

Morris J. Woodring, High  
Sheriff of Monmouth County

:Sheriff's Deed.

TO

:Dated Mar. 7, 1940

Robert McCarthy, Freehold,  
N. J., R.D. #3, of the Township  
of Manalapan, Monmouth County,  
New Jersey

:Recorded Mar. 8, 1940

:Book 1817 page 234

:Cons. \$100.00

#### G R A N T S

All the following tracts or parcels of land and premises, hereinafter particularly described, situate, lying and being in the Township of Marlboro in the County of Monmouth and State of New Jersey.

First Tract: Beginning at a point in the easterly line of Railroad Avenue at the southwest corner of formerly Baird lot, and running thence (1) in an easterly direction, towards the right of way of the New Jersey Central Railroad and at right angles thereto sixty feet to the west line of said right of way; thence (2) northerly, along the west line of said right of way, seventy feet to a point; thence (3) westerly, and parallel to the first course, sixty feet to the easterly line of Railroad Avenue; thence (4) southerly, seventy feet more or less to the point or place of beginning.

Intended to be a part of a tract designated tract Number One in deed of Abbott Worthley and wife to Abbott Worthley Company, Inc. dated November 15th, 1922 and recorded in Book 1203 of Deeds page 145 of the Monmouth County Clerk's Office.

Parcel B lying between Railroad Avenue and land of the N. J. Central Railroad Company, as shown on a map of lots made by G. B. Conover, Surveyor, and filed in Monmouth County Clerk's Office for Obadiah C. Herbert.

Beginning at a stone planted in the northwest corner of Abbott Worthley's lot, thence along Railroad Avenue north fifty feet to a stone planted in the southwest corner of James Baird's lot; thence east, along James H. Baird's lot, sixty feet to the land of New Jersey Central Railroad Company; thence south, along land of N. J. Central Railroad, fifty feet to a stone planted in the northeast corner of Worthley's lot; thence west sixty feet to Railroad Avenue, the place of beginning.

Intended to be the same tract designated as Tract Number 3 in deed of Abbott Worthley and wife to Abbott Worthley Company Inc. dated Nov. 15, 1922 and recorded in Book 1203 of Deeds page 145 of the Monmouth County Clerk's Office.

Second Tract: Beginning at a point in the east line of Railroad Avenue distant one hundred fifty feet northerly from the northeast corner of Herbert Avenue and Railroad Avenue and running thence (1) northerly, along the east line of Railroad Avenue one hundred ninety feet, eight inches to a point; thence (2) at right angles to the east line of Railroad Avenue easterly sixty feet to the west line of the right of way of the N. J. Central Railroad; thence (3) southerly, along the west line of said right of way one hundred ninety feet eight inches to a point; thence (4) westerly and parallel with the second course sixty feet to the point or place of beginning.

Intended to be the northerly portion of a tract designated as Tract Number 5 in a deed of Abbott Worthley

and wife to Abbott Worthley Company, Inc. dated November 15, 1922 and recorded in Book 1203 of Deeds page 145 of the Marmouth County Clerk's Office.

Third Tract:

Beginning at a stone in the northeast corner of Herbert and Railroad Avenue and running thence (1) along the easterly line of Railroad Avenue one hundred fifty feet to a point; thence (2) at an angle of ninety degrees sixty feet to a point in the west line of the right of way of the N. J. Central Railroad; thence (3) southerly, along the west line of said right of way, one hundred fifty feet to the north line of said Herbert Avenue; thence (4) along the north line of Herbert Avenue sixty feet to the point or place of beginning.

Intended to be the southerly portion of a tract designated as Tract Number Five in deed of Abbott Worthley and wife to Abbott Worthley Company, Inc. dated November 15, 1922 and recorded in Book 1203 of Deeds page 145 of the Marmouth County Clerk's Office.

John W. Griggs and  
Hannah, his wife, of  
Monmouth County, New  
Jersey

:Bargain & Sale Deed.

:Dated Aug. 19, 1842

TO

:Recorded May 8, 1845

Elizabeth Antonides  
Charles Antonides,  
William Antonides and  
John Antonides, of the  
same County and State,  
minor children of William  
Antonides, decd. and  
Gertrude Antonides, Guardian  
of said minor children

:Book Q4 page 89

:Cons. \$11.00

:

#### G R A N T S

All that certain tract of land situate in Freehold Township, Monmouth County, New Jersey in the forks of the road from Dr. Formans to the Middletown Point Road and the Dutch Lane.

Beginning in the middle of said last road, on the line of land belonging to said estate thence 1st, south twelve degrees east four chains fifty links, 2nd, north forty two degrees east three chains, 3d, north fifty seven degrees west three chains, seventy five links to the beginning. Containing three quarters of an acre more or less.

Excepting and reserving to the said party of the first part, his heirs and assigns, the use of the said tract of land for a public school/house, which<sup>is</sup>/now or may be hereafter built thereon, so long as it is necessary for the neighborhood to have a school house thereon, and excepting and reserving to the Trustees of the school district in which the said tract is situate, the right to build, complete and erect, a school/house thereon for

public use as a school house, and the same to be used by them and their successors as a school house, and upon using and occupying the said lot or house for any other purpose whatever, except it may be to hold meetings of a public nature in them, this reservation to cease and be void, and in case of the non use of the said tract of land or the house thereon or that may be thereon for the space of two years at any one time for the use and purpose of, and as a school house, then also this reservation to cease and be void, with the hereditaments and appurtenances.

THIS INDENTURE, made this            day of  
in the year of our Lord One Thousand Nine Hundred and forty-  
one,

BETWEEN TOWNSHIP OF MARLBORO, a municipal cor-  
poration of the State of New Jersey, party of the first part;

AND ROBERT McCARTHY, residing at R.F.D. Freehold,  
in the County of Monmouth and State of New Jersey, party of  
the second part:

WHEREAS, on December 31, 1941 Harry Magee, Tax  
Collector of the Township of Marlboro, after proper notice  
having been given, did sell property in the said Township of  
Marlboro for delinquent taxes, said property being assessed  
to one Abbott Worthley, Marlboro, New Jersey. The said  
premises consisted of an office, a corrugated tin building,  
a brick building, and a wooden building situate in the  
Township of Marlboro and in the Village of Marlboro, bounded  
on the south by what is commonly known as the County Road,  
on the East by the railroad, on the north by premises of one  
Lillian Zienowicz, and on the west by Railroad Avenue. The  
said premises herein referred to were struck off and sold to  
the Township of Marlboro, and a tax sale certificate No. 75  
was issued therefor, and is now held by the said Township  
of Marlboro.

WHEREAS, it now appears that part of the said  
premises included under said tax sale certificate No. 75  
has been purchased by Robert McCarthy, mortgagee at a fore-  
closure sale, and a request by the said Robert McCarthy has

the receipt whereof is hereby acknowledged, has released, quit-claimed, given, granted and conveyed, and by these presents do release, quit-claim, give, grant and convey unto the said party of the second part, all that part of the said mortgaged lands, to wit: Premises consisting of an office building, a corrugated tin building and a brick building situate in the Township of Marlboro and in the Village of Marlboro, and more particularly described in a Deed, Morris J. Woodring, Sheriff, to Robert McCarthy, said Deed being recorded in the Monmouth County Clerk's Office in Book 1817, page 234, excepting from this said release that portion of the premises formerly owned by Abbott Worthley, now deceased, upon which there is situate a wooden building, and the tract of land upon which the same is situate, this said tract being on the northerly side of the said premises of Robert McCarthy herein released.

TOGETHER with all of the right, title and interest of the said party of the first part to the same, to the intent that the lands hereby conveyed may be discharged from the said tax sale certificate, and that the rest of the lands in the said tax sale certificate may remain to the said party of the first part as heretofore.

TO HAVE AND TO HOLD the lands and premises hereby released to the said party of the second part, his heirs, executors, administrators and assigns forever, free

been made to the Township Committee of the Township of Marlboro to apportion said taxes, namely to divide the said amount of delinquent taxes and interest by indicating the amount due on the said wooden building, and the amount due on the said office, the corrugated tin building, and the brick building.

WHEREAS, the said Township Committee of the Township of Marlboro, Howard Preston, assessor, and Harry Magee, Collector, have apportioned said taxes and interest due as follows:                    to said premises owned by Robert McCarthy, and                    to premises remaining in the name of Abbott Worthley or Estate of Abbott Worthley.

WHEREAS, it further appears from a statement prepared by the Tax Collector of the Township of Marlboro that there are taxes and interest due on the entire premises for the years 1938 to 1941 inclusive amounting to Nine Hundred Twenty-nine Dollars and ninety-seven cents (\$929.97).

WHEREAS, the said party of the first part at the request of the said party of the second part has agreed to give up and surrender the lands hereinafter directed unto the said party of the second part, and to hold and retain the residue of said lands included in the tax sale certificate No. 75 as security for the money remaining due to the said Township of Marlboro for taxes, interest and charges thereon.

NOW THIS INDENTURE WITNESSETH, that the said party of the first part, in pursuance of the said Agreement and in consideration of the sum of                    to be paid at the time of the sealing and delivery of these presents,

from the encumbrances of the said tax sale certificate No. 75 held by the Township of Marlboro, party of the first part herein.

IN WITNESS WHEREOF, the said party of the first part hath caused its Corporate Seal to be hereto affixed and attested by its Clerk, and these presents to be signed by its Chairman, the day and year first above written.

TOWNSHIP OF MARLBORO

BY: \_\_\_\_\_  
JAMES FARRELL,  
Chairman

Attest:

\_\_\_\_\_  
THOMAS MAGEE,  
Clerk.



R E L E A S E

TOWNSHIP OF MARLBORO, a  
municipal corporation of  
the State of N.J.,

AND

ROBERT MCCARTHY

DATED:

Law Offices  
Barlow & McGowan  
10 West Main Street  
Freehold, New Jersey

WHEREAS, on December 31, 1941 Harry Magee, Tax Collector of the Township of Marlboro, after proper notice having been given, did sell at public sale property situate in the Township of Marlboro for delinquent taxes, said property being assessed to one, Abbott Worthley, Marlboro, New Jersey. The premises consisted of an office, a corrugated tin building, a brick building, and a wooden building situate in the Township of Marlboro and in the Village of Marlboro, bounded on the south by what is commonly known as the County Road, on the East by the railroad, on the north by premises of one, Lillian Zienowicz, and on the west by Railroad Avenue. The said premises herein referred to were struck off and sold to the Township of Marlboro on the date hereinbefore set forth and a Tax Sale Certificate No. 75 was issued therefor, and is now held by the said Township of Marlboro.

WHEREAS, it now appears that a portion of the said premises included under said tax sale certificate No. 75 has been purchased by Robert McCarthy, R.F.D. Freehold, N.J. as mortgagee at a foreclosure sale, and a request by the said Robert McCarthy has been made to the Township Committee of the Township of Marlboro to apportion said taxes, namely to divide the amount of delinquent taxes and interest by indicating the amount due on a portion of the said premises in question previously covered by the Mortgage held by the said Robert McCarthy and purchased by him at a foreclosure sale, and more particularly described in a Deed, Morris J. Woodring, Sheriff, to Robert McCarthy, said Deed being recorded in the Monmouth County Clerk's Office in Book 1817,

234.

WHEREAS, upon the application of Robert McCarthy to have said taxes apportioned, the said Township Committee upon its own motion has requested the Township Collector and the Township Assessor to apportion said taxes, interest and charges due.

WHEREAS, according to a statement prepared by Harry Magee, Esquire, Tax Collector of the Township of Marlboro, there are taxes and interest due on the entire premises for the years 1938 to 1941 inclusive amount to Nine Hundred Twenty-nine Dollars and ninety-seven cents (\$929.97).

WHEREAS, the said Township of Marlboro has agreed to release from the said Tax Sale Certificate No. 75 that portion of the premises purchased by the said Robert McCarthy at the said foreclosure sale upon the payment of taxes, interest and charges according to the apportionment hereinafter set forth, and

WHEREAS, according to the recommendation of Harry Magee, Esquire, Tax Collector, and Howard Preston, Tax Assessor, the said taxes, interest and charges upon said premises herein apportioned amounting to a total of \$929.97, should be divided as follows:                   to said premises now owned by Robert McCarthy, and                   to premises remaining in the name of Abbott Worthley or the Estate of Abbott Worthley.

BE IT THEREFORE RESOLVED, that the said taxes assessed against the premises in the name of Abbott Worthley shall be apportioned to Robert McCarthy, and to Abbott Worthley or Estate of Abbott Worthley.

BE IT FURTHER RESOLVED, that a Release be executed by the proper officers of the Township of Marlboro releasing said premises now owned by Robert McCarthy from the said Tax Sale Certificate No. 75 held by the Township of Marlboro, upon the payment by the said Robert McCarthy of the sum of , being taxes, interest and charges up to and including December 31, 1941, and the Clerk is hereby authorized to have said Release executed.

BE IT FURTHER RESOLVED, that the said Tax Sale Certificate No. 75 shall remain open of record and effectual as to the remaining premises of the said Abbott Worthley or Estate of Abbott Worthley.

WHEREAS, on December 31, 1941 Harry Magee, Tax Collector of the Township of Marlboro, after proper notice having been given, did sell at public sale property situate in the Township of Marlboro for delinquent taxes, said property being assessed to one, Abbott Worthley, Marlboro, New Jersey. The premises consisted of an office, a corrugated tin building, a brick building, and a wooden building situate in the Township of Marlboro and in the Village of Marlboro, bounded on the south by what is commonly known as the County Road, on the East by the railroad, on the north by premises of one, Lillian Zienowicz, and on the west by Railroad Avenue. The said premises herein referred to were struck off and sold to the Township of Marlboro on the date hereinbefore set forth and a Tax Sale Certificate No. 75 was issued therefor, and is now held by the said Township of Marlboro.

WHEREAS, it now appears that a portion of the said premises included under said tax sale certificate No. 75 has been purchased by Robert McCarthy, R.F.D. Freehold, N.J. as mortgagee at a foreclosure sale, and a request by the said Robert McCarthy has been made to the Township Committee of the Township of Marlboro to apportion said taxes, namely to divide the amount of delinquent taxes and interest by indicating the amount due on a portion of the said premises in question previously covered by the Mortgage held by the said Robert McCarthy and purchased by him at a foreclosure sale, and more particularly described in a Deed, Morris J. Woodring, Sheriff, to Robert McCarthy, said Deed being recorded in the Monmouth County Clerk's Office in Book 1817,

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WHEREAS, according to the recommendation of Harry Magee, Esquire, Tax Collector, and Howard Preston, Tax Assessor, the said taxes, interest and charges upon said premises herein apportioned amounting to a total of \$929.97, should be divided as follows:                   to said premises now owned by Robert McCarthy, and                   to premises remaining in the name of Abbott Worthley or the Estate of Abbott Worthley.

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BE IT FURTHER RESOLVED, that a Release be executed by the proper officers of the Township of Marlboro releasing said premises now owned by Robert McCarthy from the said Tax Sale Certificate No. 75 held by the Township of Marlboro, upon the payment by the said Robert McCarthy of the sum of , being taxes, interest and charges up to and including December 31, 1941, and the Clerk is hereby authorized to have said Release executed.

