40:14A-33.  
Banks, etc.,  
authorized  
to deal with  
authority.

Proviso.

34. Article three of chapter sixty-three of Title 40, Municipalities and Counties, of the Revised Statutes (R. S., §§40:63-140 et seq.), is hereby repealed.

C. 40:14A-34.  
Repealer.

C. 40:14A-35.  
Construed  
liberally.

35. This act shall be construed liberally to effectuate the legislative intent and as complete and independent authority for the performance of each and every act and thing herein authorized, and a sewerage authority shall not be subject to regulation as to its service charges or as to any other matter whatsoever by any officer, board, agency, commission or other office of the State.

C. 40:14A-36.  
Not to limit  
jurisdiction of  
sundry other  
governmental  
agencies.

36. Nothing herein contained shall in any way affect or limit the jurisdiction or rights of the State Department of Health, Interstate Sanitation Commission, Interstate Commission on the Delaware River Basin or Passaic Valley Sewerage Commissioners; or impair the obligations assumed by any municipality included in any district created under this act in any contract made prior to the creation of such district, with one or more other municipalities or with the Passaic Valley Sewerage Commissioners.

C. 40:14A-37.  
Sections  
severable.

37. If any section, subsection, clause or provision of this act shall be adjudged unconstitutional or to be ineffective in whole or in part, to the extent that it is not adjudged unconstitutional or is not ineffective it shall be valid and effective and no other section, subsection, clause or provision of this act shall on account thereof be deemed invalid or ineffective, and the inapplicability or invalidity of any section, subsection, clause or provision of this act in any one or more instances or under any one or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance or under any other circumstance.

38. This act shall take effect immediately.

Approved April 23, 1946.

## CHAPTER 139

AN ACT concerning the State Highway Department  
and adding an additional route to the State highway system.

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

1. The State Highway Commissioner shall, as soon as practicable and in accordance with the procedure set forth in article one of chapter seven, Title 27, of the Revised Statutes, add to the present State highway system the following described route:

Route No. .... Being all that certain county road or highway situate, lying and being in the county of Atlantic, State of New Jersey, known as the Delilah road and more particularly described as follows:

Beginning at the junction of said Delilah road with State Highway Route No. 48. near McKee City, thence in a general easterly direction along the various courses of said Delilah road and for the full width thereof to its junction with State Highway Route No. 56, known as Absecon boulevard, in the city of Absecon City, including the over-pass over said Absecon boulevard at said junction.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law.

3. This act shall take effect immediately.

Approved April 24, 1946.

## CHAPTER 140

AN ACT to amend the title of "An act to authorize any municipality to waive, release or modify any covenants, conditions or limitations as to the erection of buildings imposed in sales and conveyances of lands by said municipality, and supplementing article two of chapter sixty of Title 40 of the Revised Statutes," approved March twenty-seventh, one thousand nine hundred and forty-three (P. L. 1943, c. 33), so that the same shall read "An act to authorize any municipality to waive, release or modify any covenants, conditions or limitations as to the erection of buildings or any other use to be made of land imposed in sales and conveyances of lands by said municipality, and supplementing article two of chapter sixty of Title 40 of the Revised Statutes," and to amend the body of said act.

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

Title amended.

1. The title of "An act to authorize any municipality to waive, release or modify any covenants, conditions or limitations as to the erection of buildings imposed in sales and conveyances of lands by said municipality, and supplementing article two of chapter six of Title 40 of the Revised Statutes," approved March twenty-seventh, one thousand nine hundred and forty-three, is amended to read "An

New title.

act to authorize any municipality to waive, release or modify any covenants, conditions or limitations as to the erection of buildings or any other use to be made of land imposed in sales and conveyances of lands by said municipality, and supplementing article two of chapter sixty of Title 40 of the Revised Statutes."

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

Section  
amended.

1. Any municipality is authorized and empowered, by resolution of the governing body thereof, to waive, release or modify any covenants, conditions or limitations as to the erection of buildings or any other use to be made of land heretofore imposed by said municipality in sales and conveyances of land by such municipality at public or private sale; *provided, however*, that the power herein granted shall not be exercised to impair any vested or contractual rights of third parties.

C. 40:60-51.2.  
Empowered  
to change  
building  
regulation.

Proviso.

3. This act shall take effect immediately.

Approved April 24, 1946.

## CHAPTER 141

AN ACT vesting title to real estate of which Henry Will died seized, and which is alleged to have possibly escheated to the State of New Jersey in the year one thousand eight hundred and sixty-seven, in Albert Rossini.

WHEREAS, Henry Will, late of the city of Hackensack, county of Bergen and State of New Jersey, departed this life, intestate, on the fifth day of January, one thousand eight hundred and sixty-seven, seized of all that tract or parcel of land and premises hereafter particularly described, situate, lying and being in the city of Hackensack, in the county of Bergen and the State of New Jersey, described as follows:

Preamble.

All that certain tract or parcel of land and premises, situate, lying and being in the city of Hackensack, in the county of Bergen and State of New Jersey, being all of Lots 9, 10, 122 and northerly Twenty-four (24) feet of Lot 123 on a certain map entitled "Map of Zipple Property at Hackensack, N. J., surveyed by Thomas Voor-

Location.

his, 1860," and filed in the Bergen County Clerk's Office on January 5th, 1861, as Map No. 57, being more particularly described as follows:

Description.

Beginning at the point of intersection of the westerly line of Hudson street with the northerly line of Lot 8 as it appears on the aforesaid map; running thence (1) westerly along the said northerly line of Lot 8, one hundred (100) feet; thence (2) northerly and along the westerly line of Lot 9 on the aforesaid map one (1) foot; thence (3) westerly and along the northerly line of property as described in a mortgage made by Marie M. Siess and George Siess, her husband, Mary Coymann, widow, Wironika Sees, also known as Veronica Zizane and Sam Sees, her husband, to the Excel Building and Loan Association of Hackensack, New Jersey, dated December 24th, 1928, and recorded in the Bergen County Clerk's Office in Book 1112 of Mortgages, page 547, one hundred (100) feet to the easterly line of Washington avenue; thence (4) northerly and along the said easterly line of Washington avenue forty-nine (49) feet; thence (5) easterly and along the northerly line of Lot 122 and Lot 10 as they appear on the aforesaid map two hundred (200) feet to the westerly line of Hudson street; thence (6) southerly and along the said westerly line of Hudson street fifty (50) feet to the point or place of beginning; and

Preamble.

WHEREAS, The said Henry Will left no person or persons capable of inheriting the said lands and premises as far as can be presently ascertained; and

Preamble.

WHEREAS, The request and proper notices of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

Title vested in  
Albert Rossini.

1. All the estate, right, title and interest of every kind and character, of which it is alleged the State

of New Jersey is seized in and to certain real estate heretofore belonging to Henry Will, more particularly described in the first preamble of this act, are hereby vested in Albert Rossini; such title so as aforesaid vested under the provisions of this act is validated and confirmed.

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

Approved April 24, 1946.

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## CHAPTER 142

AN ACT concerning certain pensioners in public employment, and amending section 43:3-5 of the Revised Statutes.

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

1. Section 43:3-5 of the Revised Statutes is amended to read as follows: Section amended.

43:3-5. The provisions of this chapter shall not apply to any appointment of a temporary nature made or created by any rule or order of procedure of the Court of Chancery or the Supreme Court, so as to interfere with any rule or order of procedure in such courts for the proper administration of justice therein; nor shall the provisions of this chapter apply to any person appointed to the office of court crier in any court where the term of such office is indefinite; nor to any person who has, or who may hereafter receive permanent disability in the performance of his duty while serving as a member of the armed forces of the United States, the New Jersey State Police, or the police department of any county or municipality of this State. Not to apply to certain employees.

2. This act shall take effect immediately.

Approved April 24, 1946.

## CHAPTER 143

AN ACT authorizing the State of New Jersey to accept the gift from the Government of the United States of the Fort Mott Military Reservation in Lower Pennsneck township, Salem county, New Jersey, and providing for the use to be made thereof.

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

Authorized to  
accept Fort  
Mott Military  
Reservation.

1. The State Department of Conservation is hereby authorized and directed, under its powers to acquire parks and historic sites (R. S. 13:1-18 and 13:1-19), to accept the gift from the Government of the United States for use by the State of New Jersey as an historic site and State park of the tract of land in Lower Pennsneck township, Salem county, formerly known as the Fort Mott Military Reservation, together with the buildings, structures and improvements thereon, and to maintain and develop the area for the use and enjoyment of the public.

2. This act shall take effect immediately.

Approved April 24, 1946.



## CHAPTER 144

AN ACT concerning the Division of Purchase and Property of the Department of Taxation and Finance, and appropriating certain earnings thereto.

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

1. The Director of the Division of Purchase and Property of the Department of Taxation and Finance is hereby empowered to use the facilities of the State Purchase Revolving Fund in the acquisition of Federal surplus property for State purposes. C. 52:27B-68.1.  
Authorized  
to acquire  
Federal  
surplus  
property.
2. There is hereby appropriated out of the earnings derived from the Federal surplus transactions to the Director of the Division of Purchase and Property such sums as may be necessary to defray the administrative cost and expenses incident to the acquisition of such Federal surplus property. C. 52:27B-68.2.  
Expenses from  
earnings.
3. This act shall take effect immediately.

Approved April 24, 1946.

## CHAPTER 145

AN ACT relating to the Teachers' Pension and Annuity Fund, repealing section 18:5-50.1, and amending sections 18:13-25, 18:13-43, 18:13-49, 18:13-52, 18:13-57, 18:13-72, 18:13-78, 18:13-90, 18:13-94 and 18:13-105, and supplementing Title 18 of the Revised Statutes.

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

Section  
repealed.

1. Section 18:5-50.1 of the Revised Statutes is repealed.

Section  
amended.

2. Section 18:13-25 of the Revised Statutes is amended to read as follows:

Terms defined:  
Accumulated  
deductions;

18:13-25. As used in this article:  
"Accumulated deductions" means the total of the amounts deducted from the salary of a contributor and credited to his individual account in the annuity savings fund together with the interest thereon. Regular interest shall be computed and allowed on such total or part thereof when used for the purchase from the retirement system of a retirement annuity. Interest at the rate of three per centum (3%) per annum, compounded annually shall be computed and allowed on such total amounts or part thereof when withdrawn for the purpose of providing the benefit for death before retirement under section 18:13-67 where the member was enrolled in the retirement system on or after July first, one thousand nine hundred and forty-six; interest at the rate of three and one-half per centum (3½%) per annum compounded annually shall be computed and allowed on such total amounts or part thereof when withdrawn for the purpose of providing the benefit for death before retirement under section 18:13-67 where the member was enrolled in the retirement system prior to

July first, one thousand nine hundred and forty-six. Interest at the rate of two per centum (2%) per annum, compounded annually shall be computed and allowed on such totals or part thereof when withdrawn for the purpose of providing the benefit on withdrawal for any cause, other than death or retirement, under section 18:13-65, except that interest on amounts so withdrawn which were contributed prior to July first, one thousand nine hundred and forty-four shall be computed and paid at the rate of three and one-half per centum (3½%) per annum compounded annually for the period prior to July first, one thousand nine hundred and forty-four.

“Annuity” means payments for life derived from contributions made by a contributor as provided in this article. All annuities shall be paid in monthly installments. Annuity;

“Annuity reserve” means the present value, computed on the basis of such mortality tables as shall be adopted by the board of trustees, with regular interest, of the future payments to be made on account of any annuity granted to a member. Annuity  
reserve;

“Average salary” means the average annual salary earnable by and as a teacher for the last five years preceding retirement. Average  
salary;

“Beneficiary” means any person in receipt of a retirement allowance or other benefit as provided in this article. Beneficiary;

“Board of trustees” means the board provided for in section 18:13-28 of this Title. Board of  
trustees;

“Contributor” means any person who has an account in the annuity savings fund. Contributor;

“Employer” means the State or the school district, normal school district, board or other agency of and within the State by which the teacher is paid. Employer;

“New-entrant” means any teacher who is a member of the retirement system, except a present-entrant. New-entrant;

“Pension” means annual payments for life derived from the pension fund or from the pension Pension;

reserve fund as provided in this article. All pensions shall be paid in monthly installments.

Pension  
reserve;

"Pension reserve" means the present value, computed on the basis of such mortality tables as shall be adopted by the board of trustees, with regular interest, of the future payments to be made on account of any pension granted to a member.

Present-  
entrant;

"Present-entrant" means any teacher who is a member of the retirement system under the provisions of class "B," "C," "D" or "E" under section 18:13-37 of this Title.

Prior service;

"Prior service," as applied to present-entrants, means service rendered as a teacher either within or without the State prior to September first, one thousand nine hundred and nineteen. "Prior service," as applied to new-entrants, means service rendered as a teacher either within or without the State prior to the date of becoming a member of the fund. For purposes of credits, prior service outside the State as applied either to present-entrants or to new-entrants shall be construed absolutely and not proportionately, within the limits otherwise provided for in this article.

Regular  
interest;

"Regular interest" means interest at three per centum (3%) per annum, compounded annually, in the case of members enrolled in the retirement system on or after July first, one thousand nine hundred and forty-six and in the case of all other members interest at four per centum (4%) per annum, compounded annually.

Retirement  
allowance;

"Retirement allowance" means the pension plus the annuity.

Retirement  
system;

"Retirement system" means the "Teachers' Pension and Annuity Fund," created as provided in section 18:13-26 of this Title.

School appor-  
tionment fund;

"School apportionment fund" means the moneys retained in the State treasury to be apportioned to the several counties of the State by the comptroller for school purposes, as defined in sections 18:10-30 to 18:10-32 of this Title.

School service;

"School service" means any service as a "teacher" as defined in this section.

“School year” means the official school year of the school district or the institution in which a teacher is employed. School year;

“Teacher” means any regular teacher, special teacher, helping teacher, teacher-clerk, principal, vice-principal, supervisor, supervising principal, director, superintendent, city superintendent, assistant city superintendent, county superintendent, State Commissioner or assistant commissioner of education and other member of the teaching or professional staff of any class, public school, high school, normal school, model school, training school, vocational school, truant reformatory school, or parental school, and of any and all classes or schools within the State conducted under the order and superintendence, and wholly or partly at the expense of the State Board of Education, of a duly elected or appointed board of education, board of school directors, or board of trustees of the State or of any school district or normal school district thereof, and any such person under contract or engagement to perform one or more of these functions. Teacher; No person shall be deemed a teacher within the meaning of this article who is a substitute teacher or is a teacher not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods. In all cases of doubt the board of trustees shall determine whether any person is a teacher as defined in this article.

In addition to the above-mentioned persons defined as teachers, there shall also come under the provisions of this article, for pension and annuity purposes, and subject to the same provisions as apply to teachers, any janitor, assistant janitor, janitress, engineer, fireman or any janitorial employees of a board of education of any school district, or of any public school, high school, normal school, model school, training school, vocational school, truant reformatory school or parental school within the State.

Teachers'  
retirement  
fund.

"Teachers' retirement fund" means the teachers' retirement fund of this State as created by L. 1896, c. 32; L. 1899, c. 178; L. 1900, c. 96; L. 1902, c. 36; L. 1903 (2d Sp. Sess.), c. 1; L. 1905, c. 95; L. 1906, c. 314; L. 1907, c. 139; and the amendments thereof and supplements thereto.

Section  
amended.

3. Section 18:13-43 of the Revised Statutes is amended to read as follows:

New-entrant to  
file statement  
of service.

18:13-43. Each new-entrant shall file a detailed statement of school service and service in a similar capacity in other States rendered by him prior to so becoming a member for which he desires credit and on account of which he desires to contribute and of such other facts as the board of trustees may require for the proper operation of the system. New-entrants who enroll on or after the effective date of this act shall be given one year from the date of enrollment to file such statement and to agree to purchase credit for the prior service evidenced therein. New-entrants who were enrolled in the retirement system prior to the effective date of this act shall be given one year from that date to file such statement.

C. 18:13-48.1.  
Required  
to re-enroll.

4. A former member whose membership has become inactive, who has not withdrawn his accumulated deductions and whose inactive membership has expired, or a former member who has withdrawn his accumulated deductions, on returning to pensionable service, is required to re-enroll in the retirement system and to contribute at the rate which applies at his then attained age. After accepting such employment the member shall not be permitted to withdraw any funds which may stand to his credit. The member may if he wishes, within one year from the date of return to service, establish full credit for the service attached to his former membership by making a lump sum payment, the amount of which shall be determined by the board of trustees, or by agreeing to contribute until age sixty-two at an increased rate of deduction, which rate shall be determined by the board of trustees by the method hereinafter described.

Lump sum  
payment or  
increased rate  
of deduction.

The amount of the lump sum payment or the increased rate of deduction referred to above is to be determined not by the amount of accumulated deductions formerly withdrawn but by the amount of prospective deductions calculated to be required from the date of reinstatement until age sixty-two in order that the total amount credited to his individual account in the annuity savings fund at age sixty-two may be adequate to produce an annuity which will approximately equal the pension then payable on account of the members' service during his current membership and also on account of his service while formerly a member and on account of any years of prior service for which during his former membership he claimed credit by making a lump sum payment or by agreeing to contribute at an increased rate of deduction.

Calculating  
amount of  
lump sum  
payment.

The amount of such restored credits shall not be limited to the ten years of prior service for which new-entrants are permitted to purchase credit but may be for whatever years of service the member had established or was establishing credit during his former membership, if the member so elects.

Years of prior  
service not  
limited.

5. Section 18:13-49 of the Revised Statutes is amended to read as follows:

Section  
amended.

18:13-49. At retirement the total service credited a member shall consist of the membership service credited to him as a result of membership in the retirement system, and, if he has a prior-service certificate which is in full force and effect, of all service certified on that certificate.

Total service  
credited.

6. Section 18:13-52 of the Revised Statutes is amended to read as follows:

Section  
amended.

18:13-52. Any present-entrant, irrespective of his age, who so desires and who has had thirty-five years of service as a teacher to his credit, the last twenty-five years of which service shall have been performed in this State, shall be retired from active service and shall receive all the benefits of this article as now provided for members over the age of sixty-two years as if such member were over the age of sixty-two years; excepting that such retire-

Retirement  
of present-  
entrants.

ment allowances, other than the additional pension provided by paragraph "d" of section 18:13-54 of this Title shall equal one-seventieth the average of the salary of such member, for the last five years, for each year of service.

Section  
amended.

7. Section 18:13-57 of the Revised Statutes is amended to read as follows:

Retirement for  
disability.

18:13-57. A teacher who is a member shall be retired for disability by the board of trustees upon the application of his employer or upon his own application or that of a person acting in his behalf, on a disability allowance if he is under the age of sixty-two years, if:

a. The board of trustees shall determine, after a medical examination of the member, at the place of his residence within the State or other place mutually agreed upon, by a physician or physicians designated by the board, upon the basis of a report submitted by such physician or physicians, that the member is physically or mentally incapacitated for the performance of duty and ought to be retired; and

b. The member has rendered ten years of service as a teacher in this State; and

c. The member, in the case of a new-entrant, has also been a member of the retirement system for ten years.

The service or membership required in paragraphs (b) and (c) above need not be continuous.

Section  
amended.

8. Section 18:13-72 of the Revised Statutes is amended to read as follows:

Funds created.

18:13-72. The funds created are:

- a. The annuity savings fund;
- b. The annuity reserve fund;
- c. The pension fund;
- d. The pension accumulation fund;
- e. The pension reserve fund;
- f. The expense fund; and
- g. The special reserve fund.



The annuity savings fund, the annuity reserve fund, the pension accumulation fund and the pension reserve fund shall each consist of two divisions. One division shall consist of that portion of the fund applicable to members enrolled in the retirement system on or after July first, one thousand nine hundred and forty-six, where the regular interest rate is three per centum (3%) per annum, and the other division shall consist of the balance of the fund where the regular interest rate is four per centum (4%) per annum.

Certain funds  
to have two  
divisions.

9. Section 18:13-78 of the Revised Statutes is amended to read as follows:

Section  
amended.

18:13-78. The accumulated deductions of a contributor withdrawn, as provided in this article, shall be paid out of the annuity savings fund. In the case of a withdrawal, an amount equivalent to the difference between the amount of the accumulated deductions calculated at regular interest and the amount of the accumulated deductions calculated by the use of interest at the rate specified for withdrawals shall be transferred to the special reserve fund.

Withdrawal  
from annuity  
savings fund.

10. Section 18:13-90 of the Revised Statutes is amended to read as follows:

Section  
amended.

18:13-90. The board of trustees shall certify annually to the State Comptroller the amount required to defray such expense in the ensuing fiscal year, and the State Comptroller shall pay from the school apportionment fund into the expense fund the amount so determined.

Payments into  
expense fund.

11. The special reserve fund shall be the fund to which all profits on the sale of securities, made on or after the effective date of this act, shall be transferred and to which transfers from the annuity savings fund as a result of withdrawals shall be made. Transfers from this fund shall be made whenever the interest and other earnings on the moneys of the retirement system are not sufficient to cover the regular interest which must be annually credited by the board of trustees to the various funds pursuant to section 18:13-103 of the

C. 18:13-79.1.  
Special  
reserve fund.

Revised Statutes. The amount of such transfers from this fund in any one year shall in no event exceed one-half of one per centum ( $\frac{1}{2}$  of 1%) of the mean amount for the preceding year in each of these funds.

Section  
amended.

12. Section 18:13-94 of the Revised Statutes is amended to read as follows:

Making  
deductions.

18:13-94. When a teacher is employed by a school district, the custodian of school moneys, and in other cases his employer, shall:

- a. Notify the board of trustees of such appointment within ten days thereafter;
- b. Deduct the proportion of salary as certified by the board of trustees from the salary of such teacher as directed in this article;
- c. Certify in duplicate to the board of trustees on account of each and every payroll a statement as voucher for the amounts deducted for annuity purposes at the rates certified by the board of trustees; and
- d. Transmit or credit to the board of trustees the amount thereof.

Where there is a delay of more than thirty days in the transmittal or crediting of such amounts, there shall be an interest charge of six per centum (6%) per annum.

Any failure on the part of the custodian of school moneys of any district to comply with the provisions of this section shall constitute a default, and the State Board of Education may withhold school moneys from the district until the default is made good.

Section  
amended.

13. Section 18:13-105 of the Revised Statutes is amended to read as follows:

Examination  
by commis-  
sioner of  
banking and  
insurance.

18:13-105. The retirement system shall be subject to examination by the Commissioner of Banking and Insurance. The Commissioner of Banking and Insurance shall have the power, whenever he deems the same expedient, to make or cause to be made an examination of all the assets and liabili-

ties, method of conducting business and all other affairs of the retirement system and shall make such examination at least once every three years. For the purpose of such examination the commissioner may employ such persons to conduct the same or to assist therein as he may deem advisable. For the purpose of such examination all securities, books, papers or other documents, owned by, in the possession of, or relating to the retirement system shall be made available on demand for the inspection of the commissioner or any of his duly authorized assistants. The reasonable expenses of such examination shall be fixed and determined by the Commissioner of Banking and Insurance and he shall collect the same from the retirement system, which shall pay the same when appropriated by the Legislature. The report on such examination shall be filed in the Department of Banking and Insurance and a copy thereof shall be transmitted to the trustees of the system and to the Governor. Neither the commissioner or any appointee thereof shall be liable for any statement included therein.

Expenses.

Report filed.

14. A permanent committee of five members shall be set up for the purpose of being available for consultation by the Legislature and officials charged with administering the financial obligations of the State, in all matters relating to the retirement system.

C. 18:13-112.1.  
Consultation  
committee.

Such committee shall consist of the Commissioner of Taxation and Finance, the Commissioner of Banking and Insurance, the actuary of the retirement system and two additional members to be appointed by the Governor for a term of three years. Said additional members shall be Fellows of "The Actuarial Society of America" or the "American Institute of Actuaries" and shall be residents of and employed in the State.

Members.

The members of the committee shall serve without compensation, except for the necessary expenses of travel in connection with the duties set forth herein.

No  
compensation.

C. 18:13-112.2.  
Not to affect.

15. This act shall not affect any benefit given to any person by reason of his service in the military or naval forces of the United States in time of war by any law previously enacted.

Note:  
Act effective.

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

Approved April 24, 1946.

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## CHAPTER 146

AN ACT concerning the taxation of stock of State and national banks and trust companies, amending sections 54:9-5, 54:9-11 and 54:9-17 of the Revised Statutes.

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

Section  
amended.

1. Section 54:9-5 of the Revised Statutes is amended to read as follows:

Statement  
filed with  
county board.

54:9-5. For purposes of assessment, the chief fiscal officer of every such bank shall annually, on or before January tenth, file with the secretary of the board of taxation of the county within which its principal place of business is located, a true statement under the oath of its president, cashier, or treasurer, setting forth:

- a. Its name and principal place of business;
- b. The amount of capital, surplus and undivided profits, as indicated by the books of the company, as of the close of business December thirty-first previous for which the statement is filed;
- c. The number of shares of its issued and outstanding preferred stock of all classes and the aggregate par value of each class thereof;
- d. The number of shares of its issued and outstanding common stock;

e. The assessed value of its real property, including the assessed value of all real property owned by a corporation all the stock of which is owned by such bank.

2. Section 54:9-11 of the Revised Statutes is amended to read as follows:

Section  
amended.

54:9-11. Each county board of taxation shall attach to the table of aggregates required to be transmitted to the county treasurer a tabulation of the taxes so assessed and levied in its county. This tabulation shall not be included among the ratables of the county or any taxing district for any purpose other than the collection of the taxes imposed according to the provisions of this subtitle. The tax so imposed shall be collected by the county treasurer from the bank, against the common capital stock of which it is levied and shall be due and payable to the county treasurer one-half thereof June first and one-half thereof December first.

Tabulation of  
taxes attached  
to table of  
aggregates.

Collection.

3. Section 54:9-17 of the Revised Statutes is amended to read as follows:

Section  
amended.

54:9-17. Taxes imposed under this subtitle which are not paid on or before the time herein limited for the payment thereof shall be subject to the same penalty by way of interest, and proceedings for collection thereof, as apply to other taxes levied for county purposes.

Penalty for  
delinquency.

4. This act shall take effect December thirtieth, one thousand nine hundred and forty-six.

Act effective.

Approved April 24, 1946.

## CHAPTER 147

AN ACT concerning alcoholic beverages; limiting the number of licenses to sell alcoholic beverages at retail, and supplementing chapter one, Title 33, of the Revised Statutes.

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

C. 33:1-12.2.  
Deemed a  
renewal of  
license.

Proviso.

1. For the purposes of this act any license for a new license term, which is issued to replace a license which expired on the last day of the license term which immediately preceded the commencement of said new license term or which is issued to replace a license which will expire on the last day of the license term which immediately precedes the commencement of said new license term, shall be deemed to be a renewal of the expired or expiring license; *provided*, that said license is of the same class and type as the expired or expiring license, covers the same licensed premises, is issued to the holder of the expired or expiring license and is issued pursuant to an application therefor which shall have been filed with the proper issuing authority prior to the commencement of said new license term or not later than thirty days after the commencement thereof. Licenses issued otherwise than as above herein provided shall be deemed to be new licenses.

C. 33:1-12.3.  
Number of  
licenses  
limited.

2. Except as otherwise provided in this act, no new plenary retail consumption or seasonal retail consumption license shall be issued in a municipality unless and until the combined total number of such licenses existing in the municipality is fewer than one for each one thousand of its population as shown by the last then preceding Federal census; and no new plenary retail distribution license shall be issued in a municipality unless and until the number of such licenses existing in the munici-

pality is fewer than one for each three thousand of its population as shown by the last then preceding Federal census.

3. Nothing in this act shall prevent the issuance and existence of one plenary or seasonal retail consumption license and one plenary retail distribution license in a municipality whose population as shown by the last then preceding Federal census is less than one thousand.

C. 33:1-12.4.  
Population  
less than 1,000.

4. Nothing in this act shall prevent the renewal of licenses existing on the effective date of this act, or the transfer of such licenses or the renewal of licenses so transferred.

C. 33:1-12.5.  
Not to prevent  
renewal.

5. Nothing in this act shall prevent the issuance in a municipality of a seasonal retail consumption license to a person who held such a license in the municipality for the same premises, and for the same seasonal period, during the then next preceding summer or winter season, nor shall anything in this act prevent the transfer of such a license so issued.

C. 33:1-12.6.  
Seasonal  
license.

6. Nothing in this act shall prevent the issuance of a new license, application for which was duly and properly filed on or before April first, one thousand nine hundred and forty-six.

C. 33:1-12.7.  
Not to affect  
applications  
prior to  
April 1.

7. Nothing in this act shall be deemed to prevent the issuance of a new license to a person who files application therefor within sixty days following the expiration of the license renewal period if the State commissioner shall determine in writing that the applicant's failure to apply for a renewal of his license was due to circumstances beyond his control.

C. 33:1-12.8.  
Not to prevent  
renewal within  
60 days.

8. Nothing in this act shall prevent the issuance, in a municipality, of a new license to a person who, having held a license of the same class in the municipality, surrendered his license or permitted it to expire because of his induction into or service in the armed forces of the United States; *provided, however*, that such ex-licensee shall have filed the application for a new license within one year from

C. 33:1-12.9.  
Veterans'  
licenses.

Proviso.

the completion of his active service in said armed forces.

C. 33:1-12.10.  
Seasonal  
licenses  
above quota.

Proviso.

9. Nothing in this act shall prevent the issuance of seasonal retail consumption licenses, in a municipality, in excess of the number of licenses permitted in section two if the State commissioner shall determine that the municipality is in a resort area; *provided, however*, that in no event shall the combined total number of plenary and seasonal retail consumption licenses exceed one to each one thousand of the municipality's peak seasonal population as such population shall be determined by the commissioner from the best available estimate thereof.

C. 33:1-12.11.  
Hotel license.

10. Nothing in this act shall prevent the issuance, in a municipality, of a new license to a person who operates a hotel containing fifty (50) sleeping rooms or who may hereafter construct and establish a new hotel containing at least fifty (50) sleeping rooms.

C. 33:1-12.12.  
Additional  
regulations.

11. This act is in addition to and not in exclusion of municipal regulations, limiting the number of licenses to sell alcoholic beverages at retail, duly adopted pursuant to the authority granted by section 33:1-40 of the Revised Statutes.

12. This act shall take effect immediately.

Approved April 24, 1946.



## CHAPTER 148

A SUPPLEMENT to "An act concerning civil service employees in the various counties, municipalities and school districts in the State, and supplementing subtitle three, Title 11, of the Revised Statutes of New Jersey," approved July eighteenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 232).

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

1. The head of any department or the appointing authority in any county, municipality or school district which has adopted or shall adopt the provisions contained in subtitle three of Title 11 of the Revised Statutes may grant leaves of absence without pay to permanently employed civil service employees for periods not exceeding six months at any one time for reasons satisfactory to such head or appointing authority, pursuant to regulations governing such leaves of absence established and approved by the governing body of the county, municipality or school district. C. 11:24A-6.1.  
Leaves of  
absence with-  
out pay.
  2. Such leaves of absence may be renewed for an additional period not to exceed six months by formal action of the department head or appointing authority with the approval of the governing body; but no further renewal or extension of such leave of absence may be granted except upon approval in writing of the Civil Service Commission. C. 11:24A-6.2.  
Renewal.
  3. Written notices of all leaves of absence and renewals thereof shall be forwarded forthwith to the Civil Service Commission. C. 11:24A-6.3.  
Notice to  
civil service  
commission.
  4. This act shall take effect immediately.
- Approved April 24, 1946.

## CHAPTER 149

AN ACT concerning elections, and amending section 19:31-11 of the Revised Statutes.

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

Section  
amended.

1. Section 19:31-11 of the Revised Statutes is amended to read as follows:

Change of  
residence  
notice.

19:31-11. a. In all counties within this State, change of residence notices shall be made by a written request, signed by the registrant, forwarded to the commissioner by mail, and actually received by him, or by calling in person at the office of the commissioner or the municipal clerk, except that in a municipality which is a county seat such change of residence shall be made at the office of the commissioner only. The commissioner shall provide change of residence notices in card form for the use of any registered voter moving to another address within the same election district or to another election district within the same county. Copies of these notices shall also be available at the office of the municipal clerk in each municipality other than a municipality which is a county seat. Each municipal clerk shall transmit daily to the commissioner all the filled out change of residence notices that he may have in his office at the time. These notices shall be printed upon cards, shall contain a blank form showing where the applicant last resided and the address and exact location to which he has moved and shall have a line for his signature. Upon receipt of such change of residence notice the commissioner shall cause the signature to be compared with the permanent registration forms of the applicant and, if such signature appears to be of and by one and the same legal voter, the commissioner shall cause the entry of the change of residence to be made on the perma-

nent registration forms and the registrant shall thereupon be qualified to vote in the election district to which he shall have so moved. If the commissioner is not satisfied as to the signature on the request for a change of residence, a notice shall be sent by mail with postage prepaid to the registrant at his new address directing him to appear at a time to be fixed in the notice not less than ten days from the date thereof at the office of the commissioner to answer such questions as may be deemed necessary to determine the applicant's place of residence and eligibility to vote. If such registrant fails to appear at the time and place as directed, or if the notice is returned as not delivered or if it is not returned as undelivered, the registration forms of the applicant shall be placed in the inactive file until such time as he establishes to the satisfaction of the commissioner the accuracy of the signature on such change of residence notice; *provided, however,* that such application for change of residence shall be filed with the commissioner or municipal clerk, as the case may be, on or before the fortieth day preceding any election. Proviso.

b. In any county any voter who shall move within the same county after the time above prescribed for filing an application for change of residence without having made application for change of residence, shall be permitted to vote in the district from which he has moved, upon signing an affidavit which shall set forth (1) the date upon which he moved, (2) the address from which he moved, (3) the address to which he moved, and such affidavit shall constitute a transfer to the said new residence for any subsequent election. The county clerk shall furnish to the election board of each district form affidavits for this purpose and the said district boards shall turn over all signed affidavits to the commissioner; *provided, however,* if the voter has moved from one residence to another within the same election district at any time during the year he or she shall be permitted to vote in such election district only at the next election. Proviso.

subsequent to the date of such change of residence within the district upon signing the affidavit herein set forth.

2. This act shall take effect immediately.

Approved April 24, 1946.

## CHAPTER 150

### AN ACT concerning civil service.

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

Additional  
length of  
service  
increments.

1. In the carrying out of the classification and compensation plan for persons holding offices, positions and employments in the classified and unclassified civil service of the State adopted by the Civil Service Commission, the Civil Service Commission hereby is authorized to approve the granting, effective July first, one thousand nine hundred and forty-six, of an additional length of service increment of salary increase, equal to one full step, to each such person who entered the State service between July first, one thousand nine hundred and thirty-six, and June thirtieth, one thousand nine hundred and forty-one, and of two additional length of service increments of salary increase, equal to two full steps, to each such person who entered the State service prior to July first, one thousand nine hundred and thirty-six, up to, but not exceeding, the maximum salary range of such person under said plan, subject to rules and regulations to be made by the State Treasurer, the president of the Civil Service Commission and the Commissioner of Taxation and Finance.

Act effective.

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

Approved April 24, 1946.

## CHAPTER 151

A SUPPLEMENT to "An act concerning war adjustment in the compensation of certain persons holding State office, position or employment whose compensation is paid from State funds or from funds derived from Federal sources, or holding office, position or employment in an educational institution whose compensation is paid in whole or part through the board of regents, or holding Federal office, position or employment who receive supplemental compensation from State funds and concerning additional compensation in lieu of a further salary increase for persons holding office, position or employment under the Delaware River Joint Toll Bridge Commission and making appropriation thereof," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 119), and extending the benefits of said act to include certain persons holding office, position or employment, in an educational institution whose compensation is paid in whole or in part from State funds through the Commissioner of Education, and under the Interstate Sanitation Commission.

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

1. The purpose of this act is to continue war adjustment payments to the persons who received such payments during the fiscal year one thousand nine hundred and forty-five to one thousand nine hundred and forty-six and to provide for such payments to persons holding office, position or employ- Purpose.

ment in an educational institution whose compensation is paid in whole or in part from State funds through the Commissioner of Education, and to persons holding office, position or employment under the Interstate Sanitation Commission, and in all cases where increments, reclassification and increase in compensation received since July first, one thousand nine hundred and forty-five, do not equal or exceed one hundred twenty dollars (\$120.00) per year and thus guarantee to all State employees for the fiscal year one thousand nine hundred and forty-six to one thousand nine hundred and forty-seven a total income comparable to that received during the fiscal year one thousand nine hundred and forty-five to one thousand nine hundred and forty-six.

Rules and  
regulations.

2. In order to insure fair and equitable treatment for all State employees and to carry out the purpose of this act, the State Treasurer, the president of the Civil Service Commission and the Commissioner of Taxation and Finance are empowered to make such rules and regulations as, in their discretion, are necessary or proper, to carry out such objectives. They shall meet quarterly and at such other times as may be necessary to carry out the purposes of this act.

Meetings.

War adjust-  
ment payments  
continued.

3. All persons who receive war adjustment payments under the act to which this act is a supplement shall continue to receive war adjustment payments at the rate of one hundred twenty dollars (\$120.00) a year during the fiscal year beginning July first, one thousand nine hundred and forty-six, and ending June thirtieth, one thousand nine hundred and forty-seven; *provided, however*, that in each case such war adjustment payment shall be reduced in each payroll period by an amount equal to any amount of increase in the rate of compensation excluding war adjustment payments for each payroll period over the rate of compensation excluding war adjustment payments payable to such person as of July first, one thousand nine hundred and forty-five.

Proviso.

4. Each person holding office, position or employment in an educational institution whose compensation is paid in whole or in part from State funds through the Commissioner of Education shall be paid the same war adjustment as if he were a State employee and his compensation were paid wholly from State funds, subject to such conditions as may be imposed by the State Treasurer, the president of the Civil Service Commission and the State Commissioner of Taxation and Finance, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit.

Employees of  
educational  
institutions  
eligible.

5. Each person holding office, position or employment under the Delaware River Joint Toll Bridge Commission or under the Interstate Sanitation Commission shall be paid additional compensation in lieu of a further salary increase equal in amount to the war adjustment which he would receive during said fiscal year if he were a State employee and his compensation were paid wholly from State funds, subject to such conditions as may be imposed by the State Treasurer, the president of the Civil Service Commission and the Commissioner of Taxation and Finance, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit, but only to the extent that such additional compensation exceeds any increase of the regular salary of such person payable otherwise than by way of war adjustment and effective during the fiscal year one thousand nine hundred and forty-six to one thousand nine hundred and forty-seven.

Other  
personnel  
eligible.

6. Any person on leave of absence granted because of entry into any branch of the military or naval forces of this State or of the United States or any organization authorized by the United States to serve with the Army or Navy, who comes back into the active service as a State employee in the fiscal year one thousand nine hundred and forty-six to one thousand nine hundred and forty-

Returned  
veterans  
eligible.

seven shall receive for each payroll period after his return, the same war adjustment payment under this act as he would have received if he had continued in the active State service as a State employee.

Act effective.

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

Approved April 24, 1946.

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## CHAPTER 152

AN ACT concerning elections, and supplementing Title 19 of the Revised Statutes.

Preamble.

WHEREAS, Sections 19:5-5, 19:41-3 and 19:41-4 of the Revised Statutes each contain provisions respecting the authority of State, county and municipal committees of political parties to receive and disburse moneys for the legitimate expenses of the committees and the publicizing of the policies and the candidates of their respective party organizations and in aid of any or all of the candidates duly nominated at any party primary, which provisions are ambiguous, inconsistent and subject to various interpretations; and,

Preamble.

WHEREAS, It is deemed desirable to declare and clarify the legal effect of such sections insofar as the same pertain to the receipt and disbursement of funds by such committees; now, therefore,

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

C. 19:41-4.1.  
Contributions.

1. That section 19:5-5, section 19:41-3 and section 19:41-4 are hereby declared to mean that it shall be lawful for the State, county or municipal



committee or organization of any political party to receive contributions at any time during the whole or any part of the year pursuant to section 19:5-5 of the Revised Statutes, and to disburse the same pursuant to the authority and for the purposes contained in section 19:41-3 of the Revised Statutes.

2. All provisions of said sections not contrary to the above clarification are to be in nowise affected by this act.

C. 19:41-4.2.  
Provisions  
not affected.

3. This act shall take effect immediately.

Approved April 24, 1946.

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### CHAPTER 153

AN ACT concerning the Teachers' Pension and Annuity Fund, and amending sections 18:13-52, 18:13-55, 18:13-59 and 18:13-77 of the Revised Statutes.

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

1. Section 18:13-52 of the Revised Statutes is amended to read as follows:

Section  
amended.

18:13-52. Any present-entrant, irrespective of his age, who so desires and who has had thirty-five years of service as a teacher to his credit, the last twenty-five years of which service shall have been performed in this State, shall be retired from active service and shall receive all the benefits of this article as now provided for members over the age of sixty-two years as if such member were over the age of sixty-two years; excepting that such retirement allowances, other than the additional pension provided by paragraph "d" of section 18:13-54 of this Title, shall equal one-seventieth the average of the salary of such member, for the last five years, for each year of service.

Retirement  
of present-  
entrants.

Retirement of  
new-entrants.

Any new-entrant, under the attained age of sixty-two years who so desires and who has had at least thirty-five years of service as a teacher to his credit, the last twenty-five years of which service shall have been performed in this State, shall be retired from active service, and shall receive a retirement allowance as provided by paragraphs "a" and "c" of section 18:13-55 of this Title.

Section  
amended.

2. Section 18:13-55 of the Revised Statutes is amended to read as follows:

Retirement  
allowance of  
new-entrant.

18:13-55. Upon superannuation retirement a new-entrant shall receive a retirement allowance which shall consist of:

a. An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement; and

Proviso.

b. A pension, in addition to the annuity, of one-one-hundred-and-fortieth of his average salary multiplied by the number of years of his total service; *provided*, the member shall have attained the age of sixty-two years or more; or

c. In case the member shall not have attained the age of sixty-two years, a pension, in addition to the annuity, which shall be such percentage of one-one-hundred-and-fortieth, as the board of trustees shall prescribe, of his average salary multiplied by the number of years of his total service. The board of trustees may from time to time adopt a table of such percentages, according to age, sex and period of total service, which shall be computed so that the pension granted shall be the actuarial equivalent of such portion, as the actuary of the board of trustees shall determine to be available of the reserve computed, at the date of retirement, to meet the obligation of the pension accumulation fund, not under this paragraph "c," but under paragraph "b" of this section or upon retirement for disability.

Section  
amended.

3. Section 18:13-59 of the Revised Statutes is amended to read as follows:

Allowance on  
retirement for  
disability.

18:13-59. On retirement for disability, a teacher who is a member shall receive a retirement allowance which shall consist of:

a. An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement;

b. A pension which together with said annuity shall be sufficient to produce a retirement allowance of one-seventieth of his average salary multiplied by the number of years of his total service, but not less than three hundred dollars (\$300.00) per annum or thirty per centum (30%) of such average salary, with the exception that in no case shall the allowance exceed nine-tenths of the rate of retirement allowance to which he might have been entitled had retirement been deferred until the age of sixty-two, nor shall the allowance exceed the retirement allowance, if any, available to the member, if a new-entrant, upon superannuation retirement as computed under paragraphs "a" and "c" of section 18:13-55 of this Title; and

c. If such person was a member of the teachers' retirement fund prior to his becoming a member of the retirement system, a further additional pension, which shall be the actuarial equivalent of the contributions without interest, which he paid to the teachers' pension fund prior to September first, one thousand nine hundred and nineteen, which he has not otherwise received.

4. Section 18:13-77 of the Revised Statutes is amended to read as follows:

Section  
amended.

18:13-77. In lieu of any part of the deduction from compensation hereinbefore required, any new-entrant may deposit in the annuity savings fund by a single payment such an amount as will be sufficient to permit him to contribute the rate of contributions applicable to an earlier entrance age.

Single payment  
in lieu of  
deductions.

Any new-entrant may arrange, by a single payment or increased level percentage deductions from compensation, or both, as the board of trustees shall prescribe, to secure upon superannuation retirement at completion of thirty-five years of total service, before attaining age sixty-two, a retirement allowance at a rate greater than as prescribed in paragraphs "a" and "c" of section 18:13-55 of

this Title, but not greater than the rate of retirement allowance to which he might have been entitled had retirement been deferred until the age of sixty-two.

In lieu of any part of the deduction from compensation hereinbefore required, any present-entrant who became a member of the retirement system on or before July first, one thousand nine hundred and twenty-two, may pay into the fund in a lump sum all of the contributions which had he been a member from September first, one thousand nine hundred and nineteen, he would have been required to pay from September first, one thousand nine hundred and nineteen, to the date of the commencement of his membership.

In addition to the deductions from compensation hereinbefore required any contributor may re-deposit in a single payment an amount equal to the total amount which he withdrew therefrom as provided in this article, or he may deposit therein by a single payment an amount computed to be sufficient together with the retirement allowance otherwise provided, to provide for him a total retirement allowance of one-half of his final salary at the age of sixty-two.

Such additional amounts so deposited shall become a part of his accumulated deductions.

5. This act shall take effect immediately.

Approved April 24, 1946.

## CHAPTER 154

AN ACT to provide for the disposition of unclaimed funds held by domestic life insurance companies.

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

1. "Unclaimed funds" within the meaning of this act shall mean and include all amounts of ten dollars (\$10.00) or more due and payable by any life insurance company incorporated under the laws of this State under any policy of life insurance or annuity contract or contract supplemental thereto issued on the application of a resident of this State which have remained unclaimed for a period of ten years or more and which are payable to any person whose last known address according to the company's records is within this State; *provided*, that for the purposes of this act, the amount of insurance under a policy of life insurance payable upon proof of the death of the insured shall be deemed to become due and payable not later than the end of the calendar year in which the insured, if living, would have attained the limiting age under the mortality table upon which the reserves are based. An application for any policy of life insurance or annuity contract or contract supplemental thereto shall be deemed to be an application of a resident of this State if the residence address of the applicant given at the date of such application was an address within this State.

C. 17:34-49.  
Unclaimed  
fund defined.

Proviso.

2. On or before the first day of April of each year, every life insurance company incorporated under the laws of this State shall make a report in writing to the State Treasurer, which shall contain a true and accurate statement as to all unclaimed funds which have been unclaimed prior to the end of the preceding calendar year. Such report shall be verified by an officer of such insurance company and shall include such information as the State

C. 17:34-50.  
Annual report  
of unclaimed  
funds.

Treasurer shall deem necessary for the proper fulfillment of the objects of this act and shall be made upon forms furnished by the State Treasurer for that purpose. If any such insurance company has no unclaimed funds, it shall, on or before the date herein specified, make a report to the State Treasurer so stating, which report shall be verified as hereinbefore provided.

C. 17:34-51.  
Notice of  
unclaimed  
funds  
published.

3. Every insurance company which reports any unclaimed funds under the provisions of this act shall cause to be published during the month of May or June in each year in a newspaper of general circulation published in the county of this State in which, according to the last known address shown by the company's records, the person to whom the amount is payable resided, or if there be no newspaper published in such county, then in a newspaper in the county in which the principal office of the company is located, a notice entitled "Notice of unclaimed funds held by (name of company)." Such notice shall list in alphabetical order the names, with such last known addresses, of the persons to whom amounts are payable and whose names appeared on the last report filed pursuant to section two of this act, but only with respect of unclaimed funds of fifty dollars (\$50.00) or more and exclusive of any which have ceased to be unclaimed prior to the date of publication. The State Treasurer is authorized to waive any publication when in his judgment the expense thereof would be unreasonable in respect to the amount involved. The insurance company shall file with the State Treasurer, on or before the first day of August of each year, proof by affidavit of such publication. The expenses attendant upon such publication may be charged equally against the amounts owing to the persons whose names were so published.

C. 17:34-52.  
Payment.

4. On or before the first day of September of each year, all unclaimed funds which were contained in the last preceding report required to be filed by section two of this act and which have not

been claimed, less the cost of publication pursuant to section three of this act, shall be paid over to the State Treasurer. The State Treasurer shall have power, upon the failure or refusal of an insurance company to pay to him the unclaimed funds as herein provided, to sue therefor in any court of competent jurisdiction.

The State Treasurer shall have the power, for cause shown, to extend for a period of not more than one year the time within which any insurance company shall file any report and make any publication required by this act, and he shall have the power, for cause shown, to extend for a period of not more than one year the time within which any insurance company shall make any payment to him required by this act.

May extend  
time for  
payment.

5. Upon the payment of such unclaimed funds to the State Treasurer, the State shall assume, for the benefit of those entitled to receive the same and for the safety of the moneys so paid, the custody of such unclaimed funds, and the insurance company making such payment shall immediately and thereafter be relieved of and held harmless by the State from any and all liabilities for any claim or claims which exist at such time with reference to such unclaimed funds or which may thereafter be made or may come into existence on account of or in respect to any such unclaimed funds.

C. 17:34-53.  
Funds held  
by treasurer.

6. Upon the receipt of any unclaimed funds from insurance companies by the State Treasurer, he shall pay forthwith three-fourths of the amount thereof into the State treasury for the use of the State. The remaining one-fourth shall be administered by him as a special trust fund for the purpose hereinafter provided. Such special trust fund shall be deposited in the manner provided by law for the deposit of State funds. At the end of each calendar year, any amount of such unclaimed funds which shall have been a part of such special trust fund for a period of five years or longer shall be paid into the State treasury for the use of the State. Any interest received upon any such de-

C. 17:34-54.  
Special trust  
fund created.

posit of unclaimed funds shall be the property of the State.

C. 17:34-55.  
Claim filed.

7. A claim for any unclaimed funds may be filed at any time with the State Treasurer by or in behalf of any person entitled to receive the same. The State Treasurer shall possess full and complete authority to accept or reject any such claim. In event any such claim is rejected by him, the claimant may make application to the Supreme Court, upon not less than ten days' notice to the State Treasurer, for an order to show cause why he should not accept and pay such rejected claim.

C. 17:34-56.  
Payment  
of claim.

8. Any claim which is accepted by the State Treasurer or ordered to be paid by him by a court of competent jurisdiction shall be paid out of the special trust fund in his custody, and in the event such special trust fund shall be insufficient, it shall be paid out of the general unappropriated funds of the State, to the extent of the total of the unclaimed funds paid to the State Treasurer and unexpended in payment of such claims. The State Treasurer shall not be liable in any action for any payment of a claim thus made by him in good faith.

C. 17:34-57.  
Record kept.

9. The State Treasurer shall keep in his office a public record of each payment of unclaimed funds received by him from any insurance company. Such record shall show the name of each insured in alphabetical order, his last known address, his policy number, the date of issuance of the policy, name of the insurance company, the name and address of any beneficiary reported to the State Treasurer by the insurance company, and the amount of unclaimed funds with respect to his policy.

C. 17:34-58.  
Statement in  
annual report.

10. The State Treasurer shall include in the annual report required by law to be made by him to the Legislature a statement of the unclaimed funds received and paid out by him pursuant to the provisions of this act.

Approved April 25, 1946.



## CHAPTER 155

AN ACT providing for the escheat of certain unclaimed personal property.

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

1. The term "personal property" as used in this act shall mean and include moneys, negotiable instruments, choses in action, interest, debts or demands due to the escheated estate, stocks, bonds, deposits, machinery, farm crops, live stock, fixtures, and every other kind of tangible or intangible property and the accretions thereon, up until the time of the filing of the bill of escheat, but shall not mean and include real property or property in the custody of any court in this State, nor any personal property covered by chapter one hundred ninety-nine of the laws of one thousand nine hundred and forty-five.

C. 2:53-15.  
Personal property defined.

2. If any person, who, at the time of his death, has been or shall have been, the owner of any personal property within this State, and shall have died, or shall die, intestate, without heirs or known kindred, capable of inheriting the same, and without leaving a surviving spouse, such personal property, of whatsoever nature the same may be, shall escheat to the State.

C. 2:53-16.  
Intestates estates to escheat.

3. Whenever the owner, beneficial owner, or person entitled to any personal property within this State, has been or shall be and remain unknown for the period of fourteen successive years, or whenever the whereabouts of such owner, beneficial owner or person, has been or shall be and remain unknown for the period of fourteen successive years, then, in either such event, such personal property shall escheat to the State.

C. 2:53-17.  
Unknown's property to escheat.

4. The Court of Chancery shall have jurisdiction in all cases where an escheat has occurred or

C. 2:53-18.  
Court of jurisdiction.

shall occur under the provisions of section one and section two of this act.

C. 2:53-19.  
Appointment  
of escheator.

5. Whenever, by reason of any information filed with the Attorney-General, or which comes to his notice so that he shall become aware of the fact that any personal property has escheated or is supposed to have escheated to this State under the provisions of this act, he shall appoint some suitable person or persons to act as escheator of such property.

C. 2:53-20.  
Duties of  
escheator.

6. Such escheator, when so appointed, shall proceed to collect and furnish to the Attorney-General or to such attorney or counsellor-at-law as he may designate, all the facts, information and evidence necessary to successfully prosecute the escheat in the Court of Chancery of this State.

C. 2:53-21.  
Proceedings  
by petition.

7. The proceedings in the Court of Chancery shall be by petition, in the name of the State of New Jersey, which petition shall set out that certain personal property therein designated has escheated to the State of New Jersey under the provisions of this act, and that the defendant named in such petition has custody or possession of such personal property. Such petition shall contain such other information as may be pertinent to the issue and shall petition the court to enter a decree escheating the personal property mentioned in said petition to the State of New Jersey. The Court of Chancery shall, upon receipt of said petition, set a time and place for the hearing thereof. A notice of such petition and the time and place of hearing thereon shall be published weekly for three successive weeks in a newspaper of general circulation, circulated and published in the county in which the major part of such personal property mentioned in said petition shall be situate, which notice shall direct that all persons who may claim to be entitled to such personal property or any part thereof shall present his claim in writing on or before the date fixed for the aforesaid hearing and, if any such claims be filed with the court, then the hearing heretofore noticed shall be postponed to a

Hearing.

Notice.

date not less than thirty days nor more than ninety days after the last date of such publication, at which time the court shall proceed, as upon final hearing, to determine the rights of the State and of any claimant who shall have filed his notice accordingly, and proceed to make a final determination thereon and to enter a decree accordingly; *provided, however*, that where the amount of such personal property, including money, is less than fifty dollars (\$50.00), publication of such notice shall not be required unless the court so directs and, in such case, the court may direct such other form of publication as it may deem proper.

Proviso.

8. Any party claiming an interest in said personal property, including the party having custody or possession of the money or personal property sought to be escheated, may, at or before the time set for the hearing, as herein provided, appear and file his claim as provided in section six and shall, within ten days thereafter, file an answer or pleading to the said petition, which answer shall set up in such detail as the court may require, why the answering defendant contends that the property mentioned in the petition shall not escheat to the State, and if the said answering defendant shall claim any right to the said property, the nature of his right therein, and the court shall, at the time of hearing, take such evidence as may be proper upon such answer or pleading, and determine the cause and enter such decree as shall be equitable and just and in conformity with the provisions of this act. If no pleading is filed within the time fixed, the court may proceed upon the petition alone and upon proof of service of notice of publication, enter a decree declaring that the property mentioned in the petition has escheated to the State of New Jersey.

C. 2:53-22.  
File claim and  
answer to  
petition.

All the proceedings outlined herein shall be in conformity with the rules and practice of the Court of Chancery except as herein specifically amended.

9. Upon the filing of a final decree escheating personal property, the person having such prop-

C. 2:53-23.  
Delivery of  
escheated  
property.  
Proceeds  
deposited.

erty in their possession shall forthwith deliver the same to the Treasurer of the State of New Jersey. If such personal property be in the form of money, the Treasurer shall pay the same into the general funds of the State; if in the form of negotiable securities, he shall sell the same and deposit the proceeds thereof into the treasury of the State; if in the form of other personal property, it shall be his duty to give public notice thereof and shall then proceed to sell the said property at public or private sale, as he may deem to the best interests of the State, and shall deposit the proceeds thereof in the general funds of the State.

Payment to  
escheator.

Before so depositing the proceeds of said escheated property in the public fund, he shall deduct therefrom five per centum (5%) of the moneys so received and shall pay the same to the escheator as a reward for having supplied the information and evidence upon which the escheat has been successfully prosecuted and shall pay such other fees and costs as the decree shall direct.

Fees and  
expenses  
deducted.

The Court of Chancery shall, in its final decree, fix the fees and expenses of the attorney or counselor who shall have prosecuted the escheat in the Court of Chancery. The fees and expenses shall be deducted from the moneys received by the State Treasurer or from moneys realized by him from the sale of said personal property and shall be paid by him as directed by said decree.

C. 2:53-24.  
Bill of  
discovery.

10. In order to ascertain if any person has knowledge of or is in possession of any escheatable property, it shall be lawful for the Attorney-General or his deputy as designated herein to file a bill of discovery in the Court of Chancery requiring any such person or persons, named in such bill, to divulge any information they may have concerning the possession or location of any property subject to escheat, or any other information pertinent to the recovery of such property by the State of New Jersey or which information may lead to the discovery of such escheatable property.

11. All proceedings in escheat in the Court of Chancery shall be without costs to the State or to the parties defendant except that the court may impose such costs or counsel fees against a defendant where such defendant shall be found by the court to have defended the escheat proceedings without reasonable cause or justification.

C. 2:53-25.  
Proceedings  
without cost.

12. It shall be lawful to join more than one escheatable property or estate and more than one defendant having possession thereof in one bill where it appears that the amount of escheatable property in each case does not exceed one thousand dollars (\$1,000.00).

C. 2:53-26.  
May join  
defendants.

13. Any person aggrieved by an order or decree of the court, declaring or denying the escheat of any personal property, may appeal therefrom and the proceedings upon such appeal shall be as in the case of appeals from any order or decree of the Court of Chancery.

C. 2:53-27.  
Appeals.

14. The title to property acquired by purchasers sold under and by the provisions of this act shall be absolute.

C. 2:53-28.  
Title absolute.

15. The Attorney-General or his deputy as designated herein shall at all reasonable times have access to and be entitled to certified copies of all public papers and reports filed with any department of the State Government, free from any cost, charge or fee.

C. 2:53-29.  
Access to all  
reports, etc.

16. Upon the final determination of an adjudication in any escheat proceedings provided herein, the Attorney-General shall cause a duly certified copy of such adjudication or decree to be transmitted to the State Treasurer.

C. 2:53-30.  
Determination  
certified to  
treasurer.

17. Any person whose property may have escheated to the State as provided herein, or any rightful heir entitled to such property by descent, may, within two years after the filing of the final decree in the Court of Chancery, apply to said Court of Chancery to reopen the said decree and upon proof that they were without actual knowledge of such escheat proceedings, and of proof of ownership of such property or the right to posses-

C. 2:53-31.  
Reopening  
decree.

sion thereof, the court may in its discretion reopen the decree and in the event that the aforesaid decree in part or in whole be revised or amended, the court may direct the State Treasurer to repay such part of the moneys received by the State Treasurer by reason of such decree, to the party or parties in the amended decree entitled to have the same, and upon the entry of such final decree the State Treasurer shall repay the said moneys as provided in such decree; *provided, however*, that there shall first be deducted all expenses and charges that may have accrued or been paid out by reason of the entry of the original decree.

Proviso.

C. 2:53-32  
Provisions  
severable.

18. The provisions of this act are severable, and in the event of any provision hereof being declared unconstitutional, it is hereby declared as the legislative intent that such unconstitutional provision shall not affect any other provision of this act.

19. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 156

AN ACT to amend "An act concerning the civil service of the State and of counties, municipalities and school districts operating under the provisions of Title 11 of the Revised Statutes, and supplementing Title 11 of the Revised Statutes," approved April fifth, one thousand nine hundred and forty-four (P. L. 1944, c. 64).

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

Section  
amended.

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

C. 11:22-15.1.  
Appointments  
pending  
examinations.

1. Subject to the approval of the president of the Civil Service Commission, the chief examiner and secretary may discontinue or delay the holding

of open or promotional competitive examinations for filling vacancies in the classified civil service of the State and of the counties, municipalities and school districts operating under the provisions of Title 11 of the Revised Statutes; and he may approve the appointment of employees with provisional or temporary status pending the holding of such examinations and the establishment of eligible lists; *provided, however*, that no such provisional or temporary appointments under this act shall be made or approved after June thirtieth, one thousand nine hundred and forty-six. The chief examiner and secretary may, prior to approving such appointments, ascertain, under such tests or inquiries as he may deem proper, whether persons proposed to be appointed with such temporary or provisional status possess at least the minimum qualifications required for positions to which appointments are made hereunder. The Civil Service Commission may authorize and approve appointments with provisional or temporary status in the noncompetitive and labor class as provided herein for appointment in the competitive class.

Proviso.

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

Section amended.

2. No person appointed in a provisional or temporary capacity under the provisions of this act shall by virtue thereof be granted, acquire or be given permanent status, and no such employment shall extend beyond the suspension or expiration of this statute, plus such additional period, ending not later than June thirtieth, one thousand nine hundred and forty-seven, as the Civil Service Commission may determine necessary to permit the holding of an examination and the establishment of an eligible list. No appointee hereunder shall pay dues or contributions into or be eligible for membership in any pension fund existing or which may be established for regular and permanent employees during the period of his service hereunder nor shall he acquire any pension or tenure status. Nothing in this act shall be construed to prohibit

C. 11:22-15.2.  
Not granted permanent status.

Construing.

temporary, emergency or provisional appointments otherwise authorized under Title 11 of the Revised Statutes nor to disqualify persons appointed pursuant to this act from subsequent appointment under that Title.

Section  
amended.

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

C. 11:22-15.4.  
Act operative.

4. This act shall take effect immediately and shall continue to be operative until June thirtieth, one thousand nine hundred and forty-six, except that as to provisional and temporary appointments made pursuant to this act, this act shall remain in force until June thirtieth, one thousand nine hundred and forty-seven; *provided, however*, that the Governor, by proclamation, may at any time suspend the operation of this statute whenever he may consider such action to be advisable and in the public interest.

Proviso.

4. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 157

AN ACT to amend "An act authorizing the governing body of any municipality of this State to exchange lands when deemed in the public interest," approved May thirteenth, one thousand nine hundred and forty-two (P. L. 1942, c. 199).

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

Section  
amended.

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

C. 40:60-51.1.  
May exchange  
lands.

1. The governing body of any municipality may exchange any lands owned by or hereafter to be acquired by such municipality, or any right or interest therein, for other lands desired for public



use, and may exact and receive a cash consideration in addition to such other lands desired for public use; *provided*, that such exchange shall have been or shall hereafter be authorized, by resolution of the governing body of such municipality, and such governing body has determined or hereafter shall determine that the lands to be conveyed to such municipality and the cash consideration, if any, to be paid to such municipality, are of greater value to the municipality for public use than the lands to be conveyed by the municipality, and that it is deemed in the public interest that such exchange of lands be consummated.

Proviso.

2. This act shall take effect immediately.

Approved April 25, 1946.

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## CHAPTER 158

AN ACT to prohibit the use of certain misleading trade practices, and prescribing penalties for the violation thereof.

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

1. No person, firm, corporation or association selling or offering for sale any article of merchandise, shall in any manner represent, contrary to fact, that the article was made for, or acquired directly or indirectly from, the United States Government or its military or naval forces or any agency of the United States Government, or that the article conforms to Government specifications or requirements, or that it has been disposed of by the United States Government.

C. 2:134-29.  
Prohibits  
misleading  
practices.

2. Any person, firm, corporation or association violating any provision of this act shall be guilty of a misdemeanor.

C. 2:134-30.  
Penalty.

3. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 159

AN ACT relating to taxation, and amending section 54:4-1 of the Revised Statutes.

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

Section  
amended.

1. Section 54:4-1 of the Revised Statutes is amended to read as follows:

Property  
subject to tax.

54:4-1. All property real and personal within the jurisdiction of this State not expressly exempted from taxation or expressly excluded from the operation of this chapter shall be subject to taxation annually under this chapter at its true value, and shall be valued by the assessors of the respective taxing districts. Personal property taxable under this chapter shall include, however, only tangible goods and chattels and shall not include any intangible personal property whatsoever whether or not such personalty is evidenced by a tangible or intangible chose in action, except as otherwise required for minimum assessment under sections 54:4-20 and 54:4-22 hereof. Property omitted by the assessors may be assessed as hereinafter provided. All property shall be assessed to the owner thereof with reference to the amount owned on October first in each year, and the person so assessed for personal property shall be personally liable for the taxes thereon.

2. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 160

AN ACT to amend the title of an act entitled "An act to limit and regulate the issuance of restraining orders and injunctions and regulating the punishment for violation thereof in disputes concerning terms or conditions of employment," adopted March thirteenth, one thousand nine hundred and forty-one.

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

1. The title of an act entitled "An act to limit and regulate the issuance of restraining orders and injunctions and regulating the punishment for violation thereof in disputes concerning terms or conditions of employment," which said act was adopted on the thirteenth day of March, one thousand nine hundred and forty-one, as chapter fifteen of the laws of one thousand nine hundred and forty-one, is hereby amended to read as follows:

Title amended.

An act to limit and regulate the issuance of restraining orders and injunctions, to declare certain acts lawful as a matter of public policy of the State of New Jersey and regulating the punishment for violation of such restraining orders and injunctions in disputes concerning terms or conditions of employment.

New title.

2. This act shall take effect immediately.  
Approved April 25, 1946.

## CHAPTER 161

AN ACT concerning taxation, amending sections 54:2-3, 54:2-8, 54:2-14, 54:2-18, 54:2-33, 54:2-34, 54:2-35, 54:2-39, 54:2-40, 54:2-41, 54:3-22 and 54:3-26 of the Revised Statutes, and supplementing chapter two of Title 54 of the Revised Statutes.

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

Section  
amended.

1. Section 54:2-3 of the Revised Statutes is amended to read as follows:

Division of  
tax appeals.

54:2-3. The Division of Tax Appeals in the State Department of Taxation and Finance shall consist, as heretofore, of seven members who shall be citizens of the State and not more than four of whom shall belong to the same political party. At least four members shall be attorneys-at-law of the State of New Jersey of at least ten years' standing. Members shall be chosen because of their special qualifications, knowledge and experience in matters concerning the valuation and taxation of property, particularly of real property.

Section  
amended.

2. Section 54:2-8 of the Revised Statutes is amended to read as follows:

Salaries.

54:2-8. Each member, except the president, shall receive an annual salary of eight thousand dollars (\$8,000.00). The president shall receive an annual salary of nine thousand dollars (\$9,000.00). The members, including the president, shall devote such time as shall be required for the efficient performance of the duties of the office.

Section  
amended.

3. Section 54:2-14 of the Revised Statutes is amended to read as follows:

Records,  
rules and  
regulations.

54:2-14. The Division of Tax Appeals in the State Department of Taxation and Finance shall keep a full record of its proceedings, may make rules, orders and directions as it may deem neces-

sary to carry into effect the objects of this chapter and may make reasonable rules regulating the manner, form, time, terms and conditions of appeals made to it. It may make such reasonable orders upon the final determination of such appeals as will effectuate the final determination thereof according to law. Such determination shall be evidenced by judgment signed by at least four members, and filed with its secretary. Copies thereof, duly certified by the secretary, shall be in evidence in any cause or proceeding.

4. Section 54:2-18 of the Revised Statutes is amended to read as follows:

54:2-18. The Division of Tax Appeals in the State Department of Taxation and Finance may, as occasion shall require, by order, refer to two or more of its members, at least one of whom shall be an attorney-at-law, the duty of taking testimony in a matter pending before it, and to report on such matter and the testimony so taken, to the division, but no determination shall be made therein except by the division. Said reports shall be in writing and signed by the members, and shall include, in substance, the facts and particulars of the testimony so taken, which written reports shall be public records and open to the inspection of the public. Stenographic notes shall be made of all testimony so taken, but the members of the board shall be qualified to make their determination after receiving the report of the members hearing the testimony, and without the necessity that the stenographic notes so taken shall have been reduced to writing; *provided, however*, that the testimony shall be reduced to writing at the request of any member of the division required to make a determination in any such matter.

5. Section 54:2-33 of the Revised Statutes is amended to read as follows:

54:2-33. The Division of Tax Appeals in the State Department of Taxation and Finance shall succeed to and exercise exclusively all the powers and perform all the duties concerning the review,

Section  
amended.

Taking  
testimony.

Reports.

Proviso.

Section  
amended.

Review and  
determination.

hearing and determination of appeals concerning the assessment, collection, apportionment or equalization of taxes, formerly exercised or performed by, or conferred and charged upon, the State Board of Taxes and Assessment, and shall have such other and further powers and perform such other and further duties in connection with the hearing and determination of tax appeals, as may be conferred or imposed upon it, from time to time.

Section  
amended.

6. Section 54:2-34 of the Revised Statutes is amended to read as follows:

Appeals.

54:2-34. The Division of Tax Appeals in the State Department of Taxation and Finance shall review, hear and determine all appeals by any person, taxing district, municipality or county aggrieved by any act, proceeding, ruling, decision or determination of the State Tax Department or of the State Tax Commissioner.

Section  
amended.

7. Section 54:2-35 of the Revised Statutes is amended to read as follows:

Appeals from  
county boards.

54:2-35. Any action or determination of a county board of taxation may be appealed for review to the Division of Tax Appeals in the State Department of Taxation and Finance, under such rules and regulations as it may from time to time prescribe, and it may review such action and proceedings and give such judgment therein as it may think proper. Nothing herein contained shall apply to any appeal to the Division of Tax Appeals in the State Department of Taxation and Finance provided for by sections 54:2-37 and 54:2-39 of the Revised Statutes.

Section  
amended.

8. Section 54:2-39 of the Revised Statutes is amended to read as follows:

Appeal from  
judgment of  
county boards.

54:2-39. Any appellant who is dissatisfied with the judgment of the county board of taxation upon his appeal may appeal from that judgment to the Division of Tax Appeals in the State Department of Taxation and Finance by filing a petition of appeal to the division, in manner and form to be by said division prescribed, within one month from the

date on which the county board of taxation shall have published the entry of judgment or within one month from the date fixed for final decisions by the county boards, whichever date shall be earlier, and the division shall proceed summarily to hear and determine all such appeals and render its judgment thereon as soon as may be.

Each petition of appeal shall be verified and shall contain full and complete information as to the land, including the size of the lot, a description of the buildings and structures thereon, if any, and the use thereof and further shall detail the income and expense of operation in cases of income producing property. No petition of appeal shall fix any sum as the value of said property in question, but shall contain a general prayer that the assessment be increased or decreased (as the case may be) to the true value thereof.

No appeal, however, shall lie to the Division of Tax Appeals in the State Department of Taxation and Finance where the appeal to the county board of taxation has been (a) withdrawn at the hearing, or previously thereto in writing by the appellant or his agent; (b) dismissed because of appellant's failure to prosecute the appeal at a hearing called by the county tax board; (c) settled by mutual consent of the taxpayer and assessor of the taxing district. This provision shall not preclude an appeal to the Division of Tax Appeals in the State Department of Taxation and Finance in the event that the appeal was "dismissed without prejudice" by the county board of taxation.

9. Section 54:2-40 of the Revised Statutes is amended to read as follows:

54:2-40. A copy of the petition of appeal shall be served by the appellant upon the county board of taxation whose judgment is appealed from, or its secretary, and upon the assessor, clerk or attorney of the taxing district. Service of such copies shall be evidenced by affidavit upon the original petition of appeal filed with the Division of Tax Appeals in the State Department of Taxation and

Petition.

Appeal not to lie in division of tax appeals.

Section amended.

Copies of appeal to be served.

Notice to taxpayer.	Finance or service thereon acknowledged. A copy of the judgment of the division shall be sent to the taxpayer, and when the judgment causes a change in the amount of taxes to be paid, at the same time, to the collector of the taxing district and the secretary of the county board of taxation in which said taxing district is situated. The division shall also give prompt notice to the taxpayer and, at the same time, to the collector of the taxing district and to the secretary of the county board of taxation, in whose county the taxing district is situated, of the withdrawal and dismissal of petitions of appeal filed with the division.
Section amended.	10. Section 54:2-41 of the Revised Statutes is amended to read as follows:
Errors corrected by consent.	54:2-41. The Division of Tax Appeals in the State Department of Taxation and Finance may, at any time, on written application by a property owner, with the consent of the majority of the governing body of the municipality affected, to be evidenced by a true copy of a resolution adopted by such governing body certified by its clerk, correct errors and mistakes in tax assessments; <i>provided</i> , that such application and resolution shall set forth the facts causing and constituting the error and mistake sought to be corrected, and that such facts be verified by affidavits of the property owner and the assessor of such municipality, respectively. The division may require such further proof and grant or deny such application as it may deem necessary or proper.
Proviso.	
C. 54:2-40.2. Amending petitions of appeals.	11. Petitions of appeals, filed pursuant to the provisions of chapter two of Title 54 of the Revised Statutes may be amended and amended petitions of appeal may be further amended, at any time, at or before the hearing of the appeal, without notice and as a matter of course.
C. 54:2-40.3. Petition filed by attorney.	12. Any such petition of appeal, or amended petition of appeal, or any pleading, paper or document of any taxpayer, whether an individual or a corporation, may be executed and filed by an attorney-at-law of New Jersey, without the require-



ment of any affidavit or other evidence of his authority to act for such taxpayer.

13. No judgment shall be entered by the Division of Tax Appeals in the State Department of Taxation and Finance in any appeal from a county board, upon the oral consent or agreement of the taxpayer with the taxing district, municipality or county concerned in such appeal, or their respective attorneys, but the division may enter judgment on such appeals, upon such proof and under such rules and regulations as it may from time to time prescribe, upon the written consents or agreements of the taxpayer and the taxing district, municipality or county concerned, or their respective attorneys, verified by qualified experts as to the facts therein alleged in support of the valuations therein consented to.

C. 54:2-42.  
Entering  
judgment.

14. Where a judgment final has been rendered by the Division of Tax Appeals in the State Department of Taxation and Finance involving real property such judgment shall be conclusive and binding upon the municipal assessor and the taxing district, parties to such appeal, for the assessment year and for the two assessment years succeeding the assessment year covered by the final judgment, except as to changes in the value of the property occurring after the assessment date. Where such changes are alleged, the petition of appeal shall specifically set forth the nature of the changes relied upon as the basis for such appeal.

C. 54:2-43.  
Judgment  
final binding.

15. In any proceeding before the Division of Tax Appeals in the State Department of Taxation and Finance where deeds or other instruments of conveyance do not state the true consideration or sales price of the property, which is the subject of appeal, the United States documentary stamps, if any, attached to such deeds or instruments shall be admitted as prima facie evidence of the true consideration or sales price of the said property.

C. 54:2-40.4.  
Determining  
true con-  
sideration.

16. Upon the filing of a petition of appeal by any taxpayer, or taxing district, with the Division of Tax Appeals in the State Department of Taxa-

C. 54:2-40.1.  
Fees.

tion and Finance, pursuant to section 54:2-35, or section 54:2-37 or section 54:2-39 of the Revised Statutes, such taxpayer or taxing district filing such petition shall pay to the secretary of the division a fee of one dollar (\$1.00) for each petition where the assessed valuation of the property described in such petition is ten thousand dollars (\$10,000.00) or less, and a fee of two dollars (\$2.00) for each petition where the assessed valuation of such property is more than ten thousand dollars (\$10,000.00).

Section  
amended.

17. Section 54:3-22 of the Revised Statutes is amended to read as follows:

Hearing  
of appeals.

54:3-22. The board shall thereupon make such order respecting the time and manner for hearing the appeal as it may deem just, and shall summarily hear and determine the appeal, and revise and correct the assessment in accordance with the true value of the taxable property. All appeals filed pursuant to the provisions of chapter three of Title 54 of the Revised Statutes shall be heard and determined by the board. It may compel the attendance of witnesses, the production of books and papers before it, examine witnesses or cause witnesses to be examined under oath before it, which oath may be administered by a member of the board.

Witnesses.

Determining  
true con-  
sideration.

In any proceeding before the board where deeds or other instruments of conveyance do not state the true consideration or sales price of the property, which is the subject of appeal, the United States documentary stamps attached, if any, to such deeds or instruments shall be admitted as prima facie evidence of the true consideration or sales price of the said property.

Section  
amended.

18. Section 54:3-26 of the Revised Statutes is amended to read as follows:

Time for  
determining  
appeals.

54:3-26. The county board of taxation shall hear and determine all such appeals within three months after the last day for filing such appeals, and shall keep a record of its judgments thereon in permanent form, and shall transmit a memorandum of

its judgment to the taxpayer, and in all cases where the amount of tax to be paid shall be changed as a result of an appeal, to the collector of the taxing district.

Where no appeal is taken to the Division of Tax Appeals in the State Department of Taxation and Finance to review the action or determination of the county board involving real property the judgment of the county board shall be conclusive and binding upon the municipal assessor and the taxing district for the assessment year, and for the two assessment years succeeding the assessment year, covered by the judgment, except as to changes in value of the property occurring after the assessment date. Where such changes are alleged the petition of appeal shall specifically set forth the nature of the changes relied upon as the basis for such appeal.

Judgment  
final.

19. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 162

AN ACT concerning the establishment and maintenance of the apprentice and on-the-job training programs for veterans of World War II by the State departments and the several counties and municipalities of the State.

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

1. Each State department and each county and municipality in the State hereby is authorized and empowered to establish and maintain apprentice and on-the-job training programs for the employment of veterans of World War II as contemplated by public laws Nos. 16 and 346 of the Seventy-

C. 38:23A-7.  
Apprentice  
training  
programs  
authorized.

eighth Congress of the United States, and the head of each State Department and the governing body of each county and municipality is authorized to determine the positions to be included within such program and their rating and to fix the compensation to be paid to such veterans while serving therein under the supervision, and subject to the approval, of the Civil Service Commission in the case of State departments and the counties and municipalities in which subtitle three, of Title 11, Civil Service, of the Revised Statutes is in effect.

2. This act shall take effect immediately.

Approved April 25, 1946.

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#### CHAPTER 163

AN ACT to validate certain sales for unpaid taxes and assessments heretofore conducted by any municipality pursuant to the provisions of section 54:5-39 of the Revised Statutes.

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

Validates  
certain sales  
for unpaid  
taxes.

1. Whenever heretofore any municipality has conducted a further sale for unpaid taxes and assessments, of a parcel of land, while held by the municipality, pursuant to the provisions of section 54:5-39 of the Revised Statutes, such further sale shall be valid notwithstanding the governing body of the municipality had not by resolution directed such further sale provided such governing body by resolution confirms and ratifies such further sale.

2. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 164

AN ACT to validate certain sales for unpaid taxes and assessments heretofore conducted by any municipality pursuant to the provisions of section 54:5-45.1 of the Revised Statutes, as supplemented by chapter two hundred forty-one of the laws of one thousand nine hundred and forty.

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

1. Whenever heretofore any municipality has conducted a sale for unpaid taxes and assessments of any property, subsequent to a prior sale of the same property which did not include certain taxes, assessments or other municipal charges which should have been included, pursuant to the provisions of section 54:5-45.1 of the Revised Statutes, as supplemented by chapter two hundred forty-one of the laws of one thousand nine hundred and forty, such subsequent sale shall be valid notwithstanding the governing body of the municipality had not by resolution declared the prior sale void and directed such subsequent sale; *provided*, such governing body by resolution confirms and ratifies such subsequent sale.

Validates  
certain sales  
for unpaid  
taxes.

Proviso.

2. This act shall take effect immediately.  
Approved April 25, 1946.

## CHAPTER 165

AN ACT respecting beaver, and amending section 23:4-55 of the Revised Statutes.

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

Section  
amended.

1. Section 23:4-55 of the Revised Statutes is amended to read as follows:

Beaver  
protected.

23:4-55. No person shall sell, trap, take, capture, kill or have in possession after the same has been trapped, taken, captured or killed, a beaver, and no person shall have in his possession or sell a raw pelt of a beaver, whether caught within or without the jurisdictional limits of this State, unless the same has been tagged by the regular salaried fish and game warden of the county wherein such pelt is had in possession, or sale is to be made, under a penalty of one hundred dollars (\$100.00) for each beaver so trapped, taken, sold, captured, killed or had in possession; *provided*, that the Division of Fish and Game may issue permits up to and not exceeding one hundred in any one calendar year to bona fide residents of the State to trap not more than five beaver between February first and February twenty-eighth. The fee for this permit shall be five dollars (\$5.00), and no beaver or raw pelt of same taken under this permit shall be sold without first having been tagged by the warden above referred to, under a penalty of one hundred dollars (\$100.00) for each offense. The Division of Fish and Game may, in its discretion, issue permits to owners or lessees of land, a portion of which is under cultivation, to kill beavers that are destroying said property, but the carcasses of all beavers killed under said permits must be turned over to the division for disposal.

Penalty.

Proviso,  
permits  
to trap.

Fee.

2. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 166

AN Act for the protection of certain kinds of fish,  
and amending section 23:5-15 of the Revised  
Statutes.

BE IT ENACTED *by the Senate and General Assem-  
bly of the State of New Jersey*:

1. Section 23:5-15 of the Revised Statutes is Section  
amended.  
amended to read as follows:

23:5-15. No person shall use, have in posses- Artificial bait.  
sion or offer or expose for sale, any artificial bait  
with more than nine hooks or more than three  
burrs of three hooks attached thereto, under a pen-  
alty of twenty dollars (\$20.00) for each offense.

2. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 167

AN Act to supplement "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act," approved March eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 17), as said Title was amended by chapter one hundred thirty-seven of the laws of one thousand nine hundred and forty-one.

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

C. 5:5-34.1.  
Approval to  
hold 1% or  
more of stock.

1. Whenever any association or corporation has been or shall be granted a permit to hold or conduct a horse race meeting, no person shall in any manner become the owner or holder, directly or indirectly, of any stock thereof in the amount of one per centum (1%) or more of the number of shares issued and outstanding without first having obtained the approval of the commission therefor; and the commission may, after hearing, revoke such permit granted to any corporation or association which shall register on its books in the name of any one person its stock in any such amount without the approval of the commission having first been obtained, or which shall knowingly permit a person to be directly or indirectly interested in its stock in



any such amount without reporting the same to the commission. Whenever the commission shall give to any person its approval to own or hold one per centum (1%) or more of the stock of any such association or corporation, it shall by registered mail notify the secretary of such association or corporation of such approval; *provided, however*, that under no circumstances shall the commission give such approval to any person who has been convicted of a crime involving moral turpitude, or has violated any of the provisions of the racing laws of the State of New Jersey or any rule or regulation of the commission, or has at any time been denied a license or permit of any kind by the commission. Proviso.

2. This act shall take effect immediately.

Approved April 25, 1946.

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## CHAPTER 168

AN ACT relating to assistance to needy blind persons in New Jersey, supplementing chapter six of Title 30, and amending sections 30:6-3, 30:6-5 and 30:6-14 of the Revised Statutes.

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

1. Section 30:6-3 of the Revised Statutes is amended to read as follows: Section amended.

30:6-3. Any person of either sex, above the age of eighteen years, who by reason of blindness is unable to earn sufficient money to provide for the necessities of life, and who has no relatives or other person able to provide and legally responsible for his maintenance, excepting that grandchildren even if able to provide shall not be legally responsible for his maintenance, and who, if not relieved, would lack adequate support, is a proper person to make Persons eligible to relief.

application to the welfare board of the county wherein he resides for the relief granted by this article.

**Residence.** Any person making application under the terms of this article shall first have been a resident of this State continuously for one year immediately prior to the making of such application.

**Investigation.** Whenever anyone deemed a proper person to make application for relief as provided for in this article shall make application to the welfare board, the welfare board shall fully investigate and establish the facts as set forth in the petition and as outlined above, as well as other facts it deems necessary, including the county of the State in which the applicant has last resided continuously for one year. Upon completion of its investigation the welfare board shall then present a recommendation, together with a copy of the application and record of its investigation, to the commission for relief for the person named in order that the commission may ameliorate the condition of the blind person named, in the manner set forth in this article; but the sum asked for or granted shall be sufficient when added to all other income and support of the individual to provide such person with a reasonable subsistence compatible with decency and health.

**Relief recommended.** The welfare board may in its discretion order the petitioner to appear before it or its representative appointed to act with the commission in establishing the facts set forth in the petition, or may make such further investigation as it deems necessary. Whenever the facts set forth in the petition shall have been fully established, the welfare board shall recommend relief in the amount provided by law.

**Rules and regulations.** The commission shall supervise the administration by the counties of the relief made available hereunder, and shall establish and enforce such rules and regulations as may appear necessary or desirable to carry out the provisions of this act. All

such rules and regulations shall be binding upon the county departments.

The commission shall further establish and enforce reasonable rules and regulations governing the custody, use and preservation of the records, papers, files and communications of the department. The use of such records, papers, files and communications by any other agency or department of government to which they may be furnished shall be limited to the purpose for which they are furnished and by the provisions of the law under which they may be furnished. The commission shall have power to enter into reciprocal agreement with appropriate public agencies in other States whereby blind assistance benefits may be extended to New Jersey residents living in other States or to residents of other States living in New Jersey on a reciprocal basis, and shall have the power to waive the eligibility requirement of residence for any individual coming within the purview of reciprocal agreement.

All relief granted under this article is granted with the understanding that the amount is to be available only for the use of the commission, which shall expend it only on behalf of the person named in the petition and for whom the relief is granted.

Any applicant or recipient denied relief, aggrieved because of a welfare board decision or delay in making same or having other cause for appeal from the decision of the commission or of the county welfare board, may appeal to the State Board or to its designated representative in the manner prescribed by the State Board, and shall be afforded reasonable notice and opportunity for a fair hearing by the State Board. All decisions of the State Board shall be final and shall be binding upon and shall be complied with by the county welfare board.

Nothing contained herein shall be construed to affect the right of any applicant to a writ of certiorari.

Records.

Reciprocal agreements.

Use of relief granted.

Appeals.

Decision final.

Construing.

C. 30:6-4.1.  
Temporary  
order of  
assistance.

2. Upon receipt of an application for assistance, the county welfare board shall promptly cause an investigation to be made of the circumstances of the applicant. The object of such investigation shall be to verify the facts set forth in the application and to secure such other information as may be required by the rules and regulations of the commission. When it shall appear that the applicant is in need of immediate emergency assistance and that eligibility is apparent, the county welfare director may issue a temporary order of assistance pending completion of the investigation of the applicant, which said order of assistance shall be subject to the approval by the commission.

Section  
amended.

3. Section 30:6-5 of the Revised Statutes is amended to read as follows:

Statement of  
facts filed by  
applicant.

30:6-5. Prior to action on any claim for relief under this article, the claimant shall file with the county welfare board a duly verified statement of facts sufficient to bring him or her within the provisions of this article in manner and form prescribed by the commission.

List of  
claims.

A list of claims and the evidence relating thereto shall be kept on file by such county welfare board, and copies thereof furnished the commission.

Evidence of  
eligibility.

No relief hereunder shall be granted until the county welfare board shall be satisfied that the applicant is in need of assistance under the provisions of this article, and that the applicant is possessed of resident and other qualifications which entitled him to the relief asked.

Amount  
of relief.

If the county welfare board is satisfied that the applicant is entitled to relief under the provisions of this article, it shall so recommend the amount thereof to the commission, and upon the approval of the same by the commission, shall be paid from the funds appropriated for the aforesaid purpose in the manner set forth herein.

Relief in lieu  
of all other.

The relief granted pursuant to this article shall be in place of any and all other relief of a public nature, except that represented by medical and surgical treatment.

4. Section 30:6-14 of the Revised Statutes is amended to read as follows:

Section  
amended.

30:6-14. The relief granted by the commission for the support, care and maintenance of persons coming within the provisions of this article shall be charged against the county in which such person has last resided continuously for one year, and shall be paid by the board of chosen freeholders of such county in such manner and at such times as the State Board may by regulation provide. If, however, such person does not have such settlement in any county in this State, relief granted shall become a charge upon the State and shall be paid for from the funds provided for that purpose in any annual or special appropriation act, and from any funds received from the Federal Government for assistance to the blind, which such funds are hereby authorized to be received by the State treasury and held for the use of the commission.

Relief charged  
against county.

The commission shall reimburse each county for relief expenditures paid by such county under the provisions of this article to the full extent to which contribution may be received from the Federal Government toward such expenditures. Claims for such reimbursement shall be presented by the board of chosen freeholders in such manner and at such times as the State Board may by regulation provide, and payment shall be made upon approval of such claims by the commission.

County  
reimbursed.

In December of each year the commission shall forward to each county an estimate of the amount of money necessary for carrying into effect in each county of this State the provisions of this article, and shall transmit such estimate to the board of chosen freeholders of each county and such board of chosen freeholders shall in the budget for the ensuing calendar or fiscal year appropriate a sufficient amount to meet the expenditures of the county under the provisions of this article.

Estimate  
of amount  
necessary.

The State Board is hereby authorized to co-operate and enter into co-operative agreements with the Federal Social Security Board for the pur-

Federal aid.

pose of receiving contributions from the United States Government for assistance to the blind and any funds so received shall be paid into the State treasury and held for the use of the commission to be used, together with funds provided by the counties, or the State, for blind relief, for education of the blind and medical or surgical care and treatment of the blind, for burial of needy blind persons not in excess of an expenditure of one hundred dollars (\$100.00), and for the payment of reimbursement due the counties as provided in this section. Any Federal funds received for administrative purposes shall be made available to the commission as a part of its annual appropriation.

5. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 169

AN ACT to amend "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act," approved March eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 17), as said title was amended by chapter one hundred thirty-seven of the laws of one thousand nine hundred and forty-one.

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

1. Section forty-four of the act of which this act is amendatory is amended to read as follows:

44. Each holder of a permit shall distribute all sums deposited in any pool to the winners thereof, less an amount which in harness races shall not exceed fourteen per centum (14%) of the total deposits plus the breaks and which in other races shall not exceed ten per centum (10%) of the total deposits plus the breaks. The breaks are hereby defined as the odd cents over any multiple of five cents (\$0.05), calculated on the basis of one dollar (\$1.00) otherwise payable to a patron. There shall be paid to the commission for the use of the State by each permit holder in each calendar year a share of the breaks to be based on the average daily contributions to the pari-mutuel pools conducted or

Section  
amended.

C. 5:5-64.  
Amount to  
winners.

Breaks  
defined.

Share of  
breaks paid  
to State.

made on such permit holder's track during the period allotted for each horse race meeting at such track in such year which shall be computed at the percentage applicable to the range within which such average daily contributions fall, according to the table hereinafter set forth, after such average shall have been determined by dividing the total contributions during such period by the number of days on which such pools were to be conducted or made, as follows:

<i>Range of daily pari-mutuel contributions:</i>	<i>State's share of breaks:</i>
Not exceeding \$949,999.99	None
Between \$950,000.00 and \$1,000,000.00	Fifteen per centum (15%)
Between \$1,000,000.00 and \$1,050,000.00	Thirty per centum (30%)
Between \$1,050,000.00 and \$1,100,000.00	Forty-five per centum (45%)
Between \$1,100,000.00 and \$1,150,000.00	Sixty per centum (60%)
Between \$1,150,000.00 and \$1,200,000.00	Seventy-five per centum (75%)
Between \$1,200,000.00 and \$1,250,000.00	Ninety per centum (90%)
On any amount over \$1,250,000.00	One hundred per centum (100%)

Proviso.

*provided*, that the State's share of the breaks, as above computed, shall not apply to any track during the first two years of its operation. During such first two years, the State shall not be entitled in any year to any share of the breaks if the daily average contributions in such year are less than one million dollars (\$1,000,000.00), but if the daily average contributions in any such year exceeds one million dollars (\$1,000,000.00), the permit holder of such track shall pay to the commission one hundred per centum (100%) of the breaks on all amounts in excess of one million dollars (\$1,000,000.00) daily



average for that year. All sums held by any permit holder for payment of outstanding pari-mutuel tickets not claimed by the person or persons entitled thereto within sixty days from the time such tickets are issued, shall be paid to the commission upon the expiration of such sixty-day holding period.

Payments for  
unclaimed  
tickets paid to  
commission.

Each permit holder engaged in the business of conducting horse race meetings under this act shall pay to the commission the breaks, as hereinabove defined. Payment of said breaks shall be made every seventh day of any and every race meeting and shall be accompanied by a report under oath showing the daily and total amount of such breaks together with such other information as the commission may require.

Payment of  
breaks, report

2. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 170

AN ACT to amend "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act," approved March eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 17), as said title was amended by chapter one hundred thirty-seven of the laws of one thousand nine hundred and forty-one.

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

Section  
amended.

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

C. 5:5-38.  
Application.

18. Each person, partnership, association or corporation desiring to hold or conduct a horse race meeting within the State of New Jersey, during any calendar year, shall file with the commission an application for a permit to hold or conduct such horse race meeting. A separate application shall be filed for each horse race meeting which such applicant proposes to hold or conduct. Any such application, if made by an individual, shall be signed and verified under oath by such individual, and if made by two or more individuals or a partnership, shall be signed and verified under oath by at least two of such individuals, or members of such partnership, as the case may be. If made by an asso-

ciation or corporation, it shall be signed by the president or vice-president thereof, and attested by the secretary or assistant secretary, under the seal of such association or corporation, if it has a seal, and shall also be verified under oath by one of the officers signing the same. Such application shall specify the name of the person, association or corporation making such application, and the post-office address of the applicant; and if applicant is a corporation or an association, the names and addresses of the directors thereof, and the name and address of each stockholder owning one per centum (1%) or more of the stock thereof, and if a partnership, the names and addresses of all partners, general or limited. If the applicant is a corporation, the name of the State of its incorporation shall be specified. Such application shall further specify the dates on which it is intended to conduct or hold such horse race meeting, the hours of each racing day between which it is intended to hold or conduct horse racing at such meeting, which shall be between the hours of twelve o'clock noon and six o'clock post meridian Eastern Standard time (exclusive of Sundays, on which day no race meeting may be conducted), and the location of the place, track or enclosure where it is proposed to hold or conduct such horse race meeting. Such application shall be in such form and supply such data including a blueprint of track and specifications of surface of same and blueprint and specifications of buildings and grandstand of applicant, as the commission shall prescribe, which said blueprints and specifications shall be subject to the approval of the commission. The commission shall furnish forms to be used in making such applications, and all applications shall be made on such forms.

Forms  
furnished.

All applications filed with the commission for permits to hold or conduct horse race meetings shall be available for public inspection at the commission's office during ordinary business hours.

Applications  
open to public  
inspection.

2. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 171

AN ACT respecting discharging firearms for the purpose of hunting, taking or killing any bird or animal within three hundred feet of occupied dwellings, and amending section 23:4-16 of the Revised Statutes.

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

Section  
amended.

1. Section 23:4-16 of the Revised Statutes is amended to read as follows:

Automobile  
or its lights  
forbidden  
in hunting.

23:4-16. No person, either while in an automobile or vehicle of any kind whatsoever, or by the aid or use of a light carried on or attached to a vehicle of any kind, shall hunt for, pursue, shoot, shoot at, kill, capture, injure or destroy a bird or animal in this State, and no person shall use any portable light or lights for the purpose of hunting for any game bird or animal excepting raccoon, and no person shall, for the purpose of hunting, taking or killing any bird or animal, discharge any firearm upon or across any State or county highway, and no person, except the owner or lessee of the property, shall, for the purpose of hunting, taking or killing any bird or animal, discharge a firearm while within three hundred feet of any occupied dwelling in this State, under a penalty of twenty dollars (\$20.00) for each offense.

Penalty.

2. This act shall take effect immediately.  
Approved April 25, 1946.

## CHAPTER 172

AN ACT to require the provision of adequate trained personnel and proper appliances for life-saving and resuscitation at swimming pools or public swimming places operated directly or indirectly for profit and providing penalties for the violation thereof.

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

1. Every person operating a swimming pool or public swimming place, directly or indirectly, for profit shall provide adequate trained personnel and proper appliances for life-saving and resuscitation at all times when the pool is open to the public.

C. 26:4A-1.  
To provide  
life-saving  
appliances, etc.

2. The State Department of Health may establish reasonable rules and regulations to carry out the provisions of this act.

C. 26:4A-2.  
Rules and  
regulations.

3. Any person who violates any of the provisions of this act shall be liable to a penalty of fifty dollars (\$50.00) for the first offense and one hundred dollars (\$100.00) for each subsequent offense, to be recovered in any action at law brought by and in the name of the State Department of Health or the local board of health of the municipality within which the violation occurred.

C. 26:4A-3.  
Penalty.

4. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 173

AN Act validating certain proceedings had under an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen.

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

Certain  
proceedings  
validated.

1. All final decrees heretofore entered in the Court of Chancery of New Jersey, based on proceedings under section forty-nine of an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen, shall be valid and effectual notwithstanding the failure of the master in his report to state a proper day during the week at which time the property might be redeemed from sale and the act of the master in fixing a Sunday as the date within which to redeem the property from sale; *provided*, the final decree shall have been entered for at least ten years prior to the passage of this act, and there has been a substantial compliance with said act; *and provided*, that no proceedings shall have heretofore been instituted in any court of law or equity to set aside said final decree or any proceedings in connection therewith.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 174

AN ACT to impose an excise tax upon certain financial businesses.

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

1. This act shall be known and may be cited as the "Financial Business Tax Law (1946)."

C. 54:10B-1.  
Financial  
business  
tax law.

2. For the purposes of this act, unless the context otherwise requires:

C. 54:10B-2.  
Terms defined:  
Commissioner;

(a) "Commissioner" shall mean the director of the division of taxation of the State Department of Taxation and Finance.

(b) "Financial business" shall mean all business enterprise which is (1) in substantial competition with the business of national banks and which (2) employs moneyed capital with the object of making profit by its use as money, through discounting and negotiating promissory notes, drafts, bills of exchange and other evidences of debt; buying and selling exchange; making of or dealing in secured or unsecured loans and discounts; dealing in securities and shares of corporate stock by purchasing and selling such securities and stock without recourse, solely upon the order, and for the account of customers; or investing and reinvesting in marketable obligations evidencing indebtedness of any person, copartnership, association or corporation in the form of bonds, notes or debentures commonly known as investment securities; or dealing in or underwriting obligations of the United States, any State or any political subdivision thereof, or of a corporate instrumentality of any of them. This shall include, without limitation of the foregoing, businesses commonly known as industrial banks, dealers in commercial paper and acceptances, sales finance, personal finance, small loan and mortgage financing businesses, as well as any other enterprise employing moneyed capital

Financial  
business;

coming into competition with the business of national banks; *provided*, that the holding of bonds, notes, or other evidences of indebtedness by individual persons not employed or engaged in the banking or investment business and representing merely personal investments not made in competition with the business of national banks, shall not be deemed financial business. Nor shall "financial business" include national banks, stock and mutual insurance companies duly authorized to transact business in this State, security brokers or dealers or investment companies or bankers not employing moneyed capital coming into competition with the business of national banks, or any of the following entities organized under the laws of this State: credit unions, savings banks, savings and loan and building and loan associations, pawnbrokers, and State banks and trust companies.

Net worth;

(c) "Net worth" shall mean:

(1) in the case of a corporation—the aggregate of the values disclosed by the books of the corporation for (1) issued and outstanding capital stock, (2) paid-in or capital surplus, (3) earned surplus and undivided profits, (4) surplus reserves which can reasonably be expected to accrue to holders or owners of equitable shares, excluding reasonable valuation reserves and (5) the amount of all indebtedness owing directly or indirectly to holders of ten per centum (10%) or more of the aggregate outstanding shares of the taxpayer's capital stock of all classes, as of the close of a tax year.

(2) In the case of a partnership, individual proprietorship, joint venture or any other unincorporated association—the aggregate of the values disclosed by the books of the taxpayer for capital and undivided profits, provided that there shall be no deduction from assets of debts owing to partners, proprietors or members, as of the close of a tax year.



(d) "Tax year" shall mean the calendar year with respect to which a tax is measured pursuant to this act. Tax year;

(e) "Taxpayer" shall mean any person, copartnership, association or corporation subject to taxation under this act. Taxpayer.

3. There is hereby imposed upon every person, copartnership, association and corporation doing a financial business in this State, an annual excise tax, payable in the year one thousand nine hundred and forty-six and in each year thereafter, at the rate of three-fourths of one per centum ( $\frac{3}{4}$  of 1%) upon its net worth, less the deductions hereinafter allowed, as of the close of the preceding calendar year, but in no event less than twenty-five dollars (\$25.00). Such tax shall also be in lieu of any State franchise tax or of any State or local taxation of, upon or measured by personal property entering into the determination of net worth. C. 54:10B-3.  
Annual  
excise tax.  
  
Rate.  
  
In lieu of  
franchise  
tax, etc.

4. A person, partnership, association or corporation shall not be deemed to be doing financial business, by reason of (1) the maintenance of cash balances with banks or trust companies in this State, or (2) the ownership of shares of stock or securities in this State if such shares or securities are pledged as collateral security, or deposited with one or more banks or trust companies, or brokers who are members of a recognized security exchange, in safe-keeping or custody accounts, or kept in safe deposit boxes, or (3) the taking of any action by any such bank or trust company or broker, which is incidental to the rendering of safe-keeping or custodian service. C. 54:10B-4.  
Not deemed  
financial  
business.

5. If in the opinion of the commissioner, the taxpayer's books do not disclose fair valuations the commissioner may require any additional information which may be necessary for a reasonable determination of the net worth which, in his opinion, would reflect the fair value of the assets carried on the books of the taxpayer, in accordance with sound accounting principles, and such determination shall be used as net worth for the purpose of this act. C. 54:10B-5.  
Determining  
net worth.

C. 54:10B-6.  
Determining  
measure  
of tax.

6. For the purpose of determining the measure of the tax hereunder, there may be deducted from net worth:

(a) The average aggregate value of the following items held by a taxpayer during the tax year:

(1) Shares of stock taxable under the bank stock tax;

(2) Shares of stock in domestic insurance companies where such companies are taxable with respect to their capital and surplus under any other laws of this State;

(3) Shares of stock in railroads or other public utilities or in corporations taxable under this act; but only in the same proportion that the issuing corporation's total net worth, income or gross receipts, enters into the determination of a tax base under this or any other law of this State;

less such proportion of the total liabilities of the taxpayer (as of the close of the tax year) as the ratio of such average aggregate value to total assets of the taxpayer (as of the close of the tax year); *provided, however*, that no deduction shall be made or permitted for any shares of stock described in (1), (2) or (3) above where any indebtedness has been incurred with the intent or for the purpose of acquiring, holding or controlling such stock.

(b) There may also be deducted from net worth the assessed value of real estate taxable in this State; but such deduction shall not exceed the amount of the taxpayer's equity in such real estate which is included in net worth.

C. 54:10B-7.  
Subsidiary.

7. For the purpose of this section, a subsidiary shall be deemed to be any corporation subject to the corporation business tax act in which a taxpayer is the beneficial owner of at least eighty per centum (80%) of the total combined voting power of all classes of stock entitled to vote and of at least eighty per centum (80%) of the total number of

shares of all other classes of stock except nonvoting stock which is limited and preferred as to dividends. In determining the measure of the tax imposed by this act, a taxpayer may deduct from its net worth such proportion, not exceeding fifty per centum (50%), of the average value during the tax year of its holdings of capital stock of a subsidiary, less net liabilities (if any) to the subsidiary, as the ratio of the subsidiary's taxable net worth in the tax year (under the corporation business tax act) to its entire net worth.

