

Sheriff who shall suffer prisoner to escape, to be answerable for the debt, or damages.

Auditors may examine witnesses.

Compensation to auditors.

Proceedings if the defendant do not plead or demur, as in other cases.

P. L. 1855, p. 288, § 82.

plusage by action of debt; and moreover, if any sheriff or jailer shall suffer any such prisoner to go out of prison, without the assent of the plaintiff, he shall be answerable to the plaintiff for the debt, or damages done to him or her by such accountant, according as it may be found by the country, and the party, at whose suit such prisoner was committed, shall have his or her recovery by action of debt, or by bill or plaint, in any court of record.

5. That the auditors appointed by the court, where any action of account shall be depending, shall be and hereby are empowered to administer an oath, and to examine the parties on oath, touching the matters in question; and for their pains and trouble in auditing and taking such account, shall have such allowance as the court shall adjudge to be reasonable, to be paid by the party in whose favor the balance shall be found, and to be allowed to him or her in the costs to be taxed against the opposite party, where costs are recoverable. (a)

6. That when a defendant in the action of account shall be summoned to appear, the plaintiff may file his declaration as in other actions; and if the defendant do not plead or demur, as in other cases, the plaintiff, without proceeding to attach him, may enter judgment against him that he account, and the court or a judge may thereupon assign auditors to take the account; and no pleas shall in any case be allowed before auditors in the action of account, but they shall proceed as referees are required to do in other cases; and if the defendant does not plead to the action, or shall neglect or refuse to account before the auditors, the plaintiff may prove his account against the defendant before the auditors, who shall investigate and report thereon as if the parties had both appeared before them.

(a) Proceedings by auditors. *Wilson v. Wilson*, 2 South. \*791.

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I. New Jersey State Agricultural Society.

An act to incorporate "The New Jersey State Agricultural Society."

Approved February 25, 1856.

P. L. 1856, p. 48.

1. That William P. Robeson, J. H. Frazee, Nathaniel S. Rue, Isaac R. Cornell, James Campbell, George Hartshorn, George Shaw, J. R. Sickler, and their associates, shall be and are hereby constituted a body politic and corporate in law, by the name of "the New Jersey state agricultural society," and by that title they and their successors in office shall be known in law, and shall possess the powers and be subject to the liabilities of other general incorporations.

Names of corporators.

2. That the objects of the society being to improve the condition of agriculture and agricultural stock, horticulture, and the household arts, they shall be allowed for these purposes to purchase and hold real and personal property sufficient to carry out the objects of the society, and shall hold the same exempt from taxation; *provided*, that such real and personal estate shall not exceed in value the sum of ten thousand dollars.

Objects of incorporation.

Proviso.

II. State Board of Agriculture.

An act to organize and establish a state board of agriculture.

Approved April 1, 1887.

P. L. 1887, p. 105.

3. SEC. 1. That the members of all agricultural and horticultural societies, farmers' clubs, granges of the patrons of husbandry, and other agricultural associations, shall constitute the membership of the state board of agriculture.

Who to constitute the state board of agriculture.

4. SEC. 2. [This section amended by Sec. 22, *post*.]

5. SEC. 3. [This section amended by Secs. 19 and 23, *post*.]

6. SEC. 4. That all members of the state board, as set forth in section one of this act, shall be entitled to vote on all questions at the meetings of the board, and also to hold office and serve on committees, but to receive compensation only as provided in section three of this act.

All members entitled to vote and hold office.

7. SEC. 5. That the state board of agriculture shall have full power to investigate such subjects relating to the improvement of land and agriculture in its various branches in this state as they may think proper, and

Powers of the board.

may take, hold in trust and exercise control over donations or bequests made to them for promoting scientific education or the general interests of agriculture; they shall have power to elect to membership such state organizations as may from time to time apply, by a majority vote of the board or of the annual meeting assembled, and such organization shall, upon election, be entitled to two delegates, the same as provided in section two of this act.

To encourage the formation of county boards.

**8. SEC. 6.** That it shall be the duty of the state board of agriculture to encourage and aid, as far as practicable, the formation of county boards of agriculture in the several counties of this state, that all the agricultural interests of the state may be fully represented.

**9. SEC. 7.** [This section amended by Sec. 24, *post.*]

**10. SEC. 8.** [This section amended by Secs. 20 and 25, *post.*]

**11. SEC. 9.** [This section amended by Sec. 26, *post.*]

**12. SEC. 10.** [This section amended by Sec. 21, *post.*]

Report of receipts and disbursements to be made.

**13. SEC. 11.** That the treasurer of the state board shall annually submit an itemized statement of his receipts and expenditures, together with the vouchers for the same, to the auditing committee of the state board, who shall make a report of their examination to the state board of agriculture at each annual meeting, which statement shall be published in its annual report.

Membership and organization of county boards.

**14. SEC. 12.** That 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.

I. 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 the state board of agriculture a certificate of such organization; *provided, however,* that upon the formation of any agricultural or horticultural association in said county, they shall become members of such county board, as provided in articles two and three of this section;

II. In counties having but one agricultural or horticultural organization (whether known and designated 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 the first paragraph 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 the state board a certificate of such organization;

III. 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 one member of each agricultural or horticultural organization of said 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 the state board of agriculture a certificate of such organization;

IV. The president, secretary and treasurer of such county board of agriculture shall be ex-officio members of the board of directors of such board;

V. Every certificate filed, as hereinbefore provided, shall truly and correctly state—first, the name of the county board filing the same; second, the date of its organization under this act; 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 organization;

VI. In any county in which there may be at the same time a county board of agriculture and any other agricultural organization, such board shall have the prior right to representation in the state board, unless for

good cause shown the said state board, or its executive committee, shall otherwise order.

15. SEC. 13. That it shall be the duty of each county board of agriculture, on or before the fifteenth day of December in each year, to make a full report of the transactions of such board during the year next preceding, with as complete a statement as practicable, of the condition, progress and results of agricultural and horticultural industries in such counties respectively, together with reports of such special subjects of inquiry as may from time to time present themselves to such county boards, or be submitted by the state board of agriculture, or the executive committee thereof, and forward the same to the secretary of the state board of agriculture, and it shall be the duty of the several representatives of county boards in the said state board to make a full report to their respective county boards of the proceedings of such meetings of the state board as they may from time to time attend.

County boards to make annual report.

16. SEC. 14. That the directors of the state board of agriculture, or its executive committee, shall have power to make all necessary and proper by-laws for carrying into execution the provisions of this act, and to adopt suitable rules and regulations, not inconsistent herewith, for the government of the state and county boards of agriculture.

Directors of state board to make and adopt by-laws, rules and regulations.