BE IT FURTHER RESOLVED, that the said Tax Sale Certificate No. 75 shall remain open of record and effectual as to the remaining premises of the said Abbott Worthley or Estate of Abbott Worthley.

Proof of Debt Due Municipal Corporation

IN THE DISTRICT COURT OF THE UNITED STATES

In the Matter of :  
ERNEST VOORHEES, : IN BANKRUPTCY  
Bankrupt. :

At Trenton, New Jersey, in said district of New Jersey, on the 29<sup>th</sup> day of May A.D. 1941, came Harry Magee of the Township of Marlboro, in the county of Monmouth and State of New Jersey, and made oath and says that he is the Tax Collector of the Township of Marlboro, Monmouth County, New Jersey, a municipal corporation incorporated by and under the laws of the State of New Jersey, and that he is duly authorized to make this proof, and says that the said Ernest Voorhees, the person whom a petition for adjudication of bankruptcy has been filed, was at and before the filing of said petition, and still is justly and truly indebted to said municipal corporation in the sum of One Hundred thirty-eight dollars and thirty-one cents, (\$138.31), that the consideration of said debt is as follows:

Taxes Due

For the year 1935. . . . .	\$ 16.48
Interest to April 1, 1941. . . . .	6.44
For the year 1936. . . . .	17.28
Interest to April 1, 1941. . . . .	4.35
For the year 1937. . . . .	16.91
Interest to April 1, 1941. . . . .	3.83
For the year 1938. . . . .	19.84
Interest to April 1, 1941. . . . .	3.30
For the year 1939. . . . .	18.56
Interest to April 1, 1941. . . . .	2.00
For the year 1940. . . . .	18.64
Interest to April 1, 1941. . . . .	.86
Half of the year 1941. . . . .	9.32

Total Amount

\$138.31

that no part of said debt has been paid; that there are no set-offs or counterclaims to the same, and that said municipal corporation has not, nor has any person by its order, or to the knowledge or belief of said deponent, for its use, had or received any manner of security for said debt and no judgment rendered thereon.

The Township Committee of Marlboro Township and Harry Magee, Marlboro Township Tax Collector, claim priority of the said debt under Section 64 of the Bankruptcy Act, 1938, amendments and supplements thereto.

HARRY MAGEE

Subscribed and sworn to before me this *29th* day of *May* A.D. 1941.

*Alma L. Lamson*

LETTER OF ATTORNEY to Clifton T. Barkalow.

You are hereby authorized by said creditor to appear for and represent said creditor and vote for said creditor in any proceedings, or meetings, which may be had or called in the above-entitled proceedings, in Court, before the referee in bankruptcy or elsewhere and particularly to vote for said creditor in the choice of a trustee of said bankrupt whenever such election is held, or in your discretion oppose confirmation of any composition offered by or in behalf of said bankrupt, and to receive and receipt for any and all moneys which may be or may become payable to said creditor therein or for or on account of said debt.

IN WITNESS WHEREOF, Harry Magee, Tax Collector for the Township of Marlboro, has hereunto set his hand and seal this 29th day of May, 1941.

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HARRY MAGEE

Subscribed and sworn to before me this 29th day of May, 1941.

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ALMA L. LAMSON  
A Notary Public of N.J.

DISTRICT COURT OF U.S.  
District of New Jersey

In Matter of

ERNEST VOORHEES,  
Bankrupt.

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PROOF OF CLAIM OF

Harry Magee, Tax Collector  
of Marlboro Township.

\$138.51

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Law Offices  
BARKALOW & MCGOWAN  
10 W. Main Street  
Freehold, New Jersey

### First Meeting Notice

The first meeting of creditors in the matter of Ernest Voorhees, Bankrupt, of Marlboro, New Jersey, will be held in the Court House, Freehold, New Jersey, on the 14th day of April, 1941, at 10:30 o'clock in the forenoon, at which time creditors may prove their claims, elect a trustee, examine the bankrupt and transact other proper business.

Claims must be legally proved, with copies of invoices, notes or instruments annexed. Original notes or instruments must also accompany claims for certification of copies, and all claims, must be proved and filed with the undersigned Referee within six months from the date of this meeting.

Dated, Trenton, N.J., March 27, 1941.

C. H. Weelans,

Referee in Bankruptcy

# Marlboro Township Delinquent Tax Bill

APR 7 1941

Marlboro, N. J., \_\_\_\_\_

M Ernest Voorhees

You Owe to the Township of Marlboro the Following Taxes:

		65 79	
For the year 1938	_____	19	84
Interest to date	_____	3	30
For the year 1939	_____	18	56
Interest to date	_____	2	00
For the year 1940	_____	18	64
Interest to date	_____		86
$\frac{1}{2}$ For the year 1941	_____	9	32
Interest to date	_____		
For the year 1942	_____		
Interest to date	_____		
Total Amount	_____	\$ 138 31	

*Sent to  
audit 1-1941*

The above taxes must be paid on or before \_\_\_\_\_ . If not paid by that time warrants will be issued for the collection thereof and enforced by the sale of your property, or by the arrest of the person according to law.

Received payment \_\_\_\_\_ 19

\_\_\_\_\_  
By order of the Township Committee. Collector.

# Marlboro Township Delinquent Tax Bill

APR 7 1941

Marlboro, N. J., \_\_\_\_\_

M<sub>r</sub> Ernest Voorhes \_\_\_\_\_

You Owe to the Township of Marlboro the Following Taxes:

For the year 1938		
Interest to date		
For the year 1939		
Interest to date		
For the year <sup>1935</sup> <del>1940</del>	16	48
Interest to date	6	44
For the year <sup>1936</sup> <del>1941</del>	17	28
Interest to date	4	85
For the year <sup>1937</sup> <del>1942</del>	16	91
Interest to date	3	83
Total Amount	\$ 65	79

*Sub. to April 1 - 1941*

The above taxes must be paid on or before \_\_\_\_\_. If not paid by that time warrants will be issued for the collection thereof and enforced by the sale of your property, or by the arrest of the person according to law.

Received payment \_\_\_\_\_ 19

Collector.  
By order of the Township Committee.



that no part of said debt has been paid; that there are no set-offs or counterclaims to the same, and that said municipal corporation has not, nor has any person by its order, or to the knowledge or belief of said deponent, for its use, had or received any manner of security for said debt and no judgment rendered thereon.

The Township Committee of Marlboro Township and Harry Magee, Marlboro Township Tax Collector, claim priority of the said debt under Section 64 of the Bankruptcy Act, 1938, amendments and supplements thereto.

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HARRY MAGEE

Subscribed and sworn to before me this 29th day of May A.D. 1941.

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LETTER OF ATTORNEY to Clifton T. Barkalow.

You are hereby authorized by said creditor to appear for and represent said creditor and vote for said creditor in any proceedings, or meetings, which may be had or called in the above-entitled proceedings, in Court, before the referee in bankruptcy or elsewhere and particularly to vote for said creditor in the choice of a trustee of said bankrupt whenever such election is held, or in your discretion oppose confirmation of any composition offered by or in behalf of said bankrupt, and to receive and receipt for any and all moneys which may be or may become payable to said creditor therein or for or on account of said debt.

IN WITNESS WHEREOF, Harry Magee, Tax Collector for the Township of Marlboro, has hereunto set his hand and seal this 29th day of May, 1941.

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HARRY MAGEE

Subscribed and sworn to before me this 29th day of May, 1941.

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ALMA L. LAMSON  
A Notary Public of N.J.

DISTRICT COURT OF U.S.  
District of New Jersey

In Matter of  
ERNEST VOORHEES,  
Bankrupt.

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PROOF OF CLAIM OF  
Harry Magee, Tax Collector  
of Marlboro Township.

\$138.31

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Law Offices  
BARKALOW & MCGOWAN  
10 W. Main Street  
Freehold, New Jersey

## MEMORANDUM

40:46-23 Officers and employees generally; exceptions

The governing body may, by ordinance, notwithstanding any maximum or minimum limitation fixed by statute, fix and determine the salaries, wages or compensation to be paid to each officer and employee of the municipality who, by law, is entitled thereto, except the members of the governing body therein, whose salary shall be fixed by vote of the legal voters as hereinafter provided, and except all such officers whose salaries shall have been adopted or determined, by a referendum vote, which salaries shall not be changed except by another and further referendum vote thereon. In case any officer is re-elected to succeed himself after having served one full term, his salary may be once increased during the term for which he is so re-elected.

40:46-25 Salaries of certain officers modified

The governing body may, by ordinance, increase or decrease the salary of such municipal officers as hold their offices during good behavior or for an indefinite term, but such change may be made only once in any fiscal year.

C. A. Heil, Jr. -vs- City of Wildwood  
11 Mis. 171

Held that there are no authorities in the law to fixing a salary of any of its officials by Resolution, the Statute requires that it shall be done by an Ordinance.

June 6, 1941.

MEMORANDUM

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The governing body may, by ordinance, notwithstanding any maximum or minimum limitation fixed by statute, fix and determine the salaries, wages or compensation to be paid to each officer and employee of the municipality who, by law, is entitled thereto, except the members of the governing body therein, whose salary shall be fixed by vote of the legal voters as hereinafter provided, and except all such officers whose salaries shall have been adopted or determined, by a referendum vote, which salaries shall not be changed except by another and further referendum vote thereon. In case any officer is re-elected to succeed himself after having served one full term, his salary may be once increased during the term for which he is so re-elected.

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TRAC CONTENT

## MEMORANDUM

Section 54:4-99. Adjustment of past due taxes and interest charges; lien unaffected

The governing body of a municipality may, subject to the provisions of section 54:4-100 of this title, make such abatement, revision, alteration, adjustment and settlement of any past due taxes, assessments and other municipal charges, both of principal and of any and all interest and penalties thereon, as it shall deem equitable and just and be for the best interests of the municipality, but none of the provisions of this section or sections 54:4-100 to 54:4-102 of this title shall in anywise affect or impair the right, title, interest or estate, or the lien of any purchaser, other than such municipality, acquired under any sale made or to be made for past due taxes, assessments or other municipal charges.

Section 54:4-100. Principal sum not to be abated unless market value exceeded.

No abatement of the principal sum of any such taxes, assessments or other municipal charges shall be made unless the governing body shall be satisfied that the market value of the property in question upon or against which such taxes, assessments or other charges have been levied, is less than such principal sum, or unless such governing body shall be satisfied that the taxes, assessments or other municipal charges are illegal in whole, or in part, or unless the proceedings taken to levy or enforce them are contrary to law.

Section 54:5-65 Installment redemption; resolution

A municipality holding a tax sale lien may provide by resolution, general or special, as to any one or more specific parcels of property, for the redemption of the lien by installment payments. The resolution may be amended, altered or supplemented from time to time.

Section 54:5-68 Monthly payments; time allowed.

The resolution may provide for payment of the estimated total sum due the municipality on any one parcel in substantially equal monthly installments, over a period not exceeding one year for each year's taxes comprised in the tax lien, and not exceeding three years in all.

Section 54:5-113 Municipality may assign tax certificate at private sale.

When a municipality has or shall have acquired title to real estate by reason of its having been struck off and sold to the municipality at a sale for delinquent taxes and assessments, the governing body thereof may by resolution authorize a private sale of the certificate of tax sale therefor, together with subsequent liens thereon, for not less than the amount of liens charged against such real estate. The sale shall be made by assignment executed by such officers as may be designated in the resolution. When the total amount of the municipal liens shall, at the time of the proposed sale or assignment, exceed the assessed value of the real estate as of the date of the last sale thereof for unpaid taxes and assessments, the certificates, together with subsequent liens thereon, may be sold and assigned for a sum not less than such assessed value.

## MEMORANDUM

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Section 54:4-100. Principal sum not to be abated unless market value exceeded.

No abatement of the principal sum of any such taxes, assessments or other municipal charges shall be made unless the governing body shall be satisfied that the market value of the property in question upon or against which such taxes, assessments or other charges have been levied, is less than such principal sum, or unless such governing body shall be satisfied that the taxes, assessments or other municipal charges are illegal in whole, or in part, or unless the proceedings taken to levy or endorse them are contrary to law.

Section 54:5-65 Installment redemption; resolution

A municipality holding a tax sale lien may provide by resolution, general or special, as to any one or more specific parcels of property, for the redemption of the lien by installment payments. The resolution may be amended, altered or supplemented from time to time.

Section 54:5-68 Monthly payments; time allowed.

The resolution may provide for payment of the estimated total sum due the municipality on any one parcel in substantially equal monthly installments, over a period not exceeding one year for each year's taxes comprised in the tax lien, and not exceeding three years in all.

Section 54:5-113 Municipality may assign tax certificate at private sale.

When a municipality has or shall have acquired title to real estate by reason of its having been struck off and sold to the municipality at a sale for delinquent taxes and assessments, the governing body thereof may by resolution authorize a private sale of the certificate of tax sale therefor, together with subsequent liens thereon, for not less than the amount of liens charged against such real estate. The sale shall be made by assignment executed by such officers as may be designated in the resolution. When the total amount of the municipal liens shall, at the time of the proposed sale or assignment, exceed the assessed value of the real estate as of the date of the last sale thereof for unpaid taxes and assessments, the certificates, together with subsequent liens thereon, may be sold and assigned for a sum not less than such assessed value.

NOTICE

Please take notice that on Thursday, May 8, 1941, between seven and nine o'clock in the evening at the regular meeting of the Township Committee of the Township of Marlboro to be held in the Township Hall, Marlboro, New Jersey, the Township Committee will authorize by resolution the private sale of a certain certificate of tax sale, dated January 8, 1940, affecting property described as "Land and buildings" and assessed in the name of Patrick Halter in 1936 together with subsequent liens thereon to and including the year 1939 for an amount not less than the amount of liens charged against said real estate and such other liens as may then exist.

Said private sale will be authorized by resolution and will direct the Chairman of the Township Committee and the Township Clerk to execute an assignment of the said tax sale certificate for the amount of such liens and costs.

NOTICE

Please take notice that on Thursday, May 8, 1941, between seven and nine o'clock in the evening at the regular meeting of the Township Committee of the Township of Marlboro to be held in the Township Hall, Marlboro, New Jersey, the Township Committee will authorize by resolution the private sale of a certain certificate of tax sale, dated January 8, 1940, affecting property described as "Land and buildings" and assessed in the name of Patrick Halter in 1936 together with subsequent liens thereon to and including the year 1939 for an amount not less than the amount of liens charged against said real estate and such other liens as may then exist.

Said private sale will be authorized by resolution and will direct the Chairman of the Township Committee and the Township Clerk to execute an assignment of the said tax sale certificate for the amount of such liens and costs.

NOTICE

Please take notice that on Thursday, May 8, 1941, between seven and nine o'clock in the evening at the regular meeting of the Township Committee of the Township of Marlboro to be held in the Township Hall, Marlboro, New Jersey, the Township Committee will authorize by resolution the private sale of a certain certificate of tax sale, dated January 8, 1940, affecting property described as "Land and buildings" and assessed in the name of Patrick Halter in 1936 together with subsequent liens thereon to and including the year 1939 for an amount not less than the amount of liens charged against said real estate and such other liens as may then exist.

Said private sale will be authorized by resolution and will direct the Chairman of the Township Committee and the Township Clerk to execute an assignment of the said tax sale certificate for the amount of such liens and costs.

