

trolled without proper organization for the improvement, maintenance and preservation of said grounds; therefore,

Owners of private burying-grounds may convey to cemetery associations.

**70. SEC. 1.** That it shall be lawful for the owners of any lot or parcel of land used as a burying-ground located in any of the townships of this state, or a majority of such owners, to convey to any cemetery association organized under the laws of New Jersey their title to the unoccupied portion of said burying-ground, together with the control and management of all of said ground in conformity with the laws regulating cemetery associations, on such terms as may be agreed upon between said parties; *provided*, that no assessment shall be made upon non-consenting owners for the care of graves and maintenance and improvements of the grounds therewith connected.

Proviso.

**An act to regulate the transfer and conveyance of burial lots and plots in incorporated cemeteries.**

P. L. 1890, p. 237.

Passed April 7, 1890.

Owners may transfer and convey lots.

**71. SEC. 1.** That in any cemetery in said state, belonging to any incorporated company or association having a board of managers or directors, and whether such corporation shall have been or shall be incorporated under a special act of this state or by the general laws thereof, it shall be lawful for the owner and owners of any lot or lots therein to transfer and convey any such lot or lots to any person or persons, or to the cemetery association having charge of the cemetery in which such lot or lots are situate, notwithstanding any restriction or prohibition of the sale of lots contained in the general laws of said state concerning cemeteries, or in the charter of any cemetery company; *provided, however*, that before any such transfer and conveyance shall be made, the board of managers or directors of such cemetery association shall authorize such transfer and conveyance by a vote of at least three-fifths of the members of such board at a regular meeting of such board.

Proviso.

**An act to authorize the boards of managers of cemetery associations to pass by-laws.**

P. L. 1893, p. 20.

Approved February 14, 1893.

Board of managers may pass necessary by-laws, and may amend or repeal existing by-laws.

**72. SEC. 1.** That the board of managers, directors or trustees of any cemetery association, company or corporation of this state organized under any general or special law or laws, or the body having the management of any such cemetery, by whatever name such body may be known, may ordain, pass and put into execution such by-laws as they may judge to be necessary and convenient for carrying into effect the objects of the association and for regulating such association; and may amend or repeal any by-laws already in existence; *provided, however*, that no such change shall be made except by a vote of three-fourths of the total number of such managers, directors or trustees at a meeting thereof specially called to consider changes in the by-laws.

Proviso.

## Census.

1. When enumeration of inhabitants to be taken.
2. Blanks, &c., to be printed by secretary of state.
3. When blanks to be transmitted to county clerk.
4. County clerk to transmit to township clerks, &c.
5. When and how enumeration to be made.
6. What assessor shall enter in blank return.
7. What persons to be returned as residents.
8. Returns to be certified by assessor.
9. Assessor to transmit return to secretary of state.
10. Secretary of state to report to legislature.
11. Appointment of enumerators in cities, &c.
12. Appointment of enumerators in case of death.
13. Assessors and enumerators, by whom paid.
14. Fees for services.
15. Cost of printing, &c.
16. Repealer.

An act to provide for the census or enumeration of the inhabitants of this state.

Approved April 7, 1885. P. L. 1885, p. 230.

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1. That an enumeration of the inhabitants of this state, and of each county, town and township thereof, shall be taken during the present year, eighteen hundred and eighty-five, and during every tenth year hereafter, under the direction of the secretary of state.

When enumeration of inhabitants to be taken.

2. That the secretary of state shall, as soon as may be after the passage of this act, and also every tenth year hereafter, cause uniform blank returns and abstracts, together with copies of this act and such instructions as he may deem necessary, to be printed for the purpose of taking such enumeration, at an expense not to exceed seven hundred and fifty dollars.

Blanks, &c., to be printed by secretary of state.

3. That the secretary of state shall, on or before the fifteenth day of April, instant, and on or before the fifteenth day of April in every tenth year hereafter, transmit in such manner as he may think proper, to each of the county clerks, twice as many of such blank returns and as many copies of this act and of said instructions as there are election districts in their respective counties.

When blanks to be transmitted to county clerk.

4. That it shall be the duty of each county clerk, on or before the first day of May next, and on or before the first day of May in every such tenth year hereafter, to forward to the township clerk of each of the townships in his county, and to the clerk of each of the cities and towns, a sufficient number of blank returns and copies of this act and instructions so as aforesaid transmitted to him by the secretary of state to supply each assessor of such township, town or city with duplicate sets of said blank returns and one copy of this act and one copy of said instructions.

When county clerks to forward blanks to clerks of cities and townships.

