

## PURSUING AND DETECTIVE SOCIETIES.

Result of election to be filed, and certified to presiding justice.

returns and canvass the votes so cast in all the election districts in said county and certify upon such tabulated statement the number of votes cast for the acceptance of this act, and the number of votes cast against the acceptance of this act, and he shall file such tabulated statement with his certificate thereon in his office there to remain of record; and it shall be the duty of the said clerk within five days after the filing of such tabulated statement and certificate in case the same shall show that this act has been accepted in such county, to deliver a certified copy of the said tabulated statement and certificate to the justice of the supreme court presiding in the court of such county; and it shall be the duty of the said justice within ten days thereafter to appoint the commissioners which he is authorized by this act first to appoint; all expenses incident to this election properly certified by the president judge of the court of common pleas of such county shall be paid by such county wherein such election is held as other election expenses therein are paid.

When act to take effect.

**68. SEC. 21.** That this act shall take effect immediately as regards the submission thereof to a popular vote as aforesaid.

## An act for the incorporation of park trustees.

P. L. 1895, p. 321.

Approved March 14, 1895.

Trustees of lands for public park purposes may become incorporated.

**69. SEC. 1.** That whenever a tract of land has heretofore been, or may hereafter be, conveyed to any persons in trust for use as a public park, and such park has been opened and established, it shall and may be lawful for such persons to become incorporated as hereinafter provided, and have, possess and enjoy all the powers and privileges which now are or may hereafter be granted to corporations as such by law; such persons so desiring to become incorporated shall make a certificate in writing, under their hands and seals, which shall be filed and recorded with the clerk of the county wherein said park is situate; said certificate shall recite that the persons making the same are trustees, maintaining a public park, and the municipality, township or other place where the same is situated and maintained, and that they desire to become incorporated under a name to be therein stated, which shall thereafter be the corporate name of the said corporation, and upon the filing and recording of said certificate, said trustees shall be and become a body politic and corporate in the law as aforesaid, and thereafter shall have and hold any property, real and personal, belonging to said trustees, as the property of said corporation; *provided, however,* that said corporation shall be subject to the same limitations and restrictions as the trustees are subjected to, as to the management of the trust, in and by virtue of the instrument creating them such trustees; membership in such corporation shall be created as provided by the by-laws of such corporations.

Proviso.

## Pursuing and Detective Societies.

1. Protection societies, how incorporated.
2. Certificate to be made and filed with county clerk.
3. Election of directors and officers.
4. Capital stock, for what to be used.
5. Companies already formed may have benefit of act.
6. Formation of association by not less than twenty inhabitants. Certificate and filing.
7. Upon making and filing certificate, constituted body politic.
8. Election of officers. Appointment of marshals.
9. Powers of marshal.
10. Commission of marshal, how revoked.
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13. Power to purchase land and erect house of detention.
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An act to authorize the formation of societies for the protection of property.

Approved March 13, 1851.

P. L. 1851, p. 243.

1. That it shall be lawful for any ten or more citizens of this state, being legal voters, to meet at such time and place, within the township in which they reside, of which time and place ten days' notice shall have been given, either by publication thereof in a newspaper of that vicinity, or by posting such advertisement in a conspicuous place therein; and, when met, to elect, by a plurality of voices, six or more directors or trustees, who are hereby constituted a body politic and corporate, by the name of "the protection society or company, of the township of \_\_\_\_\_, in the county of \_\_\_\_\_," or by such other name as may then and there be assumed by them, or by such directors or trustees then or afterwards assumed.

Protection societies, how incorporated.

2. That such directors or trustees, first elected, shall, under their hands and seals, make a certificate of such proceeding to the clerk of the county in which the same may be had, who shall record the same; and thereupon such body politic and corporate, and their successors, shall have full power to make all necessary or useful orders, regulations and by-laws as shall to them appear expedient (and not inconsistent with the laws of this state) touching the management and disposition of the affairs and effects of the company.

Certificate to be made and filed with county clerk.

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.

An act to authorize the formation of associations for the more effectual prevention and detection of crime.

Approved March 20, 1878.

P. L. 1878, p. 153.

6. SEC. 1. That it shall be lawful for any number of inhabitants of a township, or any one or more townships in any county in this state, not less than twenty of such inhabitants of each township, each of whom shall be a freeholder, to form an association under this act to protect the inhabitants thereof and punish the lawless; in forming such association for the purpose of this act, may sign and execute a certificate under their hands and seals, properly acknowledged before any officer authorized to take the acknowledgments of deeds by this state, and file the same in the office of the clerk of the county in which any such association proposes to form; in which certificate shall be set forth the name or title of the said association and the general objects thereof, the number of directors thereof, which shall not be less than nine nor more than fifteen, the names of the officers and directors who shall be elected for the first year of the existence of any such association.