R E S O L U T I O N

It appearing that on December 29, 1939, Harry G. Magee, Collector of Taxes of the Taxing District of the Township of Marlboro, conducted a sale and sold to the Township of Marlboro premises described in the tax books of the Township, "Land and buildings" assessed in the name of Patrick Halter, for the amount of Thirty-eight Dollars and fifty-nine cents (\$38.59), which were unpaid municipal liens for the year 1936; and

It appearing that a tax sale certificate No. 63 was duly issued to the Township of Marlboro by the Collector of Taxes on January 8, 1940; and

It appearing that notice of the authorization of a private sale of said tax sale certificate has been heretofore given to the person designated in the tax sale certificate as owner, namely Patrick Halter, by mailing to the address given on the tax books of the municipality and by posting in three public places and by a publication of the said Notice in the "Asbury Park Press", a newspaper circulating in Marlboro Township, within five days of taking action, as required by the laws of the State of New Jersey; and

There appearing to be no objection to a private sale of said tax sale certificate;

NOW THEREFORE BE IT RESOLVED, That the Township Committee does hereby authorize private sale of all its right, title and interest in and to premises described in tax sale certificate No. 63, and all its right, title and interest in and to said certificate of tax sale, together with subsequent liens upon the premises therein described, to Frank Decker, Babcock Building, Plainfield, New Jersey, for

the full amount due to the Township for taxes, costs, interest and subsequent liens.

BE IT FURTHER RESOLVED, That the Chairman of the Township Committee and the Township Clerk execute a proper assignment of all its right, title and interest in and to the premises aforesaid as derived from said tax sale certificate and the tax sale certificate aforesaid upon receipt by the tax collector of the amount due thereon for taxes and assessments and other municipal liens, together with all subsequent liens from the date of such tax sale certificate to and including the year 1959, and the costs incurred in the selling of the premises as stated in the Tax Sale Certificate.

RESOLUTION

In the Matter of

MARLBORO TOWNSHIP

DATED: May , 1941.

Law Offices  
Barclay & McGowan  
10 W. Main Street  
Freehold, New Jersey

JOHN W. GARDNER  
Freehold  
Mar 20 1941

RESOLUTION

It appearing that on December 29, 1939, Harry G. Magee, Collector of Taxes of the Taxing District of the Township of Marlboro, conducted a sale and sold to the Township of Marlboro premises described in the tax books of the Township, "Land and buildings" assessed in the name of Patrick Halter, for the amount of Thirty-eight Dollars and fifty-nine cents (\$38.59), which were unpaid municipal liens for the year 1936; and

It appearing that a tax sale certificate No. 63 was duly issued to the Township of Marlboro by the Collector of Taxes on January 8, 1940; and

It appearing that notice of the authorization of a private sale of said tax sale certificate has been heretofore given to the person designated in the tax sale certificate as owner, namely Patrick Halter, by mailing to the address given on the tax books of the municipality and by posting in three public places and by a publication of the said Notice in the "Asbury Park Press", a newspaper circulating in Marlboro Township, within five days of taking action, as required by the laws of the State of New Jersey; and

There appearing to be no objection to a private sale of said tax sale certificate;

NOW THEREFORE BE IT RESOLVED, That the Township Committee does hereby authorize private sale of all its right, title and interest in and to premises described in tax sale certificate No. 63, and all its right, title and interest in and to said certificate of tax sale, together with subsequent liens upon the premises therein described, to Frank Decker, Babcock Building, Plainfield, New Jersey, for

the full amount due to the Township for taxes, costs, interest and subsequent liens.

BE IT FURTHER RESOLVED, That the Chairman of the Township Committee and the Township Clerk execute a proper assignment of all its right, title and interest in and to the premises aforesaid as derived from said tax sale certificate and the tax sale certificate aforesaid upon receipt by the tax collector of the amount due thereon for taxes and assessments and other municipal liens, together with all subsequent liens from the date of such tax sale certificate to and including the year 1939, and the costs incurred in the selling of the premises as stated in the Tax Sale Certificate.

RESOLUTION

In the Matter of

MARLBORO TOWNSHIP

DATE: MAY 9, 1941.

Law Offices  
Darbylow & McCowan  
10 W. Main Street  
Freehold, New Jersey

*Handwritten:*  
Marlboro  
May 9, 1941

ASSIGNMENT OF TAX SALE CERTIFICATE

WHEREAS the Township of Marlboro did purchase at a tax sale certain premises appearing upon the books of the Tax Collector in the name of Patrick Halter and did receive a tax sale certificate which is recorded in the Monmouth County Clerk's Office in Book 1172, page 249 of Mortgages; and

WHEREAS in accordance with the laws of New Jersey, Revision of 1937, 54: 5-114, notice of the proposed private sale of property described in tax sale certificate No. 63 has been heretofore mailed and posted and published as will appear by affidavit filed with the Clerk of the Township of Marlboro;

WHEREAS the Township Committee did on the Eighth day of May, 1941, adopt a resolution authorizing the sale of said premises described as aforesaid and included with said Tax Sale certificate together with taxes, costs, interest and subsequent liens for the full amount of all municipal liens assessed against said property.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That the Township of Marlboro, a municipally body corporate, of the County of Monmouth and State of New Jersey, party of the first part, in consideration of the sum of Two hundred eleven Dollars and eighty-eight cents (\$211.88) lawful money of the United States of America to it in hand paid by Frank Decker, Babcock Building, Plainfield, New Jersey, party of the second part, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, assigned, transferred and set over unto the party of the second part,





ASSIGNMENT OF TAX  
SALE CERTIFICATE

In the Matter of

MARLBORO TOWNSHIP

DATED: May , 1941.

Law Offices  
Barkalow & McGowan  
10 West Main Street  
Freehold, New Jersey

ASSIGNMENT OF TAX SALE CERTIFICATE

WHEREAS the Township of Marlboro did purchase at a tax sale certain premises appearing upon the books of the Tax Collector in the name of Patrick Halter and did receive a tax sale certificate which is recorded in the Monmouth County Clerk's Office in Book 1172, page 249 of Mortgages; and

WHEREAS in accordance with the laws of New Jersey, Revision of 1937, 54: 5-114, notice of the proposed private sale of property described in tax sale certificate No. 63 has been heretofore mailed and posted and published as will appear by affidavit filed with the Clerk of the Township of Marlboro;

WHEREAS the Township Committee did on the Eighth day of May, 1941, adopt a resolution authorizing the sale of said premises described as aforesaid and included with said Tax Sale certificate together with taxes, costs, interest and subsequent liens for the full amount of all municipal liens assessed against said property.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That the Township of Marlboro, a municipaly body corporate, of the County of Monmouth and State of New Jersey, party of the first part, in consideration of the sum of Two hundred eleven Dollars and eighty-eight cents (\$211.88) lawful money of the United States of America to it in hand paid by Frank Decker, Babcock Building, Plainfield, New Jersey, party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, assigned, transferred and set over unto the party of the second part,



ASSIGNMENT OF TAX  
SALE CERTIFICATE

In the Matter of

MARLBORO TOWNSHIP

DATED: May , 1941.

Law Offices  
Barkalow & McGowan  
10 West Main Street  
Proehold, New Jersey



charged against said real estate and such other liens as may then exist.

Said private sale will be authorized by resolution and will direct the Chairman of the Township Committee and the Township Clerk to execute an Assignment of the said tax sale certificate for the amount of such liens and costs."

Sworn and Subscribed  
to before me this  
day of May, 1941.

THOMAS MAGEE, Clerk of the  
Township of Marlboro.

CLYFTON T. BARKALOW  
An Attorney at Law of N.J.

A F F I D A V I T

In the matter of

MARLBORO TOWNSHIP

\_\_\_\_\_

DATED: May , 1941

\_\_\_\_\_

MADE COMMENTS  
JOHN McCABE & CO.  
Court-Land-Bond

NOTICE TO GERTRUDE SCOTT

Please take notice that on Thursday, February 20, 1941, between seven and nine o'clock in the evening at the adjourned regular meeting of the Township Committee of the Township of Marlboro to be held in the Township Hall, Marlboro, New Jersey, the Township Committee will authorize by resolution the private sale of a certain certificate of tax sale, dated December 31, 1940, affecting property described as "house & lot" and assessed in the name of Gertrude Scott in 1938 and 1939 together with subsequent liens thereon to and including the year 1940 for an amount not less than the amount of liens charged against said real estate and such other liens as may then exist.

Said private sale will be authorized by resolution and will direct the Chairman of the Township Committee and the Township Clerk to execute an assignment of the said tax sale certificate for the amount of such liens and costs.

NOTICE

In the matter of

HARLBORO TOWNSHIP

\_\_\_\_\_

\_\_\_\_\_

LAW OFFICES  
BARKALOW & MOONVARI  
10 West Main Street  
Freehold, New Jersey

## RESOLUTION

It appearing that on December 20, 1940, Harry G. Magee, Collector of Taxes of the Taxing District of the Township of Marlboro, conducted a sale and sold to the Township of Marlboro, premises described in the tax books of the Township, "house and lot" assessed in the name of Gertrude Scott, for the amount of Ninety-four Dollars and sixty-one cents (\$94.61), which were unpaid municipal liens for the years 1938 and 1939; and

It appearing that a tax sale certificate No. 74 was duly issued to the Township of Marlboro by the Collector of Taxes on December 31, 1940; and

It appearing that notice of the authorization of a private sale of said tax sale certificate has been heretofore given to the person designated in the tax sale certificate as owner, namely Gertrude Scott, by mailing to the address given on the tax books of the municipality and by posting in three public places and by a publication of the said Notice in the "Asbury Park Press", a newspaper circulating in Marlboro Township, within five days of taking action, as required by the laws of the State of New Jersey; and

There appearing to be no objection to a private sale of said tax sale certificate;

NOW THEREFORE BE IT RESOLVED, That the Township Committee does hereby authorize private sale of all its right, title and interest in and to premises described in tax sale certificate No. 74, and all its right, title and interest in and to said certificate of tax sale, to-

gether with subsequent liens upon the premises therein described, to Frank Decker, Babcock Building, Plainfield, New Jersey, for the full amount due to the Township for taxes, costs, interest and subsequent liens.

BE IT FURTHER RESOLVED, That the Chairman of the Township Committee and the Township Clerk execute a proper assignment of all its right, title and interest in and to the premises aforesaid as derived from said tax sale certificate and the tax sale certificate aforesaid upon receipt by the tax collector of the amount due thereon for taxes and assessments and other municipal liens, together with all subsequent liens from the date of such tax sale certificate to and including the year 1940, and the costs incurred in the selling of the premises as stated in the Tax Sale Certificate.



ASSIGNMENT OF TAX SALE CERTIFICATE

WHEREAS the Township of Marlboro did purchase at a tax sale certain premises appearing upon the books of the Tax Collector in the name of Gertrude Scott and did receive a tax sale certificate which remains unrecorded; and

WHEREAS in accordance with the laws of New Jersey, Revision of 1937, 54: 5-114, notice of the proposed private sale of property described in tax sale certificate No. 74 has been heretofore mailed and posted and published as will appear by affidavit filed with the Clerk of the Township of Marlboro;

WHEREAS the Township Committee did on the Twentieth day of February, 1941, adopt a resolution authorizing the sale of said premises described as aforesaid and included with said Tax Sale Certificate together with taxes, costs, interest and subsequent liens for the full amount of all municipal liens assessed against said property.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That the Township of Marlboro, a municipal body corporate, of the County of Monmouth and State of New Jersey, party of the first part, in consideration of the sum of \$135.82 lawful money of the United States of America to it in hand paid by Frank Decker, Babcock Building, Plainfield, New Jersey, party of the second part, at or before the en-sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, assigned, transferred and set over unto the party of the second part, his heirs, executors, administrators, or assigns, all its, right, title and interest in and to the parcel of land and premises described on the tax sale certificate

No. 74, issued December 31, 1941 by Harry G. Magee, Collector of Taxes of the Township of Marlboro, County of Monmouth and State of New Jersey, to the Township of Marlboro and unrecorded, together with taxes, costs, interest and subsequent liens which have accrued against the aforesaid premises.

TO HAVE AND TO HOLD, the same, including all taxes, costs, interest and subsequent liens as aforesaid unto the said party of the second part, his heirs, executors, administrators, and assigns forever. And it does hereby make, constitute and appoint the said party of the second part its true and lawful attorney, irrevocable in its name, but at its proper costs and charges, to have, use and take all lawful ways and means for the recovery of all the said money and interest and in the case of payment, to discharge the same as fully as it might or could do if these presents were not made.

IN WITNESS WHEREOF, the Township of Marlboro has caused its seal to be hereto affixed by its Chairman and attested by its Clerk this 20<sup>th</sup> day of February, 1941.

TOWNSHIP OF MARLBORO

Attest:

By: James E. Farrell  
Chairman of Township Committee

Thomas Cluzee  
Clerk of the Township Committee

STATE OF NEW JERSEY )  
                                  ) ss.  
COUNTY OF MONMOUTH )

BE IT REMEMBERED, that on this 20th day of February, in the year of Our Lord One Thousand Nine Hundred and Forty One, before me, the subscriber, CLIFTON T. BARKALOW, An Attorney at Law of New Jersey, personally appeared THOMAS MAGEE, who, being by me duly sworn on his oath, doth depose and make proof to my satisfaction, that he is the Clerk of the Township of Marlboro, Monmouth County, New Jersey, the assignor named in the within Instrument; that JAMES E. FARRELL is the Chairman of the Township Committee of the Township of Marlboro, Monmouth County, New Jersey; that the execution as well as the making of this instrument, has been duly authorized by a proper resolution of the Township Committee of the Township of Marlboro, County of Monmouth, New Jersey; that deponent well knows the corporate seal of said Township Committee; and the seal affixed to said Instrument is such corporate seal and was thereto affixed, and said Instrument signed and delivered by said JAMES E. FARRELL, Chairman, as and for his voluntary act and deed and as and for the voluntary act and deed of said Township Committee, in presence of deponent, who thereupon subscribed his name thereto as witness.

Sworn to and subscribed  
before me, at Freehold, N.J.  
February 20th, the date  
aforesaid.

*Clifton T. Barkalow*  
CLIFTON T. BARKALOW  
An Attorney at Law of N.J.

*Thomas Magee*  
THOMAS MAGEE

*Office Copy.*  
ASSIGNMENT OF  
TAX SALE CERTIFICATE

In the matter of

MARLBORO TOWNSHIP

DATED: February 29 1941.

*Recorded*

*Bk 135 p 969 v*

*Coop. Mtg.*

*Mar. 6, 1941*

Law Offices  
BARKALOW & MCGOWAN  
10 West Main Street  
Freehold, New Jersey

STATE OF NEW JERSEY, )  
                                  ) SS.:  
COUNTY OF MONMOUTH. )

THOMAS MAGBE, of full age, being duly sworn according to law, upon his oath deposes and says:

I am the Clerk of the Township of Marlboro, County of Monmouth and State of New Jersey, and did, on the Fourteenth day of February, 1941, post in the United States Mail, postage prepaid, a true copy of the annexed Notice addressed to Gertrude Scott at Shark River Hills, New Jersey, the address appearing on the tax books of the municipality, and I did post one copy of said notice in each of three public places in the Township of Marlboro at the following locations:

- |                            |                         |
|----------------------------|-------------------------|
| 1. Morganville Post Office | Morganville, New Jersey |
| 2. Marlboro Township Hall  | Marlboro, New Jersey    |
| 3. Marlboro Post Office    | Marlboro, New Jersey    |

I also caused to be inserted in the Asbury Park Press, a newspaper circulating in the Township of Marlboro, the following Notice, which said Notice appeared in the issue of February 17, 1941, proof of which will further appear by the attached Affidavit.