8. A taxpayer doing business in more than one State shall allocate the value of its net worth (after allowable deductions) within this State, which allocated value shall be the measure of its tax pursuant to this act, according to the proportion of its gross business in this State to its gross business everywhere during the tax year, determined as the sum of:

C. 54:10B-8.  
Taxpayer to  
allocate value.

(a) Fees, commissions or other compensation for financial services rendered within this State;

(b) Gross profits from trading in stocks, bonds, or other securities managed within this State;

(c) Interest and dividends received on loans, stocks, bonds and other securities managed within this State;

(d) Interest charged to customers, at places of business maintained within this State, for carrying debit balances of margin accounts, without deduction of any costs incurred in carrying such accounts; and

(e) Any other gross income resulting from the operation of financial business within this State;

divided by the aggregate amount of such items of the taxpayer everywhere.

C. 54:10B-9.  
To apportion  
net worth  
to each  
municipality.

9. Taxpayers maintaining places of business in more than one municipality in this State shall apportion net worth to each municipality in which a place of business is maintained in like manner as herein required for apportionment within and without the State.

C. 54:10B-10.  
Agreements  
for evading  
tax.

10. Whenever it shall appear to the commissioner that any taxpayer maintains a place of business outside this State, or that any agreement, understanding or arrangement exists between a taxpayer and any corporation person or firm, for the purpose of evading tax under this act, or whereby the activity, business, receipts or net worth of the taxpayer is distorted for such purpose, the commissioner may in his discretion and in such manner as he may determine, adjust items of net worth, gross business within and without the State and the allocation of net worth, or make such other adjustments in any tax report or tax return as may be necessary for a true and correct determination of the tax pursuant to this act. The commissioner may require any person or corporation to submit information under oath, or to permit examination of its books, papers and documents, as may be necessary to enable him to determine the existence, nature or extent of an agreement, understanding or arrangement to which this section relates, whether or not such person or corporation is subject to the tax imposed by this act.

C. 54:10B-11.  
Trustee, etc.,  
to pay tax.

11. Any receiver, referee, trustee, assignee or other fiduciary, or any officer or agent appointed by any court, who conducts the business of any taxpayer shall be subject to the tax imposed by this act in the same manner and to the same extent as if the business were conducted by the agents or officers of such taxpayer. A dissolved taxpayer which continues to conduct business in the process of liquidation shall also be subject to the tax imposed by this act.

Dissolution  
not to bar tax.

C. 54:10B-12.  
Tax and  
penalties  
paid before  
dissolution.

12. No taxpayer shall dissolve, liquidate or distribute any assets in dissolution or liquidation, nor shall any foreign corporation withdraw from the

State, without having first duly filed its return under this act and paid or secured the tax, interest and penalties due thereon for the preceding tax year and for the year in which such dissolution, liquidation or withdrawal occurs, as well as all delinquent taxes, interest, and penalties then due. For the purpose of determining the tax due with respect to the year in which dissolution, liquidation or withdrawal occurs, the tax year shall be deemed to have closed on the last day of the month in which the taxpayer ceases to do business in this State; and the amount of tax due hereunder shall be such proportion of the tax for a full tax year as the number of months in the tax year so determined is to twelve; *provided*, that in no event shall the last day of doing business be deemed to have occurred more than thirty days prior to the filing of a duly executed tax return and the payment of the tax due as shown therein for the tax year in which such dissolution, liquidation, or withdrawal occurs. .

Proviso.

13. The commissioner may by general rule or by special notice require any taxpayer to submit copies or pertinent extracts of its Federal income tax returns, or of any other tax return made to any agency of the Federal Government, or of this or any other State, or of any statement or registration made pursuant to any State or Federal law pertaining to securities or securities exchange regulation, or to the regulation of the business of the taxpayer.

C. 54:10B-13.  
May require  
extracts of  
income tax  
returns.

14. The tax hereby imposed shall be due and payable to the commissioner on or before the fifteenth day of April in each year, except in the year one thousand nine hundred and forty-six, when it shall be due and payable in full on or before the fifteenth day of October. Each taxpayer shall together with the payment due hereunder duly execute and file a tax return with the commissioner, in such form and containing such information as he may prescribe, which return shall truly and accurately set forth its liability under this act.

C. 54:10B-14.  
Dates taxes  
payable.

C. 54:10B-15.  
May extend  
time for  
paying.

15. The commissioner may grant a reasonable extension of time for the filing of returns or the payment of tax, or both, under such conditions, rules and regulations as he shall prescribe, but no such extension shall be granted beyond the first day of December of the year in which the tax is due. If the time for filing the return shall be extended, the payment of the tax shall be postponed to the date fixed by the extension of the time for the filing of the return, but in every such case the taxpayer shall pay, in addition to the tax, interest thereon at the rate of six per centum (6%) per annum from the time when the return originally was required to be filed to the time of payment under the extension.

C. 54:10B-16.  
Tax a lien.

16. The tax imposed by this act shall constitute a lien on all of the taxpayer's property and franchises on and after January first of the year in which it is due and payable, and all interest, penalties, and costs of collection which thereafter fall due or accrue shall be added to and become a part of such lien.

C. 54:10B-17.  
Forms.

Forms  
furnished  
taxpayers.

17. The commissioner shall design a form of return and forms for such additional statements or schedules as he may require to be filed therewith. Such forms shall provide for the setting forth of such facts as the commissioner may deem necessary for the proper enforcement of this act. He shall cause a supply thereof to be printed and shall furnish appropriate blank forms to each taxpayer upon application or otherwise as he may deem necessary. Failure to receive a form shall not relieve any taxpayer from the obligation to file a return under the provisions of this act. Each such return shall be made upon the oath or affirmation of the president, vice-president, or secretary or treasurer of a corporation, or of a partner or proprietor in the case of other taxpayers, and in the case of a taxpayer in liquidation or in the hands of a receiver or trustee, shall be made on the oath or affirmation of the person responsible for the conduct of the affairs of such taxpayer.

18. The administration, collection and enforcement of the tax imposed by this act shall be subject to the provisions of the State tax uniform procedure law as therein provided (subtitle nine of Title 54 of the Revised Statutes).

C. 54:10B-18.  
Administration  
of act.

19. In addition to other remedies for the collection of the tax imposed by this act, the Attorney-General may of his own motion or upon the request of the commissioner, whenever any tax is due under this act shall have remained in arrears for a period of three months after the tax shall have become payable, apply to the Court of Chancery, by petition in the name of the State, on five days' notice to the delinquent taxpayer, which notice may be served in such manner as the Chancellor may direct, for an injunction to restrain such taxpayer from the exercise of any franchise, or the transaction of any business within this State until the payment of such tax and penalties and interest due thereon, and the costs of such application, to be fixed by the Chancellor. The Court of Chancery is hereby authorized to grant an injunction, if a proper case appear, and upon the granting and service of such injunction it shall be unlawful for the enjoined taxpayer thereafter to exercise any franchise or transact any business in this State until such injunction be dissolved.

C. 54:10B-19.  
Injunction  
upon failure  
to pay tax.

20. In the event of failure or neglect of any taxpayer which is a foreign corporation to pay the tax imposed by this act, on or before the first day of December in each year, immediate notice thereof may be given by the commissioner to the Secretary of State who shall immediately revoke the certificate of authority of said corporation to do business in the State of New Jersey and notice of such revocation shall be given by the Secretary of State to the corporation affected and thereafter such corporation, so far as the further transaction of business in the State of New Jersey is concerned, shall be in the same condition as if no certificate of authority had ever been issued to it by the Secretary of State, but remedies provided by this act for the

C. 54:10B-20.  
Authority  
of foreign  
corporation  
revoked for  
failure to  
pay tax.

collection of the tax and interest and penalties shall remain unimpaired. After the revocation of any such certificate of authority, no new certificate shall be issued by the Secretary of State to such defaulting corporation until the payment of all assessments imposed hereunder and remaining unpaid with penalties and interest and any costs that may have accrued, such payment to be evidenced by a certificate of the commissioner.

C. 54:10B-21.  
Charter  
forfeited.

21. Any corporation of this State failing to pay the tax imposed by this act shall be subject to the forfeiture of its charter as provided by chapter eleven of Title 54 of the Revised Statutes.

C. 54:10B-22.  
Rules and  
regulations.

22. The commissioner shall prescribe and issue such rules and regulations, not inconsistent herewith, for the administration, interpretation and application of the provisions of this act, as he may deem necessary.

C. 54:10B-23.  
To pay the  
greater  
amount.

23. For the year one thousand nine hundred and forty-six, corporate taxpayers shall pay the tax levied by the corporation business tax act or the tax levied by this act, whichever amount is the greater. But any corporate taxpayer which has paid or pays its franchise tax under the "corporate business tax act (1945)" for the year one thousand nine hundred and forty-six (either prior to or following the effective date of this act) shall be entitled to a credit of the amount of such payment against the tax due and payable pursuant to this act; *provided*, that nothing herein shall be construed to authorize any tax refund.

Credited  
with amount  
of payment.

Proviso.

C. 54:10B-24.  
Distributed  
among taxing  
districts.

24. The aggregate amount of tax, interest and penalties payable pursuant to this act shall upon payment (or credit, as herein provided for 1946) be distributed among the various taxing districts and counties in which taxpayers hereunder have maintained places of business at any time during the tax year. On or before the first day of November in each year, the commissioner shall determine from net worth allocations contained in tax returns filed in the same year the aggregate amount of tax,



interest and penalties attributable to places of business located in each of the various taxing districts of this State during the tax year. He shall apportion one-half of the amount so determined to each taxing district, respectively, and one-half thereof to the county in which the taxing district is located. The commissioner shall forthwith certify such apportionment to the State Commissioner of Taxation and Finance, who shall upon proper audit transmit to each county treasurer a certificate showing the amounts allotted to the taxing districts therein, and shall, on or before November tenth of the year in which the taxes are payable, draw and transmit his warrant upon the State treasury, in favor of the several county treasurers, for the amounts allotted to their several counties. Each county treasurer shall forthwith, and not later than December fifteenth, pay to the collector or other proper officer of each taxing district the amount allotted thereto, deducting, however, the amount due for county taxes from the taxing district. The amount thus paid to the county and taxing district shall be at the disposal of the proper authorities for public purposes.

25. All acts and parts of acts inconsistent herewith are, to the extent of such inconsistency, hereby repealed. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have rendered.

C. 54:10B-25.  
Repealer.  
Clauses, etc.,  
severable.

26. This act shall take effect immediately.

Approved April 26, 1946.

## CHAPTER 175

AN ACT concerning settlement and relief of poor;  
county referendum law, and supplementing chap-  
ter four of Title 44 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assem-  
bly of the State of New Jersey*:

C. 44:4-91.2.  
Certificate of  
cost a legal  
claim.

1. At any time the county welfare board may execute and file with the clerk of the court of common pleas or register of deeds and mortgages, as the case may be, a certificate, in the form prescribed by section 44:7-15 of the Revised Statutes showing the amount of the cost of the care and maintenance of any person at the county welfare house or for the permanent outdoor support furnished to any person, and when so filed each certificate shall be a legal claim against both the person and his estate and shall have the same force and effect as a judgment at law, with priority over all unsecured claims except funeral expenses not to exceed one hundred fifty dollars (\$150.00). No levy shall be made upon the real estate while it is occupied by the widow or widower, as the case may be. An execution issued on such claim shall take the form of executions issuing out of the common pleas court. If the proceeds of sale of any personalty or real estate, as herein provided, exceeds the total amount paid for care and maintenance under this chapter, such excess shall be returned to such person, or in the event of his death, such excess shall be considered as the property of the deceased for proper administration proceedings. All funds reclaimed under these provisions shall be returned to the county.

Execution.

Use of  
proceeds.

C. 44:4-91.3.  
Record kept.

2. The clerks of the courts of common pleas, or registers of deeds and mortgages, as the case may be, shall enter on record in a book to be known as "Welfare House and Outdoor Liens" the said cer-

tificates, and shall make a complete alphabetical index of the same, and no clerk or register shall charge any fee therefor. Whenever a county shall have received satisfaction for such judgments, the county welfare board shall enter an acknowledgment of satisfaction upon the record of such judgments without charge.

3. This act shall take effect immediately.

Approved April 25, 1946.

## CHAPTER 176

AN ACT concerning the State Highway Department and adding an additional route to the State highway system and designating the same as a freeway.

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

1. The State Highway Commissioner shall, as soon as practicable in accordance with the procedure set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the present State highway system the following described route:

Additional  
route.

Beginning at Northfield road, in the town of West Orange, in the county of Essex, and extending in a general eastwardly direction via the town of West Orange, the city of Orange, the city of East Orange and the city of Newark to a connection with Route No. 25A.

Description.

2. The route hereby established is hereby designated as a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

Freeway.

3. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to

Numbered.

give the said route an appropriate number as provided by law.

4. This act shall take effect immediately.

Approved April 26, 1946.

## CHAPTER 177

AN ACT concerning qualifications of certain applicants for registered pharmacist examinations, and supplementing chapter fourteen of Title 45 of the Revised Statutes.

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

C. 45:14-7.2.  
Credit given  
veteran for  
practical  
experience.

1. Any applicant for the registered pharmacist examinations in this State who subsequent to September sixteenth, one thousand nine hundred and forty, entered the active military or naval service of the United States and who, at the time of such entry, was a graduate of a pharmacy course given in an approved school or college of pharmacy, shall be given credit against the requirement of one year of practical experience, subsequent to graduation, for such time served in the active military or naval service of the United States upon presentation of proof of his discharge or release from such service under conditions other than dishonorable; *provided, however*, that such applicant completes all of the other requirements for registration as provided for under section 45:14-7 of the Revised Statutes, including the passing of the written examinations in the theoretical subjects, and presents himself or herself for the examination in practical pharmacy and laboratory work within a period of two years subsequent to the date of such discharge or release from such military or naval service. The board may make such rules and regulations as may be necessary therefor.

Proviso.

Rules and  
regulations.

2. This act shall take effect immediately.

Approved April 26, 1946.

## CHAPTER 178

AN ACT concerning fees and costs in district courts,  
and amending section 22:2-44 of the Revised  
Statutes.

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

1. Section 22:2-44 of the Revised Statutes is amended to read as follows: Section amended.

22:2-44. In all actions and proceedings in the district court, the following fees shall be paid to the clerk: Schedule of fees.

Copy of proceedings entered in any docket, or of any proceedings or any order or other paper, filed in any cause, or transcript of same, per folio, fifteen cents (\$0.15).

Drawing, signing and sealing return to certiorari, one dollar (\$1.00).

Entering suit without process, three dollars (\$3.00).

Filing counterclaim, one dollar and fifty cents (\$1.50).

Execution, or an order in nature of execution, on a judgment, or execution against the body, for one defendant, one dollar and thirty-five cents (\$1.35).

Execution against the body, each additional defendant, seventy-five cents (\$0.75).

Copy of execution, or other order, in nature of execution, thirty-five cents (\$0.35).

Granting appeal and approving bond, one dollar (\$1.00).

Issuing commission to take deposition, fifty cents (\$0.50).

Mileage of constable in serving any summons, executions or warrant against the body, after the first mile, the distance to be computed by counting the number of miles, in and out, by the most direct route from the place where process is issued, for every mile, four cents (\$0.04).

Order for warrant, rule to show cause, for discovery, or reference, or other order, one dollar (\$1.00).

Recording return of commission, one dollar and fifty cents (\$1.50).

Recognizance or bond filed or taken, thirty-five cents (\$0.35).

Scire facias, one defendant, two dollars and ten cents (\$2.10). For each additional defendant, forty cents (\$0.40).

Summons, one defendant, three dollars and sixty cents (\$3.60). For each additional defendant, forty cents (\$0.40).

In tenancy, one defendant, three dollars and ten cents (\$3.10). For each additional defendant, forty cents (\$0.40).

In replevin, one defendant four dollars and fifty cents (\$4.50). For each additional defendant, forty cents (\$0.40).

Transcript of judgment, fifty cents (\$0.50).

Venire facias, jury of six men, eight dollars and fifty cents (\$8.50).

Venire facias, jury of twelve men, fourteen dollars (\$14.00).

Warrant to arrest, one defendant, two dollars and thirty-five cents (\$2.35). For each additional defendant, seventy-five cents (\$0.75).

Warrant for possession, one dollar and sixty cents (\$1.60).

Writ of attachment, one defendant, four dollars and eighty-five cents (\$4.85).

Certifying statement of judgment for docketing in the court of common pleas or Supreme Court, fifty cents (\$0.50).

Certifying statement of judgment on mechanic's lien for docketing in the Circuit Court, fifty cents (\$0.50).

For every subpoena, notice or order, served by a constable for which no fee is provided in the above enumeration, the clerk shall charge thirty-five cents (\$0.35).

2. This act shall take effect immediately.

Approved April 26, 1946.

## CHAPTER 179

AN ACT concerning procedure in district courts,  
and amending section 2:32-93 of the Revised  
Statutes.

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

1. Section 2:32-93 of the Revised Statutes is Section amended.  
amended to read as follows:

2:32-93. Adjournments in general; grounds. Adjournments. A district court may, to prevent fraud or surprise on either side or on reasonable cause assigned by or on behalf of either party, adjourn the trial of a cause with or without fixing a definite trial date and if no definite date is fixed the court or the clerk of the court shall thereafter fix a definite trial date and the clerk of the court shall give notice of such trial date to the parties or to their attorneys by mail or in such manner as the judge shall direct.

2. This act shall take effect immediately.

Approved April 26, 1946.

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CHAPTER 180

AN ACT concerning fees and costs in district courts,  
and amending section 22:2-46 of the Revised  
Statutes.

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

1. Section 22:2-46 of the Revised Statutes is Section amended.  
amended to read as follows:

22:2-46. From the fees mentioned in section Jurors fees. 22:2-44 of this Title the clerk shall pay to jurors the following fees:

For all cases tried, each, seventy-five cents (\$0.75).

For all cases summoned and attending, but cause not tried, each, twenty-five cents (\$0.25).

Unexpended  
balance.

Any unexpended balance to be paid over to the treasurer of the city where said court may be established or to the county treasurer in which the judicial district may be established.

2. This act shall take effect immediately.

Approved April 26, 1946.

## CHAPTER 181

AN ACT concerning procedure in district courts, and amending section 2:32-90 of the Revised Statutes.

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

Section  
amended.

1. Section 2:32-90 of the Revised Statutes is amended to read as follows:

Clerk may  
enter judgment  
for non-  
appearance.

2:32-90. When the action is on contract and defendant does not appear as provided by section 2:32-89 of this Title, the clerk may, on application made at any time within two years after the return or adjourned day and accompanied by affidavits establishing plaintiff's claim or demand in the manner and to the extent required by sections 2:32-115 to 2:32-119 of this Title, enter in the minutes of the court a minute of the nonappearance of the defendant and the giving of judgment for the plaintiff on such affidavits, which shall have the force and effect of a judgment rendered by the court.



In the event the aforesaid application for the giving of judgment by default is not made within two years after the return or adjourned day, the cause shall be considered discontinued.

2. This act shall take effect immediately.

Approved April 26, 1946.

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## CHAPTER 182

AN ACT concerning district courts, and amending section 2:32-372 of the Revised Statutes.

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

1. Section 2:32-372 of the Revised Statutes is amended to read as follows:

2:32-372. The actual cash disbursements of the prevailing party for entry fee, summons fees, mileage fees and witness and officers' fees shall be allowed as costs.

2. This act shall take effect immediately.

Approved April 26, 1946.

## CHAPTER 183

AN ACT concerning district courts, and amending  
section 2:32-356 of the Revised Statutes.

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

Section  
amended.

1. Section 2:32-356 of the Revised Statutes is amended to read as follows:

Entry fee.

2:32-356. An action in the division of small claims shall be commenced by plaintiff therein paying to the clerk an entry fee of one dollar (\$1.00), and the summons and mileage fees provided in section 22:2-44 of the Revised Statutes. He shall, at the same time, deliver to the clerk a statement of his claim, signed by himself or his attorney. The signature of the plaintiff or his attorney shall constitute the commencement of the action.

Information  
entered in  
docket.

Plaintiff or his attorney shall also state to the clerk plaintiff's and defendant's place of residence, usual place of business and place of employment, or so much thereof as the clerk shall deem necessary, including street and number, if any, all of which the clerk shall note in his docket.

2. This act shall take effect immediately.

Approved April 26, 1946.

## CHAPTER 184

AN ACT to amend "An act concerning civil service employees of this State, counties, municipalities and school districts, and supplementing Title 11 of the Revised Statutes," approved April fourth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 76).

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 is amended to read as follows:

Section  
amended.

1. No employee of the State, or of any county, municipality or school district of the State shall be suspended, fined, demoted for a period of greater than thirty days in the aggregate in any one year or discharged without the same right of appeal to the commission, which shall have the same power of revoking or modifying the action of such authority, as in the case of removal as provided in sections 11:15-2 to 11:15-6 of the Revised Statutes. No such employee shall be suspended, fined or demoted for a period greater than five days at one time without the same right of appeal, with the same authority in the commission as aforesaid.

C. 11:2A-1.  
Right of  
appeal.

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

Repealer.

Approved April 26, 1946.

## CHAPTER 185

AN ACT concerning marriages and marriage licenses, and amending sections 37:1-4, 37:1-5, 37:1-6 and 37:1-8 of the Revised Statutes.

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

Section  
amended.

1. Section 37:1-4 of the Revised Statutes is amended to read as follows:

Interval  
between  
application and  
issuance.

37:1-4. Except as provided in sections 37:1-5 and 37:1-6 of this Title, the license shall not be issued by a licensing officer sooner than seventy-two hours after the application therefor has been made; *provided, however*, that any judge of the court of common pleas of the county may, by order, waive all or any part of said seventy-two hour period in cases of emergency, upon satisfactory proof being shown to him. Said order shall be filed with the licensing officer and attached to the application for the license.

Proviso.

License valid  
for 30 days.

A license, when properly issued as provided in this article, shall be good and valid only for thirty days after the date of the issuance thereof.

Section  
amended.

2. Section 37:1-5 of the Revised Statutes is amended to read as follows:

Immediate  
license issued  
upon criminal  
charge.

37:1-5. If a person is arrested upon a criminal charge, involving an accusation of bastardy, rape, fornication or of having had carnal knowledge of an unmarried female, and the accused person consents to marry such female, any licensing officer is authorized to immediately issue a marriage license irrespective of the provisions of sections 37:1-3 and 37:1-4 of this Title.

Section  
amended.

3. Section 37:1-6 of the Revised Statutes is amended to read as follows:

Consent  
for minors.

37:1-6. A marriage license shall not be issued to a minor under the age of twenty-one years, if a male, or under the age of eighteen years, if a fe-

male, unless the parents or guardian of the minor, if there be any, first certify under their hands and seals, in the presence of two reputable witnesses, their consent thereto, which consent shall be delivered to the licensing officer issuing the license. If the parents, or either of them, or guardian of any such minor shall be of unsound mind, the consent of such parent or guardian to the proposed marriage shall not be required.

When a minor, if a male, is under the age of eighteen years, or if a female, is under the age of sixteen years, the consent required by this section must be approved in writing by any judge of the court of common pleas of the county or any judge of the juvenile and domestic relations court of the county. Said approval shall be filed with the licensing officer.

Approval of  
consent by  
judge.

The licensing officer shall transmit to the State Bureau of Vital Statistics all such consents, orders, and approvals so received by him in the same manner and subject to the same penalty as in the case of certificates of marriage and marriage licenses.

Records  
transmitted to  
bureau of  
vital statistics.

If any such male applicant for a license to marry shall be a minor under the age of twenty-one years, and shall have been arrested on the charge of sexual intercourse with a single, widowed or divorced female of good repute for chastity who has thereby become pregnant, a license to marry the female may be immediately issued by any licensing officer to the minor upon his application therefor, without the consent or approval required by this section.

License issued  
to minor with-  
out consent.

4. Section 37:1-8 of the Revised Statutes is amended to read as follows:

Section  
amended.

37:1-8. A licensing officer shall, before issuing a marriage license, require the contracting parties to appear before him and subscribe and swear to an oath attesting the truth of the facts respecting the legality of the proposed marriage as set forth in the form supplied by the State Bureau of Vital Statistics. Said testimony shall be verified by a witness of legal age. A licensing officer shall issue

Oath of  
contracting  
parties.

New Jersey State Library

a license only if it is thus made to appear before him that no legal impediment to the marriage exists. Every licensing officer may administer oaths to the contracting parties and their identifying witness.

Perjury.

Any identifying witness or applicant applying for a marriage license who shall knowingly make false answers to any of the inquiries asked by the licensing officer shall be guilty of perjury.

5. This act shall take effect immediately.

Approved April 26, 1946.

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## CHAPTER 186

AN Act fixing the salaries of the clerk, sergeants-at-arms and court attendants in certain counties in this State, and amending section 2:212-17 of the Revised Statutes.

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

Section  
amended.

1. Section 2:212-17 of the Revised Statutes is amended to read as follows:

Salaries.

2:212-17. The salaries of the clerk, sergeants-at-arms and court attendants of each criminal judicial district court shall be fixed by the judge of the court and approved by the board of freeholders. The salary of the clerk shall not exceed four thousand dollars (\$4,000.00) annually. The salary of the sergeant-at-arms shall not exceed thirty-three hundred dollars (\$3,300.00) annually. The salary of each court attendant shall not exceed twenty-eight hundred dollars (\$2,800.00) annually.

Limits.

2. This act shall take effect immediately.

Approved April 26, 1946.

## CHAPTER 187

AN ACT concerning criminal procedure.

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

1. A defendant in any criminal case not punishable with death shall be entitled as of right to appeal the final judgment of his conviction to the Supreme Court of this State. In criminal cases punishable with death the defendant shall be entitled as of right to appeal the final judgment of his conviction directly to the Court of Errors and Appeals alone.

C. 2:195A-1.  
Rights and  
courts of  
appeal.

2. All appeals from any final judgment entered or obtained in a criminal case shall be taken within one year from the time of the rendition of the judgment, but if any person entitled to appeal is an infant or insane, such person shall have one year to bring his appeal after such disability is removed.

C. 2:195A-2.  
Time limit for  
making appeal.

3. No appeal shall be taken in any criminal case until final judgment has been rendered. Wherever a defendant in a criminal case seeks to review the final judgment entered on his conviction he shall be entitled to review the same by appeal after the imposition of sentence upon him even though a suspended sentence be imposed upon him by the court.

C. 2:195A-3.  
Appeal after  
final judgment.

4. The Attorney-General or any prosecutor of the pleas, as the case may be, on behalf of the State, or any party, his legal representative, or other person damnified or aggrieved by any final judgment rendered in the Supreme Court in any criminal case, may appeal therefrom to the Court of Errors and Appeals of this State.

C. 2:195A-4.  
Attorney-  
General or  
prosecutor  
may appeal.

5. The appellant shall take his appeal by notice, which shall contain a statement of the grounds of appeal. The notice shall be entitled in the court from which the appeal is taken. It shall be served upon the prosecutor of the pleas of the county

C. 2:195A-5.  
Notice of  
appeal.

wherein the final judgment of conviction was entered and be filed together with proof of service within the time limited by law with the clerk of said court. The said notice shall set forth a general statement of the nature of the offense of which the defendant was convicted, the date of the rendition of the judgment, the sentence imposed, and if the person who was convicted is in custody, the prison where he is so confined.

C. 2:195A-6.  
Bail pending  
prosecution  
of appeal.

6. Pending the prosecution of an appeal in a criminal case, the defendant shall not be admitted to bail unless, upon application for that purpose, made either to the court in which the conviction was had or to any justice of the Supreme Court, he shall receive from that court or justice a certificate setting forth that there is reasonable doubt as to the validity of the conviction. Application may be made to the justice of the Supreme Court presiding in the county in which the conviction was had, notwithstanding an application has theretofore been made to and denied by the judge of the court in which the conviction was had; but, in such case, the application to the presiding justice of the Supreme Court shall state that a similar application has been made to the judge of the court in which the conviction was had; and the reasons given by that judge for the denial of the application. Upon the allowance of such certificate it shall be the duty of the trial court to admit the defendant to reasonable bail.

No bail for  
capital offense.

In no case shall a defendant convicted of a capital offense be admitted to bail.

C. 2:195A-7.  
Transcript to  
appellate court.

7. It shall be the duty of the clerk of the court from which the appeal shall be taken to immediately thereafter cause a transcript of the record to be made and together with a certified copy of such notice and proof of service, transmit the same to the appellate court. Every appeal to review a final judgment in a criminal case shall be brought on for argument in accordance with such procedure as may be prescribed by rules promul-



gated by the appellate court. Upon the failure to prosecute such an appeal or to proceed with the argument when the same shall be called by the court in accordance with its rules of procedure, it shall be dismissed unless the appellate court shall continue the same after notice to the prosecutor of the pleas on motion in open court and for good cause shown.

Dismissal, etc.,  
upon failure  
to prosecute.

8. If it shall appear from the entire record of the proceedings had upon the trial that the appellant suffered manifest wrong or injury, either in the admission or rejection of testimony, whether objection was made thereto or not, or in the charge of the court, or in the denial of any matter by the court which was a matter of discretion, whether an exception thereto be noted or not, or made a ground of appeal or not, the appellate court shall remedy such wrong or injury, give judgment accordingly, and order a new trial.

C. 2:195A-8.  
Remedying  
manifest wrong  
or injury to  
appellant.

No judgment given upon any indictment shall, however, be reversed for any imperfection, omission, defect in, or lack of form, or for any error except such as shall or may have prejudiced the defendant in maintaining his defense upon the merits.

9. The appellant in any criminal case may assign as a ground of appeal that the verdict was against the weight of evidence, whether or not any motion to acquit has been made; and, if it shall appear from a consideration of the entire evidence that the verdict was against the weight of the evidence, the appellate court shall reverse the verdict and order a new trial.

C. 2:195A-9.  
Grounds  
of appeal.

10. Where the appellant in a criminal case desires a review on matters other than the weight of the evidence, it shall not be necessary for the clerk of the lower court to send to the appellate court the entire record of the proceedings had upon the trial below but only so much of the record of the proceedings as the appellant specifies in writing is necessary to present the question of law of which the appellant complains.

C. 2:195A-10.  
Appeals upon  
questions  
of law.

C. 2:195A-11.  
General  
exceptions  
to charge.

11. Upon the trial of any indictment a general exception to the charge of the court to the jury may be taken, without specifying any particular ground or grounds for the exception, and without specifying what portions of the charge are excepted to. Where such general exception has been taken, any error or errors of law may be assigned upon any portion of the charge so excepted to.

Judgment  
reversed.

If, upon the hearing of the cause upon appeal, it shall appear to the court that any error of law has been committed in any part of the charge so excepted to, to the prejudice or injury of any defendant in maintaining his defense, the court having cognizance thereof shall reverse the judgment.

C. 2:195A-12.  
Application  
for transcript  
by defendant.

12. Whenever a defendant in a criminal case seeks to review the final judgment entered on his conviction and desires to have the testimony in the cause returned with the transcript except where the copy of the testimony is to be paid for by the county, he shall, within ten days after serving and filing notice of appeal, apply in writing to the stenographer sitting in the court where the testimony was taken for copy of the transcript of the evidence. The application shall be presented to the stenographer, who thereupon shall sign an acknowledgment of the request. The application shall then be filed in the office of the county clerk of the county in which the conviction was had. Counsel for defendant shall, at the time of making the application, deposit with the stenographer such sum as the stenographer states will be required to pay for the transcript. If such deposit is in excess of the amount of which the stenographer is entitled, the stenographer shall refund such excess to defendant's counsel. Upon receiving the application for the transcript and the deposit, the stenographer shall forthwith transcribe the testimony.

The trial judge may modify the requirements of this section.

C. 2:195A-13.  
May render  
judgment.

13. Whenever a final judgment in any case shall be reversed on account of error in the sentence, the court in which the reversal was had may render

such judgment therein as should have been rendered, or may remand the case for that purpose to the court before which the conviction was had.

14. If any person convicted of murder in the first degree and sentenced to death therefor shall make application to the justice of the Supreme Court who presided at the trial, or to the judge of the court of quarter sessions of the county in which such trial was had, showing that he is about to appeal from such conviction, and is unable, by reason of poverty, to defray the expense of procuring a transcript of the record, testimony and proceedings at the trial, and of printing the same, including briefs on appeal, for presentation to the court, such justice or judge shall, being satisfied of the facts stated and of the sufficiency thereof, certify the reasonable expense thereof to the county treasurer, who shall thereupon pay such necessary expense, the amount thereof having been approved by the justice or judge to whom such application was made.

C. 2:195A-14.  
Defendant  
unable to pay  
expense of  
appeal.

15. This act shall take effect February first, one thousand nine hundred and forty-seven.

C. 2:195A-15.  
Act effective.

Approved April 29, 1946.

## CHAPTER 188

AN ACT concerning the terms of certain courts, and amending section 2:16-8 of the Revised Statutes.

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

1. Section 2:16-8 of the Revised Statutes is amended to read as follows:

Section  
amended.

2:16-8. The Supreme Court may, from time to time, fix and change the times for holding the stated

Stated terms  
for certain  
courts.

terms of the Supreme Court, the several circuit courts, the courts of oyer and terminer, the courts of common pleas, and the courts of quarter sessions.

At least one stated term of each of such courts shall be held annually.

Act effective.

2. This act shall take effect January first, one thousand nine hundred and forty-seven.

Approved April 29, 1946.

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## CHAPTER 189

AN ACT concerning the compensation of the judges of the Court of Errors and Appeals, and amending section 2:1-1 of the Revised Statutes.

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

Section  
amended.

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

Compensation  
of judges.

2:1-1. The compensation of the appointed judges of the Court of Errors and Appeals shall be severally the sum of forty dollars (\$40.00) a day for every day they shall respectively attend the court and for every day not exceeding two hundred twenty-five days in any fiscal year while necessarily engaged in the examination of cases or in the writing of opinions under assignment of the court, such service to be certified by the president of the court and payable by the State Treasurer upon a certificate signed by the president of the court. The judges shall have no allowance for mileage for attending the court.

2. This act shall take effect immediately.

Approved April 29, 1946.

## CHAPTER 190

AN ACT concerning the Court of Errors and Appeals, and amending section 2:1-5 of the Revised Statutes.

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

1. Section 2:1-5 of the Revised Statutes is amended to read as follows: Section amended.

2:1-5. The Court of Errors and Appeals may, from time to time, fix and change the times for holding the stated terms of the court. At least one stated term shall be held annually. Terms of court.

2. This act shall take effect immediately.

Approved April 29, 1946.

## CHAPTER 191

AN ACT concerning county attendance officers who have been, or hereafter shall be, appointed in a county in which chapter fifteen of Title 43 of the Revised Statutes has been or shall be adopted.

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

1. All county attendance officers who have been appointed, or hereafter shall be appointed, by the terms of section 18:14-47 of the Revised Statutes, in counties in which chapter fifteen of Title 43 of the Revised Statutes has been or shall be adopted, shall be entitled to receive the same benefits in the State Employees' Retirement System as employees of the county are entitled to receive, and the county C. 43:15-2.3. Attendance officers entitled to benefits.

superintendent of schools and the county treasurer shall be charged with the duty of paying out of State school moneys apportioned to the county the contributions of such county attendance officers to the State Employees' Retirement System in the same manner as the county pays such contributions for its employees under said chapter fifteen of Title 43 of the Revised Statutes.

The county superintendent shall include in the apportionment made under the terms of section 18:14-48 of the Revised Statutes a sufficient sum of money to meet the obligations incurred in this act.

2. This act shall take effect immediately.

Approved April 29, 1946.

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## CHAPTER 192

A SUPPLEMENT to "An act to amend and supplement 'An act for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof,' approved May twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 255)," approved April eleventh, one thousand nine hundred and forty-five (P. L. 1945, c. 148).

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

C. 43:16A-33.  
Request for  
membership  
in fund.

Fiscal  
information  
supplied.

1. The board of chosen freeholders of any county maintaining a county police department may pass a resolution requesting the board of trustees to permit the members of such police department to become members of the fund. The trustees shall thereupon request full information on forms to be supplied by it as to the employees who are to

become members of the fund and transmit to such board of chosen freeholders the following fiscal statement with respect to the effect of the adoption of the act.

(1) Estimated cost to the county as follows:

(a) The annual normal contribution to be made on account of employees then in service.

(b) The percentage of payroll for employees then in service, to meet the contribution under (a).

(c) The estimated lump sum of accrued liability for services rendered and to be rendered prior to the following January first.

(d) The percentage of present payroll to meet the liability stated in (c).

(e) The estimated annual contribution on account of the accrued liability if paid in ten installments.

(f) The percentage of present payroll, to meet the accrued liability, as stated in (e).

(g) The estimated annual contribution on account of accrued liability if met in twenty-five installments.

(h) The percentage of present payroll, to meet the accrued liability, as stated in (g).

(2) The annual contribution of the employee stated in percentage of pay for the several age brackets as of the following January first.

2. The board of chosen freeholders shall thereupon within thirty days after receipt of such fiscal statement publish the same in at least one newspaper having general circulation in such county and also publish a notice that a public hearing will be held to consider the question as to whether the members of the county police department shall be permitted to become members of the fund and in what manner the county contribution for prior service credits shall be paid. Such notice of public hearing shall set forth the place, the time and

C. 43:16A-34.  
Publication of  
fiscal statement  
and notice of  
hearing.

Contents  
of notice.

Resolution adopting method.	the date that such hearing shall take place. The date so fixed for the hearing shall be not less than five days after such publication but must be held before October fifth of that year. At such public hearing any citizen or taxpayer of such county shall be heard. After the public hearing the board of chosen freeholders shall pass such resolution adopting one of the three methods of payment. Such resolution adopting a method of payment shall be binding except that if installment payments are provided for, any installment may be paid before the time such installment becomes due under the method adopted in said resolution. After the passage of such resolution, a certified copy thereof shall be forwarded by the clerk of such board of chosen freeholders to the board of trustees of the police and firemen's retirement system of New Jersey.
Certified copy to police and firemen's retirement system of N. J.	
C. 43:16A-35. Procedure to become member.	3. Any member of such county police department may become a member by filing with the board of trustees his election in writing to become such member on or before the date upon which this act becomes effective in such county under such rules and regulations as the board of trustees shall adopt. Each such member of a county police department so electing to become a member, shall file, immediately after becoming a member, with the board of trustees a detailed statement of all service rendered by him as policeman to his present employer prior to the date when this act becomes effective in such county, for which he claims credit. As soon as practicable thereafter the board of trustees shall verify such statement and shall issue to him a prior service certificate certifying to the aggregate length of such service allowable as creditable service but, regardless of the length of such service, no prior service certificate shall allow more than thirty years of such creditable service. Such certificate shall be final and conclusive for retirement purposes as to such service, unless thereafter modified by the board of trustees upon application made by the member within one year, or upon its
Detailed statement of service.	
Verification and certificate of prior service.	
Certificate conclusive.	



own initiative within one year after the date of issuance of such prior service certificate, or unless in any four-year period which shall elapse subsequent thereto, the member to whom such a certificate was issued fails to render to the employer two additional years of service; in the latter case such certificate shall be void.

4. The county shall be liable to the board of trustees for the whole costs for the accrued liability on account of service credited on all prior service certificates issued to any member of a county police department employed by it.

C. 43:16A-36.  
County  
liability for  
prior service.

5. The board of trustees shall certify to the chief financial officer of the county on or before the first day of February following, for the then current fiscal year and thereafter on or before the first of December of each year for the ensuing fiscal year, the normal contribution of such county and also its contribution for accrued liability for prior service credits.

C. 43:16A-37.  
Trustee to  
certify  
contributions.

6. The chief financial officer of each county having employees who are members of this fund shall transmit to the board of trustees such information as the board shall, from time to time, require.

C. 43:16A-38.  
Information  
furnished  
board of  
trustees.

7. This act shall take effect immediately.

Approved April 29, 1946.

## CHAPTER 193

A SUPPLEMENT to "An act to provide for temporary bonus for certain persons holding public office, position, or employment, whose compensation is paid by any county, municipality, school district, or other political subdivision of this State, or by any board, body, agency, or commission of any county, municipality, or school district of this State," approved December twenty-seventh, one thousand nine hundred and forty-one (P. L. 1941, c. 404), as said title was amended by chapter thirty-one of the laws of one thousand nine hundred and forty-three, and providing certain authority for the Civil Service Commission with relation thereto, in counties, municipalities and school districts operating under Title 11 of the Revised Statutes (Civil Service).

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

Temporary  
bonus  
authorized.

1. In counties, municipalities and school districts operating under Title 11 of the Revised Statutes (Civil Service), in all cases where, under the provisions of the act to which this is a supplement, bonus payments have been heretofore or shall hereafter be granted and paid in any department under the jurisdiction of the board of chosen freeholders, common council, governing body, board of education, board, body or officer by whatsoever name, of any county, municipality or school district, such bonus shall apply and be paid generally to all persons holding office, position or employment in such department without discrimination among such persons. Notwithstanding any provisions to the contrary contained in the act to which this is a

supplement, the discretion conferred upon such board of chosen freeholders, common council, governing body, board of education, board, body or officer by whatsoever name, of any county, municipality or school district, is hereby limited so that in the exercise thereof there shall be no discrimination among the persons holding office, position or employment in such department.

2. No comptroller, or other fiscal officer of a county, municipality or school district, operating under Title 11 of the Revised Statutes (Civil Service) shall draw, sign or issue a warrant on the treasurer or any other disbursing officer thereof, for the payment of any bonus to any person holding office, position or employment, unless an estimate, payroll or account for the same, containing the names of every such person, shall bear the certificate of the Civil Service Commission.

Certificate of  
civil service  
commission  
required.

3. In every county, municipality or school district, operating under Title 11 of the Revised Statutes (Civil Service), the Civil Service Commission, either as a body or through a single commissioner, may on its own initiative, or shall, upon complaint, make investigation and conduct hearings concerning any alleged discrimination in the granting and payment of bonus under this act. If, in the judgment of the Civil Service Commission or commissioner, as the case may be, it is found that discrimination exists, the Civil Service Commission shall order its elimination from the date of its occurrence, and any continuance thereof, and upon failure of compliance with such order, shall withhold certification of all bonus payments in such department until such discrimination is discontinued.

Hearings  
on alleged  
discrimination.

4. This act shall take effect immediately.  
Approved April 29, 1946.

## CHAPTER 194

AN ACT to limit the time within which employees of boards of education in first class counties whose employment commenced prior to March twenty-sixth, one thousand nine hundred and thirty-five, may join a pension fund, which they have not heretofore joined, maintained under the provisions of article sixteen of chapter five of Title 18 of the Revised Statutes, and to fix the payment to be made to the fund by the employing board of education when such employee joins such fund; and to amend section 18:5-75 of the Revised Statutes.

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

Section  
amended.

1. Section 18:5-75 of the Revised Statutes is amended to read as follows:

May become  
members  
in fund.

18:5-75. Persons employed by any such board of education on March twenty-fifth, one thousand nine hundred and thirty-five, and now employed by any such board, shall be permitted to take advantage of the provisions hereof by making application to the board of trustees on or before April first, one thousand nine hundred and forty-eight, and paying into the fund, with and at the time of such application, such percentage of his salary as provided for in paragraphs "a" and "b" of section 18:5-76 of this Title, for the period of his employment beginning with the date of the incorporation of such pension association or the date of his employment by said board, whichever is the later date, together with interest at three per centum (3%) per annum or such other legal rate as shall be determined, from time to time, by the board of trustees; and after such application and payment have been

made by the employee the board of education by which the person is employed shall pay into the fund four per centum (4%) of the employee's salary for the period of his employment beginning with the date of the incorporation of such pension association or the date of the employment of said person by said board of education, whichever is the later date. All persons coming into the employ of any such board as permanent employees subsequent to March twenty-fifth, one thousand nine hundred and thirty-five, shall become members of such pension fund at the date of said employment or appointment, and any such employee shall be required to pay into such fund such percentage of his salary as provided for in paragraphs "a" and "b" of section 18:5-76 of this Title.

2. This act shall take effect immediately.

Approved April 29, 1946.

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## CHAPTER 195

AN ACT concerning the salaries of surrogates in certain counties, and supplementing chapter seven of Title 2 of the Revised Statutes.

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

1. In counties of this State, not bordering on the Atlantic ocean, having a population of more than twenty thousand and not more than forty thousand inhabitants, according to the last Federal census, the surrogate shall receive, in lieu of all other compensation, an annual salary of four thousand two hundred and fifty dollars (\$4,250.00).

C. 2:7-20.2.  
Surrogates' salary.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 196

AN ACT concerning State aid for the construction, reconstruction, grading, drainage, maintenance and repair of certain city, town, township, village and borough roads, and amending section 27:15-1 of the Revised Statutes.

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

Section amended. 1. Section 27:15-1 of the Revised Statutes is amended to read as follows:

Amount available. 27:15-1. There shall be set aside annually on October first or as soon thereafter as available from the net receipts of the motor vehicle fund the sum of three million six hundred seventy-five thousand dollars (\$3,675,000.00) which shall be used to meet the State's share of the cost of the work hereinafter in this chapter prescribed. Payments from this fund shall be made in the same way as other payments from the motor vehicle fund.

Payments from fund.

Amount for county aid.

The State Highway Commissioner shall reserve each year the sum of one hundred seventy-five thousand dollars (\$175,000.00) to meet the State's share in each county until January first.

Use of funds.

One hundred twenty-five thousand dollars (\$125,000.00) of the sum so reserved for each county shall be available in the manner set forth in this chapter for the construction or reconstruction in each county of town, township, village and borough roads and roads in cities, and fifty thousand dollars (\$50,000.00) thereof shall be available in the manner set forth in this chapter for the maintenance and repair in each county of such roads.

Any part of such fifty thousand dollars (\$50,000.00) which shall not be applied for by requisition of the board of chosen freeholders of the county as hereinafter provided by October first shall be added to the one hundred twenty-five thou-

sand dollars (\$125,000.00) available for the construction or reconstruction in such county of town, township, village and borough roads and roads in cities, and shall be available for such construction or reconstruction in the manner set forth in this chapter.

Any part of such one hundred twenty-five thousand dollars (\$125,000.00), together with any part of such fifty thousand dollars (\$50,000.00) added thereto as hereinbefore provided, which shall not be applied for by January first shall be paid by the commissioner to the board of chosen freeholders of such county and shall be by it distributed in its discretion to, and expended under its supervision by, the towns, townships, villages, boroughs and cities of such county, for the construction or reconstruction, grading, drainage, maintenance and repair of town, township, village and borough roads and roads in cities, of such county. Distribution.

2. This act shall take effect the first day of July, one thousand nine hundred and forty-seven. Act effective.

Approved April 30, 1946.

## CHAPTER 197

AN ACT concerning the salaries of county clerks in certain counties, and supplementing chapter thirty-eight of Title 40 of the Revised Statutes.

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

1. In counties of this State, not bordering on the Atlantic ocean, having a population of more than twenty thousand and not more than forty thousand inhabitants, according to the last Federal census, the county clerk shall receive, in lieu of all other compensation, an annual salary of four thousand two hundred and fifty dollars (\$4,250.00). C. 40:38-6.2.  
County clerks'  
salaries.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 198

AN ACT concerning certain employees in the office of the State Treasurer, and supplementing subtitle two of Title 11 of the Revised Statutes.

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

C. 11:4-3.8.  
Names  
certified to  
civil service  
commission.

1. The State Treasurer is hereby authorized to certify to the Civil Service Commission the names of all employees in his department not now under civil service who, for a period of ten years prior to June first, one thousand nine hundred and forty-six, have been continuously employed in his department or under his direction and control.

C. 11:4-3.9.  
Employees  
under civil  
service.

2. When the State Treasurer has certified the names of the aforesaid employees, the Civil Service Commission shall classify the employees so certified in the competitive class of civil service, without examination, and such employees shall thereafter be subject to all of the provisions of Title 11 of the Revised Statutes with respect to tenure, classification and compensation.

3. This act shall take effect immediately.  
Approved April 30, 1946.



## CHAPTER 199

AN ACT to amend "An act relating to taxation and finance, providing for the establishment, organization and functions of a State Department of Taxation and Finance, repealing the following sections of the Revised Statutes: 52:18-22, 52:18-23; 52:19-16 to 52:19-36, inclusive; 52:20-3, 52:20-8, 52:20-9, 52:20-10, 52:20-11, 52:20-12, 52:20-16; 52:22-1 to 52:22-22, inclusive; 52:23-1 to 52:23-16, inclusive; 52:25-7, 52:25-8, 52:25-9, 52:25-10, 52:25-15, 52:25-17, 52:25-18, 52:25-19, 52:25-20, 52:25-21, 52:25-22, 52:25-24; 52:31-1, 52:31-7, 52:31-9, 52:31-10, 52:31-11; 54:1-3, 54:1-4, 54:1-5; and repealing sections eight and twelve of an act entitled 'An act creating a State Department of Local Government, prescribing its powers and duties, and transferring to it certain powers and duties vested in the State Auditor,' approved May ninth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 158)," approved April thirteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 112).

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

1. Section eleven of article three of the act of which this act is amendatory is amended to read as follows:

Section  
amended.

11. The Governor shall examine and consider all requests for appropriations, together with the findings and recommendations of the commissioner, and shall formulate his budget recommendations which shall be transmitted to the Legislature as a budget message on or before the third Tuesday

C. 52:27B-20.  
Governor  
to consider  
requests.

following the first meeting of the Legislature in each year, except a year in which a Governor shall be inaugurated, when he shall do so on or before February fifteenth following the commencement of his term.

Budget  
message.

The budget message shall embody the proposed complete financial program of the State Government for the next ensuing fiscal year, and shall set forth in columnar form detailed as to each source of anticipated revenue and the purposes to which the recommended appropriations and permissions to spend shall apply for each spending agency in substantially the following form:

Revenues:

A. Revenues for the General State Fund, State Highway System Fund, all other dedicated funds, Federal aid funds, and trust funds:

Estimate of  
balances;

(1) An estimate of all balances to be on hand on the first of July next ensuing which are to be available for appropriations, supported by the calculations used in arriving at the estimated figures;

Estimate of  
anticipated  
revenues.

(2) An estimate of the anticipated revenues from all sources applicable to the budget period, together with the actual amount earned from each source during the last completed fiscal year, and the estimate of revenues expected to be earned from each source for the current fiscal year.

Mandatory  
dedications:

B. Mandatory dedications:

(1) Debt service:

Debt service;

The amount reserved for the payment of interest and principal of any State bonds heretofore or hereafter issued dedicated and payable from State revenue.

The amount reserved for payments to the State Highway Sinking Fund as provided by chapter two hundred sixty-two of the laws of one thousand nine hundred and twenty-two and chapter one hundred eighty-one of the laws of one thousand nine hundred and twenty-seven.

(2) State aid projects as follows:

State aid;

(a) Seven million dollars (\$7,000,000.00) for the construction, reconstruction, mainte-

nance and repair, operation, policing and lighting of county roads and bridges; for the payment of principal and interest of obligations heretofore incurred for any of such purposes, and for the extension of the county highway system as follows:

Six million dollars (\$6,000,000.00) under the following formula:

Percentage of population of each county to the total population of the State, according to the last Federal census;

Percentage of each county road mileage as against total county road mileage in the State;

Percentage of each county in area as against total area in the State; and

One million dollars (\$1,000,000.00) under the following formula:

Percentage of population of each county to the total population of the State according to the last Federal census;

Percentage of each county road mileage as against total county road mileage in the State.

(b) Three million six hundred seventy-five thousand dollars (\$3,675,000.00) to be expended pursuant to the provisions of chapter fifteen of Title 27 "Highways" of the Revised Statutes.

(c) One million one hundred fifty-five thousand dollars (\$1,155,000.00) to be expended pursuant to the provisions of section 27:14-1 of the Revised Statutes.

(d) Five hundred twenty-five thousand dollars (\$525,000.00) to be expended pursuant to sections 27:15-10 to 27:15-13, inclusive, of the Revised Statutes.

### (3) Inland Waterways:

Ninety thousand dollars (\$90,000.00) to the Board of Commerce and Navigation for the construction, reconstruction and maintenance and improvement of the inland waterways as provided by section 54:39-74 of the Revised Statutes.

Inland  
waterways.

## Appropriations.

C. Appropriations. The total of the appropriations recommended for the ensuing fiscal year in substantially the following form:

## Detailed Budget:

(1) An itemized statement of all appropriation requests and requests for permission to spend from the General State Fund, State Highway System Fund, other dedicated funds and Federal aid and trust funds;

(2) An itemized statement of the amounts recommended by the Governor with respect to item "1" above;

(3) An itemized statement of all amounts appropriated and permissions granted for the current fiscal year with respect to item "1" above;

(4) An itemized statement of all amounts appropriated and permissions granted for the last preceding fiscal year with respect to item "1" above detailed as to annual and supplemental appropriations, transfers of appropriations, State Emergency Fund allotments, and permission to spend, as the case may be, and showing also total expenditures, reserves, lapses and unencumbered balances;

(5) In addition, such other statistical information as may more fully show comparisons and costs of the several departments.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 200

AN ACT to increase the pension element standing to the credit of the secretary of any pension or retirement system maintained by the State of New Jersey, upon the retirement from service of such secretary.

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

1. The pension element standing to the credit of the secretary of any pension or retirement system maintained by the State of New Jersey shall, upon the retirement from service of any such secretary, be increased so that the same shall amount to two thousand dollars (\$2,000.00); *provided*, such secretary has had at least twenty years of service as such secretary and has reached the age of eighty years. No other rights of any such secretary in any such pension or retirement system shall be affected by the passage of this act.

C. 43:14-40.1.  
Pension  
element  
increased.

Proviso.

Not to affect  
other rights.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 201

AN ACT concerning the salary of committeemen in townships in counties of the sixth class bordering on the Atlantic ocean.

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

C. 40:146-16.1.  
Township  
committees'  
salaries.

1. In townships in counties of the sixth class bordering on the Atlantic ocean, each member of the township committee shall receive an annual salary of five hundred dollars (\$500.00) to be paid as other township committee salaries are paid.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 202

AN ACT permitting the city of Trenton, in the county of Mercer, to provide for the payment of a pension to Edmund Barry.

Preamble.

WHEREAS, Edmund Barry, a resident of the city of Trenton, in the county of Mercer and State of New Jersey, has served the city in the capacity of watchman in the division of streets, Department of Public Works, for almost twenty-five years, rendering excellent, efficient and faithful service to the city of Trenton in the performance of his duties; and

Preamble.

WHEREAS, The said Edmund Barry has become incapacitated and disabled; and

WHEREAS, The city of Trenton does not have in force and effect any pension that would enure to the benefit of the said Edmund Barry; therefore,

Preamble.

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

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to Edmund Barry, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of seventy dollars and seven cents (\$70.07) per month, being one-half of his former monthly salary, which pension shall be paid in monthly installments.

Pension authorized.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said Edmund Barry of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

Provided for in annual budget.

3. This act shall take effect immediately.

Approved April 30, 1946.

#### CHAPTER 203

AN Act permitting the city of Trenton, in the county of Mercer, to provide for the payment of a pension to Arthur Wright.

WHEREAS, Arthur Wright, a resident of the city of Trenton, in the county of Mercer and State of New Jersey, has served the city in the capacity of operator at the pumping station in the water-works division in the Department of Public Works, for over twenty-seven years, rendering excellent, efficient and faithful service to the city of Trenton in the performance of his duties; and

Preamble.

**Preamble.** WHEREAS, The said Arthur Wright has become incapacitated and disabled; and

**Preamble.** WHEREAS, The city of Trenton does not have in force and effect any pension that would enure to the benefit of the said Arthur Wright; therefore,

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

**Pension authorized.**

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to Arthur Wright, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of one hundred ten dollars (\$110.00) per month, being one-half of his former monthly salary, which pension shall be paid in monthly installments.

**Provided for in annual budget.**

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said Arthur Wright of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved April 30, 1946.



## CHAPTER 204

AN ACT permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to Lawrence Young.

WHEREAS, Lawrence Young, a resident of the city of Trenton in the county of Mercer and State of New Jersey, has served the city in various capacities for almost twenty years, rendering excellent, efficient and faithful service to the city of Trenton, in the performance of his duties; and Preamble.

WHEREAS, The said Lawrence Young has become incapacitated and is now disabled; and Preamble.

WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of the said Lawrence Young; therefore, Preamble.

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

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to Lawrence Young, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of eighty-eight dollars and thirty-three cents (\$88.33) per month, being one-half of his former monthly salary, which pension shall be paid in monthly installments. Pension authorized.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said Lawrence Young of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor. Provided for in annual budget.

3. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 205

AN ACT for the relief of R. W. Messinger, C. J. Sutton and Charles W. McWilliams.

Preamble. WHEREAS, R. W. Messinger and C. J. Sutton and Charles W. McWilliams, employees of the Morris Canal and Banking Company and Lehigh Valley Railroad Company at the time the canal property was taken over for administration by the State of New Jersey, are now well past the age of retirement; and

Preamble. WHEREAS, The said employees rendered many years of efficient and faithful service to said Morris Canal and Banking Company and Lehigh Valley Railroad Company; and

Preamble. WHEREAS, At the time of the acquisition of the canal property by the State of New Jersey and the transfer of said employees to the payroll of the Department of Conservation, Division of Forestry, Geology, Parks and Historic Sites, no provision was made for the former employees of said Morris Canal and Banking Company and Lehigh Valley Railroad Company to join the State Retirement System with credit for their former service with the Canal and Banking Company; and

Preamble. WHEREAS, Notice of intention to apply for the passage hereof has been given as provided by the Constitution and the statutes of this State; therefore,

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

Payment of  
pensions  
authorized.

1. There be paid from the Morris canal fund in monthly payments from the treasury of this State pensions as follows: to R. W. Messinger, eighty

dollars (\$80.00) per month, C. J. Sutton, sixty dollars (\$60.00) per month, C. W. McWilliams, fifty dollars (\$50.00) per month during the period of each of their natural lives. Such pension shall commence from the first of the month next following the passage of this act or as soon thereafter as they are retired from active service.

Approved April 30, 1946.

## CHAPTER 206

AN ACT to amend "An act concerning maximum age limits for examination or test for, or appointment or election to any office, position or employment under the government of this State or of any county, municipality, school district or other political subdivision of this State, or under any board, body, agency or commission of this State or of any county, municipality or school district," approved April thirteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 98).

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 is amended to read as follows:

Section  
amended.

1. When the qualifications for any examination or test for, or appointment or election to any office, position or employment under the government of this State, or of any county, municipality, school district or other political subdivision of this State, or under any board, body, agency or commission of this State, or of any county, municipality or school district, includes a maximum age limit, any person, who, heretofore and subsequent to July

C. 38:23A-2.  
Maximum  
age limit.

first, one thousand nine hundred and forty, entered or hereafter, in time of war, shall enter the active military or naval service of the United States or the active service of the Women's Army Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, shall be deemed to meet such maximum age requirement, if his actual age, less the period of such service, would meet the maximum age requirement in effect on the date the person entered into such service of the United States.

2. This act shall take effect immediately.  
Approved April 30, 1946.

## CHAPTER 207

AN ACT concerning State aid for the construction, reconstruction, maintenance and repair of county roads and bridges, and amending section 27:14-1 of the Revised Statutes.

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

Section  
amended.

1. Section 27:14-1 of the Revised Statutes is amended to read as follows:

Annual  
apportionment.

27:14-1. The commissioner shall annually apportion to each county fifty-five thousand dollars (\$55,000.00) from State Highway system funds to be used for the construction, reconstruction, maintenance and repair of county roads and bridges.

Act effective.

2. This act shall take effect the first day of July, one thousand nine hundred and forty-seven.

Approved April 30, 1946.

## CHAPTER 208

AN ACT to amend "An act to accord to blind persons the right-of-way, under certain circumstances, in crossing any highway or any intersection thereof," approved August second, one thousand nine hundred and thirty-nine (P. L. 1939, c. 274).

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 is amended to read as follows:

Section  
amended.

1. Any blind person using as a guide a curved handle walking cane, white in color, and having a red base of six inches or more wide, or any blind person using as a guide a seeing-eye dog, shall have the right-of-way in crossing any highway or any intersection thereof, and all drivers of vehicles shall yield the right-of-way to such blind person although traffic on said highway or intersection thereof is controlled by traffic signals, anything in this act to the contrary notwithstanding. This provision shall not apply where traffic is specially directed by a traffic or police officer.

C. 39:4-37.1.  
Blind person  
to have  
right-of-way.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 209

AN ACT relating to the parole of certain former inmates of penal or correctional institutions in New Jersey who, having served in the active military or naval service of the United States, have been discharged or released from such service under conditions other than dishonorable.

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

C. 2:197A-1.  
Veteran may  
apply for  
special pardon.

1. Any person who is presently on parole from any penal or correctional institution of this State or of any political subdivision thereof or whose parole period has been successfully completed and who has not since been convicted of crime and who having served in the active military or naval service of the United States for not less than one year has been discharged or released from such service under conditions other than dishonorable for more than six months and who has not been twice convicted of crime in this or any other State may apply to the Court of Pardons for a special pardon.

C. 2:197A-2.  
Action by  
court of  
pardons.

2. The Court of Pardons, upon receipt of such application and satisfactory proof of the eligibility of the applicant and upon further proof that the record of the applicant is satisfactory both from a standpoint of his conduct in the penal or correctional institution and for the period of his service in the armed forces and provided that his adjustment on parole justifies such action, may:

- (a) Grant a full pardon.
- (b) Restore such civil rights to the applicant that may have been removed by his conviction.
- (c) Order the Department of Institutions and Agencies or Principal Keeper, State

Prison, to modify or ameliorate the conditions of his parole.

(d) Expunge the criminal record of the crime for which such applicant has been convicted.

(e) Take such further action as it shall deem necessary and proper to restore all civil rights and full citizenship to the applicant.

(f) Take such other action which may be justified in any particular case by reason of the circumstances appearing therein.

3. The Court of Pardons may issue to such applicant a certificate setting forth the type of action in each particular case, which said certificate may be utilized by the applicant in connection with the restoration of his civil rights and shall be received by all persons, including officials of governmental agencies of the State, county or municipality and shall be given full faith and credit by such officials and such other persons to whom it may be presented, to the end that the holder of such certificate may be fully and completely restored to all rights and privileges removed by his said conviction.

C. 2:197A-3.  
Certificate  
issued  
applicant.

4. In the event that any such person who has been granted a certificate, as provided for herein, shall subsequently be convicted of crime, then such person shall be deemed a recidivist and be dealt with accordingly.

C. 2:197A-4.  
Deemed a  
recidivist.

5. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 210

AN ACT relating to the Teachers' Pension and Annuity Fund, and amending section 18:13-31 of the Revised Statutes.

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

Section  
amended.

1. Section 18:13-31 of the Revised Statutes is amended to read as follows:

Delegates  
to annual  
convention.

18:13-31. Each county shall be entitled to be represented in the annual convention of the retirement system by one delegate for each two hundred members of the retirement system in the county and one delegate for any fraction over one hundred; but each county shall be entitled to at least one delegate. The meeting for the election of delegates shall be held at a convenient place in the county selected by the county superintendent of schools. The delegates shall be elected by a vote of the majority of the members of the retirement system voting at the meeting. All members of the retirement system who are employed in the county shall be eligible to vote at this meeting, the vote to be by ballot of members who have registered prior to casting their respective ballots. The registry list and ballots shall be retained by the county superintendent of schools for a period of three months following the election. Each delegate from a given county must be a member of the retirement system and must be employed in that county. Notice of the time and place of the meeting shall be issued by the county superintendent at least ten days before the date of the meeting. The meeting shall organize by the election of a chairman and secretary. The secretary shall, within five days after the meeting, forward to the board of trustees of the retirement system a certificate containing the names and addresses of the



delegates elected to the convention, and shall furnish the delegates elected with a certificate of their election.

In case of a vacancy in the delegation from any county, the remaining delegates from the county may fill the vacancy by appointing a member in the county, who shall possess the qualifications hereinbefore prescribed for delegates to such convention.

Filling  
vacancy.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 211

AN ACT concerning certain powers of local boards of health, and amending section 26:3-31 of the Revised Statutes.

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

1. Section 26:3-31 of the Revised Statutes is amended to read as follows:

Section  
amended.

26:3-31. The local board of health shall have power to pass, alter or amend ordinances and make rules and regulations in regard to the public health within its jurisdiction, for the following purposes:

Powers  
and duties:

a. To protect the public water supply and prevent the pollution of any stream of water or well, the water of which is used for domestic purposes, and to prevent the use of or to close any well, the water of which is polluted or detrimental to the public health.

Protection of  
water supply;

b. (1) To prohibit the cutting, sale or delivery of ice in any municipality without obtaining a permit from the local board. No person shall cut, sell or deliver ice in any municipality without obtaining such permit.

Cutting, sale,  
etc., of ice;

(2) To refuse such permit or revoke any permit granted by it when in its judgment the use of any ice cut, sold or delivered under the permit would be detrimental to the public health. Upon the refusal or revocation of a permit by the local board, an appeal may be taken to the State Department. Upon order of the State Department a permit shall be granted or the revocation set aside.

(3) To prohibit the importation, distribution or sale of any impure ice which would be detrimental to the public health.

Sanitation in  
hotels and  
eating places;

c. To license and regulate the sanitary conditions of hotels, restaurants, cafes, and other public eating houses and to provide for the posting of ratings or score cards setting forth the sanitary condition of any public eating house after inspection of the same, and to post the rating or score card in some conspicuous or public place in such eating house.

Sewer  
connections;

d. To compel any owner of property along the line of any sewer to connect his house or other building therewith. This paragraph shall be enforced by the local board within its jurisdiction and it shall by ordinance provide a fine of twenty-five dollars (\$25.00) to be imposed upon any person who shall not comply with any order issued under the authority of this paragraph, within thirty days after notice by the proper officer of the board to make the required connections. An additional fine of ten dollars (\$10.00) shall be provided for each day of delay, after the expiration of the thirty days, in which the provisions of the order or notice are not complied with. Such notice may be served upon the owner personally or by leaving it at his usual place of abode with a member of his family above the age of eighteen years.

Examining  
board to  
license  
plumbers;

e. To regulate the practice of plumbing, to issue licenses and to create an examining board to determine the qualification of any applicant

for a license to practice plumbing. The board shall consist of three persons, of whom one shall be a plumbing inspector in the employ of the local board, one a master plumber, and one a journeyman plumber.

f. To regulate, control, and prohibit the accumulation of offal and any decaying or vegetable substance.

Offal and  
garbage;

g. (1) To regulate the location, construction, maintenance, method of emptying or cleaning, and the frequency of cleaning of any privy or other place used for the reception or storage of human excrement, and to prohibit the construction or maintenance of any privy or other such place until a license therefor shall have been issued by the board, which license shall continue in force for one year from the date of issue.

Privies,  
regulation and  
licensing of.

(2) To fix the fee, not exceeding five dollars (\$5.00), for such license, and to use the fees so collected in supervising and maintaining said privies or other places and in removing and disposing of the excrement therefrom.

(3) To revoke such license at any time if the owner or tenant of the property on which any privy or other such place is located, maintains the same in violation of law, or of the State sanitary code, or any ordinance or rule of the board.

h. To regulate, control, or prohibit the cleaning of any sewer, the dumping of garbage, the filling of any sunken lot or marsh land, and to provide for the filling up of any such lot or land, which has become filled with stagnant water and is located in any built-up area.

Sewers and  
dumps;

i. (1) To license and regulate the business of cleaning cesspools and privies, which license shall continue for the term of one year from the date of granting, and to fix the fee that shall be charged for such license, not exceeding twenty dollars (\$20.00) for each vehicle or conveyance.

Scavengers;

(2) To prohibit unlicensed persons from engaging in such business.

(3) To require any vehicle or conveyance used in such business within its jurisdiction to be approved by it.

(4) To revoke such license if any licensee or his employee or agent shall violate any ordinance or rule of the board in cleaning any cesspool or privy, or in removing the contents thereof.

Adulteration  
of foods.

j. To aid in the enforcement of laws as to the adulteration of all kinds of food and drink, and to prevent the sale or exposure for sale of any meat or vegetable that is unwholesome or unfit for food.

k. To regulate, control, or prohibit the keeping or slaughtering of animals.

Animals,  
keeping and  
slaughtering;

l. To license and regulate the keeping of boarding houses for infants and children and to fix a license fee for the same and to prevent unlicensed persons from keeping such boarding houses. This paragraph shall not apply to:

Boarding  
houses for  
children;

(1) The State Board of Children's Guardians.

(2) Any children's home, orphan asylum, or children's aid society incorporated under the laws of this State.

(3) Any aid society of a properly organized and accredited church or fraternal society organized for aid and relief to its members.

(4) Any charitable society incorporated under the laws of this State having as one of its objects the prevention of cruelty to children or the care and protection of children.

Heating of  
apartments.

m. To compel owners of buildings, designed to be occupied, or occupied, as residences by more than two families and when the owners have agreed to supply heat, to provide heat from the first day of October in each year to the first day of May of the succeeding year so that the temperature of said apartment where

one or more persons reside shall always be kept at sixty-eight degrees Fahrenheit or above, between the hours of six ante meridian and ten post meridian.

n. To regulate the practice of midwifery, but the exercise of such authority shall not conflict with the provisions of chapter ten of the Title Professions and Occupations (§45:10-1 et seq.).

Regulate practice of midwifery;

o. To enforce the making of returns or reports to the local board on the part of any person charged with such duty under any law and to take cognizance of any failure to make such returns and deal with the same in an effective manner.

Making of returns and reports.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 212

AN ACT concerning taxation, and supplementing chapter four of Title 54 of the Revised Statutes.

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

1. The several exemptions provided for and allowed to any person or class of persons named in section 54:4-3.12 of the Revised Statutes shall apply to all honorably discharged persons who have served in the armed forces of the United States during the present wars with Japan, Germany and Italy.

C. 54:4-3.12g.  
Exemptions to apply to present war veterans.

2. The words "present war" as used in this act shall mean so long as the United States of America continues in the present wars with the governments

Present war defined.

of Japan, Germany and Italy, or any of them, and until the making of a treaty or treaties of peace concluding all of said wars.

3. This act shall take effect immediately.

Approved April 30, 1946.

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### CHAPTER 213

AN ACT providing for the payment of tuition for evening high school instruction in certain cases, and supplementing article one of chapter fourteen of Title 18 of the Revised Statutes.

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

C. 18:14-6.1.  
May pay  
tuition in  
another  
district.

1. Any board of education not furnishing instruction in approved evening high school courses which any pupil in the district may desire to pursue may pay the tuition of such pupil in an approved evening high school in another district.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 214

AN ACT concerning salaries of certain clerks and employees of district courts, and supplementing chapter eight of Title 2 of the Revised Statutes.

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

1. Every board of chosen freeholders or governing body of any municipality charged with the paying of salaries as provided by sections 2:8-23, 2:8-26, 2:8-27, 2:8-28, 2:8-30, 2:8-33 and 2:8-58 of the Revised Statutes may, on the recommendation of the judge or presiding judge of the respective district court, increase the salary or compensation to be paid to any clerks, deputy clerks, assistant clerks, clerical assistants, clerks and other officers in certain counties and sergeants-at-arms holding positions in the district courts of this State, whose salary or compensation is paid by any such county or municipality, beginning with the passage of this act, by such sum of money as it shall deem proper, but such increase granted shall not exceed the sum of five hundred dollars (\$500.00) per annum above the maximum now provided by the sections herein mentioned, and not more than one hundred dollars (\$100.00) of such increase shall be granted in any one year; *provided, however*, that in making increase of salaries or compensation there shall be no discrimination among or between individuals in the same class of service within any district court.

C. 2:8-23.1.  
May increase  
salaries.

Limits  
increase.

Proviso.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 215

AN ACT concerning pension funds for probation officers in counties now or hereafter having a population of more than two hundred and seventy-five thousand and not more than four hundred thousand inhabitants, and supplementing article five of chapter ten of Title 43 of the Revised Statutes.

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

C. 43:10-57.1-  
Probation  
officers may  
join pension  
fund.

Proviso.

1. Any probation officer of any county now or hereafter having a population of more than two hundred seventy-five thousand and not more than four hundred thousand inhabitants, who, at the time of his entry into service as a probation officer, had not attained the age of fifty years and who is not a member of the pension fund for probation officers of said county and who signifies in writing his desire to become a member of said pension fund to the board of chosen freeholders of the county within six months after the effective date of this act shall be admitted as a member of said pension fund, with the same standing as a member of said fund as if he had joined it upon his entry into such service as a probation officer; *provided*, (a) that he satisfies the board of chosen freeholders that he meets the conditions required under this act; (b) that he shall pay into said fund all accrued contributions, with interest, either in one payment or in regular semimonthly payments, under such rules and regulations as the board of chosen freeholders shall make; and (c) that he consent to the regular deductions required of other members of said fund.

2. This act shall take effect immediately.

Approved April 30, 1946.



## CHAPTER 216

AN ACT to amend "An act concerning pension funds for sheriffs' employees in counties now or hereafter having a population of more than three hundred twenty-five thousand and not more than four hundred thousand inhabitants," approved April twenty-first, one thousand nine hundred and forty-four (P. L. 1944, c. 229).

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 is amended to read as follows:

Section amended.

1. Any sheriff's employee of any county now or hereafter having a population of more than two hundred seventy-five thousand and not more than four hundred thousand inhabitants, who, at the time of his entry into service as a sheriff's employee, had not attained the age of fifty years and who is not a member of the pension fund for sheriff's employees of said county and who signifies in writing his desire to become a member of said pension fund to the board of chosen freeholders of the county within six months after the effective date of this act shall be admitted as a member of said pension fund, with the same standing as a member of said fund as if he had joined it upon his entry into such service as a sheriff's employee; *provided*, (a) that he satisfies the board of chosen freeholders that he meets the conditions required under this act; (b) that he shall pay into said fund all accrued contributions, with interest, either in one payment or in regular semimonthly payments, under such rules and regulations as the board of chosen freeholders shall make; and (c) that he consent to the regular deductions required of other members of said fund.

C. 43:10-72.1.  
Sheriff's employees may join pension fund.

Proviso.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 217

AN Act incorporating the University of Newark into the State University of New Jersey maintained by the Trustees of Rutgers College in New Jersey.

Preamble.

WHEREAS, The University of Newark, an educational nonprofit corporation organized under chapter one of Title 15 of the Revised Statutes, and the Trustees of Rutgers College in New Jersey, a body corporate and politic created by royal charter granted November tenth, one thousand seven hundred and sixty-six, and altered, amended and confirmed by the Council and General Assembly of this State by an act adopted June fifth, one thousand seven hundred and eighty-one, and by an act adopted May thirty-first, one thousand seven hundred and ninety-nine, have agreed, subject to the adoption of this act, that all departments of higher education maintained by the University of Newark shall be incorporated into the State University of New Jersey and that to that end the real and personal property of the University of Newark shall be granted, conveyed, transferred and assigned to the Trustees of Rutgers College in New Jersey;

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

C. 18:22-15.14.  
Designated as  
part of State  
University.

1. The departments of higher education maintained by the University of Newark including the College of Arts and Sciences, the School of Business Administration and the School of Law are incorporated into and designated as a part of the State University of New Jersey.

C. 18:22-15.15.  
Act effective.  
Proviso.

2. This act shall take effect on the first day of July, one thousand nine hundred and forty-six; *provided*, that meanwhile the University of Newark

shall grant, convey, transfer and assign its real and personal property to the Trustees of Rutgers College in New Jersey to be maintained as a part of the State University of New Jersey and utilized as an instrumentality of the State of New Jersey for providing higher education and thereby to increase the efficiency of the public school system of the State; otherwise this act shall not become effective.

Approved April 30, 1946.

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## CHAPTER 218

AN ACT concerning district courts, and amending section 2:8-23 of the Revised Statutes.

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

1. Section 2:8-23 of the Revised Statutes is amended to read as follows: Section amended.

2:8-23. The annual salaries of the clerks of the district courts, which shall be in lieu of all fees whatsoever, shall be as follows: Salaries of clerks.

a. In counties of the first class:

(1) In cities having not less than two hundred thousand nor more than four hundred thousand inhabitants, not less than three thousand dollars (\$3,000.00) nor more than four thousand dollars (\$4,000.00);

(2) In cities having more than four hundred thousand inhabitants, not less than four thousand dollars (\$4,000.00) nor more than five thousand dollars (\$5,000.00);

(3) In cities having between two hundred thousand and thirty-five thousand inhabitants, not less than two thousand eight hundred dollars (\$2,800.00) nor more than three thousand five hundred dollars (\$3,500.00);

(4) In cities having between thirty-five thousand and twenty thousand inhabitants, not less than one thousand eight hundred dollars (\$1,800.00) nor more than two thousand five hundred dollars (\$2,500.00);

(5) In judicial districts having more than fifty-five thousand inhabitants, not less than two thousand eight hundred dollars (\$2,800.00) nor more than three thousand five hundred dollars (\$3,500.00);

(6) In judicial districts having less than fifty-five thousand inhabitants, not less than one thousand five hundred dollars (\$1,500.00) nor more than two thousand five hundred dollars (\$2,500.00).

b. In counties other than counties of the first class and counties having between two hundred thousand and five hundred thousand inhabitants;

(1) In cities having two hundred thousand or more inhabitants, three thousand three hundred dollars (\$3,300.00);

(2) In cities having between two hundred thousand and forty-five thousand inhabitants, three thousand dollars (\$3,000.00);

(3) In cities having between forty-five thousand and twenty-five thousand inhabitants, two thousand four hundred dollars (\$2,400.00);

(4) In cities having between twenty-five thousand and twenty-three thousand inhabitants, one thousand eight hundred dollars (\$1,800.00);

(5) In cities having between twenty-three thousand and seventeen thousand inhabitants, one thousand five hundred dollars (\$1,500.00);

(6) In cities of the fourth class situate on the Atlantic ocean and having more than fifty thousand inhabitants, three thousand dollars (\$3,000.00);

(7) In judicial districts having one hundred thousand or more inhabitants, except as set

forth in section ten of this paragraph, two thousand eight hundred dollars (\$2,800.00);

(8) In judicial districts having between one hundred thousand and forty-five thousand inhabitants, except as set forth in section ten of this paragraph, two thousand five hundred dollars (\$2,500.00);

(9) In judicial districts having a population of forty-five thousand or less, one thousand five hundred dollars (\$1,500.00), except in such judicial districts in which the courts shall be held at more than one place in the district at stated periods, in which districts it shall be two thousand dollars (\$2,000.00);

(10) In any judicial district having more than sixty-five thousand inhabitants, and where there shall be no other district court in such county, not less than two thousand eight hundred dollars (\$2,800.00) nor more than three thousand dollars (\$3,000.00).

c. In counties having between two hundred thousand and five hundred thousand inhabitants;

(1) In judicial districts having less than forty-five thousand inhabitants, not less than one thousand eight hundred dollars (\$1,800.00) nor more than two thousand three hundred dollars (\$2,300.00);

(2) In judicial districts having between forty-five thousand and eighty thousand inhabitants, not less than two thousand five hundred dollars (\$2,500.00) nor more than three thousand dollars (\$3,000.00);

(3) In judicial districts having eighty thousand or more inhabitants, not less than three thousand dollars (\$3,000.00) nor more than three thousand five hundred dollars (\$3,500.00).

Except as provided by section 2:8-30 of this Title, the amount of the salary to be paid to each

clerk of a district court shall, between the minimum and maximum amounts prescribed by this section, be fixed by the judge of the district court to which the clerk is or may be appointed, at any time during the term of office of such clerk.

The salaries of the clerks of the district courts shall be paid by the cities in which such courts are or may be established, and by the county treasurer of the counties in which a judicial district has been or may be incorporated, in semimonthly installments, to be computed from the date of the appointment of such clerks, or their increase in salary, if any.

This section shall not affect the salaries of clerks of district courts in judicial districts where the clerk is serving in the dual capacity of district court clerk and county clerk.

2. This act shall take effect immediately.

Approved May 1, 1946.

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## CHAPTER 219

AN ACT concerning the Board of Public Utility Commissioners, its general jurisdiction, defining "public utility," and amending section 48:2-13 of the Revised Statutes.

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

Section  
amended.

1. Section 48:2-13 of the Revised Statutes is amended to read as follows:

General  
jurisdiction.

48:2-13. The board shall have general supervision and regulation of and jurisdiction and control over all public utilities as hereinafter in this section defined and their property, property rights, equipment, facilities and franchises so far as may be necessary for the purpose of carrying out the provisions of this Title.

The term "public utility" shall include every individual, co-partnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever, that now or hereafter may own, operate, manage or control within this State any steam railroad, street railway, traction railway, autobus, canal, express, subway, pipe line, gas, electric light, heat, power, water, oil, sewer, telephone or telegraph system, plant or equipment for public use, under privileges granted or hereafter to be granted by this State or by any political subdivision thereof.

Public utility  
defined.

Nothing contained in this Title shall extend the powers of the board to include any supervision and regulation of, or jurisdiction and control over any vehicles engaged in the transportation of passengers for hire in the manner and form commonly called taxi-cab service unless such service becomes or is held out to be regular service between stated termini; hotel busses used exclusively for the transportation of hotel patrons to or from local railroad or other common carrier stations, including local airports, or bus employed solely for transporting school children and teachers, or any autobus with a carrying capacity of not more than six passengers now or hereafter operated under municipal consent upon a route established wholly within the limits of a single municipality, which route does not in whole or in part parallel upon the same street the line of any street railway or traction railway or any other autobus route.

2. This act shall take effect immediately.

Approved April 30, 1946.

## CHAPTER 220

AN ACT concerning public utilities, the issuance of stocks and bonds, demand notes and other evidences of indebtedness and approval of the same by the Public Utility Commissioners, and amending section 48:3-9 of the Revised Statutes.

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

Section  
amended.

1. Section 48:3-9 of the Revised Statutes is amended to read as follows:

Issuance of  
stocks and  
bonds.

48:3-9. No public utility shall issue any stocks, stock certificates, bonds, demand notes or other evidence of indebtedness payable in more than one year from the date thereof until it shall have first obtained authority from the board for such proposed issue.

The board, after hearing, shall approve the proposed issue maturing in more than one year from the date thereof when satisfied that the same is to be made in accordance with law and the purpose thereof be approved by the board.

C. 48:3-9.  
Provisions  
not to apply.

2. The provisions of this act shall not apply to any public utility operating, managing or controlling a steam railroad or a railway express which is subject to the rules and regulations from time to time issued by the Interstate Commerce Commission.

3. This act shall take effect immediately.  
Approved April 30, 1946.



## CHAPTER 221

AN ACT vesting the title to real estate of which Carl Armgaro died seized and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and twenty-two in Maryanna Praszynska.

WHEREAS, Carl Armgaro, late of the city of Trenton, county of Mercer and State of New Jersey, departed this life on the twenty-sixth day of January, one thousand nine hundred and twenty-two, seized of an undivided one-third interest in all that certain lot, tract or parcel of land and premises situate, lying and being in the city of Trenton, county of Mercer and State of New Jersey, described as follows:

Known and designated as Number 291 Third street, beginning on the westerly side of Third street at the southerly corner of a lot now or formerly of William Bathke and runs thence (1) westerly at right angles to said Third street and along line of said lot now or formerly of said Bathke, 100 feet to a point; thence (2) southerly, parallel with said Third street, 25 feet to a point; thence (3) easterly at right angles to said Third street and through the middle of the partition wall dividing the house on the lot hereby conveyed from the house adjoining on the south, 100 feet to Third street; and thence (4) northerly along said street, 25 feet to the point or place of beginning, and

WHEREAS, The said Carl Armgaro left no person or persons capable of inheriting the said land and premises; and

WHEREAS, The request and proper notice of intention to apply for passage of this act has been given and duly published; therefore,

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

Title vested.

1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to said real estate heretofore belonging to Carl Armgaro, more particularly described in the preamble of this act, are hereby vested in Maryanna Praszynska, her heirs and assigns forever.

Private act.

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

Approved April 30, 1946.

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## CHAPTER 222

AN ACT vesting title to real estate of which Andrew M. Strayhorn died seized, and which is alleged to have escheated to the State of New Jersey, in the year one thousand nine hundred and thirty-seven, in the borough of South Belmar, county of Monmouth.

Preamble.

WHEREAS, Andrew M. Strayhorn, late of the city of Philadelphia, State of Pennsylvania, departed this life intestate on the fifteenth day of January, one thousand nine hundred and thirty-seven, seized of all that certain tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the borough of South Belmar, in the county of Monmouth and State of New Jersey.

Description.

Known and designated as Lots Nos. 1 and 2 on the "Wilson Tract, Belmar," a map of which is now on file at the county clerk's office in and for the county of Monmouth, and said Lots Nos. 1 and 2 being more particularly described as fronting fifty-two and thirty-two hundredths (52.32) feet together on a street

called "F" Street, and extending back one hundred fifty and seventy-five hundredths (150.75) feet along the south side of New Bedford Road, and being fifty (50) feet wide in the rear.

WHEREAS, The said Andrew M. Strayhorn left no person or persons capable of inheriting the said lands and premises; and Preamble.

WHEREAS, Taxes were assessed against the above mentioned property in the name of Andrew M. Strayhorn for the years one thousand nine hundred and thirty-five, and one thousand nine hundred and thirty-six and remained unpaid, so that on July first, one thousand nine hundred and thirty-eight, said lands and premises were sold at a sale for delinquent taxes and they were struck off and sold to the borough of South Belmar for the sum of six hundred ninety-four dollars and eighteen cents (\$694.18), including interest, assessments and costs of sale, at which time Belle Woolley, collector of taxes of the taxing district of the borough of South Belmar, made and delivered to the borough of South Belmar a certificate of tax sale for the above described premises; and Preamble.

WHEREAS, The Borough of South Belmar has foreclosed the said tax sale certificate and did receive a final decree which has been recorded in the office of the clerk of the county of Monmouth, cutting off any interest which the heirs, devisees and personal representatives of Andrew M. Strayhorn, deceased, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest, et al., may have in said premises; and Preamble.

Preamble. WHEREAS, The borough of South Belmar did convey the aforesaid premises by deed dated the thirty-first day of December, one thousand nine hundred and forty-five, to Cyril B. Clark and Ethel J. Clark, his wife, who paid valuable consideration for the premises and are now owners of record of the aforesaid property; and

Preamble. WHEREAS, The proper notices of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

Title vested. 1. All of the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to Andrew M. Strayhorn, more particularly described in the first preamble of this act, are hereby vested in Cyril B. Clark and Ethel J. Clark, his wife, of the borough of South Belmar, county of Monmouth; such title so as aforesaid vested under the provisions of this act is validated and confirmed.

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

Approved April 30, 1946.

## CHAPTER 223

AN ACT concerning county hospitals for communicable diseases in certain counties, and amending section 30:9-38 of the Revised Statutes.

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

1. Section 30:9-38 of the Revised Statutes is amended to read as follows: Section amended.

30:9-38. When a county hospital for communicable diseases has been completed in counties other than counties of the first class the director of the board of chosen freeholders, with the consent and approval of the board, may appoint a board of managers for the hospital consisting of six members, residents of the county, three of whom shall be physicians and three of whom shall be selected from the members of the several boards of health or department heads administering health laws within the county. Not more than three members shall belong to the same political party. Two shall be appointed to serve for three years, two for two years and two for one year, and their successors shall be appointed in the same manner but shall serve for a term of three years. A vacancy shall be filled for the unexpired term only. Members shall serve without compensation. Board of managers.

In any county of the first class, and in all counties of the second class in which there is no appointed board of managers as provided in the first paragraph of this section, the board of managers of such hospital shall consist of the board of chosen freeholders of said county or such committee or committees thereof as the board of chosen freeholders shall designate. Each year at the time of organization of the board of chosen freeholders, the director shall select from among the members of the board a committee to act as a board of managers subject Terms.  
Vacancies.  
Hospital committee.

to the general jurisdiction and control of the board of chosen freeholders, and shall designate the chairman of such committee. The board of chosen freeholders shall appoint each year with the advice of the superintendent of the hospital, an advisory and consulting staff of not less than five physicians resident in the county whose duties it shall be to confer and consult with the superintendent and board of chosen freeholders to promote and advance the scientific, medical and surgical development of the institution. Notice of meetings of the hospital committee of the board of chosen freeholders shall be given to each member of the advisory staff.

C. 30:9-38.1.  
May abolish  
board of  
managers.

2. In any county of the second class in which there has been appointed a board of managers, the board of chosen freeholders may, by resolution, elect to have the board of managers of such hospital thereafter consist of the board of chosen freeholders of said county or such committee or committees thereof as the board of chosen freeholders shall designate, and the appointed board of managers shall be abolished, and the terms of office of all members of such board of managers then in office shall cease and determine, on the first day of July following the adoption of such resolution and thereafter the board of managers of such hospital shall consist of the board of chosen freeholders or such committee or committees thereof as the board of chosen freeholders shall designate, as provided in section 30:9-38 of the Revised Statutes.

Repealer.

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

Approved May 1, 1946.

## CHAPTER 224

AN ACT concerning militia, and amending section  
38:3-36 of the Revised Statutes.

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

1. Section 38:3-36 of the Revised Statutes is amended to read as follows: Section amended.

38:3-36. Each enlisted man ordered to duty by the Governor shall receive for each day actually on duty the pay and allowances prescribed by Federal regulations for enlisted men of equal grade and length of service when called or ordered into the service of the United States. The pay and allowances of enlisted men shall be paid by the State to the extent that the payment thereof shall not be provided for out of Federal funds. Enlisted men shall not receive pay under this section when ordered for duty for inspection, drill, parade or review. Pay for enlisted men.

2. This act shall take effect immediately.

Approved May 1, 1946.

## CHAPTER 225

AN ACT concerning the admission of persons to the New Jersey Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows at Vineland, and amending sections 30:6A-14 and 30:6A-16 of the Revised Statutes.

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

Section  
amended.

1. Section 30:6A-14 of the Revised Statutes is amended to read as follows:

Terms of  
admission.

30:6A-14. Any honorably discharged soldier, sailor or marine who has been a resident of this State for at least two years immediately preceding the date of his application or who was a resident of this State for at least two years immediately preceding the date of his enlistment as such soldier, sailor or marine may be admitted to the home upon the same terms and conditions and by the same procedure as prescribed by sections 30:6A-2, 30:6A-3 and 30:6A-4 of this Title.

Section  
amended.

2. Section 30:6A-16 of the Revised Statutes is amended to read as follows:

Widows  
admitted.

30:6A-16. The widow of a soldier, sailor or marine who, if her husband were living, indigent and disabled would be entitled to admission, may be admitted to the home upon proof that she has been a resident of the State for ten years last past; that her husband was honorably discharged or died an honorable death while in service in the United States Army or Navy; that she was his wife at the time of his service or was married to him not less than ten years prior to the date of application and has not remarried since his death; that she is necessitous and has not the ability to provide the means for her comfortable maintenance; and proof of such other facts as would have entitled her husband, if living, to admission.

3. This act shall take effect immediately.

Approved May 1, 1946.



## CHAPTER 226

AN ACT concerning veterans' organizations, providing for the filing of annual reports and providing penalties for the violation hereof.

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

1. Every veterans' organization incorporated and unincorporated operating in this State, having State-wide supervision of subordinate posts or other units, shall file in the office of the Secretary of State on or before the thirty-first day of January in each year a report authenticated by the signatures of two of its officers, stating:

C. 15:17-1.  
Annual report.

- a. The name of the organization;
- b. The number of posts or other units under whatever designation operating in this State;
- c. The total membership in this State as of December thirty-first of the previous year;
- d. The titles, names and addresses of the officers of the organization and when the term of office of each expires;

If the report is not so made and filed the organization shall forfeit to the State two hundred dollars (\$200.00), to be recovered with costs in an action at law, to be prosecuted by the Attorney-General, who shall prosecute such actions when it shall appear that this section has been violated. All of the officers of any such organization who shall willfully refuse to comply with the provisions hereof, and who shall be in office during the default, shall, at the time appointed for the next election and for a period of one year thereafter, be ineligible for election or appointment to any office in the organization as officers or otherwise.

Penalty upon  
failure to file.

Blanks  
furnished.

The Secretary of State shall furnish blanks in proper form upon application, shall keep in his office all such reports and shall prepare an alphabetical index thereof, which reports and index shall be open to public inspection at proper hours.

C. 15:17-2.  
False state-  
ment a  
misdemeanor.

2. If any certificate made, or any public notice given by the officers of any organization, in pursuance of the provisions of this act, shall be false in any material representation, the officers who shall have signed the same, knowing it to be false, shall be guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved May 1, 1946.

## CHAPTER 227

AN ACT concerning employment, promotion and tenure of employees of the State and counties, municipalities and school districts where civil service is in effect, amplifying the definition of veteran, amending sections 11:27-1, 11:27-3, 11:27-4 and 11:27-5, and repealing section 11:27-2 of the Revised Statutes.

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

Section  
amended.

1. Section 11:27-1 of the Revised Statutes is amended to read as follows:

Terms defined:

11:27-1. As used in this subtitle:

Commission;

“Commission” means the Civil Service Commission of this State.

Appointing  
authority;

“Appointing authority” means a commission, board, person or group of persons having the power authorized by law, or by reason of a lawfully delegated authority, to make appointments.

“War service” means service by a veteran, as hereinafter defined, in any war, uprising, insurrection or expedition mentioned in this section during the periods specified. War service;

“Veteran with a record of disability incurred in line of duty” means any veteran as hereinafter defined who is eligible under the United States veterans’ bureau qualifications for compensation for service-connected disability from World War service or who is receiving or who is entitled to receive equivalent compensation for service-connected disability arising out of such other military or naval service hereinafter defined. Veteran with a record of disability, etc.

“Veteran” means any honorably discharged soldier, sailor, marine or nurse who served in any Army or Navy of the allies of the United States in World War I, between July fourteenth, one thousand nine hundred and fourteen, and November eleventh, one-thousand nine hundred and eighteen, or who served in any Army or Navy of the allies of the United States in World War II, between September first, one thousand nine hundred and thirty-nine, and September second, one thousand nine hundred and forty-five, and who was inducted into such service through voluntary enlistment, and was a citizen of the United States at the time of such enlistment, and who did not, during or by reason of such service, renounce or lose his United States citizenship, and any soldier, sailor, marine, nurse or army field clerk, who has served in the active military or naval service of the United States and has or shall be discharged or released therefrom under conditions other than dishonorable, in any of the following wars, uprisings, insurrections or expeditions: Veteran.

(1) The Indian wars and uprisings during any of the periods recognized by the War Department of the United States as periods of active hostility;

(2) The Spanish-American War between April twentieth, one thousand eight hundred and ninety-eight, and April eleventh, one thousand eight hundred and ninety-nine;

(3) The Philippine insurrections and expeditions during the periods recognized by the War Department of the United States as of active hostility from February fourth, one thousand eight hundred and ninety-nine, to the end of one thousand nine hundred and thirteen;

(4) The Peking relief expedition between June twentieth, one thousand nine hundred, and May twenty-seventh, one thousand nine hundred and two;

(5) The army of Cuban occupation between July eighteenth, one thousand eight hundred and ninety-eight, and May twentieth, one thousand nine hundred and two;

(6) The army of Cuban pacification between October sixth, one thousand nine hundred and six, and April first, one thousand nine hundred and nine;

(7) The Mexican punitive expedition between March fourteenth, one thousand nine hundred and sixteen, and February seventh, one thousand nine hundred and seventeen;

(8) The Mexican border patrol, having actually participated in engagements against Mexicans between April twelfth, one thousand nine hundred and eleven, and June sixteenth, one thousand nine hundred and nineteen;

(9) World War I between April sixth, one thousand nine hundred and seventeen, and November eleventh, one thousand nine hundred and eighteen;

(10) World War II, between September sixteenth, one thousand nine hundred and forty, and September second, one thousand nine hundred and forty-five, who shall have served at least ninety days in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which ninety days was served

between said dates; *provided*, that any person receiving an actual service incurred injury or disability shall be classed as a veteran whether or not he has completed the ninety-day service as herein provided. Proviso.

2. Section 11:27-2 of the Revised Statutes is repealed. Section repealed.

3. Section 11:27-3 of the Revised Statutes is amended to read as follows: Section amended.

11:27-3. Veterans with a record of disability incurred in line of duty, as herein defined in section 11:27-1 of this Title, who shall receive a passing rating in competitive examinations or tests as herein provided for entrance into the public service, shall be placed at the top of the employment list in the order of their respective final ratings. Disabled veteran given maximum credit.

4. Section 11:27-4 of the Revised Statutes is amended to read as follows: Section amended.

11:27-4. The Civil Service Commission shall certify to the appointing authority the names and addresses of the three candidates standing highest upon the register for each position to be filled, and such appointing authority shall select one of the three so certified; *provided, however*, that whenever the name or names of a veteran or veterans shall be among those certified to the appointing authority the choice of the appointing authority shall be limited to the veteran or veterans whose name or names are included in such certification; whenever the names of two or more veterans shall be amongst those certified to the appointing authority, the appointing authority shall appoint the veteran whose standing is the highest on the register for the position to be filled. Preference in appointment.

5. Section 11:27-5 of the Revised Statutes is amended to read as follows: Proviso.

11:27-5. Veterans who shall receive a passing rating in competitive examinations or tests, as herein provided, for entrance into the public service shall be placed on the employment list in the order of their respective final ratings immediately Section amended.

11:27-5. Veterans who shall receive a passing rating in competitive examinations or tests, as herein provided, for entrance into the public service shall be placed on the employment list in the order of their respective final ratings immediately Preference to nondisabled veterans.

after veterans with a record of disability incurred in line of duty.

6. This act shall take effect immediately.

Approved May 1, 1946.

## CHAPTER 228

AN ACT concerning civil service, and amending sections 11:12-1 and 11:12-2 of the Revised Statutes.

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

Section  
amended.

1. Section 11:12-1 of the Revised Statutes is amended to read as follows:

Probationary  
period.

11:12-1. Appointments and promotions to positions in the competitive, noncompetitive and labor classes of the classified service shall be for a probationary period of four months, which may be extended to six months at the discretion of the president of the Civil Service Commission.

Progress  
report.

At the end of the first two months of service the appointing authority shall file with the Civil Service Commission and probationer in writing a report of progress made by the probationer to perform the duties of the position. The type of progress report to be submitted shall be determined by the Civil Service Commission. At the end of the three-month period of service a second report as above mentioned shall be filed. Before the appointing authority shall declare the probationer unable to satisfactorily perform the duties of the position he shall show cause before the Civil Service Commission giving the reasons why the services of the probationer is not satisfactory, at which time such probationer may be privileged to attend and present evidence. Unless good cause be shown, said

To show cause.

Civil Service Commission shall order the immediate appointment of such probationer. Said Civil Service Commission shall be the sole judge of the facts constituting the ability of such probationer to satisfactorily perform the duties of the position sought.

2. Section 11:12-2 of the Revised Statutes is amended to read as follows: Section amended.

11:12-2. The name of an employee removed at the end of the probationary period, but who is considered by the chief examiner and secretary suitable for employment in another department, commission, board, institution or agency, may, with the approval of the commission, be restored to the employment list for future re-employment when vacancies in the class occur. Placed on re-employment list.

3. This act shall take effect immediately.

Approved May 1, 1946.

## CHAPTER 229

AN ACT relative to the burial of deceased veterans, and amending section 38:17-2 of the Revised Statutes.

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

1. Section 38:17-2 of the Revised Statutes is amended to read as follows: Section amended.

38:17-2. The board of chosen freeholders in each of the counties shall appoint a suitable person who shall be a resident of the county, as supervisor of veterans' interment; *provided*, that in making such appointment an honorably discharged soldier, sailor or marine who served in the Army, Navy or Marine Corps of the United States during any war in which the United States has been en- Supervisor of soldiers' burials.  
Proviso.

Salary.

gaged shall be appointed. The supervisor of veterans' interment shall be paid such annual salary as may be fixed by the board of chosen freeholders of each county. The salary shall be paid in semi-monthly installments by the county treasurer.

2. This act shall take effect immediately.

Approved May 1, 1946.

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## CHAPTER 230

AN ACT relative to the annual decoration of graves of veterans, and amending section 38:17-9 of the Revised Statutes.

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

Section amended.

1. Section 38:17-9 of the Revised Statutes is amended to read as follows:

Graves decorated.

38:17-9. The supervisor of veterans' interment shall annually, on the thirtieth day of May known as Memorial Day or as near to such day as possible decorate, or cause to be decorated with suitable flags the graves in which are interred the bodies of deceased veterans of any war.

Expenses paid by county.

The expense of carrying out the provisions of this section shall be borne and paid by the county in which such "veterans" are buried. The board of freeholders of the several counties shall annually place in the tax levy a sum sufficient for the purposes herein mentioned.

2. This act shall take effect immediately.

Approved May 1, 1946.



## CHAPTER 231

AN ACT concerning furnishing records of veterans' deaths by the State Department of Health, and supplementing chapter six of Title 26 of the Revised Statutes.

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

1. The State Department of Health shall certify to the supervisor of veterans' interment in each of the respective counties of the State, on a standard form as prescribed by the Division of Veterans' Services, the name of each deceased veteran for whom a certificate of death, in which the place of burial, cremation or removal is stated as being within such county, has been filed with said State Department of Health during the period covering the years one thousand nine hundred and thirty-six to one thousand nine hundred and forty-four, inclusive, together with the date and place of burial, cremation or removal of such veteran, and the war in which said deceased veteran served.

Record of  
veterans'  
deaths  
furnished.

2. This act shall take effect immediately.  
Approved May 1, 1946. /

## CHAPTER 232

AN ACT to amend "An act concerning registration of veterans' graves, prescribing certain duties of the State Department of Health and of burial authorities with respect thereto, and supplementing chapter six of Title 26 of the Revised Statutes," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 202).

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

Section  
amended.

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

C. 26:6-4.1.  
Certification  
of death.

1. On or before the tenth day of each month, the State Department of Health shall certify to the supervisor of veterans' interment in each of the respective counties of the State, the name of each deceased veteran for whom a certificate of death, in which the place of burial, cremation or removal is stated as being within such county, has been filed with the State Department of Health during the preceding month, together with the date and place of burial, cremation or removal of such deceased veteran, and the war in which said deceased veteran served.

Section  
amended.

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

C. 26:6-4.2.  
Inquiry to  
determine  
whether person  
is a veteran.

2. Whenever a dead body is transported from outside the State into this State for burial or other final disposition in this State, the person in charge of any premises in which the interment or cremation of such dead body is made, shall make due and diligent inquiry in order to determine whether the deceased person to be interred or cremated was a veteran of any war, and if so, the war in which said deceased veteran served. If such interment is

made in a cemetery or burial ground having no person in charge thereof, then the undertaker making the interment of such dead body shall make such inquiry.

On or before the tenth day of each month the person in charge of any such premises, or if the interment is made in a cemetery or burial ground having no person in charge, then the undertaker who made any such interment, shall certify to the supervisor of veterans' interment in the county in which such interment or cremation was made, the name of each deceased veteran who has been interred or cremated in said premises during the preceding month, together with the date and place of burial or cremation of such deceased veteran, and the war in which said deceased veteran served.

Certification  
to supervisor  
of veterans'  
interment.

Any failure so to do on the part of the officers of any cemetery association or the undertaker shall subject the violator to a penalty of fifty dollars (\$50.00) to be recovered in an action of debt in the name of the supervisor of veterans' interment of any county wherein the violation occurs.