Number of inhabitants to form association to be not less than twenty.

Certificate to be executed and filed in office of clerk of county.

Number of directors.

7. SEC. 2. That upon the making and filing of such certificate by such association, the said association, and such other persons as may be associated with them, are hereby constituted a body politic and corporate in law, by whatever name they shall assume, and by such name shall have

To have corporate powers upon making and filing certificate of association.

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succession and continuance, and be capable of suing and being sued, defending and being defended in all courts and places whatever, and may have and use a common seal, and alter and renew the same at pleasure, and by their name as aforesaid, and under their common seal, may make and enter into, execute and enforce any contracts or agreements relating, touching or concerning the objects of said corporation.

Election of officers.

**8. SEC. 3.** That a president, vice president, secretary and treasurer shall be elected by ballot by a majority of the members of any association so organized; the president and vice president of such association so organized may, from time to time, apply, under their hands, to the governor of this state to commission one or more persons, whom they shall designate, to act as marshals for the association in the county, and the governor, upon such application, may appoint such persons, or so many of them as he may deem proper, to be such marshals, and shall issue to each of such persons so appointed a commission to act as such marshals, a copy of which commission shall be filed in the office of the secretary of state.

Appointment of marshals.

Powers of the marshal.

**9. SEC. 4.** That every person so appointed as marshal shall possess all the powers of constables in criminal cases, and their compensation shall be defrayed by the association. (a)

Commission of marshal, how revoked.

**10. SEC. 5.** That whenever the president and vice president of any such association, for the time being, shall file a notice in the office of the secretary of state, dispensing with the services of any one or more of such marshals, his or their commission shall be revoked, and the powers of said person or persons as such marshal shall cease and determine.

Powers and duty of marshals.

**11. SEC. 6.** That it shall be lawful for said marshals, and they shall have power and authority, to arrest any person found within the limits of said county who shall have violated any law of this state within the county, or who shall have willfully interfered with the peace and good order of the county; and the said marshal shall arrest every such person without warrant and indorsement, and bring him or her, as soon as conveniently can be, before some person exercising the duties of justice of the peace in criminal cases in the county where such association is organized, there to be dealt with according to law.

Appointment of special police justices.

**12. SEC. 7.** That the governor of the state may appoint the president and vice president of such association, for the time being, special police justices of such association, to hold office until removed by the governor or until they cease to hold the office of such president and vice president; and upon such appointment, the governor shall issue to such person or persons a commission to act as such special police justice, and a copy of such commission shall be filed in the office of the secretary of state; and upon the receipt of such commission, the persons so appointed shall severally possess and may exercise, within such county, all the powers of a justice of the peace of this state in criminal cases, but shall not receive any fees for services performed in such cases.

To be commissioned by the governor.

**13. SEC. 8.** That any such association is hereby empowered to purchase land, within the township where the same is located, and to erect thereon a suitable house of detention, into which may be committed and safely kept, by the marshals authorized under this act of this state, any person arrested for offenses against the laws of this state, the person so committed to be kept in such house of detention with like effect as if committed to the common jail of such county.

May purchase land and erect house of detention.

**An act to authorize the formation of pursuing and detective companies.**

P. L. 1878, p. 222.

Approved March 29, 1878.

Number of persons not to be less than thirteen may form a company.

**14. SEC. 1.** That it shall and may be lawful for any number of persons, being citizens of this state above the age of twenty-one years, not less than thirteen, to form themselves into a company for the detection and pursuit, apprehension and prosecution of thieves, tramps, marauders and other depredators on persons and property; and for that purpose they

(a) As to the power of marshals under this act, see *Detafoile v. State*, 25 Vr. 381.