NOTICE TO GERTRUDE SCOTT

Please take notice that on Thursday, February 20, 1941, between seven and nine o'clock in the evening at the adjourned regular meeting of the Township Committee of the Township of Marlboro to be held in the Township Hall, Marlboro, New Jersey, the Township Committee will authorize by resolution the private sale of a certain certificate of tax sale, dated December 31, 1940, affecting property described as "house and lot" and assessed in the name of Gertrude Scott in 1938 and 1939 together with subsequent liens thereon to and including the year 1940 for an amount not less

than the amount of liens charged against said real estate and such other liens as may then exist.

Said private sale will be authorized by resolution and will direct the Chairman of the Township Committee and the Township Clerk to execute an assignment of the said tax sale certificate for the amount of such liens and costs."

Sworn and subscribed  
to before me this  
20th day of Feb., 1941.

---

THOMAS MAGEE, Clerk of the  
Township of Marlboro.

---

CLIFTON T. BARKALOW  
An Attorney at Law of N.J.



Dec. 31, 1941

Harry Magee, Esq.  
Tax Collector  
Marlboro, N.J.

Dear Mr. Magee:

Enclosed please find check in the sum of \$138.31, representing personal property tax due the Township from Ernest Voorhees, bankrupt. You will recall that we filed our claim in this bankruptcy matter some time ago.

I suggest that you deposit the check immediately as the Trustee informs me he is desirous of closing out the account.

I wish to thank you for your many courtesies extended to me throughout this year, and I wish you and your family a very happy and prosperous New Year.

Very truly yours,

l/mbs

December 13, 1941

Heuser & Heuser  
159 Main Street  
Hatawan, New Jersey

RE: McCarthy Property -Township  
of Marlboro

Dear Sirs:

With regard to the apportion<sup>ed</sup> of taxes assessed against property in Marlboro Township, at the request of Mr. McCarthy I might say that no notice was given Geneva Worthley, owner of the remaining property.

It is therefore my understanding if Mrs. Worthley so desires she may request a reapportionment of said taxes.

Should there be any further information regarding the matter,, kindly contact me.

Very truly yours,

BARKALOW & MCGOWAN

1/vs

LAW OFFICES OF  
HEUSER & HEUSER  
159 MAIN STREET  
MATAWAN, NEW JERSEY  
TELEPHONE 884

RALPH S. HEUSER  
C. RANDOLPH HEUSER

December 12, 1941

Clifford Barkalow, Esq.  
10 West Main Street  
Freehold, New Jersey

RE: McCarthy Property - Township  
of Marlboro

Dear Sir:

We have been informed that Marlboro Township apportioned assessment of taxes for Mr. McCarthy assessed against Abbot Worthley.

We would appreciate your advising us whether or not Geneva Worthley, owner of the remaining property assessed with the McCarthy property, was given notice that the Township Committee of Marlboro intended to make said apportionment.

Very truly yours

HEUSER & HEUSER

By: *Randolph Heuser*

crh/mdj

**MAKE SEPARATE BILL FOR EACH DEPARTMENT.**

All Bills must be sworn to before presented  Payment and must be itemized and accurately show  what service or material the same are presented.

Marlboro, N. J., November 27, 1941.

# The Township of Marlboro

TO Clifton T. Barkalow, Esquire DR.

ADDRESS Freehold, New Jersey.

Date of Delivery  
or Service

DESCRIPTION OF GOODS OR SERVICE RENDERED

AMOUNT

	Attendance at meeting, conferences and advice. Drawing Resolution & Release Re: premises, Abbott Worthley Estate. Drawing & filing Proof of Debt for taxes re: Ernest Voorhees, Bankrupt. Drawing notices, Resolution and Assignment of Tax Sale Certificate No. 63, premises of Patrick Halter to Frank Decker. Drawing notices, Resolution and Assignment of Tax Sale Certificate No. 74, premises of Gertrude Scott to Frank Decker. Drawing Resolution, examining authorities	
--	--	--

*Paid*  
*12/11/41*

Copy to Marlboro  
 Copy to Freehold  
 Copy to ...

# Township of Marlboro

Check & Voucher No. ....

Amount, \$.....

State of New Jersey, }  
County of Monmouth, } ss.

.....  
being duly sworn according to law, on his oath doth depose  
and say that the within account is true, fair, correct, and  
just in all respects.

.....

Sworn to and subscribed the .....

day of ..... A. D., 19.....

..... Clerk

To the Treasurer of the Township of Marlboro, N. J.,  
pay to the order of the above named claimant.

..... Dollars

Charge to ..... Account

Approved ..... 19.....

..... Chairman

Attest: ..... Township Clerk

Received of Treasurer of Marlboro Township, N. J., the  
sum of .....  
Dollars, in full of the within account.

\* All vouchers must be sworn to when presented.

**MAKE SEPARATE BILL FOR EACH DEPARTMENT.**

All Bills must be sworn to before presented for payment and must be itemized and accurately show what service or material the same are presented.

Marlboro, N. J., November 27, 1961.

# The Township of Marlboro

TO Clifton T. Barkalow, Esquire DR.

ADDRESS Freehold, New Jersey

Date of Delivery  
or Service

DESCRIPTION OF GOODS OR SERVICE RENDERED

AMOUNT

conferring with Department of Local Govern-  
ment Re: taxes, Stratford Chemical Company  
and Alma Brocker

150 00

TOTAL

150 00

# Township of Marlboro

Check & Voucher No. ....

Amount, \$.....

State of New Jersey, } ss.  
County of Monmouth, }

.....  
being duly sworn according to law, on his oath doth depose  
and say that the within account is true, fair, correct, and  
just in all respects.

.....  
Sworn to and subscribed the .....

day of ..... A. D., 19.....

..... Clerk

.....  
To the Treasurer of the Township of Marlboro, N. J.,  
pay to the order of the above named claimant.

..... Dollars

Charge to ..... Account

Approved ..... 19.....

..... Chairman

Attest: ..... Township Clerk

.....  
Received of Treasurer of Marlboro Township, N. J., the  
sum of .....  
Dollars, in full of the within account.

.....  
\* All vouchers must be sworn to when presented.

**MAKE SEPARATE BILL FOR EACH DEPARTMENT.**

All Bills must be sworn to before presented for payment and must be itemized and accurately show what service or material the same are presented.

Marlboro, N. J., November 27, 1931.

# The Township of Marlboro

TO Clifton T. Barkalow, Esq. DR.

ADDRESS Freehold, New Jersey

Date of Delivery  
or Service

DESCRIPTION OF GOODS OR SERVICE RENDERED

AMOUNT

	For services rendered in connection with writing letters and conferences in effort to collect delinquent taxes on Tax Sale Certificates held by Township of Marlboro, resulting in the payment of \$1,731.43 in delinquent taxes as follows: Farmers & Merchants National Bank on premises of D.E. Mahoney-\$1,281.43; Mary Pallilo-\$70.00; James Williams-\$50.00; Jetson Boyce Estate-\$330.00			
	Five per cent (5%) collection fee.....		86	57

TOTAL

*paid 12/11/41*

\$ 86 57

# Township of Marlboro

Check & Voucher No. ....

Amount, \$.....

State of New Jersey, } ss.  
County of Monmouth, }

.....  
being duly sworn according to law, on his oath doth depose  
and say that the within account is true, fair, correct, and  
just in all respects.

.....  
Sworn to and subscribed the .....

day of ..... A. D., 19.....

..... Clerk

.....  
To the Treasurer of the Township of Marlboro, N. J.,  
pay to the order of the above named claimant.

..... Dollars

Charge to ..... Account

Approved ..... 19.....

..... Chairman

Attest: ..... Township Clerk

.....  
Received of Treasurer of Marlboro Township, N. J., the  
sum of .....  
Dollars, in full of the within account.

.....  
\* All vouchers must be sworn to when presented.

November 10, 1941

Mr. Thomas Magee  
Marlboro, New Jersey

Dear Tuck:

Enclosed please find a Resolution for your minutes regarding the apportionment of taxes on the Worthley and McCarthy premises. Also please find the Release from the Tax Sale Certificate.

Will you kindly examine these papers to ascertain whether or not I have properly described both portions of the premises. As you will understand, the only thing I had to go by was a small diagram which your Dad prepared.

You will note that in the Resolution and in the Release I have left blank the amount of dollars and cents. This was due to the fact that I did not have any information as to how the Township Committee apportioned the taxes, interest and charges. Therefore, will you please insert in the Resolution the amount of money that is now assessed against McCarthy and the amount against Worthley. Also insert in the Release under the amount of consideration the full amount to be paid by McCarthy on his part of the premises.

I am enclosing a copy of the Resolution for your Dad's file. I trust that these papers are prepared to your satisfaction and if not, kindly notify me and I will gladly go over the matter again with you.

The Release of the Tax Sale Certificate should be signed by Mr. Farrell as Chairman and attested to by yourself as Clerk, and your acknowledgment taken before a Notary Public. Also attach your seal after this is done. The same may be delivered to Mr. McCarthy upon the payment of the monies due from him.

With kindest regards,

Very truly yours,

BARKALOW & MCGOWAN

1/ALL  
ENC: 3

LAW OFFICES  
BARKALOW & MCGOWAN  
10 W. MAIN STREET  
FREEHOLD, NEW JERSEY

CLIFTON T. BARKALOW  
M. RAYMOND MCGOWAN

TELEPHONE 480-481

November 3, 1941

Harry Magee, Esquire  
Tax Collector,  
Marlboro, New Jersey

Dear Mr. Magee:

I will have to know the following information regarding the apportionment and release of taxes on premises of Abbot Worthley Estate, concerning which the meeting was held last Saturday morning:

(1) The name and address of the assessed owner.

*Abbot Worthley Marlboro NJ*

(2) The date of the Tax Sale, and the Number of the Certificate which was issued to the Township of Marlboro.

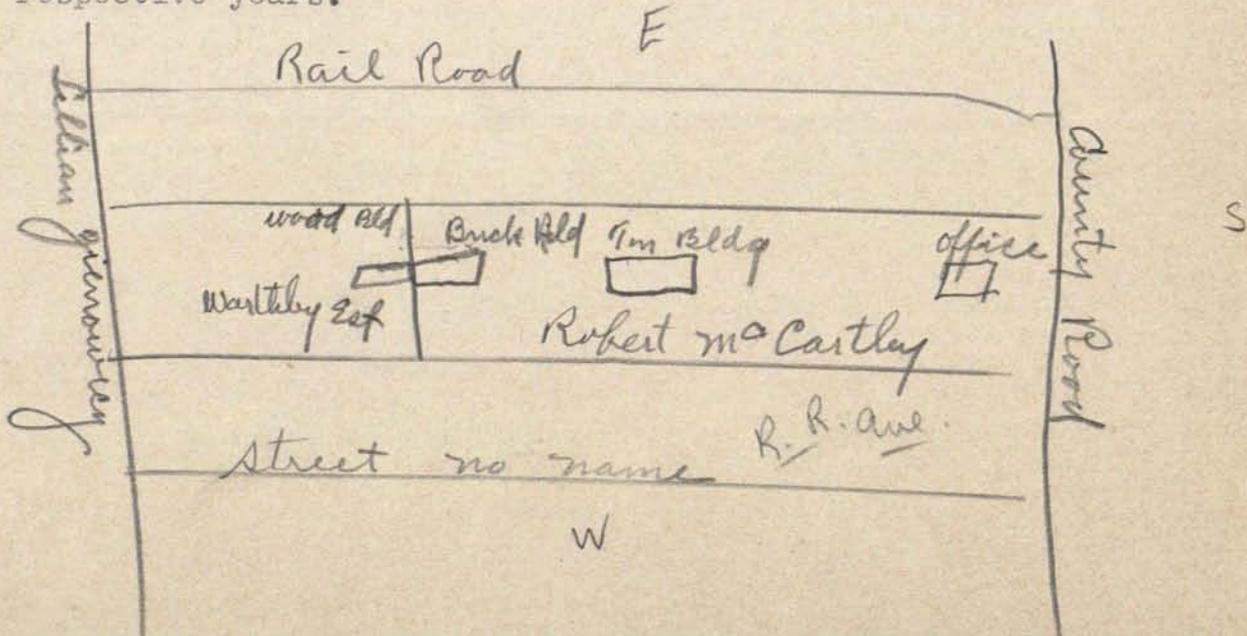
*Dec 31-41 No 75*

(3) A brief description of the property. This description should be divided in accordance with the apportionment of taxes.

(4) The name and address of the mortgagee.

*Robert M<sup>o</sup> Carthy Freehold R 10*

(5) A statement showing the full amount of taxes, interest and charges due on the entire property and for their respective years.



November 3, 1941

Harry Magee, Esquire  
Tax Collector,  
Marlboro, New Jersey

Dear Mr. Magee:

I will have the know the following information regarding the apportionment and release of taxes on premises of Abbot Worthley Estate, concerning which the meeting was held last Saturday morning:

- (1) The name and address of the assessed owner.
- (2) The date of the Tax Sale, and the Number of the Certificate which was issued to the Township of Marlboro.
- (3) A brief description of the property. This description should be divided in accordance with the apportionment of taxes.
- (4) The name and address of the mortgagee.
- (5) A statement showing the full amount of taxes, interest and charges due on the entire property and for their respective years.

November 3, 1941

- 2 -

Harry Magee, Esquire

¶6) Show how the total amount of taxes, interest and charges on the entire property was apportioned in dollars and cents.

You will note that it is quite important that I have a sufficient description to show how the property is divided, and also that I have in dollars and cents the amount of taxes, interest and charges due on each portion.

As soon as I receive this information, I will prepare the Resolution and Release of the Tax Certificate.

With kindest regards,

Very truly yours,

BARKALOW & MCGOWAN

1/ALL

August 28, 1941

Marlboro Township Committee  
Marlboro, New Jersey

Gentlemen:

Mr. Magee, your Clerk, informed me that you desired information as to the present status of the dog ordinance in Marlboro Township, and also the affect of the present law on the licensing of the dogs.

The Legislature has passed an act entitled "Agriculture and Domestic Animals", and Chapter 12 thereunder, which is Section 4: 19-15. 1-4: 19-15. 29 of Revised Statutes, deals with the licensing of dogs and so forth. This act, in my opinion, supercedes your present dog ordinance in the Township and you will no longer operate under that ordinance. The new law which is effective November 1, 1941 prescribes the various requirements for the licensing, registration and acquiring metal tags for dogs, and the disposition of the fees collected.

It is my thought that we should procure from the State Department of Health the necessary license forms and uniform official metal registration tags designed by that Department and all other information available, and I will arrange to be present if you so desire at your next regular meeting and go over the entire Act with you, and set up the necessary procedure required by the present law.

