

It is our opinion that there is no prohibition in the legislation against the Board arranging for the collection by an installment method of the entire amount paid by the Treasurer plus 4% interest. However, there is no authority for said installment payments being used as a basis for renewal or restoration of driving privileges without the express authority of a court order to that effect as provided by N. J. S. A. 39:6-87 (b).

Very truly yours,

GROVER C. RICHMAN, JR.,  
*Attorney General.*

By: CHARLES S. JOELSON,  
*Deputy Attorney General.*

csj;b

APRIL 20, 1955.

ALFRED T. DAVIS, Chairman,  
*Hudson County Board of Elections,*  
591 Summit Avenue,  
Jersey City 6, New Jersey.

FORMAL OPINION—1955. No. 17.

DEAR MR. DAVIS:

Receipt is acknowledged of your request for my opinion as to the legal qualifications for newspapers publishing resolutions, official proclamations, notices or advertising in this State.

R. S. 35:1-2.1 (P. L. 1953, Chapter 411, page 2067, section 1) provides:

"Whenever it is required to publish resolutions, official proclamations, notices or advertising of any sort, kind or character, including proposals for bids on public work and otherwise, by this State or by any board or body constituted and established for the performance of any State duty or by any State official or office or commission, the newspaper or newspapers selected for such publication *must* meet and satisfy the following qualifications, namely: said newspaper or newspapers shall be entirely printed in the English language, shall be printed and published within the State of New Jersey, shall be a newspaper of general paid circulation possessing an average news content of not less than thirty-five per centum (35%), shall have been published continuously in the municipality where its publication office is situate for not less than two years and shall have been entered for two years as second-class mail matter under the postal laws and regulations of the United States. \* \* \*"

It will be noted that this section requires that such newspaper or newspapers shall be entirely printed in the English language, shall be printed and published within the State of New Jersey, shall be a newspaper of general paid circulation possessing an average news content of not less than thirty-five per cent, shall have been published continuously in the municipality where its publication office is situate for not less than two years and shall have been entered for two years as second-class mail matter under the postal laws and regulations of the United States.

These statutory conditions are prerequisites for advertising of the kind mentioned in the statute.

Yours very truly,

GROVER C. RICHMAN, JR.,  
*Attorney General.*

By: JOSEPH LANIGAN,  
*Deputy Attorney General.*

jl/d