Penalty upon  
failure to  
notify.

3. This act shall take effect immediately.

Approved May 1, 1946.

## CHAPTER 233

AN ACT to amend "An act concerning registration of veterans' graves, providing for the maintenance in each county of the records thereof, and supplementing chapter seventeen of Title 38 of the Revised Statutes," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 201).

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

Section  
amended.

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

C. 38:17-12.  
To distribute  
registration  
records.

1. The Division of Veterans' Services of the Department of Economic Development shall distribute the registration records, formerly maintained by the State service officer, of veterans' graves in each county to the supervisor of veterans' interment in each county. Such records shall be maintained by such supervisor of veterans' interment in a suitable place therefore designated by the board of chosen freeholders by such county.

Records kept  
by supervisor.

Each of such supervisor of veterans' interment is hereby charged with the duty of keeping the same up-to-date; of assembling, recording, checking, correcting and filing any and all records, charts or maps concerning the location within his county of the places of burial of veterans of all wars; and of using such forms therefore as the Department of Economic Development may prescribe; to the end that there shall be a complete and uniform record of all graves in New Jersey in which veterans are buried and that such records shall always be kept up-to-date.

2. This act shall take effect immediately.

Approved May 1, 1946.

## CHAPTER 234

AN ACT concerning the State Military Board, and amending section 38:7-1 of the Revised Statutes.

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

1. Section 38:7-1 of the Revised Statutes is amended to read as follows: Section amended.

38:7-1. There shall be a board of officers to be known as the State Military Board. Such board shall consist of the commanding general of the National Guard, who shall be the president thereof, the Adjutant-General, who shall be secretary thereof, the Quartermaster-General, and the general officers of the active National Guard and the senior officer of the Naval Militia. When all of the National Guard shall be in the active Federal service, the commanding officer of the New Jersey State Guard shall serve in lieu of the commanding general of the National Guard, and three members of the board shall constitute a quorum. The board shall convene on the call of the president, for the consideration of matters of interest to the militia, and for the execution of such laws and regulations with which it is charged. State military board.

2. This act shall take effect immediately. Meetings.

Approved May 1, 1946.

## CHAPTER 235

AN ACT concerning the Teachers' Pension and Annuity Fund, and supplementing article three of chapter thirteen of Title 18 of the Revised Statutes.

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

C. 18:13-77.1.  
Adequacy test  
of accumulated  
deductions, etc.

1. At least once in every five years during each contributor's membership the board of trustees shall test the adequacy of the accumulated deductions, then standing to the credit of the member in the Annuity Savings Fund, and the adequacy of the per centum rate of deduction from compensation, under which the member is contributing, to produce, at regular interest accumulated deductions sufficient to provide an annuity, when the member attains the age of sixty-two years, equal to the pension which will then become payable to the member under the provisions of this article for service rendered during his membership and, in case of a new-entrant, for such prior service as was claimed and allowed to the member.

C. 18:13-77.2.  
To determine  
amount or  
deductions  
necessary.

2. The board of trustees shall determine in each case the amount of a lump sum payment, and a new percentage rate of deduction from compensation, which will be required to be paid or deducted, as the case may be, in order to make such accumulated deductions at regular interest rates, sufficient to provide, when the member attains sixty-two years of age, such an annuity and shall give prompt notice thereof to the member.

C. 18:13-77.3.  
Payment  
by member.

3. The member may, if he so desires, deposit in the Annuity Savings Fund by a single payment the amount of the lump sum payment determined by the board of trustees as provided in section two of this act, or agree, in writing, to make contributions at the rate so determined by the board of

trustees, in order to make his accumulated deductions adequate for the purposes above expressed.

4. If the member shall agree to make deductions as provided by section three of this act, the board of trustees shall certify to the member's employer accordingly and the employer shall deduct from the compensation of such member, on each payroll period subsequent to the date when the certification is given, the new per centum of the member's earnable compensation so computed and agreed to be paid.

C. 18:13-77.4.  
Employer  
to make  
deductions.

5. This act shall take effect immediately.

Approved May 1, 1946.

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## CHAPTER 236

AN ACT concerning the State Employees' Retirement System of New Jersey, and amending section 43:14-29 of the Revised Statutes.

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

1. Section 43:14-29 of the Revised Statutes is amended to read as follows:

Section  
amended.

43:14-29. A member who withdraws from service or ceases to be an employee for any cause other than death or retirement shall receive all, or such part as he demands, of the accumulated deductions standing to the credit of his individual account in the annuity savings fund. Except as provided for in section 43:14-2.2 of this Title, he shall cease to be a member two years from the date he discontinued service as an employee, or, if prior thereto, upon the date when payment to him on demand of his accumulated deductions exceeds one-half of the accumulated deductions. The board of trustees may, in its discretion, withhold, for not more than

Withdrawal.

one year after a member ceases to be an employee, all or part of his accumulated deductions, if he previously withdrew from the annuity savings fund all or part of his accumulated deductions and failed to redeposit that amount to the credit of his individual account in the fund.

Payment  
to estate  
of member.

If a contributor dies before retirement his accumulated deductions shall be paid to his estate or to such person as he shall have nominated by written designation duly executed and filed with the board of trustees; *provided*, that the widow of a contributor with credit for twenty or more years of total service who dies before retirement and on whose account no benefit is payable under the provisions of section 43:14-37 of this Title as the result of death in active service in the actual performance of duty, may, if she is the person duly designated to receive the contributor's accumulated deductions, elect to receive in lieu thereof an annuity payable to her which shall be the actuarial equivalent of such accumulated deductions and a pension which shall be equal to such annuity, but the said pension element shall in no case exceed four hundred twenty dollars (\$420.00) a year; *provided, further*, that such widow may elect to receive not more than one-half of such accumulated deductions in a lump sum, in which event the annuity payable to her shall be the actuarial equivalent of such accumulated deductions not paid in a lump sum, but the amount of the pension otherwise payable shall not be changed thereby. If the member has not had twenty years of service or if such person as he shall have nominated is other than a widow, such person as he shall have nominated may elect to receive the amount payable in one sum or in equal installments as an annuity certain over a period of years or as a life annuity, with interest computed at the regular rate of four per centum (4%) per annum.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved May 1, 1946.



## CHAPTER 237

AN ACT concerning aeronautics, and amending section 6:2-7 of the Revised Statutes.

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

1. Section 6:2-7 of the Revised Statutes is amended to read as follows: Section amended.

6:2-7. The owner of every aircraft which is operated over the land or waters of this State is absolutely liable for injuries to persons or property on the land or water beneath, caused by ascent, descent, or flight of the aircraft, or the dropping or falling of any object therefrom, whether such owner was negligent or not, unless the injury is caused in whole or in part by the negligence of the person injured, or of the owner or bailee of the property injured. If the aircraft is leased at the time of the injury to person or property, both owner and lessee shall be liable, and they may be sued jointly, or either or both of them may be sued separately. Liability of owner.  
An airman who is not the owner or lessee shall be liable only for the consequences of his own negligence. The injured person, or owner or bailee of the injured property, shall have a lien on the aircraft causing the injury to the extent of the damage caused by the aircraft or object falling from it. A chattel mortgagee, conditional vendor or trustee under an equipment trust, of any aircraft, not in possession of such aircraft, shall not be deemed an owner within the provisions of this section. Lessee's liability.

2. This act shall take effect immediately.

Approved May 1, 1946. Lien on aircraft.

## CHAPTER 238

AN ACT to release the title and interest of the people of the State of New Jersey in and to certain real estate of which Margaretta J. Thorpe died seized, in the city of Jersey City, county of Hudson, State of New Jersey.

- Preamble. WHEREAS, Margaretta J. Thorpe, late of Jersey City, county of Hudson and State of New Jersey, departed this life intestate, on the seventh day of February, one thousand nine hundred and three, seized of:
- Description. "All that certain lot, tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the City of Jersey City, in the County of Hudson and State of New Jersey, and which on a certain map on file in the office of the Register of Hudson County and entitled 'Map of Chelsea, Hudson City, Hudson County, N. J. made by J. M. Fouquet City Surveyor' is known marked and distinguished as lot number Fifty-four (54) in Block numbered Four (4) and fronting and facing on the South-erly side or line of Poplar Street and being twenty-five (25) feet wide in front and rear and one hundred (100) feet in depth throughout." And
- Preamble. WHEREAS, The said Margaretta J. Thorpe left no person or persons capable of inheriting the said land and premises; and
- Preamble. WHEREAS, Joseph Thorpe departed this life at Jersey City on the ninth day of November, one thousand nine hundred and two, and his wife, Margaretta J. Thorpe, executed a mortgage on March eighteenth, one thousand eight hundred and ninety-five, to Marie M. Michels, in the sum of

one thousand dollars (\$1,000.00), which was recorded in the Register's office of Hudson county, in Book 328, page 166, on the premises:

“Situate in the City of Jersey City, Hudson County. New Jersey and known and distinguished on a certain Map entitled ‘Map of Chelsea’ situated in Jersey City, Hudson County, State of New Jersey surveyed and laid out into lots by John Fouquet, Surveyor and Engineer of Jersey City, now on file in the Register's Office of Hudson County by the numbers 53 and 54 in Block numbered 4 facing and fronting on the Southerly side of Poplar Street.” And

Description.

WHEREAS, Marie M. Michels, on February twenty-fourth, one thousand nine hundred and three, filed a bill to foreclose the abovementioned mortgage, neglecting to join the State of New Jersey as a party defendant to said foreclosure and did receive a final decree of the Court of Chancery cutting off any interest which the heirs, devisees and personal representatives of Margaretta J. Thorpe had in said premises; and

Preamble.

WHEREAS, The sheriff of Hudson county did by deed dated October first, one thousand nine hundred and three, recorded October fourteenth, one thousand nine hundred and three, in Book 849 of Deeds, page 508, convey Lot 54, Block 4, above described, to one Max Sturm and since then said premises have been conveyed by various deeds based on ownership of said premises of said Margaretta J. Thorpe, the last deed being to William M. Wilkins (deceased) and Martha Baird Wilkins, recorded on July third, one thousand nine hundred and thirteen, in Liber 1164 of Deeds, page 252, the latter now in possession of said premises; therefore,

Preamble.

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

Location,  
description.

1. "All that certain lot, tract, or parcel of land and premises hereinafter particularly described is situate, lying and being in the City of Jersey City, in the County of Hudson and State of New Jersey, and which on a certain map on file in the office of the Register of Hudson County and entitled 'Map of Chelsea, Hudson City, Hudson County, N. J. made by J. M. Fouquet City Surveyor' is known marked and distinguished as lot numbered Fifty-four (54) in Block numbered Four (4) and fronting and facing on the Southerly side or line of Poplar Street and being twenty-five (25) feet wide in front and rear and one hundred (100) feet in depth throughout."

Title vested.

Together with the hereditaments and appurtenances thereunto belonging is hereby remised, released, conveyed and confirmed unto the said Martha Baird Wilkins whose title to said premises is derived through Margaretta J. Thorpe who died intestate, and without issue, and leaving no heirs or legal representatives, and to her heirs and assigns forever; *provided*, that the recitals of this act are true.

Proviso.

2. This act shall take effect immediately.

Approved May 1, 1946.

## CHAPTER 239

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 in the county of Hudson and State of New Jersey, and to vest the same in the city of Jersey City.

WHEREAS, Hans Gorden, of the county of Hudson and State of New Jersey, died seized of certain lands and premises, which it is alleged escheated to the State of New Jersey; and Preamble.

WHEREAS, The city of Jersey City purchased a tax sale certificate from Michael Rochford, city collector, on July twentieth, one thousand nine hundred and forty, which tax sale certificate the city of Jersey City foreclosed and a final decree was entered in the Court of Chancery of New Jersey on April twenty-fourth, one thousand nine hundred and forty-five, in favor of the city of Jersey City; now, therefore, Preamble.

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

1. The said State of New Jersey and the people thereof do hereby transfer and grant to the city of Jersey City, its successors and assigns forever, all the estate, right, title and interest of every kind and nature of which it is alleged the State of New Jersey is seized in and to certain real estate, situated in the city of Jersey City, county of Hudson and State of New Jersey, and more particularly described as follows: Title transferred.

All that certain lot of land and premises hereinafter particularly described, situate, lying and being in the city of Jersey City, in Location.

the county of Hudson and State of New Jersey bounded and described as follows:

Description.

Beginning on the southeasterly side of Henderson street at a point ninety (90) feet distant northeasterly from the northeasterly corner of Henderson and Gregory streets; thence running (1) southeasterly parallel with Gregory street fifty-nine (59) feet; thence (2) southwesterly and parallel with Henderson street twenty (20) feet; thence (3) northwesterly and parallel with Gregory street fifty-nine (59) feet to the said southeasterly side of Henderson street; thence (4) northeasterly along said southeasterly side of Henderson street twenty (20) feet to the point or place of beginning.

Being known as 298 Henderson street, Jersey City, New Jersey.

Title vested.

2. The said title of the State of New Jersey and the people thereof arising by reason of said escheat to be henceforth vested in fee in the said city of Jersey City.

3. This act shall take effect immediately.

Approved May 1, 1946.

## CHAPTER 240

AN ACT concerning liens upon property of a decedent for unpaid transfer inheritance taxes, and amending section 54:35-5 of the Revised Statutes.

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

1. Section 54:35-5 of the Revised Statutes is amended to read as follows: Section amended.

54:35-5. Taxes, heretofore or hereafter levied and assessed under chapters thirty-three to thirty-six of this Title (§54:33-1 et seq.), shall be and remain a lien on all property owned by the decedent as of the date of his death for a period of two years after the effective date of this act or of ten years after the date of such death, whichever shall expire later, and no longer, unless sooner paid or secured by bond as provided by said chapters thirty-three to thirty-six. Tax a lien on estate.

2. This act shall take effect on July first, one thousand nine hundred and forty-six. Act effective.

Approved May 1, 1946.

## CHAPTER 241

AN ACT concerning moneys heretofore allotted from the State Highway Fund to the several counties and municipalities as State aid road funds.

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

C. 27:13-7.  
Payment of  
State aid.

Proviso.

Deemed  
dedicated  
funds.

C. 27:13-8.  
Investment  
of moneys.

1. Any moneys heretofore allotted from the State Highway Fund to any county or municipality as State aid road funds shall be paid to such county or municipality as provided by law; *provided, however*, that any moneys so allotted in any year prior to January first, one thousand nine hundred and forty-five, to any such county or municipality which has not been paid to any such county or municipality and which has not been reserved for payment to any such county or municipality on account of obligations incurred under such allotment, and which has been placed in a special State aid road fund account shall be held therein to the credit of such county or municipality until such time as said moneys can be used by said county or municipality for the purpose or purposes for which said moneys were originally allotted. The moneys in said special State aid road fund account are hereby deemed and declared to be dedicated funds, and shall not be used for any purpose other than herein provided.

2. If, in the opinion of the State Treasurer and the State Highway Commissioner, the best interests of the State will permit, the State Treasurer may invest and reinvest such moneys in short term obligations of the United States. Any interest accruing from the investment of such funds shall be credited to such special State aid road fund account and shall be available to the several counties and municipalities for the same purposes for which the



money in the said special account was originally allotted. Upon application of any county or municipality for which funds are held in the said special State aid road fund account and with the approval of the State Highway Commissioner, moneys so held in the said special account shall be made available for immediate expenditure as heretofore.

Moneys made available.

3. This act shall take effect immediately.

Approved May 1, 1946.

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## CHAPTER 242

AN ACT concerning taxation, and amending section 54:4-1 of the Revised Statutes.

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

1. Section 54:4-1 of the Revised Statutes is amended to read as follows:

Section amended.

54:4-1. All property real and personal within the jurisdiction of this State not expressly exempted from taxation or expressly excluded from the operation of this chapter shall be subject to taxation annually under this chapter at its true value, and shall be valued by the assessors of the respective taxing districts. An executory contract for the sale of land, under which the vendee is entitled to or does take possession thereof, shall be deemed, for the purpose of this act, a mortgage of said land for the unpaid balance of purchase price. Personal property taxable under this chapter shall include, however, only tangible goods and chattels and shall not include any intangible personal property whatsoever whether or not such personalty is

Property subject to tax.

Date of  
assessment.

C. 54:4-1.  
Property  
added to  
ratables, tax  
apportioned.

evidenced by a tangible or intangible chose in action, except as otherwise required by sections 54:4-20, 54:4-21 and 54:4-22 hereof. Property omitted by the assessors may be assessed as hereinafter provided. All property shall be assessed to the owner thereof with reference to the amount owned on October first in each year, and the person so assessed for personal property shall be personally liable for the taxes thereon.

2. This act shall take effect immediately and properties made subject to taxation by reason hereof shall be added to the ratables of the municipalities in which such properties are located, and for the year one thousand nine hundred and forty-six shall be subject to that proportion of the annual tax based upon the assessment thereof as shall be represented by the ratio borne by the number of the days in the calendar year of one thousand nine hundred and forty-six remaining after the effective date of this act to the total number of days in the calendar year one thousand nine hundred and forty-six.

Approved May 1, 1946.

## CHAPTER 243

AN ACT concerning qualifying academic certificates, and amending section 18:21-1 of the Revised Statutes.

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

1. Section 18:21-1 of the Revised Statutes is amended to read as follows:

Section  
amended.

18:21-1. For the purposes of this chapter, the term "qualifying academic certificate" shall be deemed to be any certificate issued by the commissioner certifying that the person to whom the same is issued has had the preliminary academic education required by the rules of the Supreme Court or by any law of this State at the time the certificate is issued for admission to an examination for license to practice law, medicine, dentistry, chiropody, pharmacy, or for license as a certified public accountant, and for any other profession or vocation for which a certificate of academic education, issued by the commissioner, is now or may hereafter be required by law or by the rules of the Supreme Court or certifying that the person to whom the same is issued has had the education required for high school graduation in this State as the case may be.

Qualifying  
academic  
certificate.

2. This act shall take effect immediately.

Approved May 1, 1946.

## CHAPTER 244

AN ACT authorizing, empowering and directing the State House Commission to convey to the town of Kearny in the county of Hudson certain lands of the State of New Jersey situate in said town of Kearny.

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

Authorized  
to convey  
certain lands  
to town of  
Kearny.

1. The State House Commission, acting for and on behalf of the State of New Jersey and in the name of the State of New Jersey, is authorized, empowered and directed, notwithstanding any other provision of law, to convey to the town of Kearny, in the county of Hudson and State of New Jersey, all that certain tract or parcel of land situate in said town of Kearny and bounded by Bergen avenue, Belgrove drive, Afton street and Passaic avenue, which said parcel or tract has a frontage on said Bergen avenue of approximately 954 feet, a frontage on said Belgrove drive of approximately 696 feet, a frontage on said Afton street of approximately 831 feet, and a frontage on said Passaic avenue of approximately 665.3 feet, and all of which said tract or parcel forms part of the lands formerly used as the New Jersey Home for Disabled Soldiers.

Consideration.

2. Such conveyance shall be made for a nominal consideration and by appropriate deed subject to the condition that the tract or parcel of land so conveyed shall be used by the said town of Kearny for public purposes and dedicated to the perpetual memory of all the residents of said town who served in the armed forces of the United States during World War I and World War II; and such conveyance shall be subject to the further condition that all costs for the development or

maintenance of whatever public purpose shall be decided upon by said town of Kearny shall be without the financial aid of the State at any time; *provided, however*, that the public purpose may be changed as the need therefor may arise, but the dedication herein specified shall never be changed or minimized. Said tract or parcel of land may be described in said deed by metes and bounds.

Proviso.

3. The tract or parcel of land to be so conveyed shall never be used, in whole or in part, for any purpose inconsistent with the provisions of this act, nor shall said tract or parcel, or any part thereof, ever be sold or otherwise disposed of by the town of Kearny without the assent of the State expressed by the Legislature.

Use of tract restricted.

4. The deed of conveyance to be executed by the State House Commission shall recite the provisions of this act and shall include any additional provisions that said commission shall deem proper, but such additional provisions shall not be inconsistent with the provisions of this act.

Provisions in deed.

5. This act shall take effect immediately.  
Approved May 1, 1946.

## CHAPTER 245

AN ACT with respect to the establishment of plant management commissions in certain municipalities in this State for the management and disposition of industrial plants acquired by such municipalities and providing for the organization and powers of such commissions.

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

C. 40:60-25.18.  
Plant  
management  
commission.

1. In any municipality which shall have heretofore purchased or shall hereafter purchase property pursuant to the provisions of chapters two hundred six or two hundred seven of the laws of one thousand nine hundred and forty-four, and all or a portion of such property is industrial property, the governing body of the municipality, to wit, that governmental board or body of the municipality having control or jurisdiction over its financial affairs, may by resolution authorize the mayor or other chief executive of such municipality to appoint a commission (hereinafter referred to as the "commission") to manage, maintain, operate, repair, rehabilitate, sell, lease, and if advisable, improve the industrial property so acquired or to be acquired (hereinafter in this act referred to as the "property"), and to designate a chairman of such commission.

C. 40:60-25.19.  
Members,  
terms.

2. The commission which shall be called the "Plant Management Commission" of the municipality, shall be composed of five members appointed respectively for terms of one, two, three, four and five years, computed, however from noon of the first day of January in the year in which said appointments are made. The persons to be appointed to the commission shall be qualified to perform the duties and to discharge the responsibilities imposed upon members of the commission by virtue

of the provisions of this act. No member, officer, agent, servant or employee of the commission, shall be directly or indirectly concerned in any agreement or contract, or any improvement whatever, to be made under the provisions of this act, nor shall he be directly or indirectly interested in furnishing goods, chattels or properties of any kind whatsoever to or for the commission.

Each member of such commission shall, within ten days after his appointment, qualify by taking and subscribing before some person authorized to administer oaths an oath or affirmation faithfully to discharge the duties of his office to the best of his skill and understanding and also give bond to such municipality in the sum of five thousand dollars (\$5,000.00), to be approved as to form thereof by the counsel or attorney of such municipality and as to the sufficiency thereof by the mayor or other chief executive officer of such municipality, for the faithful discharge of his official duties, which bond shall be filed in the office of the clerk of such municipality.

Oath and  
bond.

Vacancies.  
Each member of such commission shall be subsequently filled by appointments for a term of five years, except that any vacancy caused by any reason other than the expiration of the term shall be filled for the unexpired term only. Each member of such commission shall be paid an annual salary of five hundred dollars (\$500.00) a year, and shall be entitled to reimbursement of actual and necessary expenses incurred in the performance of his official duties. The powers of the commission shall be vested in and exercised by a majority of the members of the commission then in office. The officer of the municipality having power to appoint the commission may remove any member for inefficiency, neglect of duty or misconduct in office, giving him a copy of the charges against him and an opportunity to be heard in person or by counsel in his defense upon not less than ten days' notice. The commission shall hold a public meeting regularly at least once in each month and shall meet at

Salary.

Removal  
of members.

- such other times as it may determine necessary.
- Quorum. Three members of the commission shall constitute a quorum for the transaction of all business.
- C. 40:60-25.20.  
Powers of  
commission. 3. Within such limitations as may be prescribed by such governing body, the commission shall have power to manage, operate, maintain and otherwise deal with the property, to collect rents and other revenues arising therefrom, and from the proceeds after providing for expenses to repair, rehabilitate and improve the property to the extent it shall deem advisable, and for the foregoing purposes, may authorize the proper executive officers of the municipality to enter into any contract for the doing of any work, or for the furnishing of any materials, supplies or labor, or for the hiring of teams or vehicles, or other contracts, subject only to the limitations prescribed as aforesaid. Any moneys remaining at the end of the fiscal year of the municipality, not needed for the purposes aforesaid, or for reserves, or for the payment of interest and principal on notes or bonds issued pursuant to chapters two hundred six and two hundred seven of the laws of one thousand nine hundred and forty-four, may be paid over to the municipality for the general expenses of government.
- C. 40:60-25.21.  
Revenues. 4. All rents and other revenues derived from the operation of any portion of the property shall be paid to the municipality, shall be deposited in such bank or banks as such governing body shall determine, shall be set apart as a special fund and shall constitute dedicated revenues for the purposes of the annual budget of the municipality.
- C. 40:60-25.22.  
Security  
for bonds. 5. In order further to secure the payment of the principal of bonds which such municipality may issue for the financing of the acquisition of, or of improvements to, the property, or any portion thereof, such governing body of the municipality, by ordinance adopted prior to the issuance of any such bonds, may pledge the proceeds of sales of portions of the property to the payment of such bonds, or a determined amount of bonds, for such purpose or purposes, as the ordinance may pro-



vide. In the event of the adoption of such a pledge by such governing body, moneys thereafter derived from the sales of portions of the property shall be paid to the municipality, shall be deposited in such bank or banks as such governing body shall determine, shall be set aside in a special fund and shall be withdrawn from that fund only for the payment of the principal of bonds, as such ordinance may provide. Unless or until such ordinance shall be adopted, all moneys derived from the sales of portions of the property shall be paid to the municipality, shall be deposited in such bank or banks as such governing body shall determine, shall be set aside in a special fund and shall be applied only to the payment of bonds or of notes in anticipation of bonds, thereafter issued by the municipality for the financing of the acquisition of, and of improvements to, the property.

6. As of the first day of February in each year, the commission shall make a detailed financial report to such governing body as to the operation of the property during the preceding calendar year. Copies of all minutes of meetings of the commission shall be promptly filed with the clerk of such governing body and all accounts and records of the commission shall at all times be open to inspection by members and agents of such governing body within business hours.

C. 40:60-25.23.  
Financial  
report.

7. The commission may from time to time negotiate the terms, covenants, provisions and conditions of leases or sales, which sales may be in part for cash and in part on purchase money bond and mortgage, of a portion or portions of the property, and in so doing, the commission in addition to taking into consideration the rental or price, as the case may be, may also consider the following elements: (1) the undesirability of unduly disturbing the occupancy of tenants; (2) the extent to which lessees or purchasers may be willing to commit themselves to making improvements on property to be leased or purchased; (3) the effect on employment in the municipality; (4) the knowledge, ex-

C. 40:60-25.24.  
Negotiate  
terms, etc., of  
lease or sale.

perience and skill in industrial operations of such lessees or purchasers; (5) any other factors which will encourage the growth of industry in the municipality and discourage speculative buying and selling of said property; *provided*, that the commission shall not have the power to sell or lease property that is used or is susceptible of use for supplying and furnishing a utility service, such as water power, or electric light and power.

Proviso.

Contract submitted to governing body.

Upon the completion of any such negotiation, the commission shall submit to the governing body the proposed contract of lease or sale by filing the same with the clerk of such governing body. Such contract shall thereupon be subject to disapproval by such governing body, but if not so disapproved by a resolution within a period of twenty days after such filing, such contract shall thereupon be executed by the proper executive officers of the municipality, and upon such execution, notwithstanding the provisions of any other law, shall be valid and binding upon the municipality, according to its terms, covenants, provisions and conditions, and all deeds, leases and other formal instruments of the municipality affecting said property, when duly authorized, shall be executed by such executive officers.

C. 40:60-25.25.  
Employees.

8. The commission may employ a general manager, engineers, a secretary, counsel, and such other engineering, clerical, legal, accounting and other assistants as it may deem necessary to carry out the provisions of this act. The provisions of Title 11 of the Revised Statutes shall be construed to extend to all of the offices, positions and employments of the commission with the exception of the members of the commission, the general manager, secretary, counsel and engineers.

Preference to person employed by owner.

In any employments, the commission shall give preference, wherever possible, but in its absolute discretion, to the persons employed by the owner of the property so acquired by the municipality, having in mind the fitness of such employees for the performance of the duties to be assigned to

them and the change of functions of the commission from those of the said owner.

9. The sections and parts of sections included in this act are hereby declared to be independent sections and parts of sections; if any such section or part of section shall be held invalid, such holding shall not affect the remainder of this act, nor the context in which such part of section so held invalid may appear, excepting to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

C. 40:60-23,26.  
Sections  
severable.

10. This act shall take effect immediately.  
Approved May 2, 1946.

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## CHAPTER 246

AN ACT to prohibit any minor from entering any premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing, or having served, or delivered to him or her, any alcoholic beverage and to prohibit any minor from consuming any alcoholic beverage on any such premises or from purchasing, attempting to purchase or have another purchase for him or her, any alcoholic beverage, and amending section 33:1-81 of the Revised Statutes.

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

1. Section 33:1-81 of the Revised Statutes is amended to read as follows:

Section  
amended.

33:1-81. It shall be unlawful for

(a) a minor to enter any premises licensed for the retail sale of alcoholic beverages for the pur-

Forbids sale  
to minor.

pose of purchasing, or having served or delivered to him or her, any alcoholic beverage; or

(b) a minor to consume any alcoholic beverage on premises licensed for the retail sale of alcoholic beverages, or to purchase, attempt to purchase or have another purchase for him or her any alcoholic beverage; or

(c) any person to misrepresent or misstate his or her age, or the age of any other person for the purpose of inducing any licensee or any employee of any licensee, to sell, serve or deliver any alcoholic beverage to a minor.

Penalty.

Any person who shall violate any of the provisions of this section shall be deemed and adjudged to be a disorderly person, and upon conviction thereof, shall be punished by a fine not exceeding fifty dollars (\$50.00).

Proceedings.

All proceedings under this section shall conform to the procedure and practice set forth in subtitle 15 of the Title Administration of Civil and Criminal Justice (§§2:201-1 et seq.).

2. This act shall take effect immediately.

Approved May 2, 1946.

## CHAPTER 247

AN ACT concerning the control of contagious and infectious diseases in live stock, including tuberculosis, and amending sections 4:5-4, 4:5-5, 4:5-6, 4:5-7, 4:5-8, 4:5-9, 4:5-10, 4:5-18, 4:5-19, 4:5-20, 4:5-21, 4:5-22, 4:5-23, 4:5-28, 4:5-29, 4:5-34, 4:5-44, 4:5-46, 4:5-54, 4:5-58, 4:5-61, 4:5-65, 4:5-69, 4:5-71 and 4:5-72, and supplementing chapter five of Title 4 of the Revised Statutes.

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

1. Section 4:5-4 of the Revised Statutes is amended to read as follows: Section amended.

4:5-4. In case certain contagious or infectious diseases, which are designated by the Department of Agriculture as a particular and dangerous menace to the animal health of the State, shall appear or be suspected to exist in any locality, all veterinarians practicing in the State who shall gain knowledge of the existence or suspected existence of such disease, or any person who shall gain knowledge of the existence or suspected existence of such disease among animals owned by him or on premises owned or controlled by him, shall notify the Department of Agriculture of the facts within forty-eight hours. Notice to department of appearance of disease.

2. Section 4:5-5 of the Revised Statutes is amended to read as follows: Section amended.

4:5-5. Any veterinarian practicing in the State, or any owner of animals or premises containing animals with infectious disease or suspected of infectious disease as described in section 4:5-4 who fails to notify the Department of Agriculture as required in 4:5-4 shall be punished by a fine of not less than ten dollars (\$10.00), or more than one hundred dollars (\$100.00). Failure to give notice a misdemeanor.

Section  
amended.

Quarantine,  
regulations.

3. Section 4:5-6 of the Revised Statutes is amended to read as follows:

4:5-6. Upon receiving information that an infectious or contagious disease exists or is suspected to exist in any herd or in any locality, the department may investigate or cause an investigation to be made. If the department deems it to be advisable it may quarantine such animals, take such precautionary measures with relation to other animals exposed to the disease as shall be deemed necessary, and enforce such regulations in relation to the disease as it may adopt.

Section  
amended.

4. Section 4:5-7 of the Revised Statutes is amended to read as follows:

Inoculation  
of herd.

4:5-7. When any herd or portion thereof is exposed to any contagious or infectious disease, and the department deems the disease likely to spread to that portion of the herd still unaffected, although isolated or quarantined, the department may, cause or allow the herd to be inoculated for the prevention of such diseases as can be thus mitigated. Loss resulting from such inoculation shall not constitute a claim against the State or the department. Inoculation for pleuropneumonia shall in no case be allowed without the consent of the department, and shall be made under its direction.

Loss no  
claim against  
State.

Section  
amended.

5. Section 4:5-8 of the Revised Statutes is amended to read as follows:

Prohibits  
buying or  
selling affected  
animals.

4:5-8. A person who without a permit from the department shall knowingly buy or sell, or cause to be bought or sold, an animal which is a part of a herd or stock held in quarantine, shall be guilty of a misdemeanor, and punished by a fine of not more than two hundred dollars (\$200.00), or imprisonment not exceeding one year, or both.

Section  
amended.

6. Section 4:5-9 of the Revised Statutes is amended to read as follows:

Slaughter and  
burial of  
affected  
animals.

4:5-9. Whenever in the judgment of the department it shall appear that the disease is not likely to yield to remedial treatment, or that the expense of such treatment will be greater than the value of the animals infected; and when in any case the dis-

ease is likely, in the judgment of the department, to be communicated to other animals, it may cause the animals infected to be slaughtered immediately and their remains to be buried at least four feet beneath the surface of the ground or it may cause the animal to be disposed of otherwise in accordance with instructions. The department may require that all places in which the same have been kept be thoroughly cleansed and disinfected.

7. Section 4:5-10 of the Revised Statutes is amended to read as follows:

Section  
amended.

4:5-10. When animals are slaughtered or otherwise disposed of as directed in section 4:5-9 of this Title, the value of the same may, at the request of the department or any person interested, be ascertained and appraised by any authorized agent of the department, or in cases where an agreement between the agent and the owner cannot be reached, by three disinterested freeholders resident in this State, one chosen by the agent, one chosen by the owner and the third by the first two at the expense of the owner, who shall make and sign a certificate thereof, in the presence of a witness who shall attest the same.

Appraisal  
of slaughtered  
animals.

The appraisement shall be made on the basis of the market value of the animals to be slaughtered immediately prior to the time of the discovery of the infection, but shall be limited to the sum of one hundred dollars (\$100.00) for registered animals, and to forty dollars (\$40.00) for all others except as provided in section 4:5-27, and except for animals authorized by the department to be slaughtered because of brucellosis under a program permitting payment of indemnity.

Basis of  
appraisement.

One-half of the valuation so ascertained shall be paid by the State on the presentation of such certificate, with the approval of the department indorsed thereon, to the owner.

Payment  
by State.

Section amended.	8. Section 4:5-18 of the Revised Statutes is amended to read as follows:
Terms defined:	4:5-18. As used in this article:
Auction market;	"Auction market" is an establishment regularly engaged in the sale by auction of live stock for dairy, breeding or slaughtering purposes.
Department;	"Department" means the Department of Agriculture.
General quarantine;	"General quarantine" includes all quarantines not included under the term "special quarantine" as herein defined.
Official test;	"Official test" includes all tuberculin tests made under the supervision of or authorization from the department.
Owner;	"Owner" includes a person, firm, copartnership, association or corporation owning or leasing cattle from another.
Premises;	"Premises" includes a part or portion of land or a structure erected on land and a vehicle or vessel used in the transportation of passengers, goods or cattle.
Private test;	"Private test" includes all tuberculin tests other than official tests and shall be made at the owner's expense.
Public stockyard;	"Public stockyard" includes all stockyards where trading in live stock is carried on, where yarding, feeding and watering facilities are provided by the stockyard, transportation or similar company and where Federal or State inspection is maintained for the inspection of live stock for communicable diseases.
Quarantine;	"Quarantine" means to hold in segregation because of the presence or suspected presence of a contagious or infectious disease and shall be construed as either special quarantine or general quarantine as applicable to existing conditions.
Reactor;	"Reactor" applies to cattle reacting to a tuberculin test or tests, either official or private, conducted to determine the existence of tuberculosis.
Special quarantine;	"Special quarantine" means a quarantine of a single animal, building, structure, pen, car, vessel, vehicle, field or inclosure or a quarantine of any



number of animals when confined or contained in the same building, structure, pen, car, vessel, vehicle, field or inclosure.

“Suspicious” applies to cattle tested to determine the presence of tuberculosis and not giving a reaction sufficient to justify condemnation. Suspicious;

“Tuberculin test” includes any method of testing for the detection of tuberculosis by tuberculin or any other method of testing for detection of tuberculosis. Tuberculin test.

9. Section 4:5-19 of the Revised Statutes is amended to read as follows: Section amended.

4:5-19. Whenever the Department of Agriculture deems it advisable, or when the Department of Health or the owner of dairy or breeding animals shall request the Department of Agriculture to cause an inspection to be made of any animals which may be diseased with tuberculosis, the Department of Agriculture may designate a veterinarian to make the inspection and, if deemed advisable by the Department of Agriculture, to conduct a tuberculin test of the animals in accordance with the methods prescribed by it. Tuberculin test at instance of health department.

10. Section 4:5-20 of the Revised Statutes is amended to read as follows: Section amended.

4:5-20. If the owner of such animals shall agree to comply with and carry out the regulations of the Department of Agriculture relating to the removal from the herd and quarantine and disposal of condemned animals, the disinfection of the premises and the introduction into the herd of other animals, the expense of the inspection and tests shall be borne by the department. Expense borne by department.

11. Section 4:5-21 of the Revised Statutes is amended to read as follows: Section amended.

4:5-21. All cattle reacting to an official or authorized private tuberculin test or declared tuberculous as the result of an authorized physical examination or other method of determining tuberculosis approved by the Department of Agriculture, shall not be again presented for a tuberculin test but shall be immediately segregated, quaran- Quarantine and slaughter of condemned animals.

tined and held at the owner's expense until the department issues a written order to move the cattle, which removal shall be done immediately at the owner's expense, to designated slaughtering centers. The cattle shall be slaughtered at the time and place specified in the written order under the supervision of an authorized veterinarian approved by the department who shall judge the carcass for evidence of tuberculosis and as to fitness for food and file a report on the same within five days.

Prohibits  
sale or  
removal.

No person shall sell, offer for sale, give away or otherwise dispose of or purchase any cattle that have been classed as reactors, declared tuberculous or suspicious of being tuberculous either on official or private test, or shall remove any cattle from any herd that has been quarantined except on the written order issued by the department.

Section  
amended.

12. Section 4:5-22 of the Revised Statutes is amended to read as follows:

Indemnity,  
time of  
slaughter.

4:5-22. No indemnity shall be paid for reacting animals unless slaughtered within thirty days of date of appraisal and in accordance with section 4:5-21.

Section  
amended.

13. Section 4:5-23 of the Revised Statutes is amended to read as follows:

Agreements  
respecting  
valuations  
of condemned  
animals.

4:5-23. The veterinarian making an official tuberculin test, or any authorized agent of the department may make an agreement with the owner as to the valuation of the animal condemned, based on its market value for dairy, breeding or beef purposes immediately prior to the time of discovery of the infection or the owner of the animal condemned may agree that the value of the animal be determined by appraisement by the department as provided in section 4:5-24 or 4:5-25 of this Title.

Certificate of  
registration  
required.

In the case of any purebred animal, the owner at the time of appraisal shall furnish the certificate of registration or he shall furnish evidence that he has made application for same. In no case shall indemnity be paid on a purebred basis until the

certificate of registration has been received and approved by the department.

The owner of any condemned animal not eligible for indemnity shall receive only the net proceeds of the sale of the meat, hide and other marketable parts of the animal; *provided*, the same shall have been inspected by an approved inspector, who must be a veterinarian, in the event of which agreement the owner shall have no further claim against the State.

Owner to receive net proceeds.

Proviso.

14. Section 4:5-28 of the Revised Statutes is amended to read as follows:

Section amended.

4:5-28. In order for animals imported into New Jersey to be eligible for appraisement and indemnity the following conditions must be satisfied:

Indemnity for animals recently imported into State.

a. The animal shall at the time of entry be accompanied by a tuberculin test chart showing compliance with the New Jersey State Board of Agriculture regulations governing the interstate movement of cattle.

b. The animal shall at the time of entry be accompanied by a health chart approved by the chief regulatory official of the point of origin stating that the herd from which it came was fully accredited, or a negative herd in a modified accredited area and was not under quarantine for any infectious disease, tuberculosis included, and that all the animals in the herd in which the animal originated had on the last tuberculin test conducted under official supervision passed without evidence of reaction.

c. The owner of the animal shall furnish, upon request, proof that it has been owned and maintained within the State of New Jersey for a period of sixty days prior to the time of being declared tuberculous.

d. The animal shall have passed an authorized tuberculin test after entry into New Jersey.

15. Section 4:5-29 of the Revised Statutes is amended to read as follows:

Section amended.

4:5-29. Upon presentation of the appraisement certificate to the State Comptroller, with the ap-

Payment of indemnity.

proval of the department indorsed thereon, the owner shall be entitled to receive from the State treasury the sum due from the State of New Jersey fixed by this article.

Section  
amended.

16. Section 4:5-34 of the Revised Statutes is amended to read as follows:

Obtaining  
information as  
to owners  
and cattle in  
given area.

4:5-34. The department may obtain information regarding the number of cattle owners and the number of cattle in a county, township, municipality or other designated area in order to carry out a plan for the tuberculin testing of cattle for the control and eradication of tuberculosis in co-operation with the United States Department of Agriculture. A record of the information obtained shall be filed in the office of the Department of Agriculture. Expenses incurred in procuring this information shall be paid for from funds appropriated to the department.

Record.

Section  
amended.

17. Section 4:5-44 of the Revised Statutes is amended to read as follows:

Quarantine  
and slaughter  
of reactors.

4:5-44. All cattle reacting to an official or authorized private tuberculin test or declared tuberculous as a result of an authorized physical examination or other method of determining tuberculosis approved by the Department of Agriculture, shall not be again presented for a tuberculin test but shall be immediately segregated, quarantined and held at the owner's expense, until the department issues a written order to move the cattle, which removal shall be done immediately at the owner's expense, to designated slaughtering centers. The cattle shall be slaughtered at the time and place specified in the written order under the supervision of an authorized veterinarian approved by the department who shall judge the carcass for evidence of tuberculosis and as to fitness for food and file a report of the same within five days.

Section  
amended.

18. Section 4:5-46 of the Revised Statutes is amended to read as follows:

Transportation  
of cattle  
classed as  
reactors.

4:5-46. No person shall deliver for transportation, receive for transportation, transport, drive on

foot or otherwise remove from the premises where they are located to any other point or place any cattle that have been classed as reactors, declared tuberculous or suspicious of being tuberculous either on official or private tuberculin test except on written order issued by the department as provided in section 4:5-21 of this Title.

19. Section 4:5-54 of the Revised Statutes is amended to read as follows:

Section  
amended.

4:5-54. The importation of cattle into this State is hereby prohibited, except as provided in section 4:5-69 of this Title, unless such cattle have passed a tuberculin test within thirty days immediately prior to their importation.

Tuberculin  
test required  
before impor-  
tation.

20. Section 4:5-58 of the Revised Statutes is amended to read as follows:

Section  
amended.

4:5-58. Cattle imported into this State, excepting those for immediate slaughter as specified in section 4:5-69 of this Title, shall be accompanied by the certificate prescribed in section 4:5-59 of this Title, in the possession of the attendant or drover bringing the cattle into this State or, if the importation is by common carrier, in the possession of the agent of the common carrier having charge of the importation.

Certificate  
of test to  
accompany  
cattle im-  
ported.

All such attendants, drovers or agents shall be required to show the certificate upon request of any officer or agent of the department and to satisfy such officer or agent that the provisions of this article are being complied with.

Display of  
certificate.

21. Section 4:5-61 of the Revised Statutes is amended to read as follows:

Section  
amended.

4:5-61. All cattle imported into this State, except those for immediate slaughter as specified in section 4:5-69 of this Title, shall bear a tag number or other mark of identification to be furnished or designated by the department. No two or more of such tags or marks used in the same shipment shall bear the same number.

Tagging cattle  
imported.

Section  
amended.

Inspection  
of imported  
cattle.

22. Section 4:5-65 of the Revised Statutes is amended to read as follows:

4:5-65. Cattle coming into the State shall not be sold or removed from their destination in the State until they have been inspected by a representative of the department, and retested if thought advisable. If the provisions of this article have been complied with, the representative of the department shall sign the certificates, thus releasing the cattle.

Section  
amended.

Importation  
for immediate  
slaughter.

23. Section 4:5-69 of the Revised Statutes is amended to read as follows:

4:5-69. Cattle may be imported into this State for immediate slaughter when consigned by railroad to a public stockyard or abattoir having State, Federal or other veterinary inspection approved by the department or when permission for such importation, in writing, is obtained from the chief of the bureau of animal industry at the time shipment is made. When cattle entering under such written permission have reached their destination the owner or custodian shall immediately notify the chief, bureau of animal industry, at Trenton, either by telegraph or telephone, of their arrival and shall hold them in quarantine, separated from other cattle and stock, at the point of destination, until slaughtered under the supervision of the approved veterinary meat inspector who shall make a report to the chief of the bureau of animal industry attesting to the slaughter of all stock covered by the permit.

C. 4:5-53.4.  
Cattle con-  
signed to  
auction  
market  
marked.

24. All cattle exceeding two hundred pounds in weight except those to be sold for dairy purposes delivered to any regularly established auction market shall be plainly and permanently marked with the letter "S" in a conspicuous place by the operators or representatives of the auction market. Such marking shall not be construed as cruelty to animals within the meaning of any law of this State.

Dairy cattle  
not branded.

Cattle delivered to any regularly established auction market to be sold for dairy purposes need not be branded, but if they were consigned to the

auction market from a point within this State they shall have been officially tested within thirty days before the sale or shall be tuberculin tested before leaving the sale, the tuberculin test chart to accompany the animal. Cattle consigned to the auction market from any point outside this State shall have met all regulations concerning the importation of cattle into New Jersey as provided in this article.

25. Section 4:5-71 of the Revised Statutes is amended to read as follows: Section amended.

4:5-71. All cattle removed from any public stockyard or regularly established auction market within this State, except cattle that qualify for dairy purposes as provided in section twenty-four of this act, shall be subject to the same quarantine and other regulations as cattle of the same class imported into this State. Removal of cattle from public stockyard.

26. Section 4:5-72 of the Revised Statutes is amended to read as follows: Section amended.

4:5-72. No common carrier shall transport cattle from any point outside of this State to any point within this State except for slaughter as prescribed in section 4:5-69 or unless they have a certificate of test as prescribed in sections 4:5-54, 4:5-58, and 4:5-59. Carriers to have certificate.

Approved May 2, 1946.

## CHAPTER 248

AN ACT vesting the title to real estate of which Jessie E. Watrous died seized, and which is alleged to have escheated to the State of New Jersey, in the year one thousand nine hundred and forty-four, in Lottie L. Middlebrook and Myron B. Watrous.

- Preamble. WHEREAS, Edwin P. Watrous and Jessie E. Watrous, both late of the borough of Hawthorne, county of Passaic and State of New Jersey, were seized in their lifetime of all that certain lot or parcel of land and premises situate in the borough of Hawthorne, county of Passaic and State of New Jersey, more particularly described as follows; that is to say:
- Description. Beginning at a point in the northerly line of Kingston avenue distant six hundred twenty (620) feet westerly from the corner formed by the intersection of said northerly line of Kingston avenue with the westerly line of Hawthorne avenue and running thence (1) northerly, parallel with Hawthorne avenue, one hundred (100) feet; thence (2) westerly, parallel with Kingston avenue, fifty-seven (57) feet; thence (3) southerly, parallel with the first course, one hundred (100) feet to the northerly line of Kingston avenue, and thence (4) easterly, along the northerly line of Kingston avenue, fifty-seven (57) feet to the place of beginning; and
- Preamble. WHEREAS, The said lands and premises were purchased with moneys belonging to the said Edwin P. Watrous; and
- Preamble. WHEREAS, The said Edwin P. Watrous died on the twenty-third day of November, one thousand nine hundred and forty, and the said lands and



premises became vested in his said wife, Jessie E. Watrous, who died intestate on November first, one thousand nine hundred and forty-four, leaving no person capable of inheriting said lands and premises and the same are alleged to have escheated to the State of New Jersey; and

WHEREAS, The said Edwin P. Watrous left his sister, Lottie L. Middlebrook, and his brother, Myron B. Watrous, as his only next of kin and heirs-at-law; and Preamble.

WHEREAS, After the death of said Jessie E. Watrous, the said lands and premises were sold in proceedings for the foreclosure of a mortgage thereon made by the said Edwin P. Watrous and Jessie E. Watrous, and after payment of the mortgage indebtedness and the costs of said proceedings, including sheriff's fees, there remained a surplus of six thousand six hundred and sixteen dollars and twenty-one cents (\$6,616.21), which moneys are deposited in the Court of Chancery of New Jersey, and which said moneys, under established and recognized principles of law, retain the character of real estate; and Preamble.

WHEREAS, The State of New Jersey has a lien upon said fund representing said lands and premises for collateral transfer inheritance tax assessed or to be assessed thereon in respect to said lands and premises; and Preamble.

WHEREAS, Proper notice of intention to apply for the passage of this act has been published; now, therefore, Preamble.

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

1. That all the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized, in and to the lands and premises heretofore belonging to Jessie E. Title vested

Watrous, more particularly hereinbefore described, and in and to the surplus proceeds of the sale of said lands and premises, representing the said lands, be and the same are hereby vested in Lottie L. Middlebrook and Myron B. Watrous, subject to the payment thereof by them of the collateral transfer inheritance tax to the State of New Jersey, due in respect of said lands and premises, and such title under the provisions of this act is validated and confirmed.

Private act.

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

Approved May 2, 1946.

#### CHAPTER 249

AN ACT concerning the Bureau of Engineers' and Firemen's Licenses, and engineers' and firemen's licenses, and amending sections 34:1-38, 34:1-40, 34:7-1, 34:7-2, 34:7-3, 34:7-5 and 34:7-6 of the Revised Statutes.

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

Section  
amended.

1. Section 34:1-38 of the Revised Statutes is amended to read as follows:

Bureau of  
Engineers'  
and Firemen's  
Licenses.

34:1-38. The Bureau of Engineers' and Firemen's Licenses shall consist of four persons, citizens of the State of New Jersey, each of whom shall have been engaged for at least ten years as engineer in charge of a steam plant of not less than two hundred fifty horsepower. They shall be appointed by the commissioner in accordance with the provisions of Title 11 of Civil Service.

2. Section 34:1-40 of the Revised Statutes is amended to read as follows:

Section amended.

34:1-40. The commissioner may adopt all necessary rules, regulations and by-laws for the government of the bureau not inconsistent with law, and shall prescribe rules for the examination and licensing of persons in charge of steam or power generators or refrigerating plants within the State, and for the enforcement of the provisions of chapter seven of this Title (§34:7-1 et seq.)

Rules and regulations.

Such regulations shall specify the terms and conditions under which licenses shall be issued or renewed; and provide for revocation of license for proper cause.

To specify terms and conditions of licenses.

The members of the bureau shall perform such duties as the commissioner shall prescribe and from time to time, report to the commissioner in such form as he shall approve.

Duties of members.

All licenses recommended by the bureau shall issue under the hand and seal of the commissioner whose office shall preserve a record thereof. Such licenses shall also be signed by the member or members who conducted the examination therefor.

Issuing license.

3. Section 34:7-1 of the Revised Statutes is amended to read as follows:

Section amended.

34:7-1. No unlicensed person shall operate a steam generator or steam power generator of over six horsepower; an internal combustion power generator of over one hundred forty-nine horsepower, in a building or stationary power plant; a portable or hoisting machine of over six steam or nineteen internal combustion engine horsepower; an ammonia refrigerating plant of over twenty-four ton refrigerating capacity; a steam generating heating plant of over four hundred ninety-nine square feet of heating surface, in buildings of public assembly, and no owner, agent, superintendent, manager, or other person having charge of any building or work in which the herein-described steam or power generators or refrigerating plants are located, or used, shall use or cause to be used a steam or power generator or refrigerating plant described in this sec-

License necessary.

tion unless the same is in charge of a licensed engineer or fireman except in emergency, and then for no longer than fifteen days, unless the commissioner in writing extends such time, of which emergency the owner of the steam or power generator or refrigerating plant, or the agent, superintendent, manager, or other person in charge shall promptly notify the Bureau of Engineers' and Firemen's Licenses in writing, stating briefly the circumstances.

**Exception.**

The provisions of this chapter shall not require a license of any person in charge of or operating a steam or power generator installed for emergency purposes only or a steam or power generator or refrigerating plant under the control of the United States Government or any railroad locomotive boiler or any type locomotive used in the service of a common carrier, or any power generator, or any portable or hoisting machine not powered by steam, used in, on or as part of any vehicle, whether or not self-propelled, and whether such vehicle moves on wheels, treads, tracks or otherwise, or in connection with fire departments of any municipality or public body of the State, or any steam generating heating plant, in any building other than a building of public assembly, which does not carry a pressure of more than fifteen pounds per square inch, regardless of the number of square feet of heating surface.

**Section amended.**

4. Section 34:7-2 of the Revised Statutes is amended to read as follows:

**Application.**

34:7-2. Application for license shall be made on forms to be provided for that purpose by the Bureau of Engineers' and Firemen's Licenses and shall state clearly the name, residence, age, and nationality of the applicant. Applicant must be a citizen of the United States, and give his previous experience as engineer or fireman.

5. Section 34:7-3 of the Revised Statutes is amended to read as follows: Section amended.

34:7-3. The fee for examination and license shall be five dollars (\$5.00), and annual license renewal three dollars (\$3.00). Fee.

Any license may be revoked by the commissioner for ignorance, neglect or intoxication while on duty, after notice to the licensee and a hearing afforded him before the Bureau of Engineers' and Firemen's Licenses. In case revocation be recommended by the bureau, it shall not be acted upon by the commissioner until at least five days' notice of the recommendation shall be given to the licensee and an opportunity afforded him to ask for a rehearing before the commissioner. After rehearing, if allowed, the commissioner may either comply with or dismiss such recommendation, or, in a proper case, may suspend for a limited time such license. Revocation of license.

6. Section 34:7-5 of the Revised Statutes is amended to read as follows: Section amended.

34:7-5. Every engineer and fireman licensed under this chapter shall, while in charge of or operating a steam or power generator or refrigerating plant described in section 34:7-1, produce his certificate or license upon demand by the commissioner or any employee of the department, or any member of the Bureau of Engineers' and Firemen's Licenses. License shown on demand.

7. Section 34:7-6 of the Revised Statutes is amended to read as follows: Section amended.

34:7-6. Any person who shall violate any of the provisions of this article shall be liable to a penalty of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), to be collected by suit or compromise. An officer of a corporation violating any of the provisions of this article shall be personally liable for the violation by such corporation. Any manager, superintendent or other person in charge of any building or other places in which this article is violated shall be liable for such violation. Penalties.

8. This act shall take effect six months from the date of approval.

Approved May 2, 1946.

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## CHAPTER 250

AN Act concerning fees and costs in the Supreme Court, and supplementing chapter two of Title 22 of the Revised Statutes.

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

C. 22:2-6.1.  
Process issued  
without fee.

1. Whenever any duly authorized ethics committee of a county or State bar association or lawyers' club, which has been recognized as such by the Supreme Court, shall make any application pursuant to section 2:23-4 of the Revised Statutes, the clerk of said court shall issue process of subpoena, or any further orders pursuant to said section, without requiring the payment of any fee for the same.

2. This act shall take effect immediately.

Approved May 2, 1946.

## CHAPTER 251

AN ACT concerning the fees of certain State and county officers, and supplementing chapter four of Title 22 of the Revised Statutes.

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

1. Whenever any duly authorized ethics committee of a county or State bar association or lawyers' club which has been recognized as such by the Supreme Court shall require the service of a process of subpoena issued pursuant to section 2:23-4 of the Revised Statutes every sheriff or other officer serving said process shall not require the payment of any fee for making such service.

C. 22:4-7.1.  
Service of  
process with-  
out fee.

2. This act shall take effect immediately.

Approved May 2, 1946.

## CHAPTER 252

AN ACT concerning the issuance of process to compel the attendance and testimony of witnesses before the ethics committee of a duly recognized bar association or lawyers' club, and amending section 2:23-4 of the Revised Statutes.

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

1. Section 2:23-4 of the Revised Statutes is amended to read as follows:

Section  
amended.

2:23-4. Upon the application or petition to him, by the chairman of the duly authorized ethics committee of a county or State bar association or law-

Subpoenas for  
witnesses to  
appear before  
ethics com-  
mittee.

yers' club which has been recognized as such by the Supreme Court, setting forth that in an investigation before it into the alleged unethical or improper conduct of an attorney or counsellor-at-law of this State, certain person or persons are material witnesses in said investigation and are residents of this State, any justice of the Supreme Court may make an order awarding process of subpoena out of the court commanding such person or persons to appear before such ethics committee to give testimony and answer questions as required, and produce papers, documents, books and records concerning the matters and persons under investigation.

Issued  
without fees.

Upon filing the order in the clerk's office of the Supreme Court, the clerk shall, without requiring the payment of any fee for the same, issue process of subpoena under the seal of the court requiring such person or persons to appear and testify before the committee at a time and place named therein, and so from day to day until the examination of such person or persons shall be completed.

Subpoena may  
direct the  
bringing of  
records.

The subpoena may also contain a direction that such person bring with him to the examination, any books, papers or documents therein mentioned, and the clerk shall issue under the seal of the court, and without requiring the payment of any fee for the same, any further order in reference to the examination, appearance and production of books, papers or documents before the committee as the justice may direct.

2. This act shall take effect immediately.

Approved May 2, 1946.



## CHAPTER 253

AN ACT relating to the admission of persons to the New Jersey Sanatorium at Glen Gardner, and amending section 30:4-159 of the Revised Statutes.

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

1. Section 30:4-159 of the Revised Statutes is amended to read as follows: Section amended.

30:4-159. Any person afflicted with tuberculosis or disease of the respiratory organs requiring prolonged convalescence may be admitted to the sanatorium if he shall have been a resident of the State for at least one year continuously next preceding his application for admission and nothing in this Title contained shall be construed to prevent any person regularly accepted for treatment therein from receiving such treatment in the State Sanatorium if he shall so desire. The physician's certificate required by sections 30:4-29 and 30:4-30 of this Title shall set forth that the tuberculosis or disease of the respiratory organs will require prolonged convalescence. If the number of applications for admission to the sanatorium shall exceed available facilities for care and treatment, then preference shall at all times be given to applicants having tuberculosis or disease of the respiratory organs which is deemed to be of a curable nature. Admissions.

2. This act shall take effect immediately.

Approved May 2, 1946.

## CHAPTER 254

AN ACT to repeal "An act to abolish the office of lieutenant of police in cities of this State, and to provide for the employment of the persons now holding office as lieutenant of police," approved March sixth, one thousand nine hundred and one (P. L. 1901, c. 22).

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

C. 40:174-86.  
Act repealed.

1. "An act to abolish the office of lieutenant of police in cities of this State, and to provide for the employment of the persons now holding office as lieutenant of police," approved March sixth, one thousand nine hundred and one, is repealed.

2. This act shall take effect immediately.

Approved May 2, 1946.

## CHAPTER 255

AN ACT relating to counties other than counties of the first class and municipal boards of health of such counties, and to provide for the adoption of standard plumbing codes:

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

C. 26:3C-1.  
Adoption, etc.  
of standard  
plumbing code.

1. The board of chosen freeholders of any second-class county of the population of over four hundred thousand may, by a resolution adopted after a public hearing thereon, establish, amend and repeal a standard plumbing code which shall be in force and effect in any or all municipalities in said county in which the board of health thereof

shall not adopt a plumbing code and also in such other municipalities of said county having a plumbing code in force and effect but in which the board of health thereof shall by resolution determine to substitute such county plumbing code for the then existing local code.

2. Said county plumbing code shall establish a minimum standard of workmanship and materials to be employed in the installation and repair of plumbing and penalties for the violation thereof, and may provide that either the board of freeholders or the board of health of the several municipalities wherein said resolution may be in force and effect may require the licensing of those engaged in the business of plumbing and the inspection of plumbing work and materials. C. 26:3C-2. Standards.

3. Violations of said resolution shall be prosecuted in the same form and manner in such courts as may have jurisdiction of violations of ordinances of the municipality wherein the violations of the said county plumbing code occur. C. 26:3C-3. Violations.

4. All parts of acts inconsistent with this act are hereby repealed as to such inconsistent parts. Repealer.

5. This act shall take effect immediately.

Approved May 2, 1946.

## CHAPTER 256

AN ACT concerning the collection and enforcement of certain penalties, and amending section 4:23-11 of the Revised Statutes.

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

Section  
amended.

1. Section 4:23-11 of the Revised Statutes is amended to read as follows:

Penalties  
collected as  
provided in  
article.

4:23-11. The penalties hereinafter enumerated in this section shall be collected as provided by this article:

a. For violations of or failure to comply with orders of the State Board of Agriculture, or its duly constituted agent, made pursuant to sections 4:5-1 and 4:5-2 of this Title and imposed by section 4:5-3 of this Title;

b. For violations of sections 4:5-16 of this Title and imposed by section 4:5-17 of this Title;

c. For violations of any of the provisions of sections 4:5-18 to 4:5-74 of this Title and imposed by section 4:5-75 of this Title;

d. For violations of any of the provisions of sections 4:5-94 to 4:5-105 of this Title and imposed by section 4:5-106 of this Title;

e. For violations of or failure to comply with orders of the State Board of Agriculture, or its constituted agent, made pursuant to sections 4:7-1 and 4:7-2 of this Title, and imposed by section 4:7-3 of this Title;

f. For violations of the provisions of any law whenever such law shall provide that the penalties imposed thereby shall be sued for in the manner provided by this article.

Act effective.

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

Approved May 2, 1946.

## CHAPTER 257

AN ACT concerning the control of brucellosis in live stock, commonly called Bang's disease, repealing sections 4:5-76 to 4:5-93, inclusive, of the Revised Statutes, repealing "An act concerning the spread of Bang's disease in live stock (which causes undulant fever in the human race), and amending sections 4:5-76, 4:5-77, 4:5-78, 4:5-79, 4:5-80, 4:5-81, 4:5-83, 4:5-84, 4:5-85, 4:5-87, 4:5-88, 4:5-91 and 4:5-92 of the Revised Statutes, repealing section 4:5-90 and supplementing article three, of chapter five, of Title 4 of the Revised Statutes, and making an appropriation for such purposes," approved December sixteenth, one thousand nine hundred and forty (P. L. 1940, c. 231), supplementing chapter five of Title 4 of the Revised Statutes, and making an appropriation for such purposes.

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

1. As used in this act:

- |   |                                 |
|---|---------------------------------|
| "Brucellosis," commonly called Bang's disease of live stock, is a disease that causes an economic loss in dairy herds and is a menace to public health. | C. 4:5-93.21.<br>Terms defined: |
| "Board" means the State Board of Agriculture.   | Brucellosis;<br>Board;          |
| "Department" means the Department of Agriculture.   | Department;                     |
| "Bureau" means the bureau of animal industry.   | Bureau;                         |
| "Live stock" includes any domestic animal subject to brucella infection.  | Live stock;                     |
| "Owner" includes any person, firm, copartnership, association or corporation owning or leasing any live stock.  | Owner;                          |
| "Official test" includes all tests for brucellosis made by a veterinarian under the supervision of or authorization from the chief of the bureau.       | Official test;                  |

- Private test; "Private test" includes all tests for brucellosis other than official tests and made at the owner's expense.
- Positive; "Positive" applies to live stock giving a reaction sufficient to indicate the presence of brucellosis.
- Suspicious; "Suspicious" applies to live stock tested for brucellosis and giving a reaction not sufficient to justify the classification as positive.
- Vaccine; "Vaccine" means any type of brucella vaccine approved by the board to be administered by a veterinarian authorized by the bureau.
- Calfhood vaccination; "Calfhood vaccination" means the administration by an authorized veterinarian of brucella vaccine to calves between the ages of four and eight months.
- Adult vaccination. "Adult vaccination" means the administration by an authorized veterinarian of brucella vaccine to animals over eight months of age.
- C. 4:5-93.22  
Rules and regulations.
2. The board shall make rules and regulations respecting the testing, vaccination or other methods of control and eradication of brucellosis of live stock, the prevention of the spread thereof to the live stock of this State, the retention or disposal by sale, segregation or slaughter of positive or suspicious live stock, the payment of indemnity, the disinfection of the premises, the introduction of live stock into the State of New Jersey and into supervised herds, and other regulations to aid in the proper enforcement of this act.
- C. 4:5-93.23.  
Program for control of brucellosis.
3. The board shall establish a program for the control and eradication of brucellosis and may enter into agreements with owners of live stock within the State under plans and methods adopted by the board for the control and eradication of this disease.
- C. 4:5-93.24.  
Expense borne by department.
4. If the owner complies with the provisions of the agreement and rules and regulations made by the board under sections two and three of this act, the expense of any such test, vaccination or other treatment may be borne by the department, except that in certain instances the department may, with the owner's approval, authorize test, vaccination

or other treatment to be made without expense to the State.

5. Whenever official tests of any herd of live stock are made and such live stock is found to be free from brucellosis, a certificate setting forth such fact may be issued by the chief of the bureau when authorized by the board; *provided*, all rules and regulations and provisions of any agreement, under the plan adopted by the board for the control and eradication of brucellosis in the herd, shall have been complied with.

C. 4:5-93.25.  
Certificate  
of test.

Proviso.

6. Whenever the chief of the bureau is satisfied that any owner has failed to comply with any of the provisions of any agreement, rule or regulation made by the board under the provisions of this act, the owner shall be so notified in writing by the chief of the bureau, and the board, after a hearing, if so desired, may, in its discretion, forfeit the owner's rights or interest acquired, if any, under the provisions of this act. When such rights or interests are so forfeited, they shall not be restored except under regulations of the board as shall be provided for that purpose.

C. 4:5-93.26.  
Notice for  
non-com-  
pliance.

7. All tests, either official or private, shall be made according to the standards established and methods prescribed and by laboratories or individuals approved by the board. Tests shall be accepted only where the technic employed in conducting them has been approved by the chief of the bureau, who also may refuse to accept any test.

C. 4:5-93.27.  
Standard  
method of  
making test.

8. A report of any test for brucellosis shall be made in writing to the chief of the bureau within seven days immediately following the completion of the test, upon blank forms furnished by the department and signed by the person drawing the blood samples, and also by the director of the laboratory or the person making the test.

C. 4:5-93.28.  
Report of test.

9. All live stock subjected to an official or private test for brucellosis and all animals vaccinated or otherwise treated under a program under the supervision of the department shall be marked as prescribed by the board.

C. 4:5-93.29.  
Animals  
marked as  
prescribed.

Not construed  
as cruelty.

Such markings shall not be construed as cruelty to animals within the meaning of any law of this State.

C. 4:5-93.30.  
Interference  
with test.

10. No person shall treat any live stock with a material or substance for the purpose of interfering with a test for brucellosis or causing or preventing a reaction to such test, or shall interfere in any way with a representative of the department who is making or assisting with a test for brucellosis or shall alter or change any mark of identification for the purpose of misrepresenting the true identity of any live stock or shall otherwise attempt to interfere with the identification of any live stock.

C. 4:5-93.31.  
Notice to  
buyer.

11. Any animal giving a positive or suspicious reaction to an official or private test may be held on the premises by the owner, or may be sold for slaughter and indemnity paid by the State as provided under sections two, three and twelve to seventeen, inclusive, of this act, or may be otherwise sold if accompanied by a written statement from the seller indicating that it so reacted to an official or private test, so that the buyer will understand the merits of the animal from the standpoint of brucellosis at the time of purchase. Failure of the seller upon such a sale to so notify the buyer will constitute a violation of this act and the seller shall be subject to a penalty of fifty dollars (\$50.00) for each animal involved.

Penalty upon  
failure to  
notify.

C. 4:5-93.32.  
Valuation of  
condemned  
animal.

12. The veterinarian making an official test, or any authorized agent of the department, may make an agreement with the owner as to the valuation of the animal condemned, based on its market value for dairy, breeding or beef purposes as of the day of appraisement, or the owner of the animal condemned may agree that the value of the animal be determined by appraisement as provided in section fourteen or section fifteen of this act.

Owner to  
receive net  
proceeds.

For each animal slaughtered as the result of an official test under a program prescribed by the board to prevent the spread of brucellosis, the owner shall receive the net proceeds of the sale of the animal and, in addition thereto, subject to the



provisions of this act and the rules and regulations of the board governing compensation for condemned animals, may be paid indemnity equal to fifty per centum (50%) of the appraised value of the animal. The indemnity shall not, however, exceed the sum of one hundred fifty dollars (\$150.00) for a registered animal or seventy-five dollars (\$75.00) for any other bovine animal, and no compensation shall be made for steers, nonregistered bulls or for animals considered by the department to have no value; nor shall indemnity be paid unless the entire herd is under a definite plan providing for slaughter and indemnification prescribed by the board and all rules and regulations and provisions of the agreement shall have been complied with, and unless the premises involved shall have been cleaned and disinfected in accordance with the recommendations of the department. In the case of any purebred animal, the owner at the time of appraisal shall furnish the certificate of registration or he shall furnish evidence that he has made application for same. In no case shall indemnity be paid on a purebred basis until the certificate of registration has been received and approved by the department.

Limits  
indemnity.

The total amount receivable by the owner from the net proceeds of the sale of the animal, plus indemnity, if any, from the Federal Government, and plus the indemnity from the State, shall not, however, exceed the appraised value of the animal.

Indemnity not  
to exceed  
appraised  
value.

13. A report of the sale of any animal shall be made on blank forms furnished for that purpose by the department, signed by the purchaser or his agent, and in no case shall the owner receive compensation from the State if the statement shall be found to be willfully false. Delivery and slaughtering charges may be deducted, but any charges for holding the animal pending slaughter shall not be deductible in computing the amount, if any, to be paid by the State.

C. 4:5-93.33.  
Report  
of sale.

14. Immediately before commencing any test, if it be deemed advisable by the department, an ap-

C. 4:5-93.34.  
Appraisement  
before test.

praisement may be made by the owner and an authorized agent or representative of the department, of the market value of the animal as of the day of appraisement, and in case the animal so appraised gives a positive or suspicious reaction to such official test for brucellosis, the amount of the appraisement as agreed upon prior to the making of the test shall be official and shall bind the owner and the department.

C. 4:5-93.35.  
Appointment  
of appraisers.

15. In any case where no agreement shall be reached, there shall be appointed three competent and disinterested freeholders, one by the department, one by the owner, and the third by the first two, at the expense of the owner, who shall ascertain and decide upon the appraised value of each animal condemned, and shall sign a certificate of such value in the presence of a witness who shall attest the same, and such valuation shall in each case be made upon the market value of the animal for breeding, dairy or beef purposes as of the day of appraisement.

C. 4:5-93.36.  
Time for  
slaughtering.

16. When a written order has been issued by the chief of the bureau for the removal to slaughter of live stock giving a positive or suspicious reaction to a test, under a plan of the bureau calling for payment of indemnities, it shall be slaughtered within fifteen days of time of appraisal under the direct supervision of a duly authorized agent or representative of the bureau at a time and place designated by the chief of the bureau and the carcass shall be examined and judged as to fitness for food. No indemnities shall be paid unless the provisions of this section have been complied with.

No indemnity.

C. 4:5-93.37.  
Indemnity  
for animals  
recently  
imported.

17. No indemnity shall be paid on animals which have been imported into the State unless the following conditions shall have been met:

(a) the animal shall have been imported into the State in accordance with the rules and regulations of the board covering such importation,

(b) the animal shall have been added to the herd under a plan of the bureau calling for payment of indemnities in accordance with the rules and regulations of the board covering such herd additions, and

(c) the animal shall have been owned and maintained within the State for at least sixty days prior to the test showing a positive reaction.

Proof of ownership of any such animal shall be furnished by the owner to the department, upon its request.

Proof of  
ownership.

18. Upon presentation of the appraisal certificate to the State Comptroller, with the approval of the department endorsed thereon, the owner shall be entitled to receive from the State treasury the sum fixed by this act.

C. 4:5-93.38.  
Payment of  
indemnity.

19. Should funds be insufficient for the payment of indemnities for all reacting animals in any fiscal year the department or such board, bureau or other agency as may be charged with such duty shall pay indemnities in the order in which reports and vouchers are received in final approved form when funds again become available for this purpose.

C. 4:5-93.39.  
When funds  
insufficient.

20. On and after July first, one thousand nine hundred and fifty-five, only bovine animals which are negative to a test administered within thirty days prior to entry into New Jersey and which also have had an official calfhood vaccination or are from an accredited brucellosis-free herd may be imported into New Jersey, except that animals under the age of two years which are accompanied by an official certificate of vaccination may be imported without said test.

C. 4:5-93.40.  
Animals that  
may be  
imported.

21. The department may co-operate with any township or county for the control and eradication of brucellosis within the State and with the Bureau of Animal Industry of the United States Department of Agriculture in any system which may be adopted by such bureau for the prevention of the spread and the control of brucellosis and its eradi-

C. 4:5-93.41.  
Department  
may co-operate  
with local  
or Federal  
authorities.

cation in the State of New Jersey, or any part thereof, or in the United States and its territories.

C. 4:5-93.42.  
Penalty for  
violation.

22. A person who shall violate any of the provisions of this act, except as set forth in section eleven, shall, for a first offense, be liable to a penalty of not less than one hundred nor more than two hundred dollars (\$200.00), and shall for each subsequent offense, be liable to a penalty of two hundred dollars (\$200.00) or to imprisonment for not more than one year, or both.

C. 4:5-93.43.  
Recovery  
of penalty.

23. Any penalty imposed for a violation of any provision of this act shall be sued for and recovered, and the imprisonment, if any, imposed, in any action brought by and in the name of the Secretary of Agriculture in the manner provided by article two of chapter twenty-three of Title 4 of the Revised Statutes (Secs. 4:23-11 et seq.).

C. 4:5-93.44.  
Appropriation.

24. For the purpose of carrying out the provisions of this act, there is hereby appropriated to the department the sum of twenty-five thousand dollars (\$25,000.00), when included in any annual appropriation act.

C. 4:5-93.45.  
Sections  
repealed.

25. Sections 4:5-76 to 4:5-93, inclusive, of the Revised Statutes are repealed.

C. 4:5-93.46.  
C. 231, P. L.  
1940 repealed.

26. The act entitled "An act concerning the spread of Bang's disease in live stock (which causes undulant fever in the human race), and amending sections 4:5-76, 4:5-77, 4:5-78, 4:5-79, 4:5-80, 4:5-81, 4:5-83, 4:5-84, 4:5-85, 4:5-87, 4:5-88, 4:5-91 and 4:5-92 of the Revised Statutes, repealing section 4:5-90, and supplementing article three, of chapter five, of Title 4 of the Revised Statutes, and making an appropriation for such purposes," approved December sixteenth, one thousand nine hundred and forty (P. L. 1940, c. 231), is repealed.

C. 4:5-93.47.  
Act effective.

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

Approved May 2, 1946.

## CHAPTER 258

AN ACT to amend "An act concerning the Board of Commerce and Navigation, and supplementing Title 12, chapter six, of the Revised Statutes," approved May first, one thousand nine hundred and forty (P. L. 1940, c. 52).

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 is amended to read as follows:

Section amended.

1. In addition to the powers conferred by the provisions of the act to which this act is a supplement, the State Department of Conservation, through the Division of Navigation, is hereby authorized and empowered to repair, reconstruct, or construct bulkheads, breakwaters, groins or jetties, on any and every beach front along the Atlantic ocean, or any beach front along the Delaware bay and Delaware river, or at any inlet or any inland waters adjacent to any inlet along the coast of the State of New Jersey, to repair damage caused by erosion and storm, or to prevent erosion of the beaches and to stabilize the inlets.

C. 12:6A 1.  
Board further empowered.

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

Section amended.

2. The Division of Navigation is further authorized and empowered to use the facilities and services of any branch of the Federal Government or of the State Government, or of any county or municipality within the State, and any funds which may now be available or which may hereafter be appropriated by the Federal Government, or any division of the State Government, or of any county or municipality within the State for the purpose of beach erosion, and beach protection.

C. 12:6A-2.  
Authorized to use Federal, etc., facilities.

Section  
amended.

C. 12:6A-3.  
Authorized  
to prevent  
erosion on  
coast line.

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

3. The Division of Navigation is further authorized and empowered to dredge and remove any and all obstructions in every waterway or stream in the State of New Jersey to a depth and width to be determined by the council of the Division of Navigation and to erect such bulkheads, breakwaters, groins or jetties as are necessary to prevent erosion and stabilize the shore in the vicinity of any inlet along the coast of the State of New Jersey.

4. This act shall take effect immediately.

Approved May 2, 1946.

#### CHAPTER 259

AN ACT to amend "An act concerning medical service corporations and regulating the establishment, maintenance and operation of medical service corporations and medical service plans, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'Medical Service Corporations,' " approved May twenty-ninth, one thousand nine hundred and forty (P. L. 1940, c. 74).

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

Section  
amended.

C. 17:48A-23.  
May accept  
funds.

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

23. A medical service corporation may receive and accept from any governmental agencies any grant or allocation of funds for the purpose of providing payment for medical services, and hospital services when rendered incident thereto, to

eligible persons under such terms or conditions as shall be specified by such agency. Any medical service corporation may in its discretion accept the grant of funds from private agencies, corporations, associations, groups of individuals or individuals for the purpose of providing medical services to needy persons under such conditions as shall be satisfactory to such persons or organizations and to the corporation. All funds received under such grants shall be segregated in a separate fund or funds to be used for the purposes agreed upon. Neither the income from subscribers to the corporation, nor the assets accumulated from income received from subscribers shall be available for the payment of any obligations assumed by the corporation under such grants, nor shall any funds received through such grants be available for the payment of the obligations assumed by the corporation under its subscription certificates. The authority of the Commissioner of Banking and Insurance under the provisions of this act shall not extend to funds received under such grants except to such extent as is necessary to satisfy him that the requirements of this act have been complied with.

2. This act shall take effect immediately.

Approved May 2, 1946.

## CHAPTER 260

AN ACT concerning the issuance of bonds and other obligations and the incurring of indebtedness by school districts and city, borough, town, township, village or any other municipality, amending sections 18:5-84, 18:5-85, 18:5-86, 18:5-87, 18:5-88 and 40:1-77 of the Revised Statutes, and supplementing Title 18 and Title 40 of the Revised Statutes.

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

Section  
amended.

1. Section 18:5-84 of the Revised Statutes is amended to read as follows:

Limitations on  
bonds issued.

18:5-84. Except as otherwise provided in section 18:5-85 or section 18:5-86 of this article:

a. No local school district other than a certified local school district shall authorize the issuance of bonds the principal amount of which, added to the net school debt of the local school district at the date of such authorization, shall exceed six per centum (6%) of the average assessed valuation of property in the local school district; and

b. No certified local school district shall authorize the issuance of bonds the principal amount of which, added to the net school debt of the certified local school district at the date of such authorization, shall exceed eight per centum (8%) of the average assessed valuation of property in the certified local school district; and

c. No regional school district shall authorize the issuance of bonds the principal amount of which, added to the net school debt of the regional school district at the date of such authorization, shall exceed four per centum (4%) of the average assessed valuation of property in the regional school district.



Nothing contained in this article shall apply to or affect or limit the issuance of bonds by any board of education or school district for the purpose of funding or refunding any bonds, notes or other indebtedness heretofore or hereafter issued or incurred by such board of education or school district.

Article not  
to apply.

2. Section 18:5-85 of the Revised Statutes is amended to read as follows:

Section  
amended.

18:5-85. (a) Any school district, within the limitations and upon compliance with the provisions of this section, may authorize the issuance of bonds notwithstanding the provisions of section 18:5-84 of this article. The issuance of any such bonds shall be authorized upon the adoption by the legal voters of such school district, by a majority of the legal ballots cast thereon, of a proposal authorizing the board of education to issue such bonds, which proposal shall be in form and substance as stated in this section.

Referendum.

(b) No proposal for authorizing the issuance of bonds of a school district pursuant to this section shall be adopted if the percentage of net debt as stated in any supplemental debt statement required by this article to be filed prior to such authorization shall exceed seven per centum (7%).

No proposal  
if net debt  
exceeds 7%.

(c) Every proposal for authorizing the issuance of bonds of a school district pursuant to this section, after stating the purpose or purposes of the bonds and any other matters or things authorized or required by law, shall disclose its effect on the borrowing margin of each municipality comprised within such school district. Such disclosure shall include showing the amount of such borrowing margin before adoption of the proposal and showing the amount of such borrowing margin which will be used up in event of adoption of the proposal, and shall be sufficient if set forth in substantially the following form with appropriate figures inserted:

Effect on  
borrowing  
margin  
disclosed.

## CHAPTER 260, LAWS OF 1946

Resolved that the Board of Education is hereby authorized:

To \* \* \* ; and

To issue bonds of the school district for said purpose (or purposes) in the principal amount of \$ (insert amount of bonds to be issued), thus using up \$ (insert amount of borrowing margin to be used) of the \$ (insert amount of borrowing margin before adoption of proposal) borrowing margin of the (insert name of municipality) presently available for other improvements, and (if there be other municipality or municipalities comprised within such school district) \$ (insert amount of borrowing margin to be used) of the \$ (insert amount of borrowing margin before adoption of proposal) borrowing margin of the (insert name of municipality), et cetera, et cetera.

Section  
amended.

3. Section 18:5-86 of the Revised Statutes is amended to read as follows:

Referendum.

18:5-86. (a) Any regional school district, upon compliance with the provisions of this section, may authorize the issuance of bonds notwithstanding the provisions of section 18:5-84 of this article. The issuance of any such bonds shall be authorized upon the adoption by the legal voters of such regional school district, by a majority of the legal ballots cast thereon, of a proposal authorizing the board of education to issue such bonds, upon a copy of which proposal shall have been endorsed, prior to its adoption by said legal voters, the consents of the State Commissioner of Education and of the local government board hereinafter in this section provided for.

Copy of  
proposal  
submitted.

(b) A copy of any proposal for authorizing the issuance of bonds of a regional school district may, before its adoption by the legal voters of such regional school district, be submitted by the board of education for consideration by the State Commissioner of Education under subsection (c), and by the local government board under subsection (d),

of this section. As a part of such consideration and before endorsing any approval on such copy, the commissioner or board may require the board of education of such regional school district to adopt resolutions restricting or limiting any future proceedings therein or other matters or things deemed by the commissioner or board to affect any estimate made or to be made under said subsections, and every such resolution so adopted shall constitute a valid and binding obligation of the regional school district running to and enforceable or releasable by the commissioner or board, as the case may be.

Resolution  
limiting  
future  
proceedings.

(c) Within sixty days after submission to the State Commissioner of Education of any copy of a proposal pursuant to subsection (b) of this section, he shall endorse his consent thereon if he shall be satisfied and shall record in writing his estimates that existing educational facilities in such regional school district are or within five years will be less than eighty per centum (80%) adequate, that the new educational facilities to be financed pursuant to such proposal will within ten years be fully utilized, and that under existing statutes there is no alternative method of providing such new educational facilities which would be more economical. If the State Commissioner of Education shall not be so satisfied within said period of sixty days, he shall endorse his disapproval on such copy.

Endorsement  
of proposal  
by commis-  
sioner.

(d) Within sixty days after the submission to the local government board of any copy of a proposal pursuant to subsection (b) of this section, it shall cause its consent to be endorsed thereon if it shall be satisfied and shall record by resolution its estimates that the amounts to be expended for the new educational facilities to be financed pursuant to such proposal are not unreasonable or exorbitant, and that issuance of the bonds mentioned and described in such proposal will not materially impair the credit of any municipality comprised within such regional school district or substantially reduce its ability during the ensuing

Endorsement  
by local  
government  
board.

ten years to pay punctually the principal and interest of its debts and supply essential public improvements and services, and that authorization of such bonds would not be possible under the provisions of either section 18:5-84 or section 18:5-85 of this article, and that, taking into consideration trends in population and in values and uses of property and in needs for educational facilities, the net school debt of such regional school district will at some date within fifteen years be less than four per centum (4%) of the average assessed valuation of property in such regional school district as stated in supplemental debt statements, which might be filed on such date. If the local government board shall not be so satisfied within said period of sixty days, it shall cause its disapproval to be endorsed on such copy.

Section  
amended.

4. Section 18:5-87 of the Revised Statutes is amended to read as follows:

Supplemental  
and school  
debt state-  
ment filed.

18:5-87. Not more than sixty days prior to the authorization of any bonds of a school district, a supplemental debt statement and a school debt statement shall be prepared and filed in accordance with this section. The chief financial officer of any municipality comprised within a school district shall within five days after receipt of request therefor from the board of education of the school district, make and file in the manner and places required by law and in the office of the district clerk or secretary of the school district a supplemental debt statement, prepared as of a date not earlier than the last day of the preceding month, and giving effect to a proposed authorization of bonds of the school district in a principal amount to be stated in such request. The district clerk or secretary of a school district shall within five days after receipt of request therefor from the board of education of the school district make, swear to and file in his office a school debt statement setting forth the amounts of any and all bonds or notes of the school district issued and outstanding or authorized but not issued and determining the net school debt of

the school district, prepared as of a date not earlier than the last day of the preceding month, and giving effect to a proposed authorization of bonds of the school district in a principal amount to be stated in such request. Every such debt statement shall be presumed to be accurate and correct for a period of at least sixty days after the filing thereof and after the issuance of any bond or other obligation, authorized within the principal amount stated in the request therefor and in reliance thereon within sixty days after the filing thereof, such presumption shall be conclusive and shall not be rebutted and the correctness and sufficiency of such debt statement shall not be contested or questioned in any suit, action or proceeding relating to such bond or other obligation or the levy or collection of taxes for the payment of the same.

5. Section 18:5-88 of the Revised Statutes is amended to read as follows:

18:5-88. For all purposes of this article,

a. "School district" means a local school district, a certified local school district or a regional school district and also, when required by the context, the board of education of such a school district, but does not in any case mean a school district or board of education to which are applicable the provisions of chapter six of this Title (§18:6-1 et seq.);

b. "Local school district" means a school district to which are applicable the provisions of chapter seven of this Title (§18:7-1 et seq.), including a certified local school district and a school district comprising more than one municipality, but not including a regional school district;

c. "Certified local school district" means a local school district which is certified by the State Commissioner of Education as having title to an approved high school, or which authorizes the issuance of bonds for the purpose of providing a high school;

d. "Regional school district" means a school district which is governed by or to which are ap-

Section  
amended.

Terms  
defined:

School district;

Local school  
district;

Certified local  
school district;

Regional  
school district;

New Jersey State Library

plicable provisions of chapter eight of this Title (§18:8-1 et seq.);

**Net school debt;**

e. "Net school debt" of a school district means the amount of all the bonds and notes of the school district issued and outstanding or authorized but unissued, less the amount of any sinking funds held for payment of the same;

**Bonds deemed authorized;**

f. Bonds of a school district are deemed to be authorized by the fact and at the time of the adoption by the legal voters of the school district of a proposal authorizing the board of education to issue the same, or, if the school district has a board of school estimate, by the fact and at the time of the making of the certificate of said board upon delivery of which the board of education is authorized to issue the same;

**Supplemental debt statement;**

g. "Supplemental debt statement" means the statement of the debt condition of a municipality provided for in sections 40:1-82 to 40:1-84 of the local bond law (§40:1-1 et seq.), and prepared, made and filed as in said law directed;

**Average assessed valuation of property;**

h. "Average assessed valuation of property" in a school district comprising one municipality means the amount stated in the supplemental debt statement required by this article to be filed prior to the authorization of bonds of the school district as the average of the three next preceding assessed valuations of the taxable real property (including improvements) of the municipality, as stated in the annual debt statement of the municipality last filed, and in a school district comprising more than one municipality means the sum of all such amounts so stated in the several supplemental debt statements so required to be filed;

**Net debt;**

i. "Net debt" of a municipality means the amount stated in the supplemental debt statement required by this article to be filed prior to the authorization of bonds of a school district as the net debt of the municipality; and

**Borrowing margin.**

j. "Borrowing margin" of a municipality means the excess, if any, of seven per centum (7%) of the amount stated in the supplemental debt state-

ment required by this article to be filed prior to authorization of bonds of a school district, as the average of the three next preceding assessed valuations of the taxable real property (including improvements) of the municipality, over the net debt of the municipality as stated in such supplemental debt statement after adjustment of such net debt so as to disregard the proposed authorization of bonds of the school district.

6. Section 40:1-77 of the Revised Statutes is amended to read as follows: Section amended.

40:1-77. Such annual debt statement shall also set forth in the form prescribed the deductions applicable thereto, as follows: Deductions.

a. Funds in hand and sinking funds applicable only to the payment of any part of the gross debt not otherwise deductible, including the proceeds of any bonds or notes held to pay any part of such gross debt, and the estimated proceeds of any bonds or notes which have been authorized when such estimated proceeds are to be held for that purpose, and any accounts receivable from other public authorities applicable only to the payment of any part of the gross debt not otherwise deductible;

b. Notes or bonds issued, or authorized but not issued, for purposes hereinafter defined as "self-liquidating" within the limitations hereinafter prescribed, stating separately indebtedness for water systems, sewer systems and each other self-liquidating purpose;

c. In the case of a municipality, notes or bonds issued, or authorized but not issued, for school purposes and included in the gross debt, issued or authorized by a school district which is governed by or to which are applicable provisions of chapter eight of the Title Education (§18:8-1 et seq.) pursuant to a proposal a copy of which was endorsed prior to its adoption with the consents of the State Commissioner of Education and of the local government board provided for in section 18:5-86 of said Title Education (§18:1-1 et seq.), and also any other notes or bonds issued, or authorized but

not issued, for school purposes and included in the gross debt, issued or authorized by such a school district, to an amount not exceeding four per centum (4%) of the average of the assessed valuations as set forth in such statement pursuant to subsection two of section 40:1-80 of this Title;

d. In the case of a municipality, notes or bonds issued, or authorized but not issued, for school purposes and included in the gross debt, issued or authorized by the municipality or by any school district other than one which is governed by or to which are applicable provisions of chapter eight of the Title Education (§18:8-1 et seq.) to an amount not exceeding six per centum (6%) and, if such a school district which includes the territory of the municipality is certified by the State Commissioner of Education as having an approved high school, an additional amount not exceeding two per centum (2%) of the average of the assessed valuations as set forth in such statement pursuant to subsection two of section 40:1-80 of this Title;

e. Notes or bonds issued, or authorized but not issued, only for the relief of the poor, if included in the gross debt.

May file  
new annual  
debt state-  
ment.

7. At any time during the calendar year during which section six of this act becomes effective, the chief financial officer of any municipality may execute and file a new annual debt statement of the municipality prepared as of the last day of the next preceding fiscal year in accordance with the local bond law (R. S. section 40:1-1 et seq.), but giving effect to the provisions of section 40:1-77 of the Revised Statutes as amended by this act and superseding any annual debt statement of the municipality previously prepared as of said date. Upon the filing of such new annual debt statement in the manner or mode of procedure prescribed by said local bond law for the filing of annual debt statements, such new annual debt statement shall during the remainder of such calendar year constitute the annual debt statement of the municipality as of the last day of the next preceding fiscal year.



8. Any bonds of a school district, authorized by the adoption of a proposal adopted by the legal voters of such school district prior to July first, one thousand nine hundred and forty-six, may theretofore or thereafter be issued as if this act had not taken effect.

Bonds issued.

9. Sections one, two, three, four and five of this act shall take effect July first, one thousand nine hundred and forty-six. All other sections and provisions of this act shall take effect immediately.

Sections effective.

Approved May 2, 1946.

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## CHAPTER 261

AN ACT concerning elections, and amending sections 19:14-21, 19:14-25, 19:23-30, 19:23-33, 19:23-34, 19:23-35, 19:23-36 and 19:45-6 of the Revised Statutes.

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

1. Section 19:14-21 of the Revised Statutes is amended to read as follows:

Section amended.

19:14-21. The county clerk shall cause samples of the official general election ballot to be printed.

Preparation and delivery of sample ballots.

a. In counties other than counties of the first class where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, the county clerk not later than noon of the eighth day prior to the general election shall furnish to the municipal clerk of each municipality in his county one and one-tenth times as many such sample ballots and stamped envelopes as there are voters registered, to enable each district board in each municipality to mail one of such sample ballots to each voter who is registered in the municipality for such

election and shall take a receipt for the same from each of the municipal clerks, which receipt shall indicate the number of such sample ballots and stamped envelopes delivered by the county clerk and the date and hour of their delivery.

b. In counties of the first class, and in other counties where the county board of elections may have the equipment or facilities to prepare a properly stamped envelope addressed to each registered voter in the county for mailing, the county clerk, not later than the thirtieth day preceding the general election, shall furnish to the commissioner of registration located in his county one and one-tenth times as many stamped envelopes as there are registered voters in the county and not later than noon of the twelfth day preceding the general election shall furnish to the commissioner of registration located in the county, one and one-tenth times as many sample ballots as there are registered voters in the county to enable the commissioner of registration of the county to mail one of such sample ballots to each voter registered in the county for such election and shall take a receipt for the same from the commissioner of registration, which receipt shall indicate the number of such sample ballots and stamped envelopes delivered by the county clerk and the date and hour of their delivery. County boards of elections which elect to operate under the provisions of this paragraph shall notify their county clerk in sufficient time to enable him to make the necessary arrangements the first year.

c. The county clerk in counties of the first class shall also deliver to the county board not later than the twelfth day preceding the general election ten such sample ballots of each election district of each municipality in the county.

Section  
amended.

2. Section 19:14-25 of the Revised Statutes is amended to read as follows:

Mailing and  
posting by  
district boards.

19:14-25. In counties other than counties of the first class where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, all the members of

each of the district boards shall prepare and deposit in the post office, on or before twelve o'clock noon on Wednesday preceding the general election day, a properly stamped envelope containing a copy of the sample ballot, addressed to each registered voter in the district of such board at the address shown on the register. The board shall also post the sample ballots in the polling place in its district and in at least five other public places therein.

The board shall return to the municipal clerk all ballots and envelopes not mailed or posted by it, with a sworn statement in writing signed by a majority of the board that all the remainder of such ballots and envelopes had been mailed.

Unused  
ballots and  
envelopes  
returned.

In counties of the first class, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:14-21 of this Title, the commissioner of registration shall prepare and deposit in the post office on or before twelve o'clock noon, on the Wednesday preceding the general election day, a properly stamped envelope containing a copy of the sample ballot addressed to each registered voter in the county at the address shown on the registry. The commissioner of registration shall return to the county clerk all ballots and envelopes not mailed or posted by him, with a sworn statement in writing signed by him that all the remainder of such ballots and envelopes have been mailed.

Mailing by  
commissioner  
of registration.

Unused ballots  
and envelopes  
returned.

The county board of elections, in all counties of the first class, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:14-21 of this Title, shall, not later than noon of the second Monday preceding the election, deliver or mail to the members of the district board six sample ballots for their respective election district. The board shall post the sample ballots in the polling place in its district and in at least five other public places therein not later than twelve o'clock noon of the Friday preceding election.

Sample ballots  
mailed to  
district boards.

Ballot posted.

Section  
amended.

Number of  
ballots and  
envelopes.

Delivery by  
municipal  
clerk.

Cost paid by  
municipality.

Mailed to  
each voter.

3. Section 19:23-30 of the Revised Statutes is amended to read as follows:

19:23-30. a. In counties other than counties of the first class where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, the municipal clerk shall cause to be printed as herewith prescribed a sufficient number of official primary sample ballots of each political party in each election district and shall furnish a sufficient number of stamped envelopes to enable every district board to mail one copy of such ballot of each political party to each voter who is registered in the district for the primary election. The municipal clerk shall deliver to the county clerk in all counties and the county board in counties of the first class one official primary sample ballot of each political party for each district in his municipality. The cost of printing the official primary sample ballots and the stamped envelopes therefor shall be paid by the respective municipalities.

b. In counties of the first class, and in other counties where the county board of elections may have the equipment or facilities to prepare a properly stamped envelope addressed to each registered voter in the county for mailing, the municipal clerk shall cause to be printed as herewith prescribed a sufficient number of official primary sample ballots of each political party for each election district and shall furnish a sufficient number of stamped envelopes to enable the commissioner of registration of the county to mail one copy of such ballot of each political party to each voter who is registered in the district for the primary election. The municipal clerk shall also deliver to the county board ten official primary sample ballots of each political party for each district in his municipality. The cost of printing of the official primary sample ballots and stamped envelopes therefor shall be paid for by the respective municipalities. County boards of elections which elect to operate under the provisions of this paragraph shall notify their re-

spective municipal clerks in sufficient time to enable them to make the necessary arrangements the first year.

4. Section 19:23-33 of the Revised Statutes is amended to read as follows:

Section  
amended.

19:23-33. In counties other than counties of the first class where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, the municipal clerk in each municipality shall furnish to a member of each district board in his municipality, at his office, or in any other way that he sees fit, on or before Tuesday preceding the primary election in each year, sufficient sample ballots and sufficient stamped envelopes to enable the board to mail sample ballots to the voters as hereinbefore provided. Each of the boards shall give the municipal clerk a receipt for such sample ballots and envelopes signed by one of its members.

Sample ballots  
and envelopes  
furnished  
district boards.

In counties of the first class, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:23-30 of this Title, the municipal clerk in each municipality shall furnish to the commissioner of registration of his county not later than thirty days preceding the primary election of each year, sufficient stamped envelopes to enable the commissioner of registration to mail sample ballots to each voter who is registered in the county and shall, not later than noon of the twelfth day preceding the primary election furnish sufficient sample ballots to the commissioner of registration of his county for that purpose. The commissioner of registration shall give the municipal clerk a receipt for such sample ballots and envelopes.

Sample ballots  
and envelopes  
furnished  
commissioner  
of registration.

5. Section 19:23-34 of the Revised Statutes is amended to read as follows:

Section  
amended.

19:23-34. Each of such district boards, in counties other than counties of the first class where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, and the commissioner of registra-

Mailing  
sample ballots.

tion in all other counties, shall prepare and deposit in the post office, on or before twelve o'clock noon on Wednesday preceding the primary day, the stamped envelopes containing a copy of the sample primary ballot of each political party addressed to each voter whose name appears in the primary election registry book.

Section  
amended.

6. Section 19:23-35 of the Revised Statutes is amended to read as follows:

Posting  
sample ballots.

19:23-35. In counties other than counties of the first class, where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, such district board shall also post the sample ballot in the polling place in its district and five other places therein.

The county board of elections in all counties of the first class, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:23-30 of this Title, shall, not later than noon of the second Monday preceding the primary election, deliver or mail to the members of the district board six sample ballots for their respective election district. The board shall post the sample ballots in the polling place in its district and in at least five other public places therein not later than twelve o'clock noon of the Friday preceding the primary election.

Section  
amended.

7. Section 19:23-36 of the Revised Statutes is amended to read as follows:

Return of  
unused sample  
ballots and  
envelopes.

19:23-36. In counties other than counties of the first class where the county board of elections does not have the equipment or facilities to mail sample ballot envelopes, the district boards shall return to the municipal clerk the unused sample ballots and stamped envelopes, with a sworn statement in writing, signed by a majority of the members of the board, to the effect that the remainder of the sample ballots in envelopes were actually mailed or posted as provided in this Title, and the members of the board failing to file such statement shall receive no compensation for the service of mailing.

In counties of the first class, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:23-30 of this Title, the commissioner of registration shall return to the municipal clerk the unused sample ballots and stamped envelopes with a sworn statement to the effect that the remainder of the sample ballots and envelopes were actually mailed or posted as herein provided.

8. Section 19:45-6 of the Revised Statutes is amended to read as follows: Section amended.

19:45-6. The compensation of each member of the district boards for all services performed by them under the provisions of this Title shall be as follows: Compensation members of district boards.

In counties wherein voting machines are used for all services rendered in holding the primary election, except services in mailing the ballots, fifteen dollars (\$15.00); for mailing the primary election sample ballots, two dollars (\$2.00); for mailing the general election sample ballots, three dollars (\$3.00); for all services on general election day, including the counting of votes and delivery of returns and ballot box contents to the municipal clerk, fifteen dollars (\$15.00); for all services at any special election, fifteen dollars (\$15.00).

In all other counties for all services rendered in holding the primary election, except services in mailing the ballots, twenty-five dollars (\$25.00); for mailing the primary election sample ballots, two dollars (\$2.00); for mailing the general election sample ballots, three dollars (\$3.00); for all services on general election day, including the counting of votes and delivery of returns and ballot box with contents to the municipal clerk, twenty-five dollars (\$25.00); for all services at any special election, twenty-five dollars (\$25.00);

*Provided, however,* that in counties of the first class, and in other counties wherein the county board of elections mail out the sample ballot envelopes, no compensation shall be paid to the mem- Proviso.

bers of the district board for mailing of primary sample ballots or general election sample ballots.

Such compensation shall be in lieu of all other fees and payments.

Proviso.

Compensation due each member shall be paid within thirty days but not within twenty days after each election; *provided, however*, that no compensation shall be paid to any such member until ten days after final order has been entered on any recount which may have been allowed affecting such district; *and provided, further*, that no compensation shall be paid to any member of any such district board who may have been removed from office or application for the removal of whom is pending under the provisions of section 19:6-4 of this Title.

Proviso.

9. This act shall take effect immediately.

Approved May 2, 1946.

## CHAPTER 262

AN ACT concerning certain school districts, and amending sections 18:6-2 and 18:6-3 of the Revised Statutes.

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

Section  
amended.

1. Section 18:6-2 of the Revised Statutes is amended to read as follows:

Application  
of chapter.

18:6-2. The provisions of this chapter shall apply:

a. In every city school district except where the provisions of chapter seven of this Title (§18:7-1 et seq.) are accepted as permitted by section 18:7-3 of this Title;

b. In every township, incorporated town or borough school district in which the provisions of this chapter are accepted as permitted by section 18:6-3 of this Title; and



c. In any city having accepted the provisions of chapter seven of this Title (18:7-1 et seq.) in which the provisions of this chapter are subsequently accepted, as permitted by section 18:6-3 of this Title.

2. Section 18:6-3 of the Revised Statutes is Section amended.  
amended to read as follows:

18:6-3. The acceptance of the provisions of this Submitted to voters for acceptance.  
chapter shall be submitted to the qualified voters of any town, township, or borough, or any city in which the provisions of chapter seven of this Title (18:7-1 et seq.) have been accepted, at a general or municipal election, or at an annual or special meeting of the school district to be held therein, whenever the governing body of the municipality, or the board of education of the district situated therein shall have, by resolution, directed that such question be so submitted.

Upon the presentation of a petition to the governing body of the municipality, signed by thirty Question submitted to voters.  
per centum (30%) or more of the voters voting at the last general election in such municipality requesting the right to vote upon the acceptance of the provisions of this chapter, such governing body shall pass the resolution and submit such question at the next municipal or general election. The petition may be presented to the board of education of the district situate in such municipality, and upon such presentation to it, such board of education shall pass the resolution and submit the question at the next annual meeting of the school district if such annual meeting is to be held within thirty days of the filing of the petition, and if more than thirty days, such board of education shall forthwith call a special meeting of the school district for the purpose of submitting such question to the voters of such district.

The question to be submitted shall be for or Form of question.  
against the adoption of the provisions of chapter six of the Title Education of the Revised Statutes (§18:6-1 et seq.).

Result of  
referendum.

