

June 8, 1971

Copy 2

LEGISLATIVE HISTORY OF R.S. 2A:8-22
(Municipal courts - jurisdiction)

Do Not Remove From Library
DEPOSITORY COPY

- L. 1895, Chapter 36 - S97
Feb. 4, 1895 - Introduced by Senator Voorhees.
No statement on the bill.
- L. 1898, Chapter 220 - S155
Feb. 14, 1898 - Introduced by Sen. Johnson.
"... all cases of assault, simple assault and battery, petty larceny, and any other crime or offense for which the punishment, on conviction, prescribed by law does not exceed either a fine of \$100 or imprisonment for a term of 6 months or both." (When committed in areas of jurisdiction).
No statement on the bill.
- L. 1930, Chapter 211 - A207
Introduced Feb. 4, 1930 by Litwin.
Mar. 31 - Passed in Assembly.
Apr. 16 - Passed in Senate.
Apr. 13 - Approved, Chapter 211.
First mention - "Overdrawing bank account and obtaining money or property under false pretense where amount alleged to be taken is not more than \$200".
Bill had statement (enclosed).
No hearings or reports were located.
- L. 1934, Chapter 162 - A189
Introduced Feb. 12, 1934 by Waugh.
Apr. 10 - Passed in Assembly.
May 2 - Passed in Senate.
May 7 - Approved, Chapter 162
"...Overdraw bank account ... not more than \$200."
No hearings or reports.
Bill had statement (enclosed).
- Revision of 1937 - copy of NJRS 2:219-33 as enacted in 1937 enclosed. This law same as L. 1934, Ch. 162 (No change).

L. 1948, Chapter 394 - S416
Introduced August 30 by Mr. Lewis.
"Overdraw credit or checking account in violation of
Sec. 2:134-7, 2:134-18".
No statement.
Amendment apparently made by Senate on August 30, 1948.
(The Senate Journal appears to have omitted this
action.)

L. 1949, Chapter 80 - S200 (R.S. 2:8A-38.1)
Introduced March 10 by Van Alstyne.
March 21 - Passed in Senate.
March 31 - Passed in Assembly.
May 6 - Approved, Chapter 80.
No change in wording during passage.
No statement on the bill.

Revision of 1951 - 2:219-33 revised to 2A:9-16
h) Overdrawing on checking account in violation
of section: 2A:134-17 and 2A:134-18 of
Revised Statutes. (Wording unchanged).

L. 1957, Chapter 55 - A227
Introduced Jan. 24 by Barkalow & Beadleston.
Amended by Assembly Committee.
Bill had no statement.

We checked the Report of the New Jersey Supreme Court's Municipal
Court Committee, March 1957. It did not mention this statute.
Nor does the Committee's report for 1956, or the Judicial Conference
of May 1957, or New Jersey Municipalities for 1957.

"G. Overdraw credit on checking account."

L. 1965, Chapter 184 - S187 (R.S. 2A:8-22 et seq.)
Introduced March 8 by Stout.
March 29 - Passed in Senate.
May 17 - Passed in Assembly.
Dec. 14 - Approved, Chapter 184.
"G. Overdrawing credit on checking account in amounts of
\$200 or more."
Bill had no statement.

Similar bills:

1965 - A398 (Farrington & 2 others (copy enclosed)).
1967 - A891 (Yesko).

L. 1966, Chapter 86 - A185

Introduced January 31 by Policastro (& 3 others).

"G. Overdrawing credit on checking account in amounts
of \$200 or more."

Not amended during passage.

Bill had no statement.

For background see:

"An open letter to the Legislature and the Supreme Court"
1 N.J. State Bar Journal 6 (Fall 1957) (copy enclosed).

TD/PC

17 and driving an automobile without the consent of owner; and other criminal offenses,
 18 the penalty for the violation of which does not exceed a fine of five hundred dollars
 19 (\$500), imprisonment for a term not exceeding one year, or both, where any of the
 20 specified crimes are committed within the corporate limits of the city in which such
 21 court is established; provided, the person or persons charged with any such crime or
 22 offenses shall, in writing, waive indictment and trial by jury.

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

3 2. If, on the trial of any complaint or accusation charging any person with
 4 simple assault and battery, or petty larceny] any of the offenses enumerated in the
 5 preceding section, it shall appear from the evidence that the defendant was guilty of
 6 atrocious assault and battery, or grand larceny] an offense which said court lacks
 7 the jurisdiction to try, the judge trying such case shall not proceed therewith, but
 8 shall forthwith cause to be entered on his docket] in the records of the court a dis-
 9 continuance of said case and forthwith send the complaint taken against the defend-
 10 ant, and the names and residences of the witnesses, to the prosecutor of the pleas
 11 of the county in which such trial was being had, and hold the defendant to bail in the
 12 same manner as if a complaint had been originally taken against said defendant
 13 for atrocious assault and battery or grand larceny, as the case may be; and no
 14 fees shall be allowed the judge or clerk of any criminal court in any such case.]
 15 for the offense which said court lacked the jurisdiction to try.

1 3. All acts and parts of acts inconsistent with the provisions of this act, be and
 2 the same are hereby repealed, and this act shall take effect immediately.

STATEMENT

Recorders and judges of police courts in smaller municipalities have greater jurisdiction than the judges of police courts of first class cities. In order to more expeditiously and with a minimum expense effectively dispose of the comparatively non-serious violations of the criminal law, and thus afford the now congested grand juries and quarter sessions courts of the first class counties more time for the consideration of the more serious law violations, it is proposed to give to the criminal courts of the cities of the first class, similar jurisdiction to that possessed by the judicial district criminal courts under Chapter 201 of the Laws of 1928.

ASSEMBLY, No. 189

(P. L. 1930, Chap. 211)

L. 1934 Chap 162 4189

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 12, 1934

By Mr. WAUGH

Referred to Committee on Revision and Amendment of Laws

AN Act to amend an act entitled "A supplement to an act entitled 'An act respecting criminal courts in cities of the first class in this State, and providing for the increase of jurisdiction thereof, and regulating the proceedings therein,' approved February nineteenth, one thousand eight hundred and ninety-five," which supplement was approved June fourteenth, one thousand eight hundred and ninety-eight, approved April eighteenth, one thousand nine hundred and thirty.

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

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

3 1. The criminal courts in any city of the first class in this State shall
4 have, possess and exercise, in addition to the powers, authority and juris-
5 diction which the said courts and judges thereof may now have, jurisdiction
6 to try and determine all cases of assault, assault and battery, desertion and
7 nonsupport, malicious mischief, larceny from the person, larceny and em-
8 bezzlement where the amount alleged to have been taken is not more than
9 two hundred dollars (\$200.00); overdrawing bank account and obtaining
10 money or property under false pretense where the amount alleged to be
11 taken is not more than two hundred dollars (\$200.00); receiving stolen
12 property, where the property alleged to have been received is not more than

13 two hundred dollars (\$200.00) in value; taking and driving an automobile
14 without the consent of owner; and other criminal offenses, the penalty for
15 the violation of which does exceed a fine of five hundred dollars (\$500.00),
16 imprisonment for a term not exceeding one year, or both, where any of the
17 specified crimes are committed within the corporate limits of the city in
18 which such court is established; *provided*, the person or persons charged
19 with any such crime or offenses shall, in writing, waive indictment and
20 trial by jury.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this act is stated in its title.