

3. That such company shall have power to elect annually six or more directors or trustees, a secretary, treasurer, and such other officers and assistants as they shall deem necessary, take from them such security as they may deem expedient, by bond or otherwise, be able and capable in law to prosecute the same to effect, and generally to sue and be sued, defend and be defended, in all courts of judicature, and have and use a common seal for sealing all deeds, contracts, and other writings touching such corporation.

Election of directors and officers.

4. That the capital stock of such corporation, not to exceed two thousand dollars, shall be used and applied in defraying the expenses incident to the pursuit and detection of thieves of horses, mules, cattle, or other property, and for securing and advancing the aforesaid object, in such mode as to said company, or its directors or managers, shall seem most effectual.

Capital stock, for what to be used.

5. That any company, already formed or incorporated for the objects specified in this act, or any of them, may avail itself of the benefits of this act, by complying with the provisions of the first and second sections thereof.

Companies already formed may have benefit of act.

Public Officers, Oaths of.

1. Oath of allegiance, form of.
2. Who to take it.
3. Official oath of governor.
4. Of judges of errors and appeals.
- “ Chancellor, and judges of other courts.
5. Clerks and register.
6. Counsellors, attorneys, etc.
7. General form of oath.
8. Who to administer to governor.
9. Legislators.
10. Chancellor, judges, etc.
11. Judges of pleas and others.
12. Names enrolled and filed.
13. By whom administered, if clerk absent.
14. Oath of clerk of pleas.
15. Penalty on clerk for neglect.

16. Duty of courts.
17. Who to administer oath of allegiance.
18. And so, though official not required.
19. Penalty on jurors for refusal.
20. Officers to qualify in two months.
21. So of justices of the peace.
22. Swearing with uplifted hand.
23. Such oath good.
24. What oaths thus taken.
25. And if false, declared perjury.
26. Affirmations and declarations.
27. Who may administer.
28. Allowed, in what cases.
29. If false, declared perjury.
30. Oath of governor, who to administer and when.
31. Repealer,

An act prescribing certain oaths.

Approved April 17, 1846. Rev. 429, 440.

1. That every person who is or shall be required by law to give assurance of fidelity and attachment to the government of this state, shall take the following oath:

P. L. 1845, p. 220.

R. S. 866.

I, _____, do sincerely profess and swear, that I do and will bear true faith and allegiance to the government established in this state, under the authority of the people. So help me God.

Oath of allegiance.

2. That the governor for the time being of this state, and every person who shall be appointed or elected to any office, legislative, executive or judicial, under the authority of this state, or to any office in the militia thereof, and every counsellor, solicitor and attorney at law, shall, before he enters upon the execution of his trust, office or duty, take and subscribe the foregoing oath of allegiance.

Who to take it.

3. That every person who shall be elected governor of this state, or who shall at any time administer the government thereof, shall, before he enters upon the execution of his said office, take and subscribe the following oath, to wit:

Official oaths of.

I, _____, elected governor of the state of New Jersey, do solemnly promise and swear, that I will diligently, faithfully and to the best of my knowledge, execute the said office in conformity with the powers delegated to me; and that I will to the utmost of my skill and ability, promote the peace and prosperity, and maintain the lawful rights of the said state. So help me God.

Governor.