If a majority of the votes cast upon the question are for the adoption of the provisions of this chapter, the district in the municipality shall in all respects be governed by the provisions of this chapter, after the thirty-first day of January next ensuing unless the city be a city of the first class in which case it shall be so governed after the thirtieth day of June next ensuing and the terms of all the members elected to the board of education of such school district shall be continued to, and shall cease upon, such thirty-first day of January, or such thirtieth day of June, as the case may be, and thereafter the board of education therein shall have all the powers and duties given and imposed by, and said municipality shall be governed in accordance with, the several provisions of this chapter.

3. This act shall take effect immediately.

Approved May 2, 1946.

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### CHAPTER 263

AN ACT concerning the rehabilitation of physically handicapped persons, and amending section 34:16-6 of the Revised Statutes.

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

Section  
amended.

1. Section 34:16-6 of the Revised Statutes is amended to read as follows:

Persons to be  
rehabilitated.

34:16-6. The commission shall direct as in this chapter provided the rehabilitation of all resident physically handicapped persons excepting aged or helpless persons requiring permanent custodial care, blind persons under the care of the State Commission to Ameliorate the Condition of the Blind, deaf persons under the care of the State

School for Deaf-Mutes and persons who in the judgment of the commission are not susceptible of rehabilitation.

2. This act shall take effect immediately.

Approved May 2, 1946.

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#### CHAPTER 264

AN ACT to amend "A further supplement to an act entitled 'An act to establish a Department of Banking and Insurance,' approved February tenth, one thousand eight hundred and ninety-one," approved May sixteenth, one thousand nine hundred and thirty-six (P. L. 1936, c. 98).

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

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

9. This act shall take effect immediately, and shall become inoperative after May sixteenth, one thousand nine hundred and forty-seven. C. App. A:7-15  
Act inoperative.

Approved May 2, 1946.

## CHAPTER 265

AN ACT concerning county superintendents of schools, and supplementing chapter four of Title 18 of the Revised Statutes.

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

C. 18:4-1.1.  
Assistant to  
superintendent.

1. During any period when any county superintendent of schools shall be unable to perform his duties, by reason of illness, physical disability, or for any other cause, the commissioner may designate any one of his assistant commissioners to exercise the powers and perform the duties of the county superintendent of schools, without additional compensation.

C. 18:4-1.2.  
Filling  
vacancy.

2. If the office of county superintendent of schools shall become vacant in any county by reason of the death or resignation of the incumbent, or for any other cause, the commissioner may designate any one of his assistant commissioners to exercise the powers and perform the duties of the county superintendent of schools, without additional compensation, until a successor county superintendent shall have been appointed and shall have qualified.

3. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 266

AN ACT concerning regional school districts, and supplementing Title 18 of the Revised Statutes.

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

1. When two or more school districts have voted to establish a regional board of education as provided in sections 18:8-1 to 18:8-3 of this Title, the board of education created under chapter eight of Title 18 of the Revised Statutes and chargeable with the education of high school pupils therein shall not take charge and control of the high school pupils of such regional district until, in the judgment of such board, suitable facilities and accommodations are available for the instruction of such pupils. The instruction of such pupils shall continue under the respective local boards of education now chargeable with their instruction, until suitable facilities and accommodations are provided by such regional board of education, at which time the board of education of the regional high school district shall assume the responsibilities of their instruction.

C. 18:8-14.1.  
Regional  
board not  
to function.

Instruction  
to continue.

2. This act shall take effect immediately.  
Approved May 3, 1946.

## CHAPTER 267

AN ACT relating to county park commissions in counties of the first class established by referendum in which the commissioners are appointed by a Supreme Court Justice, and supplementing subdivision C of article five of chapter thirty-seven of Title 40 of the Revised Statutes.

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

C. 40:37-130.1.  
Issue bonds to  
meet expense.

1. To meet the further expenses to be incurred by counties of the first class under the provisions of sections 40:37-96 to 40:37-174 of the Revised Statutes, to which this act is a supplement, for the acquisition, development and improvement of parks and parkways in counties of the first class in this State, in which said sections of the Revised Statutes are, or shall hereafter be, operative, the board of chosen freeholders in any such county may, from time to time, in addition to any bonds theretofore authorized by law, on the request of the board of park commissioners in any such county, in the name and on the credit of the said county, borrow money by issuing the bonds of said county to a sum not exceeding in the aggregate five hundred thousand dollars (\$500,000.00) over and above the total amount theretofore authorized by law. Such bonds shall be issued in accordance with the provisions of article one of chapter one of Title 40 of the Revised Statutes (sections 40:1-1 et seq.). The proceeds of the sale of the said bonds after deducting expenses for negotiating the same and for engraving, and all other expenses connected with their issue and sale, shall be paid over to the said park commission.

Proceeds  
to park  
commission.

2. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 268

AN ACT concerning radios, regulating the installation and use of shortwave receivers in automobiles, and amending section 2:153-6 of the Revised Statutes.

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

1. Section 2:153-6 of the Revised Statutes is hereby amended to read as follows:

Section  
amended.

2:153-6. Any person who shall install or have in any automobile, a shortwave radio receiver operative on frequencies assigned by the Federal Communications Commission for fire, police, municipal or other governmental uses, unless a permit therefor has been first obtained from the chief of the county police, or from the chief of the police of the municipality, wherein such person resides, shall be guilty of a misdemeanor.

Permit to use  
short wave  
radios  
required.

Nothing in this section contained shall be construed to apply to any fire, police or other governmental official of the State or of any county or municipality thereof.

Not to apply.

Approved May 3, 1946.

## CHAPTER 269

AN ACT to provide for official certificates of searches as to municipal improvements authorized but not assessed, and supplementing article three, chapter five, of Title 54 of the Revised Statutes.

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

C. 54:5-18.1.  
Certificates of  
searches for  
municipal  
liens.

1. In addition to, but separate and apart from, the official certificates of searches for municipal liens as authorized by sections 54:5-11 et seq. of the Revised Statutes, the governing body of each municipality shall provide by resolution for the making of official certificates of searches as to municipal improvements authorized by ordinance of the municipality, but not assessed, affecting any parcel or tract of land in said municipality in that a future assessment will be made thereon pursuant to such ordinance.

C. 54:5-18.2.  
Contracts of  
certificate.

2. Each such certificate shall, when such an ordinance has not been adopted, state that no ordinance has been adopted by the governing body of the municipality authorizing any improvement for which a future assessment will be made upon the parcel or tract of land covered by such certificate, or, if such an ordinance has been adopted, such certificate shall set forth the number of the ordinance, the date of its adoption and the type of improvement or improvements authorized by it.

C. 54:5-18.3.  
Making of  
certificate.

3. Said certificates shall be called "certificates as to liability for assessment for municipal improvements." The governing body of the municipality shall, by the resolution aforesaid, designate the municipal clerk or municipal engineer as the person who shall make such certificates. The official so designated shall issue such a certificate within fifteen days after receipt of the fees here-



inafter provided and of a written application from any person containing a diagram showing the location and dimensions of the tract of land to be covered by the certificate and the name of the owner of the tract.

4. The official appointed as herein provided shall be entitled to demand and receive for each such certificate issued by him a reasonable fee, not in excess of those provided for in sections 54:5-14 and 54:5-15 of article three, chapter five, of Title 54 of the Revised Statutes.

C. 54:5-18.4.  
Fee.

5. Any person who shall acquire for a valuable consideration an interest in lands covered by any such certificate in reliance thereon shall hold such interest free from any subsequent liens of the municipality for any such municipal improvements which have been authorized by ordinance at the time such certificate was issued, but not assessed, and which are not shown in such certificate.

C. 54:5-18.5.  
Interest  
free from  
subsequent  
liens.

6. If the official designated to make and issue any such certificate fails to issue the same within fifteen days after receipt of an application therefor and the fees provided for herein, a person acquiring an interest in lands described in the application and in reliance thereon shall hold such interest free from any subsequent liens of the municipality for any such municipal improvements which have been authorized by ordinance prior to the expiration of said fifteen days but not then assessed.

C. 54:5-18.6.  
Failure to  
issue cer-  
tificate.

7. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 270

AN ACT relating to the Teachers' Pension and Annuity Fund, and supplementing article three of chapter thirteen of Title 18 of the Revised Statutes.

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

C. 18:13-77.5.  
May pay in  
lump sum.

1. In lieu of any part of the deduction from compensation hereinbefore required under the article to which this act is a supplement, any present-entrant who became a member of the retirement system on or before December thirty-first, one thousand nine hundred and twenty-three, may pay into the Teachers' Pension and Annuity Fund in a lump sum all of the contributions which had he been a member from September first, one thousand nine hundred and nineteen, he would have been required to pay from September first, one thousand nine hundred and nineteen, to the date of the commencement of his membership. Such additional amounts so deposited shall become a part of his accumulated deductions.

2. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 271

AN ACT to amend "An act relating to and providing for the government of cities of this State containing a population of less than twelve thousand inhabitants," approved March twenty-fourth, one thousand eight hundred and ninety-seven (P. L. 1897, c. 30).

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

1. Section seventy-five of the act of which this act is amendatory is amended to read as follows:

Section  
amended.

75. When such office has been or shall be established therein by an ordinance therefor, the common council shall at its next annual meeting appoint some suitable person, a resident of such city, to serve therein; and the person so appointed shall hold his office for the term of five years, and until his successor is in like manner appointed and has qualified.

C. 40:108-1.  
Appointment  
and term.

2. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 272

AN ACT concerning the sale of alcoholic beverages,  
and amending section 33:1-12 of the Revised  
Statutes.

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

Section  
amended.

1. Section 33:1-12 of the Revised Statutes is amended to read as follows:

Class C  
licenses:

33:1-12. Class C licenses shall be subdivided and classified as follows:

Plenary retail  
consumption  
license;

Plenary retail consumption license. 1. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle, and also to sell any alcoholic beverages in original containers for consumption off the licensed premises; but this license shall not be issued to permit the sale of alcoholic beverages in or upon any premises in which a grocery, delicatessen, drug store or other mercantile business (except the keeping of a hotel or restaurant, or the sale of cigars and cigarettes at retail as an accommodation to patrons, or the retail sale of nonalcoholic beverages as accessory beverages to alcoholic beverages) is carried on. The fee for this license shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at not less than two hundred dollars (\$200.00) and not more than two thousand dollars (\$2,000.00). The governing board or body of each municipality may, by ordinance, enact that no plenary retail consumption license shall be granted within its respective municipality.

Seasonal retail  
consumption  
license;

Seasonal retail consumption license. 2. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages

ages for consumption on the licensed premises by the glass or other open receptacle, and also to sell any alcoholic beverages in original containers for consumption off the licensed premises, during the summer season from May first until November first, inclusive, or during the winter season from November fifteenth until April fifteenth, inclusive; but this license shall not be issued to permit the sale of alcoholic beverages in or upon any premises in which a grocery, delicatessen, drug store or other mercantile business (except the keeping of a hotel or restaurant, or the sale of cigars and cigarettes at retail as an accommodation to patrons, or the retail sale of nonalcoholic beverages as accessory beverages to alcoholic beverages) is carried on. The fee for this license shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at seventy-five per centum (75%) of the fee fixed by said board or body for plenary retail consumption licenses. The governing board or body of each municipality may, by ordinance, enact that no seasonal retail consumption license shall be granted within its respective municipality.

Plenary retail distribution license. 3a. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption off the licensed premises, but only in original containers. The governing board or body of each municipality may, by ordinance, enact that this license shall not be issued to permit the sale of alcoholic beverages in or upon any premises in which any other mercantile business is carried on. The fee for this license shall be fixed by the governing board or body of the municipality in which the licensed premises are situated by ordinance at not less than one hundred dollars (\$100.00), and not more than two thousand dollars (\$2,000.00). The governing board or body of each municipality may, by ordinance, enact that no plenary retail distribution license shall be granted within its respective municipality.

Limited retail  
distribution  
license;

Limited retail distribution license. 3b. The holder of this license shall be entitled, subject to rules and regulations, to sell any unchilled, brewed, malt alcoholic beverages in quantities of not less than seventy-two fluid ounces for consumption off the licensed premises, but only in original containers. The fee for this license shall be fixed by the governing body or board of the municipality in which the licensed premises are situated, by ordinance, at not less than twenty-five dollars (\$25.00) and not more than fifty dollars (\$50.00). The governing board or body of each municipality may, by ordinance, enact that no limited retail distribution license shall be granted within its respective municipality.

Plenary retail  
transit license.

Plenary retail transit license. 4. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption only on railroad trains, airplanes and boats, while in transit. The fee for this license shall be one hundred fifty dollars (\$150.00), except for boats not exceeding twenty-five tons gross tonnage the fee for which shall be twenty-five dollars (\$25.00), and further except for boats under five tons gross tonnage, the fee for which shall be ten dollars (\$10.00). A license issued under this provision to a railroad or air transport company shall cover all dining and club cars and planes operated by any such company within the State of New Jersey. A license for a boat issued under this provision shall apply only to the particular boat for which issued.

Club license.

Club license. 5. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages but only for immediate consumption on the licensed premises and only to bona fide club members and their guests. The fee for this license shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at not less than fifty dollars (\$50.00) and not more than one hundred fifty dollars (\$150.00). The govern-

ing board or body of each municipality may, by ordinance, enact that no club licenses shall be granted within its respective municipality. Club licenses may be issued only to such corporations, associations and organizations as are operated for benevolent, charitable, fraternal, social, religious, recreational, athletic, or similar purposes, and not for private gain, and which comply with all conditions which may be imposed by the commissioner of alcoholic beverage control by rules and regulations.

Approved May 3, 1946.

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### CHAPTER 273

AN ACT concerning sales of real estate heretofore made by legal representatives to pay debts of decedents in cases where such real estate may be subject to escheat to the State; vesting the right, title and interest of the State in the grantees of such legal representatives and in such grantees' heirs and assigns in certain cases; and providing for the disposition of the surplus from such sales.

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

1. In any case where, by virtue of a court order, real estate which may be subject to escheat to the State has been sold by a legal representative to pay debts of a decedent, all the right, title and interest of the State in and to such real estate is hereby vested in the grantee of such legal representative and in such grantee's heirs and assigns; *provided*,<sup>Title vested in grantee.</sup> that any surplus remaining from such sale, after the payment of debts and just expenses, fees, and<sup>Proviso.</sup>

commissions of every sort (the personal estate of the decedent having been first applied thereto), has been or shall be paid over to the State Treasurer.

Surplus paid  
to State  
Treasurer.

2. In any case where such surplus has not been paid over to the State Treasurer at the time this act takes effect, such legal representative, after accounting in the court wherein he is required to account for such sale, shall pay the same over to the State Treasurer upon order of such court; and such court is hereby authorized to make such order in any case where no heirs at law to whom distribution may be made pursuant to the provisions of law have made claim to such surplus. After this act takes effect, the State Treasurer shall not accept such surplus unless such order shall have been made by such court.

No further  
obligation.

3. Upon receiving the receipt of the State Treasurer for such surplus, such legal representative shall have no further obligation with respect to such surplus.

Proceeding  
by heir  
to recover.

4. After payment to the State Treasurer, as aforesaid, no distribution of such surplus shall be made to any heir or other person interested in the real estate from the sale of which the surplus so paid over to the State Treasurer arose, unless such heir or other person shall have proceeded pursuant to the provisions of chapter four of Title 3 of the Revised Statutes, except that the application presented to the orphans' court, with the certificate of said court duly endorsed thereon, together with all proofs and proceedings, instead of being recorded as provided in section 3:4-2 of the Revised Statutes, shall be filed with the State Treasurer. Upon receipt of such papers, the State Treasurer shall file the same in his office and shall distribute such surplus to the person or persons shown in such proofs to be interested in the real estate from the sale of which such surplus arose. Such distribution shall be made according to the interest or interests of such person or persons, as shown by such proofs; and payment shall be so made at any time each such person may appear



and establish his identity to the satisfaction of the State Treasurer.

5. Whenever the State Treasurer shall make payment to any person or persons in accordance with the proofs filed with him in any case, as aforesaid, no recovery may be had against the State Treasurer by any other person or persons who may thereafter establish in any court proceeding his or their contrary interest or interests in the real estate from the sale of which such surplus arose, but such other person or persons who may thereafter establish in any court proceeding his or their interest contrary to such proofs shall, as to the portion of such surplus remaining in the State Treasurer's hands, be entitled to his or their proportionate share thereof and, in addition thereto, may bring an action or actions at law against such persons to whom distribution has been made by the State Treasurer, to recover his or their proportionate share of that portion of the surplus so distributed by the State Treasurer.

Action at  
law to  
recover.

6. Nothing in this act contained shall be construed to affect the title to real estate acquired or sold by the State pursuant to proceedings by way of escheat or to divest any grantee of the State of his title to any such real estate, or in any wise to affect any grant or release made by the Legislature of any right, title or interest of the State in any such real estate.

Construing.

7. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 274

AN ACT concerning the powers and duties of The Managers and Treasurer of the School Fund for the Education of Youth in the City of Burlington, supplementing "An act to incorporate The Managers and Treasurer of the School Fund for the Education of Youth in the City of Burlington," approved March tenth, one thousand eight hundred and fifty-two (P. L. 1852, c. 85), and validating certain conveyances heretofore made.

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

Title  
validated.

1. When, at a sale upon foreclosure of a mortgage forming part of the assets of The Managers and Treasurer of the School Fund for the Education of Youth in the City of Burlington, The Managers and Treasurer of the School Fund for the Education of Youth in the City of Burlington shall purchase the real estate affected, or when, to avoid foreclosure of such a mortgage asset it shall acquire title by deed from the owner of real estate affected, or when, to protect such a mortgage asset, the said The Managers and Treasurer of the School Fund for the Education of Youth in the City of Burlington shall become the purchaser under any sale made upon foreclosure of any other mortgage, tax sale or other lien on the real estate or at a sale of the real estate under execution upon any judgment or decree, the real estate so purchased or acquired may be sold and conveyed by The Managers and Treasurer of the School Fund for the Education of Youth in the City of Burlington without the consent of the citizens of the city of Burlington at a town meeting duly convened, but may

be sold by resolution duly adopted by a regular or special meeting of the managers of The Managers and Treasurer of the School Fund for the Education of Youth in the City of Burlington, and any sale or conveyance heretofore made by the said The Managers and Treasurer of the School Fund for the Education of Youth in the City of Burlington of real estate so acquired shall be valid and effectual in all respects as if the same had been authorized by the citizens of said city in town meeting duly convened.

2. The said The Managers and Treasurer of the School Fund for the Education of Youth in the City of Burlington shall have power and authority to invest its funds in bonds or interest-bearing notes or obligations of or guaranteed by the United States, or those for which the faith of the United States is distinctly pledged to provide for the payment of principal and interest thereof, and in bonds or interest-bearing notes or other obligations of or guaranteed by the State of New Jersey, and in bonds or interest-bearing notes or obligations of any county, city, town, township, borough, village or other municipality or political subdivision of this State issued under authority of a law of this State, or in permanent bonds of any school district of this State. **Investments.**

3. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 275

AN ACT concerning coroners in counties having no medical examiner or county physician, and supplementing chapter forty of Title 40 of the Revised Statutes.

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

C. 40:40-28.1.  
Notice to  
coroner  
of death.

1. When, within the county having no medical examiner or county physician, any person shall die in prison, or by casualty or suicide, or suddenly when in apparent health, or when unattended by a physician, or within twenty-four hours after admission to a hospital or institution, or in a suspicious or unusual manner, or under any of the above circumstances in any institution located in the county maintained in whole or in part at the expense of the State or county, the police department of the municipality in which he died, or the superintendent or medical director of the institution in which he died, or the physician called in attendance, or the undertaker when no physician is in attendance, shall immediately notify the office of the coroner of the known facts concerning the time, place, manner and circumstances of the death.

C. 40:40-28.2.  
Investigation.

2. Immediately upon receipt of such notification, the coroner shall fully investigate the essential facts concerning the death. If necessary, he shall go to the dead body and take charge thereof. The coroner shall fully investigate the death, taking the names and addresses of as many witnesses thereof as it may be practicable to obtain, and before leaving the premises shall reduce all such facts in writing. This report shall be copied in his office in a book provided for that purpose.

C. 40:40-28.3.  
Report by  
citizen.

3. A citizen who may become aware of any person who shall have died of criminal violence, or by casualty or suicide, or in any suspicious or unusual

manner, shall report such death to the office of the coroner of the municipality in which such person died.

4. A person who shall willfully neglect or refuse to report such death or, who without an order from the office of the coroner, shall willfully touch, remove or disturb the body of any such person, or touch, remove or disturb the clothing or any article, upon or near such body, shall be guilty of a misdemeanor. C. 40:40-28.4.  
Misdemeanor.

5. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 276

AN ACT concerning county parks, playgrounds, and recreation places, and supplementing chapter thirty-seven of Title 40 of the Revised Statutes.

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

1. The provisions of this act shall apply to all counties, but shall remain inoperative in any county until submitted to and approved by the voters thereof in the manner provided in sections twenty-two, twenty-three and twenty-four hereof. C. 40:37-95.1.  
Application  
of act.

2. In any county which shall adopt the provisions of this act, the board of chosen freeholders shall by resolution passed by the affirmative vote of a majority of the whole board, elect a county park commission consisting of five residents of the county, to be known as "the county park commission" (inserting name of county). C. 40:37-95.2.  
Park  
commission.

3. The commissioners first elected shall hold office for the term of one, two, three, four and five years respectively, as indicated and fixed by the board of chosen freeholders. All commissioners C. 40:37-95.3.  
Terms.

No com-  
pensation.

thereafter elected shall serve for the term of five years and all vacancies shall be filled by the board of chosen freeholders for the unexpired term only. The members of the commission shall serve without compensation but their necessary expenses shall be allowed and paid from funds of the commission by the county treasurer upon warrants signed by the president or vice-president and secretary.

C. 40:37-95.4.  
Organization.

4. The commission shall annually choose from among its members a president and vice-president, and shall elect a secretary and such other officers and appoint employees as it may deem necessary. It shall also fix and determine the compensation, term of office, duties and powers of its appointees and remove them at pleasure and make all rules and regulations respecting the same. The county treasurer shall be the treasurer of the commission.

C. 40:37-95.5.  
Powers,  
records.

5. The commission may sue and be sued, use a common seal, make by-laws and carry out the objects of this act as hereinafter set forth. It shall keep a record of its proceedings and shall maintain a suitable office where its maps, plans, papers, documents, accounts and other records shall be kept open to public inspection under reasonable regulation, subject to the limitations of section sixteen. Three members shall constitute a quorum for the transaction of business at any meeting of the commission, and the affirmative vote of three members shall be necessary for the taking of any action. The meetings of the commission shall be public.

Quorum.

C. 40:37-95.6.  
Duties of  
the president.

6. The president shall preside at all meetings of the commission, and shall, with the treasurer, sign all checks, drafts, notes, requisitions of funds, contracts and other agreements and obligations of the commission. In the absence or incapacity of the president, the vice-president shall have all the powers and perform all the duties of the president. No disbursements shall be made, except upon the affirmative vote of three members of the commission. All disbursements by the commission shall be by check, signed by both the president and treas-

urer. In the absence or incapacity of the secretary, and at such other times as the commission may prescribe or approve, some other person shall be designated by the commission to act as such secretary who shall have all the powers and perform all the duties of the secretary.

7. All appointments of officers and employees to be made by the park commission except its president, vice-president and secretary shall be made with the approval of the board of chosen freeholders of the county.

C. 40:37-95.7.  
Appointments.

8. It shall be a misdemeanor for any member of the park commission or any officer or employee appointed by it, to be interested directly or indirectly in purchasing any real estate or any right or interest therein, or in furnishing any of the materials, supplies or labor for the erection or construction of any building or improvement contemplated by the provisions of this act or in any contract which the park commission is empowered to make.

C. 40:37-95.8.  
Prohibits  
members  
being inter-  
ested in  
purchases of  
land, etc.

9. The board of chosen freeholders shall provide the commission with a suitable office and upon the establishment of the commission may make available for expenditures authorized by the commission such sums as the board of chosen freeholders may by a majority vote approve, not to exceed annually a sum equal to one-half of a mill on each dollar of the assessed valuation of the real estate including improvements in the county as shown by the last list of ratables made up and approved by the county board of taxation.

C. 40:37-95.9.  
Offices.

10. The moneys to be provided and made available by the board of chosen freeholders for the purposes of this act shall be raised by taxation and provided for in the annual budget of said county. The commission may draw the money so appropriated on requisition duly signed and approved by its president and secretary.

C. 40:37-95.10.  
Moneys raised  
by taxation.

11. The commission may select a depository or depositories wherein all public moneys and other funds of the commission shall be deposited, any

C. 40:37-95.11.  
Depository.

bank organized under the laws of the United States, having its place of business in this State, or any bank or trust company organized under the laws of this State. The designation of such depository or depositories shall be by resolution of the commission. The commission or any of its employees charged with custody of such public funds shall thereafter, in accordance with the resolution provided aforesaid, deposit such funds or other moneys belonging to the commission, only in the depository or depositories so named, and upon so depositing in good faith such funds or moneys such employee shall be relieved of any liability for loss of such funds or moneys which may be due to the insolvency or closing of such depository or depositories.

C. 40:37-95.12.  
Accounts kept.

12. The commission shall at all times keep or cause to be kept full and accurate accounts of its receipts and expenditures, and of its resources and liabilities, and shall prepare or cause to be prepared detailed annual statements thereof, and shall employ the services of the Division of Local Government of the State Department of Taxation and Finance or of a competent registered municipal accountant of New Jersey to audit, annually, the books, accounts and statements of the commission, and shall cause copies of said annual audits, when completed, to be preserved as part of its permanent records and shall transmit certified copies of such audits to the board of chosen freeholders of said county.

Annual audit.

C. 40:37-95.13.  
Powers and  
duties of  
commission.

13. The commission may:

a. Acquire, maintain and make available to the inhabitants of the county, public parks, playgrounds and recreation places;

b. Locate such public parks; playgrounds and recreation places at such point or points within the limits of the county as it may determine;

c. Preserve, care for, lay out, construct, maintain, and improve any such parks and places and by itself, or jointly with the State Highway Commission, board of chosen freeholders, or any mu-



municipality or other public body, provide for the construction, improvement or maintenance of any roadway or boulevard, within such park or parks or other places;

d. Lay out, construct and maintain such sidewalks, roadways, service ways, bridle paths, footpaths, or other ways within any such park or parks or other places;

e. Construct, reconstruct, alter, provide, renew and maintain such buildings or other structures, playgrounds and the equipment thereof, as it may determine;

f. Enter into contracts with any person, or municipality or other public body, with respect to the laying out, construction or maintenance thereof.

g. Engage, or contract for, the services of competent engineers or engineering firms, and do all other acts and things as may in the judgment of the commission be necessary or proper to effectuate and carry out the plan and purposes of this act, but such contract and employment shall not be for a longer period of time than five years; *provided, however,* that this provision shall not preclude the commission from extending any such contract and employment for a period of not exceeding five years from the date of such extension.

14. With the approval of the board of chosen freeholders of the county, the commission may acquire by gift, purchase or condemnation, such real estate and rights therein, and such other property as it may deem necessary and proper for its purposes. All such property shall be acquired by the commission in the name of the county.

C. 40:37-95.14.  
Acquiring  
property.

15. Whenever the commission shall have determined to take and acquire any real estate or any right or interest therein for any public park or place which it has located as provided in this act, and cannot acquire the same by agreement with the owner, by reason of disagreement as to price, the legal incapacity or absence of the owner, or his inability to convey valid title, or for any other reason, the compensation therefor shall be ascer-

C. 40:37-95.15.  
Right of  
Eminent  
Domain.

tained and paid in the manner directed in and by chapter one of the Title Eminent Domain (§20:1-1 et seq.).

C. 40:37-95.16.  
Survey  
and map.

16. Before proceeding to purchase or condemn real estate for a public park or place, the commission shall determine the location and quantity of the same to be included in any park or place, and cause a survey thereof to be made together with a map showing the real estate to be embraced therein. The map shall be kept by the commissioners in their office, and the boundary lines of every park or place shall be recorded in a book to be kept by them for that purpose.

The commission shall not be obliged to disclose such location, surveys or maps to public inspection until it has taken proceedings to condemn real estate or any right or interest therein necessary therefor.

C. 40:37-95.17.  
May convey  
real estate  
without  
consideration.

17. The governing body of any municipality may without the payment of consideration, convey to the county wherein such municipality is located, for park purposes, any real estate heretofore or hereafter acquired by the municipality which in the judgment of the governing body is not needed for municipal use and may cause to be executed good and sufficient conveyance or conveyances therefor.

C. 40:37-95.18.  
Laying out  
of roads.

18. The commission may within such park or parks or other places not only lay out and open roadways, parkways, and boulevards as herein provided, but may also establish the grade thereof and change or alter the same, and straighten, widen, alter or relocate any existing or new roadway, parkway or boulevard which may be acquired by it.

C. 40:37-95.19.  
Sale of  
unneded land.

19. If all the members of the park commission shall by resolution determine that any real estate or part thereof acquired in pursuance of this act is no longer required for park purposes and that the interest of the public will be better served by the sale thereof, the commission may certify such resolution to the board of chosen freeholders. If the board of chosen freeholders concurs therein,

that real estate or part thereof may be sold for cash at public sale to the highest bidder.

20. The commission may by a four-fifths vote and with the approval of the board of chosen freeholders of the county vacate or surrender any roadways, service ways, bridle paths, footpaths, or other ways within any such park or parks or other places.

C. 40:37-95.20.  
Vacating  
roads.

21. The commission may make, alter, amend and repeal rules and regulations for the protection, regulation and control of such parks, and the roads, driveways, sidewalks, paths, lakes, pools, fountains, trees, flowers, shrubs, statuary, buildings and other things contained therein, and may prescribe penalties for the violation thereof. Such penalty shall not be more than one hundred dollars (\$100.00) or less than two dollars (\$2.00) but it need not be for a specific amount and the commission may provide that the penalty shall not be less than one given sum nor greater than another given sum. The amount of the penalty between the maximum and the minimum inclusive shall be left to the discretion of the court or magistrate before whom the complaint is made. The commission may sue for and collect the penalty so fixed in an action-at-law in any court of competent jurisdiction. All fines and penalties recovered shall be used by the commission for the same purposes and in the same manner as its other funds. Such rules and regulations shall not take effect until ten days after their adoption by the commission and after their publication once a week for two weeks in at least five newspapers circulating in the county.

C. 40:37-95.21.  
Rules and  
regulations.

Penalty.

Recovery  
of penalty.

22. Whenever the board of chosen freeholders shall, not later than sixty days before the next ensuing general election, pass a resolution authorizing the submission of the question of the adoption or rejection of this act to the voters of the county, the county clerk shall give public notice that such submission will be made at the next ensuing general election. The notice shall be by publication of at least once a month in each calendar month

C. 40:37-95.22.  
Notice of  
submission of  
question.

after the passage of the resolution, in two or more newspapers published and circulating in the county.

C. 40:37-95.23.  
Form of  
question.

23. The county clerk shall cause the question to be printed upon the sample and official ballots for the general election in substantially the following form:

“To vote upon the public question printed below, if in favor thereof, mark a cross (×) or plus (+) in the square at the left of the word “Yes,” and if opposed thereto mark a cross (×) or plus (+) in the square at the left of the word “No.”

	Yes.	“Shall a county park commission be appointed in . . . . . county pursuant to chapter (inserting the number of the chapter of this act), pamphlet laws of one thousand nine hundred and forty-six?”
	No.	

C. 40:37-95.24.  
Canvass.

24. If upon the canvass of the vote at such election it shall appear that a majority of those voting for or against the question so submitted have voted in favor thereof, this act shall thereupon become operative and the board of chosen freeholders shall, within ninety days thereafter appoint the commissioners herein authorized to be appointed.

C. 40:37-95.25.  
Construing.

25. Nothing herein contained shall repeal any existing law relating to the establishment of county parks or be construed to apply to any county which, prior to the date of the adoption of this act may have established a county park system or a county park commission under the provisions of any other law.

26. This act shall take effect immediately.  
Approved May 3, 1946.

## CHAPTER 277

AN ACT ratifying and validating elections or referendums held in boroughs of this State on the question of the change of name of said boroughs.

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

1. All elections or referendums heretofore held in boroughs of this State for the purpose of determining on the question of the change of name of any such borough, are hereby ratified, validated and confirmed, notwithstanding any defect in the form of the question on the ballot used in any such election or referendum, or deviation from the procedure contained in article two of chapter forty-three of Title 40 of the Revised Statutes; *provided*, a majority of the voters voting at any such election voted in favor of the proposition submitted.

Referendums  
validated.

Proviso.

2. In all cases coming within the first section of this act, every and all of the acts and doings of the governing body of such boroughs pursuant thereto, are and shall be hereby ratified and confirmed in all particulars, as if no question or doubt has ever arisen as to the proper change of name of said borough.

Action of  
governing body  
confirmed.

3. If any clause or section of this act shall be declared unconstitutional and void, such clause or section shall be excinded from this act and the remainder of this act shall stand.

Clauses  
severable.

4. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 278

AN ACT concerning unemployment compensation, and amending section 43:21-19 of the Revised Statutes.

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

Section amended.

1. Section 43:21-19 of the Revised Statutes is amended to read as follows:

Terms defined:

43:21-19. As used in this chapter, unless the context clearly requires otherwise:

Annual payroll;

(a) (1) "Annual payroll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during a calendar year.

Average annual payroll;

(2) "Average annual payroll" means the average of the annual payrolls of any employer for the last three or five preceding calendar years, whichever average is higher; *provided, however*, that only those wages be included on which employer contributions have been paid on or before January thirty-first of the calendar year for which the employer's contribution rate is computed.

Proviso;

(b) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to his unemployment.

Base year;

(c) The term "base year" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year; *provided*, that no calendar quarter shall comprise a part of more than one base year.

Proviso;

Benefit year;

(d) "Benefit year" with respect to any individual means the three hundred sixty-four consecutive calendar days beginning with the day on, or as of, which he first files a valid claim for benefits, and thereafter beginning with the day on, or as of, which the individual next files a valid claim for benefits after the termination of his last preceding

benefit year. Any claim for benefits made in accordance with subsection (a) of section 43:21-6 of this Title shall be deemed to be a "valid claim" for the purpose of this subsection if the individual has fulfilled the condition imposed by subsection (e) of section 43:21-4 of this Title.

(e) "Commission" means the Unemployment Compensation Commission established by section 43:21-10 of this Title, and for purposes of this chapter any transaction or exercise of authority by the executive director shall be deemed to be performed by the commission. Commission;

(f) "Contributions" means the money payments to the State Unemployment Compensation Fund required by this chapter. Contributions;

(g) "Employing unit" means any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January first, one thousand nine hundred and thirty-six, had in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which maintains two or more separate establishments within this State shall be deemed to be employed by a single employing unit for all the purposes of this chapter. Whenever any employing unit contracts with or has under it any contractor or subcontractor for any employment which is part of its usual trade, occupation, profession, or business, unless the employing unit as well as each such contractor or subcontractor is an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, the employing unit shall for all the purposes of this chapter be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which such individual is engaged in performing such em- Employing unit;

ployment; except that each such contractor or subcontractor who is an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, shall alone be liable for the contributions measured by wages payable to individuals in his employ, and except that any employing unit who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, may recover the same from such contractor or subcontractor. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all the purposes of this chapter, whether such individual was hired or paid directly by such employing unit or by such agent or employee; *provided*, the employing unit had actual or constructive knowledge of the work.

Proviso;

Employer;

(h) "Employer" means:

(1) Any employing unit which for some portion of a day, but not necessarily simultaneously, in each of twenty different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment four or more individuals (irrespective of whether the same individuals are or were employed in each such day);

(2) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter;

(3) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another employing unit and which, if treated as a single unit with such other employing unit, would be an employer under paragraph (1) of this subsection;



(4) Any employing unit which together with one or more other employing units, is owned or controlled (by legally enforceable means or otherwise), directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforceable means or otherwise), and which, if treated as a single unit with such other employing unit or interests, would be an employer under paragraph (1) of this subsection;

(5) Any employing unit which, having become an employer under paragraphs (1), (2), (3) or (4), has not, under section 43:21-8 of this Title, ceased to be an employer subject to this chapter; or

(6) For the effective period of its election pursuant to subsection (c) of section 43:21-8 of this Title any other employing unit which has elected to become fully subject to this chapter.

(i) (1) "Employment" means service, including Employment; service in interstate commerce performed for remuneration or under any contract of hire, written or oral, expressed or implied.

(2) The term "employment" shall include an individual's entire service, performed within or both within and without this State if:

(A) The service is localized in this State; or

(B) The service is not localized in any State but some of the service is performed in this State, and (i) the base of operation, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this State; or (ii) the base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed, but the individual's residence is in this State.

(3) Services performed within this State but not covered under paragraph (2) of this subsection shall be deemed to be employment subject to

this chapter if contributions are not required and paid with respect to such services under an unemployment compensation law of any other State or of the Federal Government.

(4) Services not covered under paragraph (2) of this subsection, and performed entirely without this State, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other State or of the Federal Government, shall be deemed to be employment subject to this chapter if the individual performing such services is a resident of this State and the commission approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter; *provided*, written objections on the part of a substantial proportion of such individuals affected are not presented to the commission within ten days following the filing of such election.

(5) Service shall be deemed to be localized within a State if

(A) the service is performed entirely within such State; or

(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

(6) Services performed by an individual for remuneration shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the commission that

(A) such individual has been and will continue to be free from control or direction over the performance of such service, both under his contract of service and in fact; and

(B) such service is either outside the usual course of the business for which such service is performed, or that such service is performed outside of all the places of business of the enterprise for which such service is performed; and

(C) such individual is customarily engaged in an independently established trade, occupation, profession or business.

(7) The term "employment" shall not include:

(A) Agricultural labor;

(B) Domestic service in a private home;

(C) Service performed by an individual in the employ of his son, daughter or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

(D) Service performed in the employ of this State or of any political subdivision thereof or of any instrumentality of this State or its political subdivisions;

(E) Service performed in the employ of any other State or its political subdivisions, or of the United States Government, or if an instrumentality of any other State or States or their political subdivisions or of the United States;

(F) Services performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, hospital, benevolent, philanthropic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(G) Services performed in the employ of fraternal beneficiary societies, orders, or associations operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge sys-

tem and providing for the payment of life, sick, accident or other benefits to the members of such society, order, or association, or their dependents;

(H) Services performed as an officer or other employee of any building and loan association of this State, except where such services constitute the principal employment of the individual; services performed as an officer or other employee of any building and loan association where such association is a member of the Federal Home Loan Bank System; services performed as an officer or other employee of any bank which is a member of the Federal Reserve System;

(I) Service, performed after June thirtieth, one thousand nine hundred and thirty-nine, with respect to which unemployment compensation is payable under the Railroad Unemployment Insurance Act (52 Stat. 1094).

(J) Service performed by agents of insurance companies, exclusive of industrial life insurance agents, or by agents of investment companies, who are compensated wholly on a commission basis.

(K) Services performed by real estate salesmen or brokers who are compensated wholly on a commission basis.

(L) Services performed in the employ of any veterans' organization chartered by Act of Congress or of any auxiliary thereof, no part of the net earnings of which organization, or auxiliary thereof, inures to the benefit of any private shareholder or individual.

Employment  
office;

(j) "Employment office" means a free public employment office, or branch thereof operated by this State or maintained as a part of a State controlled system of public employment offices.

Fund;

(k) "Fund" means the unemployment compensation fund established by this chapter, to which all contributions required and from which all benefits provided under this chapter shall be paid.

(l) "State" includes, in addition to the States of the United States of America, Alaska, Hawaii, and the District of Columbia. State;

(m) Unemployment. Unemploy-

(1) An individual shall be deemed "unemployed" for any week during which he is not engaged in full-time work and with respect to which his remuneration is less than his weekly benefit rate. ment;

(2) The term remuneration, as used in this subsection, shall include only that part of the same which exceeds three dollars (\$3.00) for any one (1) week.

(3) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the commission may by regulation otherwise prescribe.

(n) "Unemployment compensation administration fund" means the unemployment compensation administration fund established by this chapter, from which administrative expenses under this chapter shall be paid. Unemploy-  
ment  
compensation  
administration  
fund;

(o) "Wages" means remuneration payable by employers for employment. Wages;

(p) "Remuneration" means all compensation payable for personal services, including commissions and bonuses and the cash value of all compensation payable in any medium other than cash. Remuneration;

(q) "Week" means such period or periods of seven consecutive calendar days ending at midnight, as the commission may by regulation prescribe. Week;

(r) "Calendar quarter" means the period of three consecutive months ending on March thirty-first, June thirtieth, September thirtieth, or December thirty-first, excluding, however, any calendar quarter or portion thereof which occurs prior to January first, one thousand nine hundred and thirty-seven, or the equivalent thereof as the commission may by regulation prescribe. Calendar  
quarter;

Investment  
company.

(s) "Investment company" means any company as defined in paragraph 1.a of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight, entitled "An act concerning investment companies, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'investment companies.' "

2. This act shall take effect immediately.

Approved May 3, 1946.

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## CHAPTER 279

AN ACT concerning parks in certain counties, and supplementing chapter thirty-seven, Title 40, of the Revised Statutes.

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

C. 40:37-11.2.  
Temporary  
use of lands  
for housing.

1. The county park commission in any county having a population of more than eight hundred thousand inhabitants may contract with any municipality in such county for the temporary use and occupancy of any lands owned by or under the care, custody and control of such park commission for the purpose of constructing, operating and maintaining emergency housing and other dwelling facilities for veterans and their families, upon such terms, subject to such conditions and in such manner as such park commission may deem proper or necessary for the preservation for park purposes of the lands of such county park commission, and as may be agreed upon between the contracting parties.

2. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 280

AN ACT concerning the State Employees' Retirement System, and supplementing chapter fourteen of Title 43 of the Revised Statutes.

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

1. All employees of any public agency or organization of this State, which employs persons engaged in service to the public, shall be eligible to participate in the State Employees' Retirement System as defined in the chapter to which this act is supplementary; *provided*, the employer consents thereto by resolution and files a certified copy of such resolution with the board of trustees of the State Employees' Retirement System and the board of trustees approves thereof by resolution. Such organization shall be referred to in this act as the employer. If the participation of such employees is so approved then the employer shall contribute to the contingent reserve fund on account of its members at the same rate per centum as would be paid by the State if the members were State employees.

C. 43:14-62.  
Eligible for  
membership.

Proviso.

Employer  
contributions.

2. If the employer shall so consent to the enrollment of its employees and the board of trustees shall so approve, participation in the retirement system shall become effective on the date fixed by such board but not later than six months following such approval by the board of trustees of the retirement system. All service rendered to the employer by its employees previous to the effective date of such participation shall be credited to its employees who file application for membership within one year from such effective date, and such credit to its employees shall be known as prior service credit, and the obligation of the employer on account of such credit shall be known as the ac-

C. 43:14-63.  
Participation  
effective.

Previous  
employment  
credited.

crued liability. Membership shall be compulsory for all employees entering the service of the employer after such effective date.

C. 43:14-64.  
Information  
furnished.

3. The chief fiscal officer of the employer so consenting to the enrollment of its employees shall submit to the board of trustees such information and shall cause to be performed in respect to each of the employees of the employer such duties as would be performed in the State service by the head of a department of the State employing members of the retirement system.

C. 43:14-65.  
Rates and  
accrued  
liability  
certified.

4. The board of trustees of the State Employees' Retirement System shall certify to the chief fiscal officer of the employer so consenting the rates of contributions payable by members, as if they were State employees, and the contributions, including the accrued liability contribution similar to the State accrued liability contribution, payable by the employer on behalf of these members, as if they were State employees, including a pro rata share of the cost of the administration of the retirement system, based upon the payroll of the members who are employees of the employer. The initial actuarial expense incident to the determination of the accrued liability contribution, payable by the employer so consenting, shall be paid by the employer. The amount certified by the board of trustees as payable by such employer shall be included in the next budget subsequent to the certification by the board of trustees. The treasurer or corresponding officer shall pay on December twenty-seventh in each year to the State Treasurer the amount of the employer's charges so certified, and shall pay monthly to the State Treasurer the amount of the deductions from the compensation of the members who are employees of the employer. The State Treasurer shall credit these amounts to the appropriate fund or account of the State Employees' Retirement System.

Payment of  
employer's  
charges.

C. 43:14-66.  
Entitled  
to benefits.

5. Employees of the employer on behalf of whom contributions are so paid shall be entitled to bene-



fits under the State Employees' Retirement System as though they were State employees.

6. An employee of such employer who, by reason of his service, is a member of any other governmental retirement system shall not participate in this retirement system on that part of his compensation so covered. Should such employer for any reason become financially unable to make the normal and accrued liability contributions payable on account of its employees, then such employer shall be deemed to be in default and a certificate to this effect shall be sent by the board of trustees to the employer and to the State Commissioner of Banking and Insurance. All members of the retirement system, who were employees of such employer at the time of default, shall thereupon be entitled to discontinue membership in the retirement system and to a refund of their previous contributions upon demand made within ninety days thereafter. As of a date ninety days following the date of such certificate of default, the actuary of the retirement system shall determine by actuarial valuation the amount of the reserves held on account of each active member and pensioner of such employer and shall credit to each such member and pensioner the amount of reserve so held. The reserve so credited, together with the amount of the accumulated contributions of each active member shall be used to provide a paid up deferred annuity beginning at age sixty for him, and the reserve of each pensioner shall be used in providing such part of his existing pension as the reserve so held will provide, which pension, together with his annuity, shall thereafter be payable to him. The rights and privileges of both active members and pensioners of such employer shall thereupon terminate except as to the payment of the deferred annuities so provided for the previous active members and the annuities and the pensions, or parts thereof, provided for the pensioners.

C. 43:14-67.  
Not to  
participate.  
Default by  
employer.

Reserve  
credited.

Rights and  
privileges  
terminated.

7. Notwithstanding anything to the contrary, the retirement system shall not be liable for the

C. 43:14-68.  
System not  
liable.

payment of any pensions or other benefits on account of the employees or pensioners of any employer under this article, for which reserves have not been previously created from funds, contributed by such employer or its employees for such benefits.

C. 43:14-69.  
Public  
agency or  
organization  
defined.

8. The words "public agency or organization" as used in this act shall be construed to mean and include any agency or organization which operates public works for one or more municipalities or counties, and whose revenue is derived from other than State funds, but shall not be construed to include any subdivision of and any county, municipality, school district, privately owned public utility or any religious, educational or charitable organization.

9. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 281

AN ACT concerning liens on goods and chattels in possession, for labor or materials used in construction or repair thereof, and amending section 2:60-34 of the Revised Statutes.

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

Section  
amended.

1. Section 2:60-34 of the Revised Statutes is amended to read as follows:

Notice of  
sale published.

2:60-34. Notice of the sale, authorized by section 2:60-33 of this Title, shall be first published for two consecutive weeks, at least once in each week, next preceding the day of sale, in a newspaper published in the county, and also five days' notice set up in five of the most public places in the municipality, in which the chattels are located. If

the residence of the owner of the chattels is ascertained, a copy of the printed notice shall be mailed to him at least five days before the day of sale.

2. This act shall take effect immediately.

Approved May 3, 1946.

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## CHAPTER 282

AN ACT concerning townships and the term of office of certain appointive officers thereof, and amending section 40:145-13 of the Revised Statutes.

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

1. Section 40:145-13 of the Revised Statutes is amended to read as follows: Section amended.

40:145-13. All appointive officers, except where otherwise provided, shall hold office until January first next following their appointment. Appointive officers' terms.

The township engineer shall hold office for a term not exceeding three years from the first day of January in the year in which he is appointed.

The terms of persons holding the position or office of attorney and treasurer in any township of this State having a population in excess of twenty-four thousand inhabitants and not having the municipal manager form of government is hereby fixed at four years, and any person now holding said position or office in any such township in this State and any persons who may be hereafter appointed or elected to either of said positions or offices shall hold said position or office for a term of four years from the first day of January in the year in which said election or appointment was made. The provisions of this section shall not affect or apply to persons now holding or who may hereafter hold either of said positions or offices, who are under tenure of office.

Vacancies.

Where a vacancy occurs in any appointive office, the township committee shall fill such vacancy for the unexpired portion of the term thereof; except in the case where the township committee shall grant a leave of absence to join any branch of the armed forces of the United States.

No hold over.

No officer shall hold over in his office after the expiration of the term for which he shall have been appointed.

2. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 283

AN ACT authorizing the sale of real estate of decedents to pay debts in cases where such real estate may be subject to escheat to the State, and providing for the disposition of the surplus from such sales.

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

C 3:25-66.1  
Court order  
to sell.

1. Hereafter, in any case where real estate may be subject to escheat to the State, proceedings to sell such real estate to pay debts of the decedent may be taken as in other cases, and the court may order such sale to be made in the same manner and to the same extent provided by law for other cases, and the order of the court confirming such sale shall have the same force and effect as similar orders made in other cases; *provided*, that a copy of the order to show cause why such real estate should not be sold, together with a copy of the petition filed in such proceedings, shall be sent by registered mail to the State Treasurer; *and provided*, *further*, that an affidavit of such mailing, together with a certificate signed by the Attorney-General

Proviso.

Proviso.

and the State Treasurer certifying that the State will interpose no objection to the making of an order authorizing the sale of such real estate, shall be exhibited to the court at the time set forth for the hearing in such order to show cause.

2. The affidavit of mailing of copy of such petition and of such order to show cause, and such certificate of the Attorney-General and the State Treasurer shall be filed, without cost, in the same manner as all other papers in such proceedings are required to be filed.

C. 3:25-66.2.  
Papers filed  
without cost.

3. After accounting duly made by the legal representative in the court wherein he is required by law to account for such sale and after the payment of debts and just expenses, fees and commissions of every sort (the personal estate of the decedent having been first applied thereto), if no heirs at law of the decedent, to whom distribution may be made pursuant to the provisions of law, have made claim to any surplus remaining from such sale, the court shall order such surplus to be paid over to the State Treasurer; and upon receiving the State Treasurer's receipt therefor, the legal representative shall have no further obligation with respect to such surplus.

C. 3:25-66.3.  
Surplus, paid  
to State  
Treasurer.

4. After payment to the State Treasurer, as aforesaid, no distribution of such surplus shall be made to any heir or other person interested in the real estate from the sale of which the surplus so paid over to the State Treasurer arose, unless such heir or other person shall have proceeded pursuant to the provisions of chapter four of Title 3 of the Revised Statutes, except that the application presented to the orphans' court, with the certificate of said court duly endorsed thereon, together with all proofs and proceedings, instead of being recorded as provided in section 3:4-2 of the Revised Statutes, shall be filed with the State Treasurer. Upon receipt of such papers, the State Treasurer shall file the same in his office and shall distribute such surplus to the person or persons shown in such proofs to be interested in the real

C. 3:25-66.4.  
Proceedings  
by heir to  
recover.

estate from the sale of which such surplus arose. Such distribution shall be made according to the interest or interests of such person or persons, as shown by such proofs; and payment shall be so made at any time each such person may appear and establish his identity to the satisfaction of the State Treasurer.

C. 3:25-66.5.  
Action at law  
to recover.

5. Whenever the State Treasurer shall make payment to any person or persons in accordance with the proofs filed with him in any case, as aforesaid, no recovery may be had against the State Treasurer by any other person or persons who may thereafter establish in any court proceeding his or their contrary interest or interests in the real estate from the sale of which such surplus arose, but such other person or persons who may thereafter establish in any court proceeding his or their interest contrary to such proofs shall, as to the portion of such surplus remaining in the State Treasurer's hands, be entitled to his or their proportionate share thereof and, in addition thereto, may bring an action or actions at law against such persons to whom distribution has been made by the State Treasurer, to recover his or their proportionate share of that portion of the surplus so distributed by the State Treasurer.

6. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 284

AN ACT to amend "An act providing for the retirement of policemen and firemen of the police and fire departments in municipalities of this State, including members of the fire departments of any fire district located in any township and including all police officers having supervision or regulation of traffic upon county roads, and providing a pension for such retired policemen and firemen and members of the police and fire departments, and the widows, children and sole dependent parents of deceased members of said departments, and supplementing Title 43 and amending sections 43:16-1, 43:16-2, 43:16-3, 43:16-4, 43:16-5, 43:16-6, 43:16-7 and repealing 43:16-11 of the Revised Statutes," approved May twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 253).

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

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

2. 43:16-2. Any member of such police or paid or part paid fire department who shall have received permanent disability while on duty shall be retired upon a service disability pension equal to one-half of his average salary. Retirement for service disability.

A member of any such department who shall have served honorably for at least three years, desiring to retire because of permanent disability not sustained while on duty, shall upon approval of his application or the application of his employer be retired on a nonservice disability pension equal to thirty-three and one-third per centum ( $33\frac{1}{3}\%$ ) of his average salary. Retirement for nonservice disability.

## • Application.

## Examination.

Periodic  
physical  
examination  
of pensioner.

A member of any such department seeking to retire on a service disability or nonservice disability pension shall make application to the pension commission in writing; or the commission may, upon application of the employer, cite any such member of any such department before it to examine such member concerning his alleged disability and in either case the pension commission shall call to its assistance the aid of a surgeon or physician, and the member may likewise call to his aid a regularly licensed and practicing physician or surgeon. The president of the board of pension commissioners is authorized to administer oaths to such physicians or surgeons or any other person called with respect to the matter before the commission. If the two physicians or surgeons so called fail to agree upon the physical or mental condition of the member, the pension commission may call a third and disinterested, licensed and practicing physician or surgeon, and the determination of a majority of such surgeons or physicians, after they shall have been duly sworn in the case, shall be reduced to writing and signed by them. The determination shall specify whether or not such member is permanently disabled from performing his usual duty and any other available duty in the department which his employer is willing to assign to him and whether or not his permanent disability occurred while on duty. The pension commission shall determine by resolution whether the member is fit for the performance of his usual duty or such other duty in his department which his employer is willing to assign to him and if it is determined that he is unfit for such duty or there is no available duty which he could perform then he shall be entitled to the benefits of this subtitle. In determining whether the member should be retired on a disability pension, the pension commission shall consider the physicians' and surgeons' determination in arriving at its decision.

The pension commission shall require any member who is less than fifty-three years of age and



who shall have been retired on a service disability or nonservice disability pension to submit to a physical examination twice a year for a period of three years and once a year thereafter in order to determine whether or not the disability which existed at the time that he was retired still exists. Such examination shall be made in accordance with the same procedure in the instance of the examination made by virtue of a member's application for retirement for disability. If the physicians or surgeons or a majority of them report that the member is able to perform either his former usual duties, if such be available, or such other available duties in the department which his employer shall assign to him, the pensioner shall report for such duty within ten days, and be reinstated to duty at the salary prevailing for the position at the time of his reinstatement and thereupon his pension payments shall cease. If the pensioner fails to submit to a medical examination or fails to return to duty within ten days after receiving either request or within such further time as may be allowed by the commission for valid reason, his pension payments shall be discontinued during such default. Any pensioner who may be of the opinion that he has recovered from the disability which existed at the time of his retirement may request and be granted an examination by the commission at any time and if it be found by the physicians or surgeons or a majority of them that he be fit for his usual duty or any other available duty in the department which his employer is willing to assign to him and the commission concurs therein then he shall be reinstated thereto, if such be available, at the salary prevailing for the position at the time of his reinstatement and thereupon his pension payments shall cease.

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

Section  
amended.

3. 43:16-3. The widow of a member of such police or paid or part paid fire department, who shall have been retired on a service retirement pension,

Widow to  
receive  
pension.

or who shall have continued in service after becoming eligible for such pension and shall not have lost his life while on duty, or who shall have been retired on a service disability pension, and which member shall have paid into the fund the full amount of his annual assessments or contributions and if he shall have been retired on pension continued so to do after his retirement and until his death, shall, if she married her husband before the date of his retirement and before he reached fifty years of age and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension for so long as she remains unmarried equal to one-half of the average salary of her deceased husband but not to exceed the sum of one thousand dollars (\$1,000.00) annually for the use of herself and the children of her deceased husband, if any, under sixteen years of age, or if no widow but children under sixteen years of age or if widow dies leaving children under sixteen years of age, of the deceased member, the pension which the widow would have received had she survived shall be paid to such children.

Widow of  
member not  
retired.

The widow of a member who shall not have been retired but shall die before becoming eligible for a service retirement pension while still employed by the department and shall not have lost his life while on duty, and the widow of a member who shall have been retired on a nonservice disability pension and which member shall have paid into the fund the full amount of his annual assessments or contributions until his death, shall, if she married her deceased husband before the date of his retirement and before he reached fifty years of age, and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension, for so long as she remains unmarried, equal to one-half of the average salary of her deceased husband, but not to exceed the sum of one thousand dollars (\$1,000.00) annually, for the use of herself and the children of her deceased husband, if any, under sixteen years of age, or if no

widow but children under sixteen years of age or if widow dies leaving children under sixteen years of age, of the deceased member, the pension which the widow would have received had she survived shall be paid to such children. The widow of any member who died on or after July first, one thousand nine hundred and forty-four, and who is not receiving at the time this amendment takes effect a pension equal to the amount provided by this amendment, shall, beginning with the effective date of this act, receive a pension in the amount provided by this amendment.

If a member who shall have been retired on a service retirement pension or a member who shall have continued in service after becoming eligible for such pension and shall not have lost his life while on duty or a member who shall have been retired upon a service disability or nonservice disability pension, or a member who dies while still employed by the department but who shall not have lost his life while on duty, leaves no widow, but leaves a child or children under sixteen years of age, or if such widow dies leaving children of the deceased member, the pension which the widow would have received had she survived shall be paid to those children who have not reached sixteen years of age in equal shares, if there be three or more of them, if there be only two they shall be paid twenty dollars (\$20.00) each monthly and if there be only one, the child shall be paid twenty-five dollars (\$25.00) monthly, until the age of sixteen years is reached but in no event are the pensions paid to the children to exceed in the aggregate the sum of one thousand dollars (\$1,000.00) annually.

Pension paid  
to children.

If the member dies leaving no widow and no children under sixteen years of age, the pension shall be paid to the dependent parent or parents of the deceased member; but in no event shall any pension paid to a dependent parent exceed five hundred dollars (\$500.00) per annum if there be one, or ex-

Payment  
to parents.

ceed three hundred seventy-five dollars (\$375.00) per annum each if there be two.

Section  
amended.

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

Pension to  
dependents on  
loss of life.

4. 43:16-4. The widow of any member of such police or paid or part paid fire department, who shall have paid into the fund the full amount of his annual assessments or contributions and shall have lost his life while on duty, shall, if she married her husband before the date of his retirement and before he reached fifty years of age and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension for so long as she remains unmarried equal to one-half of the member's average salary, but not to exceed the sum of one thousand dollars (\$1,000.00) annually. If there be a widow and children of the member, the pension shall be paid to the widow for the use of herself and such children. If there be such children and no widow, or if the widow dies, the pension which the widow would have received had she survived shall be paid to those children who have not reached sixteen years of age, in equal shares, if there be three or more children; if there be two children, they shall be paid thirty dollars (\$30.00) each monthly; if there be but one child, he shall be paid forty dollars (\$40.00) monthly; but in no event shall the pensions paid to the children exceed in the aggregate the sum of one thousand dollars (\$1,000.00) annually. If there be no widow and no such children under sixteen years of age, the pension shall be paid to the dependent parent or parents of the deceased member; but in no event shall any pension paid to a dependent parent exceed five hundred dollars (\$500.00) per annum if there be one, or exceed three hundred seventy-five dollars (\$375.00) per annum each if there be two. No widow shall be entitled to a pension who shall have married the member after he shall have reached fifty years of age, or after the date of his retirement, or while he was suffering from the last illness which resulted

in his death, and no children of both such widow and member, whether natural or adopted, shall be entitled to a pension. If a widow entitled to a pension remarries, the pension shall cease and shall not be paid to the widow or her children.

4. Section twelve of the act of which this act is amendatory is amended to read as follows:

12. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meaning:

(1) "Member" shall mean a person who on the effective date of this act is a member of a municipal police department or paid or part paid fire department or county police department or a paid or part paid fire department of a fire district located in a township and who has contributed to the pension fund established under chapter sixteen of Title 43 of the Revised Statutes and shall hereafter contribute to said fund.

(2) "Active member" shall mean any "member" who is a policeman, fireman, detective, lineman, driver of police van, fire alarm operator or inspector of combustibles and who is subject to call for active service or duty as such.

(3) "Employee member" shall mean any "member" who is not subject to call for active service or duty as a policeman, fireman, detective, lineman, driver of police van, fire alarm operator or inspector of combustibles.

(4) "Commission" shall mean the board having control of the fund and the administration of this act.

(5) "Physician or surgeon" shall mean the surgeon or surgeons, physician or physicians who shall be called upon to determine the disability of members as provided by this act.

(6) "Employer" shall mean the county, municipality or agency thereof, by which a member is employed.

Section  
amended.

C. 43:16-17.  
Terms  
defined:

Member;

Active  
member;

Employee  
member;

Commission;

Physician or  
surgeon;

Employer;

- Service; (7) "Service" shall mean service rendered while a member is employed by a municipal police department, paid or part paid fire department, county police department or paid or part paid fire department of a fire district located in a township prior to the effective date of this act for such service to such departments thereafter.
- Pension; (8) "Pension" shall mean the amount payable to a member or his beneficiary under the provisions of this act.
- Average salary; (9) "Average salary" shall mean the average annual salary paid during the last five years of a member's service, or in the event he has been employed for less than five years, the average pay he received during the time he was employed.
- Beneficiary; (10) "Beneficiary" shall mean any person or persons, other than a member, receiving or entitled to receive a pension or benefit as provided by this act.
- Dependent parent; (11) "Dependent parent" shall mean the father or mother of the deceased member who proves to the satisfaction of the commission that such deceased member was his or her main support.
- County police. (12) "County police" shall mean the police officers employed by a county police department having supervision or regulation of traffic on county roads.

5. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 285

AN ACT to amend "An act to provide for the incorporation and regulation of credit unions, and repealing sections 17:13-1 to 17:13-25, inclusive, of the Revised Statutes," approved June fourth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 293).

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

1. Section two of the act of which this act is amendatory is amended to read as follows: Section amended.
2. Upon executing, recording and filing a certificate of incorporation as hereinafter provided and upon compliance with the provisions of this act and upon approval of the Commissioner of Banking and Insurance as hereinafter provided any seven or more natural persons, citizens of this State, may become a credit union and shall be a corporation by the name set forth in its certificate of incorporation with the following powers: C. 17:13-27.  
Incorporation of credit unions.
  - (a) To receive the savings of its members as payments on shares;
  - (b) To make loans to its members for provident or productive purposes;
  - (c) To make loans to any other credit union operating under the provisions of this act or operating in this State under the provisions of the Federal Credit Union Act; *provided, however*, that the aggregate of all loans to other credit unions shall not exceed twenty per centum (20%) of its share liability and no credit union shall loan to any other credit union more than twenty per centum (20%) of the share liability of such other credit union; Powers.
  - (d) To invest in or purchase any security in which savings banks of this State are authorized by law to invest and shares and accounts of sav- Proviso.

ings and loan associations and Federal savings and loan associations which shares are insured by the Federal Savings and Loan Insurance Corporation; *provided*, that no such credit union shall invest in real estate or bond and mortgage loans, nor shall any such credit union make any investment in securities not permitted under the terms of this act; *and provided*, that investments, other than in loans to members, shall be made only from funds not needed for loans to members except when the board of directors of any such credit union deems it advisable to invest in other securities for the purpose of maintaining the liquidity of such credit union or maintaining a proper balance in its investment portfolio;

(e) To charge, contract for and receive interest on loans at a rate not to exceed one per centum (1%) per month; and such interest shall not be payable in advance, or compounded, and shall be computed on unpaid balances; *provided*, that no further or other charge or amount whatsoever for examination, service, brokerage, commission or otherwise shall be directly or indirectly charged, contracted for or received on loans, in addition to the interest herein provided for, except the lawful fees, if any, actually and necessarily paid out on any such transaction to any public officer for filing or recording or releasing in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter, and except on actual sale of the security in foreclosure proceedings or upon entry of judgment; *and provided, further*, that in addition to the foregoing attorneys' fees not to exceed ten per centum (10%) or ten dollars (\$10.00), whichever is highest, may be added to the principal amount of any loan of any such credit union resolved into judgment or placed in the hands of any attorney for collection after default thereon and such addition to the principal amount shall be collectible in any court of competent jurisdiction in addition to the court costs;



- (f) To charge fines on delinquent shares;
  - (g) To charge an entrance fee or membership fee not to exceed twenty-five cents (\$0.25) per member;
  - (h) To deposit its funds only in national banks or in trust companies, banks or savings banks of this State;
  - (i) To have and exercise all the powers of corporations organized under Title 14 of the Revised Statutes not inconsistent with this act.
2. This act shall take effect immediately.  
Approved May 3, 1946.

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#### CHAPTER 286

AN ACT to release and discharge certain lands and premises situate in the borough of Paulsboro, formerly the township of Greenwich, county of Gloucester and State of New Jersey, from the limitations and restrictions imposed by an act of Legislature entitled "A supplement to an act entitled 'An act to provide building sites for life saving stations on the coast of New Jersey, approved February twenty-eighth, one thousand eight hundred and seventy-two,' approved March twenty-sixth, one thousand eight hundred and seventy-three" (P. L. 1873, c. 371).

WHEREAS, The Legislature of the State of New Jersey, did on or about February twenty-eighth, one thousand eight hundred and seventy-two, approve an "Act to provide building sites for life saving stations on the coast of New Jersey":  
and

Preamble.

- Preamble. WHEREAS, Subsequently thereto on or about March twenty-sixth, one thousand eight hundred and seventy-three, the Legislature of the State of New Jersey did approve "A supplement to said act wherein by the second paragraph thereof it was provided as follows: '*And be it enacted*, that the Governor of this State is hereby authorized and required to convey the said land or sites to the United States by good and sufficient conveyances, and under the great seal of the State, for the purposes of building a lighthouse and other buildings needed for lighthouse purposes thereon, and for no other purposes, the United States repaying to the Treasurer of this State whatever moneys the State of New Jersey may have incurred or expended in obtaining the title to the same',"; and
- Preamble. WHEREAS, Subsequently thereto and in pursuance thereof, the Governor of the State of New Jersey on or about the fifth day of March, one thousand eight hundred and eighty, did convey certain premises hereinafter described to the United States of America, said lands and premises being conveyed subject to the following limitations and restrictions, namely, "for the purposes of building a lighthouse and other buildings needed for lighthouse purposes thereon and for no other purposes"; and
- Preamble. WHEREAS, It further appears that the best interests of the State of New Jersey will be served by the sale of said land and premises so that the same will become taxable property in this State; and
- Preamble. WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

1. The following lands and premises being more particularly bounded and described as follows: Location and description.

All that certain tract or parcel of land and premises hereinafter described, situate, lying and being in the borough of Paulsboro, formerly in the township of Greenwich, in the county of Gloucester and State of New Jersey:

Beginning at a point where the low water line in the Delaware river intersects the line dividing the land of Elizabeth Stevenson from the land of Walter B. Dick; thence along said division line south twenty-three degrees and ten minutes east thirteen hundred feet to a point in the center of a road called River road; thence along the centre line of said road south sixty-nine degrees west one hundred and sixty-seven feet and a half feet; thence north twenty-three degrees and ten minutes west thirteen hundred feet more or less to the low water line in Delaware river, and; thence along said low water line to the place of beginning.

Containing five acres more or less.

Are hereby released and discharged from the limitations and restrictions contained in said act of the year one thousand eight hundred and seventy-three, and in said conveyance made by the Governor in the year one thousand eight hundred and eighty that the same be used "for the purposes of building a lighthouse and other buildings needed for lighthouse purposes thereon and for no other purposes," which limitations and restrictions were imposed by an act of Legislature entitled "A supplement to an act entitled 'An act to provide building sites for life saving stations on the coast of New Jersey, approved February twenty-eighth, one thousand eight hundred and seventy-two,' approved March twenty-sixth, one thousand eight hundred and seventy-three." Limitations and restrictions released.

2. This act shall take effect immediately.

Approved May 3, 1946.

## CHAPTER 287

AN ACT concerning street railway and traction companies, their formation, certificates of incorporation and the contents of the same, borrowing power, and amending sections 48:15-6 and 48:15-13 of the Revised Statutes.

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

Section  
amended.

1. Section 48:15-6 of the Revised Statutes is amended to read as follows:

Formation.

48:15-6. Three or more persons, one of whom shall be a resident of this State, may form a street railway or traction company. Such persons shall make and file a certificate, executed and acknowledged as deeds for the conveyance of lands are required to be executed and acknowledged, which certificate shall set forth:

Certificate of  
incorporation.

Contents.

- I. The name of the company;
- II. The place in this State where its principal office is to be located;
- III. The total amount of the authorized capital stock which shall not be less than one hundred thousand dollars (\$100,000.00), if it is to have a par value, or the total number of shares of stock authorized; the number of shares into which it is divided if it is to have a par value; a statement of whether said shares are to have a par value or to be without par value; if the shares are to have a par value the par value of each share; the amount of capital stock with which it shall commence business, which shall not be less than twenty-five thousand dollars (\$25,000.00);
- IV. The names and residences of the incorporators and the number of shares held by each;

V. The period at which the company shall commence and terminate, which period of existence shall not exceed one hundred years;

VI. Such provisions relating to common or preferred stock or limitations upon the exercise of the powers of the company, its directors and stockholders, as the incorporators may desire. Such limitations shall not attempt to exempt the company, its directors or stockholders from the performance of any duty imposed by law.

2. Section 48:15-13 of the Revised Statutes is amended to read as follows: Section amended.

48:15-13. Any street railway or traction company may borrow from time to time such sums of money as may be necessary for the accomplishment of the objects of the company, not exceeding at any one time the amount of its capital stock issued, outstanding and fully paid for. Borrowing, limitation.

3. This act shall take effect immediately.

Approved May 3, 1946.

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## CHAPTER 288

AN ACT concerning corporations and associations not for profit, and amending sections 15:1-2, 15:1-5 and 15:1-7 of the Revised Statutes.

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

1. Section 15:1-2 of the Revised Statutes is amended to read as follows: Section amended.

15:1-2. The certificate of incorporation shall set forth: Contents of certificate.

a. The name or title by which the corporation is to be known in law;

- b. The purpose for which it is formed;
- c. The place where it is to be located, or its activities conducted;
- d. The number of trustees, which shall not be less than three, and the names and post-office addresses of the trustees selected for the first year of its existence; and
- e. The name and post-office address of the resident agent of said corporation upon whom process against the corporation may be served.

The certificate of incorporation may prescribe the qualifications of officers and members. It may require them to be members in good standing of a fraternal, religious or beneficiary order or society or of a fire or police force or to have other prescribed qualifications, which provisions shall be binding on the officers and members. The certificate may contain other provisions for the regulation of the business and conduct of the affairs of the corporation, and any limitation or regulation of the powers of the corporation and of its officers and members not inconsistent with law or the provisions of this Title.

Section  
amended.

2. Section 15:1-5 of the Revised Statutes is amended to read as follows:

Resident agent  
and officer.

15:1-5. The corporation shall maintain an office in this State, with a resident agent in charge thereof during business hours, upon whom process against it may be served.

Notice of  
change of  
resident agent.

Whenever any change of the resident agent is made, the secretary or other similar officer of the corporation shall file a certificate under the seal of the corporation giving the name, post-office address and length of term, if any, of said resident agent, with the clerk of the county in which the certificate of incorporation was filed and forward a copy thereof to the Secretary of State, within sixty days following the change of resident agent. There shall be paid to the county clerk a fee of twenty-five cents (\$0.25) for filing and indexing each such certificate and to the Secretary of State a fee of one dollar (\$1.00) for filing the copy of each such certificate.

Fees.

3. Section 15:1-7 of the Revised Statutes is amended to read as follows:

Section  
amended.

15:1-7. Except as hereinafter otherwise provided, the business of every corporation organized under the provisions of this Title shall be conducted, subject to the by-laws which shall be passed by the members, by a board of trustees, one of whom shall be a resident of this State. The trustees shall be governed by a majority vote of those present at any duly convened regular or special meeting, unless otherwise provided by the by-laws. The trustees shall be elected by the members or as the certificate of incorporation or the by-laws shall provide, and shall hold office for one year, or such other term as the by-laws provide, and until their successors shall be elected.

Conduct of  
business.

Approved May 3, 1946.

## CHAPTER 289

AN ACT concerning certain public educational institutions, and amending section 18:20-1 of the Revised Statutes.

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

1. Section 18:20-1 of the Revised Statutes is amended to read as follows:

Section  
amended.

18:20-1. No educational institution conducted in this State shall adopt as a name for the institution any title containing the words "New Jersey," "State of New Jersey," "State," or any other expression indicating a relationship between it and the State except schools maintained by the State Board of Education or other State departments and the State University of New Jersey.

Bars use of  
name indicat-  
ing relationship  
with State.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 290

AN ACT concerning the State Police, and supplementing chapter one of Title 53 of the Revised Statutes.

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

C. 53:1-26.1.  
Sale of  
recovered  
articles  
authorized.

1. All goods and chattels which shall come into the possession of the State Police by finding, or by being recovered after theft or robbery, and which shall remain in the possession of the State Police for six months, and the owner or owners are unknown and cannot be found, or refuse to receive such goods or chattels, may, in whole or in part, be exposed for sale by the director of the Division of Purchase and Property of the State Department of Taxation and Finance at public auction in a public place after notice of the sale shall have been published in a newspaper published in the State. Goods and chattels of a perishable nature so held may be sold as promptly as may be necessary to avoid loss. All moneys received from the sale of any goods and chattels shall be paid into the State treasury. All unclaimed moneys coming into the possession of the State Police shall, after six months, be paid into the State treasury.

2. This act shall take effect immediately.

Approved May 6, 1946.



## CHAPTER 291

AN ACT to amend "An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters twenty-two, thirty-two and thirty-six of Title 17 of the Revised Statutes and repealing sections 17:22-1, 17:22-2, 17:22-3, 17:22-4, 17:22-5, 17:23-3, 17:32-6 and 17:32-11 of the Revised Statutes and section one of 'An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter twenty-two of Title 17, and amending section 17:33-1 of the Revised Statutes,' approved May sixteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 118)," approved April twentieth, one thousand nine hundred and forty-four (P. L. 1944, c. 175).

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

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

15. All contracts of insurance for or on behalf of any insurance company, covering any property, or insurable interests, or business activities, located within, or transacted within this State, except as hereinafter provided, shall be countersigned by a licensed agent. This section shall not apply to insurance covering the rolling stock belonging to and used in the operation of railroad corporations or other common carriers, or property in transit while in the possession or custody of railroad corporations or other common carriers, nor to reinsurance between companies. Nothing in this section shall be construed to prevent the use,

Section amended.

C. 17:22-6.15.  
Contracts countersigned by agent.

Not to apply.

Construing.

Not to create liability.	in the discretion of the insurance company assuming the risk, where the business originates and is negotiated outside of this State, of a countersignature endorsement which on its face is identified with the insurance contract for attachment to which it is issued, and which on its face develops information in respect of said contract, including full premium information, sufficient for the countersigning agent's record, and which shall be signed by the countersigning agent. The signing of a countersigning endorsement by any such agent shall not create any responsibility or liability on the part of such agent as to the accuracy or the legality of the contract to which it is attached, but such responsibility and liability shall be assumed by the issuing company.
Section amended.	2. Section twenty-three of the act of which this act is amendatory is amended to read as follows:
C. 17:22-6.23. Provisions not to apply.	23. The foregoing provisions of this act shall not apply to any insurance company, or the representatives thereof, authorized to transact the business of life insurance, or life, accident and health insurance with respect to such insurances, nor to any insurance company, or the representatives thereof, authorized to transact the business of title insurance with respect to such insurance.
Section amended.	3. Section twenty-four of the act of which this act is amendatory is amended to read as follows:
C. 17:22-6.24. Certificate of authority.	24. No agent of any insurance company authorized to transact in this State the business of life insurance, or life, accident and health insurance shall make or procure to be made, or act or aid in any manner in the negotiation of any such insurance for such a company in this State until he procures from the commissioner a certificate of authority so to do, which shall state in substance that the company is authorized to do business under the laws of this State, and that the person named therein is the constituted agent of the company for the transaction of the business. Upon receipt of a certificate by the company of its appointment of a suitable person to act as its agent in this State, the
Contents.	
Term of certificate.	

commissioner shall, if the facts warrant it, grant the certificate, which shall continue in force until May first next after its issue, and by renewal thereof before May first of each year until revoked by the commissioner for noncompliance with the laws or until the appointment of the agent is revoked by written notice from the company to that effect, filed with the commissioner.

4. This act shall take effect immediately.

Approved May 6, 1946.

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## CHAPTER 292

AN ACT concerning desertion, and supplementing chapter one hundred twenty-one of Title 2 of the Revised Statutes.

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

1. The place of residence at the time of the desertion of the wife, child or children, under the provisions of this chapter, shall confer jurisdiction of the offense set forth therein, upon the court of quarter sessions of the county of such residence, until the deserted party shall establish a legal residence in some other county or state.

C. 2:121-8.  
Residence  
to confer  
jurisdiction.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 293

AN ACT concerning collection agencies, and amending section 45:18-3 of the Revised Statutes.

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

Section  
amended.

1. Section 45:18-3 of the Revised Statutes is amended to read as follows:

Execution  
and approval  
of bond.

45:18-3. The bond mentioned in sections 45:18-1 and 45:18-2 of this Title shall be executed by the person filing the same to the State of New Jersey for the use of any party aggrieved with sufficient surety, to be furnished by any company or corporation authorized to transact such business in this State. The said bond shall be examined and approved by the Attorney-General and thereafter accepted and filed with the Secretary of State; *provided, however*, that cash may be accepted in lieu of sureties; *and provided, further*, that no such bond with individual sureties thereon may be approved, accepted or filed.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 294

AN ACT concerning the State Highway Department and authorizing the State Highway Commissioner to release land restrictions in certain cases.

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

1. In all cases where the State of New Jersey has received or shall hereafter receive a conveyance of land subject to restrictions as to the use thereof (except for highway purposes) and the grantor named in such conveyance or his successors in title shall release the land from such restrictions, or where the owners of all other lands subject to the said restrictions shall release the land therefrom, then and in that event the State Highway Commissioner may by good and sufficient conveyance in the law release the said lands from said restrictions.

C. 27:7-22.1.  
May release  
land from  
restrictions.

2. This act shall take effect immediately.  
Approved May 6, 1946.

## CHAPTER 295

AN ACT to provide for the examination and licensing, under the direction of the Department of Health of the State of New Jersey, of superintendents or operators of public water treatment plants, public sewage treatment plants and public water supply systems.

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

C. 58:11-18.10.  
Terms defined:

Public water  
treatment  
plant;

1. Definitions. As used in this act:

(a) "Public water treatment plant" means any structure or structures by means of which water prior to discharge into a public water supply system is subjected to the addition of a substance or substances in order to enhance the safeness of the water used for potable or domestic purposes.

Public  
sewage  
treatment  
plant;

(b) "Public sewage treatment plant" means any structure or structures by means of which domestic wastes are subjected to any artificial process in order to remove or so alter constituents as to render the wastes less offensive or dangerous to the public health, comfort or property of any of the inhabitants of this State before the discharge of the plant effluent into any of the waters of this State; this definition includes plants for the treatment of industrial wastes as well as a combination of domestic and industrial wastes.

Public water  
supply system;

(c) "Public water supply system" means a system comprising structures which operating alone or with other structures result in the derivation, conveyance (or transmission) or distribution of water for potable or domestic purposes to consumers in twenty or more dwellings or properties; this definition does not include a public water treatment plant.

Superin-  
tendents or  
operator;

(d) "Superintendents or operators" means all persons under any local titles or other designations

who are now or shall hereafter be in direct general charge of public water treatment plants, public sewage treatment plants or public water supply systems and who are responsible for and supervise the condition, operation and effectiveness of the structures comprising the said plants or systems and who are responsible for the safeness or quality of the effluents discharged or delivered from said plants or said systems and who are experienced in the operation of the structures and have knowledge of the methods and controls used in the treatment of water or sewage or the deliverance or conveyance of water for potable or domestic purposes.

(e) "Department" means the Department of Health of the State of New Jersey. Department;

(f) "Rules and regulations" means the rules and regulations adopted by the Department of Health of the State of New Jersey for the conduct of examinations for the licensing of superintendents or operators and may include qualifications for admittance to examinations and classifications based upon: the capacity of the plant or system, the amount of water supplied or sewage treated, the method of treatment, the source of water supply, the method of water distribution, the method of sewage collection, the nature or use of the waters prior to the use of said waters for potable or domestic purposes, the nature or use of the waters receiving the effluents from sewage treatment plants, and, the limitation of the use of licenses issued pursuant to this act. Rules and regulations;

(g) "Waters of this State" means the ocean and its estuaries, all springs, streams and bodies of surface waters, whether natural or artificial, within the boundaries of this State or subject to its jurisdiction. Waters of this State;

(h) All other words or phrases shall be defined and construed as provided by chapter one of Title 1 of the Revised Statutes. Other words and phrases.

2. In order to protect and preserve public health, safety and welfare, by providing that municipali- C. 58:11-18.11.  
Bi-annual examinations.  
For operators, etc.

ties, corporations or persons owning or operating public water treatment plants, public sewage treatment plants or public water supply systems may secure the services of capable superintendents or operators, the department is hereby authorized to cause examinations to be made at least twice annually, by such persons and at such times and places as it may appoint and under such rules and regulations as it may adopt, for the purpose of determining the qualifications of applicants for licenses as superintendents or operators. Such examinations shall be in such subjects and conducted in such a manner as the department shall direct. Every applicant whose examination shall be approved by the department shall receive a license as superintendent or operator of public water treatment plants or public water supply systems or public sewage treatment plants, as the case may be.

License granted.

C. 58:11-18.12. License required.

3. No municipality, corporation or person shall appoint any person as superintendent or operator in charge of any public water treatment plant or of any public sewage treatment plant or of any public water supply system, or permit any person to discharge the duties of superintendent or operator of any such plant or system who is not a holder of a license issued by the department under the provisions of this act; *provided, however*, that nothing herein contained shall prevent any municipality, corporation or person from continuing in office any person now occupying the office of superintendent or operator in charge of such plant or system, and the department upon certification from the proper municipal officer, corporation or individual, that such person held the office of superintendent or operator in charge of such plant or system at the time this act became effective, shall issue a license to said person to operate such plant or system in the same manner as if he had passed an examination held by the department; *provided, further, however*, that this act shall not affect the validity of licenses already issued by the depart-

Proviso.

Proviso.



ment to superintendents or operators to operate such plants or systems under the provisions of chapter twenty-three, laws of one thousand nine hundred and eighteen (now sections 58:11-14 to 58:11-18 of the Revised Statutes) and chapter two hundred six, laws of one thousand nine hundred and thirty-eight (now sections 58:11-18.1 to 58:11-18.6 of the Revised Statutes).

4. The department shall issue a license upon payment of a license fee to any applicant who, in the opinion of the department, has satisfactorily met all the requirements of this act. The license fee shall be five dollars (\$5.00), of which two dollars (\$2.00) shall accompany the application, the remainder to be paid upon notification that the applicant is entitled to a license. Should the department deny admittance to the examination or the issuance of a license to any applicant the initial fee of two dollars (\$2.00) shall be retained. Licenses shall expire on the thirtieth day of September following issuance or renewal. Licensees shall apply for renewal on or before the thirtieth day of September of each year. Renewal may be effected at any time during the month of September by the payment of a fee of five dollars (\$5.00). The failure on the part of the licensee to renew his license annually in the month of September as required shall not deprive such person of the right of renewal but the fee to be paid for renewal of a license after the thirtieth day of September shall be one dollar (\$1.00) for every three months or fraction thereof that payment of renewal is delinquent in addition to the annual renewal fee of five dollars (\$5.00). The failure on the part of the licensee to renew his license within two years from the date of expiration of said license will automatically revoke such license.

5. The department may revoke the license of any superintendent or operator of a public water treatment plant or public sewage treatment plant or public water supply system if, after a hearing held by the department or its director at which the su-

C. 58:11-18.13.  
License  
issued.

Fee.

Expiration  
of licenses.

Renewals.

C. 58:11-18.14.  
Revoking  
licenses.

perintendent or operator shall have had an opportunity to be heard, either in person or by counsel, the department determines that the superintendent or operator is incompetent to manage the plant or system, or that he has willfully neglected his duty in supervising the operation of the plant or system, or that he has disregarded or disobeyed the lawful orders, rules or regulations of the department. Any person whose license shall have been revoked shall be ineligible for admission to any examination authorized by this act for a period of not less than six months nor more than two years.

C. 58:11-18.15.  
Violations.

6. Any municipality, corporation or person owning or operating a public water treatment plant, a public sewage treatment plant or a public water supply system who shall violate any of the provisions of this act, or any person commencing or continuing to discharge the duties of a superintendent or operator of a public water treatment plant, a public sewage treatment plant or a public water supply system without first having obtained a license or having failed to renew his license as provided in this act, or discharging the duties of a superintendent or operator of such plants or system contrary to any of the provisions of this act shall be subject to a fine of ten dollars (\$10.00) for each day on which the violation has occurred. The penalty shall be recovered in the manner hereinafter provided.

Penalty.

C. 58:11-18.16.  
Recovery of  
penalties.

7. Any and all penalties prescribed by any provisions of this act shall be sued for and recovered in action at law by and in the name of the department, as plaintiff. The pleadings in any such action to recover the penalty shall conform in all respects to the practice prevailing in the court in which the action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of the act alleged to have been violated. Upon the attention of the court being called to any such formal or technical

defect, the same shall be immediately corrected and the pleading or process amended as a matter of course. As to all other defects in pleadings or process, the same may be amended, in the discretion of the court, as in any other action or proceeding in such court. In any such action to recover a penalty, when judgment is rendered against a defendant other than a body corporate, execution shall be issued against his goods and chattels and body without any order of the court for that purpose first had and obtained. If the officer executing such writ is unable to find within his jurisdiction sufficient goods and chattels of the defendant to satisfy the judgment, he shall deliver the body of the defendant to the keeper of the common jail of such county, there to be detained until discharged by the court in which the judgment was obtained, or by one of the justices of the Supreme Court, when such court or justice is satisfied that further confinement will not result in the payment of the judgment and costs. If judgment is rendered against a body corporate, execution shall be issued against the goods and chattels of such body corporate as in other actions at law.

8. Whenever any municipality, corporation, person, superintendent or operator shall violate any of the provisions of this act, the department may, either before or after the institution of proceedings for the collection of the penalty imposed by this act for such violation, file a bill in the Court of Chancery in the name of the State at the relation of the department for an injunction to restrain such violation and for such other or further relief as the Court of Chancery shall deem proper. Neither the filing of such bill, nor any of the proceedings thereon shall relieve any party to such proceedings from the penalty prescribed by this act for such violation.

C. 58:11-18.17.  
Application  
for injunction.

9. Nothing herein contained shall be held to abate or render invalid any notice or proceeding, or suit at law or in equity, which may have been served, begun or instituted by the department,

C. 58:11-18.18.  
Construing.

prior to the date hereof, in accordance with the powers and duties heretofore conferred upon it, but the same shall continue in full force and effect, and be further advanced and prosecuted in the name of the department; nor shall anything in this act be construed to anywise affect the tenure, term or status of any person holding a position requiring a license under the provisions of this act at the time of the passage of this act.

C. 58:11-18.19.  
Exempt from  
renewal fee.

10. Licensees employed in the operation of public water treatment plants, public sewage treatment plants or public water supply systems, privately owned or maintained by any person or corporation, shall be exempt from the payment of the annual renewal fee provided in this act except the fee of one dollar (\$1.00) for every three months or fraction thereof that the application for renewal be delinquent; *provided, however*, that all licenses issued without the payment of the renewal fee shall be valid only at the utility at which the licensee is employed at the time of issuance of the license. The failure on the part of the licensee to renew his license within two years from the date of the expiration of said license will automatically revoke such license.

Proviso.

C. 58:11-18.20.  
Paid to State  
Treasurer.

11. All license and penalty fees shall be paid into the State treasury.

C. 58:11-18.21.  
Act  
controlling.

12. In so far as the provisions of this act are inconsistent with the provisions of any act, general or special, the provisions of this act shall be controlling, but nothing in this act contained shall be construed to repeal or in anywise impair the provisions of chapter two hundred thirty-four of the laws of one thousand nine hundred and forty-one, and said last mentioned act shall also be applicable to persons licensed under this act.

C. 58:11-18.22.  
Objects of act.

13. The object and design of this act being the protection and preservation of public health, safety and welfare, this act shall be liberally construed and the powers granted and the duties imposed by this act shall be construed to be independent and severable. If any one or more sections, clauses,

Sections  
severable.

sentences or parts of this act shall for any reason be questioned in any court, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be conferred in its operation to the specific provisions so held unconstitutional or invalid.

14. This act shall take effect immediately.

Approved May 6, 1946.

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## CHAPTER 296

AN ACT concerning the instruction of pupils beyond the twelfth grade of high school, and supplementing Title 18 of the Revised Statutes.

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

1. Any board of education offering instruction, under rules and regulations approved by the Commissioner of Education and the State Board of Education, to residents and nonresidents of the district beyond the twelfth grade of high school may charge tuition fees for such instruction, and any board of education not furnishing instruction beyond the twelfth grade which any pupil, residing in the district, may desire to pursue, may arrange for the attendance of such pupil in any district where such instruction may be furnished and may pay, in whole or in part, the tuition fees charged for the same in any such case. In no case shall the tuition fees fixed by any board of education, pursuant to this act, exceed the actual cost per pupil as determined by the commissioner.

C. 18:14-1.3.  
Tuition paid.

Limits  
amount.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 297

AN ACT concerning settlement and relief of poor;  
county referendum law, and amending section  
44:4-93 of the Revised Statutes.

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

Section  
amended.

1. Section 44:4-93 of the Revised Statutes is amended to read as follows:

To furnish  
permanent  
and adequate  
relief.

44:4-93. The director of welfare under the direction and subject to the approval of the county welfare board shall furnish permanent relief in an amount adequate to provide for the reasonable maintenance and well-being of such poor person, which shall be payable monthly upon the application of the director, out of the funds from which other expenses for the relief and support of the permanent poor are paid.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 298

AN ACT to appropriate all moneys received by the Delaware River Joint Toll Bridge Commission and to reappropriate any unexpended balance on June thirtieth, one thousand nine hundred and forty-six.

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

C. 32:9-17.  
Appropriation.

1. All moneys received from any source whatsoever by the Delaware River Joint Toll Bridge

Commission whether from rentals, miscellaneous receipts or from the Commonwealth of Pennsylvania for its proportion of the maintenance of the said bridges is hereby appropriated to the said commission to be used for the maintenance of bridges and the payment to the Commonwealth of Pennsylvania of their proportion of the rentals and miscellaneous receipts. Any unexpended balance on June thirtieth, one thousand nine hundred and forty-six, including receipts from the Commonwealth of Pennsylvania and rental receipts are hereby reappropriated.

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

C. 32:9-18.  
Act effective.

Approved May 6, 1946.

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## CHAPTER 299

### AN ACT relating to the Department of Conservation.

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

1. The Department of Conservation, Division of Navigation, together with the Governor, may sell, let, lease or grant any island, shoal or reef situate in the tidal waters of this State in which the State owns or has an interest upon such terms as to purchase money or rental and under such conditions and restrictions as to time and manner of payment the duration and renewal of any lease, the occupation and use of the land so sold or leased and such other conditions and restrictions as the interest of the State may require and as may be fixed and determined by the Department of Conservation, Division of Navigation, together with the Governor.

C. 13:1A-32.1.  
May sell or  
lease certain  
lands.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 300

AN Act concerning workmen's compensation, and amending sections 34:15-43 and 34:15-74 of the Revised Statutes.

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

Section  
amended.

1. Section 34:15-43 of the Revised Statutes is amended to read as follows:

Public  
employees  
within  
workmen's  
compensation  
law.

34:15-43. Every employee of the State, county, municipality or any board or commission, or any other governing body, including boards of education, and also each and every active volunteer fireman doing public fire duty under the control or supervision of any commission, council or any other governing body of any municipality or any board of fire commissioners of such municipality or of any fire district within the State, who may be injured in line of duty shall be compensated under and by virtue of the provisions of this article and article two of this chapter (sections 34:15-7 et seq.), but no person holding an elective office shall be entitled to compensation. Nor shall any former employee who has been retired on pension by reason of injury or disability be entitled under this section to compensation for such injury or disability.

Deemed public  
fire duty.

Every active volunteer fireman shall be deemed to be doing public fire duty under the control or supervision of any such commission, council, governing body, board of fire commissioners or fire district within the meaning of this section, if such control or supervision is provided for by statute, or if the fire company of which he is a member receives contributions from, or a substantial part of its expenses or equipment are paid for by, the municipality, or board of fire commissioners of the fire district or if such fire company has been or hereafter



shall be designated by ordinance as the fire department of the municipality.

Nothing herein contained shall be construed as affecting or changing in any way the provisions of any statute providing for sick, disability vacation or other leave for public employees or any provision of any retirement or pension fund provided by law. Construing.

2. Section 34:15-74 of the Revised Statutes is amended to read as follows: Section amended.

34:15-74. The governing body of every municipality and the committee of every fire district shall provide compensation insurance for volunteer firemen doing public fire duty under the control or supervision of any commission, council or other governing body of the municipality or any board of fire commissioners of such municipality or of any fire district, within the meaning of section 34:15-43 of this chapter. Such insurance shall provide compensation for every such fireman who shall be a member of any first aid or rescue squad created within the fire company of which he is a member, or composed of members of different fire companies in the same municipality for injuries received while acting in response to any call made upon such squad, for first aid or rescue work, whether such call be made because of a fire or otherwise. Voluntary firemen to be insured.

3. This act shall take effect January first, one thousand nine hundred and forty-seven. Act effective.

Approved May 6, 1946.

## CHAPTER 301

AN ACT concerning State aid to the various counties in the cost of repairing damage to, and replacing, certain improved county roads or improved county bridges.

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

C. 27:15A-1.  
State  
assistance.

1. Whenever any appropriation is made in any general or special appropriation bill for the purpose of defraying, or reimbursing the various counties for, all or any part of the cost of repairing damage to, or replacing, improved county public roads or improved county bridges, by reason of unusual storm, floods, or other abnormal conditions, creating an emergency with respect to public travel in the affected areas in said counties, the State Highway Commissioner is empowered and directed to receive, consider and approve applications of the various counties of this State for State assistance in the repair or replacement of said public roads and public bridges from the funds so appropriated.

C. 27:15A-2.  
Application  
for State  
assistance.

2. The board of chosen freeholders of any county, in which any such damage was caused to the public roads or public bridges of the county, may file an application for such State assistance with the State Highway Commissioner.

C. 27:15A-3.  
Contents of  
application.

3. Such application shall contain a brief description of such damage to the public roads or public bridges and shall be accompanied by plans and specifications for the repair of the damage, or the replacement of such roads or bridges, or in accordance with which such damage was repaired or the same replaced, which said plans and specifications shall have been approved by the county engineer of the county affected.

4. The State Highway Commissioner, within thirty days from the date of the filing of any such application by any county so affected, shall either approve the same or disapprove and return the same with reasons for disapproval after which the application may be resubmitted by the county to which it has been returned and may be acted upon in the same manner as if originally filed in the amended or corrected form.

C. 27:15A-4.  
Commissioner  
to act within  
30 days.

5. Upon the approval of any such application, the State Highway Commissioner is hereby empowered and authorized in his discretion to certify the amount of State moneys which he will set aside, and pay to the said county, for or on account of the repair or replacement of such roads or bridges up to an amount not exceeding seventy-five per centum (75%) of the total cost thereof.

C. 27:15A-5.  
Amount  
certified.

6. All work undertaken under this chapter by any county and approved by the State Highway Commissioner shall be done under the supervision and control of the State Highway Commissioner or, if already performed, shall be approved by him and no funds shall be disbursed except with, and upon, the approval of the State Highway Commissioner.

C. 27:15A-6.  
Supervision  
or approval of  
commissioner.

7. Upon the approval of any application herein contemplated by the State Highway Commissioner, the board of chosen freeholders of any such county may by resolution authorize the expenditure and disbursement by the county treasurer of the difference between the total cost of such repairs and the amount of State assistance certified by the State Highway Commissioner for such repairs, irrespective of whether or not any funds shall have been appropriated for said purpose in the budget of said county during the year when said application shall have been approved by the State Highway Commissioner. A copy of such resolution, certified by the clerk to the board of chosen freeholders of any such county, shall be filed with the Division of Local Government in the State Department of Taxation and Finance within three days after

C. 27:15A-7.  
May authorize  
disbursement.

Copy of  
resolution  
filed.

passage and no further approval for the expenditure of the funds in such resolution shall be necessary from the Division of Local Government in the State Department of Taxation and Finance.

8. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 302

AN ACT authorizing any municipality to establish, construct, improve, equip, maintain and operate autobus terminals, to acquire land by condemnation or otherwise for autobus terminal purposes, to issue bonds for the payment or part payment thereof, to so use lands heretofore acquired for other purposes and thereafter to lease same.

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

C. 40:60-25.27.  
May acquire  
land for  
autobus  
terminal.

May lease.

Proviso.

1. The governing body of any municipality is hereby authorized and empowered to acquire by gift, grant, purchase, condemnation or in any other lawful manner, lands and interest therein for autobus terminal purposes and so use lands heretofore acquired for other public purposes and to erect thereon and maintain buildings for the aforesaid purposes. Upon such acquisition or use as aforesaid the governing body of any municipality is authorized to lease said lands so acquired and any buildings erected thereon including leases for the sale of merchandise and privileges to any person, firm or corporation for a consideration, upon such terms and for such term of years as may be agreed upon, or may grant to lessees the right to construct improvements upon such terms and conditions as the governing body may prescribe in the public interest; *provided*, that no commercial enterprise

involving the sale or distribution of any commodity or product used in, or for the servicing of, any motor vehicle using such terminal, shall be conducted or authorized by the governing body or any board, body or agency of a municipality, within or on any terminal authorized by this act; *provided, further*, that nothing in this act shall prevent carriers using such terminal from servicing their own motor vehicles therein.

Proviso.

2. The governing body of any municipality in this State is hereby authorized to acquire, establish, construct, own, control, lease, equip, improve, maintain, operate and regulate autobus terminals for the use of autobusses within the limits of such municipality and may use for such purpose or purposes any property suitable therefor that is now or may at any time hereafter be owned or controlled by such municipality.

C. 40:60-25.28.  
Authorized  
to own, oper-  
ate, etc.

3. Any lands acquired, owned, controlled or occupied by such municipality for the purposes enumerated in sections one and two hereof shall and are hereby declared to be acquired, owned, controlled and occupied for a public purpose and as a matter of public necessity for the purpose of relieving traffic in and through the streets of such municipality, and such municipality shall have the right to acquire property for such purpose or purposes under the power of eminent domain as and for a public necessity.

C. 40:60-25.29.  
Right of  
Eminent  
Domain.

4. Private property needed by any municipality for an autobus terminal shall be acquired by purchase if the municipality is able to agree with the owners on the terms thereof, and otherwise by condemnation, in the manner provided by the law under which the municipality is authorized to acquire real property for public purposes other than street purposes, or, if there be no such law, in the manner provided for and subject to the provisions of Title 20 of the Revised Statutes. The purchase price or award for real property acquired for an autobus terminal may be paid for by appropriation of moneys available therefor or wholly or partly from

C. 40:60-25.30.  
Condemnation  
proceedings.

the proceeds of the sale of bonds of the municipality, as the governing body of such municipality shall determine. Such bonds shall be authorized and issued in accordance with the provisions of article one of chapter one of Title 40 of the Revised Statutes (§40:1-1 et seq.). The governing body of a municipality which has established an autobus terminal and acquired, leased or set apart real property for such purposes may construct, improve, equip, maintain and operate the same or may vest jurisdiction for the construction, improvement, equipment, maintenance and operation thereof, in any suitable officer, board or body of such municipality. The expense of such construction, improvement, equipment, maintenance and operation shall be a municipal charge. The governing body of any municipality may adopt regulations and establish fees or charges for the use of such autobus terminal or may authorize any officer, board or body of such municipality to adopt such regulations and establish such fees or charges, subject, however, to the approval of such governing body before they shall take effect.

C. 40:60-25.31.  
Self-support-  
ing and  
taxable.

5. To the end that affected taxing authorities may not suffer undue loss of taxes and assessments by reason of the acquisition and ownership of property therein by such a municipality, all property hereafter acquired by such a municipality for the purposes of this act, together with improvements thereon or hereafter made thereon shall be self-supporting and subject to taxation for State and local purposes, in the same manner and to the same extent as the real estate of individuals.

C. 40:60-25.32.  
Annual  
appropriation.

6. The governing body of any municipality to which this act is applicable having power to appropriate money therein may annually appropriate and cause to be raised by taxation in such municipality a sum sufficient to carry out the provisions of this act.

7. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 303

AN ACT to provide for the registration and regulation of certain private child care centers, providing penalties for violation thereof, and supplementing Title 18 of the Revised Statutes.

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

1. The term "child care center," as used in this act, shall include every private nonsectarian child care center, day nursery, nursery school, boarding school, or other establishment of similar character for the care of children, in which any tuition fee, board, or other form of compensation for the care of children, is charged and in which more than five children over the age of two years and under the age of five years are cared for, but it shall not include (1) the State Board of Children's Guardians of the Department of Institutions and Agencies, or (2) any aid society of a properly organized and accredited church or fraternal society organized for aid and relief of its members, or (3) any children's home, orphan asylum, children's aid society, or society for the prevention of cruelty to children, incorporated under the laws of this State and subject to visitation or supervision by the State Department of Institutions and Agencies, except in the conduct of a philanthropic day nursery, or (4) any other public agency operated by a county, city, municipality or school district.

C. 18:20A-1.  
Child care  
center.

2. No child care center which is now or hereafter shall be established shall be operated or conducted after July first, one thousand nine hundred and forty-seven, except by authority of a valid certificate of approval issued by the Commissioner of Education under rules prescribed by him with the approval of the State Board of Education.

C. 18:20A-2.  
Certificate  
of approval  
required.

C. 18:20A-3.  
To prescribe  
suitable  
standards.

3. The commissioner, after consultation with the Commissioner of Institutions and Agencies and the director of the State Department of Health, or any person or persons whom they shall designate to act for them, shall prescribe, with the approval of the State Board, suitable standards governing the education, health and welfare of the children cared for in any child care center.

C. 18:20A-4.  
Certificates  
renewed  
annually.

4. Each certificate of approval shall be renewed annually and may be revoked for good cause at any time after hearing.

C. 18:20A-5.  
Inspection.

5. Each child care center shall at all times be open, for inspection, to any officer designated by the State Department of Education, who may conduct a full and complete examination of all facilities and methods of operating of such child care center at any time.

C. 18:20A-6.  
Information  
and reports  
furnished.

6. Each child care center shall furnish such information and reports from time to time as the Commissioner of Education shall deem necessary and proper and in the manner and on forms prescribed by him and failure to furnish any such information or report or to conform in every particular to standards prescribed for such child care centers shall be good and sufficient reason for the refusal of a certificate of approval for such child care center or for revocation of a certificate of approval previously granted.

