

part of said township of Franklin, so annexed, shall be incorporated together with the inhabitants of the township of North Brunswick, as heretofore existing, under the corporate name of "the inhabitants of the township of North Brunswick, in the county of Middlesex."

[Sections 2 to 6 executed].

An act to set off from the township of Harrison, in the county of Hudson, a new township, to be called the township of Union, and to annex the same to the county of Bergen.

Approved February 14, 1852.

P. L. 1852, p. 43.

2. SEC. 1. That all that portion of the township of Harrison, in the county of Hudson, lying within the following boundaries, to wit: beginning on the Essex county line in the centre of the Belleville turnpike road; thence along the centre of said road to the most westerly branch of Sawmill creek; thence along the middle of said creek to the Hackensack river; thence up said river and along the line of Bergen township, to the centre of the New Barbadoes Toll Bridge Company's road; thence along the centre of said road and along the Lodi township line, to the centre of Passaic river; thence down said river to the place of beginning, shall be, and hereby is set off from the township of Harrison, in the county of Hudson, and made a separate township, to be known by the name of the township of Union, which is hereby annexed to, and shall hereafter form a part of the county of Bergen.

Part of Hudson county annexed to Bergen county.

[Remaining sections executed].

Courts.

1. Courts, when and where held.
2. Writs, &c., returnable.
3. Courts, how long held.
4. Printing of list of causes to be given lowest bidder.
5. Sheriff to select constables to attend court.
6. Court may discharge them from further attendance.
7. Courts of special sessions authorized in certain counties when there is no law judge.
8. Officers of court.
9. Judge to make rules, &c., in absence of justice of supreme court.

An act to fix the times and places of holding courts in the respective counties in this state.

Approved March 9, 1876.

P. L. 1876, p. 28.

1. That the circuit court, the court of oyer and terminer and general jail delivery, the court of common pleas, the court of general quarter sessions of the peace and the orphans' court of the respective counties in this state, shall hold annually stated terms at the times and places following, and not otherwise, that is to say:

Courts, when and where held.

I. In the county of Bergen, at New Barbadoes, on the first Tuesday of April, September and December, respectively.

II. In the county of Hudson, at Jersey City, on the first Tuesday of April, September and December, respectively.

III. In the county of Essex, at Newark, on the first Tuesday of April, September and December, respectively.

IV. In the county of Monmouth, at Freehold, on the first Tuesday of May and October, and the first Tuesday after the first day of January, respectively.

V. In the county of Somerset, at Somerville, on the third Tuesday in April, September and December, respectively.

VI. In the county of Middlesex, at New Brunswick, on the first Tuesday of April, September and December, respectively.

VII. In the county of Warren, at Belvidere, on the fourth Tuesday in April, third Tuesday in September, and the first Tuesday after the fourth Tuesday in December, in each and every year.

VIII. In the county of Sussex, at Newton, on the first Tuesday of April, September and December, respectively.

IX. In the county of Morris, at Morristown, on the first Tuesday of May and October, and the third Tuesday of January, respectively.

- Passaic. X. In the county of Passaic, at Paterson, on the fourth Tuesday of April and September, and the first Tuesday after the first day of January, respectively.
- Hunterdon. XI. In the county of Hunterdon, at Flemington, on the second Tuesday in April, and the first Tuesday in September and December, in each and every year.
- Mercer. XII. In the county of Mercer, at Trenton, on the third Tuesday in January, the second Tuesday in May, and the first Tuesday in October, in each and every year.
- Burlington. XIII. In the county of Burlington, at Mount Holly, on the third Tuesday of April, September and December, respectively.
- Camden. XIV. In the county of Camden, at Camden, on the first Tuesday of May, October, and the second Tuesday of January, respectively.
- Cumberland. XV. In the county of Cumberland, at Bridgeton, on the first Tuesday in the months of October, January and May, respectively.
- Salem. XVI. In the county of Salem, at Salem, on the third Tuesday in the months of October, January and May, respectively.
- Gloucester. XVII. In the county of Gloucester, at Woodbury, on the first Tuesday of April, September and December, respectively.
- Atlantic. XVIII. In the county of Atlantic, at Mays Landing, on the second Tuesday of April, September and December, respectively.
- Cape May. XIX. In the county of Cape May, at Cape May Court House, on the fourth Tuesdays of September and April, and the third Tuesday in December, respectively.
- Ocean. XX. In the county of Ocean, at Toms River, on the second Tuesday of April, the first Tuesdays of September and December, respectively.
- Union. XXI. In the county of Union, at the city of Elizabeth, on the first Tuesday of May, October and January, respectively.
- Writs, &c., returnable. 2. That all writs, process, recognizances and other proceedings of the said several courts, which are now by law required to be returned at a term of such court, shall be made returnable at and in conformity to the terms and times hereby established.
- Courts, how long held. 3. That the said several courts may, respectively, be held and continued for so long time, as the business thereof shall render necessary.

