

STATE OF NEW JERSEY

INTRODUCED JANUARY 21, 1924.

By Mr. RICHARDS.

Referred to Committee on Municipal Corporations.

AN ACT to authorize the board of chosen freeholders of counties to eliminate breeding places of mosquitoes and to issue bonds to provide money for the performance of work and purchase of material and equipment necessary or proper for such purpose.

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

1. The board of chosen freeholders of any county of this State shall have power to eliminate all breeding places of mosquitoes within the county, and to do and perform all acts and to carry out all plans which in their opinion and judgment may be necessary or proper for the elimination of breeding places of mosquitoes, or which will tend to exterminate mosquitoes and to purchase such material and equipment as may be necessary or proper for said purpose.

2. Whenever the board of chosen freeholders of any county of this State, by resolution approved by a majority of the membership of said board shall declare that it is expedient or necessary to eliminate breeding places of mosquitoes within said county, it shall be lawful for said board to issue bonds in the corporate name and under the corporate seal of said county to provide the moneys for the carrying out of any plans and the performance of the work and the purchase of the material and equipment which in their judgment is necessary or proper for the elimination of the breeding places of mosquitoes or tending to exterminate mosquitoes to an amount not exceeding three hundred thousand dollars.

3. Such bonds may be registered or coupon bonds and shall bear a rate of interest not exceeding five per centum per annum payable half yearly, and shall be redeemable not exceeding twenty five years from their date in the discretion of the

4 board of chosen freeholders of any county; which bonds may be sold at public or
5 private sale for the best price they can obtain for the same, but shall not be sold for
6 less than their par value; and all real estate and property within any such county
7 shall be liable for the payment of the principal and interest that may become due on
8 bonds to be issued by virtue of this act.

1 4. The board of chosen freeholders of any county that shall issue bonds by vir-
2 tue of this act, shall have power and authority to provide by taxation for the pay-
3 ment of said bonds and the interest thereon, and shall yearly and every year until the
4 said bonds shall be redeemed and paid off, order and cause to be collected by tax, at
5 the same time and in the same manner as other taxes are assessed and collected in
6 such county a sum of money sufficient to pay the interest on the said bonds as the
7 same shall become due and payable, and to pay and discharge the principal at the
8 several times it shall become due and payable.

1 5. All acts and parts of acts inconsistent herewith are hereby repealed, and this
2 act shall take effect immediately

Sponsor's STATEMENT.

The object of this bill is to authorize the board of freeholders of counties to elimi-
nate breeding places of mosquitoes, and to issue bonds for the work and equipment re-
quired for such purpose.

COMMITTEE SUBSTITUTE FOR
SENATE, No. 123

STATE OF NEW JERSEY

ADOPTED FEBRUARY 25, 1924.

AN ACT to authorize the board of chosen freeholders of counties to eliminate breeding places of mosquitoes and to issue bonds to provide money for the performance of the work and purchase of material and equipment necessary or proper for such purpose.

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

1 1. The board of chosen freeholders of any county of this State shall have power
2 to eliminate all breeding places of mosquitoes within the county, and to do and per-
3 form all acts and to carry out all plans which in their opinion and judgment may
4 be necessary or proper for the elimination of breeding places of mosquitoes, or which
5 will tend to exterminate mosquitoes and to purchase such material and equipment as
6 may be necessary or proper for said purpose.

1 2. Whenever the board of chosen freeholders of any county of this State, by
2 resolution approved by a majority of the members of said board shall declare that it
3 is expedient or necessary to eliminate breeding places of mosquitoes within said
4 county, it shall be lawful for said board to issue bonds in the corporate name and
5 under the corporate seal of said county, to provide the moneys for the carrying out
6 of any plans and the performance of the work and the purchase of the material and
7 equipment, which in their judgment is necessary or proper for the elimination of the
8 breeding places of mosquitoes or tending to exterminate mosquitoes to an amount not
9 exceeding three hundred thousand dollars.

1 3. Bond issues to carry out the purposes of this act shall be issued under and
2 in accordance with the provisions of "An act to authorize and regulate the is-
3 suance of bonds and other obligations and the incurring of indebtedness, by county,
4 city, borough, village, town, township, or any municipality governed by an in-

5 provement commission," approved March twenty-second, one thousand nine hun-
6 dred and sixteen, and the acts amendatory thereof and supplementary thereto.