C. 18:20A-7.  
Carrying  
purpose of  
act.

7. The Commissioner of Education may request the assistance of the Commissioner of Institutions and Agencies and the director of the State Department of Health in carrying out the purposes of this act.

C. 18:20A-8.  
Misdemeanor.

8. Any person, firm, corporation or association, operating or conducting any child care center except by authority of a valid certificate of approval as required by this act shall be deemed guilty of a misdemeanor.

C. 18:20A-9.  
Officers and  
employees.

9. The commissioner, subject to the approval of the State Board, may appoint such officers and employees and fix their compensation and expenses, within the limits of available appropriations, as



may be necessary to carry out the purposes of this act.

10. There is hereby appropriated to the State Department of Education the sum of ten thousand dollars (\$10,000.00) or as much thereof as may be necessary to carry out the purposes of this act, when such sum is included in any annual appropriation act. Appropriation.

11. Any act or part of any act, to the extent that it is inconsistent with the provisions of this act, is hereby repealed. Repealer.

12. This act shall take effect the first day of July, one thousand nine hundred and forty-six, except that any appointment, and any confirmation of any appointment, permitted by this act may be made prior to such date. C. 18:20A-10.  
Act effective.

Approved May 6, 1946.

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## CHAPTER 304

AN ACT concerning county physicians in counties having no medical examiner, and supplementing chapter twenty-one of Title 40 of the Revised Statutes.

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

1. When, within the county having no medical examiner, any person shall die in prison, or by casualty or suicide, or suddenly when in apparent health, or when unattended by a physician, or within twenty-four hours after admission to a hospital or institution, or in a suspicious or unusual manner, or under any of the above circumstances in any institution located in the county, maintained in whole or in part at the expense of the State or county, the police department of the municipality C. 40:21-26.1.  
County physician notified of death.

in which he died, or the superintendent or medical director of the institution in which he died, or the physician called in attendance, or the undertaker when no physician is in attendance, shall immediately notify the office of the county physician of the known facts concerning the time, place, manner and circumstances of the death.

C. 40:21-26.2.  
Investigation.

2. Immediately upon receipt of such notification, the county physician shall fully investigate the essential facts concerning the death. If necessary, he shall go to the dead body and take charge thereof. The county physician shall fully investigate the death, taking the names and addresses of as many witnesses thereof as it may be practicable to obtain, and before leaving the premises shall reduce all such facts in writing. This report shall be copied in his office in a book provided for that purpose.

C. 40:21-26.3.  
Duties of  
coroner transferred to  
county  
physician.

3. All the duties vested in or conferred upon coroners in connection with the death of any unknown or unclaimed person who shall have died in any county in which there shall be a county physician, or in connection with the death of any person in such county by violence, or by casualty or suicide, or suddenly when in apparent health, or when unattended by a physician, or within twenty-four hours after the admission of such person to any hospital or institution or prison, or in any suspicious or unusual manner, or under any of the above circumstances in any institution located in such county maintained in whole or in part at the expense of the State or county, shall be vested in and conferred upon the county physician, but the county physician shall not be required to summon a jury of inquisition.

C. 40:21-26.4.  
Citizens to  
notify.

4. A citizen who may become aware of any person who shall have died of criminal violence, or by casualty or suicide, or in any suspicious or unusual manner, shall report such death to the office of the county physician, or to the police department of the municipality in which such person died.

5. A person who shall willfully neglect or refuse to report such death or, without an order from the office of the county physician, shall willfully touch, remove or disturb the body of any such person, or touch, remove or disturb the clothing or any article, upon or near such body, shall be guilty of a misdemeanor.

C. 40:21-26.5.  
Failure to  
notify a  
misdemeanor.

6. This act shall take effect immediately.

Approved May 6, 1946.

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## CHAPTER 305

AN ACT validating certain decrees heretofore entered in the Court of Chancery in suits to foreclose mortgages.

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

1. All final decrees heretofore entered in the Court of Chancery of this State, in suits or actions instituted therein for the purpose of foreclosing a mortgage or mortgages, in which suit or action an order of publication was entered, and in which suit or action the notice of the order of publication against absent defendants was published in a newspaper printed and published in the county where the lands are situated, but which notice of the order of publication contained an incorrect name as the complainant in said suit or action, shall be good, valid and sufficient in law and equity for all purposes whatsoever, as if such notice of the order of publication contained the correct name of the complainant; *provided*, that said final decree is good, valid and legal in all other respects.

Validating  
certain  
decrees.

Proviso.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 306

AN ACT to amend and supplement "An act creating a lien in favor of State and county institutions upon the real and personal property of persons receiving care and treatment therein, and supplementing Title 30 of the Revised Statutes," approved May twenty-fifth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 239).

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

Section  
amended.

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

C. 30:4-80.1.  
To have a lien.

Lien to have  
priority.

1. Every charitable institution maintained in whole or in part by State or county funds, to which persons have been or may be committed or admitted by virtue of Title 30 of the Revised Statutes, shall have a lien against the property of persons confined therein and receiving maintenance, board, lodging, care or treatment. Such lien when properly filed as set forth herein shall have priority over all unrecorded encumbrances and shall be in an amount to be determined as provided in Title 30 aforesaid.

C. 30:4-80.7.  
Examination  
of validity  
of claim.

2. Any person affected in any manner, whether directly or indirectly, by any lien filed hereunder, and desiring to examine into the validity thereof or the facts and circumstances surrounding the entry thereof, may do so upon application to the court wherein the order of commitment of the patient was made. In the case of a voluntary patient, application may be made in the court of common pleas of the county wherein such voluntary patient last resided.

Application  
for review.

Application for a review of the lien shall be made on a duly verified petition setting forth the interest of the petitioner in the lien, all material facts and

circumstances relating to the filing thereof, and the specific reasons for the review of said lien. At least ten days' notice of the time, date and place of any hearing on a lien under review, and a copy of the petition shall be given the institution claiming such lien.

The court upon receipt of the petition provided Hearing. for herein shall proceed to a full hearing of all facts and circumstances relating to the filing of any lien hereunder, and may, after due consideration, enter such order as it shall deem consistent with the facts in each case.

Any person desiring to secure immediate discharge of any lien may deposit with the court cash in sufficient amount to cover the amount of the lien or post a bond in an amount and with sureties to be approved by said court. Upon proper notice of this fact being given to the institution claiming the lien, a satisfaction of said lien shall be filed forthwith with the county clerk or register of deeds and mortgages as the case may be. Cash deposit for discharge of lien.

3. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 307

AN Act to amend "An act to provide for the imposition of a franchise tax upon certain corporations and for the distribution of the proceeds thereof, repealing sections 54:13-1 through 54:13-8 and chapter thirty-two-A of Title 54 of the Revised Statutes, and making an appropriation for the administration of such tax." approved April thirteenth, one thousand nine hundred and forty-five (P. L. 1945, c. 162).

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

Section  
amended.

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

C. 54:10A-16.  
Tax a lien.

16. The tax imposed by this act shall constitute a lien on all of the taxpayer's property and franchises on and after January first of the year in which it is due and payable, and all interest, penalties, and costs of collection which thereafter fall due or accrue shall be added to and become a part of such lien; *provided*, that the amount of the tax and the lien, right and interest of the State in or for the tax levied by or assessed pursuant to this act against any taxpayer for the privilege year one thousand nine hundred and forty-seven shall not be finally determined, take effect, or vest until the fifteenth day of April in that year.

Proviso.

Section  
amended.

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

C. 54:10A-17.  
Tax return.

17. On or before the fifteenth day of April, in the case of taxpayers reporting on a calendar year basis, and on or before the fifteenth day of January or the fifteenth day of the fourth month following the close of the fiscal year, whichever is later, in the case of taxpayers reporting on a fiscal year basis, each taxpayer shall duly execute and file a tax

return with the commissioner, in such form and containing such information as he may prescribe, which return shall truly and accurately set forth its liability under this act; and the full amount of the tax hereunder shall be due and payable to the commissioner together with such return.

*Provided, however,* that for the privilege year one thousand nine hundred and forty-seven any return which under the foregoing provisions of this section would be required to be filed with the commissioner prior to the fifteenth day of April shall be filed after the fifteenth day of April and before the first day of May and in accordance with the provision of this act in effect on the fifteenth day of April one thousand nine hundred and forty-seven including amendments and supplements in effect on that date; and the full amount of the tax imposed by this act as supplemented and amended on the fifteenth day of April one thousand nine hundred and forty-seven shall be due and payable to the commissioner together with such return; *provided, further,* any corporation which desires to dissolve, liquidate, or distribute assets in dissolution to its stockholders or to withdraw from the State during the period after the thirty-first day of December, one thousand nine hundred and forty-six, and before the fifteenth day of April, one thousand nine hundred and forty-seven, may, at its election, either file a return and pay or secure the tax interest and penalties in accordance with the provisions of this act and any supplements or amendments thereto in effect at the time such dissolution, liquidation, distribution or withdrawal is sought, or give to the commissioner security in form or with a surety or sureties satisfactory to the commissioner, but not to exceed one hundred fifty per centum (150%) of the amount of the tax payable under the provisions of this act then in effect, and conditioned upon the taxpayer filing between the fifteenth day of April and the first day of May, one thousand nine hundred and forty-seven, a return under and the payment of the full amount of the

Proviso, 1947  
tax return.

Proviso.

tax imposed by this act including amendments and supplements in effect on such fifteenth day of April. The right or interest of the State in the tax levied by or assessed pursuant to this act for the privilege year one thousand nine hundred and forty-seven shall not vest until the fifteenth day of April in that year.

3. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 308

AN ACT to amend "An act relating to maximum age limits for pension or retirement privileges of certain persons in time of war," approved May fourth, one thousand nine hundred and forty-five (P. L. 1945, c. 305).

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

Section  
amended.

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

C. 43:1-1.1.  
Maximum age  
limit if in  
service.

1. When the qualifications for eligibility for membership in any existing pension fund or retirement system of this State or of any county, municipality, school district or other political subdivision of this State, or of any board, body, agency or commission of this State, or of any county, municipality or school district, includes a maximum age limit, any person who, heretofore and subsequent to July first, one thousand nine hundred and forty, entered or hereafter, in time of war, shall enter the active military or naval service of the United States or the active service of the Women's Army Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, shall be deemed to be below such maximum age limit if his



actual age, less the period of such service, would be below the age limit in effect on the date the person entered into such service of the United States.

2. This act shall take effect immediately.

Approved May 6, 1946.

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## CHAPTER 309

AN ACT concerning the State Employees' Retirement System, and amending section 43:14-17 of the Revised Statutes.

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

1. Section 43:14-17 of the Revised Statutes is amended to read as follows: Section amended.

43:14-17. In addition to the deductions from compensation herein provided, any member may re-deposit in the annuity savings fund by a single payment, or by extra salary deductions, as determined by the board of trustees, an amount equal to the total amount which he may have previously withdrawn therefrom, as provided in this chapter, or he may deposit therein by a single payment, or by extra salary deductions, as determined by the board of trustees, an amount computed to be sufficient, together with his prospective retirement allowance otherwise provided, to provide for him a total retirement allowance of one-half of his final compensation at any retirement age, not below sixty, as elected by the member. Any additional amounts so deposited shall become a part of his accumulated deductions. May redeposit in fund.

The accumulated deductions of a member withdrawn, as provided in this chapter, shall be paid out of the annuity savings fund.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 310

AN ACT concerning health and accident insurance,  
and amending section 17:38-12 of the Revised  
Statutes.

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

Section  
amended.

1. Section 17:38-12 of the Revised Statutes is amended to read as follows:

Application  
of chapter.

17:38-12. Nothing in this chapter, however, shall apply to or affect any policy of liability or workmen's compensation insurance or any general or blanket policy of insurance issued to any municipal corporation or department thereof, or to any corporation, copartnership, association or individual employer, police or fire department, underwriters' corps, salvage bureau, or like associations or organizations, where the officers, members or employees or classes or departments thereof are insured for their individual benefit against specified accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy.

Nothing in this chapter contained shall apply to life insurance, endowment or annuity contracts, nor to any such contract or contracts supplemental thereto containing or providing for additional benefits of any kind in the event of death by accidental means or of the total and permanent disability of the insured as defined by the contract.

Nothing in this chapter shall apply to or in any way affect fraternal benefit societies.

The provisions of this chapter contained in clause (4) of section 17:38-2 of this Title and clauses (2), (3), (8), and (12) of section 17:38-3 of this Title may be omitted from travel ticket

policies sold only at railroad, steamship, motor bus or airplane stations, or at ticket offices by employees of such travel facilities.

2. This act shall take effect immediately.

Approved May 6, 1946.

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## CHAPTER 311

AN ACT concerning savings banks, and amending section 17:6-57 of the Revised Statutes, and "An act concerning the investment of moneys deposited with savings banks, and amending sections 17:6-53, 17:6-54, 17:6-55, 17:6-56, 17:6-57, 17:6-59, 17:6-61, 17:6-62 and 17:6-63 of the Revised Statutes, and supplementing article six of chapter six of Title 17 of the Revised Statutes," approved May twelfth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 162).

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

1. Section 17:6-57 of the Revised Statutes is amended to read as follows:

Section  
amended.

17:6-57. (a) The deposits may also be invested in bonds issued, guaranteed or assumed (by merger, consolidation, endorsement, supplemental indenture, lease or otherwise) or otherwise covenanted or agreed to be paid by an operating public utility company, the gross operating revenues of which, including those of predecessor and constituent companies, have averaged not less than two million five hundred thousand dollars (\$2,500,000.00) per annum for five fiscal years next preceding the investment, or for five consecutive twelve months periods ending within six months next preceding the investment, and the net operat-

Public utility  
securities.

ing revenues of which, including those of predecessor and constituent companies, after all operating expenses are deducted, but before deducting charges for depreciation and renewals and Federal and State income and profits taxes, available for fixed charges for rentals and interest on all outstanding mortgage debts and for regularly recurring charges for amortization of debt discount and expense allocable to such debts, have averaged, annually for three fiscal years next preceding the investment, or for three consecutive twelve months periods ending within six months next preceding the investment, not less than two and one-half times the average annual requirement during such three years period for such fixed charges (excluding intercompany items), and not less than eighty-five per centum (85%) of the gross operating revenues of which company is, at the time of the investment, derived from the operation within the United States of one or more of the following utilities: Artificial gas, the sale of natural gas or of a mixture of natural and artificial gas to consumers through a distribution system owned or leased by it, electric power or light, water, telephone or telegraph.

Security  
for bonds.

The bonds shall be secured by a first mortgage, or by a refunding mortgage under which bonds may be issued for the retirement or refunding of all funded debt secured by liens prior thereto on the property covered thereby, or by a mortgage prior in lien to any such refunding mortgage. The mortgage shall be a lien (which may be subject to the lien of current taxes not delinquent or bona fide contested, or construction or other liens arising out of operations such as are common in the case of companies of similar character and size) on real estate, rights or interest therein, leaseholds, plant, equipment, transmission or distribution system, or other fixed assets and franchises, and the outstanding principal amount of bonds secured by the mortgage, and all other mortgages thereon, the lien of which is equal therewith or prior thereto,

shall not, at the time of the investment, exceed two-thirds of the book value of the fixed assets subject (either directly, or by pledge of mortgage bonds constituting not less than ninety-five per centum (95%) of all mortgage debt outstanding upon the fixed assets subject to such collateral lien) to the lien thereof, less reserves for depreciation and renewals, as shown on the books of the company, including the value of fixed assets leased to the company and operated by it under lease not expiring, by its terms, in less than fifty years from the time the investment is made, if the lease is subject to the lien of the mortgage; or the mortgage shall be prior in lien to or shall underlie a refunding mortgage which meets the foregoing requirement. Such mortgage lien may be subject to the prior lien of mortgages securing bonds which, at the time of the investment have been called for redemption, or will otherwise mature, within six months from the time of the investment, and for the payment of which funds have been specifically set aside in trust; and such bonds shall not be deemed outstanding for the purposes of determining the legality of an investment, under this section, in bonds secured by such mortgage lien.

(b) *Provided*, that the deposits also may be invested in any such bonds of a company, (i) not less than ninety-five per centum (95%) of the gross operating revenues of which company, is, at the time of the investment, derived from the operation by it of the business of furnishing water for public or private use or consumption; and (ii) the gross operating revenues of which, including those of predecessor and constituent companies, have averaged not less than five hundred thousand dollars (\$500,000.00) annually for the five yearly periods above prescribed; and (iii) the net operating revenues of which, including those of predecessor and constituent companies, as above defined, have averaged, annually for the three yearly periods above prescribed, not less than one and three-quarters times the average annual requirement during such

Proviso.

period for fixed charges as above defined; and (iv) that the mortgage securing such bonds is a lien, as above defined, on fixed assets, as above defined, and the bonds secured by said mortgage and others of equal or prior lien do not, at the time of the investment, exceed seventy per centum (70%) of the book value, less reserves, of the fixed assets as above defined subject to the lien thereof.

Proviso.

(c) *Provided, also*, that not more than ten per centum (10%) of the total deposits may be invested in the debentures or other bonds of any company which, at the time of the investment, derived not less than eighty-five per centum (85%) of its gross operating revenues from the operation within the United States of one or more of the following utilities: artificial gas, the sale of natural gas or of a mixture of natural and artificial gas to consumers through a distribution system owned or leased by it, electric power or light, telephone or telegraph, and the gross operating revenues of which within the United States have averaged not less than twenty million dollars (\$20,000,000.00) per annum for five fiscal years next preceding the investment, or for the five consecutive twelve months periods ending within six months next preceding the investment, and the net income of which, after all deductions except depreciation, interest on all outstanding debt maturing more than one year after date of issue, regularly recurring charges for amortization of debt discount and expense allocable to such debt, rentals and other fixed charges, has averaged annually for three such yearly periods not less than four times the average annual requirement during such three years period for such fixed charges.

Section amended.

2. Section 17:6-58.1 added to the Revised Statutes by section six of chapter one sixty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

Industrial securities.

17:6-58.1. Industrial securities. Not more than seven and one-half per centum (7½%) of the total deposits may be invested in bonds, notes or obliga-

tions, maturing within thirty years from the date of the investment, of an industrial company incorporated within and transacting business within the United States, (a) the consolidated net sales or consolidated gross operating income of which has averaged not less than ten million dollars (\$10,000,000.00), and (b) the net consolidated income of which available for dividends has averaged not less than one million dollars (\$1,000,000.00), annually for the five fiscal years preceding such investment (for which the necessary statistical data shall have been published), and (c) the total consolidated debt (including current liabilities) of which is not more than forty per centum (40%) of its consolidated gross assets less reserves, and (d) the consolidated current assets of which are not less than three times its consolidated current liabilities (after eliminating from such current assets cash and United States Government notes, bonds, treasury bills, or certificates of indebtedness, in an amount not in excess of Federal income and excess profits taxes included in such current liabilities, and after eliminating from such current liabilities such Federal income and excess profits taxes not in excess of such offsetting cash and United States Government notes, bonds, treasury bills, or certificates of indebtedness), as appearing on its latest published consolidated balance sheet, and (e) the consolidated net income of which after deducting reserves, regularly recurring charges for amortization of debt discount and expense allocable to funded debt, and all other charges except interest, income and profits taxes, for the five fiscal years preceding such investment (for which the necessary statistical data shall have been published), has averaged not less than four times the average annual consolidated interest charges during such period, and (f) such consolidated net income has not in two or more of such five fiscal years been less than twice the consolidated interest charges, and (g) such consolidated net income for such fiscal year last preceding the investment was not less than three times

the consolidated interest charges in said year and was not less than three times the annual consolidated interest charges on the funded debt outstanding at the time of the investment (exclusive of debt which has been called for redemption or which otherwise matures within six months thereof and for the payment of which funds have been specifically set aside in trust).

Industrial  
company  
defined.

The term "industrial company," as used in this section, shall be deemed to mean companies commonly known as industrial companies, including companies engaged in manufacturing, merchandising, mining, or commercial financing.

3. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 312

AN ACT concerning the sentencing and confinement of females convicted of crime and of males under the age of sixteen years convicted of crime, except males under said age convicted of the crime of murder, and amending sections 30:4-143, 30:4-154 and 30:4-155 of the Revised Statutes.

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

Section  
amended.

1. Section 30:4-143 of the Revised Statutes is amended to read as follows:

Not to be  
confined in  
State prison.

30:4-143. No female shall be sentenced to or confined in the State Prison nor shall any male under the age of sixteen years be sentenced to or confined in the State Prison, except in the case of a male convicted of murder.



2. Section 30:4-154 of the Revised Statutes is amended to read as follows: Section amended.

30:4-154. Any female above the age of sixteen years, convicted of a crime which would be punishable by imprisonment in the State Prison if she were a male, shall be committed to the Women's Reformatory, and any female above the age of sixteen years, and under twenty-five years, convicted of any offense punishable by imprisonment in any county penitentiary or workhouse, may be committed to the Women's Reformatory. No male person shall be so committed or there confined. Imprisonment of females.

3. Section 30:4-155 of the Revised Statutes is amended to read as follows: Section amended.

30:4-155. The several courts in sentencing to the Women's Reformatory shall not fix or limit the duration of the sentence, except as otherwise provided for herein, but the time which the prisoner shall serve shall not exceed the maximum term provided by law for the offense of which the prisoner is convicted and sentenced. The term may be terminated by the board of managers in accordance with its rules and regulations. Duration of sentences.

Any female convicted of murder or manslaughter shall be sentenced to confinement in the Reformatory for Women at Clinton. Every such sentence shall be for a maximum and minimum term, except sentences for life. The maximum term shall not be in excess of the maximum term prescribed by law for the offense for which the offender was convicted, and the minimum term shall not be less than the minimum term prescribed by law for the offense for which the offender was convicted, and in no event less than one year. Commutation time for good behavior, as provided by section 30:4-140 of the Revised Statutes, shall be allowed on both such maximum and minimum terms.

Nothing herein contained shall be construed to apply to the sentence of death. Construing

4. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 313

AN ACT concerning the Department of Conservation, Division of Navigation, and supplementing Title 12, chapter six, of the Revised Statutes.

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

C. 12:6-3.4.  
Authorized  
to dredge.

1. In addition to the powers conferred by the provisions of the act of which this act is a supplement, the Department of Conservation, Division of Navigation, is hereby authorized and empowered to dredge, bulkhead and improve the Shrewsbury and Manasquan rivers and any of their tributaries within the limits of tidewater.

C. 12:6-3.5.  
When work  
to be done.

2. This work shall be done when the funds for such improvements are included in any annual or supplemental appropriation bill.

3. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 314

AN ACT to repeal sections 12:6-17 and 12:6-18 of the Revised Statutes.

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

Sections  
repealed.

1. Sections 12:6-17 and 12:6-18 of the Revised Statutes are hereby repealed.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 315

AN ACT concerning banks and trust companies, and amending section 17:4-14 of the Revised Statutes.

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

1. Section 17:4-14 of the Revised Statutes is amended to read as follows: Section amended.

17:4-14. Banks (other than savings banks) and trust companies, organized under the laws of this State, may, with the approval in writing of the commissioner, establish and maintain branch offices or agencies for the transaction of their business. Approval shall be given only if it appears to the commissioner that the establishment of the branch office or agency will be of public service and that the amount of capital of any such bank actually paid in, in cash, exceeds the amount required by law for the incorporation of a bank by at least fifty thousand dollars (\$50,000.00), and that the capital of any such trust company actually paid in, in cash, exceeds the amount required by law for the incorporation of a trust company by at least one hundred thousand dollars (\$100,000.00), for each branch office or agency so established. The approval shall not be given for the establishment of any branch office or agency outside the municipality in which the bank or trust company is located, nor shall any bank or trust company maintain and operate a branch office or agency within the corporate limits of a municipality where the population is less than twenty thousand, nor more than one branch where the population is more than twenty thousand and not more than forty thousand, nor more than two branches where the population is more than forty thousand and not more than eighty thousand, and where the population is more Establishing branch offices.

than eighty thousand the number of branches shall be that which the commissioner determines. In those municipalities having a population of twenty thousand or more where only one bank or trust company is doing business, the commissioner shall have the right to approve the establishment and maintenance of additional branches other than those provided for herein when it shall appear to the commissioner that the establishment and maintenance of such additional branches is necessary to enable such bank or trust company to render efficient public service. Nothing contained herein shall prevent the maintenance of any branch office or agency lawfully established prior to March fourteenth, one thousand nine hundred and thirty-three.

2. This act shall take effect immediately.

Approved May 6, 1946.

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## CHAPTER 316

AN ACT to amend an act entitled "An act concerning alcoholic beverages," passed December sixth, one thousand nine hundred and thirty-three, and amending section 33:1-22 of the Revised Statutes.

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

Section  
amended.

1. Section 33:1-22 of the Revised Statutes is amended to read as follows:

Notice to  
licensee.

33:1-22. If the other issuing authority shall refuse to issue any license, or if the other issuing authority shall refuse to extend said license for a limited time not exceeding its term, to the executor or administrator of a deceased licensee, or to such person who shall be appointed by the courts having

jurisdiction, in the event of the incompetency of any licensee, the applicant shall be notified forthwith of such refusal by a notice served personally upon the applicant, or sent to him by registered mail addressed to him at the address stated in the application. Such applicant may within thirty days after the date of service or of mailing of such notice, appeal to the commissioner from the action of the issuing authority. If the other issuing authority shall issue a license, or grant an extension of said license for a limited time not exceeding its term, to the executor or administrator of a deceased licensee, or to such person who shall be appointed by the courts having jurisdiction, in the event of the incompetency of any licensee, any taxpayer or other aggrieved person opposing the issuance of such license may, within thirty days after the issuance of such license, appeal to the commissioner from the action of the issuing authority. The commissioner shall fix a time for the hearing of the appeal and before hearing the same, shall give at least five days' notice of the time so fixed to such applicant, such taxpayer, or other aggrieved person and other issuing authority.

Appeals to  
commissioner.

Where an appeal is taken from the denial of an application for a renewal of a license, the commissioner may, in his discretion, issue an order upon the respondent issuing authority to show cause why the term of the license should not be extended pending the determination of the appeal, together with ad interim relief extending the term of the license pending the return of the order to show cause. If it shall appear upon the return of the order to show cause that the action of the respondent issuing authority is prima facie erroneous and that irreparable injury to the appellant would otherwise result, the commissioner may, subject to such conditions as he may impose, order that the term of the license be extended pending a final determination of the appeal.

Order to  
show cause.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 317

AN ACT concerning the establishment and maintenance of branch offices for banks or trust companies in certain cases, and supplementing subdivision B of article one of chapter four of Title 17 of the Revised Statutes.

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

C. 17:4-14.1.  
Branch offices  
on military  
reservations.

1. The Commissioner of Banking and Insurance may approve the establishment of a branch office by any bank (other than a savings bank) or trust company, organized under the laws of this State, for the transaction of its business on any Federal military reservation and the maintenance of such branch office so long as such Federal military reservation is maintained by the Federal Government, if the commissioner shall find that the establishment and maintenance of such branch office will be of public service; notwithstanding that the amount of capital of such bank or trust company is less than that required by section 17:4-14 of the Revised Statutes for the approval of an application for the establishment and maintenance of a branch office of such bank or trust company, and that the branch office is to be established and maintained outside the municipality in which the bank or trust company is located and in a municipality having a population of less than twenty thousand inhabitants.

2. This act shall take effect immediately.

Approved May 6, 1946.

## CHAPTER 318

AN ACT authorizing county bridge commissions to issue bonds and other obligations, and amending sections 27:19-26, 27:19-27, 27:19-28, 27:19-31, 27:19-32, 27:19-33, 27:19-34, 27:19-36, 27:19-38, 27:19-39, and supplementing article one of chapter nineteen of Title 27 of the Revised Statutes.

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

1. Section 27:19-26 of the Revised Statutes is amended to read as follows: Section amended.

27:19-26. Every county through its board of chosen freeholders may, if it determines so to do, create a bridge commission, which, when created, shall be authorized to: County bridge commission.

a. Prepare the necessary and proper plans and specifications for the construction or purchase of such bridge or bridges as may be approved by said board of chosen freeholders; General powers.

b. Select the location for same, determine the size, type and method of construction thereof;

c. Plan and fix their boundaries and approaches;

d. Make any necessary estimates of the probable cost of the construction or purchase thereof including the said approaches and the acquisition of the land and rights for the sites of the abutments and approaches to the bridge or bridges, in a manner hereafter provided;

e. Enter into the necessary contracts to build or purchase and equip such bridge or bridges and approaches thereto, or any part thereof;

f. Build or acquire the superstructures and substructures and all parts thereof;

g. Obtain and exercise such consent as may be necessary from the government of the United States and the approval of the Secretary of War,

chief of engineers and the New Jersey State Board of Commerce and Navigation;

h. Borrow money and incur indebtedness, and issue its negotiable bonds or notes therefore or for the purpose of funding or refunding its bonds, notes or other indebtedness, and provide for the rights and security of the holders of such bonds, notes or other indebtedness;

i. Maintain, reconstruct, manage, control and operate such bridge or bridges and approaches; and

j. Acquire, hold and dispose of any and all property, real or personal, make, and carry out and perform any and all contracts and agreements, execute any and all instruments, and do and perform any and all acts and things, necessary or convenient in the exercise of the powers expressly given in this article or in the performance of the duties required in or undertaken pursuant to this article.

Use of terms.

As used in this article, the term "bridge" shall mean and include a bridge, trestle, viaduct, tunnel, cut or any other structure or device for the passage of persons or vehicles over, under or around an obstacle, and the term "approach" shall mean and include an approach to a bridge of a commission or any road or highway connecting therewith or contributing vehicular traffic thereto or connecting two or more such bridges.

Section amended.

2. Section 27:19-27 of the Revised Statutes is amended to read as follows:

Entry and power of condemnation.

27:19-27. The commission, its agents, officers, engineers or others in its employ, may enter at all times upon all lands or waters for the purpose of exploring, surveying, leveling and laying out the route or routes of any such bridge, with the proper approaches, and locating the same, and locate all necessary buildings, appurtenances and conveniences, doing no unnecessary injury to private or other property. When the commission shall have determined upon the construction or acquisition of any particular bridge or approach, the commission may proceed to condemn and take the land or



waters, or rights therein, and structures, necessary therefor in accordance with chapter one of the Title Eminent Domain (section 20:1-1 et seq.), and, to that end, may invoke and exercise in the manner or mode of procedure prescribed in said chapter, either in its own name or in the name of any county which created such commission or consented to the acquisition or construction of such bridge or approach, all of the powers of such county to acquire property for public uses, and may also proceed to acquire, purchase, take and hold such voluntary grants of real estate, riparian rights, and other property, above or under water, as may be necessary for the construction, operation, maintenance and accommodation of its bridge or bridges and approaches thereto.

3. Section 27:19-28 of the Revised Statutes is amended to read as follows:

27:19-28. The commission may acquire or construct approaches, and a drawbridge or bridges over any channel or channels, thoroughfare or thoroughfares, small streams, creeks or rivers, or bodies of water, within the limits of the county or counties for which such commission is created and also within the limits of any other contiguous county which may, by resolution of its board of chosen freeholders, consent thereto and also within the limits of any other State, contiguous to such county or counties, which may, by act of its appropriate authorities, consent thereto. When any such commission shall have adopted a resolution authorizing the construction or acquisition of a bridge over, under or around any obstacle, neither the State or any agency or subdivision thereof nor any other person, partnership or corporation shall thereafter construct or acquire any bridge over, under or around such obstacle unless (1) such bridge and every part thereof is not less than ten miles or more distant from every part of the bridge so authorized by such commission, or (2) such commission shall, by resolution adopted subject to and in compliance with every contract or agreement of

Section  
amended.

Power to con-  
struct bridges  
and approaches.

the commission, permit and consent to the construction or acquisition of such bridge.

Section  
amended.

4. Section 27:19-31 of the Revised Statutes is amended to read as follows:

Approval  
of project.

27:19-31. To finance any of the purposes or powers provided for in this article, the bridge commission shall in the first instance determine which bridge or bridges are to be purchased or constructed and seek approval or consent of the board or boards of chosen freeholders for such projects.

Bond issue.

Upon receiving such approval and consent, or whenever deemed necessary or desirable for the purpose of funding or refunding its bonds, notes or other indebtedness, including interest thereon accrued or to accrue for a future period of not exceeding three years, such commission shall be authorized to issue its bonds, notes or other evidences of indebtedness which may be secured by a lien or mortgage upon the bridge or bridges and their approaches and appurtenances or upon the tolls or other income to be received in the operation of such bridge or bridges, or upon both. The principal and interest of such bonds, notes or other evidences of indebtedness shall be payable only from the tolls or other income from such bridge or bridges and other assets of such commission; and in connection therewith the county or counties shall incur no indebtedness of any kind or nature, nor shall the county or counties pledge credit, taxes or taxing power, or any part thereof, in support of such principal and interest.

Amortized  
from tolls.

County's  
credit not  
pledged.

Section  
amended.

5. Section 27:19-32 of the Revised Statutes is amended to read as follows:

Issuing  
details.

27:19-32. The bonds, notes or other evidences of indebtedness (hereinafter in this section called "bonds") issued by such bridge commissions shall bear interest at not more than six per centum (6%) per annum, payable semi-annually, and may be sold at either private or public sale, to any person, to the United States Government or to any governmental agency. Such commissions shall provide the form of such bonds and shall fix the denomina-

tions, place or places of payment of principal and interest, the terms and conditions and do all other things that may be necessary for the proper execution and delivery of said bonds.

The proceeds from the sale of such bonds shall be deposited by the treasurers of such bridge commissions and used as provided in any contract or agreement of the commissions relative thereto, or if not so provided, then as the commissions shall direct and solely for the payment of the cost of the bridges and approaches and costs incident thereto, to be drawn upon over the signatures of the chairmen or vice-chairmen of the commissions and the secretaries and treasurers thereof. The surplus, if any, shall be paid into the fund hereinafter provided for the payment of the principal and interest of such bonds.

The rates of tolls to be charged for the use of any bridge constructed or purchased under the provisions of this article shall be so fixed and adjusted as to comply with any contract or agreement of the commission relative thereto and, in any event provide a fund sufficient to pay the interest and principal of any bonds issued under this article, and to provide an additional fund to pay the cost of maintaining, repairing and operating such bridges.

All bonds of a bridge commission shall be authorized by resolution of the commission. Any such resolution may contain provisions, and the commission, in order to secure the payment of such bonds and in addition to its other powers, shall have power to agree by provision in such resolution with the several holders of such bonds, and to make, enter into and perform covenants and agreements, as to

a. the custody, security, use, expenditure or application of the proceeds of the bonds;

b. the construction and completion, or replacement, of all or any part of the bridge or bridges or approaches thereto;

c. the use, regulation, operation, maintenance, insurance or disposition of all or any part of the bridge or bridges or approaches thereto, or restrictions on the exercise of the powers of the commission to dispose, or to limit or regulate the use, of all or any part of the same;

d. payment of the principal of or interest on the bonds, and the sources and methods thereof, the rank or priority of any such bonds as to any lien or security, or the acceleration of the maturity of any such bonds;

e. the use and disposition of any moneys of the commission, including revenues (hereinafter in this section sometimes called "bridge revenue") derived or to be derived from the operation of all or any part of the bridge or bridges or approaches thereto, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired;

f. pledging, setting aside, depositing or trusteeing all or any part of the bridge revenues or other moneys of the commission to secure the payment of the principal of or interest on the bonds, or the payment of expenses of operation or maintenance of the bridge or bridges or approaches thereto;

g. the setting aside out of the bridge revenues or other moneys of the commission of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

h. determination or definition of the bridge revenues or of the expenses of operation and maintenance of the bridge or bridges or approaches thereto;

i. the rates or tolls for passage over or through or the use of the bridge or bridges or approaches thereto, including any parts thereof theretofore constructed or acquired and any

parts, extensions, replacements or improvements thereof thereafter constructed or acquired, and the fixing, establishment, collection and enforcement of the same, the amount or amounts of bridge revenues to be produced thereby, and the disposition and application of the amounts charged or collected;

j. the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of the bridge or bridges or approaches thereto or any obligations constituting or which may constitute a lien on any part of the bridge revenues;

k. limitations on the issuance of additional bonds, notes or other evidences of indebtedness or on the incurrence of indebtedness of the commission;

l. limitations on the powers of the commission to construct, acquire or operate, or permit the construction, acquisition or operation of, any structures, facilities or properties which may compete or tend to compete with the bridge or bridges or approaches thereto;

m. payment of costs or expenses incident to the enforcement of the bonds or of the provisions of such resolution or of any covenant or agreement with the holders of the bonds;

n. the procedure, if any, by which the terms of any covenant or agreement with, or duty to, the holders of bonds may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given or evidenced; or

o. any other matter or course of conduct which, by recital in such resolution, is declared to further secure the payment of the principal of or interest on the bonds.

All such provisions of said resolution and all such covenants and agreements shall constitute valid and legally binding contracts between the

commission and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or holders by mandamus or other appropriate action, suit or proceeding at law or in equity in any court of competent jurisdiction.

Section  
amended.

6. Section 27:19-33 of the Revised Statutes is amended to read as follows:

Creation of  
commission.

27:19-33. When it has been determined by the governing body of any such county, by resolution in the exercise of its discretion that in the exercise of the powers conferred by this article it is expedient to create a bridge commission, the board of chosen freeholders of such county shall pass a resolution creating such commission and appointing three persons who shall constitute a bridge commission, which shall be a public body corporate and politic of the State, under the name of (insert name of county) bridge commission, and shall have perpetual succession and power to contract, to sue and be sued and to adopt a seal and alter same at pleasure, but shall not have power to pledge the credit or taxing power of the county. No officer or employee of the county, whether holding a paid or unpaid office, shall be eligible for membership on the commission. Such appointees shall be originally appointed for terms of one year, two years, three years, respectively. Upon the expiration of such terms appointments shall be made in like manner except that the terms of the three appointees shall be for three years. Not more than two of such appointees shall be members of the same political party. Vacancies shall be filled for any unexpired term in the same manner as the original appointment.

Members.

Corporate  
powers.

Terms.

Vacancies.

Tax exempt.

Each bridge and all approaches and other property of any commission are hereby declared to be public property of a public body corporate and politic and political subdivision of the State and devoted to an essential public and governmental purpose and shall be exempt from all taxes and special assessments by the State or any subdivision

thereof and exempt from any lien, levy, sale or other charge by virtue of any judgment, execution or other process except in favor of the holder or holders of any bonds, notes or other evidences of indebtedness outstanding pursuant to a resolution adopted by the commission under authority of section 27:19-32 of this article. All such bonds, notes or other evidences of indebtedness of such commission are hereby declared to be issued by a public body corporate and politic and political subdivision of the State, and for an essential public and governmental purpose and to be public instrumentalities and, together with the interest thereon and any income therefrom, shall be exempt from taxes.

7. Section 27:19-34 of the Revised Statutes is amended to read as follows: Section amended.

27:19-34. The commission shall elect a chairman and vice-chairman from its members, and a secretary and treasurer who need not be a member. The members of the commission shall receive such annual compensation from the commission as may be determined by the commission not exceeding, however, such maximum amounts as may be fixed from time to time by the governing body of the county, and such members shall give such bond as may be required from time to time by the governing body of the county. The commission shall fix the compensation of the secretary and treasurer in its discretion. The commission shall have power to establish by-laws, rules and regulations for its own government and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers. The commission may employ engineering, architectural, and construction experts and inspectors and attorneys, and such other employees as may be necessary in its opinion, and fix their compensation, all of whom shall do such work as the commission shall direct. All salaries and compensation shall be obligations against and be paid solely from funds provided under the authority of this article. The office, records, books and accounts Organization.  
  
Officers and employees.

of the bridge commission shall always be maintained in the county which the commission represents.

Section  
amended.

8. Section 27:19-36 of the Revised Statutes is amended to read as follows:

Maintenance  
and operation.

27:19-36. The commission shall operate, manage and control the bridges under its charge in their entirety, fix the rate of tolls, establish rules and regulations for the use of such bridges, provide for the lighting and policing thereof, select such employees as are deemed necessary and fix their compensation, make necessary repairs and provide maintenance, and insure the bridges and all property connected therewith against every manner of loss or injury.

By resolution of its board of chosen freeholders, any county may covenant and agree with any bridge commission as to the laying out or continuance of use and maintenance of any road or highway connecting with or contributing vehicular traffic to any bridge or approach of the commission or connecting two or more such bridges, and any county which created such commission or consented to the acquisition or construction of any such bridge or approach may covenant and agree with such commission for the maintenance and operation by such county of any such road or highway or any such approach or any part thereof, or for the payment by such county of all or any part of the expense of such maintenance and operation. Every such covenant or agreement by a county shall be and constitute a valid and legally binding obligation of the county and shall be deemed to be made with or for the benefit of, and shall be enforceable by, the holder or holders of any bonds, notes or other evidences of indebtedness of such commission, as well as by such commission.

Section  
amended.

9. Section 27:19-38 of the Revised Statutes is amended to read as follows:

Joint county  
bridge com-  
mission.

27:19-38. If any county shall determine to cooperate with any other county in the joint construction of a bridge or bridges, a joint commission may



be created. The joint commission shall be created and the members selected by each county in the same manner as is provided in the creation of a county commission. Each county shall have three members on the joint commission. The joint commission shall constitute a public body corporate, shall select and adopt its own name and shall be vested with such powers and subject to such conditions as are conferred and imposed in this article upon a county bridge commission. Any county may, by resolution of its board of chosen freeholders, give its consent to the acquisition or construction within its limits by a bridge commission created by any other county or counties of any bridge or bridges or approaches.

10. Section 27:19-39 of the Revised Statutes is amended to read as follows:

Section  
amended.

27:19-39. Any commission provided for in this article may be dissolved by the governing body of the county or counties creating it at any time after the construction, purchase and equipment of the complete bridge or bridges within its care have been completed and all the costs thereof and all bonds, notes or other evidences of indebtedness, together with interest thereon and all costs and expenses in connection with any actions or proceedings by or on behalf of the holders thereof, have been paid. Thereupon the governing body of the county or counties shall assume the further duties in connection with such bridges, including the operation, maintenance and repair thereof, and upon any such dissolution, title to all real estate or any other property or structures of such commission shall thereafter be vested in the county or counties creating the commission.

Dissolution of  
commission.

11. The State of New Jersey does hereby covenant and agree with the holders of any bonds, notes or other evidences of indebtedness issued by any bridge commission that it will not in any manner limit or alter the power and obligation vested by this article in the commission to fix, establish and collect such tolls and revise the same from time

C. 27:19-32.1.  
State's agree-  
ment with  
bond holders.

New Jersey State Library

to time whenever necessary, as will be sufficient to always comply fully with and fulfill the terms of all agreements and covenants made with the holders of such bonds, notes or other evidences of indebtedness, and will not in any manner impair, alter or abrogate any other power or obligation vested by this article in the commission or the rights and remedies of holders of such bonds, notes or other evidences of indebtedness until all such bonds, notes or other evidences of indebtedness, together with interest thereon and all costs and expenses in connection with any actions or proceedings by or on behalf of the holders thereof, are fully paid and discharged or adequate provision made for the payment or discharge thereof.

12. This act shall take effect immediately.

Approved May 7, 1946.

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## CHAPTER 319

AN ACT to regulate, control and stabilize rents and possession of housing space and declaring an emergency with respect thereto and providing an appropriation therefor.

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

C. 2:58-32.1.  
Public  
emergency.

1. The Legislature hereby finds and declares that a serious public emergency exists due to the present critical shortage of housing space within the State of New Jersey resulting from the economic effects and conditions created by the prosecution of World War II; that the Federal Government heretofore intervened in said emergency in an effort to prevent speculative, unwarranted and abnormal increases in rents; and that the Federal law enacted for the purpose of accomplishing this result ex-

pired on the thirtieth day of June, one thousand nine hundred and forty-six.

2. It is hereby declared to be in the interest of the health, safety and general welfare of the people of New Jersey to prevent unwarranted and abnormal increases in rents; to alleviate the effects of the critical shortage in housing space and living accommodations of every description caused by the economic dislocations of World War II; and to protect persons living in the State of New Jersey from undue impairment of their standard of living during the present emergency and critical housing shortage.

C. 2:58-32.2.  
Purpose.

3. (a) There is hereby established the Office of State Rent Control Commissioner, who shall be the Commissioner of the Department of Economic Development.

C. 2:58-32.3.  
Office of State  
rent control  
commissioner.

(b) There is hereby established a State Rent Control Board which shall consist of the members of the Economic Council as said council is now or may hereafter be duly and legally constituted.

State rent  
control board.

(c) There is hereby established in each of the counties of this State, a County Rent Control Board, which shall consist of the members of the county board of taxation in each of said counties as said board is now or may hereafter be duly and legally constituted.

County rent  
control boards.

4. It shall be unlawful, regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, or any notice of increase in rent or eviction served upon any tenant, for any person to demand or receive any rent for housing space in excess of the lawful rent established or fixed for such housing space as of June first, one thousand nine hundred and forty-six, by the Federal Office of Price Administration except as otherwise hereinafter provided; to evict, dispossess or institute any action for the repossession of housing space except as hereinafter provided; or to willfully do or attempt to do any act in violation of this act or any regulation or order issued under authority of this act.

C. 2:58-32.4.  
Unlawful  
acts.

C. 2:58-32.5.  
Regulations.

5. (a) The commissioner shall establish such regulations, subject to the approval of the State Rent Control Board, as may be necessary to effectuate the purposes of this act. Whenever in the judgment of the commissioner such action is necessary or proper in order to effectuate the purposes of this act, he may, by regulation or order, regulate or prohibit speculative or manipulative practices or renting or leasing practices, including practices relating to the recovery or possession of housing space. Subject to the approval of the State Rent Control Board, regulations under this act may contain such provisions as the commissioner deems necessary to prevent the circumvention or evasion thereof.

Approval of  
regulations.

(b) The State Rent Control Board shall approve the regulations issued by the commissioner before they shall become effective and shall act in an advisory capacity in assisting the commissioner to effectuate the purposes of this act.

Hearings,  
orders.

(c) The County Rent Control Board or its agent or agents designated by a majority of the board in the county in which the housing space is located shall conduct hearings and make appropriate orders thereon in accordance with the provisions of this act and the regulations established hereunder. Hearings may be conducted by a single member of such county board, or its agent. All findings and determinations shall be reviewed and approved by a majority of said board. The number of agents in each county shall be determined by the commissioner.

Review.

Number of  
agents.

May utilize  
other services.

(d) The commissioner may utilize the services of State, county or local agencies, boards and departments and may utilize and establish such regional, county or other agencies, and utilize such voluntary and uncompensated services as may be available and as he deems desirable or necessary to carry out his functions and duties under this act.

Employees.

The commissioner may appoint such employees, on a temporary basis, as he deems necessary to assist him in the performance of his duties under this act

and shall fix their compensation. Such appointments shall be only for the duration of the emergency herein declared and shall not be subject to the provisions of Title 11 of the Revised Statutes of 1937 as amended and supplemented. He may also delegate such of his powers as he may deem desirable and necessary for the efficient performance of his duties in effectuating the purposes of this act.

Duration of  
employment.

6. The County Rent Control Board, under regulations promulgated by the commissioner may, upon proper application and after a hearing, upon notice to all parties in interest, by appropriate order, allow such adjustments in the rent for any housing space as shall be deemed just and equitable by said board. In arriving at this determination, the county board shall give due consideration to the changes, since January first, one thousand nine hundred and forty-two, in the following factors concerning the property in question:

C. 2:58-32.6.  
Basis for rent  
Adjustment.

- (1) Taxes.
- (2) Costs of maintenance and operation of the property; and
- (3) The kind, quality and quantity of services furnished.

The county board also may give consideration to such other factors as may bear upon the application before it.

Applications for rent adjustment may be filed with the County Rent Control Board on and after September third, one thousand nine hundred and forty-six. No rent adjustment approved by the County Rent Control Board shall be retroactive.

Application.

In no event shall any adjustment in rent be allowed which will result in an increase in rent in excess of ten per centum (10%) of the lawful rent for the housing space, the subject matter of any application to the board, as of June first, one thousand nine hundred and forty-six.

Limits amount  
of increase.

7. Either party who may feel aggrieved by the order of the county board may appeal therefrom to the court of common pleas of the county in which

C. 2:58-32.7.  
Appeals from  
county boards.

the housing space in question is located. Notice of appeal shall be filed with the clerk of the court of common pleas within ten days from the date of the order and a copy of such notice shall be served upon the other party within three days thereafter. The case shall then be placed upon a special calendar of cases arising under this act. The common pleas court shall speedily hear the case de novo, without a jury. In determining such appeal, the court of common pleas shall be governed by the provisions of this act and the regulations promulgated hereunder.

C. 2:58-32.8.  
Conditions for  
recovery of  
housing space.

8. Proceedings may be instituted and maintained in any court of competent jurisdiction for the recovery of possession of any housing space only under the following conditions:

(a) On account of default in the payment of rent, provided the complainant shall allege in the complaint or affidavit and prove to the satisfaction of the court that the rent charged is not greater than the lawful rent established for such housing space as of June first, one thousand nine hundred and forty-six or such greater rent therefor as may have been fixed pursuant to sections five and six of this act;

(b) In cases where the landlord was, prior to the effective date of this act, authorized by the Government of the United States or any agency thereof to pursue his normal remedies under local law to obtain possession of housing space, unless the commissioner, by regulation, shall provide otherwise;

(c) In cases where a person owns or acquires an enforceable right to buy and take possession of the housing space and seeks in good faith for his own use to recover or obtain possession of the housing space owned or acquired as herein set forth, subject however to such regulations governing such cases as shall be promulgated by the commissioner. Such regulations shall provide for a minimum notice to the tenant of three months where the owner or person seeking possession under this subsection is a veteran of World War II, and a

minimum notice of six months in all other cases;  
and

(d) In all other cases as may be provided by the regulations of the commissioner.

No judgment for possession of housing space pursuant to the provisions of subsections (c) and (d) shall be entered by any court unless the complainant shall satisfy the court that he has complied with all the provisions of this act and the regulations issued thereunder.

Judgment  
not entered.

All issues concerning compliance with the provisions of this act and the regulations issued thereunder shall first be determined by the judge in a summary manner.

Conditions  
determined  
in summary  
manner.

9. Any additional housing space created by new construction subsequent to July first, one thousand nine hundred and forty-six, shall be exempt from the provisions of this act and the regulations issued under its authority, *provided, however*, that when such space shall have been rented at a rental fixed by the owner thereof, the provisions of this act shall thereafter apply.

C. 2:58-32.9.  
New construction  
exempt.

Proviso.

10. (a) Any regulation or order issued under this act may be in such form and may contain such classifications and differentiations, and may provide for such adjustments and reasonable exceptions, as in the judgment of the commissioner are necessary or proper in order to effectuate the purposes of this act. Under regulations to be prescribed by the commissioner, he shall provide for exceptions with reference to housing space rented, leased or subleased for seasonal use; housing space situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon, and housing space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part or all of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the housing space is a part.

C. 2:58-32.10.  
Form and  
contents of  
regulation.

Studies and  
investigations.

(b) The commissioner and the State Rent Control Board are authorized to make such studies and investigations, to conduct such hearings and to obtain such information as they deem necessary or proper to assist them in prescribing any regulation or order under this act, or in the administration and enforcement of this act and regulations and orders thereunder.

May admin-  
ister oaths.

(c) The commissioner, the State Board of Rent Control and the County Boards of Rent Control or any member of such boards may administer oaths and affirmations and may, whenever necessary, by subpoena require any person to appear and testify or to appear and produce documents or both at any designated place.

Failure to  
obey subpoena.

(d) In case of contumacy by, or refusal to obey a subpoena served upon, any person pursuant to subsection (b) or (c), the common pleas court for any county in which such person is found or resides, upon application by the commissioner or on behalf of any County Rent Control Board, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Witness fees.

(e) Witnesses subpoenaed under this section shall be paid the same fees and mileage as are paid witnesses in courts of law.

Counsel.

(f) Any person subpoenaed under this section shall have the right to make a record of his testimony and to be represented by counsel.

C. 2:58-32.11.  
Violator  
adjudged  
disorderly  
person.

11. Any person who shall willfully violate any of the provisions of this act or any regulation thereunder, or who shall willfully aid and abet the violation of any of the provisions of this act or the regulations thereunder or attempt to do any of the foregoing, shall be adjudged a disorderly person and shall upon conviction be dealt with as provided in Title 2:205 of the Revised Statutes of New Jersey and the supplements thereto and amendments thereof.



12. Whenever the commissioner has reason to believe that any person is liable to punishment under this act, he may certify the findings to the Attorney-General, who shall cause appropriate proceedings to be brought. The Attorney-General shall furnish to the commissioner, the State Rent Control Board and the County Rent Control Boards, the necessary legal assistance required for the administration of this act.

C. 2:58-32.12.  
Proceedings  
brought by  
Attorney-  
General.

13. Any waiver of any of the provisions of this act shall be unenforceable and void unless approved by the commissioner.

C. 2:58-32.13.  
Waivers.

14. To the extent that the provisions of this act are inconsistent with the provisions of any other law, the provisions of this act shall be controlling.

C. 2:58-32.14.  
Provisions  
controlling.

15. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid or unconstitutional, the validity and constitutionality of the remainder of the act and applicability of such provisions to other persons or circumstances shall not be affected thereby.

C. 2:58-32.15.  
Provisions  
severable.

16. Unless expressly otherwise provided, whenever used in this act, the following terms shall mean or include:

C. 2:58-32.16.  
Terms defined:

(a) "Housing space." All dwelling space in hotels, and dwelling space in rooming houses, boarding houses, dormitories, residence clubs, tourist homes or cabins, apartment houses, dwelling and other housing accommodations of a similar nature together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such housing space; but not including any of such foregoing spaces which are exempt from the provisions of this act.

Housing  
space;

(b) "Landlord." An owner, lessor, sublessor, receiver, trustee, executor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of the whole or a part of any housing space.

Landlord;

- Tenant; (c) "Tenant." A lessee, sublessee, licensee, or other person entitled to the possession or to the use or occupancy of the whole or a part of any housing space.
- Rent; (d) "Rent." The consideration, including any bonus, benefit, or gratuity, charged or received by the landlord, his agents, or other representatives for the use or occupancy of the whole or any part of any housing space created prior to July first, one thousand nine hundred and forty-six, and including the services in connection therewith.
- Services; (e) "Services." Repairs, decorating and maintenance, the furnishing of light, steam, heat, hot and cold water, telephone, elevator service, cleaning service, linen service, janitor service, the removal of refuse and any other facility or privilege connected with and furnished by the landlord for the use or occupancy of the housing space.
- Person; (f) "Person." An individual, corporation, partnership, association, or any other organized group of individuals or the legal successor or representative of any of the foregoing.
- C. 2:58-32.17.  
Appropriation. 17. The sum of two hundred fifty thousand dollars (\$250,000.00) is hereby appropriated to the State Rent Control Commissioner from any moneys in the State Treasury not otherwise appropriated. The said sum so appropriated shall be expended by the commissioner with the approval of the State Rent Control Board in the manner and form prescribed by law. The commissioner is authorized and directed to furnish the County Board of Rent Control in each county with the necessary clerical assistants and other personnel required for the proper administration of this act and is authorized to allot to each County Rent Control Board and to any other department or agency of the State which renders assistance in the administration of this act, the amount necessary for the payment of services so rendered and expenses incurred in pursuance thereof.

18. The provisions of this act and all regulations and orders thereunder shall terminate on June thirtieth, one thousand nine hundred and forty-seven or upon the date specified in a proclamation by the Governor declaring that the further continuance of the provisions of and the authority granted by this act are not necessary in the interests of the public health, safety and general welfare, whichever date is the earlier; or the operation of this act may be suspended and restored by proclamation of the Governor prior to June thirtieth, one thousand nine hundred and forty-seven; except that as to offenses committed, or rights or liabilities incurred, prior to such termination date, the provisions of this act and such regulations and orders thereunder shall be treated as still remaining in force for the purpose of sustaining any proper suit, action or prosecution with respect to any such right, liability or offense.

C. 2:58-32.18.  
Termination  
of act.

19. This act shall take effect immediately.

Approved July 22, 1946.



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## JOINT RESOLUTIONS

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(1053)



## Joint Resolutions

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### JOINT RESOLUTION No. 1

A RESOLUTION to refer the question of railroad taxation and distribution of moneys to the various counties and municipalities, to the State Tax Policy Commission.

WHEREAS, The method of taxing railroad property and the distribution of the taxes and interests thereof has been the subject of legislation and litigation for several years past; and Preamble.

WHEREAS, The Legislature of the State of New Jersey, at its 1945 session, passed an act which equitably distributed the interest on delinquent railroad taxes among all the municipalities of the State; and Preamble.

WHEREAS, The Court of Errors and Appeals of this State, by a sharply divided vote, decided that said act was unconstitutional and further questioned the authority of the Legislature to apportion moneys received from the taxation of railroad property among all of the municipalities of the State; and Preamble.

WHEREAS, The State of New Jersey is now seeking a review of this decision by the Supreme Court of the United States; and Preamble.

WHEREAS, The Legislature of this State has decreed that, in addition to other taxes to be paid to the State and the counties and municipalities thereof, there shall be paid, by the railroads of the State, a franchise tax for the purpose of ex- Preamble.

exercising the privilege granted to them by the State to operate their various railroad lines, which franchise is based, not upon the value of the railroad's real estate, but upon the amount of its earnings; and

Preamble. WHEREAS, The Governor, in his Annual Message to the Legislature, delivered on January eighth, one thousand nine hundred and forty-six, has called attention to the inequitable manner in which the proceeds of the aforementioned franchise tax are distributed to a small number of municipalities, most of which are located in one county of the State, to the detriment of all of the other municipalities of the State; and

Preamble. WHEREAS, The Governor has requested the Legislature to "give careful consideration to a more equitable formula for at least the distribution of the permanent annual railroad franchise tax revenue \* \* \* so that the other twenty counties of the State can have reasonable consideration, and, in particular, that the school districts of the State may benefit"; and

Preamble. WHEREAS, The Legislature, acting in the interests of all of the municipalities of the State, concurs in the recommendation of the Governor to the effect that franchise taxes, paid for the privilege of doing business, whether by railroads or other corporations, should be distributed equitably with due regard to the welfare and needs of all of the counties, municipalities and school districts of the State; therefore, be it

To study taxation and distribution of tax. *Resolved*, That the matter of preparing a more equitable formula for the distribution of the proceeds of all railroad taxes be referred to the Commission on State Tax Policy, created in one thousand nine hundred and forty-five by an act of the Legislature (chapter 157, Laws of 1945), and the said Commission on State Tax Policy be and is



hereby authorized and directed to make a thorough and complete study of this problem by reviewing any and all legislation on the subject, court decisions pertaining thereto, as well as methods and formulas employed for like purposes in other jurisdictions and to report the result of its findings together with its recommendations to the next succeeding Legislature.

Approved January 25, 1946.

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JOINT RESOLUTION No. 2

A JOINT RESOLUTION relating to the bicentennial of Princeton University, and providing for a State commission with certain duties and powers in connection therewith.

WHEREAS, Princeton University, the first college to be founded in the Middle Colonies and originally known as the College of New Jersey, received its first charter on October twenty-second, one thousand seven hundred and forty-six, and is preparing to observe the bicentennial thereof; and

Preamble.

WHEREAS, The said charter, to which on the day and year aforesaid the Great Seal of the Province of New Jersey was affixed by John Hamilton, then serving as Governor of the Province, antedates by nearly a third of a century the establishment of independent government in New Jersey; and

Preamble.

WHEREAS, Princeton University, during its two centuries of service as an institution of learning, has enriched the intellectual life of people not only in New Jersey but throughout the world, and because of its renown in the field of higher education has brought appreciable distinction to this State; and

Preamble.

Preamble.

WHEREAS, The Princeton University bicentenary celebration will extend through the academic year beginning September, one thousand nine hundred and forty-six, and ending June, one thousand nine hundred and forty-seven, and, in a manner appropriate to the times as well as to the occasion, will feature the assembling at Princeton of the world's great scholars in a series of conferences treating with the advancement of learning and the welfare of society throughout the world; and

Preamble.

WHEREAS, It is the sense of this Legislature that there should be accorded to Princeton University the sovereign recognition it merits for its salutary influence upon the history of this State and upon the life of the people, and also for its outstanding contributions to education generally; and that the State should co-operate in every desirable manner towards the complete observance of the bicentennial of said University; now, therefore,

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

New Jersey  
State Commission  
for  
Princeton  
University  
Bicentennial  
created.

1. A commission is hereby created, which shall be known as the New Jersey State Commission for the Princeton University Bicentennial and which shall consist of nine members. The Governor, the President of the Senate, and the Speaker of the General Assembly shall be members ex officio of the commission and shall each, within ten days after this joint resolution takes effect, appoint two persons to be members thereof for the time the commission shall remain in existence. The six persons so appointed may, but need not, be members of the Legislature. Members of the commission shall serve without compensation. Any vacancy occurring from any cause shall be filled by appointment by the Governor, and members so appointed shall serve for the balance of the time the commission shall remain in existence.

Members.

2. The commission shall organize by the selection of a chairman and a secretary from among its members, but the Governor shall be designated honorary chairman. Organization.

3. It shall be the duty of the commission formally to convey to the President and Trustees of Princeton University, at such time during the bicentennial celebration period as shall be deemed opportune for the purpose, the greetings and felicitations of the State of New Jersey. It shall also be the duty of the commission to extend appropriate greetings and courtesies to scholars, delegates of universities and colleges, and others who, at the invitation of Princeton University, may participate in or attend the bicentennial ceremonies throughout the celebration period. It shall further be the duty of the commission to co-operate with the representatives of said University and of the borough of Princeton so that the celebration activities of the commission may be properly co-ordinated with those of the University and the borough. Duties.

4. The commission shall have authority otherwise to unite, on behalf of the State, with Princeton University and others in the observance of said bicentennial; and to request of the head of any department of the State Government co-operation in any manner the commission may deem necessary or feasible to effectuate the purposes of this joint resolution, and all heads of departments shall have the duty of complying with all such requests. State to  
co-operate.

5. This joint resolution shall take effect immediately.

Approved April 8, 1946.

## JOINT RESOLUTION No. 3

A JOINT RESOLUTION providing for the establishing of a special joint committee of the Senate and General Assembly to investigate the causes of juvenile delinquency.

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

Joint com-  
mittee to  
investigate  
cause of  
juvenile  
delinquency.

1. That a special joint committee of the Senate and General Assembly be and it is hereby created, consisting of three members of the Senate to be appointed by the President thereof, and three members of the General Assembly to be appointed by the Speaker thereof, for the purpose of investigating the causes of juvenile delinquency.

Organization.

2. That such committee shall choose from among its members a chairman, vice-chairman and secretary.

Duties.

3. Such committee is authorized to hold hearings, call witnesses and to require from any State department, commission or agency such assistance as may be needed to accomplish the purposes of this resolution.

Report.

4. Said committee shall report the results of its investigation to the next session of the Legislature with its recommendations.

5. This joint resolution shall take effect immediately.

Approved April 24, 1946.

## JOINT RESOLUTION No. 4

A JOINT RESOLUTION continuing and reconstituting the commission to make a study of the financial structure of the Teachers' Pension and Annuity Fund and of the amount of annual contributions needed to keep this fund on a sound actuarial basis.

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

1. The commission created by Joint Resolution No. 3 of the One Hundred and Sixty-ninth Legislature for the purpose of making a study of the financial structure of the Teachers' Pension and Annuity Fund and of the amount of annual contributions needed to keep this fund on a sound actuarial basis hereby is continued and reconstituted. Commission reconstituted.

2. The commission shall consist of seven members, one of whom shall be the Commissioner of Taxation and Finance, three of whom shall be Senators, to be chosen by the President of the Senate, and three of whom shall be members of the House of Assembly, to be chosen by the Speaker thereof. Members.

3. The commission is authorized to hold hearings, call witnesses, and to draft necessary legal and clerical assistants from the offices of the Attorney-General of the State of New Jersey, the Law Revision and Bill Drafting Commission and other State departments as may be required and shall also have authority to engage such competent actuaries and other expert advisers as it may deem necessary. Hearings.

4. The commission shall report the results of its studies to the present or the next session of the Legislature. Report.

5. This joint resolution shall take effect immediately.

Approved April 30, 1946.

## JOINT RESOLUTION No. 5

A JOINT RESOLUTION creating a commission to make a study of the financial structure and actuarial soundness of the Prison Officers' Pension Fund, established pursuant to chapter two hundred twenty of the laws of one thousand nine hundred and forty-one.

Preamble. WHEREAS, The financial structure of the Prison Officers' Pension Fund and its actuarial soundness have been subjected to question; therefore,

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

Commission created. 1. There hereby is created a commission for the purpose of making a study of the financial structure and actuarial soundness of the Prison Officers' Pension Fund, created pursuant to chapter two hundred twenty of the laws of one thousand nine hundred and forty-one.

Members. 2. The commission shall consist of seven members, one of whom shall be the Commissioner of Taxation and Finance, three of whom shall be members of the Senate, to be chosen by the President thereof, and three of whom shall be members of the House of Assembly, to be chosen by the Speaker thereof, and they shall elect a president and secretary from their own number.

Hearings. 3. The commission is authorized to hold hearings, call witnesses, and to draft necessary legal and clerical assistants from the offices of the Attorney-General of the State of New Jersey, the Law Revision and Bill Drafting Commission and other State departments as may be required.

Report. 4. The commission shall report the results of its studies to the next session of the Legislature, with its recommendations.

5. This joint resolution shall take effect immediately.

Approved April 30, 1946.

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JOINT RESOLUTION No. 6

JOINT RESOLUTION creating a commission to study the question of salaries fixed by statute for State and county officers.

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

1. There is hereby created a commission of six members, three members of the Senate to be appointed by the President thereof, and three members of the General Assembly to be appointed by the Speaker thereof. Commission created.

2. It shall be the duty of said commission, and said commission shall have power, to make a thorough study of the question of salaries fixed by statute for State and county officers, whether elected or appointed; and also to ascertain what inequities, if any, exist in such salaries from the standpoint of the duties of the respective officers, and also from the standpoint of population in the case of the county offices affected. Duties.

3. Said commission shall organize as soon as may be after the members thereof have been appointed, and shall elect a chairman and secretary from among its members. Organization.

4. Said commission shall report its findings and recommendations to the next ensuing regular session of the Legislature. Report.

5. This joint resolution shall take effect immediately.

Approved April 30, 1946.

## JOINT RESOLUTION No. 7

A JOINT RESOLUTION constituting a commission to study the matter of providing a cash bonus or other appropriate means of further recognition of the services of the residents of the State who served as soldiers, sailors and marines during World War II.

Preamble. WHEREAS, The State of New Jersey desires to give further appropriate recognition to the splendid services rendered by her sons and daughters who served as soldiers, sailors and marines in World War II recently victoriously concluded; and

Preamble. WHEREAS, Many proposals for the provision of a cash bonus or other appropriate means of recognition for these services have been made, which proposals are of such varying character as to require study by a legislative commission so constituted that its deliberations and conclusions may be made without regard to political partisanship but with regard solely to the merits of the proposals, and the adoption of a policy founded on constructive statesmanship; and

Preamble. WHEREAS, The State of New Jersey anticipated and recognized, over two years ago, her obligation to the veterans; installed a Veterans' Loan Fund to encourage their embracing various vocations, through which over six million dollars (\$6,000,000.00) has already been allocated and sufficient underwriting provided for the loan of additional millions; established a Veterans' Bureau, with branch offices in various sections of the State, manned entirely by veterans and daily co-operating to assist returning comrades; initiated, a year ago, an industry co-operative program through which over one thousand large and small



New Jersey industries are pledged to employ one veteran for every nonveteran, giving preference to those disabled; *provided*, through the civil service for complete new examinations for hundreds of positions which assure preference to veterans; and has arranged with the Federal Government for the transferral of temporary homes for veterans; therefore,

Proviso.

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

1. There hereby is created a commission to be composed of six members of the Senate to be appointed by the President thereof, no more than three of whom shall be members of the same political party, one of whom shall be designated as the chairman of the commission in his appointment, and six members of the General Assembly to be appointed by the Speaker thereof, no more than three of whom shall be of the same political party, one of whom shall be designated as the vice-chairman of the commission in his appointment, for the purpose of making a study of the entire matter of providing appropriate rewards by cash bonus or otherwise to those residents of the State who served as soldiers, sailors and marines during said war and to their dependents and their families.

Commission created.

2. The commission shall consider all proposals to this end made by the introduction of legislative bills during the present session of the Legislature and any other proposal which may be brought to its attention or which may seem to be appropriate for consideration during the course of its study.

Duties.

3. The commission shall choose a secretary from among its own members and may employ such personnel as it may deem necessary for the performance of its duties and fix their compensation within the limitations of the appropriations provided for that purpose.

Secretary and other employees.

4. The commission is authorized to hold hearings, call witnesses and draft regular and clerical

Hearings.

assistants from the various State departments as may be required.

Report.

5. The commission shall report the result of its study with its recommendations to the Legislature as soon as its study is completed and its recommendations are formulated.

Appropriation.

6. There is hereby appropriated the sum of ten thousand dollars (\$10,000.00) or so much thereof as may be necessary to provide for the expenses of the commission, including the compensation of its employees, which may be incurred in carrying out the provisions of this resolution.

7. This joint resolution shall take effect immediately.

Approved April 30, 1946.

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## PROCLAMATIONS

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(1067)



## Proclamations by the Governor

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### PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

The scourge of war has ended at last and we humbly thank Almighty God that it has ended in victory for this nation and our allies and for the ideals and freedoms which constitute our American way of living.

Recent developments of the atomic bomb and the long-range rocket make us realize how narrow was the margin of victory and how easily this destruction and havoc could have been loosed upon our cities and our people if some supreme power had not supported our just cause.

Therefore, in a spirit of reverence and thanksgiving, let us pay homage to those fighting men and women, living and dead, who sacrificed so much that the freedom and equality of man might be preserved upon this earth. Let us have this joyous occasion tempered, however, by realization of the tremendous task that lies ahead to restore this nation and the world to peace time productivity.

In keeping with our debt to those who are gone and those who are sick and wounded, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby officially declare Wednesday, August 15th, to be a State holiday and a day of public thanksgiving and direct that all official business shall cease. To provide the opportunity for prayer and quiet communion with our families and our friends, I have directed that all public offices and banks remain closed on said day. Further, I recommend

(1069)

that licensees refrain from sale or service of alcoholic beverages until 12:00 noon Wednesday, August 15th.

Given under my hand and the Great  
[SEAL] Seal of the State of New Jersey, this  
fifteenth day of August, in the year of  
Our Lord one thousand nine hundred  
and forty-five, and in the Independence  
of the United States the one hundred  
and seventieth.

WALTER E. EDGE

*Governor.*

By the Governor:

J. A. BROPHY

*Secretary of State.*

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#### PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, D. LANE POWERS was, at the general election held in the month of November, one thousand nine hundred and forty-four, elected by the voters of the Fourth Congressional District to represent this State in the House of Representatives of the United States and subsequently duly qualified himself as such Representative; and after such election and qualification, to wit, on the thirtieth day of August, one thousand nine hundred and forty-five, did resign as such member of said House of Representatives, thereby causing a vacancy to exist in the representation of this State in the House of Representatives of the United States;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby issue this Procla-

mation, pursuant to the provisions of Chapter 206, P. L. 1945, directing that an election be held, according to the laws of the State of New Jersey, in the Fourth Congressional District, for the purpose of electing a member of the House of Representatives for said district, and designating Tuesday, November sixth, one thousand nine hundred and forty-five, said day being the next general election day, as the day on which the election shall be held to fill the vacancy caused by the resignation of the said D. LANE POWERS; and no primary election shall be held for nomination of candidates to fill such vacancy, but selection and nomination of candidates for the said office so vacated shall be made according to said Chapter 206, P. L. 1945.

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

WALTER E. EDGE

*Governor.*

By the Governor:

J. A. BROPHY

*Secretary of State.*

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## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

The Constitution of the United States reflects the spirit and will of a free and courageous people. Those who framed it knew intimately the centuries-old experience of many peoples under many

forms of government. To a new nation the Founding Fathers gave a charter of rights and liberties unique in history. That charter reveals our belief in the dignity of man; our belief that the State was made for man and not man for the State; and further, our belief that if a nation is to survive the spirit of its people must remain forever free.

The Constitution stands for our American way of life. It has survived many crises and we now rejoice that it has survived the most terrible attack ever launched against the freedoms for which it stands. Our victory over the dark and deadly forces of totalitarianism represents a triumph of the free spirit over those who gave up freedom at home in an effort to enslave all civilization.

Our Federal Constitution has always been a beacon and a hope to the oppressed everywhere. The Charter of the United Nations, so recently drawn at San Francisco and overwhelmingly ratified by the United States Senate, is the first attempt by the peoples of the world to achieve on an international basis what we, as a united nation, achieved for ourselves under our Constitution. We in America must lend our strength and our genius for democracy toward making the world charter a vital force, so that nations may live together in freedom, peace and productivity.

To the end that the 158th anniversary of the United States Constitution may be fittingly observed, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

MONDAY, SEPTEMBER 17TH,

as

CONSTITUTION DAY,

and urge that the day be observed by all civic groups, as well as individual citizens. Let us give thanks for the blessing of constitutional government. Let us resolve not only to pass this blessing



on to future generations, but also to give the fullest measure of support to the establishment and perfection of the ideals of the United Nations.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of September, in the year of Our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and seventieth.

WALTER E. EDGE  
*Governor.*

By the Governor:  
J. A. BROPHY  
*Secretary of State.*

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PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

New Jersey is proud of its share in the welcome to our victorious fleet and its officers and men in the great celebration beginning with the Navy Memorial Service tomorrow, Sunday, October 21st, to those who will not return, and which reaches its climax on Navy Day, Saturday, October 27th, with the review of the fleet by the President of the United States.

Never in our Nation's history have we owed so much to our Navy, which so many times has kept our enemies from our shores. To our Navy must be given the primary credit for the fact that during the last two great world struggles the soil of our mainland was not invaded by the enemy.

Almost destroyed by the treacherous Japanese attack at Pearl Harbor, December 7, 1941, our Navy recovered and through astounding salvage operations and new construction gradually took over control of the Pacific.

In the last year of the war our Navy was the greatest sea-air combination in world history, and eventually completely obliterated the Japanese Navy as an effective fighting unit.

We in New Jersey are sorry that the great battleship named for this State, the USS New Jersey, cannot be spared from the Pacific theatre for this homecoming celebration, but we rejoice in the log of its numerous battles and other achievements and the knowledge that it came through the war unscathed and without the loss of a man in combat. We will reserve a great welcome for the USS New Jersey and its officers and crew when they finally can be spared to return to friendly neighboring waters.

As we pay tribute to these gallant ships and their brave, capable officers and men, it seems most appropriate to express our firm belief that a strong Navy is one of the greatest guarantees of future peace. While air power necessarily has changed the pattern of naval warfare, and our own Navy developed this combination to its greatest effectiveness, we must place our first reliance in our fleet until it can be demonstrated conclusively that other agencies or instruments of war can afford us the protection which this Nation received from the Navy during the two great struggles of the last quarter of a century.

THEREFORE, I, WALTER E. EDGE, Governor of the  
State of New Jersey, do hereby proclaim

SUNDAY, OCTOBER 21ST,

as

NAVY MEMORIAL DAY

to honor our Navy dead,

and

SATURDAY, OCTOBER 27TH,

as

NAVY DAY

to welcome and pay tribute to the officers, men and  
ships of our fleet; and I hereby urge all citizens  
who can do so to visit these ships and to display  
the Flag on all public buildings and homes; and I  
further urge that appropriate exercises be con-  
ducted throughout the State in observance of these  
days.

[SEAL] Given under my hand and the Great  
Seal of the State of New Jersey, this  
twentieth day of October, in the year of  
Our Lord one thousand nine hundred  
and forty-five, and in the Independence  
of the United States the one hundred  
and seventieth.

WALTER E. EDGE

*Governor.*

By the Governor:

J. A. BROPHY

*Secretary of State.*

## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Our first Thanksgiving Day after the end of the most destructive war in history is a joyous yet solemn occasion. No other Nation in the world has so much for which to thank Almighty God as the people of these United States of America.

This State and this Nation have gone through two world wars without any invasion of our home soil or destruction of our cities although half the world lies in ruins.

Let us celebrate Thanksgiving Day in a reverent manner, recognizing how fortunate this Nation has been to be spared the direct ravages of war, and let us recognize our responsibility to aid in every way possible the less fortunate peoples of the world, the homeless and hungry, who must start life all over again.

In discharging this responsibility of alleviating the suffering of the recent conflict, let us fervently pray that the great countries of the world will be able to subordinate their petty differences to make the United Nations Organization an effective agency against future wars.

THEREFORE, I, FRANK S. FARLEY, acting Governor of the State of New Jersey, do hereby proclaim

THURSDAY, NOVEMBER 22,

as

THANKSGIVING DAY,

and I urge the people of this State to observe this day by attendance at church services, the reading of appropriate passages from the Bible, and other devotional exercises.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this nineteenth day of November, in the year of Our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and seventieth.

FRANK S. FARLEY

*Acting Governor.*

By the Acting Governor:

J. A. BROPHY

*Secretary of State.*

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### PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Now that the final battle has been won, it is most important that the Victory Loan Drive be financed successfully.

There could be no more fitting explanation as to what is involved in this drive than the slogan adopted, "They Finished Their Job; Let's Finish Ours."

While the over-all sale of bonds in the Victory Loan Drive is encouraging, the purchase of the small denomination "E" bonds by individual citizens is not up to expectations. If New Jersey is to attain its quota of \$60,000,000 in "E" bond sales, the citizens of New Jersey must invest all the funds they can spare through the remainder of the campaign, which ends December 31st.

While I recognize that Christmas shopping and the present labor unrest have combined to reduce the amount of cash available to our average citizens, nevertheless, New Jersey cannot fail in this last great obligation following the war.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby designate the week of

DECEMBER 2 TO DECEMBER 7, INCLUSIVE

as

VICTORY WEEK

to be dedicated to an all-out effort to stimulate the sale of "E" bonds.

In making this appeal to our citizens to purchase these bonds both as a patriotic service and as a sound investment I can only point out that it was but four years ago, December 7, 1941, that the fighting power of our Navy was shattered at Pearl Harbor and our future as a free and independent nation hung in the balance.

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

WALTER E. EDGE

*Governor.*

By the Governor:

J. A. BROPHY

*Secretary of State.*

## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

In commemorating the 99th anniversary today of the birthday of the late Thomas Alva Edison the people of New Jersey and of the Nation are honoring a man whose inventive genius produced many of the basic devices and weapons which aided so materially in the successful prosecution of the war.

Now that victory has been won this Nation stands on the threshold of unprecedented industrial production if both labor and management will recognize their respective responsibilities and enjoy the fruits of the innumerable Edison inventions which have done so much to provide the conveniences, luxuries and labor-saving devices that constitute our American way of living.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby urge all our citizens to pause briefly today

FEBRUARY 11, 1946

to pay tribute to the memory of one of our greatest Americans who spent the most productive years of his life in New Jersey.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eleventh day of February, in the year of Our Lord one thousand nine hundred and forty-six, and in the Independence of the United States the one hundred and seventieth.

WALTER E. EDGE  
*Governor.*

By the Governor:  
J. A. BROPHY  
*Secretary of State.*

## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

In Abraham Lincoln we find the lasting symbol of American democracy and union. History long ago marked him down alongside Washington as a great leader in the cause of liberty; for a strong and enlightened Nation; and for justice for people everywhere.

In his troubled life he met a host of problems with courage and resolution. What he did and what he said about the issues of his time are of un-failing application today.

Lincoln's observations about the rights of the individual are particularly appropriate in this period of national crisis. Lincoln believed that "each individual is naturally entitled to do as he pleases with himself and the fruit of his labor, so far as it in no wise interferes with any other man's rights." Only by holding fast to this fundamental principle can our national economy and general welfare continue to flourish.

In a troubled age we recall, also, what Lincoln said over eighty-three years ago: "We can succeed only by concert. It is not, 'Can any of us imagine better?', but 'Can we all do better?'"

Today we continue to draw renewed inspiration from the classic challenge which our martyred President gave to the Nation at the close of a desperate war:

"With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in. to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."



THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

TUESDAY, FEBRUARY 12,

as

LINCOLN'S BIRTHDAY

and I urge that appropriate exercises in honor of President Lincoln be held wherever possible throughout the State and that the principles which he upheld so courageously be reiterated and emphasized in these observances.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eleventh day of February, in the year of Our Lord one thousand nine hundred and forty-six, and in the Independence of the United States the one hundred and seventieth.

WALTER E. EDGE  
*Governor.*

By the Governor:  
J. A. BROPHY  
*Secretary of State.*

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PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Time has made George Washington so familiar a figure to all of us that we often forget the significance of his teachings. It was fortunate that our first President was devoted to the public cause from his earliest days, a pioneer in every effort to advance the progress of our civilization.

Explorer, soldier, patriot, statesman—he was a model for mankind. Washington was also a practical business man, a prudent farmer, an engineer and builder. His vision bridged a century.

He lived in times of crisis and great change. Having led his country to victory, he saw clearly the needs of the future. If the new Nation was to live, it must expand and become strong. Government must find its proper relation to the people, and the people to government. The national economy demanded a foundation where business, industry, agriculture and labor worked together and toward a good end.

Washington believed in the limitless future of America. To the infant Republic he said: “While I do not underrate difficulties on one hand, we should not forget them on the other, nor discourage ourselves from a very important undertaking by obstacles which are to be surmounted.”

On this 214th anniversary of his birth we can take renewed inspiration from the real Washington. He asked the people to have courage, to work together for the common good, to deal honorably, and to face the future unafraid. We should rededicate ourselves to his great example.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

FRIDAY, FEBRUARY 22ND,

as

WASHINGTON’S BIRTHDAY

and I ask for enthusiastic and widespread observance of this anniversary throughout New Jersey.

Given under my hand and the Great  
[SEAL] Seal of the State of New Jersey, this  
twenty-first day of February, in the year

of Our Lord one thousand nine hundred and forty-six, and in the Independence of the United States the one hundred and seventieth.

WALTER E. EDGE

*Governor.*

By the Governor:

J. A. BROPHY

*Secretary of State.*

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PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

If we are to protect the vital freedoms and the peace purchased at so great a cost in human lives and misery it is imperative that we have a standing army sufficient for occupation purposes and to assure national security.

The recruiting campaign of the Regular Army to enlist able-bodied men between 17 and 34 years of age, therefore, presents a challenge that must be met by continuation of the draft if it cannot be done by voluntary enlistments. No other course is open in the light of the unprecedented speed of the present demobilization program.

Under recent Federal legislation the Regular Army now offers an opportunity to adventurous young men for a career at good pay and with travel and educational opportunities. In addition, the Regular Army now offers a security program after 20 years' service equal to or greater than obtains in most private employment.

These many advantages, together with allowances for families and dependents and the assurance of 30 days' furlough each year, combine to make service in the Regular Army more attractive than it has ever been before.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim the

MONTH OF MARCH

as

RECRUITING MONTH

and I earnestly call upon all young men to give serious consideration to making the Army their career, and I urge all employers and civic groups to support this program to the fullest degree.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-fifth day of February, in the year of Our Lord one thousand nine hundred and forty-six, and in the Independence of the United States the one hundred and seventieth.

WALTER E. EDGE

*Governor.*

By the Governor:

J. A. BROPHY

*Secretary of State.*

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PROCLAMATION

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT.

The campaign of the Red Cross for \$100,000,000, the largest peacetime budget in its history, represents one of the most worthy appeals the citizens of this Nation and of this State have been called upon to meet. New Jersey's quota in this drive is

\$3,840,000 and the City of Trenton is asked to raise \$175,000 and the citizens of the State and capital city cannot fail in this responsibility.

Although hostilities have ceased it should be borne in mind that the Red Cross is continuing to administer to the millions of armed forces in Germany, Japan and naval installations around the world. In addition, the Red Cross cares for the needs of the thousands of veterans in hospitals both here and abroad and is continuing its program of dispatching food parcels, collecting blood plasma and operating Red Cross groups.

The Red Cross is always available here at home in the event of emergency or disaster, prepared to take an immediate part in caring for the injured, sick or homeless.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby urge the people of New Jersey to give every possible support to this appeal during the coming month.

Given under my hand and the Great  
[SEAL] Seal of the State of New Jersey, this  
twenty-seventh day of February, in the  
year of Our Lord one thousand nine  
hundred and forty-six, and in the Inde-  
pendence of the United States the one  
hundred and seventieth.

WALTER E. EDGE

*Governor.*

By the Governor:

J. A. BROPHY

*Secretary of State.*

## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The Director, Division of Taxation, Department of Taxation and Finance on the fourth day of March, one thousand nine hundred and forty-six, under the provisions of chapter eleven, Title 54, Revised Statutes, reported to the Governor a list of all corporations coming under this act; and

WHEREAS, The following-named corporations so reported have, for the two years preceding such report, failed, neglected or refused to pay the State taxes assessed against them for the year one thousand nine hundred and forty-three, under the laws of the State of New Jersey, and made payable unto the State Treasury; and

WHEREAS, Under the provisions of said act the charters of said corporations are revoked 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 herein-after named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this Proclamation that the charters of the following-named corporations so reported and in default, to wit:

## UNPAID TAXES FOR THE YEAR 1943

Abbey Auto Service,  
ABC Diners, Inc.,  
Aben Realty Corporation,  
Able Fur Dyeing Corp.,  
Abley Realty Corp.,  
Academy Clothiers, Inc.,  
Academy Trucking Corp.,  
A. Cassini & Sons, Inc.,  
Ace Concrete Co. Inc.,  
Ace Meat Market, Inc.,  
Acme Burner Company,  
Acme Development and Improvement Corporation,  
Acme Hat Co. Inc.,  
Acme Modernizers, Incorporated,  
A. C. Realty, Inc.,  
Adam Corporation,  
Adams and Rehmann, Incorporated,  
Adirondack Trailways, Inc.,  
Admor Trading Corporation,  
Advance Brake Linings, Inc.,  
Advanced Vitamin Products, Inc.,  
Aero Fabrics, Inc.,  
Aero Flying Service, Inc.,  
Aeromatic Corporation,  
A. G. Building Co.,  
Aircraft Development Company, Incorporated,  
Air Raid Protection Association,  
Ajax Plate and Window Glass Co., Inc.,  
Ajax Vending Co.,  
A. J. Case Company,  
A. & J. Motor Sales Corporation,  
A. J. Wiesner & Son, Inc.,  
Aladdin Oil Burner Corporation,  
Albenirv Realty Corp.,  
Albert & Anna Rifkin Poultry Breeding Farm,  
Inc.,  
Albert Corporation,  
Albert F. Mahaffey, Inc.,  
Alden and Shearer. Inc.,  
Aldox Laboratory Corporation,

Alert Safety Products Corporation,  
Alex Harris Glass Co. Inc.,  
A. L. G. Realty Corporation,  
Allen Construction Co.,  
Allen's Department Store, Inc.,  
Alliance Lumber Corporation,  
Alliance Realty and Construction Co.,  
Allied Engineering Equipment Corp.,  
Alliston Homes, Inc.,  
Alpine Better Homes, Inc.,  
Alps Restaurant, Inc.,  
Al's,  
Al's Beauty Salon, Inc.,  
Altaire Realty Co.,  
Altmore Realty Co.,  
Alvin Theatre Company,  
A. L. Waldron Inc.,  
Ambrose & Voska, Inc.,  
Ameco Realty Corporation,  
American Art Co. Inc.,  
American Beauty Homes, Inc.,  
American Biological and Chemical Corporation,  
American Bren Corporation,  
American Cake Baking Company, Inc.,  
American Carrier System,  
American Ceramics Corp.,  
American Combining Corp.,  
American Credit Exchange,  
American Daily Double, Inc.,  
American Emblem Manufacturing Co.,  
American Furniture House, Inc.,  
American Hardware & Paint Co., Inc.,  
American Home Builders and Development Co.,  
"American Hotel Company, Inc.,"  
American Novelty Co.,  
American Pigment Co.,  
American Realty and Investment Company,  
American Reclamation Corporation,  
American Record Corp.,  
American Termite Chemical Company, Inc.,  
Amerind Industries, Inc.,  
Ames Coal Corp.,  
Amigo Company,



A. Miller, Inc.,  
Amles Corporation,  
Amloid Company,  
Amoroso Agency, Inc.,  
Amor Realty Company, Inc.,  
Ampol Realty & Investment Co.,  
Amulco Aircraft Products Corporation,  
A. M. White & Son, Inc.,  
Anax Construction Co., Inc.,  
Anchorage Incorporated,  
Anchor Corporation,  
Anchor Inn,  
Anderson Homes, Inc.,  
Andrew Krupa, Inc.,  
Andrew Murray Sons, Inc.,  
Andrews & Andrews Construction Company, Inc.,  
Andy's Tavern, Inc.,  
Anestor Engineering Corporation,  
Annex Roller Gravure,  
Anpoe Corporation,  
Ansam Corp.,  
Anthony Stefanelli, Inc.,  
Antonucci Co.,  
Any-Way Coal & Ice Corp.,  
A. O. Realty Co. Inc.,  
A-1 Standard Service Station,  
A & P Coal Company, Inc.,  
Applikon Processing Company,  
A. Pumo Contracting Co., Inc.,  
Aragona's Dairy Farms, Inc.,  
Arcade Realty Corporation,  
Arcady Liquor Company,  
Arcturus Radio Tube Corporation,  
Ardee Construction Co., Inc.,  
Ardsley Realty Co. Inc.,  
Aridon, Inc.,  
Ariston Corporation,  
Arlington Gardens, Inc.,  
Armit Corp.,  
Armor Realty Co.,  
Armstrong Baruden Coal Company,  
A. R. Muller Co.,  
Arnault Engineering Company,

Aron, Inc.,  
Arrcite Co., Inc.,  
Arrow Textile Engraving Works,  
Arsenal Bus Service,  
Artercraft Handkerchief Manufacturing Co., Inc.,  
Art Furniture Works, Inc.,  
Arthur Gottesman, Inc.,  
Arthur Homes, Inc.,  
Arthur M. Maddox, Inc.,  
Arthur S. Hurst, Inc.,  
Artistic Building Company,  
Artistic Co., Inc.,  
Artistic Home Builders, Inc.,  
Art Kitchens Inc.,  
Art Pearl Works, Inc.,  
Asbestos Distributing Corporation,  
Ascote, Inc.,  
Asphalt International, Inc.,  
Asphalt Planking, Inc.,  
Associated Features, Inc.,  
Associated Investment Corporation,  
A. S. Stearn Inc.,  
Atco Realty Corporation,  
Atlantic Alloy Steel Corp.,  
Atlantic Bleach and Chemical Co.,  
Atlantic Chemical Corporation:,  
Atlantic City Flower Show, Inc.,  
Atlantic Commercial Agency, Inc.,  
Atlantic Dredging & Engineering Corporation,  
Atlantic Instrument Corporation,  
Atlantic Interior Decorators, Inc.,  
Atlantic Paint & Ladder Co.,  
Atlantic Pants Mfg. Co., Inc.,  
Atlantic Parking, Inc.,  
Atlantic Realty Company #2,  
Atlantic Utilities Institution, Inc.,  
Atlas Freight Lines,  
Atlas Machine & Tool Co.,  
Atlas Packaging Corp.,  
Atlas Tile Company,  
Atlas Woven Label Company,  
• Augusta Development Corporation,  
Augusto Poultry Market, Inc.,

Augustus W. Smith, Incorporated, N. J. Realty  
Title Ins. Co.,  
Austin Land Co.,  
Automatic Sales Company, Inc.,  
Automotive Brake Service, Inc.,  
Auto Motor Mart Inc.,  
Avalon Improvement Company,  
Avalon Realty Company,  
Aviation Improvement Corporation,  
Aviation Press, Inc.,  
Avon Securities Company,  
A. White, Inc.,  
  
Babb Realty Company,  
Bach Laboratories, Inc.,  
Bachman Electric Co., Inc.,  
Bailey-King Press, Inc.,  
Bakery Fair, Inc.,  
Balan Realty Co.,  
Balchar Corporation,  
Baldwin Company Inc.,  
Baldwin Realty Co. of Union County,  
Balkan Tanning Company,  
Bamboo Garden Restaurant of West New York,  
Inc.,  
Banford Company of Newark, New Jersey,  
Barclay & Fielding Co.,  
Barco Fabrics, Inc.,  
Barnett Cleaners, Inc.,  
Barney Katchen Realty Co. Inc.,  
Barsky's Pharmacies, Inc.,  
Bason Realty Corporation,  
Batz-Mulcahy, Inc.,  
Bayonne Fur Dressing and Dyeing Company,  
Bayonne Theatre Enterprises, Inc.,  
Bayou Holding Co., Inc.,  
Beach Amusement Corp.,  
Beach Bowling Company,  
Beachcomber, Inc.,  
Beacon Contracting Company,  
Beacon Mercantile Co.,  
Beacon Restaurant, Inc.,  
Beauty Bath, Inc.,

Beaver Hill,  
Bedford-Livingston Company,  
Bedford Undergarment Corporation,  
Bedminster Land Company,  
Belle Mead Farms, Inc., No. 2,  
Belleville Lathing Co.,  
Bell Homes, Inc.,  
Bell Oil Burner Co., Inc.,  
Belmar Cafeteria and Dining Car, Inc.,  
Belmont Dress Co.,  
Belvedere Operating Co., Inc.,  
Belvidere Construction Co.,  
Bendix Auto Sales, Inc.,  
Bendix Gardens, Inc.,  
Bendix Homes, Inc.,  
B. Engel Paper Box Co., Inc.,  
Benjamin McNally, Incorporated,  
Benjamin Waxman, Inc.,  
Bennett Service Station, Inc.,  
Benso, Inc.,  
Beralloy Corporation,  
Bergard Realty Co.,  
Bergen Excavating and Trucking Co.,  
Bergen Grill Inc.,  
Bergen-Hudson Mortgage Corpor-  
Bergen Investment Corp.,  
Bergenline 5 & 10 Cent Stores, Inc.,  
Bergen Plastics, Inc.,  
Bergen Point Realty Co.,  
Bergen Sand and Gravel Company,  
Bergen Soundies, Inc.,  
Berger Lace and Embroidery Company,  
"Berhman Coal Company, Inc.",  
Berkeley Manor Homes, Inc.,  
Berko's Meat Market, Inc.,  
Berk Press,  
Berland Holding Company,  
Berlant Park Homes, Inc.,  
Bernardsville Development Company,  
Bernel Realty Co.,  
Bero Realty Corp.,  
Berson & Co.,  
Bertha Holding Corporation,

Bertram Company,  
Bertrand View Development Co.,  
Bestor Realty, Incorporated,  
Better Grade Meat & Poultry Market, Inc.,  
Beverly Hills Homes, Inc.,  
B & F Investment Co.,  
B. F. S. Z. Realty Co.,  
Bibles, Inc.,  
"Big Four", Inc.,  
Bigtown Diner, Inc.,  
"Birchwood Development Company",  
Blaes Brothers, Inc.,  
Blairstown Milk and Cream Company,  
B. & L. Holding Company,  
Blitz's Market, Inc.,  
Bloy Estates, Inc.,  
Blue Circle Food Markets, Inc.,  
Blue Moon Cafe, Inc.,  
Blue Ribbon Dyeing & Finishing Co Inc.,  
Blue Ridge Manor, No. 1,  
Blue Spruce Corporation,  
Blue Tower, Inc.,  
B. M. G. Construction Company,  
Bobart, Inc.,  
Boerer's Inc.,  
Bogota-Teaneck Knight of Columbus Home Association,  
Bohling Tavern, Inc.,  
B. O. L. Holding Corp.,  
Bond Grill Inc.,  
Boniface's Market, Inc.,  
Bonnie Bakers, Inc.,  
Bonwell Realty Co.,  
Boonton Theatre Holding Co., Inc.,  
Boots & Saddle Tavern,  
Border Realty Company,  
Boro Busses Company,  
Borough Builders Inc.,  
Boulevard Holding Corp.,  
Boulevard Homes Co. Inc.,  
Boulevard Leonard Realty Corporation,  
Bowers Builders, Inc.,  
Bowles Company, Inc.,

Box & Novelty Patents, Inc.,  
Boys Shop, Inc.,  
Brady & Boschert, Inc.,  
Bragaw Realty Corporation,  
Branchburg Inn, Inc.,  
Brand Auction Gallerie, Inc.,  
Branford Contracting Co. Inc.,  
Branre Realty and Investment Corporation,  
Brass and Iron Bend Co., Inc.,  
B. & R. Building Corporation,  
B. R. D. Co.,  
Breintnall Holding Co.,  
“Brembos-Lavdas, Inc.”,  
Brems Corporation,  
Bridgeman, Inc.,  
Bridgeton Liquor Store,  
Brielle Academy,  
Brighton Builders, Inc.,  
British American Mutual Fund, Inc,  
Broad Central Parking Station,  
Broad Drugs, Inc.,  
Broad & Halsey Realty Co.,  
Broadway Brake Service Inc.,  
Broadway Furniture Corp.,  
Broadway Trim and Lumber Co.,  
Brocar, Inc.,  
Brodeve Co. Inc.,  
Brooklake Realty Corporation,  
Brooklawn Village,  
Brown Brothers, Inc.,  
Brown & Loizeaux, Inc.,  
Brozyna Tool and Machine Manufacturing Company,  
Bruno and Arlia, Inc.,  
Bruno Bros. Trucking Co.,  
Brunswick Motor Sales, Inc.,  
Brunton Realty Company,  
Bryan Radio Co., Inc.,  
Bryant Villa Holding Company,  
B. & S. Food Company,  
B. T. Company,  
Buck Inc.,  
Buckner’s Inc.,

Building Supply & Lumber Co., Inc.,  
Builtmore Realty Corp.,  
“The Burek Corporation”,  
Burdo Realty Co.,  
Burgh Building Company, Inc.,  
Burgos Holdings, Inc.,  
Burleigh, Inc.,  
Burlew’s Restaurant of Laurence Harbor, Inc.,  
Burlington County Realty Company, Inc.,  
Burststein Body Company, Inc.,  
Burton & Davidson Machine & Tool Company,  
Bush Construction Company,  
Business Bureau, Inc.,  
Business Men’s Protective Society,  
Business Opportunities, Inc.,  
Butler Waste Co.,  
Bywell Realty Company,  
  
C. A. Arnts Co.,  
Cabinet Corp.,  
Cable Chemicals, Inc.,  
Cahill Flying Service Inc.,  
Callahan’s Inc.,  
Callender Realty Corporation,  
Calumet Holding Company,  
Calvo Corporation,  
Camden Building Company,  
Camden County Construction Company, Inc.,  
Cam, Incorporated,  
Campus Lunch, Inc.,  
Canfield Realty Corporation,  
Canteen Cafe,  
Cape Cod Village, Inc.,  
Cape May Court House Land and Improvement  
Company,  
Cape May Liberty Corporation,  
Capital Cafe & Restaurant, Inc.,  
Capital Construction and Realty Company,  
Capitol Automatic Music Company,  
Capitol Lunch, Inc.,  
Capitol Refrigerator Company, Inc.,  
Carbo Chemical Company,  
Carbo Chemical Corporation,

Carb-O-Matic Corporation,  
Carey Auto Sales, Inc.,  
Carl, Inc.,  
Carlsen Home Modernizing Co.,  
Carlstadt Leather Co. Inc.,  
Caruth & Williams Co.,  
Castle Manor, Inc.,  
Castorlene Corp. of New Jersey,  
Cathode Ray Tube Corporation,  
C. Bauman & Company,  
C. Beyer & Son,  
C. B. J. Diner, Inc.,  
Cedar Grove Estates,  
Cedar Lane Building Corp.,  
Cedar Lane Grill, Inc.,  
C. E. Kelly Company,  
Celia Brown's, Inc.,  
Cenerole Realty Company,  
Central Engineering Co.,  
Central Home Building and Finance Company,  
Central Park Corporation,  
Central Service, Inc.,  
Century Pyro Chemical Corporation,  
Cerny Holding Corp.,  
Certified Health Food Products, Inc.,  
Chadwick Chemical Company,  
Chain Company, Inc.,  
Chain Market Stores, Inc.,  
Challenger Construction Corporation,  
Chamberlin Aircraft Corporation,  
Chamberlin Tool & Machine Co., Inc.,  
Chancellor Bake Shop, Inc.,  
Chancellor Investment Company, Inc.,  
Chaney-Struve Corporation,  
Charel Holding Corporation,  
Charlaine Dress Company,  
Charles A. Dixon (Incorporated),  
Charles A. Vezzetti, Inc.,  
"Charles and Bill Woerner, Inc.,"  
Charm Home Builders Co.,  
Charms Embroidery Works,  
CharTed, Inc.,  
Chelsea Corporation,



Chemical Specialties and Research Corporation,  
Chemsel Corporation,  
Chester & Lyons Realty Company,  
Chestnut Holding Co.,  
Chilton Homes, Inc.,  
Chin Foo, Inc.,  
C. H. Painting & Decorating Corp.,  
Chudyk Holding & Investment Co. Inc.,  
Ciampaglio Construction Company,  
Cieciuch & Allen, Inc.,  
Cigolini Construction Company,  
Citizens Preparatory Center,  
Citizens Preparatory Institute,  
Citizens Publishing Company, Inc.,  
City Service Coal Co., Inc.,  
City Terminal Co.,  
Claire's Sandwich Shoppe,  
Clark Terrace Realty Company,  
Clementon Lake Park Company,  
Cleremont Contracting Co. Inc.,  
Clermont Cravat Company of New Jersey, Inc.,  
Cliff Corporation,  
Clifton B. Devoe, Inc.,  
Clifton Laundry Co.,  
"Clifton Lobster House",  
Clifton Press, Inc.,  
Clinton Auto Upholstering & Fabric Co.,  
Clinton Ave. Liquor & Delicatessen Store, Inc.,  
Clinton Capital Corporation,  
Clinton Company,  
Clinton Hill Corp.,  
Clinton Parking Garage, Inc.,  
Clinton S. Johnson, Inc.,  
Clinton Wine & Liquor Stores, Inc.,  
Closeburn Corporation,  
Clover Construction Co.,  
Clover Court Realty Corporation,  
Club 122, Inc.,  
Club Royal, Inc.,  
C. & M. Holding Co. Inc.,  
Coast Construction Company, Inc.,  
Coast Land & Title Company,  
Cobb's Inc.,

Coin-O-Matic Amusements, Inc.,  
“Colalillo, Inc.”,  
Colby & Cruse,  
Cole Opticians,  
Colleen Shops, Inc.,  
College Company,  
Collins & Collins,  
Collins Diners, Inc.,  
Colonade Restaurant,  
Colonia Consumers Co-operative, Inc.,  
Colonial Agency, Inc.,  
Colonial Construction Co., Inc.,  
Colonial Liquor Corporation, No. 1,  
Columbia Baths, Inc.,  
Columbia Hall Amusement Co., Inc.,  
Columbia Holding Company, #1,  
Columbia Home Builders, Inc.,  
Columbia Theatre Co.,  
Columbus Agency, Inc.,  
Columbus Publishing Corporation,  
Commercial-Alliance, Incorporated,  
Commercial Beverage Company Inc.,  
Commercial Finance Co.,  
Commercial Parking Stations, Inc.,  
Commercial Real Estate Enterprises, Inc.,  
Commoners Realty Co.,  
Commonwealth Garage Co.,  
Commonwealth Investment Corp.,  
Community Cinema Corporation.,  
Community Development Company,  
Community Tailors and Cleaners Inc.,  
Conanjal Realty Co., Inc.,  
Concord Farm,  
Concrete Delivery Service Co.,  
Conn’s Inc.,  
Con-O-Lite of New Jersey, Inc.,  
Consolidated Colorcrete Corporation,  
Consolidated Dairies, Inc.,  
Consolidated Industries, Inc.,  
Consolidated Silverware Corporation,  
Continental Acres,  
Continental Training Corp.,  
Controlled Heating and Cooling Co. Inc.,

