

Supplement.

P. L. 1878, p. 30.

Approved February 26, 1878.

7. SEC. 1. That the first section of the act to which this is a supplement, and which reads as follows [see P. L. 1878, p. 30], be and the same is hereby amended so as to read as follows :

Interest to be at the rate of six per cent. per annum.

[That no person or corporation shall, upon contract, take directly or indirectly, for loan of any money, wares, merchandise, goods and chattels, above the value of six dollars for the forbearance of one hundred dollars for a year, and after that rate for a greater or less sum or for longer or shorter time.](a)

Repealer.

8. SEC. 2. That so much of the first section of the act to which this is a supplement as is inconsistent with this supplement, be and it is hereby repealed.

An act to prevent usury in the county of Monmouth.

P. L. 1875, p. 248.

Approved March 10, 1875.

What contracts usurious in Monmouth county.

9. SEC. 1. That all contracts for the loan of any money, wares, merchandise, goods or chattels, hereafter made in the county of Monmouth in this state, whereby above the value of seven dollars for the forbearance of one hundred dollars for a year or above that rate for a greater or less sum, or for a longer or shorter period, shall be taken directly or indirectly, shall be utterly void.(b)

Repealer.

10. SEC. 2. That all acts and parts of acts inconsistent with this act are and the same are hereby repealed.

(a) To constitute usury there must be a contract, although no illegal interest be taken thereon. *Clark v. Badgley*, 3 Hal. 233. *Howell v. Auten*, 1 Gr. Ch. 44. *Varick v. Crane*, 3 Gr. Ch. 123. *Minn v. Newark Savings Institution*, 1 C. E. Gr. 337. *Gillette v. Ballard*, 10 C. E. Gr. 491; affirmed, 12 C. E. Gr. 489. The payment and receipt of excessive interest is *prima facie* evidence of the corrupt agreement. *Varick v. Crane*, 3 Gr. Ch. 123. *Cummins v. Wise*, 2 Hal. Ch. 73. *Denyse ads. Crawford*, 3 Har. 325. A subsequent agreement or taking cannot affect a valid security. *Sloan v. Somers*, 2 Gr. 510. *Downington v. Meeker*, 3 Stock. 362. *Ware v. Thompson*, 2 Beas. 66. *Walter v. Lind*, 1 C. E. Gr. 445. *Conover v. Hobart*, 9 C. E. Gr. 120. The taking of illegal interest

constitutes usury. *Diercks v. Kennedy*, 1 C. E. Gr. 210. But it must be done *knowingly*. *Sussex Bank v. Baldwin*, 2 Har. 437. 497. *Griffin v. New Jersey Oil Co.*, 3 Stock. 43. A withholding of part of a loan in violation of the agreement, is not usury. *Auble v. Trimmer*, 2 C. E. Gr. 242. Where an account extending over a number of years was ordered, and the rate of interest during that time had been changed by law, the interest payable on the accounting will vary from time to time during the period for which interest is allowed, according to the changes. *Wilson v. Cobb*, 4 Stew. 92. See, also, *Jersey City v. O'Callaghan*, 12 Vr. 349. (b) See *Monfert's Administrator v. Rowland*, 11 Stew. 181, 13 Stew. 281.

Veteran Associations.

1. Governor may issue military stores to veteran associations.
2. Repealer.

3. Governor may loan camp and garrison equipage, &c., to the sons of veterans.
4. Repealer.

An act concerning veteran associations.

P. L. 1879, p. 65.

Approved February 27, 1879.

Governor authorized to issue military stores to veteran associations.

1. That whenever any lawfully-organized association of veterans from the late war in this state shall apply to the governor for the temporary loan of camp and garrison equipage, ordnance or other military stores, for any purpose whatsoever, not in conflict or violation of the peace of the laws of this state, or the laws of the United States, the governor shall examine into such application, and upon finding it a just and proper demand he shall have the power to order and authorize the issue of the stores asked for in the application; *provided, however*, the applicants be required to furnish good and sufficient bonds for the value of the stores issued, which bond shall first be approved by the governor, and to remain on file in the office of the quartermaster-general of the state.

Proviso.

Repealer.

2. That all acts or parts of acts inconsistent with this act, be and the same are hereby repealed.

An act concerning associations known as the sons of veterans.

Approved March 23, 1892.

P. L. 1892, p. 173.

3. SEC. 1. That whenever any legalized organized association of the sons of veterans, from the late war, in this state shall apply to the governor for the temporary loan of the camp and garrison equipage, ordnance or other military stores for any purpose whatever, not in conflict or violation of the peace of the laws of this state or the laws of the United States, the governor shall examine into such application, and, upon finding it a just and proper demand, he shall have the power to order and authorize the issue of the stores asked for in the application; *provided, however,* the applicants be required to furnish good and sufficient bond for the value of the stores issued, which bond shall first be approved by the governor, and to remain on file in the office of the quartermaster-general of the state.

Governor may loan camp and garrison equipage, &c., to the sons of veterans.

Proviso.

4. SEC. 2. That all acts and parts of the acts inconsistent with this act be and the same are hereby repealed.

Repealer.

Veterinary Medicine and Surgery.

- | | |
|---|---|
| 1. Incorporation of veterinary societies. | 7. Fee for registration, &c. |
| 2. Estate and property vested in society as a corporation. | 8. Act, how construed. |
| 3. Society may adopt constitution and by-laws. | 9. Persons holding diplomas may register. |
| 4. Person practicing or using title to be a graduate. Practitioner to register. | 10. Penalty for not conforming to act, &c. |
| 5. Who entitled to practice, &c. | 11. No persons to recover money for services unless they have complied with this act. |
| 6. County clerk to provide a book to register practitioners. | 12. County clerks to furnish full record of veterinary surgeons. |

An act to incorporate societies for the promotion of veterinary science and art in this state.

Approved March 18, 1885.

P. L. 1885, p. 105.

1. That any society in this state composed of not less than ten members not all residents of any one county, who are regular practitioners of veterinary surgery and which society has for its object the advancement of the science and art of veterinary surgery, may at any regular or special meeting called for that purpose, elect by ballot to become incorporated under this act; and they shall thereupon cause a certificate to be made setting forth their intentions and the proceedings of such meeting therefor, the officers of the society, its name and object, which certificate shall be signed by such members who shall be present and by said officers, and shall be acknowledged by them as all deeds for the conveyance of real estate are acknowledged, which certificate shall be filed with the secretary of state, and upon the filing of the same said society and such other persons as may be associated with them, shall be constituted a body politic and corporate in law by whatever name they shall have assumed, and by such name shall have succession and continuance and be capable in law 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 and under their common seal may make and enter into, execute and enforce any contracts or agreements relating to, touching or concerning the objects of such incorporation; a certified copy of said certificate of incorporation shall be presumptive evidence of the incorporation of such society and the facts therein stated.

Society may be incorporated.

Certificate of incorporation.

Where filed, &c.

2. That the estate and property of whatever kind of such society so incorporating shall vest in them as a corporation, and by their corporate name such society shall be able to acquire, purchase, receive, take, have and hold for the use and benefit of such corporation and for the purpose of effecting and carrying out the objects of its incorporation, any lands, tenements and hereditaments, and any sum or sums of money, rights, securities, goods and chattels, by gift, grant, alienation, devise, bequest or otherwise, of any person or persons, bodies politic or corporate, and the same or any part thereof, to sell, grant, assign, mortgage, devise, alien and dispose of.

Estate and property vested in society as a corporation.