1 4. The board of chosen freeholders of any county of this State in which there
2 is a county mosquito extermination commission appointed under the provisions of
3 chapter 104 of the Laws of 1912 may authorize, designate and employ such county
4 mosquito extermination commission to submit plans and to perform the work and
5 furnish the material which, in the judgment of the board may be necessary to
6 eliminate breeding places of mosquitoes or tend to exterminate mosquitoes.

1 5. Nothing in this act shall be construed to alter, amend, modify or repeal the
2 provisions of chapter 104 of the Laws of 1912, and the supplements and amend-
3 ments thereto.

1 6. This act shall take effect immediately.

SENATE, NO. 123

STATE OF NEW JERSEY

ADOPTED FEBRUARY 25, 1924.

AN Act to authorize the board of chosen freeholders of counties to eliminate breeding places of mosquitoes and to issue bonds to provide money for the performance of the work and purchase of material and equipment necessary or proper for such purpose.

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

1. The board of chosen freeholders of any county of this State shall have power to eliminate all breeding places of mosquitoes within the county, and to do and perform all acts and to carry out all plans which in their opinion and judgment may be necessary or proper for the elimination of breeding places of mosquitoes, or which will tend to exterminate mosquitoes and to purchase such material and equipment as may be necessary or proper for said purpose.

2. Whenever the board of chosen freeholders of any county of this State, by resolution approved by a majority of the members of said board shall declare that it is expedient or necessary to eliminate breeding places of mosquitoes within said county, it shall be lawful for said board to issue bonds in the corporate name and under the corporate seal of said county, to provide the moneys for the carrying out of any plans and the performance of the work and the purchase of the material and equipment, which in their judgment is necessary or proper for the elimination of the breeding places of mosquitoes or tending to exterminate mosquitoes to an amount not exceeding three hundred thousand dollars.

3. Such bonds may be registered or coupon bonds and shall bear a rate of interest not exceeding five per centum per annum payable half yearly, and shall be redeemable not exceeding twenty-five years from their date; said bonds may be sold at public or private sale for the best price the board of chosen freeholders can

5 obtain for the same, but shall not be sold for less than their par value, and all real
6 estate and property within any such county shall be liable for the payment of the prin-
7 cipal and interest that may become due on bonds to be issued by virtue of this act.

1 4. The board of chosen freeholders of any county that shall issue bonds by
2 virtue of this act, shall have power and authority to provide by taxation for the pay-
3 ment of said bonds and the interest thereon, and shall yearly and every year until the
4 said bonds shall be redeemed and paid off, order and cause to be collected by tax,
5 at the same time and in the same manner as other taxes are assessed and collected in
6 such county, a sum of money sufficient to pay the interest on the said bonds as the
7 same shall become due and payable, and to pay and discharge the principal at the
8 several times it shall become due and payable.

1 5. The board of chosen freeholders of any county of this State in which there
2 is a county mosquito extermination commission appointed under the provisions of
3 chapter 104 of the Laws of 1912 may authorize, designate and employ such county
4 mosquito extermination commission to submit plans and to perform the work and
5 furnish the material which, in the judgment of the board may be necessary to
6 eliminate breeding places of mosquitoes or tend to exterminate mosquitoes.

1 6. Nothing in this act shall be construed to alter, amend, modify or repeal the
2 provisions of chapter 104 of the Laws of 1912, and the supplements and amend-
3 ments thereto.

1 7. This act shall take effect immediately.

STATEMENT.

The object of this bill is to authorize the board of chosen freeholders of counties
to eliminate breeding places of mosquitoes, and to issue bonds for the work and equip-
ment required for such purpose.

Mr. Bright offered the following resolution, which was read and adopted:

Resolved, That when the Senate adjourns, it be to meet on Tuesday morning, at 11 o'clock.

Mr. Smith, Chairman of the Committee on Municipal Corporations, reported

Assembly Bills Nos. 113 and 393

Favorably, without amendment.

Signed—Albin Smith, William A. Stevens.

Committee Substitute for Senate Bill No. 163

Was taken up on third reading and laid over, on motion of Mr. Simpson.

Committee Substitute for Senate Bill No. 123

Was taken up on third reading.

Mr. Richards asked unanimous consent to amend said bill on third reading,

Which was agreed to.