I do not see the necessity of having a separate ordinance in the municipality as it would only necessitate additional expense of having the same drawn and advertising and it could only conform to the present law as I have briefly referred to above. Under this law the fee for licensing each dog is \$1.00. However, the municipality may by ordinance increase this fee to \$2.00. These matters, however, I will be glad to discuss with you personally at the time we go over the entire setup.

I trust that this explains your inquiry and that you will have your Clerk contact me accordingly. With kindest personal regards,

Very truly yours,

CLIFTON T. BARKALOW

CTB:ALL

July 8, 1941

Mr. Thomas Magee  
c/o Uferts  
Throckmorton Street  
Freehold, New Jersey

Dear Tuck:

I have had considerable correspondence with the Board of Pharmacy relative to the obtaining of a license by a drug store to sell items such as Castor Oil, Epsom Salts and so forth.

I am enclosing a Notice received from the Board of Pharmacy and call your attention to Paragraph 3 which applies to the Marlboro Store. I also have a letter from the secretary of the Board of Pharmacy to the effect that no license is issued in such instances, but stating that the Board inspects these places from time to time to determine whether or not the law is complied with.

I believe this answers the question, and I, therefore, see no objection to sales being made of items set forth in Paragraph 3. As to other items, the law forbids the sale of the same unless there is a registered pharmacist present and a license obtained.

Should there be anything further in this matter, kindly let me know.

Very truly yours,

BARKALOW & MCGOWAN

1/ALL  
Enc: 1

STATE OF NEW JERSEY  
THE BOARD OF PHARMACY



28 WEST STATE STREET  
TRENTON, N. J.  
PHONE TRENTON 2-2131  
EXTENSION 546

ADDRESS OFFICIAL  
COMMUNICATIONS TO  
THE BOARD OF PHARMACY  
TRENTON, N. J.

## MEMBERS OF THE BOARD

PERCY H. JACKSON, PH. G., PRESIDENT  
ADOLPH V. PALUMBO, PH. G., VICE-PRESIDENT  
CHARLES SCHAMACH, PH. G., TREASURER  
JOHN J. DEBUS, PH. G.  
EMIL P. MARTINI, PH. G.

ROBERT P. FISCHELIS, B. SC., PHAR. D.  
SECRETARY AND CHIEF CHEMIST

July 7, 1941

Mr. Clifton T. Barkalow  
10 W. Main St.  
Freehold, N.J.

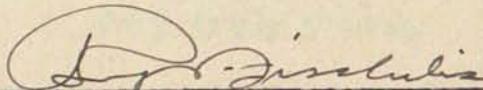
Dear Sir:

Your letter of July 2 has been received, and complying with your request we are sending you several additional copies of the Form 141 with reference to the sale of drugs by merchants. Please note that the Paragraph 3 to which you refer limits the sale of certain non-poisonous domestic remedies to retail dealers in rural districts. It is not expected that grocery stores which are located in the same township or borough or city as a pharmacy shall undertake to sell any of the items listed in Paragraph 3.

No license is issued for retail dealers in rural districts. However, the Board inspects these places from time to time to determine whether or not the law is complied with.

Very truly yours,

THE BOARD OF PHARMACY OF THE STATE OF  
NEW JERSEY

  
ROBERT P. FISCHELIS, SECRETARY

RPF:Y

July 2, 1941

Board of Pharmacy  
28 West State Street  
Trenton, New Jersey

Dear Sirs:

I recently made inquiry to your Board relative to the sale of non-poisonous patent medicines and sales in rural districts of certain drugs in grocery stores. I received from you a letter stating that an exemption is made to certain retail dealers in rural districts. You also enclosed a copy of the Statute, which I believe I am familiar with, and a form of Notice to merchants.

In the Notice to Merchants under Paragraph 3, it appears that a grocery store would be permitted to sell certain domestic remedies which were non-poisonous.

Kindly inform me whether this may be done without any license or permit, as I have an inquiry from a grocer which was made to me as attorney for a municipality.

Will you also kindly send me some additional copies of the Notice to Merchants so that I may deliver the same to the Township Committee and the grocer in question.

Very truly yours,

BARKALOW & McCOWAN

1/ALL

June 30, 1941

State Board of Pharmacy  
Trenton, New Jersey

Gentlemen:

I represent a local Township, and a request has been made of the Township by a grocery store owner for a permit or certification which will enable him to secure a permit as he understands it is required from the State Board of Pharmacy to sell patent medicines. He has been advised that there is a provision under which such permit can be issued if the store is located four miles from a drug store.

Will you kindly advise if this is true and if so, does it arise as a result of a regulation of the Board of Pharmacy or is it incorporated in our Statute. We would appreciate receiving a reference to this if it is, and a outline of the procedure you would require so that I may be in a position to advise the Township Committee as to what should be done.

Thank you kindly for your cooperation,

Very truly yours,

BARKALOW & MCGOWAN

1/ALL

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
IN BANKRUPTCY

Trenton, N. J. June 18, 1941

To Clifton T. Barkalow, Esq.  
10 W. Main St.  
Freehold, N. J.

Case Ernest Voorhees

Claimant Township of Marlboro

Amount \$138.31

Above mentioned claim received and filed June 2, 1941

C. H. Weelans,  
Referee

May 29, 1941

Charles H. Weelans, Esquire  
U.S. Referee in Bankruptcy  
Trenton, New Jersey

Re: Ernest Voorhees

Attention: Miss Hewlitt

Dear Miss Hewlitt:

Enclosed please find proof of debt in the  
above entitled bankruptcy.

Kindly file the original and acknowledge receipt  
of the same on the enclosed copy and return to me in the self-  
addressed envelope for your convenience.

Very truly yours,

BARKALOW & MCGOWAN

1/ALL  
ENC: 2

May 29, 1941

Harry Magee, Esquire  
Marlboro, New Jersey

Dear Mr. Magee:

Enclosed please find Proof of Debt on behalf of the Township of Marlboro for taxes in the bankruptcy matter of Ernest Voorhees.

Will you kindly sign on the second page on the line above your typewritten signature and also in the third page above your typewritten signature. After you have done this kindly forward the same with the enclosed letter to the Referee in the envelope already addressed.

You will note that the affidavits have been taken by my secretary, so that you will not be inconvenienced.

I have taken this question up with the proper persons and find that this is the correct procedure. Inasmuch as we have a prior claim it would not have availed us to advantage to attempt to stop the sale.

Kindly sign this paper and mail the same as soon as conveniently possible.

Very truly yours,

BARKALOW & MCGOWAN

1/ALL  
ENC: 4

April 30, 1941

Asbury Park Press  
Asbury Park, New Jersey

Dear Sirs:

Enclosed herewith please find legal Notice which we desire you to publish in the issue of your paper of Monday, May 5, 1941 for one insertion. This Notice is being published on behalf of the Township of Marlboro, whom this office represents. We would appreciate, therefore, your forwarding your bill direct to the Clerk of the Township of Marlboro, one Thomas Magee, Marlboro, New Jersey.

We would, likewise, appreciate your forwarding us an Affidavit of Publication immediately upon publication being made, so that we may have the same available for their meeting which is to be held on May 8th, which Affidavit of Publication may be forwarded to this office.

Very truly yours,

BARKALOW & MCGOWAN

1/ALL

April 30, 1941

Harry Magee, Esquire  
Marlboro, New Jersey

Re: Assignment of tax sale certificate  
No. 63 against Patrick Halter

Dear Mr. Magee:

Enclosed herewith please find four Notices, one of which should be mailed by you to the owner to the address appearing on the tax books of the municipality with postage prepaid. This must be done at least five days prior to May 8, 1941, the date on which the resolution is to be passed by the Township Committee authorizing the Assignment of the certificate. In addition, the same time the Notice is mailed, you will post the other three notices in three public places in the municipality. You will post them in the Morganville Post Office, Marlboro Township Hall and Marlboro Post Office. We will make an affidavit accordingly which you can sign of the day of the meeting.

A notice must, likewise, be published in the newspaper within five days prior to taking action, and we will arrange for this.

Very truly yours,

BARKALOW & MCGOWAN

1/ALL  
ENC: 4

February 20, 1941

Mr. Thomas Magee  
Marlboro, New Jersey

Dear Tuck:

Enclosed please find original and copy of Resolution, Assignment and Affidavit regarding the transfer of tax sale certificate No. 74 on property of Gertrude Scott, which is to be assigned to Frank Decker.

You will note that in the Assignment of the Tax Sale Certificate, the sum involved is left blank, which amount should be ascertained from your Dad.

I am also enclosing the tax sale certificate showing the <sup>sum</sup> of \$94.61 due, and this amount will have added to it the taxes and interest for 1940.

With regards to the Affidavit, I have already taken the same to save you the trouble of going before some Notary Public. To this enclosed Affidavit you should attach the Affidavit of Publication from the Asbury Park Press.

I believe that this concludes the matter of the Assignment, provided that the money is obtained from Mr. Decker. Should there be anything further regarding the same, kindly let me know.

Very truly yours,

BARKALOW & McGOWAN

1/ALL  
ENC: 7

February 13, 1941

Asbury Park Press  
Asbury Park, New Jersey

Dear Sirs;

Enclosed please find Notice, which I desire you to publish in your paper as a legal notice in your issue of Monday, February 17, 1941. This Notice is for the Township of Marlboro and you should, therefore, forward your bill to the Township Committee of Marlboro Township.

Please forward me an Affidavit of Publication promptly so that I may have the same for the meeting to be held February 20th.

Very truly yours,

BARKALOW & MCGOWAN

1/ALL  
ENC: 1

February 13, 1941

Marlboro Township Committee  
Marlboro, New Jersey

Gentlemen:

Mr. Magee consulted me with regards to the situation pertaining to Constables in Townships. I am, therefore, enclosing a Memorandum on the law regarding Constables.

It is my understanding that at the present time a Township may have as many Constables as will equal the number of Justices of the Peace in said Township, and with regards to the Justices of the Peace in Townships where the population is more than 4,000 and less than 7,000, there may be five Justices of the Peace.

Therefore, in Marlboro Township the population being 5,017, you will be entitled to five Justices of the Peace and five constables.

You will note, however, that the law seems to be that Constables' terms begin on the first day of May next ensuing their appointment by you and shall hold office for a term of three years from May 1st.

I trust that this explains the situation so that you will be in a position to act on the question I understand has been presented to you.

Very truly yours,

BARKALOW & MCGOWAN

1/ALL  
ENC: 1

February 13, 1941

Harry Magee, Esquire  
Marlboro, New Jersey

Dear Mr. Magee:

Enclosed please find three Notices with regards to the Assignment of the Tax Sale Certificate on the Gertrude Scott property.

These notices should be posted by you in three public places at least five days prior to February 20th.

I am also enclosing a letter to Gertrude Scott which contains a like notice to her as required by the Statute.

Inasmuch as the Township of Marlboro has over 5,000 inhabitants, namely 5,017, it becomes necessary to publish this Notice at least once in a newspaper. I will take care of the publication of this Notice and, therefore, request you to mail the enclosed letter to Mrs. Scott and also to post the Notices.

I will have your Affidavit and the other necessary papers for the meeting on February 20th.

Very truly yours,

BARKALOW & McGOWAN

1/ALL  
ENCS: 4

*Jan 30*

**FRANK DECKER**

ROOM 319-320  
BABCOCK BUILDING  
PLAINFIELD, N. J.

January 22, 1941.

Thomas C. Magee, Township Clerk  
Township of Marlboro,  
Marlboro, N. J.

Dear Sir:

I am in receipt of your letter of January 17,  
re the Gertrude Scott certificate, wherein you state  
the township Attorney advised you that the certificate  
would have to be advertised before the transfer to me.

If he feels that is necessary, it is satisfactory  
with me, provided that there is no expense on my part.

If this certificate is assigned to me, I will pay  
the subsequent taxes, which I presume is for the year  
1940.

Very truly yours,

Frank Decker

Per: *K*

FD:DR

THIS INDENTURE, made this                    day of  
in the year of our Lord One Thousand Nine Hundred and forty-  
one,

<sup>THE</sup>  
BETWEEN TOWNSHIP OF MARLBORO, a municipal cor-  
poration of the State of New Jersey, party of the first part;  
AND ROBERT McCARTHY, residing at R.F.D. Freehold,  
in the County of Monmouth and State of New Jersey, party of  
the second part:

WHEREAS, on December 31, 1941 Harry Magee, Tax  
Collector of the Township of Marlboro, after proper notice  
having been given, did sell property in the said Township of  
Marlboro for delinquent taxes, said property being assessed  
to one Abbott Worthley, Marlboro, New Jersey. The said  
premises consisted of an office, a corrugated tin building,  
a brick building, and a wooden building situate in the  
Township of Marlboro and in the Village of Marlboro, bounded  
on the south by what is commonly known as the County Road,  
on the East by the railroad, on the north by premises of one,  
Lillian Zienowicz, and on the west by Railroad Avenue. The  
said premises herein referred to were struck off and sold to  
the Township of Marlboro, and a tax sale certificate No. 75  
was issued therefor, and is now held by the said Township  
of Marlboro.

WHEREAS, it now appears that part of the said  
premises included under said tax sale certificate No. 75  
has been purchased by Robert McCarthy, mortgagee at a fore-  
closure sale, and a request by the said Robert McCarthy has

been made to the Township Committee of the Township of Marlboro to apportion said taxes, namely to divide the said amount of delinquent taxes and interest by indicating the amount due on the said wooden building, and the amount due on the said office, the corrugated tin building, and the brick building.

WHEREAS, the said Township Committee of the Township of Marlboro, Howard Preston, assessor, and Harry Magee, Collector, have apportioned said taxes and interest due as follows:                   to said premises owned by Robert McCarthy, and                   to premises remaining in the name of Abbott Worthley or Estate of Abbott Worthley.

WHEREAS, it further appears from a statement prepared by the Tax Collector of the Township of Marlboro that there are taxes and interest due on the entire premises for the years 1938 to 1941 inclusive amounting to Nine Hundred Twenty-nine Dollars and ninety-seven cents (\$929.97).

WHEREAS, the said party of the first part at the request of the said party of the second part has agreed to give up and surrender the lands hereinafter directed unto the said party of the second part, and to hold and retain the residue of said lands included in the tax sale certificate No. 75 as security for the money remaining due to the said Township of Marlboro for taxes, interest and charges thereon.

NOW THIS INDENTURE WITNESSETH, that the said party of the first part, in pursuance of the said Agreement and in consideration of the sum of                   to be paid at the time of the sealing and delivery of these presents,

the receipt whereof is hereby acknowledged, has released, quit-claimed, given, granted and conveyed, and by these presents do release, quit-claim, give, grant and convey unto the said party of the second part, all that part of the said mortgaged lands, to wit: Premises consisting of an office building, a corrugated tin building and a brick building situate in the Township of Marlboro and in the Village of Marlboro, and more particularly described in a Deed, Morris J. Woodring, Sheriff, to Robert McCarthy, said Deed being recorded in the Monmouth County Clerk's Office in Book 1817, page 234, excepting from this said release that portion of the premises formerly owned by Abbott Worthley, now deceased, upon which there is situate a wooden building, and the tract of land upon which the same is situate, this said tract being on the northerly side of the said premises of Robert McCarthy herein released.

TOGETHER with all of the right, title and interest of the said party of the first part to the same, to the intent that the lands hereby conveyed may be discharged from the said tax sale certificate, and that the rest of the lands in the said tax sale certificate may remain to the said party of the first part as heretofore.