17. SEC. 15. That annually, on or before the fourth Tuesday in February, the executive committee, through its chairman or secretary, shall submit to the legislature a detailed report of the doings of the state board of agriculture, together with such recommendations as the interests in their charge may require.

Executive committee to submit detailed report to the legislature.

18. SEC. 16. That the act entitled "An act to organize and establish a state board of agriculture," approved April twenty-second, one thousand eight hundred and eighty-four, and the supplement thereto, approved March tenth, one thousand eight hundred and eighty-five, be and are hereby repealed.

Repealer.

Amendatory act.

Approved March 31, 1890.

P. L. 1890, p. 151.

19. SEC. 1. [This section, amending Sec. 5, *ante*, is amended by Sec. 23, *post*.]

20. SEC. 2. [This section, amending Sec. 10, *ante*, is amended by Sec. 25, *post*.]

21. SEC. 3. That the tenth section of the act to which this is amendatory [see Sec. 12, *ante*] shall be and is hereby amended so as to read as follows:

[That in order to collect and disseminate reliable and useful information, and to encourage a higher standard in the agriculture and horticulture of the state, the executive committee are hereby authorized to cause to be made experimental and practical tests of specific remedies or cures of diseases of domestic animals and poultry, and of plants, vegetables and fruits, and insects injurious thereto, and to employ suitable persons to lecture before the state board of agriculture at its annual or other meetings, and in the counties of the state as far as the sum herein appropriated will allow, to examine the reports of the state horticultural society, and all other reports, essays, papers and documents intended for publication in the annual report, and to accept or reject the same, or any portion thereof; to apportion to the state horticultural society not less than three hundred dollars annually, and to the several county boards such sum or sums of money for the information secured and the labor performed as they deem equitable, such amount not to exceed one hundred dollars in any one year to any county board, one-half of this amount, when the sum appropriated does not exceed sixty dollars, to go to the party or parties making up the report and the balance to the treasury of the county board to pay its running expenses, submit the amounts thus determined upon to the state comptroller, who shall thereupon draw his warrant upon the state treasurer, who shall pay the same out of any moneys in the state treasury, not otherwise appropriated, to the treasurer of the state board of

Executive committee authorized to make tests of remedies or cures of diseases of animals, &c.

To apportion to horticultural society and county boards certain amounts.

Amounts to be paid by state treasurer.

## AGRICULTURE.

agriculture; *provided*, that the amount thus expended shall not exceed the sum of six thousand dollars in any one year.]

## Amendatory act.

Approved March 9, 1891.

P. L. 1891, p. 105.

Board of directors, how constituted.

**22. SEC. 1.** That the second section of the act of which this is amendatory [see Sec. 4, *ante*] be amended to read as follows:

[That the board of directors shall hereafter consist of the executive committee of the state board of agriculture with the following persons, to wit:

Class A.—Two members of the board of managers of the geological survey to be appointed by said board, and two members of the board of visitors of the state agricultural college to be appointed by said board;

Class B.—The professor of agriculture in the state agricultural college, the president and director of the state experiment station, and the master and secretary of the state grange, patrons of husbandry;

Class C.—Two delegates from the state agricultural society, two delegates from the state horticultural society, two delegates from the cranberry growers' association, two delegates from the state poultry association, one delegate from each pomona grange, and two delegates from each county board of agriculture which may associate itself with the state board in the manner hereinafter provided.]

**23. SEC. 2.** That the third section of the act of which this is amendatory [see Secs. 5 and 19, *ante*] be amended to read as follows:

[That the officers, board of directors and committees appointed by the state board (or by the board of directors or the executive committee thereof), shall receive compensation from the state for their personal expenses when engaged in the duties of said board; the secretary of the state board shall receive an annual salary of twelve hundred dollars, and may, with the approval of the executive committee, employ a clerk or clerks at an expense of not over two hundred dollars a year; the treasurer shall receive an annual salary of one hundred dollars and shall give bonds for the faithful performance of the duties of his office in such sum as the executive committee may require; the salaries of said secretary and treasurer shall be paid monthly by the treasurer of the state on the warrant of the comptroller out of any moneys not otherwise appropriated.]

**24. SEC. 3.** That the seventh section of the act of which this is amendatory [see Sec. 9, *ante*] be amended to read as follows:

[That the board shall meet at the state-house, in the city of Trenton, at least once in each year, and as much oftener as may be deemed expedient; they shall annually elect a president, vice president and treasurer; they shall also elect a secretary, who shall have his office in the state-house, and who shall be the secretary of the commissioner of agriculture, and who shall hold his office for the term of five years and until his successor is duly elected and qualified; the present secretary shall hold his office for the term of five years from the date of his last election; the said president, vice president, treasurer and secretary, with three others to be elected annually at the same time that the president, vice president and treasurer are elected, shall constitute the executive committee of said board, and they shall appoint two members who shall constitute a committee to examine the vouchers and audit the account of the treasurer of the said board.]

**25. SEC. 4.** That the eighth section of the act of which this is amendatory [see Secs. 10 and 20, *ante*] be amended to read as follows:

[That the members of the board of directors other than the executive committee shall hold office for the following terms: Class A, one year; Class B, one year; Class C, two years, one representative of each association retiring each year.]

**26. SEC. 5.** That the ninth section of the act of which this is amendatory [see Sec. 11, *ante*] be amended to read as follows:

[That the expenses of the officers, board of directors and committees as provided in section three of this act (other than the salaries of said treasurer and secretary), shall be forwarded to the executive committee of the

Compensation of officers, directors, secretary, &amp;c.

Where board to meet and elect officers, &amp;c.

Term of office of board of directors.

Expenses, &amp;c., of officers, directors, &amp;c., by whom and how paid.

state board, who shall make up the same from time to time, which account, when approved by the president of the board and attested by the secretary, shall be presented to the comptroller of the state, who shall thereupon draw his warrant therefor upon the state treasurer, who shall pay the same out of any moneys not otherwise appropriated to the treasurer of the state board of agriculture upon such warrant, which amount, with the salaries paid to said treasurer and secretary, shall be considered part of the annual appropriation as provided in section ten of this act.

III. State premiums.

An act to promote the agricultural interests of the state of New Jersey.

Approved March 20, 1874. P. L. 1874, p. 55.

Preamble.

WHEREAS, The agricultural and horticultural interests of this state need and deserve more public recognition and support, and hence are entitled to such material aid as will tend to stimulate and encourage the same; and whereas, in consideration of the importance of such aid it is expedient to legislate by judicious care to foster this branch of our domestic economy by a system of proffered rewards that will incite a true spirit of generous and profitable rivalry among the tillers and producers of the soil; therefore,

27. SEC. 1. That the state board of agriculture shall annually appoint from its board three persons, and the directors of the New Jersey state agricultural society shall also in like manner appoint three persons from its board, who, together with the governor of this state, shall constitute a committee to be designated and known as the "state premium committee."

