

**Senate, No. 284**  
**STATE OF NEW JERSEY**

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An Act providing for the election of delegates to a convention and providing for the holding of a convention to consider the article of amendment, proposed by the Congress, to the Constitution of the United States designed to repeal the eighteenth article of amendment.

Whereas, The Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein) did resolved that the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by conventions in three-fourths of the several States; and

Whereas, The said proposed amendment reads as follows:

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of submission hereof to the States by the Congress; therefore,

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Be it enacted *by the Senate and General Assembly of the State of New Jersey*:

1. For the purpose of considering the article of amendment to the Constitution of the United States proposed by the Congress, as recited in the preamble of this act, there shall be held in this State a convention of delegates. Such convention shall consist of two hundred and twenty-six delegates as follows:

Sixty-four delegates shall be elected from the State at large, and one hundred and sixty-two county delegates hereinafter called district delegates shall be elected in the several counties of this State; each county being entitled to delegate representation on the basis of twice as many delegates to represent such county as the said county is entitled to elect members of the Senate and the House of Assembly of this State.

2. Any person having the qualifications which would entitle him to a seat in the House of Assembly may be elected as a delegate-at-large or district delegate to said convention.

3. The election for delegates shall be held on the third Tuesday in May, one thousand nine hundred and thirty-three, coincident with and upon the same day with the holding of the primary election for the general election, and shall in all respects, except as herein otherwise provided, be conducted in accord with the provision of an act entitled "An act to regulate elections" (Revision 1930), approved April eighteenth, on thousand nine hundred and thirty, and the acts amendatory and supplemental thereto. A separate ballot printed on bluish tint paper and a separate ballot box shall be

provided for the ballots for convention delegates. The form of the ballot shall be uniform in all the counties of the State and the form thereof shall be prescribed by the Secretary of State. The officials now obligated under such "An act to regulate elections" to furnish ballots, tally sheets, ballot boxes and other equipment necessary for the conduct of an election are hereby directed to furnish similar supplies for the election herein directed to be held. The district boards of election that shall conduct the primary election are hereby required to conduct the election for convention delegates and without addi-

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tional compensation. The powers of all other officials given to or directed to be employed by such "An act to regulate elections" are hereby given to such officials.

4. Any person desiring to be a delegate-at-large to said convention shall prior to twenty days before the date fixed for holding such election file a petition with the Secretary of State. Any person desiring to be a candidate for district delegate to said convention shall prior to twenty days before the date fixed for holding such election file his petition with the clerk of the county in which he is a resident. The form of the petition in either case shall be prescribed by the Secretary of State.

5. Any person desiring to be a candidate for delegate-at-large shall file with the Secretary of State a petition, which petition must be signed by at least twenty-five thousand voters who were legally registered for the last general election. Any person desiring to be a candidate for district delegate from a county in which he resides shall file with the clerk of the county a petition, which petition shall be signed by such registered voters of the county equal to at least one-tenth of the vote cast in the preceding general election for members of the Assembly in such county; provided, that not more than ten thousand signatures shall be required for any district delegate petition.

6. Candidates for the position of either delegate-at-large or district delegate may join in a petition to have his or her name bracketed with that of any other candidate or candidates for such position. Delegates-at-large who desire to be bracketed may file one petition or one series of petitions aggregating twenty-five thousand signatures of such registered voters, which petition shall be sufficient. District delegates who desire to be bracketed may file one petition or one series of petitions aggregating the number of such registered voters as hereinbefore indicated, which shall be sufficient. A single petitioner may state opposite his name, or bracketed petitioners may state outside of the bracket whether he or they will vote in the convention for or against ratification of the amendment, and so as not to confuse the voter the candidates so pledging themselves shall state the question on the ballot as follows:

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For Repeal

of

18<sup>th</sup> Amendment.

or

Against Repeal

of

18<sup>th</sup> Amendment.

7. All citizens of the State who are qualified to vote for members of the General Assembly and who are qualified to vote at the primary election shall be qualified to vote in the election in this act authorized and shall be permitted to vote in the election district in which he is legally entitled to vote.