→ Amendments to Committee Substitute for Senate No. 123, by Mr. Richards:

Page one, strike out section three and substitute a new section reading as follows:

Bond issues to carry out the purposes of this act shall be issued under and in accordance with the provisions of "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness, by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March 22, 1916, and the acts amendatory thereof and supplementary thereto.

Strike out section four.

Make sections five, six and seven, four, five and six respectively.

Mr. Richards moved that the above amendments be adopted,

Which was agreed to.

Committee Substitute for Senate Bill No. 123

Was taken up and read a third time.

Upon the question, "Shall this Senate Bill pass?" it was decided as follows:

In the affirmative were—

Messrs. Agans, Barber, Blackwell, Bright, Davis, Kays, Mackay, Mathis, Pierson, Richards, Simpson, Smith, Stevens, Whitney, Woodruff—15.

In the negative—None.

On motion of Mr. Bright, the Senate then adjourned.

TUESDAY, March 4th, 1924.

At eleven o'clock A. M. the Senate met.

The session was opened with prayer by the Rev. James H. Clark.

Under the direction of the President, the Secretary called the Senate, when the following Senators appeared and answered to their names:

Messrs. Agans, Blackwell, Bright, Case, Davis, Harrison, Larson, Mackay, Pierson, Reeves (President), Roberts, Simpson, Smith, Stevens, Whitney, Woodruff—16.

Mr. Davis offered the following resolution:

WHEREAS, The desks in use in the Senate Chamber are of an obsolete pattern and unsuited for the convenience of the members of the Senate, therefore

Be it resolved by the Senate, That the State House Commission be instructed to replace the present desks with suitable desks and to purchase, if necessary, chairs to conform to such new desks, and

Be it further resolved, That the Appropriations Committee be requested to include in the appropriation bill, an appropriation to the State House Commission for such purpose;

Be it further resolved, That a committee of three members of the Senate be appointed by the President to act in conjunction with the State House Commission with a view of obtaining suitably designed desks and chairs.

Mr. Davis requested that the Senate vote by roll call on the above resolution,

Which was agreed to.

The following message was received from the House of Assembly by the hands of its Clerk:

STATE OF NEW JERSEY,
ASSEMBLY CHAMBER,
March 7th, 1924. }

Mr. President:

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed the following bills:

Senate Bill No. 92, entitled "An act to permit any library association or company incorporated by general or special act to change its name, transfer its lands, securities and personal property to the corporation under its new name,"

And

→ Committee Substitute for Senate Bill No. 123, entitled "An act to authorize the board of chosen freeholders of counties to eliminate breeding places of mosquitoes and to issue bonds to provide money for the performance of work and purchase of material and equipment necessary or proper for such purpose,"

FREDERICK A. BRODESSER,
Clerk of the House of Assembly.

Assembly Bill No. 83

Was taken up, read a second time, considered by sections, agreed to, and ordered to have a third reading.

Assembly Bill No. 320

Was taken up, read a second time, considered by sections, agreed to, and ordered to have a third reading.

Assembly Bill No. 326

Was taken up, read a second time, considered by sections, agreed to, and ordered to have a third reading.

Assembly Bill No. 189

Was taken up on third reading.

Mr. Mackay asked unanimous consent to amend said bill on third reading.

Which was agreed to.

Amendment proposed to Assembly Bill No. 189, by Senator Mackay:

Section 1, line 13, after the word "bill" eliminate the period and insert a semicolon in lieu thereof, and then add the follow-

FRIDAY, March 14th, 1924.

At 11 o'clock A. M., the Senate met.

The session was opened with prayer by the Rev. James H. Clark.

Under the direction of the President, the Secretary called the Senate, when the following Senators appeared and answered to their names:

Messrs. Agans, Barber, Blackwell, Borton, Bright, Case, Davis, Harrison, Larson, Mackay, Mathis, Pierson, Reeves (President), Richards, Roberts, Simpson, Smith, Stevens, Whitney, Woodruff—20.

Senate Joint Resolution No. 1,

Vetoed by the Governor,

Was taken up.

Upon the question, "Shall this Senate Joint Resolution pass, the Governor's objections thereto notwithstanding?" it was decided as follows:

In the affirmative were—

Messrs. Blackwell, Borton, Bright, Davis, Harrison, Mackay, Mathis, Reeves (President), Richards, Simpson, Smith, Woodruff—12.

In the negative were—

Messrs. Barber, Case, Larson, Pierson, Roberts, Whitney—6.