Appointment of state premium committee.

28. SEC. 2. That it shall be the duty of the said state premium committee, upon its appointment, annually to meet and organize, and thereupon proceed to make up and arrange a list of premiums, which shall, in the discretion of the said committee, be most conducive to the development of the best agricultural and horticultural interests of the state; such premiums to be awarded to exhibitors at the next ensuing annual fair of the New Jersey state agricultural society, and designated special state premiums.

Committee to make up list of premiums.

29. SEC. 3. That the said committee shall appoint competent judges from different parts of the state, whose duty it shall be to carefully examine the articles or products exhibited under the provisions of this act, and to adjudge and award the premiums specified in the aforesaid list upon the merits thereof, according to the classes or departments in said list prescribed; and in such action to be guided by the general rules and regulations of the said New Jersey state agricultural society; and upon the conclusion of such award, said judges shall make and submit a full and complete written report of all of their said doings to said state premium committee.

Committee to appoint judges to award premiums.

30. SEC. 4. That it shall be the duty of the said committee, upon the receipt of the report of the said judges as aforesaid, to make up and submit the amount of the awards so reported to the comptroller of the state, who shall thereupon draw his warrant therefor upon the state treasurer, and said state treasurer shall pay the same out of any moneys in the treasury, not otherwise appropriated, to the said committee, upon such warrant; provided, that the said amount shall not in any one year exceed the sum of three thousand dollars.

\$3,000 appropriated for payment of premiums.

31. SEC. 5. That all costs of advertising, and all expenses incurred in carrying into effect the provisions of this act, shall be paid by the New Jersey state agricultural society, excepting only the amounts of the award for premiums herein provided.

Expenses of carrying act into effect, how defrayed.

32. SEC. 6. That the appropriation for the purpose of carrying out the provisions of this act shall not exceed the aforesaid sum as designated in section four herein, and this act shall take effect immediately.

Appropriation not to exceed \$3,000.

#### IV. Agricultural College (Rutgers Scientific School).

An act appropriating scrip for the public lands granted to the state of New Jersey by the act of congress approved July second, one thousand eight hundred and sixty-two.

P. L. 1864, p. 650.

Approved April 4, 1864.

Preamble.

WHEREAS, The governor of this state has received from the secretary of the interior the scrip for public lands granted to the state of New Jersey by an act of congress of the United States, approved July second, one thousand eight hundred and sixty-two, and holds the same subject to such disposition as may be made by the legislature; therefore,

Commissioners  
to sell scrip.

**33. SEC. 1.** That the governor of this state, the attorney-general, the secretary of state, the comptroller, in case such office be created, and the treasurer of the state, and their successors in office for the time being, be and they are hereby appointed commissioners to take charge of such scrip, and, as agents of the state, to sell and dispose of the same at such time or times, and in such mode as may appear to be most advantageous and safe; and in the name and on behalf of this state to convey and transfer the same to the purchaser or purchasers thereof, and to invest the avails thereof in the manner specially provided by said act of congress.

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Interest of fund  
to be paid to  
trustees of Rut-  
gers college.

**34. SEC. 2.** That said commissioners shall semi-annually pay over the interest of the fund which may result from the sale of said scrip, to the trustees of Rutgers college, in New Jersey, for the special purposes and upon the special conditions hereinafter set forth.

To be devoted by  
trustees to main-  
tenance of scien-  
tific school.

**35. SEC. 3.** That said trustees shall devote said interest wholly and exclusively to the maintenance, in that department of Rutgers college known as Rutgers scientific school, of such courses of instruction as (including the courses of instruction already established by said trustees), shall carry out the intent of said act of congress in the manner specially prescribed by the fourth section of said act.

Gratuitous  
education to  
be furnished.

**36. SEC. 4.** That said trustees shall furnish gratuitous education in said courses of instruction to pupils of said school in such manner as the legislature shall prescribe; the number of pupils to be so received gratuitously into said school shall be in each year, such a number as would expend a sum equal to one-half of the said interest for the same year, in paying for their instruction in said school, if they were required to pay for it at the regular rates charged to other pupils of said school, for the same year; said pupils so nominated and received shall be citizens of this state, and shall be admitted into said school upon the same terms, and subject to the same rules and discipline which shall apply to all other pupils of said school, with the single exception that they shall not be required to pay anything for their instruction.

Annual reports.

**37. SEC. 5.** That said trustees shall annually make and distribute the reports required by the fourth paragraph of section fifth of said act of congress.

When interest  
to be paid.

**38. SEC. 6.** That no portion of the said interest shall be paid over to said trustees until they shall contract with this state, in such form as the said commissioners shall approve, to fulfill and perform all the duties and obligations imposed upon them by this act; *provided*, that the said board of trustees shall, in their corporate capacity, obligate themselves to erect additional and adequate buildings, as soon as the same may become necessary, without charge to or upon this state, and, in like manner, to furnish and provide a suitable tract of land conveniently located, for an experimental farm.

Proviso.

Board of visitors,  
how composed,  
&c.

**39. SEC. 7.** That there shall be appointed by the governor, with the advice and consent of the senate, a board of visitors, consisting of ten persons, two from each congressional district in this state, who shall hold their office respectively for five years, and who shall in the first instance be so appointed that the term of office of two of the said board of visitors shall expire each year, and the governor shall in like manner appoint two, annually thereafter, and shall have power to fill all vacancies in the board,

but the person so appointed to fill such vacancy shall only serve under such appointment until the next meeting of the senate, and until an appointment shall have been made by the governor, with the advice and consent of the senate, and the person so appointed shall hold such office only for the unexpired term of the person whose place he is to supply, and it shall be the duty of the board of visitors to visit the said school at least twice in each year, and to make report thereon to the legislature during the second week of the annual session. [See Sec. 44, *post.*]

**40. SEC. 8.** That the board of visitors shall possess general powers of supervision and control, and shall report to the legislature such recommendations as to them may seem proper. Powers of board.

**41. SEC. 9.** That the said board of trustees shall cause to be delivered annually in each county of this state, one or more public lectures upon the subject of agriculture, free of charge. [See Sec. 46, *post.*] Public lectures.

**42. SEC. 10.** That the students of agriculture and the mechanic arts, shall be admitted into said college, upon the recommendation of the board of chosen freeholders of their respective counties, and the number of students that a county shall at any one time be entitled to have in said college shall be equal to the number of representatives in the legislature to which such county is entitled, or in proportion to the same. Students, how to be admitted.