5. That on the fifteenth day of May next, and on the fifteenth day of May in every such tenth year hereafter, every such assessor shall proceed to enumerate, truly and accurately, the inhabitants residing in the district for which he shall have been appointed, by making actual inquiry at every dwelling-house, or the head of every family residing therein, and that in making this enumeration he shall ascertain and state in separate lines or columns, according to the schedules and instructions to be furnished by the secretary of state, viz.:

When and how enumeration to be made.

- I. The number of dwelling-houses numbered in order of visitation.
- II. The number of families numbered in order of visitation.
- III. The names of individuals.
- IV. The number of inhabitants arranged, as far as practicable, according to families and dwelling-houses, and classified as follows:

- Native white males.
- Native white females.
- Native colored males.
- Native colored females.
- Foreign males—Irish.
- Foreign females—Irish.
- Foreign males—German.
- Foreign females—German.
- Foreign males—all other nationalities.
- Foreign females—all other nationalities.
- Children of five years of age and under—males.
- Children of five years of age and under—females.
- All males five to twenty years of age.
- All females five to twenty years of age.
- All males twenty to sixty years of age.
- All females twenty to sixty years of age.
- All males over sixty years of age.
- All females over sixty years of age.

6. That each assessor shall enter in the blank return received the particulars of the enumeration so made, according to the instructions of the secretary of state.

What assessor to enter in blank return.

What persons to be returned as residents.

7. That every person whose abode shall be in any place or in any family on the fifteenth day of May next, and on the fifteenth day of May in every such tenth year hereafter, shall be returned as of such place or family, and not otherwise; and every person casually absent at the time of taking the enumeration as belonging to that place in which he usually resides.

Returns to be certified by assessor.

8. That the returns so made out shall be certified by each assessor taking the enumeration to be true and accurate, to the best of his knowledge and belief, and shall state the number of pages of which it consists, which certificate shall be subscribed and sworn to by him before any officer authorized to administer oaths.

When assessor to transmit returns to secretary of state.

9. That each assessor shall, on or before the first day of July next, and on or before the first day of May [July] in every such tenth year hereafter, cause the returns, so certified, to be transmitted to the secretary of state, by express, carefully boxed in such manner as to protect them; and if the assessor shall neglect, for five days after the first day of July, to make his return as aforesaid, the secretary of state shall immediately despatch a messenger to procure such return, and the expense thereof shall be deducted from the account of such assessor by the board of supervisors or board of chosen freeholders of the county in which he may reside, if they shall think proper.

Secretary of state to report general account of enumeration to legislature.

10. That the secretary of state, after receiving such returns, shall prepare and report to the legislature, on or before the fifteenth day of January in each year succeeding the taking of such census, a general account of the enumeration, specifying the result thereof, in the several towns, wards, cities and counties of the state, with a full recapitulation of the whole, and after making such report it shall be the duty of the secretary of state to deposit all of such returns in the state library, with a copy of the said general account and recapitulation thereof.

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Appointment of enumerators in certain cities and towns.

11. That in all cities and towns having boards of assessors, and in all cities having one hundred thousand inhabitants or over, the common council or board of aldermen shall appoint enumerators to take the census and perform the duties provided for under this act.

Appointment of enumerator where assessor has died, &c.

12. That in case of the death of any assessor, or his inability from any cause, or his neglect or refusal to perform the duties required by this act at the time therein specified, it shall be the duty of the township collector of the township or the receiver of taxes of the town or city in which such assessor may reside, immediately to appoint some suitable and proper person residing in said ward or township to act as an enumerator in the place of such assessor so failing to act, which person, so appointed, shall perform the duties imposed by this act on such assessor.

Accounts of assessors and enumerators, how paid.

13. That the accounts for the services of the assessors done under this act and the enumerators appointed under the provisions of this act shall be audited by the board of supervisors or board of freeholders of the county where the services are performed, and shall be assessed, collected and paid as part of the contingent expenses of such county.

Fees for services.

14. That the assessors shall be entitled as enumerators, for their services, to two dollars per hundred inhabitants enumerated as aforesaid, to be paid by the respective counties, and the secretary of state shall be allowed to employ clerical assistance for the revision and tabulation of the said census at an expense not to exceed one-quarter of a cent for each inhabitant enumerated; the bills for such expense to be audited by the comptroller, and to be paid by the state treasurer on the warrant of the comptroller.

Costs of printing, &c.

15. That all liabilities incurred for printing, postage and transmission of returns shall be paid out of the treasury on the warrant of the comptroller, and charged to a special account.

Repealer.

16. That all acts and parts of acts inconsistent herewith be and the same are hereby repealed.