- shall make and sign articles of association, which shall set forth the names of the persons forming said company, with their places of residence, the names of not less than five nor more than ten directors, who shall manage the affairs of said company for one year and until others are elected in their places, and the name adopted by said company as its corporate name, and the number of years said corporation is to continue, which articles of association, when made and signed as aforesaid, shall be filed in the office of the secretary of state, who shall indorse thereon the day they are filed and record the same in a book to be by him provided for that purpose; and upon filing said articles in said secretary's office, said persons who have signed said articles of association, and all others (being citizens of this state and above the age of twenty-one years) who shall thereafter become members of said company, shall be a corporation, by the corporate name mentioned in said articles, for the purposes aforesaid, and as such corporation shall have power to make and use a common seal, to sue and be sued, and generally to have the privileges and immunities incident to bodies politic, and be subject to the liabilities and restrictions imposed thereon.
- 15. SEC. 2.** That the objects of said company shall be the detection, pursuit, apprehension, arrest and prosecution of thieves, tramps, marauders and other depredators on persons and property, and the recovery of stolen goods.
- 16. SEC. 3.** That in order to carry out the objects aforesaid, it shall and may be lawful for any such company, by their by-laws, to provide for raising a fund by fee for admission of members, assessment of the members, fines on officers and members for failure or neglect of any duty which may be lawfully imposed upon them; and said fees, assessment and fines may be collected by suit, in the name of the company, against the delinquents, as debts of like amount may now or hereafter be collected by law.
- 17. SEC. 4.** That the officers of any such company shall be a president, secretary and treasurer, and not less than five nor more than ten directors, who shall compose a board of direction, and shall be annually chosen by ballot at a general meeting of the company; *provided*, that the offices of secretary and treasurer may be filled by the same person, the said officers to continue in office one year or until their successors are chosen.
- 18. SEC. 5.** [Amended and supplied by Sec. 25, *post.*]
- 19. SEC. 6.** [Amended and supplied by Sec. 23, *post.*]
- 20. SEC. 7.** That a general meeting of the company shall be held annually, at such time as shall be fixed by the by-laws, and at such place as the board of direction may, from time to time, direct; the board of direction shall have the power to call special meetings at their discretion; notice of every meeting of the company shall be given in such manner as the by-laws of such company may prescribe, and in case any vacancy should occur in the board of direction during the year, the said board may fill the same until the next annual election.
- 21. SEC. 8.** That it shall be the duty of the board of direction to prepare by-laws for general regulation and government of such company, and for carrying out its objects, and before said by-laws shall go into effect they shall be approved by a meeting of the company, convened upon twenty days' notice by advertisement in a newspaper published in the county and circulating in the neighborhood where a majority of the members of such company reside; *provided*, that none of the said by-laws or regulations shall be in conflict with the constitution and laws of the United States, or of the state of New Jersey; *and provided further*, that none of said by-laws shall be altered or repealed except by a vote of two-thirds at any general meeting or at a special meeting of such company called for that purpose.
- 22. SEC. 9.** That nine members of such company shall be a quorum at any meeting thereof, and that said company may be dissolved at any time by a vote of three-fourths of the members thereof at a meeting held for that purpose; *provided*, such dissolution shall not affect or impair the rights
- Articles of association.
- Name.
- Articles of association to be filed in office of secretary of state.
- To have corporate powers.
- Objects.
- May charge admission fee, &c.
- Collection of fines, &c.
- Election of officers and directors to be annual.
- Proviso.
- Annual and special meetings.
- Notice to be given.
- Board of direction to prepare by-laws.
- Proviso.
- Proviso.
- Quorum.
- How dissolved.
- Proviso.

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of any creditors of said company, or of any person having any claim or demand thereon; nor shall such dissolution relieve said company, or any member thereof, from any liability previously incurred.

## Supplement.

R. L. 1879, p. 59.

Approved February 26, 1879.

**23. SEC. 1.** That section six of an act entitled "An act to authorize the formation of pursuing and detective companies," approved March twenty-ninth, one thousand eight hundred and seventy-eight, which reads as follows [see Sec. 19, *ante*], be and the same is hereby amended so as to read as follows:

Pursuers to take oath of office.

[That the pursuers elected by the board of direction shall, before entering upon the duties of their office, respectively take an oath or affirmation, of which a record shall be kept by the secretary, any member of the board of direction being authorized to administer the same, to support the constitution of the United States and the constitution of the state of New Jersey, and to perform the duties of their office with fidelity.]

Repealer.

**24. SEC. 2.** That all parts of the act to which this is a supplement inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

## Supplement.

P. L. 1880, p. 67.

Approved March 2, 1880.

**25. SEC. 1.** That section five of an act entitled "An act to authorize the formation of pursuing and detective companies," approved March twenty-ninth, one thousand eight hundred and seventy-eight, which reads as follows [see Sec. 18, *ante*], be amended so as to read as follows:

Board of direction.