8. Delegates-at-large who have petitioned to be bracketed may, in writing, signed by such delegates and addressed to the Secretary of State, petition to be bracketed together, and district delegates who have petitioned to be bracketed together may, in writing, signed by such delegates and addressed to the county clerk, petition to be bracketed together. Where the delegates are so bracketed together a box or a square shall be placed above the name of the first delegate in the bracket and opposite such bracket or square to the right thereof, shall be printed in the following words: "To vote for all of the delegates in the bracket make a cross X or plus + mark in the square to the left." If a cross or plus mark shall be made in the said square it shall be counted a vote for all of the delegates who are bracketed together, both as to the delegates-at-large and the district delegates.

The sixty-four (64) candidates for delegates-at-large receiving the highest number of votes shall be declared elected delegates-at-large, and the number of candidates for district delegates apportioned to each county who receive the highest number of votes in such county shall be declared elected as such district delegates for such county. The elected delegates shall be entitled to be seated in such convention. Certificates of election of delegates-at-large shall be issued by the Secretary of State and certificates of election of district delegates shall be issued by the clerk of the county for which such delegates are elected.

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9. Each candidate or each group of bracketed candidates for delegates-at-large or district delegates to the convention as provided in this act shall be allowed to appoint one challenger in each election district who shall have such powers as are given to challengers under "An act to regulate elections," approved April eighteenth, one thousand nine hundred and thirty, together with any supplements thereto or amendments thereof.

10. The board of county canvassers of each county shall meet on Monday next, after such election, at twelve o'clock noon, at the courthouse of such county, for the purpose of checking the statements of the district boards filed in the office of the county clerk.

11. The county clerk of each county shall certify to the Secretary of State on the form provided by the Secretary of State the number of votes cast for each delegate-at-large and each district delegate not later than the second Thursday following the election.

12. The Board of State Canvassers shall meet at Trenton on the second Tuesday next after the day of election, for the purpose of canvassing and estimating the votes cast for each person for whom any votes shall have been cast for delegates-at-large, and of determining and declaring the persons who shall have been duly elected as such delegates-at-large. The said board shall meet in the chamber of the Senate or some other convenient place at Trenton at the hour of two o'clock in the afternoon.

13. Within twenty days after the holding of the said election, the Governor of this State, by proclamation, shall convene the said convention. The convention shall meet in the city of Trenton and shall organize by the selection of a chairman and secretary, and such other officers as may be necessary, and shall adopt rules governing the deliberations thereof. The convention shall proceed to consider the proposed article of amendment and shall by a vote thereon either approve or reject the same, and the action for the said convention thereon either approve or reject the same, and the action of the said convention thereon shall be valid to all intents and purposed as representing the people of the State of New Jersey. The chairman and the secretary of the convention shall certify the results of the votes of the delegates to the Secretary of State, who shall certify the result of the vote to the Secretary

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of State of the United States and to the Senate and the House of Representatives of the United States.

14. This act shall take effect immediately.

Approved March 23, 1933

A. Harry Moore  
Governor

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Senate No. 284

Senate, March 20 <sup>th</sup> 1933 This bill having been three times read in the Senate, Resolved, That the same do pass. By order of the Senate. /s/Emerson L. Richards, President of the Senate.	House of Assembly, March 20, 1933 This bill having been three times read and compared in the House of Assembly, Resolved, That the same do pass. By order of the House of the Assembly. /s/Charles A. Otto, Jr. Speaker of the House of Assembly.

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**[Official Copy Reprint]**  
**Senate, No. 284**  
**STATE OF NEW JERSEY**

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Introduced March 20, 1933

By Mr. Powell

(For the President)

(Without Reference)

An Act providing for the election of delegates to a convention and providing for the holding of a convention to consider the article of amendment, proposed by the Congress, to the Constitution of the United States designed to repeal the eighteenth article of amendment.