- Judges, etc. 4. That the members of the court of errors and appeals in the last resort in all causes, the chancellor, the judges of the supreme court, and the judges of the inferior court of common pleas, and orphans' court, shall, before they enter upon the execution of their respective offices, take and subscribe the following oath, to wit:
- I, ———, do solemnly promise and swear, that I will administer justice without respect to persons, and faithfully and impartially perform all the duties incumbent on me as ——— according to the best of my abilities and understanding, agreeably to the constitution and laws of the state of New Jersey. So help me God. (a)
- Clerks, etc. 5. That every person who shall be chosen or appointed to the office of register or clerk of any judicial court of this state, shall, before he enters upon the execution of his office, take and subscribe the following oath, to wit:
- I, ———, being appointed register (or clerk, as the case may be), of the ——— do solemnly promise and swear, that I will truly and faithfully enter and record all the orders, decrees, judgments and proceedings of the said court; that I will justly and honestly keep the records, parchments, papers, writings and books to me committed, and to be committed, by virtue of my said office; and that I will faithfully and impartially perform all the duties of the said office, according to the best of my abilities and understanding. So help me God.
- Counsellors, etc. 6. That every counsellor, solicitor or attorney at law, shall, before he be permitted to practice in any court of this state, take and subscribe in open court, the following oath, to wit:
- I, ———, do solemnly promise and swear, that I will faithfully and honestly demean myself in the practice of an attorney (or of a counsellor or solicitor, as the case may be), and will execute my office according to the best of my abilities and understanding. So help me God.
- General form. 7. That where the form of an official oath is not or shall not be specially prescribed, then one shall be taken in the following words, to wit:
- I, ———, do solemnly promise and swear, that I will faithfully, impartially and justly perform all the duties of the office of ——— according to the best of abilities and understanding. So help me God.
- Who to administer to governor. 8. That any member of the senate shall be and hereby is authorized to administer the oaths of office and allegiance to the person who shall be elected governor of this state; which oaths shall be administered in senate, if the legislature be in session. *Infra*, § 30.
- Legislators. 9. That any member of the senate or of the general assembly shall be and hereby is empowered to administer the oath of allegiance to his fellow members of the same house.
- Chancellor and others. 10. That the supreme court and each judge thereof, shall be and hereby is authorized to administer the oath of office and of allegiance to any person who shall be appointed to the office of chancellor, or secretary, or attorney general of the state, or judge or clerk of the said supreme court.
- Judges of pleas and others. 11. That it shall be the duty of the clerk for the time being, of the inferior court of common pleas of each county in this state, and of none other, to administer the oaths of office and allegiance to every person who shall be chosen or appointed a judge of the said court, or elected a justice of the peace, sheriff or coroner in and for the said county.
- Names enrolled and filed. 12. That it shall be the duty of the said clerk to enroll the name of every person to whom he shall administer the said oaths, together with the time of administering the same, on paper or parchment, to be by him for that purpose kept and filed in his office, and to transmit, within twenty days after administering said oath, the name of such person so sworn in, and the time when, to the secretary of state, to be by him filed in his office.
- When judges of pleas to administer certain oaths. 13. That if the clerk of the court of common pleas be absent, removed or dead, then it shall and may be lawful for any judge of the said court to administer the oaths of office and allegiance to the persons, or any of them, required to take the same in and by the eleventh section of this act; and the said judge shall report the name of the person to whom the said oaths were administered, and the date thereof, to the said clerk or his successor, who shall enroll the same and transmit a copy of such enrollment to the secretary of state, as is directed by the section next preceding.

(a) See *State v. Parkhurst*, 4 Hal. 427, 445.

14. That any judge of the inferior court of common pleas shall be and hereby is authorized to administer the oaths of office and allegiance to the person who shall be elected or appointed clerk of the said court; and it shall thereupon be the duty of the said clerk to enroll his own name and the time of his being sworn into office, and transmit, as aforesaid, a copy of such enrollment to the secretary of state, for the purpose above mentioned.

To administer oaths to clerk.

15. That if the clerk of any inferior court of common pleas shall neglect or refuse to perform, in due time, any service or duty enjoined on him by this act, he shall, for every such offence, forfeit thirty dollars, to be recovered by action of debt, with costs, by any person who will sue for the same.

Penalty for neglect of clerk.

16. That it shall be the duty of any court of judicature of this state to administer the oath of allegiance to such person as shall be by law required to take the same in the said court.

Duty of courts.

17. That it shall be lawful for every court, body corporate, judge, justice of the peace or other person or persons, before whom it is or shall be incumbent for any person, who shall be elected or appointed to office, to take his official oath, to administer at the same time the oath of allegiance to such person, if he is or shall be by law required to take the same.

Who to administer oath of allegiance.

18. That where the oath of allegiance is or shall be required by law, without any official or other oath, then it shall be lawful for any judge of the inferior court of common pleas, or any justice of the peace, in and for his proper county, to administer the same, unless it is or shall be otherwise directed by this or any other act: *and further*, the said judge and justice are hereby respectively empowered and required to administer the oath of allegiance to any person who shall apply to take the same.

And so where no official oath required.

19. That if any grand or petit juror, who hath not already taken and subscribed the oath of allegiance to this state, shall refuse, if required by the court, to take and subscribe the oath of allegiance prescribed by this act, in any court to which he shall be summoned, he shall, for every such offence, be fined by the said court in any sum not less than eight, nor more than thirty dollars; and the clerk of the said court shall deliver a certified list of the name of the juror and the fine awarded, to the sheriff of the county, who shall thereupon levy and make the same, by distress and sale of such juror's goods, with costs.

Jurors fined for refusing to take oath of allegiance.

20. That if any person, who shall be elected to any office by the senate and assembly in joint meeting, shall neglect or refuse to qualify into such office, for and during the space of two months after being informed of his election by any member of the senate or assembly for the county in which he resides, or by the clerk of the court of common pleas of such county, his said election shall thenceforth be void.

What officers must qualify in two months.

21. That if any justice of the peace, elected or to be elected under the present constitution, shall neglect or refuse to qualify into office for the period of two months after the date of his commission, his said election shall thenceforth be void.

When justice of the peace must be sworn.