Convent Doll Corporation,  
Cook's Transportation Line,  
Co-Operative Management,  
Cooperative Youth Club,  
Cooper Valley Homes Corporation,  
Copeland-Keane Corporation,  
Corbin, Inc.,  
Corey Realty Co.,  
Corker Mfg. Co., Inc.,  
The Corlies Holding Co.,  
Cornell Construction Co. Inc,  
Coronet Beauty Shop, Incorporated,  
Correale Construction Company, Inc.,  
Corrigan Holding Company,  
Corrigan & Ryan, Inc.,  
Corvus Realty Company,  
County Park Homes,  
Coventry Inc.,  
Cowalton Realty Company,  
Crane Estate Company,  
Cranford Nomahegan Golf Club, Inc.,  
Credit Rating Service of New Jersey, Inc.,  
Crescent Holding Corporation,  
Cresom, Inc.,  
Crest Drive-In,  
Crest Hill Homes, Inc.,  
Crest Holding Co.,  
Crown Corporation,  
Crown Liquor Store, Inc.,  
Crown Point Land Co.,  
Crown Sportswear Stores, Inc.,  
Crystal Lake Housing Corporation,  
Cu-Ber Realty Co.,  
Culver Lake Golf Club,  
"Culver Lake Lodge, Inc.",  
Cumberland Pharmacal Co.,  
Cundari Realty Co.,  
Cut Rate Meat & Poultry Market, Inc.,  
C. W. Wilbert Coal Co. Inc.,  
C. Yingling and Son, Inc.,  
  
Dabarj Bond and Mortgage Company,  
Dacy Leo Furs Inc.,

Dadson Holding Company,  
Damrock Realty Corp.,  
Danberco, Inc.,  
Danco Distributors, Inc.,  
Dan Dee Shops, Inc.,  
Daneth Co.,  
Dan Murtland, Inc.,  
Dan's Drug Company,  
Dart Aircraft Products Corp.,  
David Beloff, Inc.,  
David's Processed Foods Corp.,  
David Sussman Appliances,  
Davis-Myers Agency, Inc.,  
Dawson Machinery Inc.,  
Day Housing Corporation,  
Daylight Bakery, Inc.,  
Dayton Avenue Food Co. Inc.,  
D. & D., Inc.,  
Deal Golf Club,  
Dealshore Realty Company,  
Debonis-Iannelli, Corporation,  
Defense Building Corporation of New Jersey,  
Defense Equipment Co., Inc.,  
Defense Homes, Inc.,  
De Jager Nurseries, Inc.,  
Delair Shipyards, Inc.,  
Delaware River Tunnel Corporation,  
Delaware Shipbuilding Corporation,  
Delmor, Inc.,  
Delt Realty Co.,  
De Lupu, Inc.,  
Demar Realty Co., Inc.,  
Denburg's Modern Bakery,  
Dependable Cutting Co., Inc.,  
Dependable Plumbing & Heating Company,  
Deptford Sand and Gravel Co., Inc.,  
De Riso Bros., Inc.,  
Dervieux Company,  
Devon Hotels, Inc.,  
D. G. Realty Co. Inc.,  
Diamond Battery & Tire Co.,  
Diamond Sports Promotions, Inc.,  
Diana Dress, Inc.,

Dickey Corporation,  
Diesel Electric Welding Corporation,  
Dimmer, Inc.,  
Dimmick Bros., Inc.,  
Direct Coal Co. Inc.,  
Direct Holding Company,  
Directors Holding Co.,  
Direct Service Furniture Co., Inc.,  
Distinctive Homes, Inc.,  
Dixon & Rippel,  
D. J. McMillen & Co., Inc.,  
D & M Automobile Service, Inc.,  
D. & M. Bus Co. Inc.,  
Dolores Nicholas, Inc.,  
Dolphine Park, Incorporated,  
Dolsky, Inc.,  
Dominion Builders, Inc.,  
Domino Finishing Co. of N. J. Inc.,  
Doran Corporation,  
Doris Dare Inc.,  
Do-Rite Laun-Dry-Cleaner, Inc.,  
Dorset Company,  
The Dorsil Company,  
Downtown Grocery, Inc.,  
D-Ray Corporation,  
Dubuque Apparatus Corporation,  
Dultine Laboratories,  
Dumont Natatorium,  
Dunkirk Realty Co.,  
Dunn & Dunn, Inc.,  
Duplico Manufacturing Company,  
Durand Realty Co., Inc.,  
Durgreg Corporation,  
Dwight Manor Garage, Inc.,  
D. & W. Realty Co. Inc.,  
  
Eagle Coal Co., Inc.,  
Eagle Fuel Corp.,  
Eagle Shoes, Inc.,  
Eagle Vending Machine Co.,  
East Camden Finance and Development Company,  
East Camden Holding Company,  
Eastern Bergen Italo-American Cooperative,

Eastern Boulevard Corporation,  
Eastern Cleaning Store of Fairlawn, Inc.,  
Eastern Home Insulation Company Inc.,  
Eastern Realty Co.,  
Eastern Sales Finance Corporation,  
Eastern Seaboard Manufacturing Co. Inc.,  
Eastern States Supply Co.,  
Eastern Steel Products,  
East Orange Window Cleaning Co., Inc.,  
East Paterson Herald Printing and Publishing  
Co.,  
Eaton Realty Corporation, Inc.,  
Economy 5-10-25c Stores, Inc.,  
Economy Homes Company, Inc.,  
Economy Super Market,  
Edelman's Purity Baking Co.,  
Edgewater Basin Company,  
Edgewater Gardens,  
Edgewood Knolls, Inc.,  
Edney Products, Inc.,  
Edward H. Bahrenburg Corporation,  
Edward H. Zoll, Inc.,  
Eggens Fountain Pen Corporation,  
Egg Harbor Real Estate Corporation,  
Ehmling Holding Co. Inc.,  
Ehren Realty Co.,  
852 Hunterdon St. Inc.,  
86 Broad Realty Corp.,  
Eisler Engineering-Oil Burner Division, Inc.,  
E. Jas. Peters, Inc.,  
Elbucoc, Inc.,  
Elflo Promoters,  
Elgie Shoe Co.,  
Elite Manufacturing Corporation,  
Elite Sweet Shoppe,  
Elizabeth Auto Laundry, Inc.,  
Elizabeth Chamber of Commerce Hotel Company,  
Elizabeth Trucking Co.,  
Eljay Diner Corp.,  
Elkay Land Co., Inc.,  
Ellery Realty Corporation,  
Ellis Contracting Company,  
Elmar's Inc.,

El Mora Hills Realty Co.,  
Elmora-Park Construction Co.,  
Elmore Investment Co. Inc.,  
Elm Wood Park Homes, Inc.,  
Elsie N. Merz, Inc.,  
Emergency Fund Associates,  
Emerson Corporation,  
Emerson Engineering Co.,  
Emerson Products Co. Inc.,  
Emerson Realty Co.,  
Emerson Silk Company, Inc.,  
Emil Baer & Co., Inc.,  
E. M. J. Corporation,  
Empire Associates, Inc.,  
Empire Construction Company,  
Empire Shipbuilding & Repair Corp.,  
E. M. Thorpe, Inc.,  
Enbee Realty Co.,  
English and Somers Company,  
Enid Realty Co.,  
Enileda, Inc.,  
Enterprise Building Company,  
Entertainment Inc.,  
Entrance Realty Co.,  
E. P. Realty Co.,  
Equitable Security Company,  
Equity Machine Company,  
Ergo Machine Works, Inc.,  
Erwin, Incorporated,  
Ess Ess Inc.,  
Essex County Exterminating Co.,  
Essex County Investments, Inc.,  
Essex Delicatessen, Inc.,  
Essex General Realty Company,  
Essex Mortgage Financing and Engineering Corp.,  
Estate of Gilbert Smith, Inc.,  
Estate Holding Co.,  
Ethel D. La Mer Company,  
Etherow Estates Inc.,  
Etta Realty Corporation,  
Evans Building Co.,  
Evenheet Oil Burner Company,  
Evenheet Sales & Service Co. Inc.,

Evergreen Markets Inc.,  
Everready Cartage Co. Inc.,  
Eve's Millinery Shoppe, Inc.,  
Excel Brass Foundry, Inc.,  
Excellent Built Homes, Inc.,  
Exeller Chemical Co. Inc.,  
Extension Market, Inc.,

Fahn Holding Co., Inc.,  
Fairecliff Tavern, Inc.,  
Fair Maid Silk Corporation,  
Fairmont Dairy Co., Inc.,  
Fairway Holding Co., Inc.,  
Faitoute, Inc.,  
Falls Auto Finance Co., Inc.,  
Fan Beauty Shop, Inc.,  
Fanbe Holding Corporation,  
Fanwood Holding Co.,  
Fanwood Home Builders, Inc.,  
Farmland Foods, Inc.,  
Farrell, Hayney and Knight, Inc.,  
Fashion Manufacturing Inc.,  
F. A. Trowbridge Company,  
F. B. L. Investment Company,  
F. C. Carter, Inc.,  
F. C. Schultz & Son,  
Federal Credit Corporation,  
Federal Distributing Co.,  
Federal Estates, Inc.,  
Federal Homes, Inc.,  
Federal Research Products, Inc.,  
Federated Products Corporation,  
Feinberg & Van Ostenbridge Builders, Inc.,  
"Fellowship Investment Corporation, Inc.",  
Ferris Brothers Company, Inc.,  
Ferro Pipe and Foundry Company,  
Ferry Sweet Shop, Inc.,  
F & G Corporation,  
F. H. G. Realty Co.,  
Fiber Processing Corporation,  
Fidelity Associates, Inc.,  
Fidelity Holding and Investment Co.,  
Fidelity Plumbing & Heating Contractors, Inc.,



58 Ettrick Terrace Corporation,  
Fifty-Nine Court Street Corporation,  
F. & I. Holding Company,  
Fiorentino & Esposito, Inc.,  
First New England Corporation,  
First Winston Corp. Inc.,  
Fischer Brothers, Inc.,  
Fishermen's Inn, Inc.,  
Fitz Chemical Company,  
Fitzgerald Directory Company,  
586 Bergenline Holding Company,  
Five Points Realty Company,  
Five Star Realty Corporation,  
F. J. Bowers & Co.,  
F. J. L. Corp.,  
Flatbrook Realty Company,  
Flavorit Sauce Company, Inc.,  
Fleming Engineering Corporation,  
Fluo-Ray Lighting Co., Inc.,  
Foerster's Tavern, Inc.,  
Foley & Wandelt, Inc.,  
Food and Liquor Mart Co.,  
Foote & Hynes Trucking Company,  
Forest Hill Fish Company,  
Forest Hill Realty Co., Inc.,  
Forest Mountain Nurseries, Inc.,  
Forker Vending Co.,  
Forr-Bett Realty Co., Inc.,  
Forrest Hill Park Development Co.,  
Forsum Realty Co. Inc.,  
Forty-Nine Tonnele, Inc.,  
Foss & Co.,  
Foster's Service Station Inc.,  
Fotoprint Corp.,  
Foundation Realty Corporation,  
491 Groom Street, Inc.,  
Four Ninety Central Corp.,  
Four Ninety-Three Central Avenue, Newark, New  
Jersey, Inc.,  
"Fourth Kingsley Corporation",  
Fourth & Parkway Realty Co.,  
Fox Specialty Shops, Inc.,  
Frances Realty Co. Inc.,

Franciosi & Co.,  
Frank Garruto & Son, Inc.,  
The Frank Homes, Inc.,  
"Frank Knitting Mills, Inc.",  
Franklin Contracting Co. Inc.,  
Franklin Hall Apartments, Inc.,  
Franklin Homes, Inc.,  
Franklin Park Manor Inc.,  
Frank Richter Co.,  
Frank Wilhelms Advertising Service, Incorporated,  
F & R Construction Company,  
Fred A. Guerrieo, Inc.,  
Frederic Bathgate, Inc.,  
Frederick Benjamin Company, Inc.,  
Fred Solimando Company,  
French Bakery of Passaic, N. J. Inc.,  
French-Ball Street, Inc.,  
Fretone Realty Co. Inc.,  
Freund Realty Company,  
Friedman Realty Co. (No. 1),  
Frontset Co.,  
Frost Co. Inc.,  
F. S. & C. Development Co.,  
Fulton Land Company,  
  
G. & A. Bakery, Inc.,  
Gandy Inc.,  
Garbrink Realty Co. Inc.,  
Garden Investment Company,  
Garden Rest, Inc.,  
Garden State Cleaners, Inc.,  
Garden State Trailer Parks, Inc.,  
Garden Suburbs Inc.,  
Garden Tavern, Inc.,  
Gardner Dairies, Inc.,  
Garfield Holding Co., Inc.,  
Garfield Tile & Marble Co.,  
Garnet Tile Company, Inc.,  
Garrison Corporation,  
Gas & Oil Industry Laboratories, Incorporated,  
"Gateway Realty Co. Inc.",  
Gayval Company,

Gazsi Holding Corporation,  
G. B. Dillon Stores, Inc.,  
G. E. A. Realty Company,  
Gehlt Corporation,  
G and E Homes Inc.,  
Gelman Lumber Company,  
General Buildings Corporation,  
General Fixture Co., Inc.,  
General Housing Corporation of Beverly,  
General Housing Corporation of Camden,  
General Industrial Gas Co.,  
General Launderers Service, Inc.,  
General Machine Engineering Corp.,  
General Motor Supply Inc.,  
General Outfitting Co.,  
General Products & Realty Corp.,  
General Realty Interest, Inc.,  
George C. Ackerman Inc.,  
George Corporation,  
George Dreyman Co., Inc.,  
George L. Hirtzel Domestic Equipment Co.,  
George M. Fincken, Inc.,  
George M. Seglin Engineering Company,  
George Ponser Co. of N. J., Inc.,  
George T. Newell, Jr., Inc.,  
George Tomasini, Inc.,  
George W. Pruefer, Inc.,  
Gerber Co. Inc.,  
Geske Realty Co.,  
G & G Construction Corp.,  
G. H. E. Realty Company,  
G. H. K. Holding Company,  
Giant Food Arcade,  
Giant Textile Corporation,  
Gibraltar Electric Products Co.,  
Gibson House Inc.,  
Gilman Corporation,  
Ginsburg Butchers, Inc.,  
Giuliano Corporation,  
Glassboro Hosiery Mill, Inc.,  
Gleason Realty Co.,  
Glendale Linen Company,  
Glendon Holding Company,

Glen Ridge Building Co., Inc.,  
Glenwood Gardens Co.,  
Glenwood Realty Corporation,  
Globe Music Shop, Inc.,  
Gloucester County Real Estate Company,  
G. M. Electric Corporation,  
Gold Coat Co. Inc.,  
Golden Arrow, Inc.,  
Golden Crest Baking Co., Inc.,  
Golden Garment Co. Inc.,  
Goldstein's Mens Shop, Inc.,  
Gonnell Realty Company,  
Good Clothes, Inc.,  
Goodman's News Service,  
Good Prospect Corporation,  
Gootenberg-Brundage Company,  
Gordon Construction Co.,  
Gordon's Food Center, Inc.,  
Gordon's Liquor & Food Mart, Inc.,  
Gouverneur Apartments Corporation,  
Gramercy Park Garden Apartments, Incorporated,  
Grand Ave. Development Co.,  
Granko Corporation,  
Grant Casket Co., Inc.,  
Grant Plumbing Company, Inc.,  
Grant Stores, Inc.,  
Grassi Realty Co. Inc.,  
Greater Hudson and Bergen Realty Co.,  
Greater Newark Caterers, Inc.,  
Great Notch Oil Corporation,  
Green and Beatty, Inc.,  
Green Lane Building Materials, Inc.,  
Greenville Furniture Co.,  
Green & White Land Co., Inc.,  
Greenwich Furniture Manufacturing Co. Inc.,  
Greer Aero Hydraulics, Inc.,  
Griffith Feed and Grain, Inc.,  
Grinker's Credit Co., Inc.,  
Grove Diner, Inc.,  
Grove Engineering Corp.,  
Grove and Williams Realty Company,  
Guest House Incorporated,  
Guinness Incorporated,  
Gyro Brush Co.,

Habsug Holding Company,  
Hackensack Holding Co.,  
Haddon Amusement Co., Inc.,  
Haddon Bin Label Company,  
Haddon Engineering Company, Inc.,  
Hagelin & Wade Inc.,  
Hagerty Estate, Inc.,  
Haigis Laboratories, Inc.,  
Hallmont Corporation,  
Halstone Holding Co., Inc.,  
Hamilton Construction Co.,  
Hamilton Corporation,  
Hamilton Estates,  
Hamilton Funding Corporation,  
Hamilton Investment Co., Inc.,  
Hamilton Restaurant of Newark, Inc.,  
Hampton Auld, Inc.,  
Hankele Construction Company,  
Hansch Camera Control Company,  
Hansen Machine Co.,  
Hansen Sales, Inc.,  
Hans Widmann Inc.,  
Happiness Laundry, Co.,  
Harben Machine Company,  
Harblu Realty Company,  
Harborside Merchandise Stores, Inc.,  
Harelick and Harelick Inc.,  
Harjen Corporation,  
Harmor Realty Corporation,  
Harper-Wieboldt Dairy Co., Inc.,  
Harrison Drug Co.,  
Harrison Manor Realty Co.,  
Harros Holding Company,  
Harry Beckerman, Inc.,  
Harry Bodner's Bakery, Inc.,  
Harry Criscuolo, Inc.,  
"Harry Grobstein, Inc.",  
Harry K. Johnson, Inc.,  
Harry Ratner Tobacco & Candy Company, Inc.,  
Harry's Bar and Grill, Inc.,  
Harry's Grill, Inc.,  
Harry's Hardware Co.,  
Harry W. Bealer Company,

Harter Delicatessen Store, Inc.,  
Hartley Loan Corporation,  
Harwill Realty Co., Inc.,  
Hasbrouck Heights Development Corp.,  
Hasco Dyeing Corporation,  
Hatch Land Improvement Company,  
“H. A. T. Engineering, Inc.”,  
Hathaway’s Hatchery, Inc.,  
Havanna Casino, Inc.,  
Hawaiian Joe,  
H. B. Woggs Corp.,  
H. C. Bogert, Inc.,  
H. Construction Company,  
H. C. Realty Co.,  
H. D. H. Corporation,  
Health Food Shop,  
Heaton Realty Company,  
Heat Treating Materials Corporation,  
H. E. Jefferson & Co.,  
Helbert Corporation,  
Helen Beauty Shoppe, Inc.,  
Helmar Larson Hairdressing, Inc.,  
H. E. Moore & Son, Inc.,  
“Hen-Fran Corporation”,  
Hennig Realty Co.,  
Hensler Development Co.,  
Herbert Mayes & Co.,  
Hercules Package Co., Inc.,  
Hershey Realty Co., Inc.,  
Herzog Estate, Inc.,  
H. F. Myers Paint Co., Inc.,  
H. Grossman, Inc.,  
H. H. Willets Cab Company,  
H. I. Brockie Corporation,  
Hickory Beach Holding Company,  
Highland Arms Realty Corporation,  
Highland Builders, Inc.,  
Highland Homes, Inc.,  
Highway Corporation,  
Highway Estates Inc.,  
Highway Restaurant Corporation,  
Highway Safety Company,  
Hill City Plumbing Supply Company,

Hillmont Development Company, Incorporated,  
Hillside Beech Realty Co.,  
Hillside Engineering Co.,  
Hillside Lumber & Supply Co.,  
Hilltop Holding Company,  
Hiltonia Corporation,  
H. & M. Homes, Inc.,  
Hoboken Monument Works, Inc.,  
Holland Brand Beer, Inc.,  
Holland Maid Farms,  
Hollyford Knitting Mills, Inc.,  
Hollyoak Company, Inc.,  
Hollywood Corporation,  
“Hollywood Homes, Inc.”,  
Hollywood Hotel Corp.,  
Home Electrical Shop of Montclair, Inc.,  
Homelife, Inc.,  
Home of Today, Inc.,  
“Honchar Buildings, Inc.”,  
Hope Products, Inc.,  
Hopkins Lake & Picnic Grounds, Inc.,  
Hotel Edwards, Inc.,  
Howard D. Johnson Company of New Jersey Inc.,  
Howard Jay Investors, Inc.,  
H. R. Company,  
H. Roy Steele, Jr. Inc.,  
H & S Equipment Corp.,  
Hubert S. Johnson Shipbuilding Corporation,  
Hudson Auto Supply Co.,  
Hudson Casket Company,  
Hudson Cities Holding Company, Inc.,  
Hudson City Realty Company,  
Hudson County Leather and Supplies Company,  
Inc.,  
Hudson Diner, Inc.,  
Hudson Economy Laundry Company, Inc.,  
Hudson Equities, Inc.,  
Hudson Hoboken House Corp.,  
Huff & Nichols, Inc.,  
Humboldt Press, Inc.,  
Hunt & Company,  
Hunterdon County Title Abstract & Mortgage  
Company,

Hunter-Lindsay Corp.,  
Hunt's Centre Theatre, Inc.,  
Hyben Shirt Company, Incorporated,  
Hydooraulic, Inc.,  
Hyman Lehr, Inc.,  
Hymar Merchandise Corporation,  
Hy-Way Bakery, Inc.,  
Hy-Way Super Service Station,

Ideal Pipe Mfg. Co. Inc.,  
Ideal Tenderized Steak & Provision Co. Inc.,  
Ide-Harris Building Co. Inc.,  
I. Margolis & Son, Inc.,  
Imhof Realty Co.,  
Industrial & Commercial Liquidators Inc.,  
Industrial Land Sites, Inc.,  
Industrial Protective Credit Association, Inc.,  
Industrial Trade School, Inc.,  
Inland Realty Company,  
Instaprint Corporation,  
Inter-Boro Publishing Co. Inc.,  
Interborough Foods Supply, Inc.,  
Inter-County Chimney Cleaners, Inc.,  
Interlake Contracting Corp.,  
"International Liquor Co.,"  
International Raceways Incorporated,  
Investment Servicing Corporation,  
Inwood Inc.,  
"Irene Corset Stores,"  
Irving Frank, Inc.,  
Irving's Music Shop, Inc.,  
Irvington Sand Company, Inc.,  
Irvin Wolf, Inc.,  
I. Simon & Sons, Inc.,  
Ivanhoe Holding Corporation,

Jackson Equities, Inc.,  
Jackson Plumbing Company, Inc.,  
Jackson Silk Store, Inc.,  
Jacobs & Gruen, Inc.,  
Jacob Wermick, Inc.,  
Jacrite Company,  
Jaffe Wall Paper Corp.,



“Jal Realty Co.”,  
James B. Stevens, Inc.,  
James C. Hansen, Inc.,  
James Emslie Horse Company,  
James H. Miller Company,  
James J. Hill, Inc.,  
James K. Jensen, Inc.,  
James R. Sayre, Jr. & Co.,  
James T. Bracken, Inc.,  
Janus, Inc.,  
Jayce Realty Co.,  
Jaydee Enterprises, Inc.,  
Jayeff Realty Co., Inc.,  
Jay-Kay Realty & Investment Co.,  
J. B. Diner, Inc.,  
J. B. Drake Bakery, Inc.,  
J. B. Gilligan-Casey Company, Inc.,  
J. B. K. Trucking Co.,  
J-B-J Corporation,  
J. B. Langweiler, Inc.,  
J. & B. Lunch Co.,  
J. B. Myers Agency Inc.,  
Jean Novelty Co., Inc.,  
Jersey Bond & Mortgage Company,  
Jersey Bread Company,  
Jersey Carrier Company,  
Jersey Chiropodists, Inc.,  
Jersey City Window Shade Co.,  
Jersey Coast Beverage Company,  
Jersey Equities, Inc.,  
Jersey Flying Service Inc.,  
Jersey Foodmart Inc.,  
Jersey Heel Corporation,  
Jersey Homes, Inc.,  
Jersey Land and Building Company,  
Jersey Magnesium Corporation,  
Jersey Materials Company,  
Jersey and Mercer Realty Co. Inc.,  
Jersey Metals Corp.,  
Jersey Realty & Investment Co.,  
J. E. Stevenson Company,  
Jewel's Beauty Salon,  
J. G. Development Company,

J. H. Miljes & Co., Inc.,  
Jim's Bar & Grill, Inc.,  
J. J. Schwartz Organization, Inc.,  
J. Norman Hunter, Inc.,  
Joart Food Market Inc.,  
Joart, Inc.,  
Joe Rose Cocktail Bar,  
John Earl Building Co.,  
John E. Peterson, Inc.,  
John F. McGlew, Inc.,  
John Gillette Inc.,  
John Hawkins & Sons,  
John Hope & Sons,  
John Jojko, Inc.,  
John Martoccia & Son, Inc.,  
John Nutry Company,  
John Pinto & Son,  
John Riccio, Inc.,  
John Roth Transportation, Inc.,  
Johnson's Beverage Shoppe, Inc.,  
John T. McManus Inc.,  
Jomipi Corporation,  
Jordan Food Market, Inc.,  
Jordan Martin, Inc.,  
Joseph F. Reinhardt, Inc.,  
Joseph G. McCue Agency, Inc.,  
Joseph Gorczyca, Inc.,  
Joseph J. Immerman, Inc.,  
Joseph Kruger Incorporated,  
Joseph Lapelosa, Inc.,  
Joseph Patrick Lee Associates, Inc.,  
Joseph R. Schiraldi, Inc.,  
Journal Square Investment Co.,  
Journal Square Shoe Repair Company,  
J. P. Motor Corporation,  
J. P. Murphy, Inc.,  
J. P. Paul, Inc.,  
J. Sanfratello, Inc.,  
J. S. Rogers Company,  
Judy Dress Shop, Inc.,  
Justine Co., Inc.,  
Just Realty Corporation,  
J. V. Corporation,

J. V. Giuliano Estates, Inc.,  
J. W. Mason Sons, Inc.,

Kadlec, Inc.,  
Kaighn Ave. Fashion Shop, Inc.,  
Kanster-Hamburg Mfg. Co.,  
Kaplan and Birnbaum, Inc.,  
Karl J. Olson (Incorporated)  
Kaufman Drug Stores, Inc.,  
Kaw, Inc.,  
Kayburt Inc.,  
Kaydel Corporation,  
Kay Furs,  
Kays Holding Co.,  
Keansburg Hackmen, Incorporated,  
"Kearney Builders, Inc.",  
Keen's,  
Kelpen Company,  
Kem Laboratories,  
Kenina Corporation,  
Kent Development Company,  
Kentucky American Corp.,  
Kent Venetian Blind Mfg. Co., Inc.,  
Kentz Drug Stores, Inc.,  
Kerew Incorporated,  
Kersey Packing Company,  
Kevelson Hardware, Inc.,  
Key City Warehouse Co.,  
Keyport Lumber & Plumbing Supply Co. Inc.,  
Keyport Restaurant Corporation,  
K & G Builders, Inc.,  
K. G. K. Co.,  
K. Hugo Fischer Holding Company,  
Kim Parking Stations, Inc.,  
Kincaid Explosives Co.,  
King Kole Food Markets, Inc.,  
Kingpin Realty Company, Inc.,  
Kingsland Estates, Inc.,  
Kingsley Realty Company,  
Kinnelon Lake, Inc.,  
Kivlen-Leonard Realty & Construction Co.,  
Kleinel Realty Corporation,  
Klein's, Inc.,

Kleissler Bros., Inc.,  
Kling Development Corp.,  
Klivan Amusement Co. Inc.,  
K. & M. Holding Company,  
Knickerbocker Laundry, Inc.,  
Knoll Country Club,  
Koenig's Tavern, Inc.,  
Koldaire, Inc.,  
Konowitch Bros., Inc.,  
Korte & Powers, Inc.,  
Krantz Bros. Inc.,  
Krassy Bros., Inc.,  
Kroop Meat Center,  
Krotje & Sons, Inc.,  
Kruegers, Inc.,  
Kruger Agency, Inc.,  
K. S. Flagg Tanning Corporation,  
Kungsholm,  
K. & Z. Realty Co., Inc.,

Labor Relations Institute, Inc.,  
Lace-Flex Hosiery Mills, Inc.,  
Lackawanna Diner,  
Lafayette Radio Corp.,  
Lafferty Construction Corporation,  
Lafnol Realty Co.,  
La Fontaine Construction Company,  
Lager Bros.,  
Lake Nelson Homes, Inc.,  
Lakeside Building Company,  
Lake View Estates, Inc.,  
Lakeview Investment Co.,  
Lakewood Dress Corp.,  
Lakewood Homes, Inc.,  
Lammont Realty Company,  
Lampere Corporation,  
Lamrose Construction Company,  
Landis Billiards Inc.,  
Lane Enterprises, Inc.,  
Lantern Inn, Inc.,  
Larchmont Estates, Inc.,  
Larchmont Holding Co., Inc.,  
Larkin Export Industries, Inc.,

Lartnec Co.,  
Latex Corporation of America,  
Latin-American Chamber of Commerce of New  
Jersey Inc.,  
Laurel Hill Company,  
Laurence Brook Country Club, Inc.,  
Lazaar's Inc.,  
The L. B. S. Corporation,  
Leading Lady Slip Corp.,  
Leah Realty Corporation,  
Lebur's Inc.,  
Le Cody Toasted Pies Inc. Of N. J.,  
Le Duc Construction Company,  
Leeds Tailors, Inc.,  
Lee Dye Works, Inc.,  
"Leekure Sales, Inc.",  
Lefferts Construction Co.,  
Lehigh Realty Company,  
Leif Nordstrand Co., Inc.,  
Le-Mar Realty Corp.,  
Lemoine Realty Corporation,  
Lempert Supply Company, Inc.,  
Lenape Trucking Company,  
Lenco Realty Company, Inc.,  
Lenox Realty Corp.,  
Leo. A. Smith and Company,  
Leonia Homes, Inc.,  
LeRoy Realty Co., Inc.,  
Leshinger Hat Co., Inc.,  
Leslie-Wainwright Corp.,  
Levinson Inc.,  
Lewar Company, Inc.,  
L. & F., Inc.,  
L. F. Manufacturing & Contracting Co., Inc.,  
L. Harris, Incorporated,  
Libbrun Holding Company,  
Liberty Agency, Inc.,  
Liberty Homes, Inc.,  
Liberty Optical Manufacturing Co. Inc.,  
Liberty Tire Company, Inc.,  
Lido Beach Sales Corp.,  
Lido, Inc.,  
Liedorff's Department Store, Inc,

Lightning Accessories Company Inc.,  
Lightning Automotive Sales Corp.,  
Lightning Auto-Radio Stores, Inc.,  
Lightning Auto Stores, Inc.,  
Lilyan Realty Corp.,  
Lincoln Apartments, Inc.,  
Lincoln Memorial Park,  
Lincoln Park Rest,  
Linden Acres, Inc.,  
Linden Garden, Inc.,  
Linden Manufacturing Company Inc.,  
Lindenwold Development Company,  
Linn Realty Company,  
Lippey Press, Inc.,  
Litho-Craft, Inc.,  
Lithocraft-Merlisprint, Inc.,  
Little Ambassador, Inc.,  
Little House System, Inc.,  
The Little Nursery, Inc.,  
Littleton Avenue Corp.,  
Livingston Luncheonette Inc.,  
Llewellyn Drug Stores, Inc.,  
L. & M. Plumbing & Heating Co.,  
L. & M. Restaurant,  
L. N. Schnepf Fuel Co., Inc.,  
Locust Grove Homes, Inc.,  
Locust Lake Company,  
Lodi Italian — American Dairy, Inc.,  
Logan Hills, Inc.,  
Lolesysa Holding Corporation,  
Long, Kay and Company,  
Longwood Lake Casino Corporation,  
Looschen Land and Building Company,  
Lorraine Decorating, Inc.,  
Lorraine Investment Co.,  
Lou's Klein Inc.,  
Louis La Cava, Inc.,  
Louis Stemple,  
Lovely Lady, Inc.,  
Low Cost Housing Corporation of America,  
Loyal Cloak Co. Inc.,  
L & S Bottle Co., Inc.,  
Lubrication Machinery Corporation of America.,

“Lucky Spot Holding Company,”  
Lumber Realty Co., Inc.,  
Luxite Silk Co.,  
Lydica Estates, Inc.,  
Lynbar Inc.,  
Lynn’s Junior Bootery, Inc.,  
Lyons Avenue Gulf Service, Inc.,  
Lyons Baking Company,

Macap Homes Inc.,  
Mac. Fulton, Inc.,  
Machine Engraving and Engineering Co. Inc.,  
Machinery Moving Engineers, Inc.,  
Machinery Sales Corp.,  
Mack Associates, Inc.,  
Maclea Construction Corp.,  
Madison Confectionery, Inc.,  
Madison Furniture Co. Inc.,  
Madison Holding Company,  
Maggi-Schoonover & Co., Inc.,  
Maggi & Schoonover, Inc.,  
“Magnolia Builders Company”,  
Magnolia Corp.,  
Main Hardware & Paint Co.,  
Main and Union Realty Company,  
Maioran Corporation,  
Maisel Homes, Inc.,  
Majestic Fuel Oil Co.,  
Majestic Fur Dyeing Co. Inc.,  
Majestic Tool & Die Corporation,  
Major Acceptance Co.,  
Major Oil Company,  
Major Realty Corporation,  
“The Malley Co.”,  
Mallon and Durfee, Inc.,  
Mana Realty Company,  
Manken Publishing Co. Inc.,  
M. Annunziata, Inc.,  
Manuel Realty Company,  
“Manufacturers Exchange.”,  
Manville Victory Diner,  
Marcia Silk Mills, Inc.,  
Mardo Associates, Inc.,

Marech's Tavern, Inc.,  
Mare Realty Company, Inc.,  
Margert Holding Co.,  
Marguerite Goodie Shoppe, Inc.,  
Marguerite Holding Co.,  
Marhat Holding Co.,  
Marian Dress Co. Inc.,  
Marianno Equipment Corp.,  
Marineo Company, Inc.,  
Marine Products Corporation,  
Marine Salvage & Contracting Co.,  
Marion Garage, Incorporated,  
Mark V. Kane, Inc.,  
Marless, Inc.,  
Marmel Realty & Construction Co.,  
Marmon Fanning Company,  
Marsyd Corporation,  
Martin Farino & Son,  
Martino Co.,  
Martin Street Co.,  
Marton Tailor, Cleaning and Dyeing Company,  
Mart Real Estate Company,  
Marty's Little Club,  
Marva Heating Co.,  
Marvee, Inc.,  
Mary Ann Shops, Inc.,  
Master Craft Home Improvement Co.,  
Master Engravers Service Corporation,  
Master Home Building Co. Inc.,  
Matera Auto Sales Co.,  
Maurice Development Co.,  
Maurice Hairdressers, Inc.,  
Max Cohen Plumbing & Heating Co., Inc.,  
Maytin Investment Co.,  
Mazzoni Coal Company,  
M. Blachman & Sons, Inc.,  
McCormack Dairy, Inc.,  
McGovern Bros., Inc.,  
McKinlay & Koetzle, Inc.,  
M & C Plumbing & Heating Co., Inc.,  
M. D. Associates, Inc.,  
Meadowbrook Farms, Inc.,  
Mebco Theatre Co., Inc.,



Mechanical Gopher Corporation,  
Meizen's Hardware, Inc.,  
Meltz, Inc.,  
Mercantile Investment Company,  
Mercantile Properties, Inc.,  
Mercantile Security Company,  
Mercantile Service Corporation,  
Merchants Lumber & Supply Company,  
Merchants Transportation, Inc.,  
Merchantville Acres, Inc.,  
Mercury Lighting Fixture Corporation,  
Mercury Transportation & Warehouse Co.,  
Merlin Realty Co.,  
Metal-Lithic Products Co.,  
Metal Tone Mfg. Co.,  
Metco Specialties, Inc.,  
Metro Parking Stations, Inc.,  
Metropolitan Agency,  
Metropolitan Air College, Inc.,  
Metropolitan Finance Service, Inc.,  
Metropolitan Hat Company, Inc.,  
Metropolitan Ice & Fuel Co.,  
Metropolitan Stores, Inc.,  
Metuchen Land Company, Inc.,  
Metuchen Tourists Camp, Inc.,  
Meysa Realty, Inc.,  
M. F. O'Malley and Co.,  
M. Herman, Inc.,  
Miami Beach Builders Corporation,  
Miami Restaurant and Grille, Inc.,  
Mica-Flux Co., Inc.,  
Michael A. Luongo Company,  
Michael D'Amelio Corporation,  
Michael J. Buddy, Inc.,  
Michael Petillo & Sons Contracting Co., Inc.,  
Michael Rillo, Inc.,  
Michael's Tavern, Inc.,  
Mid Atlantic Realty Corporation,  
Middlesex Defense Housing, Inc.,  
Mid State Oil Heating Corporation,  
Mid-State Realty Corporation,  
Mid-Town Drug Co.,  
Miles & Co.,

Milford Homes, Inc.,  
Military Park Cafe, Inc.,  
Millburn Little House, Inc.,  
Millburn Realty Co.,  
Miller Bros. Market, Inc.,  
Miller Lumber Company,  
Mill Holding Company, Inc.,  
Mills and Company, Inc.,  
Milruth Holding Co.,  
Mimi Dress Co.,  
Minaret Realty, Inc.,  
Mineral Company of America, Inc.,  
Minervox Company,  
Mines Painting Co., Inc.,  
Mink Tavern, Inc.,  
Mintz Cattle Exchange,  
Mirisch Realty Co., Inc.,  
Miss Lee's Inc.,  
"Miss Utility Company",  
M. & M. Tavern, Inc.,  
M. & N. Lathing Co., Inc.,  
Model Garage, Inc.,  
Model Realty Co.,  
Modern Coal Co. Inc.,  
Modern Defense Home Builders, Inc.,  
Modern Electric Co.,  
Modern Homes, Inc.,  
Modern Motor Haulage, Inc.,  
Modern Provision Company,  
Modern Service Garage, Inc.,  
Modern Shoe Rebuilders, Inc.,  
Moe Isenberg, Inc.,  
Mojay Holding Company,  
Monmouth Acceptance Corporation,  
Monmouth County Sports, Inc.,  
Monmouth Racing and Steeplechase Association,  
Inc.,  
Monroe Coal & Supply Co. Inc.,  
Monroe Mercantile & Investment Company,  
Montauk Hotel, Inc.,  
Montclair Bowling Alleys, Inc.,  
Montclair Holding Company,  
Montclair Oriental Rug Company, Inc.,

Montclair Pharmacy,  
Monte Frocks, Inc.,  
Monterey Pharmacy Company,  
The Montgomery Company,  
Monticello Tavern Inc.,  
Montville Foundation, Inc.,  
Morningside Gardens Housing Corp.,  
Morris Avenue Holding Co.,  
Morris Berry & Son,  
Morris Development Company,  
Morris Oil Company,  
Morristown Airport Corporation,  
Morristown Realty Co.,  
Mortgage Funding Company,  
Mortgage Security Corporation of New Jersey,  
Morton-Lewis Housing Corp.,  
Morwal Holding Company,  
Mosque Grill Inc.,  
Motor Ship Edgar D. Williams, Inc.,  
Moulded Arts Company,  
Mountain Riding Club, Inc.,  
Mt. Ephraim Acres, Inc.,  
M. Pascarella, Inc.,  
M. Paterno Company, Inc.,  
Mrs. Don Richards, Inc.,  
Mrs. Graham Lester, Inc.,  
M. Schulman & Son,  
Mulberry Holding Co.,  
Murphy & Davis Dairy, Inc.,  
Murphy Printing Co.,  
Murray-Austin Corp.,  
Murray Coal Corp.,  
Murray Plumbing Supply,  
Murray's Women's Wearing Apparel Inc.,  
Murted, Inc.,  
Mustello Company,  
Mutual Dairies, Inc.,  
Mutual Holdings, Inc.,  
Mutual Savings Publications,  
Mutual Wine Stores,

Nager Realty Company,  
"Napery Fabric, Inc.",

Naroma Village, Inc.,  
Natel Department Store, Inc.,  
Nathan Martin, Inc.,  
National Beverage Company of Newark,  
National Continuous Forms Company,  
National Cut-Rate 5c to \$1.00 Stores,  
National Dress Shops, Inc.,  
National Inc.,  
National Industries Corp.,  
National Management, Inc.,  
"National Movie Rental System, Inc,  
National Painting Company,  
National Surplus & Liquidating Corporation,  
N. B. C. Homes, Inc.,  
Needle Art Neckwear & Novelties, Inc.,  
Neer Realty Co.,  
N-E-M Corporation,  
Neptune Boat Corporation,  
"Neptune Engineering Co Inc",  
Nereus Steamship Corporation,  
Newark Bakers Purchasing Co. Inc.,  
Newark City Garage,  
Newark Comfort Company, Inc.,  
New-ark Fire Protection Equipment Company,  
Newark Parcel Service,  
Newark Wholesale Butchers, Inc.,  
Newark Wool Stock Co., Inc.,  
New Club Acme, Inc.,  
New Era Builders, Inc.,  
New General Construction Company, Incorporated,  
New Home Builders Inc.,  
New Jersey Clay Products, Inc.,  
New Jersey Collection & Credit Service, Inc.,  
New Jersey Dancing Ass'n. Inc.,  
New Jersey Defense Housing Corp.,  
New Jersey Dy-Dee Wash Inc.,  
New Jersey Iron and Steel Construction Company,  
The New Jersey Jockey Club,  
New Jersey Lumber Corporation,  
New Jersey Lumber and Wrecking Co.,  
N. J. Master Builders, Inc.,

New Jersey Mirror Works, Inc.,  
New Jersey Motor List Company, Inc.,  
New Jersey & Pennsylvania News Delivery Co.,  
New Jersey Printing Company,  
New Jersey Real Estate Guide Inc.,  
New Jersey Society Sons of the American Revolution Realty Company,  
New Jersey Tax Service,  
New Jersey Technical Institute, Inc.,  
New Jersey Toboggan and Carroussell Company,  
New Jersey Wrecking Co. Inc.,  
Newman Hotel Co.,  
Newmar Realty Corp.,  
New Milford Development Corp.,  
New Sanitary Delivery Service Inc.,  
New Sanitary Dry Cleaning Company, Inc.,  
New York Drug Corporation,  
New York Hat Manufacturing Co.,  
New York Yankees' Football Exhibition Club, Inc.,  
Nicolas Tocci & Sons, Inc.,  
Nicoletti Contracting Corporation of New Jersey,  
Nikpar Realty Corp.,  
Nine Corporation,  
927 Fox Street, Inc.,  
19 Elm Co.,  
Ninth Holding Co.,  
N. & J. Amusement Company,  
Nonpareil Realty Corporation,  
Non-Spill Batteries, Inc.,  
Norjac Mfg. Corp.,  
Norman Securities, Inc.,  
North American Fur Dressing & Dyeing Corp.,  
North American Home Builders,  
North Avenue Bargain Store, Inc.,  
North End Apartments, Inc.,  
Northern Valley Holding Company, Inc.,  
Northfield Plumbing & Heating Company,  
North Jersey Discount Company,  
North Jersey Laundry Co. Inc.,  
North Jersey Printing Company,  
North Jersey Realty and Mortgage Company,  
North Jersey Refrigeration Co., Inc.,  
North Jersey Underwriters Agency,

Norton Supply Co.,  
Norwood Metal Products Corporation,  
Novel Cravat Co., Inc.,  
Nu-Fuel-Inc.,  
Nu Method Laundry, Inc.,  
Nussbaum Inc.,  
Nutley Fruit Exchange, Inc.,  
Nutley Theatre Company,

Oak Tree Road Corporation,  
Ocean-Phillips Corporation,  
Ocean View Company,  
Oest Realty Co.,  
Ogden Holding Co., Inc.,  
O. H. Leaman, Inc.,  
Old Bridge Terrace Inc.,  
Old New Street Corp.,  
Old Oak Company, Inc.,  
Oldroyd & Dooley, Inc.,  
Olganna Beauty Shoppe,  
Oliphant Construction Company,  
Oliver Fuel Company,  
Oliver Holding Company,  
Oliver Wire Works, Inc.,  
Ollen Corporation,  
Onandaga Realty Co.,  
One Edwin Street Realty Co.,  
One Forty Two South Street Corporation,  
108 - 14 Street Co., Inc.,  
197-201 Barclay St. Corp.,  
171 Prince St. Corporation,  
176 Prince St. Corporation,  
164 Harrison St. Corp.,  
169 Prince St., Corporation,  
138 Company,  
128 Howard Street Corporation,  
1000 Hudson Av. Corp.,  
1714 64th St. Corp. of N. J.,  
Optics, Inc.,  
Orange Mountain Land Company,  
Orange Realty Co.,  
Orange Street Holding Corp.,  
Oregon Chrome, Inc.,

Orleans Realty Co.,  
Oscar's, Inc.,  
Otken Securities Co., Inc.,  
Outdoor Displays, Inc.,  
  
Pack Glass Co., Inc.,  
Pacran Company, Inc.,  
Pacs Chemical Products, Inc.,  
Pagodas, Incorporated,  
Paladino Realty Company,  
Palermo Products Corp.,  
Palisade Corporation,  
Palisades Park Realty Corporation,  
Pall Investment Co.,  
Palmer, Henney, Whittemore and Starin, Inc.,  
Palm Gardens, Inc.,  
Pan American Development-Corporation,  
Panco Dairy Co. Inc.,  
Paramount Holding Co., Inc.,  
Paramount Pet Supply Co., Inc.,  
Paridge Realty Co.,  
Par, Inc.,  
Parker Construction Co.,  
Parker-Hazlett Corporation,  
Park Hand Laundry, Inc.,  
Park Manor Tea Room, Inc.,  
Park Oil Company,  
Park Place Homes Inc.,  
Park Ridge Knitting Mills, Inc.,  
Park Service Garage Inc.,  
Parkside Construction Co. Inc.,  
Parkside Garments, Inc.,  
Parkside Investment Company, Inc.,  
Parkway Homes Development Co.,  
Parkway Repairs,  
Parkyn Sash & Door Co., Inc.,  
Parsippany Troy Hills Industry Production Corporation,  
P & A Shoe Repair Co., Inc.,  
Passaic Laundry Service, Inc.,  
Passaic Orchestrope Sales Inc.,  
Passaic Paper Box Corp.,  
Passaic Sign Company,

Paterno-Halpern Home Builders, Inc.,  
Paterson Brass Mfg. Co., Inc.,  
"Paterson Casket Co., Inc.",  
Paterson Composition Company,  
Paterson Dress Co., Inc.,  
Paterson Housing Corporation,  
Paterson Plastering Co., Inc.,  
Paterson Twenty-First Ave. Corp.,  
Paul Barron, Inc.,  
Paulgeo Holding Company,  
Pauline Hensler, Inc.,  
Paul V. Casteline, Inc.,  
Pavilion Center,  
Pearce & Company, Inc.,  
Pearlton Distributing Corp.,  
Pedigreed Fox Farms, Inc.,  
Peerless Service Laundry,  
Pegasus Catering Company,  
Pegasus Operating Company in N. J.,  
Pegasus Stock Farms, Inc.,  
Peggy Paige Dress Shops, Inc.,  
Peggy Peck Inc.,  
Pelican Island Shores, Inc.,  
Pen-Central Restaurant, Inc.,  
"Penguin Foods Inc",  
Penn Associates, Inc.,  
Pennbrook Golf Club,  
Penncrest Homes, Inc.,  
Pennington Rental Co.,  
Pennsauken Acres, Inc.,  
Pennsauken Realty Company,  
Penn Textile Print Works, Inc.,  
Penton Realty Co.,  
Peoples Realty & Construction Company, Inc.,  
Perfect Home Fuel Oil Company,  
Perfection Knife Grinding Co.,  
Perkins and Hobbs, Limited,  
Perma-Bilt Homes, Inc.,  
Permanent Real Estate Corp.,  
Perth Amboy Laundry & Dry Cleaning Co., Inc.,  
Perth Amboy Super Food Market,  
Petene Realty Co. Inc.,  
Peter Cassinelli Macaroni Company,



Peter Malinowski, Inc.,  
Peter Pielat & Sons, Inc.,  
Petro Summit Oil Burner Company Incorporated,  
Philip Bernstein, Inc.,  
Phil's Incorporated,  
P. H. Lerner Co. Inc.,  
Phoenix Furniture, Inc.,  
Photo Industries, Inc.,  
Pickwick House, Inc.,  
Picture Association of Gettysburg,  
Pierrepont Land Co.,  
Pierre's Bakery,  
Pignatello Bros., Inc.,  
Pilgrim Sales Corporation,  
Pinehurst Farms, Inc.,  
Pine Tree Tavern, Inc.,  
Pine Valley Airways, Inc.,  
Pinewald Finance & Construction Corporation,  
Piney Point, Inc.,  
Pittsburgh Steel Products Corporation, Inc.,  
Plainfield Dress Co., Inc.,  
Plainfield Park Realty Company,  
Plainfield Realty Co.,  
Plainfield Sportswear Co.,  
Plantation Corporation,  
Plastic Heel Co. Inc.,  
Plastmetics, Inc.,  
Plymouth Coat Co., Inc.,  
Plymouth Homes, Inc.,  
Poekel Electric Inc.,  
Point Holding Corporation,  
Police Radio Sales Company, Inc.,  
Polk Realty Co., Inc.,  
Pompton Department Store,  
Pompton Pleasure Club,  
Pontiac Realty Company, Inc.,  
Pontiere Built Homes,  
Portandum Corporation,  
Post Development Company,  
Predmore & Co. Inc.,  
Preferred Dry Mat Company, Inc.,  
Premier Engineering Corp.,  
Premier Service Station,

Prescott Homes, Inc.,  
Press Products, Inc.,  
Price's Garage, Inc.,  
Primary Company, Inc.,  
Prince Tavern, Inc.,  
Princeton Motor Shop,  
Princette Frocks, Inc.,  
Probar Corporation,  
Process Bronze Weather-Strip Corp,  
Producers Machine & Specialties, Corp.,  
Produce Trucking Company,  
Propellor Cafe, Inc.,  
Properties, Inc.,  
Property Service Corporation,  
Prospect Building Co.,  
Prospect Diner Inc.,  
Proto Realty Company, Inc.,  
Provost Agency,  
Prudence Corporation, Inc.,  
Prudent Discount Corporation,  
P. Serratelli's Sons, Inc.,  
Public Coal Co., Inc.,  
Public Construction Co.,  
Public Opinion Pictures Incorporated,  
Public Service Realty Company of Passaic, N. J.,  
Public Service Wine & Liquor Stores, Inc.,  
Publix Service Drug Stores, Inc.,  
Pulvace Products Co.,  
Purity Market, Inc.,  
P & W Service, Inc.,  
Pyramid Sportswear, Inc.,  
  
Quaker City Tile Supply Co.,  
Quality Furniture Co., Inc.,  
Queen City Improvement Company,  
Queen City Real Estate Exchange, Inc.,  
Quimby Shongum Land Company, Inc.,  
  
Rachel Tucker Corporation,  
Raciti Construction Co.,  
Radex Publishing Company,  
Radioscreen, Inc.,  
Raffetto, Inc.,  
Raflin Realty Co. Inc.,

Rahl-McDonnell, Inc.,  
Rahway Garden Apartments, Inc.,  
Rahway Park Homes, Inc.,  
Rahway River Park, Inc.,  
Rainbow Inn,  
Rainbow Plastic Sales Co. Inc.,  
Rainbowtone, Inc.,  
Rainbow Valley Lake Builders, Inc.,  
Raja Service Station No. 1,  
Ralman Corporation,  
Rancocas Woods, Inc.,  
Randolph-Central Corp.,  
Range Repair Corp.,  
Raritan Bay Motors, Inc.,  
Raritan Bay Trucking Co. Inc.,  
Raritan Construction Corporation,  
Raritan Manufacturing Company, Inc.,  
Raritan Valley Motor Freight, Inc.,  
Raubenheimer Inc.,  
Ravine Inn Inc.,  
Raymond D. Matthews, Inc.,  
R. B. & G. Co. Inc.,  
"R. C. Boice Co.",  
R. C. F. Inc.,  
Rea Construction Co.,  
Real Estate Corporation of Plainfield, New Jersey,  
Real Estate Service, Inc.,  
Real Estate Trusts Company,  
Realowners, Inc.,  
Realty Abstract Company,  
Realty Exchange of Ridgewood,  
Rebo Realty Co.,  
Red Bank Chemicals, Inc.,  
Red Coach Tavern, Inc.,  
Rednor & Kline, Inc.,  
Regal Construction Co. Inc.,  
"Regal Mink Ranch, Inc.",  
Reglin Realty Company,  
Reiner Embroidery Machine Co.,  
Reiner Textile Machine Co.,  
Reliable Liquor Co.,  
Reliable Trucking and Supply Co.,  
Reliance Tile and Faience Company,

Renax, Inc.,  
Republic Engineering Products Inc,  
Reservation Realty Corporation,  
Rex Beverage Co.,  
Reynier Laboratories, Inc.,  
“R. Honigfeld Agency”,  
Rialto Novelty Corp.,  
Richard J. Krautheim, Inc.,  
Richland Homes, Inc.,  
Richval Tavern, Inc.,  
Rickey’s Rendezvous, Inc.,  
Ridge Homes, Inc.,  
Ridgewood Housing Corporation,  
Riegler Furniture Company,  
Ripple Creek Golf Club,  
Rite Fit, Inc.,  
Riverbanks, Inc.,  
River Food Shop, Inc.,  
River Front Homes, Inc.,  
Riverside Amusement Company,  
Riverside Investment Corp.,  
River Vale Trotting Park, Inc.,  
Riverview Homes Inc.,  
Riverview Inn, Inc.,  
R. L. Y. Realty Company,  
R. M. C. Corporation,  
Robbie and Sons, Inc.,  
Robert B. Ludy, Inc.,  
Robert Corp.,  
Robert J. McQuillin & Son, Inc.,  
Robert Management Corporation,  
Robinson Paint Co.,  
Robins Shipbuilding and Welding Corporation,  
Rockaway Hotel Inc.,  
Rock Highway Corporation,  
Rockledge Mills Corporation,  
Rock Spring Water Company, No. 2,  
Rodeo, Inc.,  
Roe Construction Co.,  
Roesch Kosher Meat Market, Inc.,  
Rogers & Conover Inc.,  
Rogers Upholstery Co. Inc.,  
Rogur Holding Co.,

Rohar Corporation,  
Roller Grinding & Machine Co. Inc,  
Rolling Acres Ranch, Inc.,  
Rolling Green Hills, Inc.,  
Romaine Investment Corporation, Inc.,  
Romar Investments, Inc.,  
Rome Grocery Co.,  
Ronalds Construction Co. Inc.,  
Ronnie Dress Co.,  
Roosevelt Drug Co.,  
Roosevelt Restaurant, Inc.,  
R. O. Realty Corp.,  
Rosaine Realty Corp.,  
Rose Enterprises Inc.,  
Rose Frank Holding Company,  
Rosemary Homes Inc.,  
Rosevear Advertising Agency, Inc.,  
Ross Motor Service Co. Inc.,  
Rotary Slitting & Cutting Co., Inc.,  
Rothman Realty Co., Inc.,  
Roxy Food Markets, Inc.,  
Roxy Garment Delivery, Inc.,  
Royal Agency, Inc.,  
Royal Department Store, Inc.,  
Royal Dress Corp.,  
Royal Lumber Co. Inc.,  
Royer Realty Corporation,  
Roy's Clam Bar, Incorporated,  
R. P. B. Realty Company,  
R-Six Corporation,  
R. S. T. Laboratories Inc.,  
R. & T. Realty Co.,  
Rubber Processing Corporation,  
Rudy's Cancellation Shoes, Inc.,  
Rudy's Inc.,  
Ruff Bros. Inc.,  
Rullis Importing Company, Inc.,  
Rural Agency, Inc.,  
Rustic Estates, Inc.,  
Rusty's Palm Grove,  
Rutherford Auto Supply Co. Inc.,  
Ruth Welbon Hair Hygiene, Inc.,  
Ry-Tex Corporation,  
R. Z. Building Corporation,

Sacalis Broadway Florist, Inc.,  
Sadie Realty Co.,  
Safeguard Corporation,  
Safeway Cleaners and Furriers, Inc.,  
St. Regis Studios, Inc.,  
Salem Manor Company,  
Sally's, Inc., Samuel H. Sprague,  
Salschild Corporation,  
Samfred, Inc.,  
Sam and Joseph Realty Company,  
Sam's Diner, Inc.,  
Samuel Meltzer, Inc.,  
Samuel Puro, Inc.,  
Samuel R. Rosoff Ltd., of New Jersey,  
Samuel Shane Inc.,  
San-Al Holding Co.,  
Sanbern Shops, Inc.,  
Sandeal Realty Co., Inc.,  
Sanio Realty Corporation,  
Santora Corporation,  
Sarasam Holding Co.,  
Saturna Agency, Inc.,  
Saulnier Bros. Company, Inc.,  
Saven Dress, Inc.,  
Savoy Homes, Inc.,  
Savutime Sales Corporation,  
Saxton Falls Realty Co.,  
S. B. Miller, Inc.,  
S. Caplovitz, Inc.,  
Schofield Sign Company,  
Schwartz-Bear Holding Co.,  
Schwartz & Nagle Transportation Co. Inc.,  
Schwartz Realty Co., Inc.,  
Schwartz Variety Store,  
Scotch Towers,  
Scout Boating Corporation,  
S. Dlugitch & Sons, Inc.,  
Seaboard Equipment Corporation,  
Seaboard Refining Co.,  
Seacoast Construction Company,  
Sea Isle Tent Company,  
Searing-Graesser Machine Co.,  
Seashore Bottling Company,

Seashore Finance Co.,  
Secaucus Realty Company,  
Second Henderson Corporation,  
Security Homes, Inc.,  
Security Motor Sales, Inc.,  
Seglin Engineering & Construction Company,  
Seitz Brewing Corporation,  
Selfast Mfg. Co.,  
Selig Auto Service, Inc.,  
Selig Realty Corporation,  
Selina Peterer, Inc.,  
Sentzer Decorating Company,  
Servex Sales Corp.,  
Service Appraisal Co.,  
Service Station Leasing Corporation,  
"Setak Investment Co.,"  
Seven Gables Bar & Grill, Inc.,  
Seventh Street Holding Co.,  
73 Hansbury Ave., Corporation,  
72 Corporation, Inc.,  
Seymour Holding Co. Inc.,  
Seymour's Shoes Inc.,  
Shaner and Knauer, Inc.,  
Shap Construction Co.,  
Sheitelman Furniture & Radio Co.,  
Shellcraft Co.,  
Sherman Knitting Mills, Inc.,  
Sherol Corporation,  
"S. H. Golden Associates of N. J. Inc.",  
S. H. Holding Company,  
Shiff's Liquor Store, Inc.,  
Shinn & Walker, Inc.,  
Shirley Oaks,  
Sho-Realty Corporation,  
Shor's Drugs,  
Shrewsbury Markets, Inc.,  
Shustin's Bon Air Lodge, Inc.,  
Shustin's Lake View,  
Sidlen Realty Co.,  
Silver Clock System, Inc.,  
Silvercup Sandwich Shops, Inc.,  
Silvermans, Incorporated,  
Silver Steak House, Inc.,

The Silver Tavern, Inc.,  
Simmons Dog Foods, Inc.,  
Simon Tire Service,  
Sinder's Cut Rate Drug,  
S. & I. Realty Company, Inc.,  
Six Grand Ave. Corp.,  
600 Summit Avenue, Inc.,  
659 Ferry, Inc.,  
695 Roosevelt Avenue, Inc.,  
603 First Avenue, Inc.,  
Sixteen Pine Street Corporation,  
Sixty-Seven South Munn, Inc.,  
S and J Bar and Grill Company, Incorporated,  
S. & J. Realty Corporation,  
Slaff & Ostuw Coal Co., Inc.,  
Sleepless Hollow Company,  
Sloan & Sloan Inc.,  
Small's Paradise of N. J.,  
S. Marshall Construction Co.,  
S. Massarsky and Company, Inc.,  
Smith & Randolph, Inc.,  
Sobels Eat Shoppe, Inc.,  
Sonolux Company,  
Sottolano Plastering Company, Inc.,  
Southcorner Corp.,  
South Jersey Adjustment Co.,  
South Jersey Reporting Service Inc.,  
"South Kearny Scrap Iron & Metal Co.",  
So. Orange Sales & Service Inc.,  
Sparkling Beverages, Inc.,  
Spar Realty Co., Inc.,  
Speedway Tavern, Inc.,  
Speedy Heet, Incorporated,  
Sperry Metals Co., Inc.,  
Sports, Inc.,  
Springdale Garage, Inc.,  
Spring Dress Co. Inc.,  
Springfield Land and Improvement Company,  
Springfield Real Estate and Investment Corporation,  
Springside Park Homes, Inc.,  
Spring Valley Acres, Inc.,  
S. R. B. Machine Products Corporation,



S. S. Sachs, Inc.,  
Stadium Lunch, Inc.,  
Stage Door Tavern, Inc.,  
Stalwart Corporation,  
Standard Dyeing and Finishing Co.,  
Standard Home Appliance Corp.,  
Standard Ice & Coal Servicing,  
Standard Leather Company,  
Standard Soap & Supply Corp.,  
Standard Vitamin Corporation,  
Stanley Investment Company,  
Stanley Paint & Varnish Co. Inc.,  
Star Cafe,  
Star Construction Co., Inc.,  
State Management Company,  
State Press Bureau,  
State Welding Service Inc.,  
"The Steak House, Inc.",  
Steinberg Plumbing & Heating Co.,  
Steinman Realty Co.,  
Stephenson Associates, Inc.,  
Sterling Garage and Repair Shop, Inc.,  
Stockade Realty Inc.,  
Stocklone Realty Corporation,  
Stockton Hotel, Inc.,  
Stockton Realty Co.,  
Stohn Textiles, Inc.,  
Stoket Sales Co.,  
Stonehenge Estates,  
Straus Construction Co.,  
Streamline Cleaners, Inc.,  
Style Coat Co. Inc.,  
Substitute Fabrication Materials Inc.,  
Suburban Radio Inc.,  
Suburban Service, Inc.,  
Suco Engineering Co.,  
Summer Avenue Corp.,  
Summit Holding Company,  
Summit Super Service Station, Inc.,  
Sundstrom Electric Co., Inc.,  
Sunland Realty Co. Inc.,  
Sunnycrest Homes, Inc.,  
Sunny Farm Products, Inc.,

Sunny Point Bar & Grill,  
Sunnyside Construction Company,  
Sunset Homes Corporation,  
Sunset Lake, Inc.,  
Sunset Tavern, Inc.,  
Sunset Transportation, Inc.,  
Sunshine Holding Co.,  
Sun Valley Tavern, Inc.,  
Superb Food Center,  
Super Connector Corporation,  
Superior Building Corp.,  
Superior Homogenized Milk Co. Inc.,  
Superior Welding Co. Inc.,  
Super-Power Co., Inc.,  
Supply Trucking Co., Inc.,  
Supreme Dyeing & Finishing Co. Inc.,  
Surf City Realty Corporation,  
Surrey Estates, Inc.,  
Sutton Bake Shops of New Jersey Inc.,  
Sweeper Products Co.,  
Swift & Kerr, Inc.,  
Sycamore Home Builders, Inc.,  
Syd Har Construction Corp.,  
Sylvan Terrace, Inc.,  
Sylvester Construction Co., Inc.,  
Sylvia E. Kingsley Incorporated,

Table Tennis Corporation of America,  
Taft Estates, Incorporated,  
Tarlow's Liquor Store,  
Tavos Realty Corporation,  
Taylors Restaurant Corporation,  
Teaneck Associates, Inc.,  
Technical Training Institute,  
Tech Realty Corporation,  
Teddy Mitchell, Inc.,  
"Teddy's Bar & Grill, Inc.",  
Telephone Music Systems, Inc.,  
Telise's Bargain Store,  
Tenafly Realty Association, Inc.,  
Tenafly Realty Co.,  
Tenafly Tavern, Inc.,  
10-28 Sussex Street Corporation,

Terminal Cab Company of Princeton & Princeton  
Junction,  
Terra Holding Corporation,  
Teziutlan Copper Company,  
Thatchers', Inc.,  
Theatre Liquor Shop, Inc.,  
"Theatrical Enterprises, Inc.,"  
Therese French Shop, Inc.,  
Therm-A-Mode, Inc.,  
T & H Machine Works, Inc.,  
Thomas Albert, Inc.,  
Thomas Kenny, Inc.,  
Thomas Motors,  
Thomas W. Sherman, Inc.,  
Thomson Trading Corporation,  
Thorne's, Inc.,  
T. & H. Realty Corp.,  
345 Clinton Avenue, Inc.,  
346 Suydam St., Corporation,  
399 High Street Realty Co.,  
364 Central Ave. Realty Corp.,  
313-315 Main Corp.,  
Thrift Stores, Inc.,  
Thurmo Corporation of New Jersey,  
Time Recording Instrument Co.,  
Times Feature Service, Inc.,  
Title Service Corporation,  
Tivoli Delicatessen, Inc.,  
Tobacco Products Corporation of New Jersey,  
Tobacco Service Inc.,  
Toba Lee Corporation,  
Tom Tuller Grocery Company,  
Tonnele Automobile Corporation,  
Tory's Inc.,  
Tower Hill Corporation,  
"Towerlite Tavern, Inc.,  
Town and Country Sports Shop, Inc.,  
Town Craft Coat Co.,  
Townley Construction Company,  
Town Property Co.,  
Toye Transportation and Oil Co. Inc.,  
Tpeco Products Co.,  
Transtar Corporation.

Travelers Realty Co.,  
Travel and General Brokerage Company,  
Traymore Company, Inc.,  
Tremley Point Gardens, Inc.,  
Trenton Garment, Inc.,  
Trenton Sanitary Specialty Company,  
Trenton Sporting Club, Inc.,  
Tribunes, Incorporated,  
Tri-County Construction Co., Inc.,  
Tri County Construction Company,  
Troy Construction Company,  
Troy Holding Company,  
"Tung Development Laboratories",  
Turchyn Corporation,  
Turner Shoe Repairing Company, Inc.,  
Tuttle's Wine and Liquor Store, Incorporated.  
Twin Brook Farms, Inc.,  
Two Fifteen Realty Co.,  
206 Norfolk Street, Inc.  
2976 Boulevard Holding Company,  
"T. & W. Properties, Inc.",  
Tyler-Bridge Holding Co.,  
Typewriter and Office Equipment Corp.,

Uni-Lec-Tric Burner Corporation,  
Union City Hof Brau Haus, Inc.,  
Union County Blue Print Co., Inc.,  
Union Tavern, Inc.,  
Union Trucking Company,  
Union Variety Store,  
United Bedding Mfg. Co., Inc.,  
United Builders Supply Co.,  
United Chemical Corporation,  
United Flyers, Inc.,  
United Giant Food Marts,  
United Home Builders, Inc.,  
United Service Advertising,  
U. S. Artistic Monument Co. Inc.,  
U. S. Distributing Co.,  
U. S. Flying Artillery Inc.,  
U. S. Fuel Saving Corporation,  
United Traders, Ltd.,  
United Vitamin Corporation,

Unit Engine Corporation,  
Universal Hardware Co.,  
Universal Oil Co. Inc.,  
Universal Powder Puff Company, Inc.,  
Universal Rug Company,  
Universal Table Pad Co. Inc,  
Uppermont Service Station,  
Urban Realty Corporation,  
Urea Button Corporation,

Vailsburg Oil Co.,  
Vanard Corporation,  
Van Bros.,  
Vanderbilt Manufacturing Corporation,  
Van Der Plate & Co.,  
Vanderpool Realty Co.,  
Van Dine Brothers,  
Van Doren Realty Company, No. 1,  
Vapon, Inc.,  
Varsity Realty Co.,  
Vaughn Holding Co.,  
Vaughan Packing Corporation,  
Vaux Hall Realty Co.,  
Vauxhall Service Station, Inc.,  
Venice Absecon Boulevard Realty Company of  
Atlantic City,  
Ventola Food Stores, Inc.,  
Verona Liquor Shop, Inc.,  
Vicari's Beauty Salon, Inc.,  
Victor Construction Company Inc.,  
Victor Distributors, Inc.,  
"Victoria Associates, Inc.,"  
Victoria Finance Corporation,  
Victor Wrecking Co. Inc.,  
Victory Auto Sales,  
Victory Container, Inc.,  
Victory Cut Rate Store Inc.,  
Victory Desk Corp.,  
Victory Institute,  
Victory Machine Co.,  
Victory Paper Box Company,  
Victory Parking Company,  
Victory Tire Corporation,

Vieweger Laboratories, Inc.,  
Viking Realty Co.,  
Village Builders, Inc.,  
Village Grill,  
Vina Company,  
Vitagenol, Inc.,  
Vitascope, Inc.,  
Vito Investment Co.,  
Vogel Construction Company Inc.,  
Vogue Coat & Suit Co., Inc.,  
Volz Holding Company, Inc.,  
Vreeland and Tiger,  
V. & S. Foods, Inc.,  
  
Wagner Oil Co., Inc.,  
Wainwright Esso Station Inc.,  
Waldobel Co., Inc.,  
"The Waldon Corporation,"  
"Waldwin Realty Company",  
Walker Union Realty Company,  
Wallington Transportation Co.,  
Waral Mortgage Company,  
Ward Land Co.,  
War-Dun Roofing & Supply House, Inc.,  
Warner Tool & Machine Corp.,  
Warwick Print Works, Inc.,  
War Workers Entertainment Center, Inc.,  
Washington Big Leader, Inc.,  
Washington Construction Company,  
Washington Plumbing Supply Co. Inc.,  
"Washington Tavern of Hoboken, Inc.",  
Washington Valley Fruit Farm, Inc.,  
Watnong Service Corporation,  
"Weed Laboratories, Inc.",  
Weequahic Florists, Inc.,  
Weequahic Park Garage Inc.,  
Weiner Clothing Co.,  
Wel-Built-Homes, Inc.,  
Welko Realty Company,  
Wellingtex & Avery Shirt Co., Inc.,  
Wellworth Diner, Inc.,  
Wendmere Nurseries, Inc.,  
Wenonah Construction and Engineering Co. Inc.,

West Broad Realty Co.,  
West End Service Station, Inc.,  
West Orange Bargain Center,  
West Orange Pharmacy,  
West Portal Mines, Inc.,  
Westra Dairy, Inc.,  
West Scot Gardens, Inc.,  
Westwood Big Leader, Inc.,  
Westwood Press, Inc.,  
Westwood Publishing Company,  
W. F. Stone Motors,  
White Cap Preserves, Inc.,  
White Clock System, Inc.,  
White Cup System, Inc.,  
White Lake Inn, Inc.,  
White Oaks, Inc.,  
White Palace, Inc.,  
White Star Carriers, Inc.,  
White Star Express Company of Lodi, N. J.,  
White Star Stores Inc.,  
White Swan Auto Laundry, Inc.,  
White Tower, Inc.,  
White Way Bakery, Inc.,  
White Way Loan Association,  
Whitman Junior College,  
Whittek Corporation,  
Whittier Homes Inc.,  
Wholesale Tire Company Inc.,  
Wicht & Campbell Inc.,  
Wilberson Amusement Co. Inc.,  
Wildwood Park, Inc.,  
William C. Cook, Inc.,  
William E. Tack, Inc.,  
William H. Witt Agency,  
Wm. Pierce & Co.,  
William's Drug, Inc.,  
Williams' Nursing Home,  
Williamson Investment Company,  
Williamson Piano Co. Inc.,  
Williams Prescription Pharmacy,  
William V. Pulis and Son, Inc.,  
Wilrich, Inc.,  
Windsor Terrace, Inc.,

Windsor Village Corporation,  
Winette Realty Co.,  
Winslow Home Builders, Inc.,  
Winslow Hydraulic Press Brick Co. Inc.,  
Winslow Realty Co.,  
Winston Company,  
Winthrop Corporation,  
Wirth Sales, Incorporated,  
W. K. Service Corporation,  
Wladawood, Inc.,  
W. & O. Inc.,  
Woobyson, Inc.,  
Woodall Corporation,  
Woodbridge Defense Homes, Inc.,  
Woodbridge Development Co.,  
Woodcliff Heights Land Co., Inc.,  
Woodcraft, Inc.,  
Wooderest Corporation,  
Woodland Avenue Construction Company,  
Wooley and Glorieux Company,  
Work-O-Lite Company,  
World Wide Advertising Company,  
Wortendyke Coal and Supply Company,  
Worth Service Station, Inc.,  
Wrightstown Operating Co., Inc.,  
Writers & Speakers Foundation Inc.,  
Wushing Estates, Inc.,  
W. W. Knapp, Inc.,  
Wyland Instrument Corporation,  
Wyn's Pharmacy, Inc.,  
  
Yamo's, Inc.,  
Yarrh Realty Corporation,  
Yatch Club Diner, Inc.,  
Yock Wock Peat Co.,  
Your Gardner, Inc.,  
Yu-Chu Company,  
  
Zambrano Trucking Company,  
Zamore Homes, Inc.,  
Zeeuw-Luiken Woodworking Co.,  
Z. Gotfried, Inc.,



are void, and all powers conferred by law upon such corporations and each of them, are hereby declared inoperative and void.

[SEAL] Given under my hand and the Great Seal of New Jersey, this eleventh day of March, A. D. one thousand nine hundred and forty-six, and in the Independence of the United States, the one hundred and seventieth.

WALTER E. EDGE  
*Governor.*

By the Governor:  
LLOYD B. MARSH  
*Secretary of State.*

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PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Following a comprehensive inventory made by the New Jersey Board of Public Utility Commissioners, it is established that the available stock of bituminous coal and coke necessary for the operation of facilities for the production of gas and electricity, as well as for the operation of water plants, is at such a low ebb that a state of emergency exists. In fact, at the present time some water plants are being operated on special fuel allotments provided by the Solid Fuels Administrator. There is no assurance that such special allotments will be obtainable for the duration of the strike.

Investigation also discloses that in some instances electric and gas utilities have only sufficient fuel to continue normal operation until June 1; that if the strike is not settled by May 20th that a shutdown of such service may occur as it requires at least ten days to obtain delivery of coal from the

mines. If the strike is not settled by June 1st, it is quite possible that a general shut-down of gas service will be necessary.

Such a contingency would be accompanied by grave consequences to the health and safety of the population.

The Federal Government has only given assurance that they will supplement orders issued by the Governor through the State Board of Public Utility Commissioners, indicating that the co-operation of all concerned must be given in order to avert a possible disaster.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do urge that the use of electricity for advertising display, lighting, car heating, air conditioning in places of amusement be progressively curtailed and that, as far as possible, commercial and industrial use of fuel be put on a percentage of hours of use basis.

If conservation is not voluntarily practiced at this stage of the emergency it later may be necessary to prohibit the use of fuel for any purpose excepting the protection of public health and safety.

The Board of Public Utility Commissioners in addition to the authority vested in it by statute, is hereby specifically authorized and directed to take such action, with the co-operation of municipal governments to carry out this necessary conservation program.

Given under my hand and the Great  
[SEAL] Seal of the State of New Jersey, this  
ninth day of May, in the year of Our  
Lord one thousand nine hundred and  
forty-six, and in the Independence of  
the United States the one hundred and  
seventieth.

WALTER E. EDGE

*Governor.*

By the Governor:

LLOYD B. MARSH

*Secretary of State.*

## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, In my opinion, public necessity requires the convening of the Senate of the State of New Jersey in Special Session;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, by virtue of the power and authority vested in me by the Constitution of this State, do hereby convene the Senate of the State of New Jersey to meet in Special Session at the State House, Trenton, New Jersey, on Wednesday, the twelfth day of June, nineteen hundred and forty-six, at eleven o'clock, eastern daylight saving time, in the forenoon of the said day, for the purpose of receiving nominations.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourth day of June, in the year of Our Lord one thousand nine hundred and forty-six, and in the Independence of the United States the one hundred and seventieth.

WALTER E. EDGE  
*Governor.*

By the Governor:  
LLOYD B. MARSH  
*Secretary of State.*

## PROCLAMATION

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, In my opinion, public necessity requires the convening of the Legislature of the State of New Jersey in Special Session;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, by virtue of the power and authority vested in me by the Constitution of this State, do hereby convene the Legislature of the State of New Jersey to meet in Special Session at the State House, Trenton, New Jersey, on Monday, the twenty-second day of July, nineteen hundred and forty-six, at ten o'clock, eastern daylight saving time, in the forenoon of the said day, for the sole purpose of considering rent control legislation.

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

WALTER E. EDGE  
*Governor.*

By the Governor:  
LLOYD B. MARSH  
*Secretary of State.*

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Statements of Results  
of  
Municipal Elections

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(1149)



## Statements of Results of Municipal Elections

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At a Special Election held in the Borough of Medford Lakes, Burlington County, on May 7, 1946, the question: "Shall Chapters 79 to 85 of the Title Municipalities and Counties of the Revised Statutes (40:79-1 et seq.) providing for Municipal Manager Form of Government be adopted in the Borough of Medford Lakes?" was adopted and a certified copy of the result was filed in the office of Secretary of State, May 14, 1946.





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Change of Corporate Title of  
Municipalities

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(1153)



## Change of Corporate Title of Municipalities

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“The Borough of Jersey Homesteads” changed to “The Borough of Roosevelt.” Filed November 9, 1945.

“The Township of Chester,” Burlington County, changed to “Township of Maple Shade.” Filed November 26, 1945.



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Cumulative Table of Contents

OF

NEW JERSEY LAWS OF 1942 (CHAPTERS 281 TO END),  
1943, 1944, 1945 and 1946

GENERAL AND PERMANENT LEGISLATION

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TO NEW JERSEY LAWS OF 1942 (1938-1942 CHAPTER 280)

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(Chapters 281 to end)

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Table of Numbered Sections Added to Revised Statutes  
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SCHEDULE 7

Table of Public Validating Acts 1942 (Chapters  
281 to end)—1943-1946

*Prepared by*  
**LAW REVISION AND BILL DRAFTING  
COMMISSION**

*Formerly*  
COMMISSION ON STATUTES

FRANK H. SOMMER, *Chairman*

GEORGE W. C. McCARTER

SEDGWICK RUSLING LEAP

GEORGE H. STANGER

ALBERT McCAY

*Commissioners*

CHARLES DeF. BESORÉ

JOHN F. BRUTHER

*Counsel*

# CUMULATIVE TABLE OF CONTENTS

OF

NEW JERSEY LAWS OF 1942 (CHAPTERS 281 TO END),  
1943, 1944, 1945 and 1946

## GENERAL AND PERMANENT LEGISLATION

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The following Table of Contents with the Schedules annexed have been prepared and printed pursuant to chapter 379 of the laws of 1939 to indicate changes made in the general and permanent statute law subsequent to the enactment of chapter 280 of the laws of 1942.

Changes made in the general and permanent statute law from the enactment of the Revised Statutes (1937) through chapter 280 of the laws of 1942 are to be found in the Cumulative Table of Contents contained in the Pamphlet Laws of 1942 at page 875, etc.

The classification used is that of the Revised Statutes amplified so as to include material for which no adequate classification units appear in the Revised Statutes. In all cases in which new chapter or other subdivision headings or new section numbers are set up they are designated in the Table as "Added" or "New." Where a chapter or other subdivision heading or section number is designated as "Added" it has been set up in the statute classified under it. Where a chapter or other subdivision heading is designated as "New" it has been set up and a number assigned, for convenience in classification, by the Law Revision and Bill Drafting Commission (formerly Commission on Statutes). The use of such designations or numbers alone, whether they are designated as "Added" or "New," in citation or in legislation is not sufficiently descriptive to indicate where the material is to be found in the Pamphlet Laws and, when so used, such designations should be amplified by adding the year and chapter numbers of the material intended to be referred to.

Acknowledgment is made to Charles DeF. Besoré, Esq., for the use of the arrangement of his "Table of Contents, etc., of 1938," which forms the basis of the arrangement of this Table of Contents.

**Title 1. ACTS, LAWS AND STATUTES.**

**Chapter 1. DEFINITIONS AND GENERAL RULES OF CONSTRUCTION.**

R. S. 1:1-2.3 amended 1942, c. 7; 1946, c. 97 (1942, c. 7, repealed 1946, c. 96).

**Chapter 9. PERMANENT LAW REVISION COMMISSION.**

**Additional Legislation.**

Law Revision and Bill Drafting Commission, Commission on Statutes continued as; powers and duties defined, 1944, c. 105.

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**Title 2. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.**

**Subtitle 1. THE COURTS.**

**Chapter 1. COURT OF ERRORS AND APPEALS.**

R. S. 2:1-1 amended 1946, c. 189.

R. S. 2:1-5 " 1946, c. 190.

**Chapter 3. PREROGATIVE COURT.**

**Additional Legislation.**

Masters in Chancery, ex officio, Masters of Prerogative Court, suppl., 1944, c. 173.

**Chapter 7. ORPHANS' COURTS AND SURROGATES.**

R. S. 2:7-13 amended 1943, c. 23.

R. S. 2:7-19 " 1944, c. 67.

**Additional Legislation.**

Appointment of special deputy surrogate, 1938, c. 97.

Sec. 1 of above amended 1945, c. 129.

Surrogate's compensation, certain counties, fixed, suppl., 1945, c. 61, and 1946, c. 195.

Probate clerks, appointment as deputy surrogates, authorized, 1945, c. 64.



**Chapter 8. DISTRICT COURTS.****Article 1. Creation and Establishment; Judges and Other Officers.**

- R. S. 2:8-4      Essex County 1911, c. 228 see 1945, c. 279.  
                   "      "      1919, c. 90 see 1945, c. 279.
- R. S. 2:8-13            amended 1945, c. 100.
- R. S. 2:8-23            "      1944, c. 165; 1946, c. 218.
- R. S. 2:8-26            see 1946, c. 214.
- R. S. 2:8-27            "      1946, c. 214.
- R. S. 2:8-28            "      1946, c. 214.
- R. S. 2:8-30            "      1946, c. 214.
- R. S. 2:8-33            amended 1944, c. 136; see 1946, c. 214.

**Additional Legislation.**

Essex County Judicial District, established, First and Second District Courts of Newark, District Courts of Orange and East Orange, District Courts of First and Second Judicial Districts of Essex County, abolished, 1945, c. 279.

Salary increases, clerks and other District Court officers, suppl., 1946, c. 214.

**Article 2A. (new) County Judicial District Courts.****Additional Legislation.**

County Judicial District Courts, establishment and organization, provided for, suppl., 1945, c. 278.

County Judicial District Courts, expenses of, provided for, 1945, c. 280.

**Article 4. Small Claims Division.**

- R. S. 2:8-58            see 1946, c. 214.

**Article 5. (new) Destruction of Obsolete Papers, Etc.****Additional Legislation.**

Destruction of papers on file for more than twenty-five years authorized, suppl., 1946, c. 43.

**Chapter 10. COURT OF PARDONS.**

- R. S. 2:10-6            amended 1945, c. 200.

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**Chapter 16. PROVISIONS COMMON TO MORE THAN ONE COURT.**

R. S. 2:16-8      amended 1946, c. 188.

**Additional Legislation.**

Judgeship vacated by election, etc., of incumbent to public office, 1942, c. 240.

Sec. 1 of above amended 1943, c. 12.

**Subtitle 4. ATTORNEYS, COUNSELORS AND SOLICITORS.**

**Chapter 23. BAR ASSOCIATION AND LAWYERS' CLUBS.**

R. S. 2:23-4      amended 1946, c. 252; see 1946, c. 250, 1946, c. 251.

**Subtitle 5. LIMITATION OF CIVIL ACTIONS;  
ADVERSE POSSESSION.**

**Chapter 24. LIMITATION OF ACTIONS.**

**Note:** For presumption of consent of owners to placing of certain poles in public places, established after ten years, see 1945, c. 231.

**Additional Legislation.**

Limitation suspended during war and six months thereafter, in favor of certain persons serving in or with armed forces, suppl., 1945, c. 167, s. 1.

**Subtitle 6. PRACTICE AND PROCEDURE IN CIVIL  
ACTIONS GENERALLY.**

**Chapter 26. PROCEDURE COMMON TO MORE THAN ONE COURT.**

**Article 1. General Provisions.**

**Note:** For proceedings involving certain absent defendants, etc., in time of war, see 1943, c. 32; 1943, c. 178.

**Article 3. Lis Pendens.**

R. S. 2:26-30      amended 1944, c. 174.

**Article 4. Process in General.**

**A. SERVICE IN GENERAL.**

**Additional Legislation.**

Absent defendants, certain, in time of war, proceedings involving, 1943, c. 32.

**A1. (new) SERVICE IN ORPHANS' AND PREROGATIVE COURTS.**

**Additional Legislation.**

Absent defendants, etc., certain, in time of war, proceedings involving, 1943, c. 178.

**Chapter 27. PROCEDURE IN COURTS OF LAW GENERALLY.**

**Note:** For proceedings involving certain absent defendants in time of war, see 1943, c. 32.

R. S. 2:27-135 amended 1943, c. 114.

R. S. 2:27-303 " 1945, c. 258.

**Additional Legislation.**

Supreme Court Commissioners, powers of Circuit Court Judges acting as, regulated, suppl., 1943, c. 215.

**Chapter 29. PROCEDURE IN COURT OF CHANCERY.**

**Note:** For joinder of actions and causes of action by municipalities in tax lien foreclosures; permitted, vacant land, see 1940, c. 84, amended 1943, c. 204.

**Article 3A. (new) Absent Defendants in Time of War.**

**Additional Legislation.**

Defendants in enemy or enemy-occupied countries, service upon, appearance, etc., for; effect, etc., of decree; intervention, etc., of alien property custodian, 1942, c. 297.

**Article 9. Injunction.**

**Additional Legislation.**

Injunctions, etc., in labor disputes, etc., regulated, 1941, c. 15.

Title of above amended 1946, c. 160.

**Chapter 30. PROCEDURE IN PREROGATIVE COURT.**

**Note:** For proceeding involving certain absent defendants, etc., in time of war, see 1943, c. 178.

**Chapter 31. PROCEDURE IN ORPHANS' COURTS AND BEFORE SURROGATES.**

**Note:** For proceedings involving certain absent defendants, etc., in time of war, see 1943, c. 178.

**Chapter 32. PROCEDURE IN DISTRICT COURTS**

R. S. 2:32-26 amended 1943, c. 203.

R. S. 2:32-82 " 1944, c. 164.

R. S. 2:32-90 " 1944, c. 186; 1946, c. 181.

R. S. 2:32-93 " 1946, c. 179.

R. S. 2:32-107 " 1942, c. 333.

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R. S. 2:32-268	"	1944, c. 183.
R. S. 2:32-269	"	1943, c. 66.
R. S. 2:32-356	"	1946, c. 183.
R. S. 2:32-372	"	1946, c. 182.

**Additional Legislation.**

Constables, record, deposit, remittance and report of moneys received, suppl., 1945, c. 123.

Constables, report before returning execution "No levy" or "Unsatisfied" required, suppl., 1945, c. 135.

Judgment for possession in replevin, entry by default on affidavit, authorized, suppl., 1945, c. 136.

**Subtitle 8. SPECIFIC CIVIL ACTIONS, REMEDIES AND PROCEEDINGS.**

**Chapter 47. DEATH BY WRONGFUL ACT.**

R. S. 2:47-4      amended 1943, c. 79.

**Chapter 50. DIVORCE AND NULLITY OF MARRIAGE—  
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R. S. 2:50-27      amended 1945, c. 250.

**Chapter 53. ESCHEATS.**

**Note:** For escheat of unclaimed bank deposits, see 1945, c. 199, amended 1946, c. 78; for escheat of unclaimed insurance funds, see 1946, c. 154; for sales of real estate subject to escheat to pay debts of decedents, provided for, procedure, etc., see 1946, c. 283.

**Additional Legislation.**

Escheat of personal property in general, provided for, procedure, etc., 1946, c. 155.

**Chapter 58. LANDLORD AND TENANT; RIGHTS AND REMEDIES.**

**Article 5. Summary Proceedings for Recovery of Premises.**

R. S. 2:58-26      amended 1944, c. 131.

**Article 5A. (new) Rent Control.****Additional Legislation.**

Rent Control Act (1946), 1946, c. 319.

**Chapter 60. LIENS—BONDS OF AND MONEY PAID TO CONTRACTORS ON PUBLIC WORKS.**

**Note:** For lien in favor of State and county institutions for care and treatment of inmates thereof, see 1938, c. 239, amended 1946, c. 306.

**Article 4. On Goods and Chattels in Possession, for Labor or Materials Used in Construction or Repair Thereof.**

R. S. 2:60-34      amended 1946, c. 281.

**Article 20. (new) Factors' Liens.****Additional Legislation.**

Liens by factors or pledgees on merchandise or proceeds thereof, suppl., 1942, c. 182.

Sec. 6 of above amended 1944, c. 76.

**Chapter 66. MORTGAGES ON REAL OR PERSONAL PROPERTY; CANCELLATION OF RECORD BY COURT ORDER.****Additional Legislation.**

Moneys paid into court, procedure to obtain, suppl., 1946, c. 69.

**Chapter 67. NAMES; CHANGE OF.****Additional Legislation.**

Adjustment of vital statistic records upon change of name, provided for, suppl., 1945, c. 283.

**Subtitle 10. JURIES.****Chapter 85. QUALIFICATIONS OF JURORS.**

R. S. 2:85-1      amended 1943, c. 113.

**Chapter 87. COMMISSIONERS OF JURIES.**

R. S. 2:87-1	amended 1944, c. 96, ss. 1, 9, 10.
R. S. 2:87-4	"      1944, c. 96, s. 2.
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R. S. 2:87-7	"      1944, c. 96, s. 4.
R. S. 2:87-8	"      1944, c. 96, s. 5.
R. S. 2:87-11	"      1944, c. 96, s. 6.
R. S. 2:87-12	"      1944, c. 96, s. 7.
R. S. 2:87-13	"      1944, c. 96, s. 8.

**Subtitle 11. EVIDENCE AND WITNESSES.****Chapter 98. DOCUMENTS, RECORDS AND OTHER WRITTEN INSTRUMENTS.**

**Note:** For substitution of photographic copies for records, etc., of banks and trust companies, see 1941, c. 39, amended 1942, c. 89; for receipt in evidence of building codes enacted, etc., by reference, provided for, see 1946, c. 21.

**Chapter 101. EVIDENCE OF PARTICULAR FACTS OR FOR PARTICULAR PURPOSES.****Additional Legislation.**

Presumptive evidence that person is, dead, alive, missing, interned, beleaguered, besieged or a prisoner, method of establishment provided for, 1945, c. 46.

**Subtitle 11A. (new) EXAMINATION OF RECORDS, ETC.****Chapter 101A. (new) HOSPITAL RECORDS.**

Right to examine hospital records in compensation cases and actions for damages, provided for, 1945, c. 286.

**Subtitle 13. CRIMES.**

**Note:** For failure to report death or disturbance of body, etc., of dead person, certain cases, misdemeanor, see 1946, c. 275; 1946, c. 304.

**Chapter 114. BRIBERY AND CORRUPTION.****Additional Legislation.**

Bribery, etc., in connection with certain sporting contests, prohibited, suppl., 1945, c. 217; and suppl., 1946, c. 28.

**Chapter 117. CHILDREN.****Additional Legislation.**

Debauching or impairing morals of children, prohibited, suppl., 1945, c. 242.

**Chapter 121. DESERTION.**

R. S. 2:121-2      amended 1944, c. 195.

**Additional Legislation.**

Place of residence of deserted party as determining jurisdiction of court, provided for, suppl., 1946, c. 292.

**Chapter 122A. (new) DISCRIMINATIONS.**

Refusal of shelter during air-raids or air-raid alarms, prohibited, 1942, c. 298.

**Chapter 134. FRAUDS AND CHEATS.****Additional Legislation.**

Misrepresentation in sales of goods as discarded, etc., government property or conforming to government specifications, etc., prohibited, 1946, c. 158.

**Chapter 153. MOTOR VEHICLES.**

R. S. 2:153-6      amended 1946, c. 268.

**Chapter 171A. (new) TICKET SCALPING.**

Ticket scalping regulated, 1944, c. 12.

**Chapter 176. WEAPONS AND EXPLOSIVES.**

R. S. 2:176-11      amended 1945, c. 191.

**Subtitle 14. CRIMINAL PROCEDURE.****Chapter 178. DEFINITIONS, CONSTRUCTION AND GENERAL PROVISIONS.**

**Note:** For defendants in criminal proceedings, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

**Additional Legislation.**

Money seized in connection with gambling, etc., disposition, forfeiture, etc., suppl., 1941, c. 70.

Sec. 4 of above amended 1945, c. 296.

**Chapter 181. COUNTY DETECTIVES AND INVESTIGATORS.**

R. S. 2:181-10      appointment, etc., of county detectives or investigators certain fourth class counties, suppl., 1939, c. 5.

Sec. 2 of above amended 1945, c. 289.

**Additional Legislation:**

Number, appointment, salaries, etc., of county detectives, counties between 300,000 and 500,000, suppl., 1946, c. 32.

**Chapter 182. PROSECUTORS OF THE PLEAS.**

R. S. 2:182-10      amended 1944, c. 66.

R. S. 2:182-15      "      1944, c. 32.

**Chapter 184. JURISDICTION AND VENUE.****Additional Legislation.**

Accessory to crime in county other than that in which crime committed, indictment and trial of, 1944, c. 198.

**Chapter 189. PROCEEDINGS AFTER INDICTMENT AND BEFORE TRIAL.**

R. S. 2:189-7 amended 1946, c. 19.

**Chapter 190. TRIAL; NEW TRIAL.**

R. S. 2:190-17 amended 1943, c. 41, s. 2.

**Additional Legislation.**

Special verdict as to insanity, when pleaded, required, suppl., 1943, c. 41, s. 1.

**Chapter 192. SENTENCE AND IMPRISONMENT.**

**Note:** For commitment, etc., of convicted defendants to Diagnostic Center, see 1946, c. 118.

R. S. 2:192-1 amended 1944, c. 10.

R. S. 2:192-1.1 see 1946, c. 118, s. 16.

R. S. 2:192-1.2 see 1946, c. 118, s. 16.

R. S. 2:192-3 amended 1945, c. 153.

**Additional Legislation.**

Combined sentence to imprisonment and on probation, provided for, suppl., 1943, c. 40.

**Chapter 195. WRITS OF ERROR.**

R. S. 2:195-1 amended 1943, c. 42, s. 1.

R. S. 2:195-2 repealed 1943, c. 42, s. 2.

R. S. 2:195-14 amended 1943, c. 43, s. 1.

R. S. 2:195-15 " 1943, c. 43, s. 2.

R. S. 2:195-16 " 1943, c. 43, s. 3.

**Chapter 195A. (new) APPEAL.**

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1946, c. 209.

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**Note:** For combined sentence to imprisonment and on probation provided  
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R. S. 2:199-5 amended 1944, c. 190.

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**Article 1. Certain Disorderly Persons Enumerated.**

R. S. 2:202-3 amended 1942, c. 305.

R. S. 2:202-13 " 1944, c. 11.

**Additional Legislation.**

Food stamps, etc., misuse of, prohibited, suppl., 1941, c. 204.

Sec. 1 of above amended 1942, c. 315, s. 1.

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Identification cards and badges, misuse of, prohibited, suppl.,  
1943, c. 205.

Poisons, etc., placing with intent to injure, etc., certain domestic  
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**Article 4. Disorderly Acts Relating to Railroads, Railways and  
Public Conveyances.**

R. S. 2:202-26 amended 1944, c. 53.

**Additional Legislation.**

Smoking, etc., in buses or trolley cars prohibited, suppl., 1944,  
c. 14.

**Article 6. Trespassing.**

**Additional Legislation.**

"Victory Gardens," trespassing upon, prohibited, suppl., 1943,  
c. 136.

**Chapter 205. PUNISHMENT OF DISORDERLY PERSONS.**

- R. S. 2:205-1      amended 1942, c. 314, s. 1.  
R. S. 2:205-2      “      1942, c. 314, s. 2.

**Chapter 206. PROCEDURE.**

- R. S. 2:206-1      amended 1942, c. 314, s. 3.  
R. S. 2:206-3      “      1942, c. 314, s. 4.  
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**Subtitle 17. CRIMINAL JUDICIAL DISTRICT COURTS.**

**Note:** For defendants in criminal proceedings, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

**Chapter 212. CONSTITUTION AND PERSONNEL.**

- R. S. 2:212-4      1926, c. 210, repealed 1944, c. 28, s. 5.  
R. S. 2:212-4      1926, c. 211, repealed 1944, c. 28, s. 5.  
R. S. 2:212-6      amended 1944, c. 23.  
R. S. 2:212-17      “      1946, c. 186.

**Additional Legislation.**

Judges, holding over after expiration of terms, provided for, suppl., 1943, c. 59.

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**Chapter 213. JURISDICTION.**

- R. S. 2:213-2      amended 1943, c. 86.

**Subtitle 18. POLICE COURTS AND MAGISTRATES.**

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**Chapter 220. CITIES OF THE SECOND CLASS.**

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### **Title 3. ADMINISTRATION OF ESTATES—DECEDENTS AND OTHERS.**

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##### **Chapter 7. APPOINTMENT AND GENERAL POWERS OF FIDUCIARIES.**

##### **Article 1. Executors and Administrators.**

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Notice of probate of will, etc., to beneficiaries, required, 1944, c. 238.

##### **Article 2. GUARDIANS FOR MINORS.**

R. S. 3:7-18      amended 1945, c. 119.

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##### **Article 4. New, Additional, Substituted and Succeeding Fiduciaries.**

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Sec. 11 " " " 1944, c. 129, s. 11.

**Chapter 8. BONDS AND SURETIES.**

- R. S. 3:8-11      amended 1945, c. 113, s. 1.  
R. S. 3:8-12      “      1945, c. 113, s. 2.  
R. S. 3:8-15      “      1945, c. 113, s. 3.

**Additional Legislation.**

Discharge of sureties and cancellation of bonds, in certain cases, provided for, 1944, c. 181.

**Chapter 16. INVESTMENTS.**

**Note:** For Port Authority bonds issued for establishment, etc., of motor truck terminals, legal investments, see 1945, c. 197.

- R. S. 3:16-1      amended 1945, c. 194.

**Additional Legislation.**

Investments in United States Savings Bonds and Treasury Savings Certificates held by fiduciaries; status of increases in redemption values as to income and principal, 1942, c. 287.

Securities, registration and holding in name of nominee, authorized, in certain cases, 1944, c. 114.

Establishment and maintenance of common trust funds by certain corporate fiduciaries, authorized, suppl., 1945, c. 190.

**Chapter 17. SALE OR OTHER DISPOSITION OF REAL ESTATE BY FIDUCIARIES.**

**Additional Legislation.**

Abandonment of real property by fiduciaries, in certain cases, authorized, suppl., 1943, c. 88.

**Chapter 25. CREDITORS OF DECEDENTS; THEIR RIGHTS AND REMEDIES.**

**Article 5. Liability of Real Estate for Debts; Methods of Enforcement.**

**Note:** For sales of real estate subject to escheat to pay debts of decedents, provided for, procedure, etc., see 1946, c. 283.

- R. S. 3:25-21      amended 1944, c. 130.

**Article 6. Sale of Real Estate for Debts Where Personalty Insufficient.**

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**Article 7. Insolvent Estates.**

**Note:** For sales of real estate subject to escheat to pay debts of decedents, provided for, procedure, etc., see 1946, c. 283.

**Article 7A. (new) Sale of Real Estate, Subject to Escheat, to Pay Debts.**

**Additional Legislation.**

Sales of real estate subject to escheat to pay debts of decedents, provided for, procedure, etc., 1946, c. 283.

**Chapter 26. DEVISES, LEGACIES AND DISTRIBUTIVE SHARES.**

R. S. 3:26-1      amended 1943, c. 82.

R. S. 3:26-2      "      1943, c. 84.

**Subtitle 7. ABSENTEES.**

**Note:** For escheat of unclaimed bank deposits, see 1945, c. 199, amended 1946, c. 78.

**Chapter 42A. (new) ABSENTEES IN ARMED FORCES OR  
MERCHANT MARINE.**

Conservator for property of person serving in or with armed forces, appointment, powers, etc., 1944, c. 242.

Sec. 1 of above amended 1945, c. 293.

**Title 4. AGRICULTURE AND DOMESTIC ANIMALS.****Chapter 1. DEPARTMENT OF AGRICULTURE.**

R. S. 4:1-4	amended 1944, c. 202, s. 1.
R. S. 4:1-5	" 1944, c. 202, s. 2.
R. S. 4:1-6	" 1945, c. 98.
R. S. 4:1-7	" 1944, c. 202, s. 3.
R. S. 4:1-8	" 1944, c. 202, s. 4.
R. S. 4:1-9	" 1944, c. 202, s. 5.
R. S. 4:1-13	" 1944, c. 202, s. 6.
R. S. 4:1-15	" 1944, c. 202, s. 7.
R. S. 4:1-17	" 1945, c. 204, s. 1.

**Additional Legislation.**

Awards to schools for participation in farm labor, 1943, c. 214.

**Chapter 2. BREEDING OF LIVE STOCK.**

R. S. 4:2-1 to 4:2-14	repealed 1946, c. 72.
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**Chapter 5. DISEASES OF ANIMALS AND POULTRY.****Article 1. Contagious and Infectious Diseases in General.****B. CONTROL AND ERADICATION IN GENERAL.**

R. S. 4:5-4	amended 1946, c. 247, s. 1.
R. S. 4:5-5	" 1946, c. 247, s. 2.
R. S. 4:5-6	" 1946, c. 247, s. 3.
R. S. 4:5-7	" 1946, c. 247, s. 4.
R. S. 4:5-8	" 1946, c. 247, s. 5.
R. S. 4:5-9	" 1946, c. 247, s. 6.
R. S. 4:5-10	" 1946, c. 247, s. 7.

**Article 2. Bovine Tuberculosis.****A. DEFINITIONS.**

R. S. 4:5-18	amended 1946, c. 247, s. 8.
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## B. GENERAL PROVISIONS.

R. S. 4:5-19	amended 1946, c. 247, s. 9.
R. S. 4:5-20	" 1946, c. 247, s. 10.
R. S. 4:5-21	" 1946, c. 247, s. 11.
R. S. 4:5-22	" 1946, c. 247, s. 12.
R. S. 4:5-23	" 1946, c. 247, s. 13.
R. S. 4:5-28	" 1946, c. 247, s. 14.
R. S. 4:5-29	" 1946, c. 247, s. 15.