An act to provide for the printing and publishing of the list of causes noticed for trial in the circuit courts and courts of common pleas of the several counties of this state.

P. L. 1876, p. 283.

Approved April 21, 1876.

Printing of list of causes to be given to lowest bidder.

4. SEC. 1. That in all the counties of this state, whenever the judge holding the circuit court therein shall deem it proper and necessary that the list of causes noticed for trial at any of the regular terms of the said circuit courts and courts of common pleas shall be printed and published for the use of the said courts, he may order and direct the same to be done by the clerk of the said courts and prescribe the form in which the same shall be printed and direct the said clerk to advertise for one week in two newspapers of different political parties in the county for bids for said work for one year and give said printing to the lowest bidder and the expenses of the printing and publishing thereof shall be paid by the board of chosen freeholders of the county, upon the certificate of the said circuit judge that such printing has been done.

A supplement to the act entitled "An act relative to the supreme and circuit courts," approved March twenty-seventh, eighteen hundred and seventy-four.

P. L. 1876, p. 284.

Approved April 21, 1876.

Sheriff shall make out list of constables to attend court and give notice to those selected.

5. SEC. 1. That at least ten days before the commencement of each regular term of the circuit court to be holden in any county of the state, the sheriff of said county shall make out a list of constables not exceeding ten in number, who shall attend as constables at the said next term of court in said county, and after making out said list the said sheriff shall thereupon notify, by mail, each of said constables so selected, that he has been so selected to attend at said term; and if upon the first day of said term, or any day thereafter, any of said constables so selected shall for

any reason fail to attend at said term, the judges, before the court of common pleas or a major part of them shall, if the necessities of the business of the court require it, or the justice of the supreme court holding the circuit shall so request, direct, by writing under their hand, and filed with said clerk, that other constables of said county duly elected and qualified to act as such, of a number designated by said judges or a major part of them in said writing, shall serve at said term instead of the constables originally selected and absent; and no constable of said county, except those thus selected and summoned, or selected to fill such vacancies shall receive any compensation whatever for his attendance as a constable upon said court or at said term; *provided*, that in counties containing a population of at least one hundred and fifty thousand persons, it may be lawful to thus select and summon not exceeding fifteen constables, and in counties of a greater population one additional constable for each twenty thousand population may be summoned; *and provided further*, that if at any time the said judges or a major part of them shall deem the attendance of an additional number of constables desirable, or necessary for the proper transaction of the public business, they may by writing authorize the said sheriff to summon such additional constables.

6. SEC. 2. That if at any time during said term it shall appear to said judges or a major part of them, that the attendance of any of said constables so attending at said term, may be dispensed with, without detriment to the public business of said term, it shall be the duty of the said judges, or a major part of them, to forthwith discharge from further attendance such and so many of said constables so attending, as shall be deemed proper and expedient; *provided*, that such discharge shall not be made, if the justice of the supreme court holding the circuit shall refuse to concur therein.

A supplement to an act entitled "An act to reorganize the courts of law," approved February ninth, eighteen hundred and fifty-five.

Approved March 9, 1877.

P. L. 1877, p. 218.

7. SEC. 1. That whenever in any county in this state in which a counsellor at law, of not less than five years' active practice, shall have been appointed one of the judges of the court of common pleas, orphans' court and court of general quarter sessions of the peace for said county, and in which there shall be no law judge, appointed as such, any person shall be charged, upon oath, before any justice of the peace, or police justice, or any other officer authorized by law to hear said charge in said county, with any offence now triable at law before the court of general quarter sessions of the peace of said county, and such person shall, in writing, signed by him or her, addressed to the prosecutor of the pleas of said county, waive an indictment and trial by jury, and request to be tried immediately, it shall be the duty of the said prosecutor to apply to said judge, being such counsellor at law, for the immediate trial of such person; and said judge, unless he shall think the public interests will be benefited by denying such request, shall call a court of special quarter sessions of the peace, to be composed of himself and at least one other of the members of said court, which court is hereby empowered and required to try such person with all due speed, having regard to all the circumstances of the case, the public benefit, and the possibility of obtaining necessary witnesses, and to determine and adjudge the guilt or innocence of the person charged; and if such person be acquitted by said court, he or she shall forthwith be discharged; if he or she shall plead guilty, or be convicted, said court shall thereupon forthwith render and record such judgment of imprisonment or fine, or both, as shall be authorized by law in case such person shall be duly indicted and convicted; and it shall be the duty of said prosecutor to attend on such trial in person or by deputy, and prefer to said court an allegation, in writing, alleging the time, place and nature of the offence with which such person is charged, to which such person shall forthwith plead; and the proceedings for bringing such person to trial before said court, the accusation, plea, trial and sentence shall be in conformity with the law and practice heretofore, except so far as the same is altered by this act; and the costs of all proceedings in said

