

The board having power to appoint said harbor masters, and the Legislature having constituted streams, creeks, rivers and inland waterways improved pursuant to this act a part of the inland waterway system of the State, and having created a harbor of refuge in Sandy Hook Bay, and under Sec. 12:8-1 et seq. having created regulations for the appointment of pilots in Sandy Hook Bay, places such harbor of refuge under the jurisdiction of the State of New Jersey. And the Shrewsbury River being an inland waterway under the terms of this act, the harbor masters so appointed by your department have jurisdiction on the Shrewsbury River and Sandy Hook Bay.

Yours very truly,

THEODORE D. PARSONS,
Attorney General.

By: ROBERT PEACOCK,
Deputy Attorney General.

JANUARY 24, 1950.

COL. CHARLES H. SCHOEFFEL, *Superintendent,*
New Jersey State Police,
Trenton, New Jersey.

FORMAL OPINION—1950. No. 9.

DEAR COLONEL SCHOEFFEL:

I have your request of January 20, 1950, for opinion on the following questions:

1. Is the State Police responsible or liable for feeding prisoners while in custody, or while in juvenile shelters?

2. Is the State Police liable in general for meals served to prisoners?

The county jails are under the jurisdiction of the sheriffs of the respective counties and the statute provides that the board of freeholders may fix a price for victualing prisoners in the county jail at a sum not exceeding 50c per day for each prisoner, and shall annually appropriate a sum of money sufficient for that purpose. (30:8-14 R. S.)

Prisoners who have been sent to county workhouses shall be kept therein at the charge and expense of the county. (30:8-34 R. S.)

Concerning the question of juvenile shelters, under the juvenile and domestic relations court established by R. S. 9:18-4 it is provided that where a child is arrested, the court may place said child in a house of detention or shelter home and whenever the court has assumed custody of said child, if not released in custody of the parent, it shall be detained in such place of detention as may be designated by the court subject to further order. (9:18-24 R. S.)

Under 9:18-26 the board of freeholders may establish and maintain a home for the temporary detention of children and all expenses incurred in complying with the provisions of the act shall be a county charge.

On the question as to who is responsible for feeding prisoners while in custody of the State Police, I would say that the State Police should not keep persons in cus-

tody in their barracks, but when arrested should be transported to a jail or juvenile shelter.

On the question as to who is responsible for feeding prisoners while in county jails, county workhouses or juvenile shelters, the county board of freeholders, under the act cited above, is responsible for feeding such prisoners.

Yours very truly,

THEODORE D. PARSONS,
Attorney General,

By: ROBERT PEACOCK,
Deputy Attorney General.

JANUARY 27, 1950.

COL. CHARLES H. SCHOEFFEL, *Supt.,*
Division of State Police.

FORMAL OPINION—1950. No. 10.

DEAR COL. SCHOEFFEL:

Your letter of January 9, 1950, requesting an opinion from this office concerning the rights and duties of the State Police when confronted with problems as presented to you by Chief Donahue of the Bergen County Police Department, is herewith acknowledged.

The facts in question are as follows:

Recently there was a disagreement as to the renewal of a contract at the Wright Aeronautical Corporation Plant No. 7 at Wood Ridge, New Jersey, and it appeared that the workers at the plant would go on strike. Conferences between labor and management deferred strike action but no settlement had been reached. Pursuant to the original threat, a conference was held by representatives of the Wright Corporation, Wood Ridge Police, Bergen County Police, Bergen County Sheriff's Office and the United States Air Corps to formulate plans for security measures. The United States Army representative advised that there was some very valuable equipment at the Wood Ridge plant belonging to the Air Corps, and therefore military regulations, not in violation of any existing State statute, would be set up. These regulations would be enforced by military police. The military authorities asked for the assistance and cooperation of the civilian authorities and said assistance was agreed upon by all present.

The important questions presented are:

1. Would civil police have any authority to enforce an army regulation or ruling which ruling does not violate any existing statute?
2. Would civil or military courts-martial have jurisdiction over offenders?

The powers and duties of the State Police are set forth in Chapter 2, Title 53 of the New Jersey Statutes Annotated under the general head of "State Police." The members of the State Police are police officers primarily employed to furnish adequate police protection to inhabitants of rural sections, etc. . . . They may co-