

November 8, 1965

R.S. 2A:48-1 et seq.

LEGISLATIVE HISTORY OF R.S. 2A:48-1 et seq.
(Mobs and riots - loss of property)

R.S. 2A:48-1 and -2 and -5 and -6 and -7.

COPY NO. 2

L. 1864 (p. 237) - A42
No statement on bill.

R.S. 2A:48-3 and -4

L. 1864 - see above.

PROPERTY OF
NEW JERSEY STATE LIBRARY

L. 1903, Chapter 159 - S76
Introduced January 26 by Mr. Wakelee.
Not amended during passage.
No statement on bill.

185 W. State Street
Trenton, N. J.

R.S. 2A:48-8

L. 1923, Chapter 147 - A283
Introduced February 6 by Mr. Randolph.
Not amended during passage.
Statement on bill:

The purpose of this bill is to enact a
State anti-lynching law. Ohio and Illinois
already have such laws.

L. 1934, Chapter 213 - S291
Introduced April 17 by Mr. Leap.
Not amended during passage.
Statement on bill (copy of bill and statement enclosed).

R.S. 2A:48-9

L. 1923, Chapter 147 - see above R.S. 2A:48-8.

No reports or hearings on these bills could be located.

We searched the following with only limited success:
New Jersey Law Journal vols. 25 (1902), 26 (1903), 46 (1923), 57 (1934).
Index to Legal Periodicals, v. 1, 1877 to date.

A copy of an article entitled "Liability of the municipality for
mob violence" (6 Fordham Law Review 270, 1937) is enclosed.

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SENATE, No. 291

(P. L. 1923, c. 147, p. 316)

(Suppl. Comp. Stat. 1911-1924, p. 1958)

STATE OF NEW JERSEY

INTRODUCED APRIL 17, 1934

By Mr. LEAP

Referred to Committee on Revision and Amendment of Laws

AN ACT to amend an act entitled "An act to suppress mob violence," approved
March twentieth, one thousand nine hundred and twenty-three.

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

1 1. Section three of the act to which this act is amendatory be and the
2 same is hereby amended to read as follows:

3 3. Any person or persons who shall participate in or compose a mob, with
4 the intent to inflict damage or injury to the person or property of any
5 individual charged with a crime, or, under the pretense of exercising cor-
6 rectional powers over such person or persons by violence, and without au-
7 thority of law, shall be guilty of a misdemeanor and upon conviction shall
8 be punished by [subject to] a fine of not less than one hundred dollars nor
9 more than one thousand dollars, and may be imprisoned in the county jail
10 not less than thirty days nor to exceed twelve months for each and every
11 offense.

1 2. Section four of the act to which this act is amendatory be and the
2 same is hereby amended to read as follows:

3 4. Any person or persons participating in or composing a mob under the
4 provisions of this act, who shall by violence inflict material damage to the
5 property or serious injury to the person of any other person upon the

6 pretence of exercising correctional powers over such person or persons, by
7 violence and without authority of law, shall be deemed guilty of a [felony]
8 high misdemeanor, and [shall suffer] upon conviction shall be punished by
9 imprisonment [in the penitentiary] in the State prison not exceeding five
10 years; and any person so suffering material damage to property or injury to
11 person by a mob shall have an action against the county or city in which
12 such injury is inflicted, for such damages as he may sustain, to an amount
13 not exceeding five thousand dollars.

STATEMENT

Section one of this bill is intended to clarify the language of the section amended so that it will be applicable to one person as well as to a number of persons.

Section two clarifies the section amended thereby in the same manner and characterizes the offense as a high misdemeanor instead of a felony, as there are no felonies in our criminal law.