**43. SEC. 11.** That the legislature shall have power at any time hereafter, to pass such laws as may be deemed necessary and proper to enforce the due execution of this act, and of the before-mentioned act of congress. Reserved powers of legislature.

**Supplement.**

Approved January 29, 1873.

P. L. 1873, p. 12.

**44. SEC. 1.** That the board of visitors to the agricultural college of New Jersey shall hereafter consist of two members from each congressional district in this state under the present apportionment, to be nominated by the governor with the advice and consent of the senate.

Board of visitors, how constituted.

**45. SEC. 2.** That the members of the board of visitors to the agricultural college now in office shall continue to be members of the said board for the respective congressional districts in which they now reside until the expiration of the term, for which they were appointed. [See Secs. 47 and 52, *post.*] Present members to be visitors for the districts in which they reside.

**Supplement.**

Approved February 27, 1873.

P. L. 1873, p. 23.

**46. SEC. 1.** That the public lectures hereafter to be delivered by the state agricultural college in the counties of this state, shall, as to number, time and place, be under the direction of the board of visitors of the state agricultural college.

Public lectures to be under direction of board of visitors.

**Supplement.**

Approved March 26, 1873.

P. L. 1873, p. 65.

**47. SEC. 1.** That the term of office of members of the board of visitors to the agricultural college of New Jersey shall hereafter be two years; *provided*, that this provision shall not apply to members appointed previous to the passage of this supplement.

Term of office of visitors to agricultural college.

**48. SEC. 2.** That the actual personal expenses of members of the board of visitors incurred in the discharge of the duties imposed upon them by the act to which this is a supplement, shall be audited by the comptroller and paid by the treasurer of the state out of any moneys unappropriated, on the certificate of the president and secretary of the board. Personal expenses of board to be paid out of state treasury.

**Supplement.**

Approved February 10, 1873.

P. L. 1873, p. 20.

**49. SEC. 1.** That for the purpose of bringing to public attention the condition of the free state scholarships in the state agricultural college, the board of visitors are hereby authorized to give such notice by letter, or posting, or by advertisement, of the counties to which the vacant scholarships belong, and the mode of filling them, as they may judge to be to the interest of the state.

Notice to be given of vacant scholarships in state agricultural college.

Bills, how audited  
and paid.

**50. SEC. 2.** That bills incurred for the above-named objects, properly certified by the president and secretary of the board, shall be audited by the comptroller and paid out of the state treasury.

P. L. 1888, p. 129.

Preamble.

**Supplement.**

Approved March 5, 1888.

WHEREAS, The proceeds of the "agricultural college fund" of the state of New Jersey were by act of the legislature approved April fourth, one thousand eight hundred and sixty-four, directed to be paid to the "trustees of Rutgers college, in New Jersey, for the maintenance in that department of Rutgers college known as Rutgers scientific school, of such courses of instruction (including the courses of instruction already established by said trustees) as shall carry out the intent" of the act of congress of July second, one thousand eight hundred and sixty-two, entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts;" and whereas, said "trustees of Rutgers college, in New Jersey," have by virtue of said act received the proceeds of said fund and have faithfully carried out the provisions of the laws of the United States and of the state of New Jersey relating thereto, and have maintained and are now maintaining the state agricultural college of New Jersey in its various departments, in pursuance of and as required by the law of the state, it is hereby affirmed and represented that said institution is the state agricultural college of New Jersey; and whereas, by the act of the legislature of New Jersey entitled "An act to provide for the establishment of an agricultural experiment station," approved March tenth, one thousand eight hundred and eighty, the state agricultural experiment station was created and established, and by the board of managers thereof, by the authority given them in the law, has been located at the said state agricultural college as a part of the agricultural educational system of the state; and whereas, there is no other state agricultural college and no other agricultural department of a college and no other state agricultural experiment station in this state than as hereinbefore mentioned:

Rutgers scientific  
school designated  
to receive benefit  
of act of congress.

**51. SEC. 1.** That the said Rutgers scientific school, being said state agricultural college of New Jersey, maintained by the "trustees of said Rutgers college, in New Jersey," and at which the said state agricultural experiment station is established and located, be and the same is hereby designated the college to receive the benefit of the act of congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July second, one thousand eight hundred and sixty-two, and of the acts supplementary thereto," approved March second, one thousand eight hundred and eighty-seven, and of the act entitled "An act making an appropriation to carry into effect the provisions of an act approved March second, one thousand eight hundred and eighty-seven, entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July second, one thousand eight hundred and sixty-two, and of the acts supplementary thereto,'" approved February first, one thousand eight hundred and eighty-eight, and any supplements thereto; and the state of New Jersey does hereby designate the "trustees of Rutgers college, in New Jersey," maintaining said Rutgers scientific school, said state agricultural college, as the parties to whom any and all moneys appropriated by congress under said acts or supplements thereto, shall be paid for the purposes mentioned in said acts of congress.

Moneys to be paid  
to trustees of Rut-  
gers college.

**Supplement.**

Approved March 10, 1893.

P. L. 1893, p. 168.

Board of visitors  
to agricultural  
college, how  
appointed.

**52. SEC. 1.** That the board of visitors to the state agricultural college shall hereafter consist of two members from each congressional district in this state, to be appointed by the governor with the advice and consent of the senate.

**53. SEC. 2.** That all acts and parts of acts inconsistent herewith be and the same are hereby repealed, and that this act shall take effect immediately. Repealer.

**Supplement.**

Approved June 13, 1895. P. L. 1895, p. 804.  
Preamble.

WHEREAS, The commissioners named in said act, approved April fourth, eighteen hundred and sixty-four, "to take charge of such scrip and as agents of the state to sell and dispose of the same at such time or times and in such mode as may appear to be most advantageous and safe," did invest the proceeds of the sale thereof in "war bonds" of the state of New Jersey, a portion of which bonds have already matured and been paid, and the balance thereof will mature January first, eighteen hundred and ninety-seven, and January first, nineteen hundred and two; and whereas, the moneys received by said commissioners in payment of said bonds already matured and paid are uninvested, owing to the inability of said commissioners to invest the same conformably to the said act of congress, and said moneys and the further funds to be received by said commissioners will remain uninvested and the objects of said act of congress and of said act of the legislature of this state, approved April fourth, eighteen hundred and sixty-four, thereby defeated; and whereas, the governor, by special message, has recommended legislation to meet the requirements of the situation:

**54. SEC. 1.** That forthwith on the passage of this act the said commissioners named in said act, approved April fourth, eighteen hundred and sixty-four, shall transfer and pay over the funds now in their hands or deposited to their credit, to the official or officials having charge of the sinking fund of this state, and said commissioners shall, from time to time hereafter, as moneys shall be by them received under said act, approved April fourth, eighteen hundred and sixty-four, likewise pay over and transfer the same to the state sinking fund; and thereafter the said moneys so transferred or paid over shall be incorporated with and become part and parcel of the sinking fund of this state and dealt with in all respects as part and parcel thereof. Commissioners to pay over moneys to sinking fund.