TO HAVE AND TO HOLD the lands and premises hereby released to the said party of the second part, his heirs, executors, administrators and assigns forever, free

from the encumbrances of the said tax sale certificate No. 75 held by the Township of Marlboro, party of the first part herein.

IN WITNESS WHEREOF, the said party of the first part hath caused its Corporate Seal to be hereto affixed and attested by its Clerk, and these presents to be signed by its Chairman, the day and year first above written.

TOWNSHIP OF MARLBORO

BY: \_\_\_\_\_  
JAMES FARRELL,  
Chairman

Attest:

\_\_\_\_\_  
THOMAS MAGEE,  
Clerk.



R E L E A S E

TOWNSHIP OF MARLBORO, a  
municipal corporation of  
the State of N.J.,

AND

ROBERT MCCARTHY

DATED:

---

Law Offices  
Barlow & McGowan  
10 West Main Street  
Freehold, New Jersey

THIS INDENTURE, made this            day of  
in the year of Our Lord One Thousand Nine Hundred and Forty-  
Two,

BETWEEN THE TOWNSHIP OF MARLBORO, a municipal  
corporation, in the County of Monmouth and State of New  
Jersey, party of the first part,

AND ROBERT McCARTHY, residing at R.F.D. Freehold,  
in the County of Monmouth and State of New Jersey, party of  
the second part:

WHEREAS, on December 31, 1941 Harry Magee, Tax  
Collector, of the Township of Marlboro, after proper notice  
having been given, did sell property in the said Township  
of Marlboro for delinquent taxes, said property being assessed  
on the tax duplicate of said municipality in the name of  
Abbott Worthley Estate as owner for the year 1938 and 1939.  
The said premises were described on said tax duplicate,  
"Block..... , Lot....., Land...buildings....." The  
said premises herein referred to were struck off and sold  
to the Township of Marlboro, and a Tax Sale Certificate  
No. 75 was issued therefor and is now held by the said  
Township of Marlboro and recorded in the Monmouth County  
Clerk's Office in Book 1196 of Mortgages page 227.

WHEREAS, it now appears that part of said premises  
included under said Tax Sale Certificate No. 75 have been  
purchased by Robert McCarthy, the party of the second part  
herein, at a foreclosure sale, and he is now the owner of  
part of the said premises described in the Tax Sale Certif-  
icate hereinabove referred to, the said Sheriff's Deed  
being dated March 7, 1940, Morris J. Woodring, High Sheriff,  
of the County of Monmouth, to Robert McCarthy, recorded in  
the Monmouth County Clerk's Office in Book 1817, page 234,  
a description of said premises being hereinafter set forth.

WHEREAS, it further appears that the said Robert McCarthy made a request to the Township Committee of the Township of Marlboro to apportion the taxes on the premises described in Tax Sale Certificate No. 75 by setting off the amount of taxes, interest and charges due upon the premises now belonging to the said Robert McCarthy, and the amount of taxes, interest and charges due on the remaining portion of the premises described in the said Tax Sale Certificate hereinbefore referred to.

WHEREAS, it further appears that the said Township Committee of the Township of Marlboro, Howard Freston, Esq., Assessor, and Harry Magee, Tax Collector, by proper resolution, have apportioned the said taxes, interest and charges on the said premises described in Tax Sale Certificate No. 75 as follows:

To the said premises now owned by Robert McCarthy the sum of

To the premises remaining under the said Tax Sale Certificate and assessed in the name of Abbott Worthley Est., the sum of

WHEREAS, it further appears that the said Township Committee of the Township of Marlboro, party of the first part herein, at the request of the said party of the second part, has agreed to give up and surrender the lands herein after described, unto the said party of the second part upon the payment of the sum of \_\_\_\_\_, being the amount of taxes, interest and charges apportioned and now affecting the said lands of Robert McCarthy, and to hold and retain the residue of said lands set forth in said Tax Sale Certificate No. 75 as security for the remaining taxes, interest and charges due on the balance of the said premises assessed in the name of the Abbott Worthley Estate.

NOW THIS INDENTURE WITNESSETH, that the said party of the first part, in pursuance of the said Agreement, and in consideration of the sum of \_\_\_\_\_ to be paid at the time of the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has released, quit-claimed, given, granted and conveyed, and by these presents do release, quit-claim, give, grant and convey unto the said party of the second part All the following tracts or parcels of land and premises, hereinafter particularly described, situate, lying and being in the Township of Marlboro, in the County of Monmouth and State of New Jersey.

First Tract: Beginning at a point in the easterly line of Railroad Avenue at the southwest corner of formerly Baird lot, and running thence (1) in an easterly direction, towards the right of way of the New Jersey Central Railroad and at right angles thereto sixty feet to the west line of said right of way; thence (2) northerly, along the west line of said right of way, seventy feet to a point; thence (3) westerly, and parallel to the first course, sixty feet to the easterly line of Railroad Avenue; thence (4) southerly, seventy feet more or less to the point or place of beginning.

Intended to be a part of a tract designated tract Number One in deed of Abbott Worthley and wife to Abbott Worthley Company, Inc. dated November 15th, 1922 and recorded in Book 1203 of Deeds page 145 of the Monmouth County Clerk's Office.

Parcel B lying between Railroad Avenue and land of the N.J. Central Railroad Company, as shown on a map of lots made by G.B. Conover, Surveyor, and filed in Monmouth County Clerk's Office for Obadiah C. Herbert.

Beginning at a stone planted in the northwest corner of Abbott Worthley's lot, thence along Railroad Avenue north fifty feet to a stone planted in the southwest corner of James Baird's lot; thence east, along James H. Baird's lot, sixty feet to the land of New Jersey Central Railroad Company; thence south, along land of N.J. Central Railroad, fifty feet to a stone planted in the northeast corner of Worthley's lot; thence west sixty feet to Railroad Avenue, the place of beginning.

Intended to be the same tract designated as Tract Number 3 in deed of Abbott Worthley and wife to Abbott Worthley Company Inc. dated Nov. 15, 1922 and recorded in Book 1203 of Deeds page 145 of the Monmouth County Clerk's Office.

Second Tract: Beginning at a point in the east line of Railroad Avenue distant one hundred fifty feet northerly from the northeast corner of Herbert Avenue and Railroad Avenue and running thence (1) northerly, along the east line of Railroad Avenue one hundred ninety feet, eight inches to a point; thence (2) at right angles to the east line of Railroad Avenue easterly sixty feet to the west line of the right of way of the N.J. Central Railroad; thence (3) southerly, along the west line of said right of way one hundred ninety feet eight inches to a point; thence (4) westerly and parallel with the second course sixty feet to the point or place of beginning.

Intended to be the northerly portion of a tract designated as Tract Number 5 in a deed of Abbott Worthley and wife to Abbott Worthley Company, Inc. dated November 15, 1922 and recorded in Book 1203 of Deeds page 145 of the Monmouth County Clerk's Office.

Third Tract: Beginning at a stone in the northeast corner of Herbert and Railroad Avenue and running thence (1) along the easterly line of Railroad Avenue one hundred fifty feet to a point; thence (2) at an angle of ninety degrees sixty feet to a point in the west line of the right of way of the N.J. Central Railroad; thence (3) southerly, along the west line of said right of way, one hundred fifty feet to the north line of said Herbert Avenue; thence (4) along the north line of Herbert Avenue sixty feet to the point or place of beginning.

Intended to be the southerly portion of a tract designated as Tract Number Five in deed of Abbott Worthley and wife to Abbott Worthley Company, Inc. dated November 15, 1922 and recorded in Book 1203 of Deeds page 145 of the Monmouth County Clerk's Office.

TOGETHER with all of the right, title and interest of the said party of the first part to the same, to the intent that the lands hereby conveyed may be discharged from Tax Sale Certificate, and that the rest of the lands in the said Tax Sale Certificate may remain to the said party of the first part as heretofore.

TO HAVE AND TO HOLD the lands and premises hereby released to the said party of the second part, his heirs, executors, administrators and assigns forever, free from the encumbrances of the said Tax Sale Certificate No. 75 held by the Township of Marlboro, the party of the first part herein.

IN WITNESS WHEREOF, the said party of the first part hath caused its Corporate Seal to be hereto affixed

and attested by its Clerk, and these presents to be signed  
by its Chairman, the day and year first above written.

THE TOWNSHIP OF MARLBORO

BY: \_\_\_\_\_  
JAMES FARRELL,  
Chairman.

Attest:

\_\_\_\_\_  
THOMAS MAGEE,  
Clerk.



R E L E A S E

TOWNSHIP OF MARLBORO, a  
municipal corporation of  
the County of Monmouth and  
State of New Jersey,

AND

ROBERTH MCCARTHY

---

DATED: OCTOBER , 1942.

---

Law Offices  
Barkalow & McGowan  
10 W. Main Street  
Freehold, New Jersey

# Marlboro Township Delinquent Tax Bill

Marlboro, N. J., Jan 1 1942

**M** Abbott Washley

You Owe to the Township of Marlboro the Following Taxes:

For the year 1938		
Interest to date		
For the year 1939 <u>and 1938</u>	537	38
Interest to date	52	22
For the year 1940	233	05
Interest to date	20	97
For the year 1941	106	35
Interest to date		
For the year 1942		
Interest to date		
Total Amount	\$ 29	97

The above taxes must be paid on or before \_\_\_\_\_ . If not paid by that time warrants will be issued for the collection thereof and enforced by the sale of your property, or by the arrest of the person according to law.

Received payment \_\_\_\_\_ 19

\_\_\_\_\_ Collector.

STATE OF NEW JERSEY  
THE BOARD OF PHARMACY



28 WEST STATE STREET  
TRENTON, N. J.  
PHONE TRENTON 2-2131  
EXTENSION 546

## MEMBERS OF THE BOARD

PERCY H. JACKSON, PH. G., PRESIDENT  
ADOLPH V. PALUMBO, PH. G., VICE-PRESIDENT  
CHARLES SCHAMACH, PH. G., TREASURER  
JOHN J. DEBUS, PH. G.  
EMIL P. MARTINI, PH. G.

ROBERT P. FISCHELIS, B. SC., PHAR. D.  
SECRETARY AND CHIEF CHEMIST

ADDRESS OFFICIAL  
COMMUNICATIONS TO  
THE BOARD OF PHARMACY  
TRENTON, N. J.

July 1, 1941

Mr. Clifton T. Barkalow  
10 W. Main Street  
Freehold, New Jersey

Dear Sir:

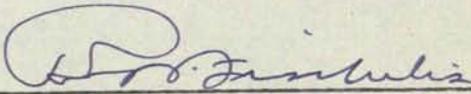
Your letter of June 30 has been received. This Board is not authorized by law to issue permits to anyone other than a person, partnership or corporation operating a pharmacy. We have no authority to issue permits to grocers. The Pharmacy Law, of which we enclose a copy, limits the sale of drugs, medicines and poisons to persons who are Registered Pharmacists or Assistant Pharmacists or persons working under the supervision of Registered Pharmacists. However, an exemption is made which permits the sale of non-poisonous patent or proprietary preparations which do not contain hypnotic, narcotic or dangerous drugs, and a further exemption is made in the matter of the sale of "simple non-poisonous domestic remedies" by retail dealers in rural districts.

If the store to which you refer is located four miles from a pharmacy and is in a rural district, it would come under the provisions of the Pharmacy Act which permit the sale of "simple non-poisonous domestic remedies" by retail dealers in rural districts.

A circular of information on this subject is enclosed herewith, and if you have any further questions after reading this circular we shall be glad to answer them.

Very truly yours,

THE BOARD OF PHARMACY OF THE STATE OF  
NEW JERSEY

  
ROBERT P. FISCHELIS, SECRETARY

RPF:KK  
Enclosure

# IMPORTANT NOTICE TO MERCHANTS

## Do Not Display "Drug" Signs

Since April 28, 1932, it has been unlawful in New Jersey for any person, partnership, or corporation, to carry on, conduct or transact business under a name which contains as a part thereof the words "pharmacist", "pharmacy", "apothecary", "apothecary shop", "chemist's shop", "drug store", "druggist", "drugs", or any word or words of similar or like import, or in any manner by advertisement, circular, poster, sign or otherwise describe or refer to the place of business conducted by such person, partnership, or corporation by the terms "pharmacy", "apothecary", "apothecary shop", "chemist's shop", "drug store", "drugs", or any word or words of similar or like import unless the place of business so conducted is a drug store or pharmacy operated or managed at all times by a registered pharmacist.

Any merchant or dealer now displaying such signs or advertising his place of business with the use of the term "drugs" or similar terms will be subject to prosecution and payment of a fine of not less than \$25.00 for the first offense; not less than \$50.00 for the second offense and not less than \$100.00 for the third or subsequent offense.

## Do Not Sell Drugs, Medicines or Poisons Except as Noted Below Unless You Employ a Registered Pharmacist

If you are not a Registered Pharmacist or if you are not working in the presence of and under the personal supervision of a registered pharmacist of the State of New Jersey (who is either the proprietor of the store or place of business, or in the actual employ of such proprietor or owner), you must not sell at retail any drugs, medicines or poisons to anyone under any circumstances except the following:

### Sale of Non-Poisonous "Patent Medicines"

1. You are permitted to sell non-poisonous patent or proprietary medicines, provided they do not contain barbital, barbituric acid, malonyl urea, sulfanol, trional, tetronal, carbromal, paraldehyde, chloral, chloral hydrate, chlorbutanol or any compounds, derivatives or preparations thereof. If you do not know whether a certain preparation is a "non-poisonous patent or proprietary medicine," the Board of Pharmacy will be glad to supply the information on request. Poisonous proprietary medicines usually bear the word "Poison" on the label. Do not depend on the statements of manufacturers' or wholesalers' representatives. They have caused many honest merchants to become violators of the law and usually desert the merchant when he gets into trouble and is compelled to pay a fine.

### Sale of Agricultural Poisons

2. You are permitted to sell such poisons as are used in the arts, agriculture, or in manufacturing, to persons known to be engaged in such pursuits and believed to be making the purchase for legitimate use, if such poisons are properly labeled with a red label, stating the name of the article in English, the word "Poison" and the name and address of the seller.

### Sales in Rural Districts

3. If you conduct a retail store in a rural district, that is, a community which is not a regularly incorporated city, town or borough where there is no pharmacy or drug store, you are permitted to sell "simple non-poisonous domestic remedies." Such remedies include: Boric Acid, Borax, Alum, Ammonia Water, Glycerin, Epsom Salt, Cod Liver Oil, Castor Oil, Oil of Turpentine, Rochelle Salt, Sodium Bicarbonate, Senna Leaves, Sulfur.

Storekeepers in cities, towns or boroughs, or where there is a licensed pharmacy or drug store, have no right to sell any of the above.

Such medicines as Tincture of Iodine, Camphorated Oil, Spirit of Camphor, Solution Citrate of Magnesia, Sweet Spirit of Nitre, Paregoric or any other compounded preparations, unless they are non-poisonous patent or proprietary medicines, must not be sold anywhere (rural districts included) except under the supervision of a Registered Pharmacist. The Supreme Court has upheld the law to this effect.