Proviso.

Court may discharge from further attendance when expedient.

Proviso.

In counties in which there is no law judge and a counsellor at law is appointed common pleas judge, persons charged may waive indictment and trial by jury.

Court of special sessions may be called.

- Costs, how taxed and paid. court under this act shall be taxed and paid in the same manner as costs of proceedings upon indictments found in the court of oyer and terminer and general jail delivery of said county are now taxed and paid, but not including any costs of indictment except the fees of the prosecutor of the pleas, which shall be the same.
- Clerk of the county to be clerk of the court. 8. SEC. 2. That the clerk of said county shall be the clerk of said court hereby provided for, and shall issue all processes, whether of *capias*, subpoena or execution, which shall be required in carrying out this act, which processes shall be delivered to the sheriff of said county, and shall be by him served and returned under the same regulations and with the same compensation as heretofore; and the said sheriff shall be the officer of said court and exercise the same direction and supervision of all constables and subordinate officers attending said court, and in all other things pertaining to the office, as heretofore.
- Sheriff to be the officer of the court. 9. SEC. 3. That in all matters within the jurisdiction of the said several courts, relating to the practice and settlement of legal rules and questions, the said judge shall, in the absence of the justice of the supreme court, have exclusive power and authority to determine such rules, questions and practice.
- Judge to determine rules, &c., in absence of the justice of supreme court.

Crimes.

1. Penalty for disbursing moneys in excess of appropriation.
2. Penalty for evading payment of state taxes.
3. Penalty for seduction by married man under promise of marriage.
4. Penalty for seduction by single man.
5. Penalty for endangering property by burning brush, etc.
6. Penalty for employe or person in control of state institution being interested in furnishing supplies.
7. Penalty for public officer being interested in any public contract.
8. Penalty for stealing railroad tickets.
9. What not to be construed a conspiracy.
10. Penalty for unlawfully taking certain animals.
11. For injury to graveyards.
12. For bringing dog or goat within limits of graveyard.
13. For polluting waters.
14. Restriction as to sale of inflammable fluids.
15. Penalty for violating act.
16. Deposit of mud, earth, ashes, &c., in Hudson river, prohibited.
17. Penalty for violation of act.
18. When violations prosecuted.

A supplement to an act entitled "An act for the punishment of crimes," approved March twenty-seventh, eighteen hundred and seventy-four.

P. L. 1876, p. 16.

Approved February 7, 1876.

Penalty for disbursing, ordering or voting for disbursement of public moneys in excess of amount appropriated and limited by law.

1. That if any board of chosen freeholders, or any township committee, or any board of aldermen or common councilmen, or any board of education, or any board of commissioners of any county, township, city, town or borough, in this state, or any committee or member of any such board or commission, shall disburse, order or vote for the disbursement of public moneys, in excess of the appropriation respectively to any such board or committee, or shall incur obligations in excess of the appropriation and limit of expenditure provided by law for the purposes respectively of any such board or committee, the members thereof, and each member thereof, thus disbursing, ordering or voting for the disbursement and expenditure of public moneys, or thus incurring obligations in excess of the amount appropriated and limit of expenditure as now or hereafter appropriated and limited by law, shall be severally deemed guilty of malfeasance in office, and, on being thereof convicted, shall be punished by fine not exceeding one thousand dollars, or imprisonment at hard labor for any term not exceeding three years, or both, at the discretion of the court. (a)

P. L. 1876, p. 56.

Supplement.

Approved March 16, 1876.

Penalty for evading the payment of taxes.

2. SEC. 1. That if any person shall make a transfer of any property or goods or chattels liable to taxation by the laws of this state, for the purpose of thereby evading the payment of any taxes that may be afterward assessed thereon, or shall obtain a loan for the purpose of thereby claiming a deduction in any taxes that may be afterward assessed against

(a) *State v. Halsted*, 10 Vr. 402.