**55. SEC. 2.** That upon payment or transfer of any such moneys as aforesaid to the sinking fund of the state, the state treasurer and comptroller shall issue and deliver therefor to said commissioners, a certificate of this state to the effect that the state will pay to said commissioners, semi-annually, five per centum of the amount so paid into or transferred to the sinking fund, so long as said act of congress and the laws of this state, passed in pursuance thereof, shall be in all things and by all parties observed and complied with. Upon payment the treasurer and comptroller to issue certificate.

**56. SEC. 3.** That the per centum paid to said commissioners upon any certificate issued under this act, shall be by them paid over to the person or persons, body or bodies, now or hereafter entitled by law to receive the same. Per centum, to whom paid.

**An act to increase the efficiency of the public school system of the state by providing for additional free scholarships at the state agricultural college.**

Passed March 31, 1890. P. L. 1890, p. 161.

**57. SEC. 1.** That in order that students in the schools in all parts of the state may receive the stimulus afforded by the opportunity to pursue the courses of study in the state agricultural college, and in order to enable said state agricultural college to furnish instruction gratuitously to students, residents of this state, in its several courses of study, as special courses of advanced study in the public school system of this state, there shall be sent to the said college students to the number of one each year from each assembly district in this state, to be selected and designated as hereinafter provided, who shall receive gratuitous instruction in any or in all the prescribed branches of study in any of the courses of study of said state college, under the general powers of supervision and control possessed by the board of visitors of said state college; said students so received shall be Additional free scholarships.  
Students from each assembly district.

Students may be received on vacant scholarships.

Students selected by examination, and when held.

Certificates, by whom issued.

Students appointed to hold state scholarship.

Amount to be paid out of income of school fund.

President of college to certify number of students.

Certificate to be approved by president of agricultural college and filed with state comptroller.

Act subject to amendment.

residents of this state, and shall be admitted into said state college, upon the terms and subject to the rules and discipline which shall apply to all other free students of said state college; and if there should be more than one suitably-prepared applicant from the same assembly district in the same year, such additional applicants may, in the discretion of the board of visitors of the said state agricultural college, be received on any vacant scholarships of any other assembly districts until such districts shall require such scholarships, after notice has been served on the superintendent of education of the county in which such vacant assembly districts are situated.

**58. SEC. 2.** That said students shall be selected as follows: a competitive examination, under the direction of the city superintendents and the county superintendent of education, in each county, shall be held at the county court-house in each county of the state, upon the first Saturday in June in each year, and the necessary traveling expenses of said examiners not otherwise provided for by law, on the approval of the president and secretary of the board of visitors of said state agricultural college, shall be paid by said state college; students who apply for examination shall be examined upon such subjects as may be designated by the faculty of said college and the state board of education; and the said city and county superintendents shall report to the president of said college and to the state superintendent of public instruction the names of all such students examined as in their opinion are suitably prepared to enter said college, with their estimate of the order of excellence in scholarship shown by said students at such preliminary examination; certificates of appointment to the state agricultural college shall be issued by the state superintendent of public instruction to all of such students as are so found to be qualified to enter said college; and in case the vacant scholarships shall not be sufficient to receive all such successful candidates, preference in appointing to vacant scholarships shall be given to successful candidates in the order of the excellence of their examination as certified by said superintendents; and in general the regulations and provisions governing the conduct of such examinations, and the appointment of said students to said scholarships shall be subject to the control of said board of visitors of said college.

**59. SEC. 3.** That each student so appointed and admitted to said college shall be regarded as holding a state scholarship, and for each scholarship, so held there shall be paid, as hereinafter provided, on the first day of November in each year, to the treasurer of said college, the same sum of money as the said college is entitled to receive for each scholarship established in said college under the existing state agricultural college fund; *provided*, that such payment shall be made only out of the income of the fund for the support of public free schools remaining after appropriations heretofore made payable out of said income are met.

**60. SEC. 4.** That in order to ascertain the number of scholarships for which payment shall be made as aforesaid, the president of said college shall, in the month of October in each year, make his certificate in writing, setting forth the names of the students so as aforesaid appointed and then in attendance at said college, the assembly districts from which they were appointed and the classes in college to which they belong, or the special courses of study which they are pursuing, which certificate, when approved by the president of the board of visitors of the state agricultural college, shall be plenary evidence of the number of scholarships for which payment shall be made, and on filing the same with the comptroller of the state he shall draw his warrant upon the treasurer of the school fund for the sum of money to which the said college may accordingly be entitled, and the said treasurer shall thereupon pay the same as aforesaid.

**61. SEC. 5.** That this act shall take effect immediately, and shall be subject to amendment, alteration and repeal at the discretion of the legislature.

An act to carry into complete effect in the state of New Jersey the provisions of an act of congress entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of congress approved July second, one thousand eight hundred and sixty-two," which act was approved August thirtieth, one thousand eight hundred and ninety.

Approved February 10, 1891. P. L. 1891, p. 13.

WHEREAS, By an act of congress approved August thirtieth, one thousand eight hundred and ninety, the title of which is above recited, certain sums of money were appropriated to be paid annually to each state and territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, established in accordance with an act of congress approved July second, one thousand eight hundred and sixty-two; and whereas, the Rutgers scientific school, maintained by "the trustees of Rutgers college, in New Jersey," is and always hitherto has been recognized as the agricultural college or agricultural department of the college established in accordance with the said act of congress approved July second, one thousand eight hundred and sixty-two; therefore,

Preamble.

62. SEC. 1. That the assent of the state of New Jersey to the grant made to this state under the said act of congress approved August thirtieth, one thousand eight hundred and ninety, and to the purpose of said grant, as indicated by the acts of congress relating thereto, is hereby declared and signified, and the secretary of state is hereby directed to transmit a certified copy of this act to the secretary of the treasury and to the secretary of the interior of the United States.

Assent of the state to the grant of congress.

63. SEC. 2. That the moneys received and to be received by this state under the said act of congress approved August thirtieth, one thousand eight hundred and ninety, shall, immediately and as soon as received, be paid over by the treasurer of this state, upon the warrant of the comptroller of this state, and the order of the trustees of Rutgers college, to the treasurer of Rutgers college, for the more complete endowment and maintenance of the said agricultural college or agricultural department of the college, established as aforesaid, for the benefit of agriculture and the mechanic arts, to be by the said trustees applied only to instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries of life and to the facilities of such instruction, in accordance with the acts of congress relating thereto.