### Sale of Flavoring Extracts Foods and Spices

4. The sale of flavoring extracts, foods and spices does not come under the provisions of the Pharmacy Law. Merchants may sell flavoring extracts without the supervision of a Registered Pharmacist, but attention is called to the fact that Extract of Peppermint, used for flavoring purposes, must not be confused with Essence of Peppermint, the medicinal preparation. Extract of Peppermint for flavoring purposes can be sold without the supervision of a Registered Pharmacist, but Essence of Peppermint, which is a medicine and is much stronger in peppermint content, can be sold only under the supervision of a Registered Pharmacist. When the label of a product gives directions for medicinal use it must be assumed that it is a medicine and sold for medicinal purposes. Flavoring extracts, foods and spices bear no directions for medicinal use on their labels.

## Do Not Sell Hypnotic Drugs

5. The Pharmacy Law absolutely prohibits the sale of hypnotic and somnifacient drugs except on prescriptions compounded by Registered Pharmacists. These drugs include Abasin, Adalin, Allonal, Alurate, Amytal, Barbital, Bromidia, Cafinal, Carbromal, Chloral, Chloral Hydrate, Chloranos, Chlorbutanol, Chloretone, Cibalgine, Colamide, Dial, Diogenal, Ipral, Luminal, Medinal, Mobenal, Peralga, Phanodorn, Phenobarbital, Sedormid, Somnos, Sulfonal, Tetronal, Trional, Veronal and many others. The Board of Pharmacy will supply a complete list and further information on request.

## OBTAIN INFORMATION FROM THE BOARD OF PHARMACY

In the past few years certain wholesale and manufacturing drug houses, chiefly those located outside of New Jersey, have been advising general merchants in this State, by means of letters and personal contact through their salesmen, to defy the New Jersey Pharmacy Laws. They have also made various false and misleading statements with reference to the activities of the Board of Pharmacy.

The Board of Pharmacy has found that some otherwise law-abiding merchants have been misled by this type of propaganda and have attempted to sell prohibited medicines. The public and all merchants and dealers in this State are hereby informed that the Board of Pharmacy is always ready to supply full information regarding the provisions of the Pharmacy Law and the distribution of drugs and medicines in New Jersey.

The Board of Pharmacy was created by the Legislature of New Jersey to serve the public and assure to the people that the compounding and distribution of drugs and medicines shall be properly limited so that they may be protected against the use of inferior medicines or medicines improperly compounded or dispensed. All of its enforcement activities are designed toward this end.

The Board of Pharmacy is just as anxious to conserve the rights of merchants under the law as it is to conserve the rights of pharmacists, but its chief interest is the public welfare.

Merchants and others who do not understand the provisions of the law or their rights with reference to distributing drugs will receive courteous and prompt attention if they will communicate with the Board by letter, telephone or personal visit to the Board office in Trenton.

It pays to obtain first-hand information. Don't get it from salesmen who want to sell goods. They may be ignorant of the law or they may purposely give you incorrect advice in order to induce you to buy. It is easy to get correct information from

## THE BOARD OF PHARMACY OF THE STATE OF NEW JERSEY

# Revised Pharmacy Laws of New Jersey

## Title 45. Professions and Occupations

### Chapter 14. Pharmacy

- | Section  | Section   |
|--|---|
| 45:14-1. Board of pharmacy of the state of New Jersey; membership; appointments; terms of office.              | 45:14-24. Labels.   |
| 45:14-2. Oath of office; removal; quorum.  | 45:14-25. "Barbital" and "other hypnotic and somnifacient drugs" defined.   |
| 45:14-3. Officers of board; by-laws and rules; meetings; examinations; general powers and duties of board.     | 45:14-26. Enforcement.  |
| 45:14-4. Expenses and compensation of members and secretary; disposition of moneys collected.                  | 45:14-27. Penalties for violations.   |
| 45:14-5. Appointment and duties of inspectors.   | 45:14-28. Certificate of board as evidence that defendant not registered.   |
| 45:14-6. Registration of pharmacists required; apprentices.  | 45:14-29. Application of provisions of chapter limited.   |
| 45:14-7. Qualifications of applicants; examination; fee; issuance of certificate.                              | 45:14-30. Use of words "pharmacy" and "drug store" limited.   |
| 45:14-8. Reciprocal registration; fee.   | 45:14-31. Certain establishments unaffected.  |
| 45:14-9. Assistant pharmacists; registration discontinued; privileges of existing assistant pharmacists.       | 45:14-32. Registration of pharmacy or drug store; permit required; definitions.   |
| 45:14-9.1. Licenses to aliens; ultimate citizenship essential to continuance of license.                       | 45:14-33. Permit; application; fee; display; prerequisites.   |
| 45:14-10. Display of certificates; sign to bear name of registered pharmacist in charge.                       | 45:14-34. Annual registration; form of application; separate permit for each establishment.   |
| 45:14-11. Annual renewal of certificates; fee.   | 45:14-35. Suspension and revocation of permit.  |
| 45:14-12. Refusal of examination; suspension or revocation of certificate; hearing; court review.              | 45:14-36. Enforcement; rules and regulations.   |
| 45:14-13. Prescriptions filled only by pharmacist or apprentices duly supervised.                              | 45:14-37. Penalties; enforcement.   |
| 45:14-14. "Prescription" defined.  | 45:14-38. Jurisdiction; service of process; commitment for non-payment.   |
| 45:14-15. Prescription numbered and filed.   | 45:14-39. Injunction to restrain violations of chapter.   |
| 45:14-16. Prescription must be strictly followed.  |   |
| 45:14-17. Enforcement.   |   |
| 45:14-18. Sale or delivery of poisons to children, etc., and certain methods of procuring poisons, prohibited. |   |
| 45:14-19. Dispensing of certain poisons regulated; schedule "A".   |   |
| 45:14-20. Dispensing of certain poisons regulated; schedule "B".   |   |
| 45:14-21. Application of sections 45:14-19 and 45:14-20 limited.   |   |
| 45:14-22. Board to furnish printed schedules of poisons and antidotes.   |   |
| 45:14-23. Hypnotic and somnifacient drugs sold on prescription only; records; exceptions.                      |   |
|  | 45:14-1. Board of pharmacy of the state of New Jersey; membership; appointments; terms of office. The board of pharmacy of the state of New Jersey, hereinafter in this chapter designated as the "board", established by an act entitled "An act to regulate the practice of pharmacy in this state," approved March nineteenth, one thousand nine hundred and one (L. 1901, c. 51, p. 85), as amended and supplemented, is continued. The board shall consist of five members, to be appointed from time to time as hereinafter directed, by the governor, each of whom shall be a citizen of and an able and skilled registered pharmacist in this state, shall have been registered as a pharmacist in this state for at least five years prior to his appointment, shall be actually engaged in conducting a pharmacy at the time of his appointment and shall continue in the practice of pharmacy during the term of his office. No member shall be a teacher or instructor in any college of pharmacy. Upon the expiration of the term of office of a member, his successor shall be appointed by the |

the sale of liquors, or has been twice convicted of violating any law relating to the practice of pharmacy, or has been convicted of a crime involving moral turpitude, or has impersonated an applicant for registration before the board. Before a certificate shall be refused, suspended or revoked, the accused person shall be furnished with a copy of the complaint and given a hearing before the board. Any person to whom a certificate shall be denied by the board or whose certificate shall be suspended or revoked by the board shall have the right to appeal by certiorari to the supreme court for a review of such action.

**45:14-13. Prescriptions filled only by pharmacist or apprentices duly supervised.** No person who is not a registered pharmacist of this state, or an apprentice employed in a pharmacy under the immediate personal supervision of a registered pharmacist, shall compound, dispense, fill or sell prescriptions of physicians, dentists, veterinarians or any other medical practitioners licensed to write prescriptions for drugs and medicines.

**45:14-14. "Prescription" defined.** The term "prescription" as used in sections 45:14-13, 45:14-15 to 45:14-17 of this title means an order for drugs or medicines or combinations or mixtures thereof, written or signed by a duly licensed physician, dentist, veterinarian or other medical practitioner licensed to write prescriptions intended for the treatment or prevention of disease in man or animals, and includes orders for drugs or medicines or combinations or mixtures thereof transmitted to pharmacists through word of mouth, telephone, telegraph or other means of communication by a duly licensed physician, dentist, veterinarian or other medical practitioner licensed to write prescriptions intended for the treatment or prevention of disease in man or animals, and such prescriptions received by word of mouth, telephone, telegraph or other means of communication shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be filed by the pharmacist, as provided for in section 45:14-15 of this title.

**45:14-15. Prescription numbered and filed.** The registered pharmacist compounding, dispensing, filling or selling a prescription shall place the original written prescription in a file kept for that purpose and affix to the container in which the prescription is dispensed, a label bearing the name and address of the pharmacist, the date on which the prescription was compounded and an identifying number under which the prescription is recorded in his files, together with the name of the physician, dentist, veterinarian or other medical practitioner prescribing it and the directions for the use of the prescription by the patient, as directed on the prescription of the physician, dentist, veterinarian or other medical practitioner licensed to write prescriptions.

**45:14-16. Prescription must be strictly followed.** It shall be deemed a violation of sections 45:14-13 to 45:14-15 of this title if a

prescription when compounded, filled, dispensed or sold, and before any of the contents of the prescription shall have been used or removed, is found to contain more or less than the quantity of the several or combined ingredients ordered in writing by the prescriber, or if the prescription compounded, filled, dispensed or sold shall contain ingredients other than those ordered in writing by the prescriber, except that the addition of such inert ingredients as are required in the art of compounding shall be permissible, but such ingredients shall in no manner be used to replace the several or combined constituents ordered in writing by the prescriber, without the prescriber's permission.

**45:14-17. Enforcement.** The board shall have power to make rules and regulations for the enforcement of sections 45:14-13 to 45:14-16 of this title, including the establishing of tolerances to allow for deviations from the amounts of ingredients prescribed due to manipulative procedures and deterioration.

**45:14-18. Sale or delivery of poisons to children, etc., and certain methods of procuring poisons, prohibited.** No person shall sell or deliver to any minor under twelve years of age or to any person known to be of unsound mind or under the influence of liquor, any of the substances enumerated in schedule "A" or schedule "B" appended to sections 45:14-19 and 45:14-20 of this title, respectively, or any other poisonous drug, chemical, or medicinal substance. No person shall give a fictitious name or make any false representation to the seller in order to procure any poison.

**45:14-19. Dispensing of certain poisons regulated; schedule "A".** No person shall sell at retail, give away, or dispense any of the poisons enumerated in schedule "A," appended to this section or any other substance commonly recognized as a deadly poison, or any substance which, according to standard works on medicine, materia medica or toxicology, is liable to be destructive of adult human life in doses of five grains or less, without distinctively labeling the package, bottle, box, can, container or wrapper in which said poison is contained with a red label stating the name of the article in English, the word "poison" and the name and place of business of the dispenser. Before delivery shall be made, the seller must first learn by inquiry that the person to whom delivery is made is aware of the dangerous character of the poison and is a proper person to purchase such poison, and that it is desired for a legitimate purpose. Before making such delivery, the seller shall also record in a book kept solely for that purpose the date and hour, the name of the article, the quantity delivered, the use stated by the purchaser, and the name and address of the purchaser, which poison record shall be preserved for at least five years after the date of the last entry, and shall at all times be open to the inspection of any member or agent of the board, or to any proper officer of the law.

#### Schedule "A"

Arsenic and the compounds and chemical derivatives of arsenic, corrosive sublimate and

other poisonous compounds and derivatives of mercury, phosphorus and its poisonous compounds and derivatives, tartar emetic or other poisonous salts or compounds of antimony, hydrocyanic acid, prussic acid, potassium cyanide, other cyanides and prussiates or other poisonous compounds and derivatives of cyanogen, oil of bitter almonds containing hydrocyanic acid, opium and its preparations and derivatives, aconite and its preparations, belladonna and its preparations, calabar bean and its preparations, scopola and its preparations, strophanthus and its preparations, the following organic principles: Aconitine, apomorphine, atropine, brucine, cantharidin, cocaine, codeine, coniine, digitalin, emetine, eucaïne, gelsemine, homatropine, hyoscyne, hyoscyamine, morphine, diacetyl-morphine or heroin, ethylmorphine or dionin, physostigmine or eserine, scopolamine, strophanthin, strychnine, veratrine or any of their chemical compounds, salts or derivatives, or any other drug, chemical substance, or preparation which, according to standard works on medicine, materia medica, or toxicology, is liable to be destructive to adult human life in doses of five grains or less.

**45:14-20. Dispensing of certain poisons regulated; schedule "B".** No person shall sell at retail or dispense any of the poisons enumerated in schedule "B", appended to this section or any other substance recognized by standard authorities on medicine, materia medica or toxicology as poisonous without first learning by inquiry that the person to whom delivery is made is aware of the poisonous character of the substance, and is a proper person to purchase such drugs, and that it is desired for a legitimate purpose, and, before making such delivery, the package, bottle, box, can, container or wrapper in which said poison is contained must be labeled with a red label stating the name of the article in English, the word "poison" and the name and place of business of the dispenser.

#### Schedule "B"

Cannabis, cantharides, Chinese blistering beetle, cocculus indicus, colchicum, cotton root bark, digitalis, ergot, gelsemium, hellebore, henbane, ignatia amara, phytolacca, nux vomica, veratrum, stramonium, savin, chloroform, ether, wood or methyl alcohol, white precipitate, red precipitate, silver nitrate, copper salts, salts of barium, lead salts, oxalic acid, mineral acids, arsenical solutions, iodine, tincture of iodine, carbolic acid, creosote, croton oil, oils of pennyroyal, rue, savin or tansy or any other drug, chemical, substance, or preparation which according to standard works on medicine, materia medica, or toxicology, while not considered as toxic in doses of five grains or less is, nevertheless, liable to be destructive of adult human life in doses of sixty grains or less.

**45:14-21. Application of sections 45:14-19 and 45:14-20 limited.** The provisions of sections 45:14-19 and 45:14-20 of this title shall not apply (a) to poisons sold or dispensed upon prescription directed by a registered practitioner of medicine, dentistry or veterinary medicine, and all such prescriptions shall

be filed by the dispenser and kept for a period of at least five years; (b) to sales of poisons made to registered practitioners of medicine, dentistry, pharmacy or veterinary medicine; (c) to sales made by any manufacturer, wholesaler or licensed pharmacist, to another manufacturer, wholesaler or licensed pharmacist, or to a manufacturer of proprietary medicine, or to a hospital, college, school, or scientific or public institution, or to the sale of such poisons as are used in the arts, agriculture, or in manufacturing, to persons known to be engaged in such pursuits and believed to be making the purchase for legitimate use, if such poisons are properly labeled with a red label, stating the name of the article in English, the word "poison" and the name and address of the seller; or (d) to the sale, distribution, giving away, dispensing or possession of preparations or remedies which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or, if a solid or semi-solid preparation, in one avoirdupois ounce; or to plasters, liniments, ointments or other preparations which are prepared for external use only, if such remedies and preparations are sold, distributed, given away or dispensed or possessed as medicines and not for the purpose of evading the intentions and provisions of said sections.