## C. TESTING UNDER AREA AND OTHER PLANS.

R. S. 4:5-34	amended 1946, c. 247, s. 16.
R. S. 4:5-44	" 1946, c. 247, s. 17.
R. S. 4:5-46	" 1946, c. 247, s. 18.

## Additional Legislation.

Conduct of tuberculin tests; quarantines and disinfecting, etc., services, provided for, suppl., 1945, c. 204, ss. 2-4.

## C. 1. (new) CATTLE CONSIGNED TO AUCTION MARKETS.

## Additional Legislation.

Cattle delivered to auction markets, marking, testing, etc., suppl., 1946, c. 247, s. 24.

## D. IMPORTATION OF CATTLE.

R. S. 4:5-54	amended 1946, c. 247, s. 19.
R. S. 4:5-58	" 1946, c. 247, s. 20.
R. S. 4:5-61	" 1946, c. 247, s. 21.
R. S. 4:5-65	" 1946, c. 247, s. 22.
R. S. 4:5-69	" 1946, c. 247, s. 23.
R. S. 4:5-71	" 1946, c. 247, s. 25.
R. S. 4:5-72	" 1946, c. 247, s. 26.

## Article 3. Infections or Contagious Abortion in Live Stock.

R. S. 4:5-76 to 4:5-93	repealed 1946, c. 257, s. 25.
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**Additional Legislation.**

Bang's disease, compensation to owners of diseased cattle, certain cases, regulation of local areas, 1940, c. 231, repealed 1946, c. 257, s. 26.

Bang's disease or Brucellosis, control of, etc., provided for, suppl., 1946, c. 257.

**Chapter 9. FERTILIZERS AND OTHER PREPARATIONS FOR SOILS.**

**Article 4. (new) Horse Manure.**

**Additional Legislation.**

Sale, etc., of unmanufactured horse manure, regulated, 1944, c. 43.

**Chapter 12. RECEIVING, BUYING, TESTING, SAMPLING AND WEIGHING OF MILK AND CREAM.**

R. S. 4:12-1      amended 1945, c. 295, s. 1.

R. S. 4:12-19      "      1945, c. 295, s. 2.

R. S. 4:12-20      repealed 1943, c. 100, s. 23.  
to 4:12-41

**Additional Legislation.**

Dealing, etc., in milk or cream on basis of butter fat content, regulated, suppl., 1943, c. 100.

**Chapter 14. AGRICULTURAL ORGANIZATIONS IN GENERAL.**

R. S. 4:14-2      amended 1946, c. 108.

**Chapter 16. AGRICULTURAL EXPERIMENT STATION; FARM DEMONSTRATION.**

**Note:** For consolidation with State University of New Jersey, see 1945, c. 49.

**Article 1. Organization and Operation of Station.**

R. S. 4:16-2      repealed 1945, c. 235, ss. 2, 1.  
to 4:16-5

**Article 2. Miscellaneous Activities of Station.**

**Additional Legislation.**

Farm labor, recruiting and placement, provided for, 1943, c. 106.

**Article 5. (new) Victory Garden Educational Program.**

**Additional Legislation.**

Educational program for promotion of production and conservation of food, provided for, 1943, c. 137.

**Chapter 23. PROCEDURE FOR THE RECOVERY OF PENALTIES.**

R. S. 4:23-11      amended 1943, c. 256.



**Title 5. AMUSEMENTS, PUBLIC EXHIBITIONS  
AND MEETINGS.**

**Chapter 3. BUILDINGS, STRUCTURES AND PLACES USED  
FOR PUBLIC AMUSEMENT.**

**Note:** For life saving and resuscitation personnel and appliances required,  
see 1942, c. 172.

**Chapter 5. BREEDING AND RACING OF HORSES.**

**Additional Legislation.**

New Jersey Horse Racing Act, 1940, c. 17.

Sec. 18 of above amended 1946, c. 170.

Sec. 44 " " " 1944, c. 227; 1946, c. 169.

Stock-ownership in horse racing association or corporation,  
control of Commission over, revocations of permits, etc.,  
provided for, suppl., 1946, c. 167.

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**Title 6. AVIATION.**

**Chapter 1. REGULATION OF AERIAL NAVIGATION.**

**Additional Legislation.**

Aeronautics over and within this State, regulated, 1938, c. 48.

Sec. 6 of above amended 1946, c. 15, s. 1.

Sec. 7 " " " 1946, c. 15, s. 2.

**Chapter 2. UNIFORM AERONAUTICS LAW.**

R. S. 6:2-7 amended 1946, c. 237.

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**Title 8. CEMETERIES.**

**Chapter 2. PROPERTY, AND RIGHTS AND INTERESTS THEREIN.**

R. S. 8:2-35 amended 1943, c. 36.

**Title 9. CHILDREN—JUVENILE AND DOMESTIC  
RELATIONS COURTS.**

**Note:** For commitment of minors to Diagnostic Centers, see 1946, c. 118;  
for contracts, obligations, pledges, mortgages and conveyances, made  
by minors over eighteen years of age in connection with certain veterans'  
loans made valid and enforceable, see 1946, c. 134.

**Subtitle 1. PARENTAL RELATIONSHIP AND CARE, CUSTODY,  
GUARDIANSHIP AND SUPPORT OF CHILDREN  
IN GENERAL.**

**Chapter 2. CARE, CUSTODY, GUARDIANSHIP AND SUPPORT OF  
CHILDREN IN GENERAL.**

**Additional Legislation.**

Special guardians for certain minors to consent to enlistment  
of such minors in the military and naval service of the  
United States, provided for, 1942, c. 329.

**Subtitle 2. ADOPTION, APPRENTICESHIP AND INDENTURE.**

**Chapter 3. ADOPTION.**

R. S. 9:3-1      amended 1944, c. 239, s. 1; 1945, c. 196.  
R. S. 9:3-4      "      1944, c. 239, s. 2.  
R. S. 9:3-9      "      1943, c. 104.

**Additional Legislation.**

Adoption of certain children by persons in armed forces,  
regulated, suppl., 1945, c. 248.

**Subtitle 3. PROTECTIVE WELFARE LAWS.**

**Chapter 5. GENERAL PROVISIONS.**

**Note:** For registration and regulation of private child care centers,  
provided for, see 1946, c. 303.

**Chapter 6. ABANDONMENT, ABUSE, CRUELTY AND NEGLECT.**

R. S. 9:6-3      amended 1944, c. 196, s. 1.  
R. S. 9:6-4      "      1944, c. 196, s. 2.

**Subtitle 4. ILLEGITIMATE CHILDREN.**

**Chapter 17. BASTARDY PROCEEDINGS.**

R. S. 9:17-1.1      amended 1943, c. 49.  
R. S. 9:17-6      "      1945, c. 183, s. 1.  
R. S. 9:17-13      "      1945, c. 183, s. 2.

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### Subtitle 5. JUVENILE AND DOMESTIC RELATIONS COURTS.

#### Chapter 18. ORGANIZATION OF COURT; JURISDICTION, POWERS AND PROCEDURE.

**Note:** For commitment, etc., of minors to Diagnostic Centers provided for, see 1946, c. 118.

R. S. 9:18-5	amended 1945, c. 291.
R. S. 9:18-12	" 1943, c. 97; 1946, c. 77, s. 1.
R. S. 9:18-14	" 1946, c. 77, s. 2.
R. S. 9:18-18	" 1946, c. 77, s. 3.
R. S. 9:18-31	" 1946, c. 77, s. 4.

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### Title 10. CIVIL RIGHTS.

**Note:** For certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169.

#### Chapter 1. IN GENERAL.

R. S. 10:1-3	amended 1945, c. 168, s. 1.
R. S. 10:1-6	" 1945, c. 168, s. 2.
R. S. 10:1-8	" 1945, c. 168, s. 3.

#### Additional Legislation.

Discrimination, on account of race, creed or color, against persons to be employed on war or defense work, prohibited, 1942, c. 114.

Preamble of above amended 1945, c. 174, s. 1.

Sec. 1 " " " 1945, c. 174, s. 2.

Sec. 2 " " " 1945, c. 174, s. 3.

#### Chapter 2. EMPLOYMENT ON PUBLIC WORKS.

R. S. 10:2-1	amended 1945, c. 171.
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**Title 11. CIVIL SERVICE.**

**Note:** For certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169; for delay in qualifying of members of police and fire departments by reason of military service not to affect rights, benefits, etc., see 1946, c. 87; for supervision of Civil Service Commission over apprentice and on the job training programs for veterans, provided for, see 1946, c. 162.

**Subtitle 1. CIVIL SERVICE COMMISSION.**

**Chapter 1. THE COMMISSION.**

- R. S. 11:1-1      amended 1944, c. 65, s. 1.
- R. S. 11:1-2      "      1944, c. 65, s. 2.
- R. S. 11:1-6      "      1944, c. 65, s. 3.
- R. S. 11:1-9      "      1944, c. 65, s. 4.

**Chapter 2. THE CHIEF EXAMINER AND SECRETARY.**

- R. S. 11:2-1      amended 1944, c. 65, s. 5.
- R. S. 11:2-3      "      1944, c. 65, s. 6.
- R. S. 11:2-4      repealed 1944, c. 65, s. 7.
- R. S. 11:2-5      amended 1944, c. 65, s. 8.
- R. S. 11:2-6      "      1944, c. 65, s. 9.

**Chapter 2A. (new) CONTROL OF COMMISSION OVER CIVIL SERVICE EMPLOYEES, GENERALLY.**

Right of appeal from suspension, fining or demotion for more than thirty days in one year or five days at one time, suppl., 1938, c. 76.

Sec. 1 of above amended 1946, c. 184.

**Chapter 4. PURPOSE, CONSTRUCTION AND APPLICATION OF SUBTITLE.**

- R. S. 11:4-5      **Note:** 1913, c. 139 and 1918, c. 234 repealed, 1944, c. 20, s. 20.

**Additional Legislation.**

Legal assistants, Attorney General, under Civil Service, 1939, c. 101; repealed 1944, c. 20, s. 20.

State Treasurer, certain employees under Civil Service, suppl., 1946, c. 198.

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**Note:** For specific statutory maxima and minima of salaries and salary increases for State employees, abolished, salary ranges to be established by Civil Service Commission, see 1945, c. 86.

R. S. 11:5-1 amended 1944, c. 65, s. 10.

**Chapter 7. CLASSIFICATION OF POSITIONS.**

**Additional Legislation.**

Adjustments of compensation after allocation of positions under new compensation plan, suppl., 1944, c. 65, s. 11.

**Chapter 9. TESTS; EMPLOYMENT AND RE-EMPLOYMENT LISTS.**

**Note:** For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64, amended 1945, c. 15, 1946, c. 156.

**Chapter 11. TEMPORARY AND EMERGENCY APPOINTMENTS; TRANSFERS.**

**Note:** For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64, amended 1945, c. 15, 1946, c. 156.

**Chapter 12. WORKING TESTS.**

R. S. 11:12-1 amended 1946, c. 228, s. 1.

R. S. 11:12-2 " 1946, c. 228, s. 2.

**Chapter 15. SUSPENSION; DEMOTION; REMOVAL.**

**Note:** For appeal from suspension, fining or demotion for more than thirty days in one year or five days at one time, see 1938, c. 76, amended 1946, c. 184.

**Subtitle 3. COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.**

**Chapter 21. APPOINTMENTS, PROMOTIONS, REMOVALS AND DISCHARGE IN GENERAL.**

**Note:** For appeal from suspension, fining or demotion for more than thirty days in one year or five days at one time, see 1938, c. 76, amended 1946, c. 184; for provision for discontinuance, etc., of competitive examinations, see 1944, c. 64, amended 1945, c. 15, 1946, c. 156.

**Chapter 22. CLASSES OF CIVIL SERVICE.**

R. S. 11:22-2 amended 1946, c. 34.

**Additional Legislation.**

Competitive examinations, discontinuance, etc., provided for, suppl., 1944, c. 64.

Sec. 1 of above amended 1946, c. 156, s. 1.

Sec. 2 " " 1946, c. 156, s. 2.

Sec. 4 " " 1945, c. 15; 1946, c. 156, s. 3.

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Regulations as to holidays, hours of work, attendance, sick and  
other leaves of absence, suppl., 1939, c. 232.

Sec. 3 of above amended 1943, c. 200.

Leaves of absence without pay, granting of, etc., pro-  
vided for, suppl., 1946, c. 148.

**Chapter 25. APPEAL TO COMMISSION OR SUPREME COURT  
JUSTICE FOR VIOLATION OF SUBTITLE.**

**Note:** For appeal from suspension, fining or demotion for more than  
thirty days in one year or five days at one time, see 1938, c. 76, amended  
1946, c. 184.

**Subtitle 4. VETERANS.**

**Chapter 27. PREFERENCES.**

R. S. 11:27-1      amended 1946, c. 227, s. 1.

R. S. 11:27-2      repealed 1946, c. 227, s. 2.

R. S. 11:27-3      amended 1946, c. 227, s. 3.

R. S. 11:27-4      “      1946, c. 227, s. 4.

R. S. 11:27-5      “      1946, c. 227, s. 5.

**Title 12. COMMERCE AND NAVIGATION.**

**Chapter 2. DEPARTMENT AND BOARD OF COMMERCE AND NAVIGATION.**

**Note:** For beach-front protection and dredging and removal of obstructions from streams, see 1940, c. 52, amended 1946, c. 258; for transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 12:2-1 repealed 1945, c. 22, s. 44.  
to 12:2-5

R. S. 12:2-16 " 1945, c. 22, s. 44.

**Chapter 3. RIPARIAN LANDS.**

**Note:** For State's interest in island shoals and reefs in tidal waters, disposal of, provided for, see 1946, c. 299.

**Chapter 5. WATER-FRONT AND HARBOR FACILITIES.**

**Note:** For beach-front protection and dredging and removal of obstructions from streams, see 1940, c. 52, amended 1946, c. 258.

**Chapter 6. INLAND WATERWAYS.**

R. S. 12:6-17 repealed 1946, c. 314.

R. S. 12:6-18 " 1946, c. 314.

**Additional Legislation.**

Shrewsbury and Manasquan Rivers and tributaries, improvement of, authorized, suppl., 1946, c. 313.

**Chapter 6A. (new) BEACH FRONT REPAIR AND DREDGING OF STREAMS.**

Beach-front protection and dredging and removal of obstructions from streams, suppl., 1940, c. 52.

Sec. 1 of above amended 1946, c. 258, s. 1.

Sec. 2 " " " 1946, c. 258, s. 2.

Sec. 3 " " " 1946, c. 258, s. 3.

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**Additional Legislation.**

Appointment of temporary branch and temporary deputy pilots,  
authorized, in certain cases, 1942, c. 349.

**Chapter 12. PORT RABITAN DISTRICT.**

**Note:** For transfer of powers and duties to Department of Economic  
Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 12:12-1      repealed 1944, c. 85, s. 52.  
to 12:12-10



**Title 13. CONSERVATION AND DEVELOPMENT—  
PARKS AND RESERVATIONS.**

**Note:** For legal aid to police officers in suits arising from incidents in line of duty, provided for, see 1946, c. 67.

**Chapter 1. DEPARTMENT AND BOARD OF CONSERVATION AND  
DEVELOPMENT.**

**Note:** For transfer of certain functions, powers and duties to State Department of Conservation, see 1945, c. 22.

- R. S. 13:1-1 repealed 1945, c. 22, s. 44.
- R. S. 13:1-2 " 1945, c. 22, s. 44.
- R. S. 13:1-10 " 1945, c. 22, s. 44.

**Chapter 1A. (new) STATE DEPARTMENT OF CONSERVATION.**

State Department of Conservation; establishment, organization, function, powers and duties, 1945, c. 22.

State's interest in island shoals and reefs in tidal waters, disposal of, provided for, 1946, c. 299.

**Chapter 4. EDISON STATE PARK.**

**Note:** For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

- R. S. 13:4-1 repealed 1945, c. 22, s. 44.
- R. S. 13:4-4 " 1945, c. 22, s. 44.
- R. S. 13:4-6 " 1945, c. 22, s. 44.

**Chapter 5. HIGH POINT PARK.**

**Note:** For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

- R. S. 13:5-1 repealed 1945, c. 22, s. 44.  
to 13:5-3
- R. S. 13:5-12 " 1945, c. 22, s. 44.

**Chapter 11. STATE MUSEUM.**

**Note:** For transfer of functions, powers, duties, etc., of State Museum to Division of the State Museum in the Department of Education, see 1945, c. 50.

- R. S. 13:11-1 repealed 1945, c. 50, s. 22.

**Chapter 13. DELAWARE AND RARITAN CANAL.**

**Note:** For transfer of certain functions, powers and duties of Department of Conservation and Development to State Department of Conservation, see 1945, c. 22.

**Additional Legislation.**

Use of canal for industrial water supply and recreational purposes, provided for, suppl., 1944, c. 172.

**Title 14. CORPORATIONS, GENERAL.**

**Note:** For actions in right of corporations by stock holders or voting trust certificate holders, regulated, see 1945, c. 131.

**Chapter 2. FORMATION.**

R. S. 14:2-3      amended 1944, c. 215, s. 1.

**Chapter 3. POWERS.**

**Additional Legislation.**

Actions in right of corporations by stock holders or voting trust certificate holders, regulated, suppl., 1945, c. 131.

**Chapter 8. STOCK AND DIVIDENDS.**

R. S. 14:8-3      amended 1943, c. 176.

**Additional Legislation.**

Nonredeemable preferred or special stocks, retirement of, provided for, suppl., 1943, c. 175.

**Chapter 10. MEETINGS AND ELECTIONS.**

R. S. 14:10-7      amended 1946, c. 61.

**Chapter 11. AMENDMENTS, CHANGES OR ALTERATIONS.**

R. S. 14:11-15      amended 1944, c. 215, s. 2.

**Chapter 12. MERGER OR CONSOLIDATION.**

R. S. 14:12-9      amended 1943, c. 170.

**Title 15. CORPORATIONS AND ASSOCIATIONS  
NOT FOR PROFIT.**

**Chapter 1. GENERAL PROVISIONS.**

**Note:** For provision for incorporation of clubs or societies for social, intellectual and recreative purposes under this chapter, see 1944, c. 237; for right to examine hospital records, in compensation cases and actions for damages, provided for, see 1945, c. 286.

- R. S. 15:1-2      amended 1946, c. 288, s. 1.
- R. S. 15:1-5      “      1946, c. 288, s. 2.
- R. S. 15:1-7      “      1946, c. 288, s. 3.

**Chapter 8. FIRE COMPANIES.**

**Additional Legislation.**

Revival and extension of corporate existence of, and vesting of title in, certain fire companies, provided for, suppl., 1945, c. 109, ss. 1-4.

**Chapter 10. HOSPITALS AND SIMILAR INSTITUTIONS.**

**Note:** For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286.

**Chapter 14. RELIGIOUS, CHARITABLE, EDUCATIONAL AND  
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**Note:** For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286.

**Chapter 15. SOCIAL, INTELLECTUAL AND RECREATIVE  
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- R. S. 15:15-2      Incorporation of clubs or societies for social, intel-  
(added)      lectual and recreative purposes under R. S. 15:1-1  
et seq. provided for, 1944, c. 237.

**Chapter 17. (new) VETERANS' ORGANIZATIONS.**

Annual reports to Secretary of State, provided for, 1946, c. 226.

**Title 16. CORPORATIONS AND ASSOCIATIONS,  
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**Chapter 1. GENERAL PROVISIONS.**

**Additional Legislation.**

Consolidation of Cathedral Church or Foundation with Church  
Congregation, Parish, Society, etc., in certain cases,  
provided for, 1944, c. 143.

**Chapter 12. PROTESTANT EPISCOPAL CHURCH.**

**Additional Legislation.**

Common trust fund, in certain cases, provided for, 1944, c. 139.

**Chapter 15A. (new) RUSSIAN ORTHODOX GREEK CATHOLIC  
CHURCH OF NORTH AMERICA.**

Incorporation and management of congregations or parishes,  
provided for and regulated, suppl., 1945, c. 139.

**Title 17. CORPORATIONS AND INSTITUTIONS FOR  
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**Part 1. THE DEPARTMENT OF BANKING AND INSURANCE.**

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R. S. 17:1-2      amended 1945, c. 87.

**Part 2. INVESTMENTS.**

**Chapter 2. LEGAL INVESTMENTS GENERALLY.**

**Note:** For Port Authority bonds issued for establishment, etc., of motor truck terminals, legal investments, see 1945, c. 197.

**Additional Legislation.**

Veterans loans guaranteed by Administrator of Veterans Affairs made legal investments, 1945, c. 257.

**Subtitle 2. FINANCIAL INSTITUTIONS**

**Part 1. BANKS, TRUST COMPANIES, BANKERS, SAVINGS  
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**Chapter 4. BANKS AND TRUST COMPANIES.**

**Note:** For veterans' loans see 1944, c. 126; 1945, c. 185; 1946, c. 121; 1946, c. 134.

R. S. 17:4-14      amended 1946, c. 315.

R. S. 17:4-27      "      1942, c. 282; 1942, c. 341.

R. S. 17:4-31.1      "      1945, c. 208.

R. S. 17:4-103      "      1942, c. 336.

**Additional Legislation.**

Branch offices and agencies, establishment and maintenance, in certain cases, authorized, suppl., 1944, c. 30.

Dissolved banks and trust companies, liquidation of assets, in certain cases, provided for, 1944, c. 176, s. 1.

Branch office of bank or trust company on Federal Military Reservations, establishment and maintenance provided for, suppl., 1946, c. 317.

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### Chapter 6. SAVINGS BANKS.

**Note:** For credit unions excepted from chapter, see 1938, c. 293, amended 1941, c. 245, 1941, c. 421, 1946, c. 285.

#### Article 2. Powers and Restrictions.

R. S. 17:6-21 amended 1944, c. 147, s. 1.

R. S. 17:6-21.1 repealed 1944, c. 147, s. 2.

#### Article 6. Investments.

**Note:** For exemption from taxation of certain veterans' loans held by savings banks, see 1945, c. 80.

R. S. 17:6-54 amended 1944, c. 104, s. 1; 1946, c. 58.

R. S. 17:6-55 " 1945, c. 179.

R. S. 17:6-57 " 1946, c. 311, s. 1.

R. S. 17:6-58.1 Industrial securities as investments, suppl., 1938,  
(added) c. 162, s. 6, amended 1946, c. 311, s. 2.

#### Additional Legislation.

Determination of legality of investments, provided for, suppl.,  
1944, c. 104, s. 2.

Veterans loans, when legal investments, suppl., 1945, c. 81.

#### Article 10. Merger or Consolidation.

R. S. 17:6-72 amended 1944, c. 22, s. 1.

R. S. 17:6-74 " 1944, c. 22, s. 2.

### Chapter 8. ISSUANCE OF PREFERRED AND DEPOSITORS' COMMON STOCK; REORGANIZATIONS.

R. S. 17:8-1 amended 1944, c. 25, s. 1.

### Chapter 9. DEPOSITS GENERALLY.

#### Additional Legislation.

Escheat of unclaimed bank deposits, provided for, 1945, c. 199.

Sec. 2 of above amended 1946, c. 78, s. 1.

Sec. 6 " " " 1946, c. 78, s. 5.

Sec. 7 " " " 1946, c. 78, s. 6.

Sec. 8 " " " 1946, c. 78, s. 8.

Sec. 9 " " " 1946, c. 78, s. 9.

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Additional reports, proceedings, etc., as to certain unclaimed bank deposits, required, suppl., 1946, c. 78, ss. 2, 3.

Escheat of certain unclaimed bank deposits less than fifty dollars and report and payment thereof to State Treasurer provided for, suppl., 1946, c. 78, s. 4.

Destruction, etc., of records, etc., of unclaimed bank deposits, subject to escheat or escheated, prohibited, suppl., 1946, c. 78, s. 7.

**Chapter 10. SMALL LOAN BUSINESS.**

**Note:** For credit unions excepted from chapter, see 1938, c. 293, amended 1941, c. 254, 1941, c. 421, 1946, c. 285.

**Chapter 12. BUILDING AND LOAN ASSOCIATIONS.**

**Article 3. Directors, Officers and Employees.**

R. S. 17:12-29      amended 1945, c. 144.

R. S. 17:12-30      "      1945, c. 143.

**Article 4A. (new) Supervision by Department of Banking and Insurance.**

**Additional Legislation.**

Rules and regulations as to bookkeeping and accounting practices, adoption and compliance with, provided for, suppl., 1945, c. 146.

**Article 6. Investments and Reserves.**

R. S. 17:12-45      amended 1945, c. 142.

R. S. 17:12-46      "      1944, c. 82.

**Additional Legislation.**

Veterans loans, when proper investments, suppl., 1945, c. 25.

**Article 12. Dissolution and Liquidation.**

R. S. 17:12-82      amended 1945, c. 141.

R. S. 17:12-83      "      1945, c. 140.

**Chapter 12A. (new) SAVINGS AND LOAN ASSOCIATIONS AND BUILDING AND LOAN ASSOCIATIONS.**

Savings and Loan Act (1946), 1946, c. 56.



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**Chapter 13. CREDIT UNIONS.**

**Article 9. (new) Credit Unions, Incorporation and Regulation.**

**Additional Legislation.**

Incorporation and regulation of credit unions, 1938, c. 293.  
Sec. 2 of above amended 1946, c. 285.

**Part 5. FOREIGN INSTITUTIONS.**

**Chapter 16. REGULATION OF BUSINESS IN STATE.**

R. S. 17:16-3 amended 1944, c. 209.

**Subtitle 3. INSURANCE.**

**Note:** For renewal of reinstatement of certain licenses, registration certificates or permits to practice profession or engage in occupation, for veterans, provided for, see 1946, c. 51.

**Part 1. INSURANCE COMPANIES GENERALLY.**

**Chapter 17. FORMATION.**

R. S. 17:17-2 amended 1945, c. 224, s. 1.  
R. S. 17:17-3 " 1945, c. 224, s. 2.  
R. S. 17:17-4 " 1945, c. 224, s. 3.  
R. S. 17:17-7 " 1945, c. 224, s. 4.

**Chapter 18. POWERS, DUTIES AND LIMITATIONS.**

R. S. 17:18-3 amended 1943, c. 174; 1945, c. 226, s. 1.

**Additional Legislation.**

Payment of taxes, etc., in other States and territories, authorized, 1945, c. 186.

**Chapter 22. BROKERS AND AGENTS.**

R. S. 17:22-1 repealed 1944, c. 175, s. 26.  
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**Additional Legislation.**

Insurance agents, licenses required, suppl., 1941, c. 118.  
Sec. 1 of above repealed 1944, c. 175, s. 26.

Licensing, regulation and supervision of insurance agents, brokers and solicitors, suppl., 1944, c. 175, ss. 1-25, 27.

Sec. 9 of above amended 1945, c. 82; 1946, c. 20.

Sec. 13 " " " 1946, c. 66.

Sec. 14 " " " 1945, c. 224, s. 6.

Sec. 15 " " " 1946, c. 291, s. 1.

Sec. 23 " " " 1946, c. 291, s. 2.

Sec. 24 " " " 1946, c. 291, s. 3.

#### **Chapter 23. REPORTS AND EXAMINATIONS.**

R. S. 17:23-3 repealed 1944, c. 175, s. 26.

#### **Chapter 24. INVESTMENTS.**

R. S. 17:24-1 amended 1945, c. 226, s. 2; 1946, c. 116.

R. S. 17:24-10 " 1945, c. 23.

#### **Chapter 26. AMENDMENTS, CHANGES AND ALTERATIONS.**

##### **Additional Legislation.**

Mutual life insurance corporations, amendment of charters or certificates of incorporation, provided for, suppl., 1943, c. 14.

#### **Chapter 28. POLICY FORM AND PROVISIONS.**

**Note:** For required policy and certificate provisions and reserves; assessment life, accident and health insurance, see 1938, c. 322, amended 1939, c. 353, 1941, c. 420.

R. S. 17:28-1 amended 1943, c. 159; 1944, c. 153.

#### **Chapter 29. REBATES AND UNFAIR DISCRIMINATION.**

R. S. 17:29-1 repealed 1944, c. 27, s. 27.  
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R. S. 17:29-8 " 1944, c. 27, s. 27.

R. S. 17:29-9 " 1944, c. 27, s. 27.

#### **Chapter 29A. (new) RATES.**

Making and applying of insurance rates and licensing of rating organizations, provided for, 1944, c. 27, ss. 1-26, 28.

#### **Chapter 32. FOREIGN COMPANIES.**

R. S. 17:32-6 repealed 1944, c. 175, s. 26.

R. S. 17:32-7 " 1945, c. 132, s. 15.

R. S. 17:32-11 " 1944, c. 175, s. 26.

R. S. 17:32-12 amended 1944, c. 153, s. 2; repealed 1945, c. 132, s. 15.

## Chapter 33. FEES AND PENALTIES.

- R. S. 17:33-1 amended 1945, c. 224, s. 5.  
 R. S. 17:33-2 " 1943, c. 148, s. 12.

## Part 2. LIFE INSURANCE.

**Note:** For deductions from salaries of employees of board of education for hospital service or group insurance plans, see 1940, c. 47, amended 1942, c. 218.

## Chapter 34. LIFE INSURANCE COMPANIES GENERALLY.

## Article 1. Participating or Nonparticipating.

- R. S. 17:34-1 repealed 1945, c. 228.  
 R. S. 17:34-2 " 1945, c. 228.

## Article 2. Directors, Trustees, Officers and Agents.

## Additional Legislation.

Mutualized stock life insurance corporations, election of directors, in certain cases, provided for, suppl., 1943, c. 16.

Mutual life insurance corporations, election of directors, in certain cases, provided for, suppl., 1943, c. 15.

## Article 5. Policies.

- R. S. 17:34-15 amended 1943, c. 148, s. 3.  
 R. S. 17:34-17 " 1943, c. 148, s. 4.  
 R. S. 17:34-19 " 1943, c. 148, s. 5.  
 R. S. 17:34-22 " 1943, c. 148, s. 6.  
 R. S. 17:34-23 " 1943, c. 148, s. 7.  
 R. S. 17:34-24 " 1943, c. 148, s. 8.  
 R. S. 17:34-25 " 1943, c. 148, s. 10.  
 R. S. 17:34-25.1 " 1943, c. 148, s. 11.

## Additional Legislation.

Standard Nonforfeiture Law (1943), suppl., 1943, c. 148, s. 1.

Standard Valuation Law (1943), suppl., 1943, c. 148, s. 2.

Reserves, additional, for certain life insurance policies, provided for, suppl., 1946, c. 119.

**Article 6. Insurable Interest and Beneficiaries.**

R. S. 17:34-30      amended 1944, c. 221.

**Article 7. Group Insurance.**

R. S. 17:34-31 amended 1944, c. 73; 1945, c. 187, s. 1; 1946, c. 16, s. 1.

R. S. 17:34-32      "      1943, c. 148, s. 9; 1945, c. 187, s. 2; 1946,  
c. 16, s. 2.

**Article 8. Acquiring Stock for Policyholders; Mutualization.**

R. S. 17:34-41      amended 1943, c. 13.

**Article 10. (new) Unclaimed Funds.**

### Additional Legislation.

Reports, advertisement, payments to State Treasurer, etc., 1946,  
c. 154.

## Chapter 35. ASSESSMENT LIFE INSURANCE COMPANIES.

**Article 1. Domestic Companies.**

R. S. 17:35-8      amended 1945, c. 178.

**Article 3. (new) Life, Accident and Health Insurance.**

### Additional Legislation.

Life, accident and health insurance policies and certificates issued by assessment life, health and accident insurance companies and associations and transaction of business by such companies and associations, regulated, suppl., 1938, c. 232.

Sec. 1 of above amended 1944, c. 101; 1945, c. 227.

### Part 3. FIRE INSURANCE.

## Chapter 36. FIRE INSURANCE COMPANIES GENERALLY.

R. S. 17:36-3 repealed 1944, c. 171, s. 13.  
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R. S. 17:36-7                “     1944, c. 171, s. 13.

### Additional Legislation.

Standard forms of policies, endorsements and supplemental contracts, provided for, 1944, c. 171.

**Part 4. HEALTH AND ACCIDENT INSURANCE.**

**Note:** For regulation of assessment, health and accident insurance companies and associations, see 1938, c. 232, amended 1944, c. 101, 1945, c. 227

**Chapter 38. UNIFORM POLICY PROVISIONS.**

R. S. 17:38-1 amended 1944, c. 100; 1945, c. 225.

R. S. 17:38-12 " 1946, c. 310.

**Additional Legislation.**

Standard provisions in group health and accident policies, filing of forms, etc., approval, etc., suppl., 1939, c. 305.

Sec. 2 of above amended 1944, c. 72, s. 1.

Sec. 4 " " " 1944, c. 72, s. 2.

Sec. 5 " " " 1944, c. 72, s. 3.

Sec. 6 " " " 1945, c. 188.

**Part 5. FRATERNAL ASSOCIATIONS.**

**Chapter 43. INSURANCE OF CHILDREN.**

R. S. 17:43-1 amended 1946, c. 33.

**Part 6. MUTUAL BENEFIT ASSOCIATIONS.**

**Note:** For regulation of assessment, health and accident insurance companies and associations, see 1938, c. 232, amended 1944, c. 101, 1945, c. 227.

**Part 9. (new) HOSPITAL AND MEDICAL SERVICE CORPORATIONS, ETC.**

**Chapter 48. (new) HOSPITAL SERVICE CORPORATIONS.**

**Note:** For deductions from salaries of employees of board of education for hospital service or group insurance plans, authorized, see 1940, c. 47, amended 1942, c. 218.

**Chapter 48A. (new) MEDICAL SERVICE CORPORATIONS.**

Medical service corporations, organization, regulation, etc.,  
suppl., 1940, c. 74.

Sec. 1	of above amended	1944, c. 102, s. 1.
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**Part 11. (new) RECIPROCAL INSURANCE AND  
INTERINSURANCE CONTRACTS.****Chapter 50. (new) EXCHANGE OF RECIPROCAL OR  
INTERINSURANCE CONTRACTS.**

Exchange of reciprocal or interinsurance contracts, authorized  
and regulated, licenses and penalties, provided for, suppl.,  
1945, c. 161.

**Title 18. EDUCATION.****Chapter 2. STATE BOARD OF EDUCATION.**

- R. S. 18:2-1      amended 1945, c. 51, s. 1; 1945, c. 211, ss. 1, 2.  
R. S. 18:2-4      "      1945, c. 51, s. 2.  
R. S. 18:2-9      "      1945, c. 51, s. 3.

**Additional Legislation.**

Inspection of records and furnishing of information, rules to be prescribed by State board, suppl., 1944, c. 217.

**Chapter 3. COMMISSIONER OF EDUCATION.**

**Note:** For requirement of teachers' certificates in certain schools under management of Department, Institutions and Agencies, see 1946, c. 100.

**Article 1. Appointment; Assistants; Office.**

- R. S. 18:3-2      amended 1945, c. 51, s. 5.  
R. S. 18:3-3      "      1945, c. 51, s. 6.  
R. S. 18:3-4      "      1945, c. 51, s. 7.  
R. S. 18:3-5      "      1945, c. 51, s. 8.  
R. S. 18:3-6      "      1945, c. 51, s. 9.

**Article 2. Powers and Duties.**

- R. S. 18:3-9      amended 1945, c. 51, s. 12.  
R. S. 18:3-15      "      1944, c. 168.

**Additional Legislation.**

Functions, powers and duties of Commissioner and State Board, prescribed, suppl., 1945, c. 51, ss. 10, 11.

**Chapter 4. COUNTY SUPERINTENDENTS OF SCHOOLS.**

- R. S. 18:4-2      amended 1944, c. 177.  
R. S. 18:4-4      "      1946, c. 29.

**Additional Legislation.**

Substitute or successor, to superintendent, how designated, etc., suppl., 1946, c. 265.

**Chapter 4A. (new) PUBLIC SCHOOL SYSTEM IN GENERAL.**

**Note:** For tenure of office, etc., and pension rights of employees, see 1943, c. 187.

Tenure of office, etc., re-employment and pension rights, employees in war service, 1944, c. 226.

**Chapter 5. SCHOOL DISTRICTS IN GENERAL.**

**Note:** For leave of absence for school employees for military service, see 1941, c. 119, amended 1942, c. 327; for deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102; for establishment and administration of ration bank accounts, etc., see 1943, c. 142; for time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98, amended 1946, c. 206; for tenure of office, etc., re-employment and pension rights of employees in war service, see 1944, c. 226; for deductions for group, accident and sickness insurance premiums from compensation of school district officers, employees, etc., authorized, see 1946, c. 7; for school district employees, certain municipalities, not eligible to join Teachers' Pension and Annuity Fund, membership in Retirement System, provided for, see 1946, c. 135.

**Article 7. District Property; Acquisition, Use and Disposition in General.**

R. S. 18:5-27      amended 1946, c. 126, s. 1.

R. S. 18:5-28      "      1946, c. 126, s. 2.

**Article 12. Officers, Teachers and Employees, in General.**

R. S. 18:5-50.1    repealed 1946, c. 145, s. 1.

**Additional Legislation.**

Tenure of office, etc., and pension rights, employees in war service, 1943, c. 187.

School employees, tenure, and pension rights preserved while in military service, suppl., 1941, c. 134, repealed 1944, c. 226, s. 4.

**Article 14. Custodians of School Moneys.**

**Note:** For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, Art. 8, s. 10.

R. S. 18:5-62      repealed 1944, c. 55.

R. S. 18:5-63      "      1944, c. 55.

**Article 16. Pension Funds of School District Employees in Counties of First Class.**

R. S. 18:5-75      amended 1946, c. 194.

**Article 18. Limitations on Issuance of Bonds.**

R. S. 18:5-84      amended 1946, c. 260, ss. 1, 9.

R. S. 18:5-85      "      1946, c. 260, ss. 2, 9.

R. S. 18:5-86      "      1946, c. 260, ss. 3, 9.

R. S. 18:5-87      "      1946, c. 260, ss. 4, 9.

R. S. 18:5-88      "      1946, c. 260, ss. 5, 9.



**Chapter 6. SCHOOL DISTRICTS IN CITIES, AND IN TOWNSHIPS,  
INCORPORATED TOWNS AND BOROUGHs ACCEPTING  
THIS CHAPTER.**

- R. S. 18:6-2      amended 1946, c. 262, s. 1.  
R. S. 18:6-3      "      1946, c. 262, s. 2.  
R. S. 18:6-49      "      1943, c. 201, s. 1.  
R. S. 18:6-50      "      1943, c. 201, s. 2.

**Chapter 7. SCHOOL DISTRICTS IN TOWNSHIPS, INCORPORATED  
TOWNS AND BOROUGHs AND IN CITIES ACCEPTING  
THIS CHAPTER.**

**Note:** For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, Art. 8, s. 10.

**Article 3. Election of Members of Boards of Education; Annual  
School Elections; Special Elections.**

**Additional Legislation.**

School elections registration, certain cases, regulated, suppl.,  
1944, c. 3.

**Article 5. Organization, Powers and Functions of Boards in General.**

- R. S. 18:7-73      amended 1945, c. 133.

**Article 5A. (new) Budgets.**

**Additional Legislation.**

Budgets, preparation, advertisement, hearing on, etc., provided  
for, suppl., 1943, c. 201, ss. 3 and 4.

**Article 7. BONDS AND OTHER OBLIGATIONS.**

- R. S. 18:7-94      amended 1942, c. 319.

**Article 10. Certain Districts Comprising More Than One Municipality.**

- R. S. 18:7-112      amended 1943, c. 201, s. 5.  
R. S. 18:7-113      "      1943, c. 201, s. 6.  
R. S. 18:7-114      "      1943, c. 201, s. 7.

**Chapter 8. REGIONAL BOARDS OF EDUCATION.**

**Additional Legislation.**

Regional board, when to assume control of regional district,  
etc., provided for, suppl., 1946, c. 266.

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THEREOF.

Note: For establishment, etc., of veterans education revolving account,  
see 1946, c. 64.

Article 1. School Fund.

- R. S. 18:10-15    amended 1946, c. 88, ss. 1, 12.  
R. S. 18:10-16        "      1946, c. 88, ss. 2, 12.  
R. S. 18:10-17    repealed 1946, c. 88, ss. 10, 12.

Article 2. School Tax.

- R. S. 18:10-18    amended 1945, c. 164, s. 1; repealed 1946, c. 88, ss.  
   11, 12.  
R. S. 18:10-19    repealed 1946, c. 88, ss. 11, 12.  
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R. S. 18:10-22        "      1946, c. 88, ss. 10, 12.  
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R. S. 18:10-29, 1933, c. 155    repealed 1946, c. 88, ss. 10, 12.  
   1934, c. 14      "      1946, c. 88, ss. 10, 12.  
   1934, c. 183      "      1946, c. 88, ss. 10, 12.

Additional Legislation.

Annual State appropriations for schools and distribution and  
apportionment thereof, provided for, suppl., 1943, c. 181;  
repealed 1946, c. 88, ss. 10, 12.

Article 2A. (new) State Public School Account.

Additional Legislation.

State Public School Account, constitution and distribution as  
State aid for schools, suppl., 1946, c. 63.

Article 3. Tax on Railroad and Canal Property.

- R. S. 18:10-31    amended 1943, c. 177.  
R. S. 18:10-33        "      1946, c. 88, ss. 3, 12.  
R. S. 18:10-34    repealed 1946, c. 88, ss. 10, 12.  
R. S. 18:10-35    amended 1946, c. 88, ss. 4, 12.  
R. S. 18:10-37    repealed 1946, c. 88, ss. 10, 12.  
R. S. 18:10-38        "      1946, c. 88, ss. 10, 12.

**Article 4. Interest of Surplus Revenue of Counties.**

R. S. 18:10-39 amended 1946, c. 88, ss. 5, 12.

**Article 5. Apportionment to Districts of State School Moneys and Interest of Surplus Revenue.**

R. S. 18:10-40 repealed 1946, c. 88, ss. 10, 12.  
to 18:10-44

R. S. 18:10-46 " 1946, c. 88, ss. 10, 12.

R. S. 18:10-47 " 1946, c. 88, ss. 10, 12.

**Additional Legislation.**

Apportionment of State school moneys for first year of regional school districts, suppl., 1939, c. 58, repealed 1946, c. 88, ss. 10, 12.

**Article 6. Other State Moneys and Appropriations.**

R. S. 18:10-49 amended 1946, c. 88, ss. 6, 12.

**Chapter 11. SCHOOLHOUSES, FACILITIES AND ACCOMMODATIONS.**

R. S. 18:11-2 amended 1946, c. 88, ss. 7, 12.

**Chapter 13. TEACHERS.**

**Note:** For leave of absence for school employees for military service, see 1941, c. 119, amended 1942, c. 327; for requirement of teachers' certificates in certain schools under management of Department, Institutions and Agencies, see 1946, c. 100.

**Article 2. Employment, Tenure, Resignation, and Dismissal of Teachers and Principals.**

**Note:** For tenure of office, etc., re-employment and pension rights of employees in war service, see 1943, c. 187; 1944, c. 226.

R. S. 18:13-13 amended 1944, c. 180.

R. S. 18:13-22 repealed 1946, c. 88, ss. 10, 12.

**Additional Legislation.**

Equality of compensation between male and female teachers, provided for, suppl., 1942, c. 256.

Sec. 1 of above amended 1945, c. 42.

**Article 3. Pension and Annuity Fund.**

**Note:** For pension rights of employees in war service, see 1943, c. 187; 1944, c. 226.

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A. PREAMBLE AND DEFINITIONS.

R. S. 18:13-25    amended 1944, c. 146, s. 1; 1946, c. 145, s. 2.

C. BOARD OF TRUSTEES; ANNUAL CONVENTION OF  
RETIREMENT SYSTEM.

R. S. 18:13-30    amended 1945, c. 21.

R. S. 18:13-31    “      1946, c. 210.

D. MEMBERSHIP.

R. S. 18:13-39    amended 1944, c. 185, s. 1.

R. S. 18:13-41    “      1944, c. 185, s. 2.

E. SERVICE CREDITABLE.

R. S. 18:13-43    amended 1946, c. 145, s. 3.

R. S. 18:13-48    “      1945, c. 57.

R. S. 18:13-49    “      1946, c. 145, s. 5.

Additional Legislation.

Former members, requirements and privileges upon rejoining  
system, suppl., 1946, c. 145, ss. 4, 15.

F. SUPERANNUATION RETIREMENT.

R. S. 18:13-52    amended 1943, c. 179; 1945, c. 299, s. 1; 1946, c. 145,  
s. 6; 1946, c. 153, s. 1.

R. S. 18:13-55    “      1946, c. 153, s. 2.

G. DISABILITY RETIREMENT.

R. S. 18:13-57    amended 1946, c. 145, s. 7.

R. S. 18:13-59    “      1946, c. 153, s. 3.

L. FUNDS CREATED.

R. S. 18:13-72    amended 1946, c. 145, s. 8.

M. FUNDS DERIVED FROM MEMBERS' CONTRIBUTIONS.

R. S. 18:13-77    amended 1945, c. 299, s. 2; 1946, c. 153, s. 4.

R. S. 18:13-78    “      1944, c. 146, s. 2; 1946, c. 145, s. 9.

**Additional Legislation.**

Periodic adjustment of deductions and annuities, provided for, suppl., 1946, c. 235.

Additional contribution to fund by certain members, provided for, suppl., 1946, c. 270.

Special Reserve Fund, defined, etc., suppl., 1946, c. 145, ss. 11, 15.

**N. FUNDS DERIVED FROM CONTRIBUTIONS FROM SCHOOL APPORTIONMENT FUND.**

R. S. 18:13-90 amended 1946, c. 145, s. 10.

**O. COLLECTION OF MEMBERS' CONTRIBUTIONS.**

R. S. 18:13-94 amended 1944, c. 113, s. 1; 1946, c. 145, s. 12.

R. S. 18:13-95 " 1944, c. 113, s. 2.

**Q. ADMINISTRATION.**

R. S. 18:13-105 amended 1946, c. 145, s. 13.

R. S. 18:13-106 " 1943, c. 180.

**Additional Legislation.**

Advisory Committee, constitution, etc., provided for, suppl., 1946, c. 145, ss. 14, 15.

**Article 5. Teachers' Institutes and Conventions.**

R. S. 18:13-119 repealed 1946, c. 88, ss. 10, 12.

**Chapter 14. PUPILS AND CONDUCT OF SCHOOLS IN GENERAL.****Article 1. Admission and Attendance of Pupils in General.**

R. S. 18:14-2 amended 1945, c. 172.

R. S. 18:14-7 " 1944, c. 210.

**Additional Legislation.**

Free education to children of non-resident farm laborers, suppl., 1943, c. 91.

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Instruction beyond twelfth grade, charge of tuition fees for, furnishing in another district, provided for, suppl., 1946, c. 296.

Evening high school courses, payment of tuition for in another district, provided for, suppl., 1946, c. 213.

**Article 2. Compulsory Education.**

**Note:** For employment and age certificates, issuance, etc., see 1940, c. 153, amended 1941, c. 139; for State Commission on Student Service established, powers, etc., see 1942, c. 23, amended 1943, c. 44, 1943, c. 195; for county attendance officers, membership in State Employees' Retirement System, provided for, see 1946, c. 191.

- R. S. 18:14-46      repealed 1946, c. 88, ss. 10, 12.
- R. S. 18:14-47      amended 1944, c. 106.
- R. S. 18:14-48      "      1946, c. 88, ss. 8, 12; see 1946, c. 191.

**Article 7. Conduct of Schools.**

- R. S. 18:14-80      amended 1944, c. 212.
- R. S. 18:14-82      "      1943, c. 212; 1944, c. 107.

**Additional Legislation.**

Courses in United States history, prescribed, suppl., 1945, c. 261.

**Article 8. County Supervisor of Child Study.**

- R. S. 18:14-113      amended 1946, c. 88, ss. 9, 12.

**Chapter 14A. (new) SPECIAL SCHOOLS AND COURSES GENERALLY.**

Veterans education and training programs, establishment and maintenance, provided for, 1946, c. 64.

**Chapter 15. SPECIAL SCHOOLS AND COURSES IN SCHOOL DISTRICTS OR IN COUNTIES.**

**Article 1A. (new) Nursery Schools and Nursery Classes.**

**Additional Legislation.**

Nursery school and nursery departments in school districts, provided for, suppl., 1943, c. 172.

**Article 5. Vocational Schools.**

- R. S. 18:15-46      amended 1946, c. 99.

**Article 10. Classes for Foreign-Born Residents.**

- R. S. 18:15-104      repealed 1946, c. 88, ss. 10, 12.
- R. S. 18:15-105      "      1946, c. 88, ss. 10, 12.

**Chapter 16. PARTICULAR STATE SCHOOLS.**

**Note:** For requirement of teachers' certificates in certain schools under management of Department, Institutions and Agencies, see 1946, c. 100.

**Article 3. Teachers' Training Schools and Courses.**

R. S. 18:16-27    repealed 1944, c. 140, s. 2.

**Additional Legislation.**

Work for needy students provided for in lieu of loans for tuition in normal schools and teachers' colleges, 1944, c. 140, s. 1.

**Article 4. (new) Tenure in Office, Position or Employment.****Additional Legislation.**

Tenure of certain persons employed in teaching capacities, supervisors, registrars, etc., in certain State educational institutions, provided for, suppl., 1946, c. 124.

**Chapter 20. LAWS AFFECTING PRIVATE SCHOOLS AND COLLEGES.**

R. S. 18:20-1    amended 1946, c. 289.

**Additional Legislation.**

Private trade and technical schools, registration, approval examination, control, etc., by Commissioner of Education, suppl., 1942, c. 113.

Sec. 1 of above amended 1942, c. 323.

**Chapter 20A. (new) CHILD CARE CENTERS.**

Private child care centers, registration and regulation of, provided for, suppl., 1946, c. 303, ss. 1-9, 12.

**Chapter 21. CERTIFICATES OF PRELIMINARY ACADEMIC EDUCATION.**

R. S. 18:21-1    amended 1946, c. 243.

**Chapter 22. PUBLIC HIGHER EDUCATION.****Article 1. State Board of Regents.**

R. S. 18:22-1    repealed 1945, c. 51, s. 15  
to 18:22-14

**Article 1A. (new) Public Higher Education In General.****Additional Legislation.**

Disbursement of State moneys to denominational (religious), etc., institutions, prohibited, suppl., 1945, c. 51, s. 4.

**Article 2. Rutgers University (State Agricultural College; Rutgers Scientific School).**

R. S. 18:22-23    repealed 1945, c. 212, ss. 2, 1.

R. S. 18:22-24    "    1945, c. 212, ss. 2, 1.

R. S. 18:22-25    "    1945, c. 212, ss. 2, 1.

**Additional Legislation.**

State University of New Jersey; designation of State College for Benefit of Agriculture and Mechanics Arts, Agricultural Experiment Station, New Jersey Agricultural Experiment Station, New Jersey College for Women and certain departments, Rutgers College, as; management and use of facilities for public higher education, and membership by employees in State Employees' Retirement System, provided for, 1945, c. 49.

State University of New Jersey, incorporation of University of Newark into, provided for, 1946, c. 217.

**Chapter 23. STATE PUBLIC SCHOOL FUND AND FEDERAL FUNDS.**

R. S. 18:23-1 repealed 1946, c. 88, ss. 10, 12.  
to 18:23-18

**Chapter 24. (new) DIVISION OF THE STATE LIBRARY, ARCHIVES AND HISTORY AND DIVISION OF THE STATE MUSEUM.**

Division of the State Library, Archives and History and Division of the State Museum, established; functions, powers, duties, etc., provided for, 1945, c. 50.

Sec. 10 of above amended 1945, c. 215.

**Chapter 25. (new) LAW AGAINST DISCRIMINATION.**

Division Against Discrimination in State Department of Education, established; functions, powers and duties provided for, and certain discriminatory practices prohibited, suppl., 1945, c. 169, ss. 1-27



**Title 19. ELECTIONS.**

**Subtitle 1. ANY ELECTION.**

**Chapter 2. TIME FOR HOLDING.**

- R. S. 19:2-1 amended 1946, c. 11, s. 1.
- R. S. 19:2-2 repealed 1946, c. 11, s. 16.

**Additional Legislation.**

Holding of primaries for general election in May, war time, provided for, suppl., 1944, c. 141; repealed 1945, c. 7, s. 21.

Date and time for holding primary elections for general elections, fixed during war time, 1945, c. 7, s. 1; amended 1946, c. 10, s. 1.

**Chapter 3. OFFICES AND PUBLIC QUESTIONS.**

- R. S. 19:3-3 amended 1946, c. 11, s. 2.

**Chapter 4. THE ELECTORATE.**

- R. S. 19:4-6 see 1945, c. 7, s. 12 (amended 1946, c. 10, s. 3).

**Chapter 5. PARTY ORGANIZATIONS.**

- R. S. 19:5-3 amended 1946, c. 11, s. 3; see 1945, c. 7, s. 9.
- R. S. 19:5-5 see 1946, c. 152.

**Chapter 6. ELECTION OFFICIALS.**

- R. S. 19:6-10 amended 1946, c. 11, s. 4.

**Chapter 8. POLLING PLACES; BALLOT BOXES; EQUIPMENT.**

- R. S. 19:8-2 amended 1946, c. 11, s. 5.
- R. S. 19:8-4 " 1946, c. 11, s. 6.

**Chapter 9. ELECTION SUPPLIES.**

- R. S. 19:9-2 amended 1946, c. 11, s. 7; see 1945, c. 7, s. 8.

**Subtitle 2. GENERAL ELECTIONS.**

**Chapter 12. CERTIFICATES AND NOTICES.**

- R. S. 19:12-1      amended 1946, c. 11, s. 8; see 1945, c. 7, s. 6.
- R. S. 19:12-2      “      1946, c. 11, s. 9; see 1945, c. 7, s. 6.
- R. S. 19:12-3      “      1946, c. 11, s. 10; see 1945, c. 7, s. 10.
- R. S. 19:12-5      “      1946, c. 11, s. 11; see 1945, c. 7, s. 10.
- R. S. 19:12-6      “      1946, c. 11, s. 12; see 1945, c. 7, s. 11.
- R. S. 19:12-7      “      1945, c. 184.

**Chapter 13. NOMINATION OF CANDIDATES**

- R. S. 19:13-10    see 1945, c. 7, s. 13 (amended 1946, c. 10, s. 4).
- R. S. 19:13-11    “      1945, c. 7, s. 13 (amended 1946, c. 10, s. 4).
- R. S. 19:13-12    “      1945, c. 7, s. 14 (amended 1946, c. 10, s. 5).
- R. S. 19:13-13    “      1945, c. 7, s. 16 (amended 1946, c. 10, s. 7).
- R. S. 19:13-15    amended 1944, c. 157.
- R. S. 19:13-20    “      1945, c. 263.

**Chapter 14. BALLOTS.**

- R. S. 19:14-21    amended 1946, c. 261, s. 1.
- R. S. 19:14-25    “      1946, c. 261, s. 2.

**Additional Legislation.**

Use of names of candidates for President and Vice-President  
instead of those of Presidential Electors, provided for,  
suppl., 1944, c. 16.

**Chapter 15. BALLOTING.**

- R. S. 19:15-7      repealed 1944, c. 230, s. 4.
- R. S. 19:15-13      “      1944, c. 230, s. 4.
- to 19:15-16
- R. S. 19:15-35      “      1944, c. 230, s. 4.
- R. S. 19:15-36      “      1944, c. 230, s. 4.

**Chapter 17. RETURNS BY DISTRICT BOARDS.**

- R. S. 19:17-1      amended 1945, c. 76, s. 1.
- R. S. 19:17-3      “      1945, c. 76, s. 2.

**Chapter 18. DISPOSITION OF BALLOT BOXES, ELECTION  
RECORDS AND EQUIPMENT.**

R. S. 19:18-7 amended 1945, c. 76, s. 3.

**Subtitle 3. PRIMARY ELECTIONS.**

**Chapter 23. PRIMARY FOR GENERAL ELECTION.**

**Article 1. Notice of Elections.**

R. S. 19:23-1 amended 1946, c. 11, s. 13; see 1945, c. 7, ss. 4, 7.

**Article 3. Nomination of Candidates.**

**Note:** For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68, amended 1945, c. 290.

R. S. 19:23-8 amended 1945, c. 285.

R. S. 19:23-12 see 1945, c. 7, s. 15 (amended 1946, c. 10, s. 6).

R. S. 19:23-13 " 1945, c. 7, s. 15 (amended 1946, c. 10, s. 6).

R. S. 19:23-14 " 1945, c. 7, s. 19 (amended 1946, c. 10, s. 10).

R. S. 19:23-17 amended 1944, c. 231.

R. S. 19:23-21 see 1945, c. 7, s. 17 (amended 1946, c. 10, s. 8).

R. S. 19:23-22 " 1945, c. 7, s. 18 (amended 1946, c. 10, s. 9).

**Additional Legislation.**

Date for filing nominating petitions, fixed during war time,  
1945, c. 7, s. 2, amended 1946, c. 10, s. 2.

**Article 3A. (new) Certification of Nominations and Furnishing of Ballots in  
Certain Second-class Counties.**

**Additional Legislation.**

Certification of names for nomination and printing of primary  
ballots, official and samples, certain second-class counties,  
regulated, suppl., 1945, c. 68.

Sec. 2 of above amended 1945, c. 290, s. 1.

Sec. 3 " " " 1945, c. 290, s. 2.

**Article 4. OFFICIAL BALLOTS.**

**Note:** For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68, amended 1945, c. 290.

R. S. 19:23-24 see 1945, c. 7, s. 20 (amended 1946, c. 10, s. 11).

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**Additional Legislation.**

Printing of designations or slogans on ballots prohibited, certain cases, suppl., 1944, c. 8, s. 3.

**Article 5. SAMPLE BALLOTS.**

**Note:** For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68, amended 1945, c. 290.

- R. S. 19:23-30      amended 1946, c. 261, s. 3.
- R. S. 19:23-33      “      1946, c. 261, s. 4.
- R. S. 19:23-34      “      1946, c. 261, s. 5.
- R. S. 19:23-35      “      1946, c. 261, s. 6.
- R. S. 19:23-36      “      1946, c. 261, s. 7.

**Article 7. Conduct of Primary in General.**

- R. S. 19:23-40      amended 1946, c. 11, s. 14.

**Article 10. Canvass of Votes; Certification of Results.**

- R. S. 19:23-50      amended 1945, c. 76, s. 4.
- R. S. 19:23-53      “      1945, c. 76, s. 5.

**Chapter 24. PRIMARY FOR DELEGATES AND ALTERNATES TO NATIONAL CONVENTIONS.**

- R. S. 19:24-1      amended 1946, c. 11, s. 15; see 1945, c. 7, s. 4.
- R. S. 19:24-2      see 1945, c. 7, s. 5.
- R. S. 19:24-4      “      1945, c. 7, s. 17 (amended 1946, c. 10, s. 8).
- R. S. 19:24-5      amended 1944 c. 8, s. 1.

**Chapter 25. PETITION INDORSING CANDIDATE FOR PRESIDENT.**

- R. S. 19:25-1      repealed 1944, c. 8, s. 2.
- R. S. 19:25-2      “      1944, c. 8, s. 2.

**Subtitle 4. SPECIAL ELECTIONS AND FILLING VACANCIES.**

**Chapter 27. GENERAL PROVISIONS.**

**Additional Legislation.**

Filling certain vacancies in representation in House of Representatives, regulated, suppl., 1945, c. 206.

**Subtitle 6. REGISTRATION OF VOTERS.**

**Chapter 30. MUNICIPALITIES NOT HAVING PERMANENT REGISTRATION.**

**Note:** For requirement of permanent registration in all municipalities, see 1943, c. 218.

R. S. 19:30-3 repealed 1946, c. 11, s. 16.  
to 19:30-10

**Chapter 31. MUNICIPALITIES HAVING PERMANENT REGISTRATION.**

R. S. 19:31-6 amended 1945, c. 36, s. 1.  
R. S. 19:31-7 " 1945, c. 36, s. 2.  
R. S. 19:31-11 " 1944, c. 251; 1945, c. 75; 1946, c. 149.  
R. S. 19:31-13 " 1945, c. 117.  
R. S. 19:31-15 " 1945, c. 18.  
R. S. 19:31-21 " 1945, c. 77.

**Additional Legislation.**

Permanent registration in all municipalities after July 1, 1943, provided for, suppl., 1941, c. 273, s. 1.

Sec. 1 of above amended 1943, c. 218.

**Chapter 31A. (new) SIGNATURE COMPARISON RECORDS; FORM AND USE.**

Signature comparison record act, suppl., 1941, c. 177 (amended 1943, c. 219), repealed 1944, c. 230, s. 4.

Form, use, etc., of signature comparison record, provided for suppl., 1944, c. 230, ss. 1-3.

**Subtitle 7. ENFORCEMENT OF ELECTION LAW.**

**Chapter 32. SUPERINTENDENT OF ELECTIONS.**

R. S. 19:32-1 amended 1944, c. 45.  
R. S. 19:32-2 " 1945, c. 56, s. 11; 1945, c. 304.  
R. S. 19:32-16 " 1945, c. 40.  
R. S. 19:32-17 " 1945, c. 19.

**Chapter 33. REMOVAL OF NAMES FROM REGISTERS BY COURTS.**

R. S. 19:33-1 amended 1945, c. 270.

**Subtitle 8. WAR TIME VOTING.**

**Note:** For war time voting legislation, see Subtitle 16 (new), this Title.

**Subtitle 12. CAMPAIGN EXPENDITURES.**

**Chapter 41. CAMPAIGN CONTRIBUTIONS.**

- R. S. 19:41-3    see 1946, c. 152.
- R. S. 19:41-4    "    1946, c. 152.

**Additional Legislation.**

Contributions, time and purpose of receipt and disbursement  
by committee, regulated, suppl., 1946, c. 152.

**Subtitle 13. PUBLIC ELECTION EXPENSES.**

**Chapter 45. LIABILITY FOR.**

- R. S. 19:45-6    amended 1944, c. 152; 1946, c. 261, s. 8.
- R. S. 19:45-7    "    1944, c. 178

**Subtitle 15. VOTING MACHINES; PROCEDURE.**

**Chapter 48. VOTING MACHINES.**

- R. S. 19:48-4    amended 1945, c. 56, s. 1.
- R. S. 19:48-6    "    1945, c. 56, s. 2.
- R. S. 19:48-7    "    1945, c. 56, s. 3.

**Additional Legislation.**

Voting machines in first- and second-class counties, provided  
for, suppl., 1944, c. 7.

Sec. 6 of above amended 1945, c. 122.

Voting machines for municipal elections in certain first- and  
second-class counties, provided for, suppl., 1945, c. 59.

**Chapter 49. BALLOTS.**

- R. S. 19:49-2    amended 1944, c. 127; 1945, c. 70; 1946, c. 17.
- R. S. 19:49-3    "    1945, c. 56, s. 4.

**Chapter 50. INSTRUCTION CONCERNING VOTING MACHINES.**

- R. S. 19:50-1    amended 1945, c. 56, s. 5.
- R. S. 19:50-2    "    1945, c. 56, s. 6.
- R. S. 19:50-3    "    1944, c. 128; 1945, c. 56, s. 7.

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**Chapter 51. NUMBER OF REGISTERED VOTERS IN A DISTRICT.**

R. S. 19:51-1 amended 1945, c. 56, s. 8.

**Chapter 52. PROCEDURE AT POLLING PLACE.**

R. S. 19:52-1 amended 1945, c. 56, s. 9.

R. S. 19:52-6 " 1943, c. 80.

R. S. 19:52-7 " 1945, c. 56, s. 10.

**Additional Legislation.**

Voting authorities, form and use of, provided, suppl., 1944, c. 213.

**Subtitle 16. (new) ABSENTEE VOTING—MILITARY SERVICE.**

**Chapter 54. (new) IN NATIONAL EMERGENCY.**

1942, c. 18 repealed 1945, c. 12, s. 1.

**Chapter 55. (new) IN TIME OF WAR.**

Filing of certificates, giving notices, etc., relating to nomination of candidates, regulated during war time, suppl., 1945 c. 7, ss. 3-22.

Sec. 12 of above amended 1946, c. 10, s. 3.

Sec. 13 " " " 1946, c. 10, s. 4.

Sec. 14 " " " 1946, c. 10, s. 5.

Sec. 15 " " " 1946, c. 10, s. 6.

Sec. 16 " " " 1946, c. 10, s. 7.

Sec. 17 " " " 1946, c. 10, s. 8.

Sec. 18 " " " 1946, c. 10, s. 9.

Sec. 19 " " " 1946, c. 10, s. 10.

Sec. 20 " " " 1946, c. 10, s. 11.

Military service voting act (1945), suppl., 1945, c. 11.

1944, c. 9 repealed 1945, c. 12, s. 2.

1944, c. 95 expired

1944, c. 208 "

**Title 21. EXPLOSIVES AND FIREWORKS.**

**Subtitle 1. EXPLOSIVES.**

**Chapter 1A. (new) 1941 EXPLOSIVES ACT.**

Manufacture, storage, sale, transportation, etc., regulated, 1941, c. 27.

Sec. 27 of above amended 1946, c. 109, s. 1.

Sec. 33 " " " 1946, c. 109, s. 2.

Sec. 41 " " " 1946, c. 109, s. 3.

Sec. 53 " " " 1946, c. 109, s. 4.

Sec. 84 " " " 1946, c. 109, s. 5.

**Subtitle 2. FIREWORKS.**

**Chapter 3. SALE AND PUBLIC DISPLAY.**

R. S. 21:3-5 amended 1946, c. 81.

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**Title 22. FEES AND COSTS.**

**Chapter 2. IN CIVIL CAUSES AND PROCEEDINGS IN THE COURTS**

R. S. 22:2-17 amended 1945, c. 276.

R. S. 22:2-44 " 1946, c. 178.

R. S. 22:2-46 " 1946, c. 180.

R. S. 22:2-50 " 1943, c. 202.

**Additional Legislation.**

Fees for probate of wills, certain cases, waived, 1944, c. 188.

Subpoena, etc., issuance under R. S. 2:23-4, without fee, provided for, suppl., 1946, c. 250.

**Chapter 4. FEES OF CERTAIN STATE AND COUNTY OFFICERS.**

**Note:** For fees on issuance of commission to notary public payable to, and accountable by, Secretary of State, see 1944, c. 243.

**Additional Legislation.**

Service of subpoena, etc., issued under R. S. 2:23-4, without fee, provided for, suppl., 1946, c. 251.



## **Title 23. FISH AND GAME, WILD BIRDS AND ANIMALS.**

### **Chapter 2. BOARD OF FISH AND GAME COMMISSIONERS, ITS OFFICERS, EMPLOYEES AND DEPUTIES.**

**Note:** For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 23:2-1      repealed 1945, c. 22, s. 44.

### **Chapter 3. LICENSES AND PERMITS.**

R. S. 23:3-1      amended 1945, c. 116.

R. S. 23:3-23      “      1946, c. 83, s. 1.

R. S. 23:3-27      “      1946, c. 83, s. 2.

R. S. 23:3-40      repealed 1946, c. 49.

### **Chapter 4. GAME, WILD BIRDS AND ANIMALS.**

R. S. 23:4-1      amended 1944, c. 163, s. 1; 1945, c. 107.

R. S. 23:4-8      “      1944, c. 78.

R. S. 23:4-12      “      1944, c. 163, s. 2.

R. S. 23:4-13      “      1946, c. 50.

R. S. 23:4-16      “      1946, c. 171.

R. S. 23:4-23      “      1946, c. 48.

R. S. 23:4-25      “      1946, c. 103.

R. S. 23:4-27      “      1943, c. 207.

R. S. 23:4-55      “      1946, c. 165.

R. S. 23:4-60      “      1945, c. 65.

### **Chapter 5. FISH.**

R. S. 23:5-1      amended 1946, c. 47.

R. S. 23:5-7      “      1946, c. 74.

R. S. 23:5-15      “      1946, c. 166.

**Additional Legislation.**

Uniform regulations on net fishing and licenses to net, 1941,  
c. 211.

Title    of above amended 1942, c. 294, s. 1.

Sec. 11   “        “        “        1942, c. 294, s. 2.

**Chapter 9. LOCAL AND SPECIAL PROVISIONS.**

**Article 6A. (new) Atlantic, Cape May, Cumberland, Gloucester and  
Salem Counties.**

**Note:** For 1942, c. 55, amended to extend territorial, etc., effect, see  
Article 6B *infra*.

**Article 6B. (new) Atlantic, Burlington, Cape May, Cumberland,  
Gloucester and Salem Counties.**

**Additional Legislation.**

Hunting, etc., certain birds or animals while snow on ground,  
prohibited, 1942, c. 55.

Title    of above amended 1943, c. 131, s. 1.

Sec. 1   “        “        “        1943, c. 131, s. 2; 1946, c. 75.

**Article 11. Mullica River and Tributaries.**

**Additional Legislation.**

Erection, etc., of net or fishing device near fishery, certain cases,  
prohibited, 1944, c. 111.

**Article 20. (new) Greenwood Lake.**

**Additional Legislation.**

Reciprocal use of New York and New Jersey fishing licenses,  
provided for, suppl., 1943, c. 93.

**Title 24. FOOD AND DRUGS.**

**Subtitle 1. FOOD AND DRUGS.**

**Chapter 10. DAIRY PRODUCTS.**

R. S. 24:10-16 amended 1942, c. 284.

**Additional Legislation.**

Delivery of milk and cream, hours of, regulated, 1945, c. 294.

**Chapter 10A. (new) DRINKING DEVICES.**

Straws, tubes, etc., for drinking out of containers, sanitary condition of service, etc., to public, regulated, 1946, c. 107.

**Chapter 11A. (new) FLOUR AND BREAD ENRICHMENT.**

Flour and bread enrichment act (1946), suppl., 1946, c. 86, ss. 1-13, 15.

**Subtitle 2. NARCOTIC DRUGS.**

**Chapter 18. UNIFORM NARCOTIC DRUG LAW.**

R. S. 24:18-2 amended 1944, c. 26.

**Title 26. HEALTH AND VITAL STATISTICS.**

**Note:** For licensing superintendents or operators of water treatment, sewerage treatment and water supply, plants and systems, provided for, see 1946, c. 295.

**Chapter 2. STATE DEPARTMENT OF HEALTH.**

**Article 1. Organization and Departmental Personnel.**

R. S. 26:2-7      amended 1942, c. 309.

**Article 2. Powers and Duties.**

**I. FEDERAL GRANTS FOR PUBLIC HEALTH WORK,  
MATERNAL AND CHILD WELFARE.**

R. S. 26:2-60      amended 1944, c. 70, s. 1.

R. S. 26:2-61      "      1944, c. 70, s. 2.

**L. (new) HOSPITALS FOR VENEREAL DISEASES.**

**Additional Legislation.**

Maintenance and operation by department, provided for, suppl.,  
1944, c. 70, s. 3.

**Chapter 2A. (new) HUMAN BLOOD AND ITS DERIVATIVES.**

Program of collection, processing, storage and distribution,  
etc., of human blood and its derivatives to be established,  
etc., by Department of Health, 1945, c. 301.

**Chapter 3. LOCAL BOARDS OF HEALTH.**

R. S. 26:3-31      amended 1946, c. 211.

R. S. 26:3-33      see 1946, c. 255.

R. S. 26:3-41      amended 1943, c. 115, s. 1.

R. S. 26:3-42      "      1943, c. 115, s. 2.

R. S. 26:3-43      "      1943, c. 115, s. 3.

**Chapter 3B. (new) NUISANCES AFFECTING HEALTH.**

Certain nuisances affecting health, etc., maintenance of,  
prohibited, suppl., 1945, c. 192.

**Chapter 3C. (new) SANITATION.**

Standard plumbing code, establishment, etc., in certain counties  
and municipalities, provided for, 1946, c. 255.

**Chapter 4. COMMUNICABLE DISEASES.**

**Note:** For test for syphilis before marriage license issued, see 1938, c. 126, amended 1941, c. 427.

- R. S. 26:4-27      amended 1945, c. 104, s. 1.  
 R. S. 26:4-28      “      1945, c. 104, s. 2.  
 R. S. 26:4-36      “      1945, c. 104, s. 3.  
 R. S. 26:4-37      “      1945, c. 104, s. 4.  
 R. S. 26:4-41      “      1945, c. 103.  
 R. S. 26:4-48      “      1945, c. 104, s. 5.

**Additional Legislation.**

Defendants in criminal proceedings, inmates of penal and correctional institutions, examination, treatment, etc., for venereal diseases, required, suppl., 1945, c. 101.

Migrant labor, examinations for venereal diseases, provided for, suppl., 1945, c. 102.

Quarantines and commitments, etc., for venereal diseases, medical treatment, when not required, suppl., 1945, c. 104, s. 6.

**Chapter 4A. (new) PUBLIC SWIMMING POOLS AND PLACES.**

Life saving and resuscitation personnel and appliances required, 1946, c. 172.

**Chapter 6. DISPOSAL OF DEAD BODIES.**

- R. S. 26:6-7      amended 1945, c. 253.

**Additional Legislation.**

Monthly record of burials of deceased veterans required to be furnished by State Department of Health to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, suppl., 1945, c. 202, s. 1; amended 1946, c. 232, s. 1.

Records of internment of certain deceased veterans required to be furnished by Superintendents, etc., of cemeteries, etc., or undertakers, to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, suppl., 1945, c. 202, s. 2; amended 1946, c. 232, s. 2.

**Chapter 8. REGISTRATION OF VITAL STATISTICS.****Article 4. Birth Certificates.**

- R. S. 26:8-38      amended 1946, c. 26.

**Article 6. Correction or Amendment of Marriage, Birth, Stillbirth or Death Certificates.**

**Note:** For adjustment of birth or marriage records upon change of name, see 1945, c. 283.

**Title 27. HIGHWAYS.****Subtitle 1. STATE HIGHWAY DEPARTMENT AND COMMISSIONER.****Chapter 1. CONSTITUTION AND GENERAL POWERS.**

**Note:** For provision of lands for eastern approach to Delaware—New Jersey Crossing by Commissioner authorized, see 1946, c. 18.

**R. S. 27:1-11** amended 1944, c. 159.

**Additional Legislation.**

Appointment, tenure, etc., of general solicitor to department, 1939, c. 75, repealed 1944, c. 20, s. 20.

**Subtitle 3. STATE HIGHWAYS.****Chapter 6. STATE HIGHWAY ROUTES.**

Route 100, S-100 added 1938, c. 50; amended 1946, c. 57, s. 1; freeway 1946, c. 57, s. 2.

Route 25A added 1939, c. 198; amended 1945, c. 58.

Route Trenton-Morrisville bridge to Route 26, 1943, c. 28.

Lincoln Tunnel approach highway, 1943, c. 52.

Route No. 29 southeasterly through Trenton, 1944, c. 37.

Route No. 44 to Route No. 48, 1944, c. 47.

Route intersection of Absecon boulevard and Brigantine boulevard to city of Brigantine, 1945, c. 1.

Route county highway No. 17 on a map of Cape May county added 1945, c. 20.

Route junction of East and West boulevards, township of North Bergen to Fort Lee, 1946, c. 42.

Route No. 4—Pennsauken Township to Delaware River bridge, Camden, freeway, added, 1946, c. 113.

Routes Nos. 44, 45 and 47—Westville, extended to Delaware River bridge, Camden, 1946, c. 114.

Route No. 25 to foot of Market and Federal streets, Camden, added, 1946, c. 115.

Route No. 6 to Cape May and Trenton, parkway, added, 1946, c. 117.

Route No. 51 to Route No. 42, Gloucester County, added, 1946, c. 128.

Route No. 48 to Route No. 56, Atlantic county, added, 1946, c. 139.

Route—North Field road, West Orange, to Route No. 25A, freeway, added, 1946, c. 176

**Chapter 7. ACQUISITION, CONSTRUCTION AND MAINTENANCE  
BY STATE.**

**Additional Legislation.**

Lands acquired subject to restrictions, release of restrictions  
provided for, 1946, c. 294.

**Chapter 7A. (new) FREEWAYS AND PARKWAYS.**

Freeways and parkways, establishment, construction, main-  
tenance, etc., provided for, suppl., 1945, c. 83.

**Chapter 11. FINANCES.**

**Note:** For General State Fund to be sole State Fund, etc., see 1945, c. 33.

**Subtitle 4. STATE AID ROADS.**

**Chapter 13. STATE AID TO COUNTIES AND MUNICIPALITIES.**

**Additional Legislation.**

State Aid Road Fund Account, provided for, 1943, c. 45.

State aid moneys heretofore allotted to counties and munici-  
palities, payment and retention for said purpose, invest-  
ment, etc., provided for, 1946, c. 241.

**Chapter 14. STATE AID TO COUNTIES.**

R. S. 27:14-1 amended 1946, c. 207.

**Chapter 15. STATE AID TO MUNICIPALITIES**

R. S. 27:15-1 amended 1944, c. 110, s. 1; 1946, c. 196.

R. S. 27:15-4 " 1944, c. 110, s. 2.

R. S. 27:15-10 " 1944, c. 110, s. 3.

R. S. 27:15-11 " 1944, c. 110, s. 4.

**Subtitle 4A. (new) STATE AID FOR ROADS AND BRIDGES.**

**Chapter 15A. (new) EXTRAORDINARY REPAIRS, ETC.**

State aid to counties for repairing or replacing roads or bridges  
damaged or destroyed under abnormal conditions, pro-  
vided for, 1946, c. 301.

**Subtitle 5. COUNTY AND MUNICIPAL ROADS.****Chapter 19. COUNTY BRIDGES AND VIADUCTS.**

R. S. 27:19-26	amended 1946, c. 318, s. 1.
R. S. 27:19-27	" 1946, c. 318, s. 2.
R. S. 27:19-28	" 1946, c. 318, s. 3.
R. S. 27:19-31	" 1946, c. 318, s. 4.
R. S. 27:19-32	" 1946, c. 318, s. 5.
R. S. 27:19-33	" 1946, c. 318, s. 6.
R. S. 27:19-34	" 1946, c. 318, s. 7.
R. S. 27:19-36	" 1946, c. 318, s. 8.
R. S. 27:19-38	" 1946, c. 318, s. 9.
R. S. 27:19-39	" 1946, c. 318, s. 10.

**Additional Legislation.**

Covenants of State as to bonds, provided for, suppl., 1946, c. 318,  
s. 11.



**Title 28. HISTORIC MEMORIALS, MONUMENTS  
AND SITES.****Chapter 1. HISTORIC SITES COMMISSION.**

**Note:** For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 28:1-1      repealed 1945, c. 22, s. 44.  
to 28:1-3

R. S. 28:1-12      “      1945, c. 22, s. 44.

**Chapter 2. CERTAIN MEMORIALS, MONUMENTS AND SITES.**

**Note:** For transfer of functions, powers and duties of Grover Cleveland Birthplace Association and New Jersey Veterans of All Wars Association to State Department of Conservation, see 1945, c. 22.

R. S. 28:2-2      repealed 1945, c. 22, s. 44.  
to 28:2-6

R. S. 28:2-10      amended 1946, c. 127, s. 1.

R. S. 28:2-11      “      1946, c. 127, s. 2.

R. S. 28:2-15      repealed 1945, c. 22, s. 44.

R. S. 28:2-16      “      1945, c. 22, s. 44.

### **Title 30. INSTITUTIONS AND AGENCIES.**

**Note:** For lien in favor of State and county institutions for care and treatment of patients, see 1938, c. 239, amended 1946, c. 306; for release of inmates from penal and correctional institutions for induction into armed forces of the United States, see 1945, c. 54; for report of death of certain persons in institutions required, see 1946, c. 275; 1946, c. 304.

#### **Subtitle 1. STATE DEPARTMENTS AND INSTITUTIONS GOVERNED THEREBY.**

##### **Chapter 1. ORGANIZATION, JURISDICTION AND POWER IN GENERAL.**

###### **Additional Legislation.**

Certain schools under management of Department, teachers' certificates, required, 1946, c. 100.

##### **Chapter 4. MANAGEMENT, CONTROL AND OPERATION OF INSTITUTIONS IN GENERAL.**

**Note:** For inmates of penal and correctional institutions, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

###### **Article 3. Commitment and Admissions.**

R. S. 30:4-29      amended 1944, c. 52.

###### **Additional Legislation.**

Examination into the validity, review and discharge of liens, provided for, suppl., 1946, c. 306, s. 2.

###### **Article 3A. (new) Lien for Maintenance.**

###### **Additional Legislation.**

Lien in favor of State and county institutions upon property of persons receiving care and treatment therein, provided for, suppl., 1938, c. 239.

Sec. 1 of above amended 1946, c. 306, s. 1.

###### **Article 12. Particular Institutions.**

R. S. 30:4-143      amended 1946, c. 312, s. 1.

R. S. 30:4-154      "      1946, c. 312, s. 2.

R. S. 30:4-155      "      1946, c. 312, s. 3

R. S. 30:4-159      "      1946, c. 253

**Chapter 4A. (new) DIAGNOSTIC CENTER.**

Diagnostic Center, establishment and administration of, and commitment and admission, etc., thereto, provided for, suppl., 1946, c. 118.

**Subtitle 2. STATE BOARD OF CHILDREN'S GUARDIANS.****Chapter 5. ASSISTANCE TO AND CARE, CUSTODY, GUARDIANSHIP, ETC., OF CHILDREN.**

- R. S. 30:5-7        amended 1944, c. 194, s. 1.  
R. S. 30:5-33        "        1944, c. 194, s. 2; 1945, c. 264.  
R. S. 30:5-37        "        1944, c. 194, s. 3.  
R. S. 30:5-44        "        1944, c. 194, s. 4.

**Additional Legislation.**

Claims for reimbursement for financial assistance, compromise, provided for, 1943, c. 89.

**Subtitle 3. BLIND, DEAF AND DUMB AND FEEBLE-MINDED PERSONS.****Chapter 6. RELIEF OF BLIND, DEAF AND DUMB AND FEEBLE-MINDED.**

- R. S. 30:6-3        amended 1944, c. 241, s. 1; 1946, c. 168, s. 1.  
R. S. 30:6-5        "        1946, c. 168, s. 3.  
R. S. 30:6-6        repealed 1944, c. 241, s. 5.  
R. S. 30:6-7        "        1944, c. 241, s. 5.  
R. S. 30:6-11        amended 1944, c. 241, s. 2.  
R. S. 30:6-12        repealed 1944, c. 241, s. 5.  
R. S. 30:6-13        amended 1944, c. 241, s. 3.  
R. S. 30:6-14        "        1946, c. 168, s. 4.  
R. S. 30:6-16        "        1944, c. 241, s. 4.

**Additional Legislation.**

Investigation of applications for assistance and temporary orders for assistance, provided for, suppl., 1946, c. 168, s. 2.

**Subtitle 4. SOLDIERS' HOMES.****Chapter 6A. HOMES FOR DISABLED SOLDIERS, SAILORS AND MARINES AND THEIR WIVES AND WIDOWS.**

- R. S. 30:6A-14        amended 1943, c. 129; 1946, c. 225, s. 1.  
R. S. 30:6A-16        "        1946, c. 225, s. 2.

**Subtitle 6. COUNTY AND MUNICIPAL INSTITUTIONS.**

**Note:** For lien in favor of State and county institutions for care and treatment of patients, see 1938, c. 239, amended 1946, c. 306.

**Chapter 8. PENAL INSTITUTIONS.**

**Note:** For inmates of penal and correctional institutions, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

- R. S. 30:8-15      amended 1945, c. 44.  
 R. S. 30:8-20      "      1945, c. 149.

**Chapter 9. ASYLUMS AND HOSPITALS.**

**Note:** For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286; for veterans; certain, care and treatment in county hospitals, provided for, see 1946, c. 73.

- R. S. 30:9-17      amended 1945, c. 173.  
 R. S. 30:9-29      "      1945, c. 181.  
 R. S. 30:9-38      "      1946, c. 223, ss. 1, 3.  
 R. S. 30:9-40      "      1945, c. 43.  
 R. S. 30:9-50      "      1942, c. 328.  
 R. S. 30:9-58      "      1945, c. 252.

**Additional Legislation.**

Medical director, assistants, etc., appointment, salary, etc., for hospitals and medical centers, certain first-class cities and counties, suppl., 1941, c. 52.

Sec. 1 of above amended 1943, c. 56.

Retirement system and pension fund benefits, suppl., 1943, c. 58.

Abolition of appointed Board of Managers and control of institution by Board of Chosen Freeholders or committee, certain counties, provided for, suppl., 1946, c. 223, ss. 2, 3.

**Subtitle 7. PRIVATE INSTITUTIONS.****Chapter 11. NURSING HOMES OR HOSPITALS.**

**Note:** For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286.

## **Title 32. INTERSTATE AND PORT AUTHORITIES AND COMMISSIONS.**

**Note:** For legal aid to police officers in suits arising from incidents in line of duty, provided for, see 1946, c. 67.

### **Subtitle 1. THE PORT OF NEW YORK AUTHORITY.**

#### **Chapter 1. COMPACT OF APRIL 30, 1921, WITH SUPPLEMENTARY AND AMENDATORY LAWS.**

##### **Article 3. Arthur Kill Bridges.**

###### **A. OUTERBRIDGE CROSSING; CONSTRUCTION.**

**Note:** For repayment to States of New York and New Jersey of certain moneys advanced for Outerbridge Crossing in cash or bonds, provided for, see 1946, c. 54.

###### **C. GOETHALS BRIDGE; CONSTRUCTION.**

**Note:** For repayment to States of New York and New Jersey of certain moneys advanced for Goethals Bridge in cash or bonds, provided for, see 1946, c. 54.

###### **E. ARTHUR KILL BRIDGES; FINANCING.**

**Note:** For repayment to States of New York and New Jersey of certain moneys advanced for Arthur Kill Bridges in cash or bonds, provided for, see 1946, c. 54.

##### **Article 5. Bayonne Bridge.**

**Note:** For repayment to States of New York and New Jersey of certain moneys advanced for Bayonne Bridge in cash or bonds, provided for, see 1946, c. 54.

##### **Article 6A. (new) REFINANCING.**

###### **Additional Legislation.**

Repayment to States of New York and New Jersey of certain moneys advanced in connection with construction, etc., of Outerbridge Crossing, Goethals Bridge and Bayonne Bridge in cash or bonds, issuance, terms, etc., of bonds, provided for, 1946, c. 54.

##### **Article 7. General Reserve Fund.**

**Note:** For principal and interest of bonds issued to repay States of New York and New Jersey for certain advances secured by general reserve fund, see 1946, c. 54; for pledge of general reserve fund to provide funds to establish, maintain, etc., a motor bus terminal, authorized, see 1946 c. 95.

1931, c. 5, title amended 1945, c. 197, s. 1.

R. S. 32:1-141 1931, c. 5, s. 1 " 1945, c. 197, s. 2.

**Additional Legislation.**

Establishment, acquisition, rehabilitation, etc., of motor truck terminals and issuance of bonds and acquisition of property therefor, provided for, suppl., 1945, c. 197, ss. 3-5

**Chapter 2. OTHER LAWS RELATING TO THE PORT OF NEW YORK AUTHORITY.****Article 4A. (new) Motor Bus Terminal.****Additional Legislation.**

Motor bus terminal, establishment, maintenance, operation and financing of, provided for, 1946, c. 95.

**Subtitle 4. DELAWARE RIVER BRIDGES.****Chapter 9. ACQUISITION OF TOLL BRIDGES AND MAINTENANCE THEREOF AS FREE BRIDGES.****Additional Legislation.**

Receipts appropriated to Commission, 1946, c. 298.

**Chapter 10. BRIDGE POLICE; OFFENSES ON BRIDGES.**

R. S. 32:10-2 amended 1945, c. 198.

**Subtitle 4A. (new) DELAWARE-NEW JERSEY CROSSING.****Chapter 11B. (new) DELAWARE-NEW JERSEY CROSSING.**

Delaware-New Jersey Crossing, consent to construction and operation as toll crossing by State of Delaware, provision of eastern approach to and exemption from taxation, provided for, 1946, c. 18.

**Title 33. INTOXICATING LIQUORS.****Chapter 1. ALCOHOLIC BEVERAGE LAW.**

R. S. 33:1-4	amended 1944, c. 216; 1945, c. 229.
R. S. 33:1-12	" 1946, c. 272.
R. S. 33:1-12.1	repealed 1943, c. 47.
R. S. 33:1-22	amended 1946, c. 316.
R. S. 33:1-25	" 1943, c. 46.
R. S. 33:1-26	" 1943, c. 152.
R. S. 33:1-35	" 1943, c. 37.
R. S. 33:1-39	" 1943, c. 154.
R. S. 33:1-47.1	" 1945, c. 259.
R. S. 33:1-81	" 1946, c. 246.

**Additional Legislation.**

Licensees not to limit amount of off premises sales; to post notice of disposal of stock of advertised brands, suppl., 1939, c. 171, repealed 1943, c. 153.

Licenses effective on expiration of licenses previously issued, renewals, suppl., 1939, c. 281.

Sec. 1 of above amended 1944, c. 187.

Club licenses, issuance, certain cases, provided for, suppl., 1945, c. 55.

New plenary retail consumption, seasonal retail consumption, plenary retail distribution, licenses, limitation of number in municipalities, provided for, suppl., 1946, c. 147.

**Chapter 4. (new) COMMISSION ON ALCOHOLISM AND PROMOTION OF TEMPERANCE.**

Commission constituted, functions, powers, duties, etc., 1945, c. 94.

**Title 34. LABOR AND WORKMEN'S COMPENSATION.**

**Note:** For discrimination, on account of race, creed or color, against persons to be employed on war or defense work prohibited, see 1942, c. 114, amended 1945, c. 174; for certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169; for deliveries of milk and cream regulated, see 1945, c. 294.

**Chapter 1. ORGANIZATION OF DEPARTMENT OF LABOR.**

- R. S. 34:1-38      amended 1946, c. 249, s. 1.  
 R. S. 34:1-40      "      1946, c. 249, s. 2.  
 R. S. 34:1-57      "      1945, c. 74, ss. 2, 1.

**Additional Legislation.**

Directorship of Workmen's Compensation Bureau, first incumbent provided for, suppl., 1945, c. 74, ss. 3, 1.

**Chapter 2. CHILD AND FEMALE LABOR; MERCANTILE ESTABLISHMENTS.****Additional Legislation.**

State Commission on Student Service established, powers, etc., suppl., 1942, c. 23.

Sec. 2 of above amended 1943, c. 195, s. 1.

Sec. 3 " " " 1943, c. 195, s. 2.

Sec. 23 " " " 1943, c. 44.

Certificates of merit for service (suppl., 1942, c. 23), suppl., 1943, c. 78.

Special dispensation for minors to work over hours, provided for, 1943, c. 146.

**Chapter 6. INSPECTION AND REGULATION OF FACTORIES, MINES, WORKSHOPS AND OTHER INDUSTRIES.****Additional Legislation.**

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Sec. 2 of above amended 1942, c. 307.



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R. S. 34:7-2	" 1946, c. 249, s. 4.
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R. S. 34:7-14	" 1946, c. 92, s. 1.
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**Chapter 9A. (new) MIGRANT LABOR.**

**Note:** For migrant labor, examinations for venereal diseases, provided for, see 1945, c. 102.

Migrant labor act (1945), 1945, c. 71.

**Chapter 13A. (new) NEW JERSEY LABOR MEDIATION ACT.**

Mediation of labor disputes, regulated, 1941, c. 100.

Sec. 4 of above amended 1945, c. 32, s. 1.

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State Board of Mediation, qualification of members prescribed, suppl., 1945, c. 32, s. 3.

**Chapter 13B. (new) LABOR DISPUTES IN PUBLIC UTILITIES.**

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**Chapter 15. WORKMEN'S COMPENSATION.**

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R. S. 34:15-10	amended 1945, c. 74, ss. 4, 1.
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R. S. 38:1-1      amended 1942, c. 344.

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R. S. 38:3-36      amended 1946, c. 224.

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**Note:** For monthly record of burials of deceased veterans required to be furnished by State Department of Health to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, see 1945, c. 202; amended 1946, c. 232.

R. S. 38:17-1      amended 1945, c. 302.

R. S. 38:17-2      "      1946, c. 229.

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R. S. 38:18-1      amended 1945, c. 106, s. 1; 1946, c. 85, s. 1.

R. S. 38:18-2      "      1945, c. 106, s. 2; 1946, c. 85, s. 2.

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R. S. 38:20-1      amended 1944, c. 197.

R. S. 38:20-3      "      1945, c. 105.

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R. S. 38:23-2      amended 1945, c. 176.

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**Note:** For establishment and maintenance of veterans' education and training program, see 1946, c. 64; for special pardons and paroles for certain persons having served in military or naval service, provided for, procedure, etc., see 1946, c. 209.

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Title of above amended 1945, c. 234, s. 1.

Sec. 1 " " " 1943, c. 156; 1945, c. 234, s. 2.

Time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., 1944, c. 98.

Sec. 1 of above amended 1946, c. 206.

Definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, suppl., 1945, c. 175.

Renewal or reinstatement of certain licenses, registration certificates or permits to practice profession or engage in occupation, for veterans, provided for, 1946, c. 51.

Apprentice and on the job training programs for veterans in State Departments and counties and municipalities, provided for, 1946, c. 162.

**Chapter 23B. (new) VETERANS' LOANS.**

**Note:** For exemption from taxation of certain veterans' loans held by savings banks, see 1945, c. 80.

## Article 1. (new) Veterans' Loan Act (1944).

Veterans' Loan Act (1944) 1944, c. 126 (short title amended as above, 1946, c. 121, s. 18).

Title of above amended 1946, c. 121, s. 1.

Sec. 1 " " " 1946, c. 121, s. 3.

Sec. 4 of above, see 1946, c. 121, s. 4.

Sec. 5 of above amended 1945, c. 185, s. 1; 1946, c. 121, s. 5.

Sec. 6 " " " 1945, c. 185, s. 2.

Sec. 8 " " " 1945, c. 185, s. 3; 1946, c. 121, s. 6.

Sec. 9 " " " 1945, c. 185, s. 4; 1946, c. 121, s. 7.

Sec. 12 " " " 1945, c. 185, s. 5; 1946, c. 121, s. 9.

Sec. 13 " " " 1946, c. 121, s. 11.

Sec. 14 " " " 1945, c. 185, s. 6; 1946, c. 121, s. 12.

Sec. 15 " " repealed 1945, c. 185, s. 14.

Sec. 16 " " amended 1945, c. 185, s. 13.

Sec. 18 " " " 1946, c. 121, s. 16.

Sec. 19 " " " 1946, c. 121, s. 17.

Sec. 21 " " " 1946, c. 121, s. 18.

Veterans' loans, guarantee and insurance by authority, reserves, defaults, etc., provided for, suppl., 1945, c. 185, ss. 7-12.

Title of above amended 1946, c. 121, s. 2.

Sec. 11 " " " 1946, c. 121, s. 15.

Capitalization of authority, increase of, provided for, 1946, c. 121, s. 4.

Applications for loans for purchase of household furnishings or appliances, submission and approval, provided for, 1946, c. 121, s. 8.

Loans for purchase of household furnishings and appliances, terms and security, provided for, 1946, c. 121, s. 10.

Veterans' loans, guarantee and insurance by authority, reserves, defaults, etc., provided for, suppl., 1945, c. 185, ss. 7-12; 1946, c. 121, ss. 13, 14.



**Article 2. (new) Veterans' Loans in General.**

Contracts, obligations, pledges, mortgages and conveyances, made by minors over eighteen years of age in connection with certain veterans' loans, made valid and enforceable, 1946, c. 134.

**Chapter 24. STATE SERVICE OFFICER.**

**Note:** For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128; for records of veterans' graves, maintenance, etc., see 1945, c. 201, amended 1946, c. 233.

R. S. 38:24-1 repealed 1944, c. 85, s. 52.

R. S. 38:24-2 " 1944, c. 85, s. 52.

**Chapter 25A. (new) SOUVENIRS, INSIGNIA AND EMBLEMS.**

Designation of State souvenir of deceased veterans of the World War; sales regulated, 1938, c. 207.

Sec. 3 of above amended 1943, c. 85.

**Subtitle 4. (new) INDUCTION INTO ARMED FORCES OF UNITED STATES.**

**Chapter 28. (new) INMATES OF PENAL AND CORRECTIONAL INSTITUTIONS.**

Release of inmates from penal and correctional institutions for induction into armed forces of the United States provided for, 1945, c. 54.

## Title 39. MOTOR VEHICLES AND TRAFFIC REGULATION.

### Subtitle 1. MOTOR VEHICLE AND TRAFFIC LAWS.

#### Chapter 2. DEPARTMENT OF MOTOR VEHICLES.

**Note:** For time spent in war service by motor vehicle inspectors, to be counted in determining seniority, etc., see 1944, c. 86.

R. S. 39:2-2        amended 1944, c. 44.

#### Chapter 3. MOTOR VEHICLES.

R. S. 39:3-4        amended 1944, c. 5; see 1946, c. 45.

R. S. 39:3-20        “        1946, c. 46, ss. 1, 2.

R. S. 39:3-26        “        1945, c. 265.

R. S. 39:3-33        “        1943, c. 173; see 1946, c. 45.

R. S. 39:3-34        “        1942, c. 313; 1945, c. 222, s. 1.

R. S. 39:3-40        “        1945, c. 222, s. 2.

#### Additional Legislation.

Special licenses to certain minors to drive motor vehicles, in certain agricultural pursuits, provided for, suppl., 1942, c. 324.

Driving privileges, licensed drivers in war service, extended, certain cases, suppl., 1943, c. 98.

Sec. 1 of above amended 1944, c. 38; 1946, c. 3.

Registry fee refund to persons in war service, certain cases, provided for, suppl., 1944, c. 228.

Use of “Press” sign, etc., on motor vehicles, restricted, suppl., 1943, c. 101.

Temporary identification markers, use by veterans on certain motor vehicles, permitted, suppl., 1946, c. 45.

#### Chapter 4. TRAFFIC REGULATION.

R. S. 39:4-98        amended 1939, c. 211; 1942, c. 325 (1942, c. 325 repealed 1946, c. 8).

**Additional Legislation.**

Right-of-way of blind persons crossing highway or intersection,  
1939, c. 274.

Sec. 1 of above amended 1946, c. 208.

**Chapter 5. ENFORCEMENT AND PROCEDURE.**

R. S. 39:5-3	amended 1942, c. 334, s. 1.
R. S. 39:5-9	" 1942, c. 334, s. 2.
R. S. 39:5-15	" 1942, c. 334, s. 3.
R. S. 39:5-17	" 1942, c. 334, s. 4.
R. S. 39:5-21	" 1942, c. 334, s. 5.
R. S. 39:5-29	" 1942, c. 334, s. 6.
R. S. 39:5-30	" 1945, c. 256.
R. S. 39:5-36	" 1942, c. 334, s. 7.
R. S. 39:5-40	" 1942, c. 334, s. 8.
R. S. 39:5-41	" 1942, c. 334, s. 9.
R. S. 39:5-42	" 1942, c. 334, s. 10.
R. S. 39:5-44	" 1942, c. 334, s. 11.
R. S. 39:5-45	" 1942, c. 334, s. 12.

**Chapter 5A. (new) APPLICATION OF SUBTITLE TO HIGHWAYS  
OWNED BY PUBLIC OR SEMIPUBLIC CORPORATIONS.**

Motor vehicle and traffic laws, when applicable on highways of  
public or semipublic, nonprofit institutions or corpora-  
tions, suppl., 1945, c. 284.

**Subtitle 2. OTHER LAWS REGULATING MOTOR VEHICLES.****Chapter 6. FINANCIAL RESPONSIBILITY.**

R. S. 39:6-20	amended 1945, c. 189.
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**Chapter 10. PURCHASE, SALE AND TRANSFER OF MOTOR VEHICLES**

R. S. 39:10-1	amended	1946, c. 136, s. 1.
R. S. 39:10-2	"	1946, c. 136, s. 2.
R. S. 39:10-6	"	1946, c. 136, s. 3.
R. S. 39:10-8	"	1946, c. 136, s. 4.
R. S. 39:10-9	"	1946, c. 136, s. 5.
R. S. 39:10-10	"	1946, c. 136, s. 6.
R. S. 39:10-11	"	1946, c. 136, s. 7.
R. S. 39:10-12	"	1946, c. 136, s. 8.
R. S. 39:10-13	"	1946, c. 136, s. 9.
R. S. 39:10-14	"	1946, c. 136, s. 10.
R. S. 39:10-15	"	1946, c. 136, s. 11.
R. S. 39:10-16	"	1946, c. 136, s. 12.
R. S. 39:10-17	repealed	1946, c. 136, s. 13.
R. S. 39:10-18	amended	1946, c. 136, s. 14.
R. S. 39:10-19	"	1946, c. 136, s. 15.
R. S. 39:10-20	"	1946, c. 136, s. 16.
R. S. 39:10-21	"	1946, c. 136, s. 17.
R. S. 39:10-22	"	1946, c. 136, s. 18.
R. S. 39:10-23	"	1946, c. 136, s. 19.
R. S. 39:10-24	"	1946, c. 136, s. 20.
R. S. 39:10-25	"	1946, c. 136, s. 21.

## **Title 40. MUNICIPALITIES AND COUNTIES.**

### **Subtitle 1. COUNTIES AND MUNICIPALITIES, GENERALLY.**

**Note:** For supervision of State Department of Local Government over certain municipalities, see 1938, c. 127, amended 1939, c. 364, 1941, c. 95; see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10; for definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175.

### **Chapter 1. BONDS AND OTHER OBLIGATIONS.**

**Note:** For transfer of powers and duties of State Auditor to State Department of Local Government; for personnel and powers of Funding Commission, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10; for Federal advances or grants toward financing preparation of plans for public projects, acceptance and repayment, by appropriation or bond issue, provided for, see 1946, c. 101.

- R. S. 40:1-53      amended 1945, c. 221.
- R. S. 40:1-63      “      1943, c. 53, s. 1; 1945, c. 26.
- R. S. 40:1-71      “      1944, c. 235.
- R. S. 40:1-77      “      1946, c. 260, ss. 6, 9.
- R. S. 40:1-81      “      1943, c. 53, s. 2.
- R. S. 40:1-90      “      1943, c. 199.

### **Additional Legislation.**

Purchase and retirement of bonds by counties and municipalities authorized, 1940, c. 240.

Title of above amended 1944, c. 137, s. 1.

Sec. 1 “ “ “ 1944, c. 137, s. 2.

Variances from limits on maturities or on amounts of annual installments of bonds fixed in R. S. 40:1-25, provided for, suppl., 1945, c. 220.

Bonds, etc., for financing, acquisition by municipalities of lands for self-liquidating, redevelopment housing projects deductible from gross municipal debt, suppl., 1946, c. 53.

**Chapter 2. COUNTY AND MUNICIPAL BUDGETS.**

**Note:** For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10; for municipal airports, operation, etc., as public utility, authorized, see 1946, c. 12; for Federal advances or grants toward financing preparation of plans for public projects, acceptance and repayment, by appropriation or bond issue, provided for, see 1946, c. 101.

- R. S. 40:2-17      amended 1942, c. 317.
- R. S. 40:2-29      “      1945, c. 155.
- R. S. 40:2-30      “      1943, c. 130.
- R. S. 40:2-31      “      1946, c. 14.

**Additional Legislation.**

Budgets in certain municipalities on Atlantic Ocean, reserve for uncollected taxes, waived, certain cases, 1943, c. 184.

Sec. 1 of above amended 1943, c. 210, s. 1.