Moneys received under the acts of congress to be paid to Rutgers college for its agricultural department.

64. SEC. 3. That the legislature shall have power at any time hereafter to pass such laws as may be deemed necessary and proper to enforce the due execution of this act and the before-mentioned acts of congress.

Legislature empowered to pass laws to enforce execution of this act.

### V. Agricultural Experiment Station.

An act to provide for the establishment of an agricultural experiment station.

Approved March 10, 1880. P. L. 1880, p. 137.

65. SEC. 1. That, for the benefit of practical and scientific agriculture, and for the development of our unimproved lands, the New Jersey agricultural experiment station, with suitable branches, is hereby established.

Agricultural experiment station established.

66. SEC. 2. That the direction and management of this institution shall be committed to a board of directors, which shall consist of the governor of the state, the board of visitors of the state agricultural college, together with the president and the professor of agriculture of that institution.

Direction and management of institution.

67. SEC. 3. That the members of this board shall be called together by the secretary of the board of visitors, and shall organize by the election

Election of president and secretary and term of office.

17-65  
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of a president and secretary, who shall hold their offices for one year, and until their successors are elected; five members shall constitute a quorum.

Meetings of board  
of directors.

**68. SEC. 4.** That the board of directors shall hold a meeting each year, at Trenton, on the third Tuesday in January, and other meetings, at the call of the president, at such times and places as may best promote the objects of the institution.

Board of directors  
to locate station  
and branches,  
and to appoint a  
director, chemists,  
&c.

**69. SEC. 5.** That the board of directors shall locate said experiment station and branches, and shall appoint a director, who shall have the general management and oversight of the experiments and investigations necessary to carry out the objects of said institution, and shall employ competent chemists, and other assistants necessary to analyze soils, fertilizers and objects of agricultural interest, so as to properly carry on the work of the station, and it shall make an annual report of its work to the governor of the state.

Report to be  
made.

Amount of  
appropriation.

**70. SEC. 6.** That a sum, not exceeding five thousand dollars in any one year, is hereby appropriated to said New Jersey experiment station, which money shall be paid out from the state treasury on the presentation of the bills of said station, properly certified by the president and secretary of the board of directors.

#### Supplement.

Approved March 9, 1881.

P. L. 1881, p. 85.

Board of directors  
to be known  
as board of  
managers.

**71. SEC. 1.** That from and after the passage of this act, the board of directors mentioned and created by said act shall be called and known as the board of managers.

Empowered to  
elect a treasurer  
and other officers,  
&c.

**72. SEC. 2.** That in addition to the powers now conferred upon said board, they shall have power to elect a treasurer, who shall hold his office for one year and until his successor shall be elected and qualified; and to appoint such other officers and agents as may be necessary to carry on the business of the institution; and to make such rules, by-laws and regulations for the government of the board, and for carrying out the objects, business and purposes of the institution as may, in their judgment, be necessary and proper.

May make by-  
laws, &c.

**73. SEC. 3.** [This section amended and supplied by Sec. 74, *post.*]

#### Supplement.

Approved May 9, 1884.

P. L. 1884, p. 318.

Expenses of  
station, how  
paid.

**74. SEC. 1.** That section three [see Sec. 73, *supra*] of the supplement to the act entitled "An act to provide for the establishment of an agricultural experiment station," be amended so as to read as follows:

[That the expenses of said station, when presented to the comptroller of the state, accompanied by the proper vouchers, duly certified by the president and secretary of the board of directors, shall, upon warrant of said comptroller, be paid out of the state treasury; *provided*, such expenses do not exceed the sum of eleven thousand dollars in any year.]

#### Supplement.

Approved May 1, 1894.

P. L. 1894, p. 176.

Expense of print-  
ing bulletins  
issued by board  
to be paid by  
state.

**75. SEC. 1.** That the expenses incurred by the board of managers of the New Jersey agricultural experiment station—in printing the bulletins issued from said station, containing analyses of fertilizers, fodders, feeds, soils, and so forth, the results of investigations in feeding animals, in testing the adaptability of soils and manures for the various cereal, fruit and vegetable crops, and such other results of investigations as may be deemed by the board of managers to be of immediate usefulness to the citizens of the state—when presented to the comptroller of the state, accompanied by the proper vouchers, duly certified by the president and secretary of the board of managers, shall, upon warrant of said comptroller, be paid out of the state treasury, said sum not to exceed one thousand five hundred dollars.

**76. SEC. 2.** That such payments shall be in addition to the annual appropriation now made for the payment of the expenses of said station. In addition to annual appropriation.

Supplement.

Approved March 5, 1895. P. L. 1895, p. 154.

**77. SEC. 1.** That the expenses of said station, when presented to the comptroller of the state, accompanied by the proper vouchers, duly certified by the president and secretary of the board of directors, shall, upon warrant of said comptroller, be paid out of the state treasury; *provided*, such expenses do not exceed the sum of fifteen thousand dollars in any year. Expenses of, now paid.

An act accepting and assenting to on the part of the state of New Jersey of the appropriations and grants of moneys, as made and provided for in an act of the congress of the United States, approved March third, one thousand eight hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July second, one thousand eight hundred and sixty-two, and of the acts supplementary thereto."

Approved March 16, 1887. P. L. 1887, p. 24.

**78. SEC. 1.** That an act of congress of the United States, approved March third, one thousand eight hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July second, one thousand eight hundred and sixty-two, and of the acts supplementary thereto," and the appropriations and grants of moneys for the purposes therein made, be and the same are hereby accepted and assented to on the part of the state of New Jersey. Act of congress assented to.

**79. SEC. 2.** That the assent of the state of New Jersey to the grants of moneys for the purposes, upon the terms, and in accordance with the several conditions and provisions in said act contained, is hereby signified and expressed, and the secretary of state is hereby directed to transmit a certified copy of this act to the secretary of the treasury of the United States. Assent of state to grants by congress

An act to provide for the construction of a state laboratory for the state agricultural experiment station.

Approved April 23, 1888. P. L. 1888, p. 461.

**80. SEC. 1.** That the sum of thirty thousand dollars be and hereby is appropriated for the construction of a state laboratory for the use of the state agricultural experiment station, under the direction of the board of managers of the state agricultural experiment station on land selected by the said board of managers; *provided*, such land shall be acquired without cost or expense to the state of New Jersey; which sum the treasurer of this state is hereby authorized to pay for such purpose, to the treasurer of said state agricultural experiment station, upon the warrant of the comptroller, as bills therefor shall be presented, marked approved by the president and two members of the said board of managers of said state agricultural experiment station. Appropriation for state laboratory.