**45:14-22. Board to furnish printed schedules of poisons and antidotes.** Printed schedules of all such named poisons, and the antidotes approved by the board, shall be given to all registered pharmacists and other persons applying therefor; and the board, upon request, shall furnish any dealer with a list of articles, preparations and compounds, the sale of which is prohibited or regulated by sections 45:14-19 and 45:14-20 of this title. The board shall adopt and have printed a schedule of what in its judgment are the most suitable antidotes for the various poisons, and shall forward by mail one copy to each person registered upon its books, and to every other person applying for the same. The particular antidotes may be printed upon the labels of pharmacists as being those officially approved by the board. The board may revise and amend the schedule of antidotes recommended, from time to time, as it may deem advisable.

**45:14-23. Hypnotic and somnifacient drugs sold on prescription only; records; exceptions.** No barbitol or any other hypnotic or somnifacient drug, as defined herein, shall be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician, dentist, or veterinarian, compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed, a label bearing the name and address of the pharmacist, the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files, together with the name of the physician, dentist or vet-

erinarian prescribing it, and the directions for the use of the drug by the patient as given upon the prescription of the physician, dentist or veterinarian, but the provisions of this section shall not apply to a duly licensed physician, dentist, or veterinarian, when in their judgment they deem it advisable to dispense any of the aforementioned drugs to their patients under their immediate supervision, but they shall keep a record of the date, the drug dispensed, the quantity, and the name and address of the patient.

**45:14-24. Labels.** No manufacturer, pharmacist, jobber or other dealer in drugs shall sell or have in his possession barbitol or any other hypnotic or somnifacient drug, unless the container bears a label securely attached thereto stating conspicuously in printed words the specific name of the barbitol or other hypnotic or somnifacient drug and the proportion or amount thereof. Such label shall not be necessary when such a drug is dispensed by a pharmacist upon a prescription and the container is labeled in the manner described in section 45:14-23 of this title.

**45:14-25. "Barbitol" and "other hypnotic and somnifacient drugs" defined.**

For the purpose of sections 45:14-23 and 45:14-24 of this title the term "barbitol" shall mean and include, the salts of barbituric acid, also known as malonyl urea, or any derivative or compounds of any preparations or mixtures thereof possessing hypnotic properties or effects, and the term "other hypnotic or somnifacient drug" shall mean and include sulphonethylmethane (trional) or sulphonmethane (sulphonal) or diethylsulphon diethylmethane (tetronal) or carbromal, by whatever name they may be known, or paraldehyde or any derivatives or compounds or preparations or mixtures thereof possessing hypnotic properties or effects, and chloral or chloral hydrate or chlorbutanol or any compounds or mixtures thereof possessing hypnotic properties or effects, when such barbitol or other hypnotic and somnifacient drugs, or any derivatives or compounds or mixtures or preparations thereof are to be used internally. This section shall not apply to any compound or mixture or preparation that is intended to be used as a spray or a gargle or a liniment or in any other wise for external application only, provided such compound or mixture or preparation intended for external application only shall contain, in addition to the content of barbitol or other hypnotic or somnifacient drug, some other drug or drugs conferring upon it medicinal qualities other than those possessed by the barbitol or other hypnotic or somnifacient drugs alone, and such compounds or mixtures or preparations shall be sold in good faith for the purpose for which they are intended, and not for the purpose of evading the provisions of sections 45:14-23 to 45:14-26 of this title.

**45:14-26. Enforcement.** The board shall have power to enforce the provisions of sections 45:14-23 to 45:14-25 of this title, and shall make rules and regulations for their enforcement.

**45:14-27. Penalties for violations.** Whoever, not being a duly registered pharmacist of this state, establishes or conducts any pharmacy or drug store for the retailing, dispensing or compounding of drugs, medicines, physicians' prescriptions or poisons or whoever, not having first obtained a certificate of registration as a pharmacist or registered assistant in accordance with the provisions of this chapter, engages as clerk or assistant or apprentice in any store or pharmacy and retails, dispenses or compounds drugs, medicines or physicians' prescriptions, or whoever, being a duly registered pharmacist or registered assistant or an apprentice, violates any of the provisions of this chapter, or adulterates or sells any adulterated drug, medicine or chemical, or whoever procures or attempts to procure registration for himself or any other person under this chapter by making or causing to be made any false representations, or fraudulently represents himself to be registered in accordance with this chapter, or whoever violates any of the provisions of this chapter shall forfeit and pay a penalty as provided in section 45:14-37 of this title, to be sued for and recovered in the manner provided in sections 45:14-37 and 45:14-38 of this title. All penalties collected under the provisions of this chapter shall be paid to the treasurer of the board.

**45:14-28. Certificate of board as evidence that defendant not registered.**

In all prosecutions instituted under the provisions of this chapter a certificate, signed by the president or secretary of the board, to which certificate shall be affixed the seal of said board, certifying that the person charged with the alleged violation was not, at the time of the alleged violation, registered as a pharmacist or registered assistant pharmacist of the state of New Jersey, shall be prima facie proof of the fact in any such prosecution in any court where suit be instituted.

**45:14-29. Application of provisions of chapter limited.**

Except as otherwise provided as to barbitol or any other hypnotic or somnifacient drugs, nothing in this chapter shall be construed to apply to or in any manner interfere with the strictly professional pursuits of any physician, the making and vending of nonpoisonous patent or proprietary medicines, the sale of simple nonpoisonous domestic remedies by retail dealers in rural districts, nor the ownership of any pharmacy or store, in whole or in part, by a person not a registered pharmacist, if such pharmacy or store is at all times in charge of a registered pharmacist. Any person holding any certificate of registration granted under any former act, with the renewal certificate thereof, shall be considered a registered pharmacist within the meaning of this chapter.

**45:14-30. Use of words "pharmacy" and "drug store" limited.** No person shall carry on, conduct, or transact business under a name which contains as a part thereof the words "pharmacist", "pharmacy", "apothecary", "apothecary shop", "chemist's shop", "drug store", "druggist", "drugs", or any word or words of similar or like import, or in any man-

ner by advertisement, circular, poster, sign, or otherwise describe or refer to the place of business conducted by him by the terms "pharmacy", "apothecary", "apothecary shop", "chemist's shop", "drug store", "drugs", or any word or words of similar or like import, unless the place of business so conducted is a drug store or pharmacy operated or managed at all times by a registered pharmacist.

**45:14-31. Certain establishments unaffected.** Nothing in section 45:14-30 of this title shall interfere with the ownership of a pharmacy or store, in whole or in part, by a person not a registered pharmacist, if such pharmacy or store is at all times in charge of a registered pharmacist.

**45:14-32. Registration of pharmacy or drug store; permit required; definitions.**

No pharmacy or drug store shall be opened or kept open for the transaction of business or for rendering professional services until or unless it has been registered with and a permit therefor has been issued to it by the board.

The terms "pharmacy" and "drug store" as used in this section and in sections 45:14-33 to 45:14-36 of this title mean an establishment or place of business which, under the provisions of this chapter, is required to be operated or managed at all times by a registered pharmacist.

**45:14-33. Permit; application; fee; display; prerequisites.**

Upon application made on a form prescribed and furnished by the board, and upon payment of a fee of fifty dollars, the board shall issue a permit to conduct a new pharmacy or drug store to such persons as it shall deem qualified to conduct such business. The permit so issued shall be exposed in a conspicuous place in the pharmacy or drug store for which it was issued and shall not be transferable and shall expire the thirtieth of June following the date on which the permit is issued. Whenever the application to conduct a pharmacy or drug store pertains to an establishment for which a permit has already been issued by the board and such pharmacy or drug store is in active operation under an unsuspended or unrevoked permit, the application shall be made on a form prescribed and furnished by the board and shall be accompanied by a fee of twenty-five dollars, and the board shall issue a permit transferring authority to conduct such pharmacy or drug store to the person making application if he shall be deemed qualified to conduct such business. The permit so issued shall be exposed in a conspicuous place in the pharmacy or drug store for which it was issued and shall not be transferable and shall expire on the thirtieth of June following the date of issuance of the permit. No permit shall be issued unless it appears to the satisfaction of the board that the management of the pharmacy or drug store is in personal and continuous charge of a pharmacist registered in accordance with the laws of this state.

**45:14-34. Annual registration; form of application; separate permit for each establishment.** On or before July first of each year the owner or manager of any pharmacy

or drug store engaged in business in this state shall renew such registration and obtain a permit from the board and pay the annual fee of six dollars. At the time of such annual or original registration such owner or manager shall furnish to the board a complete list of those who are engaged in such business as registered pharmacists, registered assistant pharmacists and apprentices, and this list shall be furnished with each original and annual registration. The application for such a permit or license shall indicate the name of the owner, manager, trustee, lessee, receiver or other person or persons desiring such permit, as well as the location of such pharmacy or drug store, including street and number and such other information as the board may request. If it is desired to operate, manage, open or establish more than one pharmacy or drug store, separate application shall be made and a separate permit or license shall be issued for each such pharmacy or drug store. If an application is found satisfactory the secretary of the board shall issue to the applicant a permit or license for each pharmacy or drug store for which an application is made. Permits or licenses so issued shall not be transferable and shall expire on June thirtieth of each year.

**45:14-35. Suspension and revocation of permit.**

The board may suspend or revoke any permit obtained by false representation made in the application therefor or when the pharmacy or drug store for which a permit shall have been issued is conducted in violation of the provisions of this chapter.

**45:14-36. Enforcement; rules and regulations.**

The board may enforce the provisions of sections 45:14-32 to 45:14-35 of this title and shall make such rules and regulations as may be necessary therefor.

**45:14-37. Penalties; enforcement.**

The board shall have power to enforce the provisions of this chapter, and any person violating such provisions or any of them shall forfeit and pay a penalty of not less than twenty-five dollars nor more than fifty dollars for the first offense, not less than fifty dollars nor more than one hundred dollars for the second offense, and not less than one hundred dollars for the third and each subsequent offense, to be sued for and recovered by and in the name of the board.

**45:14-38. Jurisdiction; service of process; commitment for nonpayment.**

Every district court in any city or judicial district of any county, and every court of common pleas in any county, is hereby empowered, upon the filing of a complaint in writing, duly verified, which verification, when made by the president or secretary of the board, may be made upon information and belief, that any person has violated any provision of this chapter, to issue process at the suit of the board as plaintiff. Such process shall be either in the nature of a summons or warrant, which warrant may issue without any order of the court or judge first being obtained against the person or persons so charged, which process, when in the nature of a warrant, shall be returnable forth-

with, and when in the nature of a summons shall be returnable in not less than five nor more than fifteen entire days. The process shall state what provision of the law is alleged to have been violated by the defendant. On the return of such process or at any time to which the trial shall be adjourned, the court shall proceed in a summary manner, without a jury, to hear testimony and to determine and give judgment in the matter without the filing of any pleadings for the plaintiff for the recovery of such penalty, with costs, or for the defendant, and the court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days. The officers to serve and execute all process under this chapter shall be the officers authorized to serve and execute process in said courts. The district court or court of common pleas shall have power to adjourn the hearing or trial in any case from time to time, but in such case, except in cases in which the first process was a summons, it shall be the duty of the judges of the district court or the court of common pleas to detain the defendant in safe custody, unless he shall enter into bond to the board with at least one sufficient surety in double the amount of the penalty claimed, conditioned for his appearance on the day to which the hearing shall be adjourned, and thence from day to day until the case is disposed of, and then to abide by the judgment of the court, and such bond, if forfeited, may be prosecuted by the board.

The convictions in prosecutions under this chapter shall be in the following or similar form:

"State of New Jersey,) ss.  
County of \_\_\_\_\_)

Be It Remembered, that on this ..... day of ..... at....., in said county, C. D., defendant, was by (the district court of the city of ..... or the court of common pleas of the county of ..... or as the case may be), convicted of violating section.....of the title

Professions and Occupations of the Revised Statutes, in a summary proceeding at the suit of the board of pharmacy of the state of New Jersey upon a complaint made by.....; and further, that the witnesses in said proceeding who testified for the plaintiff were (name them), and the witnesses who testified for the defendant were (name them).

Wherefore, the court doth hereby give judgment that the plaintiff recover of the defendant .....dollars, penalty, and.....dollars, costs of this proceeding."

The conviction shall be signed by the judge of the district court or court of common pleas before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added, beneath the judge's signature, to the conviction:

"And the said C. D., neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the said C. D. be, and he hereby is, committed to the common jail of the county of..... for the period of.....days, unless the said penalty and costs are sooner paid." This commitment shall also be signed by the judge, and in the case of commitment of any defendant to jail, the conviction and commitment shall be signed in duplicate, and one of the duplicate copies shall serve the purposes of a warrant of commitment.

**45:14-39. Injunction to restrain violations of chapter.** The board may file a bill in the court of chancery in the name of this state on the relation of the board, for an injunction to prohibit any habitual violation of this chapter or any of the orders or rules or regulations issued by the board or any other violation of any of the provisions of this chapter, and every such suit shall proceed in the court of chancery according to the rules and practice of bills filed in the name of the attorney general on the relation of individuals or departments, and, cases of emergency shall have precedence over other litigation pending at the time in the court of chancery. The final hearing on any such bill may be had within such time and on such notice as the chancellor shall direct.

Published by

THE BOARD OF PHARMACY OF THE STATE OF NEW JERSEY

28 West State St., Trenton, N. J.

R E S O L U T I O N

It appearing that on December 20, 1940, Harry G. Magee, Collector of Taxes of the Taxing District of the Township of Marlboro, conducted a sale and sold to the Township of Marlboro, premises described in the tax books of the Township, "house and lot" assessed in the name of Gertrude Scott, for the amount of Ninety-four Dollars and sixty-one cents (\$94.61), which were unpaid municipal liens for the years 1938 and 1939; and

It appearing that a tax sale certificate No. 74 was duly issued to the Township of Marlboro by the Collector of Taxes on December 31, 1940; and

It appearing that notice of the authorization of a private sale of said tax sale certificate has been heretofore given to the person designated in the tax sale certificate as owner, namely Gertrude Scott, by mailing to the address given on the tax books of the municipality and by posting in three public places and by a publication of the said Notice in the "Asbury Park Press", a newspaper circulating in Marlboro Township, within five days of taking action, as required by the laws of the State of New Jersey; and

There appearing to be no objection to a private sale of said tax sale certificate;

NOW THEREFORE BE IT RESOLVED, That the Township Committee does hereby authorize private sale of all its right, title and interest in and to premises described in tax sale certificate No. 74, and all its right, title and interest in and to said certificate of tax sale, to-

gether with subsequent liens upon the premises therein described, to Frank Decker, Babcock Building, Plainfield, New Jersey, for the full amount due to the Township for taxes, costs, interest and subsequent liens.

BE IT FURTHER RESOLVED, That the Chairman of the Township Committee and the Township Clerk execute a proper assignment of all its right, title and interest in and to the premises aforesaid as derived from said tax sale certificate and the tax sale certificate aforesaid upon receipt by the tax collector of the amount due thereon for taxes and assessments and other municipal liens, together with all subsequent liens from the date of such tax sale certificate to and including the year 1940, and the costs incurred in the selling of the premises as stated in the Tax Sale Certificate.

R E S O L U T I O N

In the matter of

MARLBORO TOWNSHIP

DATED: February 20, 1941.

LAW OFFICES  
BARKALOW & MCGOWAN  
10 W. MAIN STREET  
FREEHOLD, NEW JERSEY