Committee Substitute for Senate Bill No. 123,

Vetoed by the Governor,

Was taken up.

Upon the question, "Shall this Senate Bill pass, the Governor's objections notwithstanding?" it was decided as follows:

In the affirmative were—

Messrs. Blackwell, Borton, Bright, Davis, Harrison, Mackay, Mathis, Reeves (President), Richards, Roberts, Stevens, Woodruff—12.

In the negative were—

Messrs. Agans, Barber, Case, Whitney—4.

STATE OF NEW JERSEY,
ASSEMBLY CHAMBER,
March 14th, 1924. }

Mr. President:

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed the following bills:

Senate Joint Resolution No. 1, entitled "A joint resolution appropriating the sum of fifty thousand dollars to make known the industrial, agricultural, residential and recreational advantages of the State of New Jersey,"

Senate Bill No. 150, entitled "A further supplement to an act entitled 'An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission,' approved March twenty-second, one thousand nine hundred and sixteen,"

And

→ Committee Substitute for Senate Bill No. 123, entitled "An act to authorize the board of chosen freeholders of counties to eliminate breeding places of mosquitoes and to issue bonds to provide money for the performance of work and purchase of material and equipment necessary or proper for such purpose,"

The Governor's objections thereto notwithstanding.

FREDERICK A. BRODESSER,
Clerk of the House of Assembly.

The following message was received from the House of Assembly by the hands of its Clerk:

STATE OF NEW JERSEY,
ASSEMBLY CHAMBER,
March 14th, 1924. }

Mr. President:

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed the following bills:

Senate Bill No. 75, entitled "A supplement to an act entitled 'An act appropriating funds for the construction in part of a waterway connecting as a cut-off the Salem river, at or near the river wharves in the city of Salem in a direct line with the mouth of the said Salem river where it empties into the Delaware river,' approved March seventh, one thousand nine hundred and twenty-one,"

VETO MESSAGE

I also believe that this bill would probably conflict with Senate No. 205, which I have approved.

This bill is therefore disapproved.

[SEAL.] Respectfully submitted,
Attest: (Signed) GEORGE S. SILZER, Governor.
(Signed) FREDERIC M. P. PEARSE, Secretary to the Governor.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT, March 14th, 1924.

SENATE NO. 279.

To the Senate:

Being in doubt as to just what will be the effect of Senate 279, I do not think it should become a law.

It makes certain affidavits prima facie evidence, and in this way may do injury to other parties to the suit in condemnation. Our condemnation act and the law on this subject have worked satisfactorily since the adoption of the Constitution, and I see no reason for changing it in the particular provided for in this bill, without better reasons than those assigned in the explanation. The bill is therefore disapproved.

[SEAL.] Respectfully submitted,
Attest: (Signed) GEORGE S. SILZER, Governor.
(Signed) FREDERIC M. P. PEARSE, Secretary to the Governor.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT, March 11th, 1924.

SENATE NO. 123.

To the Senate:

This apparently gives authority to the Boards of Freeholders to eliminate mosquitoes, spend as much money as they like, and issue as many bonds as they like.

What becomes of the Mosquito Commission?



Is not this giving too much power for the expenditure of public moneys?

The bill is therefore disapproved.

[SEAL.] Respectfully submitted,
Attest: (Signed) GEORGE S. SILZER, Governor.
(Signed) FREDERIC M. P. PEARSE, Secretary to the Governor.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT, March 14th, 1924.

SENATE NO. 226.

To the Senate:

The title of this act and the body are inconsistent, which probably leads to its unconstitutionality.

The title concerns District Courts, while the body puts in limitations which apply and can apply only to one particular place.

For this reason the bill is disapproved.

[SEAL.] Respectfully submitted,
Attest: (Signed) GEORGE S. SILZER, Governor.
(Signed) FREDERIC M. P. PEARSE, Secretary to the Governor.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT, March 14th, 1924.

SENATE NO. 189.

To the Senate:

I am sorry to be obliged to veto this bill, because it has a good purpose in mind.

It provides that a person who received the receipt for cash bail deposited is entitled to have the same returned to him, and the Court is compelled to make an order to that effect.

This still leaves open the door for the knowing ones to secure the receipts in their names, and so have the money turned over to them.

I wish this bill might be re-enacted, leaving it discretionary with the Court to make a just and proper order for the return