**81. SEC. 2.** That the chemist or chemists of the state agricultural experiment station shall analyze all samples of milk, butter or other farm products, or the imitations thereof, that may be sent to said station by the state dairy commissioner and his assistants and agents, and shall report to the said commissioner the results of such analyses, and the costs thereof shall be paid out of the appropriation made to said station. Chemists to analyze samples of milk, butter, &c. Costs, how paid.

**An act to prevent the spread of fungous diseases of plants.**

P. L. 1890, p. 346.  
reamble.

Approved May 23, 1890.

WHEREAS, The officers of the state agricultural experiment station have discovered certain new fungous growths that threaten serious injury to important agricultural interests of the state; therefore,

Officers of state agricultural experiment station authorized to enter upon lands to destroy fungous growth.

**82. SEC. 1.** That when the officers of the state agricultural experiment station shall discover any new fungous growth which is doing injury to plants or vines, and while the same is confined to limited areas, they are hereby authorized and empowered to enter upon any lands bearing vines or plants so affected, and destroy the same by fire or otherwise, as they shall deem best.

Damages to be paid.

**83. SEC. 2.** That any damage to private property, resulting from the operation of destroying the said fungous growth by the officers of the state, shall be certified to by them, and the amount of damage paid to the owners thereof, from the same fund and in the same manner as is paid to owners of diseased animals killed by order of the state board of health.

Expenditures not to exceed \$1,000 a year.

**84. SEC. 3.** That expenditures under this act shall not exceed one thousand dollars in any one year.

**VI. Production of fibrous plants.**

**An act to encourage the production and treatment of fibers in this state.**

P. L. 1880, p. 98.  
Preamble.

Approved March 3, 1880.

WHEREAS, There are ample assurances that the soil and climate of this state are adapted to the cultivation of jute, ramie, flax, hemp and various other fibrous plants and grasses, which are extensively grown in other countries, and largely imported into the United States; and whereas, the development of new productive industries are of essential benefit to the public welfare; therefore,

Chief of bureau of labor and industries to certify vouchers, &c.

**85. SEC. 1.** [This section amended and supplied by Sec. 88, *post.*]

Treasurer authorized to pay money.

**86. SEC. 2.** That it shall be the duty of the chief of the bureau of labor and industries to certify the vouchers referred to in the first section of this act, and to have the general supervision, control and decision of all questions which may arise pursuant to the provisions of this act.

**87. SEC. 3.** That the treasurer of this state is hereby authorized to pay any money in the treasury not otherwise appropriated, in pursuance of the provisions of this act.

**Supplement.**

Approved March 3, 1881.

P. L. 1881, p. 78.  
State treasurer authorized to pay bounties for the cultivation of fibrous plants.

**88. SEC. 1.** That section one of the act to which this is amendatory [see Sec. 85, *supra*], be amended to supply an omission and elucidate the language of the section, so that the same shall read and be enacted as follows:

[That with the view to stimulate individual effort in the cultivation of fibrous plants, the treasurer of this state be hereby authorized to pay the following bounties, upon vouchers duly receipted by the payee, setting forth the quantity and prices of the products grown, converted or manufactured by him or them, whose affidavit of their truthfulness shall be first affixed to the said vouchers, and be attested by the clerk of the county in which the products are grown, converted or manufactured; and, moreover, the said vouchers shall be certified by the chief of the bureau of labor and industries of this state;

1. JUTE.

Bounty for raising jute.

For every two thousand pounds of abutilon avicennæ stalks grown in New Jersey, not less than three feet long, five dollars; for every ton of two thousand pounds of what is known as rose or marsh mallow, not less than three feet long, and not more than one inch in diameter at the butt, five

dollars; fractions of not less than a quarter ton in each case will be paid for at same rate; for every pound of marketable quality of disintegrated jute, two and a half cents;

2. RAMIE.

For every ton of two thousand pounds of ramie stalks, not less than two and a half feet long, ten dollars; fractions of not less than a quarter ton will be paid for at the same rate; for every pound of disintegrated ramie ready for combing, five cents; for every pound of ramie yarn ready to weave, ten cents;

Bounty for raising ramie.

3. FLAX.

For every ton of two thousand pounds of flax stalks, for fiber of the ordinary lengths for spinning purposes, thus excluding all qualities of tow, seven dollars; fractions of not less than a quarter ton will be paid for at the same rate; for every pound of decorticated or cleaned flax of ordinary American quality, other than tow, three and a half cents;

Bounty for raising flax.

4. HEMP.

For every ton of hemp stalks of two thousand pounds, of the ordinary lengths, six dollars; fractions of not less than a quarter ton will be paid for at the same rate; for every pound of decorticated or cleaned hemp, of ordinary American quality, three cents; *provided*, that the bounties hereby authorized shall cease on the first day of April, one thousand eight hundred and eighty-five; *and provided, further*, that in no event shall the total amount expended in the form of bounties, under this act, exceed the sum of fifteen thousand dollars, to be appropriated as follows: five thousand dollars to be awarded to the enumerated stalks; five thousand dollars to the enumerated cleaned fiber, and five thousand dollars to the ramie yarn.]

Bounty for raising hemp.

VII. Canada thistle.

An act to prevent the spread of the Canada thistle.

Approved March 8, 1848.

P. L. 1848, p. 198.

89. SEC. 1. That if any person or persons owning, possessing, or having care or charge of any land or lands, improved or unimproved, inclosed or uninclosed, in this state, shall knowingly, willingly or willfully permit or suffer any Canada thistle to grow up thereon, and suffer the same to stand until its seeds get ripe, he, she, or they shall, for every stalk or branch thereof so suffered to grow up, forfeit and pay a fine of twenty-five cents, to be sued for and recovered, with costs, by any person, in his name, before any court of competent jurisdiction.

Penalty for permitting Canada thistle to grow.

Supplement.

Approved March 25, 1881.

P. L. 1881, p. 252.

90. SEC. 1. That any person or persons who shall knowingly and willfully bring into this state any bale or bales of hay containing Canada thistle, or seeds of the same, or any grass or grain seeds with which the seeds of Canada thistle shall be mixed, or who shall knowingly and willfully sell any manure containing any Canada thistle, or seeds of the same, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be liable to a fine not exceeding one hundred dollars, or to imprisonment in the county jail, workhouse or penitentiary of the county in which such conviction shall take place, or both fine and imprisonment may be imposed, in the discretion of the court.

Penalty for bringing into the state Canada thistle, &c.

## VIII. Farmers' mutual aid and protective societies.

An act to incorporate farmers' mutual aid and protective societies.

Approved May 15, 1894.

P. L. 1894, p. 328.

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Associations,  
how formed.

Object of  
association.

Form of  
organization.

