

R. S. 2A: 73-3

LEGISLATIVE FACT SHEET

ON

N.J.R.S. 2A: 73-3 (Loyalty oath - Jurors)
(1966 Amendment)

LAWS OF 1966

CHAPTER 146

SENATE 201

~~ASSEMBLY~~

INTRODUCED Feb. 14, 1966

BY Stout, Ridolfi, Hunt

STATEMENT

YES

NO

AMENDED DURING PASSAGE

YES

NO

HEARING

VETO

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SENATE, No. 201

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 14, 1966

By Senators STOUT and RIDOLFI

Referred to Committee on Judiciary

AN ACT concerning juries, and amending section 2A:73-3 of the New Jersey Statutes and "An act concerning juries, amending section 2A:73-3 and supplementing chapter 74 of Title 2A of the New Jersey Statutes," approved July 29, 1953 (P. L. 1953, c. 331).

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

1 1. Section 2A:73-3 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:73-3. To the foreman and acting foreman of the grand jury there
4 shall be administered the following oath:

5 "You as foreman (acting foreman) of this grand inquest to sit in
6 behalf of the State of New Jersey in and for the county of,
7 do solemnly swear that you will support [and bear true faith and alle-
8 giance to] the Constitution of the United States and the Constitution of this
9 State [and to the governments established in the United States and in this
10 State, under the authority of the people and will defend them against all
11 enemies, foreign and domestic]; that you do not believe in, advocate or
12 advise the use of force, or violence, or other unlawful or unconstitutional
13 means, to overthrow or make any change in the government established in
14 the United States or in this State; and that you are not a member of or

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

15 affiliated with any organization, association, party, group or combination of
 16 persons, which so approves, advocates [.] or advises [or practices] the use
 17 of *such means* [force, or violence, or other unlawful or unconstitutional
 18 means, to overthrow or make any change in either of the governments so
 19 established; and that you are not bound by any allegiance to any foreign
 20 prince, potentate, State or sovereignty whatever], and that you shall dili-
 21 gently inquire and true presentment make of all such matters and things as
 22 shall be given you in charge, or in any way come to your knowledge touching
 23 the present service; that the counsel of the State and your own counsel
 24 you shall keep secret; that you shall present no one through envy, hatred
 25 or malice; neither shall you leave any one unrepresented for fear, favor or
 26 affection, for reward, gain or the hope thereof; but that you shall present
 27 all things truly as they shall come to your knowledge, according to the best
 28 of your skill and understanding, so help you God.”

29 To the grand jurors as a body there shall be administered the same
 30 oath except that the first words “You as foreman” are to be replaced with
 31 the words “You as members.”

1 2. Section 2 of the act of which this act is amendatory is amended to read
 2 as follows:

3 2. Every person summoned for service as a petit juror who is not ex-
 4 cused from serving upon the panel of petit jurors for which he is summoned
 5 shall, before he begins his service upon the panel, take the following oath:
 6 “You do solemnly swear that you will support [and bear true faith and
 7 allegiance to] the Constitution of the United States and the Constitution
 8 of this State [and to the governments established in the United States
 9 and in this State, under the authority of the people; and will defend them
 10 against all enemies, foreign and domestic]; that you do not believe in, ad-
 11 vocate or advise the use of force, or violence, or other unlawful or uncon-
 12 stitutional means, to overthrow or make any change in the government
 13 established in the United States or in this State; and that you are not a
 14 member of or affiliated with any organization, association, party, group or

15 combination of persons, which *so* approves, advocates [.] or advises [or
16 practices] the use of *such means* [force, or violence, or other unlawful or
17 unconstitutional means, to overthrow or make any change in either of the
18 governments so established; and that you are not bound by any allegiance
19 to any foreign prince, potentate, State or sovereignty whatever], so help
20 you God.”

1 3. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to shorten the loyalty oath required of grand and petit jurors to accord with the amendment of Revised Statutes 41:1-3 by P. L. 1962, c. 202.