[That the board of direction may appoint or elect any number of the members of any such company, not exceeding twenty, pursuers, and to give to each a badge of office, who shall continue in office for one year, and during such continuance in office shall each have the power and authority of a constable, so far as may be necessary to carry out the aforesaid objects of such company, and may execute warrants for that purpose in any part of the state, issued by any justice of the peace or alderman, and shall have all the responsibilities and immunities of constables in the exercise of said power and authority for the objects aforesaid; *provided*, that they shall not be liable to the performance of any services except as directed by the by-laws of such company; it shall be lawful for the members of said companies to demand and receive reasonable fees and rewards, as shall be agreed upon by the officer or officers and those who may employ them, for their services as such pursuers or detectives, from any person or persons who may employ them, and to make contracts and agreements concerning such employment.]

Badge of office. To have power and authority of constables.

Proviso.

Repealer.

**26. SEC. 2.** That all parts of the act to which this is a further supplement inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

**An act for the government of persons who are now or may hereafter become members of companies incorporated under the act entitled "An act to authorize the formation of pursuing and detective companies," approved March twenty-ninth, eighteen hundred and seventy-eight.**

P. L. 1884, p. 333.

Approved May 10, 1884.

Members of pursuing and detective companies to give bond before engaging in business.

**27. SEC. 1.** That it shall not be lawful for any person who is now or may hereafter become a member of any company incorporated under the act of the legislature of the state of New Jersey entitled "An act to authorize the formation of pursuing and detective companies," approved March twenty-ninth, eighteen hundred and seventy-eight, to engage in the detection, pursuit, apprehension, arrest or prosecution of thieves, tramps, marauders or other depredators on persons or property, or the recovery of stolen goods,

until he shall have filed with the clerk of the county in which he actually resides a bond to the state of New Jersey, with two sufficient sureties in the penal sum of five thousand dollars, conditioned for the faithful and bona fide performance of his duties and undertakings as a pursuer as provided in said act, which said bond shall be duly acknowledged and proven in the manner provided by law for taking the acknowledgment and proof of deeds, and shall be by the clerk of said county recorded in the book of official bonds of said county; and the sureties upon said bond shall also each justify in the sum of five thousand dollars before the justice of the supreme court holding the circuit in said county, who shall certify his approval thereof upon the same, provided he is satisfied that the principal named in said bond is a proper and suitable person to engage in the business of pursuing and detecting offenders against the laws; and when the said bond is given according to the provisions contained herein, and a certified copy thereof presented by the president of said pursuing or detective association under seal, the governor shall commission such members of said association who have qualified with the provisions of this act.

Bond, where filed and recorded.

Sureties to justify in certain sum before justice of supreme court.

When governor to commission members.

**28. SEC. 2.** That it shall not be lawful for the prosecutor of the pleas in any county of this state to employ a member of any of said companies in the detection or arrest of offenders against the laws until such member shall have fully complied with the provisions of this act, and in case of such employment, it shall not be lawful for the board of freeholders of the county to pay the expenses thereof.

Prosecutor not to employ member who has not complied with act.

**29. SEC. 3.** That any member of any of said companies who shall engage in the detection, pursuit, apprehension, arrest or prosecution of thieves, tramps, marauders or other depredators on persons or property, or the recovery of stolen goods, without complying with the provisions of this act, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding five hundred dollars, or imprisonment at hard labor not exceeding three years, or both.

Penalty for not complying with provisions of act.

**30. SEC. 4.** That the provisions of this act shall not apply to persons engaged exclusively in the pursuit of property belonging to the members of the corporations or associations to which they belong without compensation or pay for their services other than their expenses.

Act not to apply to certain persons.

**An act to authorize thief-detecting societies to exercise police powers in townships.**

Approved April 14, 1884.

P. L. 1884, p. 150.

**31. SEC. 1.** That every member of any thief-detecting society incorporated under the laws of the state of New Jersey shall be empowered, upon view and without warrant, to apprehend and arrest all persons committing breaches of the peace in any township in which said society is organized, and in like manner to apprehend and arrest all disorderly persons in said township and bring them before a justice of the peace in said township, to be dealt with according to law.

Members of detective society empowered to exercise police powers.

**An act to authorize pursuing and detective companies to provide for the indemnification of their members from loss, in whole or in part, by robbery, burglary, larceny or theft.**

Approved March 14, 1895.

P. L. 1895, p. 273.

**32. SEC. 1.** That it shall be lawful for any pursuing and detective company, organized under any general or special act of the legislature, to provide for the indemnification of its members from loss, in whole or in part, by robbery, burglary, larceny or theft, and to make by-laws, rules and regulations for the same, and to fix the dues, fees and assessments of the members, and to provide for the payment and collection thereof, and to sue for and recover the same in any court of competent jurisdiction.

Companies may provide for indemnity from loss.