Sec. 5 “      “      repealed 1943, c. 210, s. 2.

Public Works Reserve, appropriation, when available for post-war capital purposes, 1945, c. 14.

**Chapter 3. SINKING FUNDS AND SINKING FUND COMMISSIONERS, IN COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.**

**Note:** For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

- R. S. 40:3-10      amended 1943, c. 48.

**Chapter 4. AUDITS AND AUDITORS.**

**Note:** For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39; ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

**Chapter 5. PUBLIC MONEYS AND FINANCIAL STATEMENTS.**

**Note:** For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

- R. S. 40:5-13      amended 1944, c. 56.

**Chapter 8. AIRPORTS.**

**Additional Legislation.**

Municipal airports, operation, etc., as public utility, authorized, 1946, c. 12.

**Chapter 11. OFFICERS AND EMPLOYEES.**

**Note:** For leave of absence for county and municipal employees for military service, see 1941, c. 119, amended 1942, c. 327; for apprentice and on the job training programs for veterans in counties and municipalities, provided for, see 1946, c. 162.

**Additional Legislation.**

Legal aid to police officers in suits arising from incidents in line of duty, provided for, 1946, c. 67.

Police and fire departments, delay in qualifying of members by reason of military service, not to affect rights, benefits, etc., provided for, 1946, c. 87.

**Chapter 14A. (new) COUNTY AND MUNICIPAL SEWERAGE AUTHORITIES.**

**Note:** For Sanitary Sewer District Authorities, first- and second-class counties, establishment, powers, duties, etc., see 1946, c. 123.

Sewerage Authorities Law (1946), suppl., 1946, c. 138.

**Subtitle 2. COUNTIES.****Part 1. COUNTIES, GENERALLY.**

**Note:** For time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., see 1944, c. 98, amended 1946, c. 206; for standard plumbing code, establishment, etc., in certain counties, provided for, see 1946, c. 255.

**Chapter 20. BOARDS OF CHOSEN FREEHOLDERS.**

**Note:** For establishment and administration of ration banks, accounts, etc., see 1943, c. 142.

R. S. 40:20-4      amended 1945, c. 121.

R. S. 40:20-24      "      1942, c. 299.

R. S. 40:20-72      "      1944, c. 63.

R. S. 40:20-73      "      1945, c. 152.

**Chapter 21. OFFICERS AND EMPLOYEES.**

**Note:** For deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102; for deductions for group, accident and sickness insurance premiums from compensation of county officers, employees, etc., authorized, see 1946, c. 7; for apprentice and on the job training programs for veterans in counties, provided for, see 1946, c. 162; for notice of death to, and powers and duties of, Coroners, in counties having no Medical Examiner or County Physician, penalty for failure to report death or disturbance of body, etc., provided for, suppl., 1946, c. 275.

R. S. 40:21-57      amended 1944, c. 61.

**Additional Legislation.**

County auditor, appointment regulated, suppl., 1944, c. 125.

Chief medical examiners, coroners, morgue keepers, second-class counties, appointment, powers, duties, etc., regulated, 1944, c. 182.

Notice of death to, and powers and duties of County Physicians, in counties having no Medical Examiner, penalty for failure to report death or disturbance of body, etc., provided for, suppl., 1946, c. 304.

**Chapter 23. GENERAL POWERS.**

**Note:** For standard building code, preparation and interpretation by Department of Economic Development, adoption by counties, provided for, see 1946, c. 120.

R. S. 40:23-2      amended 1946, c. 24.

**Additional Legislation.**

Leasing of unused road machinery or equipment, in certain cases, authorized, suppl., 1942, c. 320.

Acceptance of gifts, etc., for specific purposes, provided for, 1943, c. 138.

Blood banks, etc., contribution of funds for, by counties, authorized, suppl., 1946, c. 22.

Veterans, certain, care and treatment in county hospitals, provided for, suppl., 1946, c. 73.

**Chapter 24. ORDINANCES AND RESOLUTIONS.**

**Additional Legislation.**

Vote required for adoption of resolutions in absence of member of governing body in active military or naval service of the United States or of this State, 1942, c. 301.

**Chapter 25. CONTRACTS.**

**Additional Legislation.**

Purchases from United States Government by counties, special provisions relating to, suppl., 1945, c. 111.

**Chapter 30. DRAINAGE.**

**Additional Legislation.**

Drainage of lands by counties, provided for, suppl., 1945, c. 112.



**Chapter 36A. (new) COUNTY SEWERAGE AUTHORITIES.**

**Note:** For Sewerage Authorities Law (1946), see 1946, c. 138.

Sanitary Sewer District Authorities, first- and second-class counties, establishment, powers, duties, etc., 1946, c. 123.

**Chapter 37. COUNTY PARKS.****Article 1A. (new) County Park Commissions in General.****Additional Legislation.**

Leasing, etc., of real estate to United States Government, etc., terms, etc., provided for, 1943, c. 20.

Contracts by Park Commissions, certain counties, with municipalities, for temporary use of park lands for emergency housing, etc., for veterans, etc., authorized, suppl., 1946, c. 279.

**Article 5. County Parks Established By Referendum.**

R. S. 40:37-156 amended 1946, c. 27.

**Additional Legislation.**

Policemen in war service, appointment, etc., substitutes for, provided for, suppl., 1943, c. 55.

County Park Commission employees, deductions and contributions for group insurance, authorized, suppl., 1945, c. 241.

Bond issues by County Park Commissions, provided for, suppl., 1946, c. 267.

County Park Commissions, establishment, powers and duties, referendum, provided for, suppl., 1946, c. 276.

**Part 2. ELECTIVE COUNTY OFFICERS.****Chapter 38. COUNTY CLERKS.**

R. S. 40:38-1 amended 1943, c. 21.

R. S. 40:38-5 " 1944, c. 68.

**Additional Legislation.**

Employees of County Clerk assigned for service in county courts, salaries fixed, certain second-class counties, suppl., 1944, c. 252.

County Clerks' salaries, certain counties, fixed, suppl., 1945, c. 62.

County Clerks, salaries, counties between 20,000 and 40,000 inhabitants, not on Atlantic Ocean, fixed, suppl., 1946, c. 197.

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**Chapter 39. REGISTERS OF DEEDS AND MORTGAGES.**

R. S. 40:39-2      amended 1943, c. 92.

**Chapter 40. CORONERS.**

**Note:** For county physicians, certain counties, notice of death to, and duties of, in certain cases, provided for, see 1946, c. 304.

**Additional Legislation.**

Notice of death to, and powers and duties of, coroners, in counties having no Medical Examiner or County Physician, penalty for failure to report death or disturbance of body, etc., provided for, suppl., 1946, c. 275.

**Chapter 41. SHERIFFS AND CONSTABLES.**

R. S. 40:41-2      amended 1943, c. 22, s. 1.

R. S. 40:41-3      “      1943, c. 22, s. 2.

R. S. 40:41-6      “      1944, c. 69.

R. S. 40:41-35      “      1943, c. 68.

**Additional Legislation.**

Sheriffs' offices, employees of identification bureau, salaries fixed, certain counties, 1943, c. 191.

Sheriffs' salaries, certain counties, fixed, suppl., 1945, c. 63.

**Subtitle 3. MUNICIPALITIES GENERALLY.**

**Note:** For tenure of employees, etc., of joint municipal commissions in war service, provided for, see 1944, c. 249; for time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., see 1944, c. 98, amended 1946, c. 206; for standard plumbing code, establishment, etc., in certain municipalities, provided for, see 1946, c. 255.

**Chapter 43. INCORPORATION; NEWLY CREATED MUNICIPALITIES; ANNEXATION; CONSOLIDATION; BOUNDARIES.**

**Additional Legislation.**

Consolidation of borough under Local Government Board with township, terms and effect, provided for, 1945, c. 268.

**Chapter 46. OFFICERS AND EMPLOYEES.**

**Note:** For deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102; for deductions for group, accident and sickness insurance premiums from compensation of municipal officers, employees, etc., authorized, see 1946, c. 7; for apprentice and on the job training programs for veterans in municipalities, provided for, see 1946, c. 162.

R. S. 40:46-6.1      amended 1945, c. 138.

R. S. 40:46-26      “      1944, c. 99, s. 1.

**Additional Legislation.**

Salaries of persons holding municipal offices fixed by referendum, increase by ordinance, authorized, 1945, c. 277.

**Chapter 47. FIRE AND POLICE.**

**Note:** For time spent in war service by policemen and firemen to be counted in determining seniority, etc., see 1944, c. 86; for delay in qualifying of members of police and fire departments by reason of military service not to affect rights, benefits, etc., see 1946, c. 87.

**Article 1. Fire and Police Departments.**

R. S. 40:47-3      amended 1945, c. 218.

R. S. 40:47-4      “      1945, c. 219.

**Additional Legislation.**

Filling vacancies, designation of vacancy filled, temporary appointment for members on military leave of absence, provided for, 1943, c. 163.

Annual State appropriation to municipalities employing full time policemen, firemen, etc., provided for, 1944, c. 254.

Police forces, officers or members, qualifications of residents, in municipalities having less than 2,500 inhabitants, provided for, suppl., 1946, c. 25.

**Article 2. Police Departments Only.**

**Note:** For qualifications of residents for officers or members of police force in municipalities having less than 2,500 inhabitants, provided for, see 1946, c. 25.

**Article 3. Fire Departments Only.****B. VOLUNTEER COMPANIES.**

R. S. 40:47-27      amended 1945, c. 126.

**Additional Legislation.**

Insurance protection for volunteer firemen by municipality or fire district, authorized, 1945, c. 47.

**D. EXEMPT FIREMEN CERTIFICATES.**

R. S. 40:47-53      amended 1944, c. 246.

**F. (new) JOINT FIRE SERVICE BY MUNICIPALITIES.****Additional Legislation.**

Joint fire departments, adjoining municipalities, establishment and maintenance, provided for, 1943, c. 206.

**Chapter 48. GENERAL POWERS.**

**Note:** For establishment and administration of ration bank accounts, etc., see 1943, c. 142; for acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, see 1944, c. 206; for standard building code, preparation and interpretation by Department of Economic Development, adoption by municipality, provided for, see 1946, c. 120.

**Additional Legislation.**

Brush, trash, garbage, etc., removal, etc., provided for, suppl., 1943, c. 71.

Appropriation for expenses of rationing boards, etc., provided for, 1943, c. 183.

Appropriations to military service, etc., organizations, authorized, suppl., 1945, c. 45.

Municipal sales tax, imposition by ordinance, certain seaside cities, authorized, suppl., 1945, c. 156.

Municipal and joint municipal Veterans' Service Bureau, establishment, maintenance, etc., authorized, suppl., 1945, c. 266.

Sec. 1 of above amended 1946, c. 39.

Federal advances or grants toward financing preparation of plans for public projects, acceptance and repayment, by appropriation or bond issue, provided for, 1946, c. 101.

**Chapter 49. ORDINANCES AND RESOLUTIONS.****Article 2A. (new) Ordinances Enacting Building Codes.****Additional Legislation.**

Ordinances enacting, amending or supplementing, by reference, provided for, 1946, c. 21.

**Article 3. Ordinances for Improvements Generally.**

R. S. 40:49-6 amended 1945, c. 292.

**Chapter 50. CONTRACTS.****Additional Legislation.**

Contracts with United States Government or agency, without public advertisement, certain cases, authorized, 1943, c. 198.

Contracts for supplies of fuel for term exceeding fiscal year, authorized, suppl., 1945, c. 158.

Contracts for snow removal for term exceeding fiscal year, authorized, suppl., 1945, c. 160.

**Chapter 52. LICENSES.**

**Note:** For regulation of business of public scavengers, licenses, etc., villages in first-class counties, provided for, see 1946, c. 76; for licenses to use or maintain premises as barber shop from State Board of Barbers required, see 1946, c. 133, ss. 1-9, 11, 12.

R. S. 40:52-1 amended 1944, c. 245.

**Chapter 54. LIBRARIES AND READING ROOMS.**

R. S. 40:54-8 amended 1944, c. 49.

R. S. 40:54-35 " 1943, c. 24.

**Chapter 60. PUBLIC LANDS AND BUILDINGS.**

**Note:** For Municipal Housing Law (1946), see 1946, c. 79.

R. S. 40:60-3 amended 1943, c. 39.

R. S. 40:60-26 " 1944, c. 160; 1946, c. 106.

R. S. 40:60-32 " 1944, c. 199.

**Additional Legislation.**

Exchange of lands and rights and interests therein, authorized, 1942, c. 199.

Sec. 1 of above amended 1946, c. 157.

Building covenants, conditions and limitations on lands sold by municipality, waiver provided for, suppl., 1943, c. 33.

Title of above amended 1946, c. 140, s. 1.

Sec. 1 " " " 1946, c. 140, s. 2.

Lands, etc., not needed for public use, exchange of, provided for, 1944, c. 77.

Acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, 1944, c. 206.

Plant management commissions for management and disposal of industrial plants acquired by certain municipalities, establishment, organization and powers, provided for, 1946, c. 245.

Autobus terminals, construction, equipment, maintenance, policing, etc., provided for, 1946, c. 302.

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**Chapter 61. PUBLIC PARKS AND PLAYGROUNDS.**

**Additional Legislation.**

Public golf courses and recreational, etc., facilities, establishment, maintenance and operation, provided for, 1945, c. 282.

**Chapter 62. PUBLIC UTILITIES MUNICIPALLY OWNED.**

**Additional Legislation.**

Water service, extension to schools or municipal buildings, certain cases, provided for, suppl., 1945, c. 37.

**Chapter 63. SEWER, DRAINS AND DISPOSAL PLANTS.**

**Note:** For Sewerage Authorities. Law (1946), see 1946, c. 138.

R. S. 40:63-19    amended 1946, c. 65.

R. S. 40:63-140    repealed 1946, c. 138, s. 34.  
to 40:63-167

**Chapter 67. STREETS, TUNNELS, BRIDGES AND VIADUCTS.**

**Additional Legislation.**

Conduits under streets, etc., permission to United States Government to lay, provided for, 1943, c. 209.

**Chapter 69. WATERS AND WATERCOURSES.**

**Note:** For plant management commissions for management and disposal of industrial plants acquired by certain municipalities, establishment, organization and powers, provided for, see 1946, c. 245.

**Additional Legislation.**

Water and water power rights and property, acquisition, operation, disposal, etc., of, authorized, 1944, c. 207.

**Subtitle 4. COMMISSION FORM OF GOVERNMENT.**

**Part 1. MUNICIPALITIES GOVERNED BY COMMISSION GOVERNMENT, GENERALLY.**

**Chapter 72. COMMISSIONERS.**

**Additional Legislation.**

Commissioner as acting recorder, certain cases, provided for, suppl., 1944, c. 236.

**Chapter 75. ELECTION OF COMMISSIONERS.**

- R. S. 40:75-3      amended 1945, c. 8.  
R. S. 40:75-9      “      1945, c. 230, s. 1.  
R. S. 40:75-22     “      1945, c. 230, s. 2.

**Additional Legislation.**

Municipal election ballots other than military service ballots,  
when to be printed, suppl., 1945, c. 29.

**Subtitle 5. MUNICIPALITIES GOVERNED BY MUNICIPAL  
COUNCIL AND MUNICIPAL MANAGER.****Chapter 81. MUNICIPAL COUNCIL.**

- R. S. 40:81-2      amended 1945, c. 48.

**Chapter 83. OFFICERS AND EMPLOYEES.****Additional Legislation.**

City engineer, tenure, certain cases, provided for, suppl., 1943,  
c. 190.

**Chapter 84. ELECTIONS.**

- R. S. 40:84-5      amended 1942, c. 283; 1945, c. 9.

**Additional Legislation.**

Municipal election ballots other than military service ballots,  
when to be printed, suppl., 1945, c. 28.

**Chapter 85. ABANDONMENT OF MUNICIPAL MANAGER FORM OF  
GOVERNMENT.**

- R. S. 40:85-1      amended 1945, c. 2.

**Subtitle 6. BOROUGHES.****Chapter 87. OFFICERS.**

- R. S. 40:87-60      amended 1944, c. 99, s. 2.

**Chapter 88. BOROUGH COUNCIL.****Additional Legislation.**

Removal of snow, ice and other obstructions from roads and  
streets, not dedicated, provided for, suppl., 1944, c. 35.

**Subtitle 8. CITY REFERENDUM CHARTER ACTS.**

**Chapter 103. CITIES WITH LESS THAN 12,000 INHABITANTS.**

- R. S. 40:108-1    1897, c. 30, s. 3 amended 1943, c. 70, s. 2.  
R. S. 40:108-1    1897, c. 30, s. 7      “      1943, c. 70, s. 1.  
R. S. 40:108-1    1897, c. 30, s. 75      “      1946, c. 271.

**Subtitle 11. TOWNSHIPS.**

**Chapter 145. OFFICERS.**

- R. S. 40:145-13    amended 1944, c. 155; 1946, c. 282.

**Chapter 146. TOWNSHIP COMMITTEE.**

- R. S. 40:146-14    amended 1945, c. 297.  
R. S. 40:146-15      “      1943, c. 143.  
R. S. 40:146-16      “      1943, c. 166, s. 1.  
R. S. 40:146-17    repealed 1943, c. 166, s. 2.  
to 40:146-19

**Additional Legislation.**

Township Committee members, salaries, in sixth-class townships on Atlantic Ocean, provided for, 1946, c. 201.

**Chapter 148. FINANCES.**

- R. S. 40:148-5    amended 1945, c. 309.

**Chapter 150. STREETS AND HIGHWAYS.**

- R. S. 40:150-1    amended 1945, c. 35.

**Chapter 151. FIRE DISTRICTS.**

**Note:** For insurance protection for volunteer firemen by municipality or fire district, see 1945, c. 47.

- R. S. 40:151-25    amended 1943, c. 81.

**Chapter 155. STREET LIGHTING DISTRICTS.**

- R. S. 40:155-3    amended 1946, c. 68, s. 1.  
R. S. 40:155-4      “      1946, c. 68, s. 2.  
R. S. 40:155-5      “      1946, c. 68, s. 3.  
R. S. 40:155-6      “      1943, c. 83; 1946, c. 68, s. 4.  
R. S. 40:155-7      “      1946, c. 68, s. 5.



**Subtitle 12. VILLAGES.**

**Part 2. ACTS RELATING TO ALL VILLAGES.**

**Chapter 162A. (new) GENERAL POWERS.**

Ashes, garbage, etc., collection, removal, etc., of, and regulation of business of public scavengers, licenses, etc., villages in first-class counties, provided for, 1946, c. 76.

**Subtitle 13. CITIES.**

**Chapter 171. OFFICERS.**

**Additional Legislation.**

Mayor, powers of, certain cases, extended, 1944, c. 90.

**Chapter 174. FIRE AND POLICE.**

R. S. 40:174-86 1901, c. 22 repealed 1946, c. 254.

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**Title 41. OATHS AND AFFIDAVITS.**

**Chapter 2. WHO MAY ADMINISTER OATHS OR TAKE AFFIDAVITS.**

**Note:** For oaths, affirmations, affidavits and proofs of instruments by persons in military or naval service; taking before commissioned officer, authorized, see 1941, c. 333, amended 1943, c. 156, 1945, c. 234.

R. S. 41:2-4 amended 1944, c. 59, s. 1.  
R. S. 41:2-5 " 1944, c. 59, s. 2.  
R. S. 41:2-11 " 1944, c. 59, s. 3.  
R. S. 41:2-15 " 1944, c. 59, s. 4.

## **Title 43. PENSIONS AND RETIREMENT AND UNEMPLOYMENT COMPENSATION.**

**Note:** For definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175.

### **Subtitle 1. GENERAL PROVISIONS.**

#### **Chapter 1. ELIGIBILITY FOR PENSION FUND.**

##### **Additional Legislation.**

Maximum age limit for membership in Pension Fund or Retirement System, time of military service not to be counted in calculating, 1945, c. 305.

Sec. 1 of above amended 1946, c. 308.

#### **Chapter 3. PENSIONERS IN PUBLIC EMPLOYMENT.**

R. S. 43:3-5      amended 1946, c. 142.

#### **Chapter 4. VETERANS.**

R. S. 43:4-1      amended 1944, c. 211.

R. S. 43:4-2      “      1943, c. 87; 1944, c. 191.

### **Subtitle 2. STATE PENSIONS AND RETIREMENT.**

#### **Chapter 6. COURT OFFICERS AND EMPLOYEES.**

##### **Article 1. Judicial Officers.**

C. (new) JUDGE OF COURT OF ERRORS AND APPEALS;  
FIFTEEN YEARS SERVICE.

##### **Additional Legislation.**

Retirement on pension of certain Judges of Court of Errors and Appeals, provided for, suppl., 1946, c. 6.

#### **Chapter 7. OFFICERS AND EMPLOYEES OF PENAL INSTITUTIONS.**

##### **Additional Legislation.**

Officers and employees of State penal institutions; pensions and prison officers pension fund, 1941, c. 220.

Title of above amended 1943, c. 193, s. 1.

Sec. 2 “ “ “ 1943, c. 193, s. 2.

Sec. 19 “ “ “ 1943, c. 186.

Prison officers' pension fund, withdrawal of veterans from, provided for, suppl., 1946, c. 80.

**Subtitle 3. COUNTY PENSIONS AND RETIREMENT.**

**Chapter 9. PENSIONS PAYABLE FROM PUBLIC FUNDS.**

**Article 7. (new) County Clerk.**

**Additional Legislation.**

Retirement on pension, certain cases, 1943, c. 194.

**Chapter 9A. (new) PENSIONS PAYABLE FROM PUBLIC FUNDS  
WITH CONTRIBUTIONS.**

Pensions on retirement of certain Clerks and Deputy Clerks of  
certain District Courts, provided for, suppl., 1945, c. 281.

**Chapter 10. PENSION FUNDS.**

**Article 1A. (new) Employees of Counties of Over 800,000 Inhabitants.**

**Additional Legislation.**

Pension fund system established and regulated, 1943, c. 160.

Sec. 7 of above amended 1944, c. 48.

Sec. 19 " " " 1944, c. 158.

Sec. 20 " " " 1945, c. 214.

**Article 4. Police of Counties of 200,000 to 400,000 Inhabitants.**

**Additional Legislation.**

Article not applicable to certain members of police departments,  
suppl., 1945, c. 244.

**Article 5. Probation Officers of Counties of Over 83,000 Inhabitants.**

R. S. 43:10-57 amended 1944, c. 234.

**Additional Legislation.**

Probation officers in counties between 275,000 and 400,000  
inhabitants, admission to pension fund, provided for,  
suppl., 1946, c. 215.

**Article 6. Sheriff's Employees in Counties of the First and Second Classes.**

**Additional Legislation.**

Sheriff's employees pension funds, certain counties, membership  
extended, 1944, c. 229.

Sec. 1 of above amended 1946, c. 216.

**Subtitle 4. MUNICIPAL PENSIONS.****Chapter 12. PENSIONS PAYABLE FROM PUBLIC FUNDS.**

**Note:** For pensions on retirement of certain Clerks and Deputy Clerks of certain District Courts, see 1945, c. 281.

**Article 11. (new) Township Employees.****Additional Legislation.**

Retirement on pension; certain assessors of taxes in townships, 1940, c. 36.

Sec. 1 of above amended 1945, c. 271.

Collector of taxes, certain cases, 1944, c. 154.

Retirement on pension of certain health officers in townships, authorized, suppl., 1945, c. 287.

**Article 12. (new) Borough Employees.****Additional Legislation.**

Superintendent of public works, certain cases, 1944, c. 223.

**Chapter 13. PENSION FUNDS.****Article 4A. (new) Employees of Towns.****Additional Legislation.**

Pension funds for employees of certain towns in first-class counties, established and regulated, suppl., 1943, c. 189.

**Article 5. Employees of Villages in Counties of the First Class.**

R. S. 43:13-44 amended 1945, c. 213, s. 1.

R. S. 43:13-45 " 1945, c. 213, s. 2.

R. S. 43:13-46 " 1945, c. 213, s. 3.

R. S. 43:13-48 " 1945, c. 213, s. 4.

R. S. 43:13-50 " 1945, c. 213, s. 5.

**Additional Legislation.**

"Salary" and "half pay" defined, suppl., 1945, c. 213, s. 6.

**Subtitle 5. STATE, COUNTY AND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.**

**Chapter 14. STATE SYSTEM.**

**Note:** For membership in system of employees of State University of New Jersey authorized, see 1945, c. 49.

- R. S. 43:14-1 amended 1943, c. 119; 1944, c. 201, s. 1; 1945, c. 272.
- R. S. 43:14-17 " 1944, c. 201, s. 2; 1946, c. 309.
- R. S. 43:14-29 " 1942, c. 286; 1944, c. 201, s. 3; 1945, c. 288; 1946, c. 236.
- R. S. 43:14-32 " 1944, c. 193.

**Additional Legislation.**

New members, heretofore or hereafter enrolled, payment of arrearages to obtain additional benefits, provided for, suppl., 1943, c. 116.

Membership, application for, etc., after induction in military, etc., service, provided for, suppl., 1943, c. 118.

Secretaries, of system, certain, pension element fixed, 1946, c. 200.

Employees of public agencies or organizations operating public works, membership in retirement system, provided for, suppl., 1946, c. 280.

**Chapter 15. COUNTY AND MUNICIPAL SYSTEM.**

- R. S. 43:15-1 amended 1946, c. 90.
- R. S. 43:15-2 " 1945, c. 246.

**Additional Legislation.**

Membership, application for, etc., after induction in military, etc., service, provided for, suppl., 1943, c. 117.

Employees of certain school districts, membership in pension system, provided for, 1946, c. 135.

County attendance officers, membership in State Employees' Retirement System, provided for, 1946, c. 191.

**Subtitle 6. PENSION FUND FOR POLICEMEN AND FIREMEN;  
TRAFFIC OFFICERS ON COUNTY ROADS.**

**Chapter 16. ESTABLISHMENT OF FUND BY REFERENDUM.**

R. S. 43:16-1	amended 1944, c. 253, s. 1.
R. S. 43:16-2	"      1944, c. 253, s. 2; 1946, c. 284, s. 1.
R. S. 43:16-3	"      1944, c. 253, s. 3; 1945, c. 150; 1946, c. 284, s. 2.
R. S. 43:16-4	"      1944, c. 253, s. 4; 1946, c. 284, s. 3.
R. S. 43:16-5	"      1943, c. 27; 1944, c. 253, s. 6.
R. S. 43:16-6	"      1944, c. 253, s. 7.
R. S. 43:16-7	"      1943, c. 77; 1944, c. 253, s. 8.
R. S. 43:16-11	repealed 1944, c. 253, s. 9

**Additional Legislation.**

Definitions and additional provisions, suppl., 1944, c. 253, ss. 5, 10 to 14.

Sec. 12 of above amended 1946, c. 284, s. 4.

**Chapter 16A. (new) POLICE AND FIREMEN'S RETIREMENT SYSTEM.**

Municipal, county, etc., police and firemen's retirement system, established and regulated, 1944, c. 255.

Sec. 1 of above amended 1945, c. 148, s. 1.

Sec. 3 " " " 1945, c. 148, s. 2.

Sec. 4 " " " 1945, c. 148, s. 3.

Sec. 9 " " " 1945, c. 148, s. 4.

Sec. 10 " " " 1945, c. 148, s. 5.

Sec. 15 " " " 1945, c. 148, s. 6.

Sec. 16 " " " 1945, c. 148, s. 7.

Sec. 20 " " " 1945, c. 148, s. 8.

Sec. 23 " " " 1945, c. 148, s. 9.

Adoption by referendum, effect of, and persons eligible to membership upon, suppl., 1945, c. 148, ss. 10-16.

Membership of members of county police department in system provided for, suppl., 1946, c. 192.

**Subtitle 9. SOCIAL SECURITY.****Chapter 21. UNEMPLOYMENT COMPENSATION.**

- R. S. 43:21-3 amended 1945, c. 72.
- R. S. 43:21-5 " 1945, c. 73, s. 1; 1945, c. 308, s. 1.
- R. S. 43:21-6 " 1945, c. 308, s. 2.
- R. S. 43:21-8 " 1945, c. 73, s. 2.
- R. S. 43:21-10 " 1945, c. 203; 1945, c. 308, s. 3.
- R. S. 43:21-14 " 1944, c. 80; 1945, c. 307.
- R. S. 43:21-16 " 1945, c. 308, s. 4.
- R. S. 43:21-19 " 1945, c. 73, s. 3; 1946, c. 37; 1946, c. 278, s. 1.
- R. S. 43:21-20 repealed 1945, c. 308, s. 5.
- R. S. 43:21-21 amended 1945, c. 73, s. 4; 1945, c. 308, s. 6.

**Additional Legislation.**

Refunds of contributions, certain cases, provided for, suppl., 1944, c. 81.

Taking over of Employment Service Division of Commission by Federal agencies, authorized, suppl., 1941, c. 386.

Civil service and pension rights of employees transferred, saved, suppl., 1943, c. 171, and above supplemented.

Agreements, etc., with United States agencies, etc., for veterans placement, payment of veterans' benefits, etc., provided for, suppl., 1944, c. 232.

**Title 44. POOR.**

**Note:** For issuance of bonds for relief by municipalities, see 1939, c. 332, amended 1939, c. 395, 1940, c. 185, 1941, c. 107.

**Chapter 1. SETTLEMENT AND RELIEF OF POOR; MUNICIPAL, COUNTY OR JOINT COUNTY RELIEF.****Additional Legislation.**

Overseers and deputy overseers of the poor abolished, transfer of functions, powers, duties, etc., to Director of Welfare, existing officers saved, suppl., 1946, c. 110.

**Chapter 4. SETTLEMENT AND RELIEF OF POOR; COUNTY REFERENDUM LAW.**

R. S. 44:4-28 amended 1943, c. 112.

R. S. 44:4-93 " 1946, c. 297.

**Additional Legislation.**

Liens for cost of care and maintenance at county welfare house or of permanent outdoor support against recipient and his estate, creation, record and enforcement, provided for, suppl. 1946, c. 175.

**Chapter 6. FREE DENTAL CLINICS.****Additional Legislation.**

Appropriations by counties for dental clinics for indigent children, provided for, suppl., 1944, c. 224.

**Chapter 7. OLD AGE ASSISTANCE.**

R. S. 44:7-1 amended 1943, c. 164, s. 1.

R. S. 44:7-3 " 1943, c. 164, s. 2.

R. S. 44:7-5 " 1943, c. 164, s. 3; 1944, c. 84, s. 1.

R. S. 44:7-12 " 1943, c. 164, s. 4; 1944, c. 84, s. 2.

R. S. 44:7-14 " 1943, c. 164, s. 5; 1945, c. 273, s. 1.

R. S. 44:7-15 " 1945, c. 273, s. 2.

R. S. 44:7-18 " 1943, c. 164, s. 6; 1944, c. 84, s. 3.

R. S. 44:7-19 " 1943, c. 164, s. 7.

R. S. 44:7-21 " 1943, c. 164, s. 8.

R. S. 44:7-25 " 1943, c. 164, s. 9.

R. S. 44:7-30 " 1943, c. 164, s. 10.

R. S. 44:7-32 " 1943, c. 164, s. 11.



**Chapter 8. FINANCIAL ASSISTANCE TO CERTAIN NEEDY PERSONS.**

**Note:** For food stamps, etc., misuse of, prohibited, see 1941, c. 204, s. 1 amended 1942, c. 315, s. 1, s. 2 repealed 1942, c. 315, s. 2.

**Additional Legislation.**

State Municipal Aid Administration, 1940, c. 151.

Sec. 2 of above amended 1942, c. 340, s. 1.

Sec. 3 " " " 1942, c. 340, s. 2.

Administration of State aid for relief law (1941) 1941, c. 28.

Sec. 9 of above amended 1943, c. 11.

Sec. 12 " " " 1944, c. 162.

Physical rehabilitation of persons rejected for service in the armed forces of the United States by reason of physical disability, by State Municipal Aid Administration, provided for, 1942, c. 306.

## Title 45. PROFESSIONS AND OCCUPATIONS.

**Note:** For business of selling, etc., motor fuels, etc., at retail, regulated, see 1938, c. 163, amended 1938, c. 204, 1938, c. 401, 1939, c. 62, 1942, c. 260, s. 509 added 1939, c. 63; for renewal or reinstatement of certain licenses, registration certificates or permits to practice profession or engage in occupation, for veterans, provided for, see 1946, c. 51.

### Subtitle 1. PROFESSIONS AND OCCUPATIONS REGULATED BY STATE BOARDS OF REGISTRATION AND EXAMINATION.

#### Chapter 3. ARCHITECTS.

- R. S. 45:3-6      amended 1945, c. 262, s. 1.  
 R. S. 45:3-8      “      1943, c. 75, s. 1.  
 R. S. 45:3-9      “      1943, c. 75, s. 2.  
 R. S. 45:3-10     “      1943, c. 75, s. 3; 1945, c. 262, s. 2.

#### Chapter 4. BARBERS.

##### Additional Legislation.

Regulation of barbering, licensing of barbers and creation of  
State Board of Barber Examiners, etc., 1938, c. 197.

Sec. 1 of above amended 1946, c. 132, s. 1.

Sec. 3 “ “ “ 1946, c. 132, s. 2.

Sec. 5 “ “ “ 1946, c. 132, s. 3.

Sec. 9 “ “ repealed 1946, c. 132, s. 4.

Sec. 10 “ “ “ 1946, c. 132, s. 4.

Sec. 20 “ “ amended 1944, c. 149.

Sec. 26 “ “ “ 1946, c. 133, s. 10.

Journeyman's permits heretofore issued, continuance in  
effect, provided for, suppl., 1946, c. 132, s. 5.

Apprentice certificate heretofore issued, continuance in  
effect, provided for, suppl., 1946, c. 132, s. 6.

Use or maintenance of premises as barber shop without  
license prohibited, licenses, issuance, etc., provided for,  
suppl., 1946, c. 133, ss. 1-9, 11, 12.

Certificates of registration and permits to former holders, upon  
honorable discharge of applicants from military or naval  
service of the United States or of this State, provided  
for, suppl., 1942, c. 322.

**Chapter 4A. BEAUTY CULTURE.**

R. S. 45:4A-2	amended 1943, c. 9, s. 8; 1946, c. 60, s. 1.
R. S. 45:4A-3	" 1946, c. 60, s. 2.
R. S. 45:4A-8	" 1943, c. 9, s. 9.
R. S. 45:4A-10	" 1943, c. 9, s. 10.
R. S. 45:4A-11	" 1943, c. 9, s. 11.
R. S. 45:4A-14	" 1943, c. 9, s. 12.
R. S. 45:4A-15	" 1943, c. 9, s. 13; 1943, c. 122.
R. S. 45:4A-18	" 1943, c. 9, s. 14.
R. S. 45:4A-23	" 1943, c. 9, s. 15.

**Additional Legislation.**

Licenses to practice and practice of beauty culture, regulated,  
suppl., 1943, c. 9, ss. 1-7.

**Chapter 5. CHIROPODY.**

R. S. 45:5-7	amended 1943, c. 95, s. 1.
R. S. 45:5-8	" 1943, c. 95, s. 2.
R. S. 45:5-10	" 1943, c. 95, s. 3.
R. S. 45:5-11	" 1943, c. 95, s. 4.

**Additional Legislation.**

Injunction against unauthorized practitioners, provided for,  
suppl., 1943, c. 95, s. 5.

**Chapter 6. DENTISTS.**

R. S. 45:6-7	amended 1945, c. 193, s. 1.
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**Additional Legislation.**

Payment of penalty, etc., equivalent to conviction, suppl., 1945,  
c. 193, s. 2.

**Chapter 8. ENGINEERS, PROFESSIONAL, AND LAND SURVEYORS.**

**Additional Legislation.**

Practice of professional engineering and land surveying, regulated (Revision, 1938), 1938, c. 342.

Licenses, renewal without fee, holder in war service, provided for, suppl., 1943, c. 90.

**Chapter 9. MEDICINE AND SURGERY.**

- R. S. 45:9-1      amended 1946, c. 84, s. 1.
- R. S. 45:9-5      "      1946, c. 84, s. 2.
- R. S. 45:9-8      "      1942, c. 342; 1944, c. 166, s. 1.
- R. S. 45:9-14     "      1943, c. 17.
- R. S. 45:9-16     "      1944, c. 166, s. 2.
- R. S. 45:9-21     "      1943, c. 74; 1944, c. 167.

**Additional Legislation.**

Payment of penalty equivalent to conviction, suppl., 1944, c. 166, s. 3.

**Chapter 11. NURSES.**

- R. S. 45:11-7     amended 1942, c. 346, s. 1; 1945, c. 13, s. 1.
- R. S. 45:11-10    "      1942, c. 346, s. 2.
- R. S. 45:11-11    repealed 1945, c. 13, s. 2.
- R. S. 45:11-12    amended 1942, c. 346, s. 3.
- R. S. 45:11-19    "      1942, c. 346, s. 4.

**Chapter 14. PHARMACY.**

**Additional Legislation.**

Renewal of certificate of registration of holder in war service, provided for, suppl., 1944, c. 132.

Sec. 1 of above amended 1945, c. 177, s. 1.

Applicants for registered pharmacists examination, certain applicants entitled to credit for military service, provided for, suppl., 1946, c. 177.

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**Additional Legislation.**

Licenses, issuance to officers of real estate corporations, certain cases, provided for, 1943, c. 60.

Real estate brokers' licenses, issuance to certain persons, authorized, 1945, c. 223.

**Subtitle 2. OCCUPATIONS SUBJECT TO OTHER  
REGULATION.**

**Chapter 18. COLLECTION AGENCIES.**

R. S. 45:18-3 amended 1946, c. 293.

**Chapter 24. TRANSIENT MERCHANTS OR ITINERANT VENDORS;  
HAWKERS AND PEDDLERS.**

R. S. 45:24-9 amended 1943, c. 99.

## Title 46. PROPERTY.

**Note:** For contracts, obligations, pledges, mortgages and conveyances, made by minors over eighteen years of age in connection with certain veterans' loans, made valid and enforceable, see 1946, c. 134.

### Subtitle 1A. (new) REAL AND PERSONAL PROPERTY.

#### Chapter 2A. (new) POWERS OF APPOINTMENT.

Releases of and covenants, etc., not to exercise powers, provided for, 1943, c. 57.

#### Chapter 2B. (new) POWERS OF ATTORNEY.

Powers of attorney by persons in military service, execution, recording, effect, etc., provided, 1943, c. 157.

Title of above amended 1945, c. 233, s. 1.

Sec. 1 " " " 1945, c. 233, s. 2.

Sec. 3 " " " 1945, c. 233, s. 3.

Sec. 6 " " " 1945, c. 233, s. 4.

#### Chapter 2C. (new) TRUST DEEDS.

Trust deeds by persons in military service, execution, recording, effect, etc., provided, 1943, c. 155.

Sec. 2 of above amended 1945, c. 110.

### Subtitle 2. REAL PROPERTY ONLY.

#### Chapter 3. ESTATES AND INTERESTS IN REAL PROPERTY AND ALIENATION THEREOF IN GENERAL.

R. S. 46:3-18 amended 1943, c. 145.

#### Chapter 8. LEASEHOLD ESTATES; LANDLORD AND TENANT.

Termination of tenancies and recovery of possession of demised premises, by landlord, limited and regulated, certain cases, 1945, c. 84.

### Subtitle 3. SIGNATURES, SEALS, ACKNOWLEDGMENTS AND PROOFS.

#### Chapter 14. ACKNOWLEDGMENTS AND PROOFS.

**Note:** For acknowledgment of deeds, etc., by persons in military or naval service, taking before commissioned officer, authorized, see 1941, c. 333, amended 1943, c. 156, 1945, c. 234.

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**Subtitle 4. RECORDING, REGISTRATION, FILING AND  
INDEXING OF DEEDS AND OTHER INSTRUMENTS.**

**Chapter 16. INSTRUMENTS ENTITLED TO RECORD.**

**Note:** For provision for recording of liens for cost of care and maintenance or permanent outdoor support furnished to any person, provided for, see 1946, c. 175.

R. S. 46:16-1 amended 1945, c. 275, s. 1.

**Additional Legislation.**

Recording of nontestamentary trust instruments not acknowledged or proved, provided for, suppl., 1943, c. 147.

**Chapter 18. RECORD OF AND RECORD ENTRIES AS TO INSTRUMENTS  
AFFECTING MORTGAGES.**

R. S. 46:18-8 amended 1945, c. 145.

**Chapter 19. MECHANICS OF RECORDATION.**

R. S. 46:19-1 amended 1945, c. 275, s. 2.

R. S. 46:19-3 " 1944, c. 36.

**Subtitle 6. PERSONAL PROPERTY ONLY.**

**Chapter 32. UNIFORM CONDITIONAL SALES LAW.**

R. S. 46:32-17 amended 1945, c. 274.

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**Title 47. PUBLIC RECORDS.**

**Chapter 2. PUBLIC RECORD OFFICE.**

R. S. 47:2-1 repealed 1945, c. 50, s. 22.

R. S. 47:2-2 " 1945, c. 50, s. 22.

R. S. 47:2-9 " 1945, c. 50, s. 22.

### **Title 48. PUBLIC UTILITIES.**

**Note:** For permission to United States Government to lay conduits under streets, etc., when approved by Public Utility Commissioners, authorized, see 1943, c. 209; for collective bargaining and settlement of labor disputes in public utilities and seizure and operation of public utilities by the State, in certain cases, provided for, see 1946, c. 38.

#### **Chapter 2. BOARD OF PUBLIC UTILITY COMMISSIONERS.**

R. S. 48:2-13      amended 1946, c. 219.

#### **Chapter 3. PUBLIC UTILITIES IN GENERAL.**

##### **Article 2. Stocks, Bonds and Other Obligations.**

R. S. 48:3-9      amended 1946, c. 220, ss. 1-2.

##### **Article 3A. (new) Presumption of Consent of Owner From the Use of Highways, etc.**

##### **Additional Legislation.**

Presumption of consent of owners to placing of certain poles in public places, established after ten years, suppl., 1945, c. 231.

#### **Chapter 4. AUTO BUSES.**

R. S. 48:4-1      amended 1946, c. 125.

R. S. 48:4-3      "      1946, c. 131.

R. S. 48:4-14      "      1946, c. 130.

#### **Chapter 7. ELECTRIC LIGHT, HEAT AND POWER COMPANIES.**

**Note:** For presumption of consent of owners to placing of certain poles in public places, established after ten years, see 1945, c. 231.

#### **Chapter 12. RAILROADS.**

**Note:** For extension of time for completion of certain railroads, see 1941, c. 3; 1943, c. 4; 1945, c. 3.

R. S. 48:12-158    amended 1943, c. 150.

R. S. 48:12-162    repealed 1943, c. 94.



**Chapter 15. STREET RAILWAYS.**

- R. S. 48:15-6      amended 1946, c. 287, s. 1.  
R. S. 48:15-13      "      1946, c. 287, s. 2.  
R. S. 48:15-41      "      1946, c. 71.

**Chapter 17. TELEGRAPH AND TELEPHONE COMPANIES.**

**Note:** For presumption of consent of owners to placing of certain poles in public places, established after ten years, see 1945, c. 231.

**Chapter 21. SOUTH JERSEY TRANSIT AUTHORITY.**

**Note:** For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

- R. S. 48:21-1      repealed 1944, c. 85, s. 52.  
to 48:21-19

**Title 50. SHELLFISH.**

**Chapter 1. BOARD OF SHELL FISHERIES.**

**Note:** For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 50:1-1      repealed 1945, c. 22, s. 44.  
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**Chapter 2. GENERAL REGULATORY PROVISIONS.**

R. S. 50:2-10      amended 1945, c. 38, s. 1.

**Chapter 3. REGULATIONS APPLICABLE TO DELAWARE RIVER,  
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**Article 2. Method of Taking Shellfish; Size; Closed Seasons.**

R. S. 50:3-6      amended 1945, c. 38, s. 2.

**Article 4. (new) Licensing of Oyster Shuckers and Dealers.**

**Additional Legislation.**

1943, c. 182, 1944, c. 142; repealed 1945, c. 39, s. 17.

**Article 5. (new) Licensing of Oyster Shuckers, Planters and Dealers.**

Licensing of oyster shucking houses, oyster planters and oyster dealers, provided for, suppl., 1945, c. 39.

**Chapter 4. REGULATIONS APPLICABLE TO ATLANTIC COAST;  
DEPARTMENT OF ATLANTIC COAST.**

R. S. 50:4-1      amended 1943, c. 134.

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**Title 51. STANDARDS, WEIGHTS, MEASURES  
AND CONTAINERS.**

**Chapter 1. WEIGHTS, MEASURES AND CONTAINERS.**

R. S. 51:1-82      amended 1943, c. 135.

**Additional Legislation.**

Age limits for weighmasters and weighers during war time,  
provided for, suppl., 1943, c. 8.

## **Title 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS.**

**Note:** For annual State appropriation to municipalities employing full time policemen, firemen, etc., provided for, see 1944, c. 254.

### **Subtitle 1. GENERAL PROVISIONS.**

**Note:** For time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98, amended 1946, c. 206.

#### **Chapter 7. NOTARIES PUBLIC.**

##### **Additional Legislation.**

Appointments, fees for commissions and filing of statements required by R. S. 52:7-8, provided for, 1944, c. 243.

#### **Chapter 8. 1837 SURPLUS REVENUE FUND.**

R. S. 52:8-6      amended 1946, c. 62.

#### **Chapter 9C. NEW JERSEY COUNCIL.**

**Note:** For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 52:9C-1    repealed 1944, c. 85, s. 52.

R. S. 52:9C-2    amended 1943, c. 111; repealed 1944, c. 85, s. 52.

R. S. 52:9C-3    repealed 1944, c. 85, s. 52.

R. S. 52:9C-4    "      1944, c. 85, s. 52.

#### **Chapter 9G. (new) STATE COMMISSION ON POST-WAR ECONOMIC WELFARE.**

Commission created, powers and duties, provided for, 1943, c. 192.

Sec. 1 of above amended 1944, c. 94, s. 1.

Sec. 2 " " " 1944, c. 94, s. 2.

Sec. 3 " " " 1944, c. 94, s. 3.

#### **Chapter 9H. (new) STATE FINANCES.**

General State Fund to be sole State Fund; single budget and one general appropriation law, provided for, 1945, c. 33.

#### **Chapter 9I. (new) COMMISSION ON STATE TAX POLICY.**

Constitution, powers, duties, etc., suppl., 1945, c. 157, ss. 1-6.

**Subtitle 2. LEGISLATURE.**

**Note:** For requirement of submission of bills for appropriation, apportionment or payment of State funds to Emergency State Commission on State Fiscal Affairs, see 1943, c. 2.

**Subtitle 3. EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS, OFFICERS AND EMPLOYEES.****Chapter 14. GENERAL PROVISIONS.**

**Note:** For leave of absence for State employees for military service, see 1941, c. 119, amended 1942, c. 327; for time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98, amended 1946, c. 206; for certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169; for apprentice and on the job training programs for veterans in State Departments, provided for, see 1946, c. 162.

**Article 1. Co-operation between Departments.****Additional Legislation.**

Interdepartmental transfer of employees, provided for, 1943, c. 216.

**Article 3. Salaries, etc., of Officers and Employees in general.****Additional Legislation.**

Deductions from salaries, etc., of employees, provided for, 1943, c. 69; 1943, c. 102.

Salary increases and bonuses, provided for, 1943, c. 124; 1944, c. 119.

Rate of mileage for use of private car by State officer or employee, fixed, 1943, c. 188.

Specific statutory maxima and minima of salaries and salary increases for State employees, abolished, salary ranges to be established by Civil Service Commission, 1945, c. 86.

Deductions for group, accident and sickness insurance premiums from compensation of State officers, employees, etc., authorized, 1946, c. 7.

**Article 6. Investment of Moneys.**

R. S. 52:14-33 amended 1944, c. 13.

**Article 8A. (new) Rationing Provisions.****Additional Legislation.**

Ration bank accounts, etc., authority to establish and administer, provided for, 1943, c. 142.

**Article 9. (new) Post-War Reserve Account.****Additional Legislation.**

"Post-war reserve account" in general State fund, creation, etc., provided for, 1944, c. 218.

**Chapter 15. GOVERNOR.**

R. S. 52:15-3 amended 1945, c. 88.

**Chapter 16. SECRETARY OF STATE AND REGISTER OF PREROGATIVE COURT.**

R. S. 52:16-3 amended 1945, c. 90.

**Chapter 17. ATTORNEY GENERAL.**

**Note:** For 1939, c. 101, repealed, see 1944, c. 20, s. 20.

R. S. 52:17-1 repealed 1944, c. 20, s. 20.  
to 52:17-11

**Chapter 17A. (new) DEPARTMENT OF LAW.**

Department of Law, established, powers, etc., 1944, c. 20, ss. 1-19.

**Chapter 18. STATE TREASURER.**

**Note:** For certain employees under Civil Service, see 1946, c. 198.

R. S. 52:18-1 amended 1945, c. 89.

R. S. 52:18-18 " 1944, c. 79.

R. S. 52:18-22 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:18-23 " 1944, c. 112, art. 8, s. 10.

**Additional Legislation.**

Deposit of United States Bonds by the Treasurer in Federal Reserve Bank without the State, in certain cases, authorized, 1942, c. 348.

Investment of certain moneys in United States securities, authorized, 1944, c. 148.

State Treasurer's Seal, style and use, 1945, c. 93.

**Chapter 19. STATE COMPTROLLER.**

**Note:** For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

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**Article 1. In General.**

R. S. 52:19-16    repealed 1944, c. 112, art. 8, s. 10.  
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**Article 2. Division of Accounting.**

R. S. 52:19-29    repealed 1944, c. 112, art. 8, s. 10.  
to 52:19-36

**Article 3. (new) Auditing and Preauditing Force.**

**Additional Legislation.**

State central payroll system, installation, etc., authorized, 1942,  
c. 291.

**Chapter 20. STATE HOUSE COMMISSION.**

**Note:** For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1; 1946, c. 199; for legal aid to police officers in suits arising from incidents in line of duty, provided for, see 1946, c. 67.

**Article 1. Organization and Personnel.**

R. S. 52:20-3    repealed 1944, c. 112, art. 8, s. 10.

**Article 2. Powers and Duties of Commission.**

R. S. 52:20-8    repealed 1944, c. 112, art. 8, s. 10.  
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**Chapter 20A. (new) EMERGENCY STATE COMMISSION ON STATE FISCAL AFFAIRS.**

Commission established, powers, duties, etc., 1943, c. 2.

**Chapter 21. STATE PLANNING BOARD.**

**Note:** For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 52:21-1    repealed 1944, c. 85, s. 52.  
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**Chapter 22. STATE BUDGET AND STATE BUDGET COMMISSIONER.**

**Note:** For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1; 1946, c. 199; for fiscal year, Highway Department, fixed, see 1944, c. 159; for Governor's Budget Message to contain all appropriations recommended under one budget, see 1945, c. 33.

R. S. 52:22-1    repealed 1944, c. 112, art. 8, s. 10.  
to 52:22-22

**Chapter 23. COMMISSIONER OF FINANCE.**

**Note:** For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

R. S. 52:23-1 repealed 1944, c. 112, art. 8, s. 10.  
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**Chapter 24. STATE AUDITOR.**

**Note:** For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 153, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

**Chapter 25. STATE PURCHASING DEPARTMENT.**

**Note:** For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

**Article 2. Organization and Personnel.**

R. S. 52:25-7 repealed 1944, c. 112, art. 8, s. 10.  
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R. S. 52:25-15 repealed 1944, c. 112, art. 8, s. 10.

**Article 4. Standards and Specifications.**

R. S. 52:25-17 repealed 1944, c. 112, art. 8, s. 10.  
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**Article 5. Requisitions and Purchases.**

R. S. 52:25-22 repealed 1944, c. 112, art. 8, s. 10.

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**Chapter 26. STATE LIBRARY AND PUBLIC LIBRARY COMMISSION.**

**Note:** For transfer of functions, powers, duties, etc., of State Library and Public Library Commission to Division of the State Library, Archives and History in the Department of Education, see 1945, c. 50.

R. S. 52:26-1 repealed 1945, c. 50, s. 22.

R. S. 52:26-4 " 1945, c. 50, s. 22.

R. S. 52:26-6 " 1945, c. 50, s. 22.

R. S. 52:26-7 " 1945, c. 50, s. 22.

R. S. 52:26-14 " 1945, c. 50, s. 22.  
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**Chapter 27. MUNICIPAL FINANCE COMMISSION.**

**Note:** For personnel and powers of commission, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:27-43 amended 1946, c. 31.

**Additional Legislation.**

Compromise by certain counties of claims for taxes for State, State school or county purposes, etc., authorized, suppl., 1946, c. 35.

**Chapter 27A. (new) STATE DEPARTMENT OF LOCAL GOVERNMENT.**

**Note:** For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

**Article 1. (new) In General.**

Local Government Act (1938), 1938, c. 158.

Sec. 8 of above repealed 1944, c. 112, art. 8, s. 10.

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**Chapter 27B. (new) STATE DEPARTMENT OF TAXATION AND FINANCE.**

State Department of Taxation and Finance, establishment, organization and functions, provided for, 1944, c. 112.

Art. 3, sec. 11 of above amended 1946, c. 1; 1946, c. 199.

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State Purchase Revolving Fund, use to acquire Federal surplus property, authorized, 1946, c. 144.

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**Note:** For veterans' loans see 1944, c. 126; 1945, c. 185; 1946, c. 121; 1946, c. 134.

Department of Economic Development, establishment, functions, powers and duties, provided for, 1944, c. 85.

Sec. 3 of above amended 1945, c. 128, s. 1.

Sec. 4 " " " 1945, c. 128, s. 2.

Standard building code, preparation of amendment, etc., by department, adoption by municipalities, counties and State agencies, interpretation, approval of use of structural materials, appliances, etc., provided for, suppl., 1946, c. 120.



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**Chapter 31. STATE PROPERTY IN GENERAL.**

**Note:** For powers of State Department of Taxation and Finance over State property, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

**Article 1. Right-of-Way Over State Lands.**

R. S. 52:31-1      repealed 1944, c. 112, art. 8, s. 10.

**Article 2. Insurance on State Property.**

R. S. 52:31-7      repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:31-9      "      1944, c. 112, art. 8, s. 10.  
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**Article 5. (new) State Capitol Building Commission.**

**Additional Legislation.**

Constitution, functions, powers and duties of Commission,  
prescribed, 1945, c. 310.

**Title 53. STATE POLICE.**

**Note:** For legal aid to police officers in suits arising from incidents in line of duty, provided for, see 1946, c. 67.

**Chapter 1. ORGANIZATION AND PERSONNEL.****Article 1. Department of State Police.**

R. S. 53:1-2	amended 1945, c. 85, s. 1.
R. S. 53:1-3	" 1945, c. 85, s. 2.
R. S. 53:1-6	" 1945, c. 85, s. 3.
R. S. 53:1-7	" 1945, c. 85, s. 4.
R. S. 53:1-9	" 1945, c. 247.

**Article 7. (new) Disposition of Unclaimed Property and Money.****Additional Legislation.**

Personal property and moneys acquired by State Police by finding or after theft or robbery, unclaimed after six months, disposition of, provided for, suppl. 1946, c. 290.

**Chapter 2. POWERS AND DUTIES.**

**Note:** For disposition of personal property and moneys acquired by State Police by finding or after theft or robbery, unclaimed after six months, see 1946, c. 290.

**Title 54. TAXATION.**

**Note:** For exemption of credit unions from chapters 4, 33, 34, 35, 36 and 37 of this Title, see 1938, c. 293, amended 1941, c. 254, 1941, c. 421, 1946, c. 285; for municipal sales tax, imposition by ordinance, certain seaside cities, authorized, see 1945, c. 156.

**Subtitle 1. DEPARTMENT AND BOARDS FOR THE REVIEW,  
ASSESSMENT AND COLLECTION OF TAXES.****Chapter 1. STATE TAX DEPARTMENT AND COMMISSIONER.**

**Note:** For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

R. S. 54:1-3        repealed 1944, c. 112, art. 8, s. 10.  
to 54:1-5

**Chapter 2. STATE BOARD OF TAX APPEALS.**

**Note:** For transfer of State Board of Tax Appeals to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

R. S. 54:2-3        amended 1946, c. 161, s. 1.  
R. S. 54:2-8        "        1946, c. 161, s. 2.  
R. S. 54:2-14       "        1946, c. 161, s. 3.  
R. S. 54:2-18       "        1946, c. 161, s. 4.  
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R. S. 54:2-35       "        1946, c. 161, s. 7.  
R. S. 54:2-39       "        1944, c. 240; 1946, c. 161, s. 8.  
R. S. 54:2-40       "        1945, c. 95; 1946, c. 161, s. 9.  
R. S. 54:2-41       "        1946, c. 161, s. 10.

**Additional Legislation.**

Petitions of appeal, amendment of, provided for, 1946, c. 161, s. 11.

Petitions of appeal, pleadings, etc., execution and filing, provided for, 1946, c. 161, s. 12.

Judgments by consent in appeals from county board, prerequisites to entering, prescribed, 1946, c. 161, s. 13.

Final judgments, conclusiveness, provided for, 1946, c. 161, s. 14.

Evidence of true consideration or sales price of property not stated in deeds or conveyances, provided for, 1946, c. 161, s. 15.

Petitions of appeal, fees payable on filing, fixed, 1946, c. 161, s. 16.

**Chapter 3. COUNTY BOARDS OF TAXATION.**

R. S. 54:3-7	amended 1944, c. 189, s. 1.
R. S. 54:3-9	" 1944, c. 189, s. 2.
R. S. 54:3-10	" 1944, c. 189, s. 3.
R. S. 54:3-21	" 1945, c. 125.
R. S. 54:3-22	" 1946, c. 161, s. 17.
R. S. 54:3-26	" 1946, c. 161, s. 18.

**Additional Legislation.**

Fee for filing petition of appeal, certain cases; first class counties, 1940, c. 71.

Sec. 1 of above amended 1943, c. 61.

**Subtitle 2. TAXATION OF REAL AND PERSONAL PROPERTY IN GENERAL.****Chapter 4. ASSESSMENT AND COLLECTION OF TAXES.**

**Note:** For extension of time for collection, installment payments, etc., of certain delinquent municipal taxes and liens, see 1941, c. 36; 1942, c. 27; 1943, c. 7.

**Article 1. Persons and Property Subject to Taxation.**

R. S. 54:4-1	amended 1942, c. 281, s. 1; 1943, c. 120, s. 1; 1945, c. 163, ss. 1, 9, 10; 1946, c. 159; 1946, c. 242, ss. 1, 2.
R. S. 54:4-2.1	" 1944, c. 151.

**Article 2. Persons and Property Exempt from Taxation.**

**Note:** For acquisition, use and disposition, by municipalities, of property to extinguish exemption from local taxation, provided for, see 1944, c. 206; for exemption of Delaware—New Jersey Crossing and revenues thereof from taxation, see 1946, c. 18.

R. S. 54:4-3	repealed 1945, c. 163, ss. 2, 9, 10.
R. S. 54:4-3.1	" 1945, c. 163, ss. 2, 9, 10.
R. S. 54:4-3.2	" 1945, c. 163, ss. 2, 9, 10.
R. S. 54:4-3.3	amended 1944, c. 24, s. 1.
R. S. 54:4-3.5	" 1944, c. 24, s. 2.
R. S. 54:4-3.8	repealed 1945, c. 163, ss. 2, 9, 10.
R. S. 54:4-3.14	" 1945, c. 163, ss. 2, 9, 10.
R. S. 54:4-3.17	" 1945, c. 163, ss. 2, 9, 10.
R. S. 54:4-3.22	" 1945, c. 163, ss. 2, 9, 10.
R. S. 54:4-3.23	" 1945, c. 163, ss. 2, 9, 10.

**Additional Legislation.**

Exemption under R. S. 54:4-3.12 extended to residents serving in armed forces during present war, 1942, c. 70.

Sec. 2 of above amended 1944, c. 71.

Exemption of growing crops, nursery stock, etc., provided for, suppl., 1943, c. 63.

Veterans' loans, certain, held by savings banks, exempt from taxation, suppl., 1945, c. 80.

Exemption under R. S. 54:4-3.12 made applicable to veterans of World War II, 1946, c. 212.

**Article 4. Assessment of Personal Property.**

- R. S. 54:4-9        amended 1942, c. 281, s. 2; 1943, c. 120, s. 2; 1945, c. 163, ss. 3, 9, 10.
- R. S. 54:4-12        "        1945, c. 163, ss. 4, 9, 10.
- R. S. 54:4-14        repealed 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-15        "        1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-16        amended 1945, c. 163, ss. 5, 9, 10.
- R. S. 54:4-18        repealed 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-19        "        1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-19.1        "        1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-20        amended 1945, c. 132, ss. 9, 16, 17, 18.
- R. S. 54:4-21        repealed 1945, c. 132, ss. 15, 18.
- R. S. 54:4-22        amended 1945, c. 132, ss. 10, 16, 17.

**Article 5. Assessment of Real Estate.**

- R. S. 54:4-23        amended 1942, c. 281, s. 3; 1943, c. 120, s. 3.
- R. S. 54:4-33        "        1945, c. 163, ss. 6, 9, 10.

**Article 6. Completion and Review of Assessments.**

- R. S. 54:4-35        amended 1942, c. 281, s. 4; 1943, c. 120, s. 4.
- R. S. 54:4-36        "        1942, c. 281, s. 5; 1943, c. 120, s. 5; 1945, c. 163, ss. 7, 9, 10; 1945, c. 260, s. 2.
- R. S. 54:4-41        "        1942, c. 316, s. 1.
- R. S. 54:4-42        "        1942, c. 316, s. 2.
- R. S. 54:4-52        "        1942, c. 316, s. 3; 1945, c. 163, ss. 8, 9, 10.

Reduction of assessments by reason of destruction, etc., or alteration of buildings, etc., certain cases, provided for, suppl., 1945, c. 260, s. 1.

**Article 6A. (new) Added Assessment of Real Estate.**

**Additional Legislation.**

Additional assessment for building improvements made after October 1st of each year, suppl., 1941, c. 397.

Sec. 2 of above amended 1945, c. 137, s. 1.

Sec. 3 " " " 1945, c. 137, s. 2.

**Article 7. Collection, Abatement and Compromise.**

R. S. 54:4-75 amended 1944, c. 46.

R. S. 54:4-78 " 1944, c. 134.

R. S. 54:4-91 " 1944, c. 115, ss. 1-3.

R. S. 54:4-92 repealed 1943, c. 185.  
to 54:4-94

**Additional Legislation.**

Uncollectible taxes, filing of lists, and cancellation of, provided for, suppl., 1944, c. 115, ss. 2-4.

Poll taxes in arrears for ten years, cancellation and release of collector, as to, provided for, 1946, c. 40.

**Chapter 4A. (new) CONTRIBUTIONS IN LIEU OF TAXES.**

Acceptance and disposition of contributions in lieu of taxes by Federal Government or agency, 1945, c. 66.

**Chapter 5. CREATION, ENFORCEMENT AND COLLECTION OF LIENS FOR UNPAID TAXES AND OTHER MUNICIPAL LIENS ON REAL PROPERTY.**

**Article 2. Tax and Other Municipal Liens; Creation.**

R. S. 54:5-6 amended 1944, c. 247.

**Article 3. Official Searches for Municipal Liens.**

R. S. 54:5-13 amended 1944, c. 97.

**Article 3A. (new) Official Searches for Improvements Authorized But Not Assessed.**

**Additional Legislation.**

Official searches for municipal improvements authorized, not assessed, provided for, suppl., 1946, c. 269.

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- R. S. 54:5-19      amended 1944, c. 108.  
R. S. 54:5-20      “      1945, c. 232, s. 1.  
R. S. 54:5-21      “      1945, c. 232, s. 2.  
R. S. 54:5-23      “      1945, c. 232, s. 3.  
R. S. 54:5-25      “      1945, c. 232, s. 4.  
R. S. 54:5-39      “      1945, c. 232, s. 5.

**Article 5. CERTIFICATE OF SALE.**

- R. S. 54:5-47      amended 1945, c. 232, s. 6.

**Additional Legislation.**

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suppl., 1942, c. 54.

Sec. 1 of above amended 1943, c. 144.

**Article 9. Suit in Equity to Foreclose Right of Redemption.****Additional Legislation.**

Tax lien foreclosures of vacant lands, joinder of actions or  
causes of action by municipalities, authorized, suppl.,  
1940, c. 84.

Sec. 1 of above amended 1943, c. 204.

**Article 10A. (new) Cancellation of Certificate Held by Municipality.****Additional Legislation.**

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suppl., 1945, c. 154.

**Article 11. Sale or Exchange by Municipalities of Property Acquired at  
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Tax sale certificates, sale by municipalities, certain cases,  
provided for, 1943, c. 149.

**Chapter 6. MARTIN ACT AND SIMILAR STATUTES.**

- R. S. 54:6-5      1898, c. 193, s. 12 amended 1944, c. 204.

**Subtitle 3. TAXATION OF STOCK OF STATE AND NATIONAL  
BANKS AND TRUST COMPANIES.**

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R. S. 54:9-5      amended 1946, c. 146, s. 1.  
R. S. 54:9-11      “      1946, c. 146, s. 2.  
R. S. 54:9-17      “      1946, c. 146, s. 3.

**Subtitle 4. PARTICULAR TAXES ON CORPORATIONS  
AND OTHERS.**

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**Chapter 10A. (new) CORPORATION BUSINESS TAX ACT (1945).**

Imposition, assessment, collection, etc., of tax, suppl., 1945,  
c. 162, ss. 1-25, 27-29.

Sec. 16 of above amended 1946, c. 307, s. 1.

Sec. 17 “      “      “      1946, c. 307, s. 2.

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**Chapter 10B. (new) FINANCIAL BUSINESS TAX LAW (1946).**

Financial Business Tax Law (1946), 1946, c. 174.

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ON CERTAIN CORPORATIONS.**

**Chapter 13. ASSESSMENT.**

R. S. 54:13-1      amended 1945, c. 132, ss. 11, 16, 17; repealed 1945,  
c. 162, s. 27.

R. S. 54:13-2      repealed 1945, c. 162, s. 27.  
to 54:13-8

R. S. 54:13-11      amended 1945, c. 132, ss. 12, 16, 17.

R. S. 54:13-13      repealed 1945, c. 132, s. 15.

R. S. 54:13-14      “      1945, c. 132, s. 15.

R. S. 54:13-15      amended 1945, c. 132, ss. 13, 16, 17.



Part 3. TAXATION OF INSURANCE COMPANIES OTHER  
THAN LIFE.

Chapter 17. FOREIGN INSURANCE COMPANIES GENERALLY.

- R. S. 54:17-1 repealed 1945, c. 132, s. 15.  
R. S. 54:17-2 " 1945, c. 132, s. 15.  
R. S. 54:17-3 " 1945, c. 132, s. 15.  
R. S. 54:17-4 amended 1945, c. 132, ss. 14, 16, 17.

Part 3A. (new) TAXATION OF INSURERS GENERALLY.

Chapter 18A. (new) TAXATION OF CORPORATIONS, INDIVIDUALS,  
PARTNERSHIPS AND UNINCORPORATED ASSOCIATIONS  
TRANSACTIONING INSURANCE BUSINESS.

Imposition, assessment, collection, etc., of tax, 1945, c. 132,  
ss. 1-8, 16-18.

Part 4. TAXATION OF RAILROAD AND CANAL COMPANIES.

Chapter 29A. (new) TAXATION OF RAILROADS.

Railroad tax law (1941), 1941, c. 291.

- Sec. 17 of above amended 1942, c. 337, s. 1.  
Sec. 18 " " " 1942, c. 337, s. 2.  
Sec. 19 " " " 1942, c. 337, s. 3.  
Sec. 20 " " " 1942, c. 337, s. 4.  
Sec. 21 " " " 1942, c. 337, s. 5.  
Sec. 31 " " " 1942, c. 337, s. 6.  
Sec. 33 " " " 1942, c. 337, s. 7.  
Sec. 34 " " " 1942, c. 337, s. 8.  
Sec. 44 " " " 1942, c. 337, s. 9.

Part 6. TAXATION OF CERTAIN FOREIGN CORPORATIONS.

Chapter 32A. IMPOSITION AND COLLECTION OF TAX.

- R. S. 54:32A-1 repealed 1945, c. 162, s. 27.  
to 54:32A-53

**Subtitle 5. TRANSFER INHERITANCE AND ESTATE TAXES.**

**Part 1. TRANSFER INHERITANCE TAX.**

**Chapter 35. COLLECTION AND ENFORCEMENT OF TAX; REFUNDS.**

- R. S. 54:35-3      amended 1946, c. 70.  
R. S. 54:35-5      “      1946, c. 240.  
R. S. 54:35-10     “      1944, c. 74.

**Additional Legislation.**

Issuance of consent to transfer assets of resident decedent prohibited, unless will probated or administration had originally in New Jersey, suppl., 1939, c. 122.

Sec. 1 of above amended 1943, c. 38.

**Chapter 36. ASSESSMENT, COLLECTION AND ENFORCEMENT OF TAXES ON ESTATES SUBJECT TO FUTURE INTERESTS.**

- R. S. 54:36-6      amended 1943, c. 165.

**Part 2. ESTATE TAX.**

**Chapter 38. IMPOSITION AND COLLECTION OF TAX.**

- R. S. 54:38-3      amended 1944, c. 75.

**Part 3. (new) INHERITANCE AND ESTATE TAXES.**

**Chapter 38A. (new) COMPROMISES.**

Inheritance and estate taxes, compromises of, authorized, 1944, c. 220.

Revision, alteration, compromise and settlement of inheritance and estate taxes, interest and penalties, certain cases, authorized, suppl., 1945, c. 127.

**Subtitle 9. STATE TAX UNIFORM PROCEDURE LAW.**

**Chapter 49. PROCEDURE.**

- R. S. 54:49-13     amended 1945, c. 306.

**Additional Legislation.**

Judgments for corporation taxes, satisfaction on payment, etc., provided for, 1943, c. 10.

**Chapter 50. ADMINISTRATION**

- R. S. 54:50-9      amended 1943, c. 110.

**Title 55. TENEMENT HOUSES AND PUBLIC HOUSING.**

**Subtitle 1. TENEMENT HOUSES.**

**Chapter 2. CONVERTED BUILDINGS; ALTERATIONS; TENEMENTS  
UNDER CONSTRUCTION; TIME FOR COMPLIANCE.**

R. S. 55:2-6 amended 1943, c. 67, s. 1.

**Chapter 3. PROTECTION FROM FIRE.**

R. S. 55:3-24 amended 1943, c. 67, s. 2.

R. S. 55:3-26 " 1943, c. 67, s. 3.

**Chapter 4. HEIGHT OF TENEMENTS; LOTS, YARDS, SPACES  
AND COURTS.**

R. S. 55:4-10 amended 1943, c. 67, s. 4.

R. S. 55:4-24 " 1943, c. 67, s. 5.

**Chapter 5. WINDOWS; ROOMS; LIGHT; VENTILATORS AND  
VENT SHAFTS.**

R. S. 55:5-4 amended 1943, c. 67, s. 6.

R. S. 55:5-13 " 1943, c. 67, s. 7.

**Chapter 6. CLEANLINESS AND SANITARY CONDITIONS  
GENERALLY.**

R. S. 55:6-15 amended 1943, c. 67, s. 8.

**Chapter 8. WATER-CLOSETS, SINKS, SEWERS, WATER SUPPLY,  
PLUMBING, AND DRAINAGE.**

R. S. 55:8-22 amended 1943, c. 67, s. 9.

**Chapter 10. FUNCTIONS AND OPERATIONS OF BOARD IN GENERAL.**

R. S. 55:10-10 amended 1943, c. 67, s. 10.

**Subtitle 2. PUBLIC HOUSING.**

**Chapter 14. STATE HOUSING AUTHORITY.**

**Note:** For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 55:14-1 repealed 1944, c. 85, s. 52.  
to 55:14-13

**Chapter 14A. (added) LOCAL HOUSING AUTHORITIES LAW.**

Civil service protection for certain employees, provided for, suppl., 1943, c. 64; suppl., 1945, c. 147.

**Chapter 14C. (new) NATIONAL DEFENSE HOUSING PROJECTS.**

Housing projects in connection with national defense activities, provided for, 1941, c. 213.

Title of above amended 1944, c. 19, s. 1.

Sec. 2 " " " 1944, c. 19, s. 2.

Sec. 8 " " " 1944, c. 19, s. 3.

**Chapter 14D. (new) REDEVELOPMENT COMPANIES LAW.**

Redevelopment companies, incorporation, powers and duties, provided for, 1944, c. 169.

**Chapter 14E. (new) URBAN REDEVELOPMENT LAW.**

Urban Redevelopment Law (1946), 1946, c. 52.

**Chapter 14F. (new) MUNICIPAL HOUSING.**

Municipal Housing Law (1946), 1946, c. 79.

**Title 58. WATERS AND WATER SUPPLY.**

**Note:** For acquisition, operation, disposal, etc., of water and water power rights and property, authorized, see 1944, c. 207; for maintenance of certain nuisances affecting health, etc., prohibited, see 1945, c. 192.

**Chapter 1. STATE WATER POLICY COMMISSION.**

**Note:** For transfer of functions, powers and duties of State Water Policy Commission to State Department of Conservation, see 1945, c. 22.

R. S. 58:1-1      repealed 1945, c. 22, s. 44.

**Chapter 5. NORTH AND SOUTH JERSEY WATER SUPPLY DISTRICTS.**

R. S. 58:5-17      amended 1945, c. 195, s. 1.

**Additional Legislation.**

Acceptance of funds and grants from Federal Government or agency, provided for, suppl., 1945, c. 195, s. 2.

**Chapter 11. WATER AND SEWERAGE PLANTS AND SYSTEMS IN GENERAL.**

**Article 2A. (new) Interconnections Between Approved Public Potable Water Supplies and Unapproved Water Supplies.**

**Additional Legislation.**

Permits for physical connections between approved potable water supplies and unapproved water supplies, required and provided for, 1942, c. 308.

**Article 5B. (new) Licensing of Superintendents or Operators of Public Water Treatment Plants, Public Sewage Treatment Plants and Public Water Supply Systems.**

**Additional Legislation.**

Superintendents or operators of water treatment, sewage treatment and water supply, plants and systems, examination and licensing, provided for, 1946, c. 295.

**Chapter 12. SEWERAGE DISTRICTS AND SEWERAGE DISTRICT BOARDS.**

**Note:** For Sanitary Sewer District Authorities, first- and second-class counties, establishment, powers, duties, etc., see 1946, c. 123; for Sewerage Authorities Law (1946), see 1946, c. 138.

**Chapter 14. PASSAIC VALLEY SEWERAGE DISTRICT.****Additional Legislation.**

Leases for use of intercepting sewers, regulated and provided for, suppl., 1943, c. 76.

The above supplemented, 1944, c. 214.

**Chapter 15. HACKENSACK RIVER SEWERAGE DISTRICT.**

R. S. 58:15-1 repealed 1945, c. 300, s. 64.  
to 58:15-72

**Chapter 15A. (new) BERGEN-HACKENSACK SANITARY SEWER DISTRICT.**

District and authority, created, functions, powers and duties, prescribed, suppl., 1945, c. 300.

**Chapter 16. PASSAIC VALLEY FLOOD CONTROL COMMISSION.**

**Note:** For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 58:16-2 repealed 1945, c. 22, s. 44.

**Chapter 18. (new) DELAWARE RIVER BASIN.**

Reciprocal act for use, conservation, protection and equitable diversion of water resources in Delaware River Basin between Pennsylvania, New York and New Jersey, 1944, c. 121.

## **APPENDIX A**

### **Chapter 4. TAXES, ASSESSMENTS AND PUBLIC REVENUES.**

**Note:** For Delinquent Railroad Tax Adjustment Law (1941), see 1941, c. 290, amended 1942, c. 241.

#### **Article 1. In General.**

##### **A. COLLECTION OF TAXES BY RECEIVERSHIP.**

**Note:** For permanent legislation relating to subject, see 1939, c. 362.

#### **Article 2. County and Municipal Finances.**

##### **Additional Legislation.**

Purchase of Federal current income bonds by counties and municipalities, in certain cases, authorized, 1941, c. 297.

Title of above amended 1942, c. 304, s. 1; 1943, c. 208, s. 1.

Sec. 1 " " " 1942, c. 304, s. 2; 1943, c. 208, s. 2.

Sec. 2 " " " 1942, c. 304, s. 3; 1943, c. 208, s. 3.

Sec. 3 " " " 1942, c. 304, s. 4; 1943, c. 208, s. 4;  
1944, c. 250, s. 1.

Funding or refunding of notes or bonds of school districts, 1940, c. 29.

Sec. 1 of above amended 1943, c. 19; 1945, c. 27.

### **Chapter 7. COMMISSIONER OF BANKING AND INSURANCE; ADDITIONAL POWERS.**

App. A:7-15 amended 1945, c. 67; 1946, c. 264.





**SCHEDULE 1**  
**TABLE OF ALLOCATION OF 1942 STATUTES**  
**(Chapters 281 to end)**

Pamphlet Laws 1942				Pamphlet Laws 1942			
		Allocation in Table of Contents				Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
281		54	4	316		54	4
282		17	4	317		40	2
283		40	84	318		*	
284		24	10	319		18	7
285		*		320		40	23
286		43	14	321		Val.	
287		3	16	322		45	4
288		*		323		18	20
289		*		324		39	3
290		*		325		39	4
291		52	19	326		38	23
292		*		327		38	23
293		Val.		328		30	9
294		23	5	329		9	2
295		*		330		*	
296		*		331		*	
297		2	29	332		*	
298		2	122A (new)	333		2	32
299		40	20	334		39	5
300		*		335		3	2
301		40	24	336		17	4
302		*		337		54	29A (new)
303		*		338		Val.	
304		App. A	4	339		*	
305		2	202	340	1-2	44	8
306		44	8		3	Val.	
307		34	6	341		17	4
308		58	11	342		45	9
309		26	2	343		*	
310		*		344		38	1
311		Val.		345		*	
312		*		346		45	11
313		39	3	347		*	
314	1-2	2	205	348		52	18
	3-6	2	206	349		12	8
315		2	202	350		Val.	

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.



**SCHEDULE 2**  
**TABLE OF ALLOCATION OF 1943 STATUTES**

Pamphlet Laws 1943		Allocation in Table of Contents		Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
1		*		39		40	60
2		52	20A(new)	40		2	192
3		Val.		41		2	190
4		*		42		2	195
5		*		43		2	195
6		*		44		34	2
7		*		45		27	13
8		51	1	46		33	1
9		45	4A	47		33	1
10		54	49	48		40	3
11		44	8	49		9	17
12		2	16	50		Val.	
13		17	34	51		Val.	
14		17	26	52		*	
15		17	34	53		40	1
16		17	34	54		*	
17		45	9	55		40	37
18		*		56		30	9
19		App. A	4	57		46	2A(new)
20		40	37	58		30	9
21		40	38	59		2	212
22		40	41	60		45	15
23		2	7	61		54	3
24		40	54	62		*	
25		Val.		63		54	4
26		*		64		55	14A(added)
27		43	16	65		2	32
28		27	6	66		2	32
29		Val.		67	1	55	2
30		Val.			2-3	55	3
31		*			4-5	55	4
32		2	26		6-7	55	5
33		40	60		8	55	6
34		*			9	55	8
35		*			10	55	10
36		8	2	68		40	41
37		33	1	69		52	14
38		54	35	70		40	108

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

## 1300 TABLE OF ALLOCATION OF 1943 STATUTES

Pamphlet Laws 1943				Allocation in Table of Contents				Pamphlet Laws 1943				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter					Chapter	Sec.	Title	Chapter				
71		40	48					117		43	15				
72		34	15					118		43	14				
73		2	32					119		43	14				
74		45	9					120		54	4				
75		45	3					121		*					
76		58	14					122		45	4A				
77		43	16					123		*					
78		34	2					124		52	14				
79		2	47					125		*					
80		19	52					126		*					
81		40	151					127		*					
82		3	26					128		*					
83		40	155					129		30	6A				
84		3	26					130		40	2				
85		38	25A(new)					131		23	9				
86		2	213					132		*					
87		43	4					133		*					
88		3	17					134		50	4				
89		30	5					135		51	1				
90		45	8					136		2	202				
91		18	14					137		4	16				
92		40	39					138		40	23				
93		23	9					139		*					
94		48	12					140		*					
95		45	5					141		*					
96		*						142		52	14				
97		9	18					143		40	146				
98		39	3					144		54	5				
99		45	24					145		46	3				
100		4	12					146		34	2				
101		39	3					147		46	16				
102		52	14					148	1-11	17	34				
103		*							12	17	33				
104		9	3					149		54	5				
105		35	1					150		48	12				
106		4	16					151		*					
107		*						152		33	1				
108		*						153		33	1				
109		*						154		33	1				
110		54	50					155		46	2C(new)				
111		52	9C					156		38	23A(new)				
112		44	4					157		46	2B(new)				
113		2	85					158		Val.					
114		2	27					159		17	28				
115		26	3					160		43	10				
116		43	14					161		Val.					

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

# TABLE OF ALLOCATION OF 1943 STATUTES 1301

Pamphlet Laws 1943		Allocation in Table of Contents		Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
162		*		192		52	9G(new)
163		40	47	193		43	7
164		44	7	194		43	9
165		54	36	195		34	2
166		40	146	196		*	
167		Val.		197		*	
168		Val.		198		40	50
169		Val.		199		40	1
170		14	12	200		11	24A(new)
171		43	21	201	1-2	18	6
172		18	15		3-7	18	7
173		39	3	202		22	2
174		17	18	203		2	32
175		14	8	204		54	5
176		14	8	205		2	202
177		18	10	206		40	47
178		2	26	207		23	4
179		18	13	208		App. A	4
180		18	13	209		40	67
181		18	10	210		40	2
182		50	3	211		*	
183		40	48	212		18	14
184		40	2	213		*	
185		54	4	214		4	1
186		43	7	215		2	27
187		18	5	216		52	14
188		52	14	217		*	
189		43	13	218		19	31
190		40	83	219		19	31A(new)
191		40	41				

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.



**SCHEDULE 3**  
**TABLE OF ALLOCATION OF 1944 STATUTES**

Pamphlet Laws 1944		Allocation in Table of Contents		Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
1		Val.		32		2	182
2		Val.		33		*	
3		18	7	34		*	
4		*		35		40	88
5		39	3	36		46	19
6		*		37		27	6
7		19	48	38		39	3
8	1	19	24	39		2	212
	2	19	25	40		*	
	3	19	23	41		*	
9		19	55 (new)	42		*	
10		2	192	43		4	9
11		2	202	44		39	2
12		2	171A(new)	45		19	32
13		52	14	46		54	4
14		2	202	47		27	6
15		*		48		43	10
16		19	14	49		40	54
17		*		50		Val.	
18		*		51		*	
19		55	14C(new)	52		30	4
20	1-19	52	17A(new)	53		2	202
	20	52	17	54		52	30
	20	27	1	55		18	5
	20	11	4	56		40	5
21		3	2	57		*	
22		17	6	58		*	
23		2	212	59		41	2
24		54	4	60		Val.	
25	1	17	8	61		40	21
	2	Val.		62		*	
26		24	18	63		40	20
27	1-26, 28	17	29A(new)	64		11	22
	27	17	29	65	1-4	11	1
28		2	212		5-9	11	2
29		*			10	11	5
30		17	4		11	11	7
31		2	220	66		2	182

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

# 1304 TABLE OF ALLOCATION OF 1944 STATUTES

Pamphlet Laws 1944		Allocation in Table of Contents		Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
67		2	7	100		17	38
68		40	38	101		17	35
69		40	41	102		17	48A (new)
70		26	2	103		*	
71		54	4	104		17	6
72		17	38	105		1	9
73		17	34	106		18	14
74		54	35	107		18	14
75		54	38	108		54	5
76		2	60	109		3	2
77		40	60	110		27	15
78		23	4	111		23	9
79		52	18	112	1 (art. 1)	52	27B (new)
80		43	21		1-8 (art. 2)		
81		43	21		1-38 (art. 3)		
82		17	12		1-4 (art. 4)		
83		35	2		1 (art. 5)		
84		44	7		1-16 (art. 6)		
85	1-51	52	27C (new)		1-6 (art. 7)		
	52	12	12		1-9 (art. 8)		
	52	38	24		10 (art. 8)	52	18
	52	48	21		10 (art. 8)	52	19
	52	52	9C		10 (art. 8)	52	20
	52	52	21		10 (art. 8)	52	22
	52	55	14		10 (art. 8)	52	23
86		38	16		10 (art. 8)	52	25
87		38	23		10 (art. 8)	52	31
88		34	15		10 (art. 8)	54	1
89		Val.			10 (art. 8)	52	27A (new)
90		40	171	113		18	13
91		Val.		114		3	16
92		*		115		54	4
93		*		116		36	1
94		52	9G (new)	117		Val.	
95		19	55	118		*	
96		2	87	119		*	
97		54	5	120		*	
98		38	23A (new)	121		58	18 (new)
99	1	40	46	122		*	
	2	40	87	123		*	

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.



# TABLE OF ALLOCATION OF 1944 STATUTES 1305

Pamphlet Laws 1944		Allocation in Table of Contents		Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter.	Chapter	Sec.	Title	Chapter
124		*		161		Val.	
125		40	21	162		44	8
126		38	23B(new)	163		23	4
127		19	49	164		2	32
128		19	50	165		2	8
129		3	7	166		45	9
130		3	25	167		45	9
131		2	58	168		18	3
132		45	14	169		55	14D(new)
133		2	202	170		*	
134		54	4	171		17	36
135		Val.		172		13	13
136		2	8	173		2	3
137		40	1	174		2	26
138		*		175		17	22
139		16	12	176	1	17	4
140		18	16		2	Val.	
141		19	2	177		18	4
142		50	3	178		19	45
143		16	1	179		*	
144		*		180		18	13
145		*		181		3	8
146		18	13	182		40	21
147		17	6	183		2	32
148		52	18	184		2	32
149		45	4	185		18	13
150		*		186		2	32
151		54	4	187		33	1
152		19	45	188		22	2
153	1	17	28	189		54	3
	2	17	32	190		2	199
154		43	12	191		43	4
155		40	145	192		*	
156		35	2	193		43	14
157		19	13	194		30	5
158		43	10	195		2	121
159		27	1	196		9	6
160		40	60	197		38	20

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

# 1306 TABLE OF ALLOCATION OF 1944 STATUTES

Pamphlet Laws 1944				Allocation in Table of Contents				Pamphlet Laws 1944				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
198		2	184	227		5	5	227		5	5	227		5	5
199		40	60	228		39	3	228		39	3	228		39	3
200		*		229		43	10	229		43	10	229		43	10
201		43	14	230	1-4	19	31A (new)	230	1-4	19	31A (new)	230	1-4	19	31A (new)
202		4	1		4	19	15		4	19	15		4	19	15
203		34	8	231		19	23	231		19	23	231		19	23
204		54	6	232		43	21	232		43	21	232		43	21
205		*		233		*		233		*		233		*	
206		40	60	234		43	10	234		43	10	234		43	10
207		40	69	235		40	1	235		40	1	235		40	1
208		19	55	236		40	72	236		40	72	236		40	72
209		17	16	237		15	15	237		15	15	237		15	15
210		18	14	238		3	7	238		3	7	238		3	7
211		43	4	239		9	3	239		9	3	239		9	3
212		18	14	240		54	2	240		54	2	240		54	2
213		19	52	241		30	6	241		30	6	241		30	6
214		58	14	242		3	42A (new)	242		3	42A (new)	242		3	42A (new)
215	1	14	2	243		52	7	243		52	7	243		52	7
	2	14	11	244		Val.		244		Val.		244		Val.	
216		33	1	245		40	52	245		40	52	245		40	52
217		18	2	246		40	47	246		40	47	246		40	47
218		52	14	247		54	5	247		54	5	247		54	5
219		*		248		*		248		*		248		*	
220		54	38A (new)	249		38	16	249		38	16	249		38	16
221		17	34	250		App. A	4	250		App. A	4	250		App. A	4
222		*		251		19	31	251		19	31	251		19	31
223		43	12	252		40	38	252		40	38	252		40	38
224		44	6	253		43	16	253		43	16	253		43	16
225		*		254		40	47	254		40	47	254		40	47
226	1-3	18	4A (new)	255		43	16A (new)	255		43	16A (new)	255		43	16A (new)
	4	18	5												

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

# SCHEDULE 4

## TABLE OF ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945		Allocation in Table of Contents		Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
1		27	6	38	1	50	2
2		40	85		2	50	3
3		*		39		50	3
4		*		40		19	32
5		*		41		Val.	
6		*		42		18	13
7	1-2	19	23	43		30	9
	3-48	19	55 (new)	44		30	8
8		40	75	45		40	48
9		40	84	46		2	101
10		34	15	47		40	47
11		19	55 (new)	48		40	81
12	1	19	54 (new)	49		18	22
	2	19	55 (new)	50		18	24
13		45	11	51	1-3	18	2
14		40	2		4	18	22
15		11	22		5-12	18	3
16		*			13-14	*	
17		Val.			15	18	22
18		19	31	52		*	
19		19	32	53		34	15
20		27	6	54		38	28 (new)
21		18	13	55		33	1
22		13	1A (new)	56	1-3	19	48
23		17	24		4	19	49
24		*			5-7	19	50
25		17	12		8	19	51
26		40	1		9-10	19	52
27		App. A	4		11	19	32
28		40	84	57		18	13
29		40	75	58		27	1
30		*		59		19	48
31		*		60		*	
32		34	13A (new)	61		2	7
33		52	9H (new)	62		40	38
34		*		63		40	41
35		40	150	64		2	7
36		19	31	65		23	4
37		40	62	66		54	4A (new)

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

# 1308 TABLE OF ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945				Allocation in Table of Contents				Pamphlet Laws 1945				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter					Chapter	Sec.	Title	Chapter				
67		App A	7					110		46	2C(new)				
68		19	23					111		40	25				
69		*						112		40	30				
70		19	49					113		3	8				
71		34	9A(new)					114		*					
72		43	21					115		*					
73		43	21					116		23	3				
74	2-3	34	1					117		19	31				
	4-20	34	15					118		Val.					
75		19	31					119		3	7				
76	1-2	19	17					120		52	27B(new)				
	3	19	18					121		40	20				
	4-5	19	23					122		19	48				
77		19	31					123		2	32				
78		*						124		*					
79		2	32					125		54	3				
80		54	4					126		40	47				
81		17	6					127		54	36				
82		17	22					128		52	27C(new)				
83		27	7A(new)					129		2	7				
84		46	8					130		37	2				
85		53	1					131		14	3				
86		52	14					132	1-8	54	18A(new)				
87		17	1						9-10	54	4				
88		52	15						11-13	54	13				
89		52	18						14	54	17				
90		52	16						15	17	32				
91		*								54	13				
92		*								54	17				
93		52	18							54	4				
94		33	4 (new)						16-18	54	18A(new)				
95		54	2					133		18	7				
96		3	7					134		Val.					
97		34	15					135		2	32				
98		4	1					136		2	32				
99		*						137		54	4				
100		2	8					138		40	46				
101		26	4					139		16	15A(new)				
102		26	4					140		17	12				
103		26	4					141		17	12				
104		26	4					142		17	12				
105		38	20					143		17	12				
106		38	18					144		17	12				
107		23	4					145		46	18				
108		*						146		17	12				
109		15	8					147		55	14A(added)				

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

# TABLE OF ALLOCATION OF 1945 STATUTES 1309

Pamphlet Laws 1945		Allocation in Table of Contents		Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
148		43	16A (new)	192		26	3B (new)
149		30	8	193		45	6
150		43	16	194		3	16
151		*		195		58	5
152		40	20	196		9	3
153		2	192	197		32	1
154		54	5	198		32	10
155		40	2	199		17	9
156		40	48	200		2	10
157	1-6	52	9I (new)	201		38	17
	7	*		202		26	6
158		40	50	203		43	21
159		Val.		204	1	4	1
160		40	50		2-4	4	5
161		17	50 (new)	205		*	
162		54	10A (new)	206		19	27
163		54	4	207		*	
164		*		208		17	4
165		*		209		Val.	
166		*		210		3	2
167		2	24	211		18	2
168		10	1	212		18	22
169	1-27	18	25 (new)	213		43	13
	28	*		214		43	10
170		*		215		18	24
171		10	2	216		*	
172		18	14	217		2	114
173		30	9	218		40	47
174		10	1	219		40	47
175		38	23A (new)	220		40	1
176		38	23	221		40	1
177		45	14	222		39	3
178		17	35	223		45	15
179		17	6	224	1-4	17	17
180		*			5	17	33
181		30	9		6	17	22
182		Val.		225		17	38
183		9	17	226	1	17	18
184		19	12		2	17	24
185		38	23B (new)	227		17	35
186		17	18	228		17	34
187		17	34	229		33	1
188		17	38	230		40	75
189		39	6	231		48	3
190		3	16	232		54	5
191		2	176	233		46	2B (new)

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

# 1310 TABLE OF ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945		Allocation in Table of Contents		Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
234		38	23A(new)	274		46	32
235		4	16	275	1	46	16
236		Val.			2	46	19
237		*		276		22	2
238		*		277		40	46
239		*		278		2	8
240		*		279		2	8
241		40	37	280		2	8
242		2	117	281		43	9A(new)
243		Val.		282		40	61
244		43	10	283		2	67
245		*		284		39	5A(new)
246		43	15	285		19	23
247		53	1	286		2	101A(new)
248		9	3	287		43	12
249		Val.		288		43	14
250		2	50	289		2	181
251		*		290		19	23
252		30	9	291		9	18
253		26	6	292		40	49
254		*		293		3	42A(new)
255		*		294		24	10
256		39	5	295		4	12
257		17	2	296		2	178
258		2	27	297		40	146
259		33	1	298		Val.	
260		54	4	299		18	13
261		18	14	300		58	15A(new)
262		45	3	301		26	2A(new)
263		19	13	302		38	17
264		30	5	303		*	
265		39	3	304		19	32
266		40	48	305		43	1
267		*		306		54	49
268		40	43	307		43	21
269		*		308		43	21
270		19	33	309		40	148
271		43	12	310	1-7	52	31
272		43	14		8	*	
273		44	7				

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

## SCHEDULE 5

### TABLE OF ALLOCATION OF 1946 STATUTES

Pamphlet Laws 1946		Allocation in Table of Contents		Pamphlet Laws 1946		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
1		52	27B(new)	26		26	8
2		*		27		40	37
3		39	3	28		2	114
4		Val.		29		18	4
5		*		30		*	
6		43	6	31		52	27
7		52	14	32		2	181
8		39	4	33		17	43
9		Val.		34		11	22
10	1	19	2	35		52	27
	2	19	23	36		*	
	3-11	19	55 (new)	37		43	21
11	1, 17	19	2	38		34	13B(new)
	2, 17	19	3	39		40	48
	3, 17	19	5	40		54	4
	4, 17	19	6	41		Val.	
	5, 6, 17	19	8	42		27	6
	7, 17	19	9	43		2	8
	8-12, 17	19	12	44		*	
	13, 14, 17	19	23	45		39	3
	15, 17	19	24	46		39	3
	16	19	2	47		23	5
	16	19	30	48		23	4
12		40	8	49		23	3
13		*		50		23	4
14		40	2	51		38	23A(new)
15		6	1	52		55	14E(new)
16		17	34	53		40	1
17		19	49	54		32	1
18		32	11B(new)	55		36	1
19		2	189	56		17	12A(new)
20		17	22	57		27	6
21		40	49	58		17	6
22		40	23	59		*	
23		*		60		45	4A
24		40	23	61		14	10
25		40	47	62		52	8

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

# 1312 TABLE OF ALLOCATION OF 1946 STATUTES

Pamphlet Laws 1946				Allocation in Table of Contents				Pamphlet Laws 1946				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter					Chapter	Sec.	Title	Chapter				
63		18	10					101		40	48				
64		18	14A(new)					102		Val.					
65		40	63					103		23	4				
66		17	22					104		*					
67		40	11					105		*					
68		40	155					106		40	60				
69		2	66					107		24	10A(new)				
70		54	35					108		4	14				
71		48	15					109		21	1A(new)				
72		4	2					110		44	1				
73		40	23					111		*					
74		23	5					112		*					
75		23	9					113		27	6				
76		40	162A(new)					114		27	6				
77		9	18					115		27	6				
78		17	9					116		17	24				
79		55	14F(new)					117		27	6				
80		43	7					118		30	4A(new)				
81		21	3					119		17	34				
82		*						120		52	27C(new)				
83		23	3					121		38	23B(new)				
84		45	9					122		*					
85		38	18					123		40	36A(new)				
86		24	11A(new)					124		18	16				
87		40	11					125		48	4				
88	1-6	18	10					126		18	5				
	7	18	11					127		28	2				
	8, 9	18	14					128		27	6				
	10	18	10					129		36	1				
	10	18	13					130		48	4				
	10	18	14					131		48	4				
	10	18	15					132		45	4				
	10	18	23					133		45	4				
	11	18	10					134		38	23B(new)				
89		54	10A(new)					135		43	15				
90		43	15					136		39	10				
91		*						137		*					
92		34	7					138	1-37	40	14A(new)				
93		*							34	40	63				
94		*						139		27	6				
95		32	2					140		40	60				
96		1	1					141		*					
97		1	1					142		43	3				
98		*						143		*					
99		18	15					144		52	27B(new)				
100		30	1					145	1	18	5				

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.



# TABLE OF ALLOCATION OF 1946 STATUTES 1313

Pamphlet Laws 1946		Allocation in Table of Contents		Pamphlet Laws 1946		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
145	2-15	18	13	190		2	1
146		54	9	191		43	15
147		33	1	192		43	16A(new)
148		11	24A(new)	193		*	
149		19	31	194		18	5
150		*		195		2	7
151		*		196		27	15
152		19	41	197		40	38
153		18	13	198		11	4
154		17	34	199		52	27B(new)
155		2	53	200		43	14
156		11	22	201		40	146
157		40	60	202		*	
158		2	134	203		*	
159		54	4	204		*	
160		2	29	205		*	
161	1-16 17, 18	54	2	206		38	23A(new)
162		54	3	207		27	14
163		38	23A(new)	208		39	4
164		Val.		209		2	197A(new)
165		23	4	210		18	13
166		23	5	211		26	3
167		5	5	212		54	4
168		30	6	213		18	14
169		5	5	214		2	8
170		5	5	215		43	10
171		23	4	216		43	10
172		26	4A(new)	217		18	22
173		Val.		218		2	8
174		54	10B(new)	219		48	2
175		44	4	220		48	3
176		27	6	221		*	
177		45	14	222		*	
178		22	2	223		30	9
179		2	32	224		38	3
180		22	2	225		30	6A
181		2	32	226		15	17 (new)
182		2	32	227		11	27
183		2	32	228		11	12
184		11	2A(new)	229		38	17
185		37	1	230		38	17
186		2	212	231		*	
187		2	195A(new)	232		26	6
188		2	16	233		38	17
189		2	1	234		38	7
				235		18	13

\* Omitted from Table as not being general or permanent legislation.  
Val. Indicates validating act listed in Schedule 7 following.

1314 TABLE OF ALLOCATION OF 1946 STATUTES

Pamphlet Laws 1946		Allocation in Table of Contents		Pamphlet Laws 1946		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
236		43	14	276		40	37
237		6	2	277		Val.	
238		*		278		43	21
239		*		279		40	37
240		54	35	280		43	14
241		27	13	281		2	60
242		54	4	282		40	145
243		18	21	283		3	25
244		*		284		43	16
245		40	60	285		17	13
246		33	1	286		*	
247		4	5	287		48	15
248		*		288		15	1
249	1, 2	34	1	289		18	20
	3-7	34	7	290		53	1
250		22	2	291		17	22
251		22	4	292		2	121
252		2	23	293		45	18
253		30	4	294		27	7
254		40	174	295		58	11
255		26	3C(new)	296		18	14
256		4	23	297		44	4
257		4	5	298		32	9
258		12	6A(new)	299		13	1A(new)
259		17	48A(new)	300		34	15
260	1-5	18	5	301		27	15A(new)
	6	40	1	302		40	60
261	1, 2	19	14	303		18	20A(new)
	3-7	19	23	304		40	21
	8	19	45	305		Val.	
262		18	6	306		30	4
263		34	16	307		54	10A(new)
264		App. A	7	308		43	1
265		18	4	309		43	14
266		18	8	310		17	38
267		40	37	311		17	6
268		2	153	312		30	4
269		54	5	313		12	6
270		18	13	314		12	6
271		40	108	315		17	4
272		33	1	316		33	1
273		*		317		17	4
274		*		318		27	19
275		40	40	319		2	58

\* Omitted from Table as not being general or permanent legislation.  
 • Val. Indicates validating act listed in Schedule 7 following.

**SCHEDULE 6**  
**TABLE OF NUMBERED SECTIONS ADDED TO REVISED**  
**STATUTES (1937)**  
**(1942, C. 281 to end—1943-1946)**

Section Added	Title 15.	Act By Which Added
15:15-2	.....	1944, c. 237



## **SCHEDULE 7**

### **TABLE OF PUBLIC VALIDATING ACTS.**

(1942, C. 281 to end—1943-1946)

---

#### **Title 2. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.**

Judicial sales .....	1944, c. 91
	1945, c. 159
	1946, c. 41
	1946, c. 305

#### **Title 3. ADMINISTRATION OF ESTATES—DECEDENTS AND OTHERS.**

Sales of lands by fiduciaries .....	1946, c. 102
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#### **Title 9. CHILDREN—JUVENILE AND DOMESTIC RELATIONS COURTS.**

Adoptions validated .....	1943, c. 50
Bastardy proceedings .....	1943, c. 51

#### **Title 14. CORPORATIONS, GENERAL.**

Leases .....	1944, c. 1
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#### **Title 17. CORPORATIONS AND INSTITUTIONS FOR FINANCE AND INSURANCE.**

Banks, trust companies and savings banks, amend- ments, etc., to charters, etc. ....	1944, c. 25, s. 2
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#### **Title 18. EDUCATION.**

Proceedings and bonds, school districts .....	1945, c. 209
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#### **Title 34. LABOR AND WORKMEN'S COMPENSATION.**

Workmen's Compensation Funds .....	1945, c. 10, s. 3
------------------------------------	-------------------

#### **Title 37. MARRIAGES AND MARRIED PERSONS.**

Conveyances by married women and by husband and wife, see under  
Title 46, this schedule.

Contracts by married women .....	1945, c. 130, s. 2
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# 1318 SCHEDULE OF PUBLIC VALIDATING ACTS

## Title 40. MUNICIPALITIES AND COUNTIES.

Appropriations and expenditures .....	1942, c. 350 1945, c. 118
Borough referendum .....	1946, c. 277
Counties, conveyances .....	1946, c. 4
Municipal, bonds, notes, etc. ....	1946, c. 9
Municipal budgets .....	1944, c. 60 1945, c. 17
Municipal ordinances .....	1942, c. 311
Municipal purchases, sales and exchanges of lands .....	1942, c. 293 1944, c. 89 1944, c. 161 1945, c. 243
Vacation of streets, etc. ....	1943, c. 161

## Title 44. POOR.

State Municipal Aid Administration .....	1942, c. 340, s. 3
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