22. That every person who shall be permitted or required to take an oath in any case, where by law an oath is allowed or required, may take the same with the ceremony of lifting up the hand and swearing by the ever living God, instead of that of touching and kissing the book of the gospels; and every person who is or shall be empowered and required to tender and administer an oath in the usual form, shall be and hereby is empowered and required, on request of the party to be sworn, to administer the same in the manner herein before prescribed.

Swearing with uplifted hand.

23. That an oath, which shall be administered and taken agreeably to the mode prescribed in the preceding section of this act, shall be as good and effectual as if the same had been administered and taken in the usual form of laying the hand on and kissing the gospels.

Declared good.

24. That in all cases where, by any act of the legislature of this state now in force or hereafter to be made, an oath is or shall be allowed or required, the same shall, on the request of the party to be sworn, be taken with the ceremony of holding up the hand and swearing by the ever living God, instead of that of touching and kissing the book of the gospels, although no provision for that purpose is or shall be made in such act.

What oaths may be thus taken.

And if false, declared perjury. 25. That if the person, who shall take such oath and swear as aforesaid with the uplifted hand and by the ever living God, shall falsely, wilfully, and corruptly swear or depose any matter or thing which, if the same had been sworn or deposed in the usual form, would have amounted to wilful and corrupt perjury, then such person, so offending, shall be deemed and adjudged to be guilty of wilful and corrupt perjury, and, on conviction thereof, shall be punished accordingly.

Affirmation and declaration legalized. 26. That every person, who shall be permitted or required to take an oath in any case, where by law an oath is allowed or required, and who shall allege that he or she is conscientiously scrupulous^(a) of taking an oath, shall, instead of the form of an oath, be permitted to make his or her solemn affirmation or declaration; and if such person shall choose to affirm, it shall be in words following, to wit:

Affirmation. I, _____, do solemnly, sincerely, and truly declare and affirm: But if such person shall choose to declare, it shall be in the words following, to wit:

Declaration. I, _____, do declare, in the presence of Almighty God, the witness of the truth of what I say: Either of which forms shall be as good and effectual in law, as an oath taken in the usual form, in which affirmation or declaration, the words "So help me God," at the close of the usual oath, shall be omitted.

Who may administer. 27. That every person, who is or shall be empowered and required to tender and administer an oath in the usual form, shall be and hereby is empowered and required to tender and administer the affirmation or declaration aforesaid, when requested to that purpose by any such scrupulous person as aforesaid.

And allowed in all cases of conscience. 28. That in all cases where, by any act of the legislature of this state now in force, or hereafter to be made, an oath is or shall be allowed or required, the affirmation or declaration, in the form above prescribed, of any such scrupulous person as aforesaid, shall be allowed and taken instead of an oath in the usual form, although no provision for that purpose is or shall be made in such act.

False affirmation, etc., perjury. 29. That if any person, who shall make such affirmation or declaration, shall falsely, wilfully, and corruptly affirm or declare any matter or thing which, if the same had been sworn or deposed in the usual form, would have amounted to wilful and corrupt perjury, then such person, so offending, shall be deemed and adjudged to be guilty of wilful and corrupt perjury, and, on being convicted thereof, shall be punished accordingly.^(b)

Supplement.

Approved January 14, 1869.

P. L. 1869, p. 3.

Who may administer oath of office to governor, and where. 30. SEC. 1. That the chief justice, chancellor, or any member of the senate, shall be and is hereby authorized to administer the oaths of office and allegiance to the person who shall be elected governor of this state, or who shall be constitutionally eligible to take the oath of office, which oaths, if the legislature be in session, shall be administered in the presence of the senate and house of assembly at such place as they may designate.

Repealer. 31. SEC. 2. That all acts and parts of acts inconsistent herewith, be and the same are hereby, to the extent that they are so inconsistent, repealed, and this act shall take effect immediately.

^(a) Every person must be sworn unless he alleges that he is conscientiously scrupulous, &c., *Williamson v. Carroll*, 1 *Harr.* 217. See *State v. Putnam*, *Coxe* 260. *Anonymous, Pen.* *930. *State v. Harris*, 2 *Hal.* 361. *State v. Foz*, 4 *Hal.* 244. *Coxe v. Field*, 1 *Gr.* 215. *Clark v. Collins*, 3 *Gr.* 473. ^(b) See *ante*, p. 229, § 17, note (a).

Public Shows.

- 1. Menageries, &c., must be licensed.
- 2. How and by whom.
- 3. Sum to be paid.
- 4. Penalty for violation.
- 5. Money to whom paid.
- 6. Penalty how collected.

An act for regulating public shows.

R. S. 561.

Revision—Approved March 29, 1874.

Menageries, etc., must be licensed. 1. That it shall not be lawful for any person or persons to exhibit or show within this state, for any price, gain or reward, any menagerie, or