**91. SEC. 1.** That it shall be lawful for any number of persons engaged in agricultural pursuits, not less than ten in number, residing in this state, to form an association by whatever name they shall assume, for the purposes of this act.

**92. SEC. 2.** That the object of such association shall be for the mutual aid and protection of farmers in marketing their crops, dairy and other farm products, and the diffusion of information concerning the same.

**93. SEC. 3.** That such association shall be formed in the following manner: a certificate shall be made and signed by not less than ten persons stating their respective residences, forming such association, which certificate shall set forth:

I. The name assumed to designate such association and to be used in its business and dealings;

II. The place where such association shall be located, and the object for which it shall be formed;

III. Such certificate shall be proved or acknowledged by the parties signing the same, and recorded in the office of the clerk of the county where the association shall be located.

**94. SEC. 4.** That upon such certificate being filed, the said association shall be a corporation in fact and in law, and shall have power:

I. To have succession by its incorporated name for such time as said association shall continue in existence;

II. To make and use a common seal or alter the same at pleasure;

III. To sue and be sued, complain and defend in any court of law and equity;

IV. To hold, purchase and convey such real and personal estate as the purposes of the corporation shall require, and to mortgage any real or personal estate, and to receive and hold real and personal estate which shall come by devise or bequest; *provided*, that the funds and property of said corporation shall be used for the purposes of its organization and for no other;

V. To make and change by-laws not inconsistent with the constitution or laws of this state, to fix the number and qualifications of its directors for the management of its business, and the regulation and the government of its affairs, which number of directors may be altered by vote of the corporation;

VI. To wind up and dissolve itself, or to be wound up and dissolved, as shall be determined by a vote of the majority of its members voting, after four weeks' notice, served personally or published for two weeks in a newspaper, of such intended dissolution.

**95. SEC. 5.** That the persons signing the certificate of organization shall constitute the first directors for the association.

**96. SEC. 6.** That such directors may elect a chairman and secretary, and such directors shall be vested with such powers and shall perform such duties as the by-laws of the association when fully organized shall prescribe.

**97. SEC. 7.** That the said directors shall proceed to organize the association of which they are directors by the addition of persons whose duties and privileges shall be prescribed by the by-laws of said corporation, by which all members, including the directors, shall be governed.

**98. SEC. 8.** That the association shall meet at such times and places as shall be prescribed by its by-laws, within the city, town or place in which it is organized.

**99. SEC. 9.** That the corporation may have any number of members, whose qualifications and duties shall be prescribed by the by-laws.

**100. SEC. 10.** That the charter directors of the association to be formed shall hold their office until the first election prescribed by the by-laws of the association after incorporation, when a new set of directors may be

Powers of  
association.

First directors.

Powers and  
duties of.

Directors to  
organize.

Times and  
places of  
meeting.

Number of  
members.

Tenure of office  
of directors.

elected, and thereafter directors shall be elected annually and shall hold office for one year or longer, as shall be regulated by the by-laws.

**101. SEC. 11.** That no one shall be a director but a member of the association in good standing, and the officers of the directors may be different from the officers of the association. Qualifications of directors.

**102. SEC. 12.** That an association organized under this act shall have a president, secretary and treasurer, and such other officers as the by-laws shall prescribe. Officers.

**103. SEC. 13.** That the directors may advise with the association, but shall have no control over its action against the vote of the majority of the association, at any meeting properly called. Majority of association shall govern.

**104. SEC. 14.** That the common seal adopted by the association, to verify its acts, shall be in the custody of the secretary and be fixed by the direction of the association. Secretary shall have custody of seal.

**105. SEC. 15.** That any association formed for the purpose of this act, now organized, may be organized under this law by complying with its provisions. Other associations may be organized under this act.

## Aliens.

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| <ol style="list-style-type: none"> <li>1. May purchase land. May not hold office or vote.</li> <li>2. Former purchases good.</li> <li>3. May take by descent or devise.</li> <li>4. Rights of alien mortgagee.</li> <li>5. Their representatives may sue.</li> <li>6. When exempt from militia duty.</li> </ol> | <ol style="list-style-type: none"> <li>7. Tax on alien passengers.</li> <li>8. Master to furnish list of.</li> <li>9. Penalty for landing without permit.</li> <li>10. Provision for the sick.</li> <li>11. Penalties, how recovered.</li> <li>12. Vested powers saved.</li> </ol> |
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### An act to authorize aliens to purchase and hold real estate in this state.

Revision—Approved April 10, 1846.

Rev. 604.

R. S. 1.

**1.** That it shall and may be lawful for any alien, not being the subject of any state or power which shall be at the time of such purchase at war with the United States, to purchase lands, tenements and hereditaments within this state, and to have and to hold the same to him or her and his or her heirs and assigns forever, as fully, to all intents and purposes, as any natural-born citizen of the United States may or can do; (a) *provided always*, that nothing in this act shall be so construed as to entitle any alien to be elected into any office of trust or profit in this state, or to vote at any town meeting (b) or election of members of the senate and general assembly, or other officers, within this state, or for representatives in congress or electors of the president and vice president of the United States.

May purchase land.

Not hold office or vote.

**2.** That all purchases of lands, tenements and hereditaments within this state, which may have been made by aliens before the passing of this act, shall be deemed and held as good and effectual, to all intents and purposes, as if the same had been made after the passing thereof.

Former purchases good.

**3.** That any alien or aliens, not being the subject or subjects of any state or power at war with the United States, to whom any lands in this state may have descended from any ancestor, either alien or not, since the twenty-second of January, eighteen hundred and seventeen, or would have descended, or may or would hereafter descend, in case such person or persons claiming by descent were natural-born citizens of the United States, (c) or to whom any lands may have been or may hereafter be devised, shall and may have and hold the same to him, her, or them, and his, her, or their heirs and assigns forever, as fully, to all intents and purposes, as any natural-born citizens of the United States might, may, or can do.

Take by descent or devise.

(a) An alien competent to hold real estate is competent to maintain an action for its recovery. *Den, Martin v. Brown*, 2 Hal. 305. See *Bonaparte v. Camden and Amboy R. R. Co.*, Bald. C. C. 205. *Crawford v. The William Penn*, Pet. C. C. 106. This act does not remove the disability of alienage from persons who would without it have been their heirs. *Den, Colgan v. McKeon*, 4 Zab. 566.

(b) An alien has no right to vote at an election held in a school district to alter the district. *State v. Deshler*, 1 Dutch. 177.

(c) The children, born in this country, of an alien, who purchased while he was an alien enemy, before January 22d, 1817, and continued to hold after that period and after he became an alien friend, may inherit his estate. *Yeo v. Mercereau*, 3 Har. 387. But see *Colgan v. McKeon*, 4 Zab. 573.