Whereas, The Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein) did resolved that the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by conventions in three-fourths of the several States; and

Whereas, The said proposed amendment reads as follows:

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of submission hereof to the States by the Congress; therefore,

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Be it enacted *by the Senate and General Assembly of the State of New Jersey*:

1. For the purpose of considering the article of amendment to the Constitution of the United States proposed by the Congress, as recited in the preamble of this act, there shall be held in this State a convention of delegates. Such convention shall consist of two hundred and twenty-six delegates as follows:

Sixty-four delegates shall be elected from the State at large, and one hundred and sixty-two county delegates hereinafter called district delegates shall be elected in the several counties of this State; each county being entitled to delegate representation on the basis of twice as many delegates to represent such county as the said county is entitled to elect members of the Senate and the House of Assembly of this State.

2. Any person having the qualifications which would entitle him to a seat in the House of Assembly may be elected as a delegate-at-large or district delegate to said convention.

3. The election for delegates shall be held on the third Tuesday in May, one thousand nine hundred and thirty-three, coincident with and upon the same day with the holding of the primary election for the general election, and shall in all respects, except as herein otherwise provided, in accord with the provision of an act entitled "An act to regulate elections" (Revision 1930), approved April eighteenth, on thousand nine hundred and thirty, and the acts amendatory and supplemental thereto. A separate ballot printed on bluish tint paper and a separate ballot box shall be provided for the ballots for convention delegates. The form of the ballot shall be uniform in all the counties of the State and the form thereof shall be prescribed by the Secretary of State. The officials now obligated under such "An act to regulate elections" to furnish ballots, tally sheets, ballot boxes and other equipment necessary for the conduct of an election are hereby directed to furnish similar supplies for the election herein directed to be held. The district boards of election that shall conduct the primary election are hereby required to conduct the election for convention delegates and without addi-

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tional compensation. The powers of all other officials given to or directed to be employed by such "An act to regulate elections" are hereby given to such officials.

4. Any person desiring to be a delegate-at-large to said convention shall prior to twenty days before the date fixed for holding such election file a petition with the Secretary of State. Any person desiring to be a candidate for district delegate to said convention shall prior to twenty days before the date fixed for holding such election file his petition with the clerk of the county in which he is a resident. The form of the petition in either case shall be prescribed by the Secretary of State.

5. Any person desiring to be a candidate for delegate-at-large shall file with the Secretary of State a petition, which petition must be signed by at least twenty-five thousand voters who were legally registered for the last general election. Any person desiring to be a candidate for district delegate from a county in which he resides shall file with the clerk of the county a petition, which petition shall be signed by such registered voters of the county equal to at least one-tenth of the vote cast in the preceding general election for members of the Assembly in such county; provided, that not more than ten thousand signatures shall be required for any district delegate petition.

6. Candidates for the position of either delegate-at-large or district delegate may join in a petition to have his or her name bracketed with that of any other candidate or candidates for such position. Delegates-at-large who desire to be bracketed may file one petition or one series of petitions aggregating twenty-five thousand signatures of such registered voters, which petition shall be sufficient. District delegates who desire to be bracketed may file one petition or one series of petitions aggregating the number of such registered voters as hereinbefore indicated, which shall be sufficient. A single petitioner may state opposite his name, or bracketed petitioners may state outside of the bracket whether he or they will vote in the convention for or against ratification of the amendment, and so as

not to confuse the voter the candidates so pledging themselves shall state the question on the ballot as follows:

[Pg. 11]

For Repeal  
of  
18<sup>th</sup> Amendment.  
or  
Against Repeal  
of  
18<sup>th</sup> Amendment.

7. All citizens of the State who are qualified to vote for members of the General Assembly and who are qualified to vote at the primary election shall be qualified to vote in the election in this act authorized and shall be permitted to vote in the election district in which he is legally entitled to vote.

8. Delegates-at-large who have petitioned to be bracketed may, in writing, signed by such delegates and addressed to the Secretary of State, petition to be bracketed together, and district delegates who have petitioned to be bracketed together may, in writing, signed by such delegates and addressed to the county clerk, petition to be bracketed together. Where the delegates are so bracketed together a box or a square shall be placed above the name of the first delegate in the bracket and opposite such bracket or square to the right thereof, shall be printed in the following words: "To vote for all of the delegates in the bracket make a cross X or plus + mark in the square to the left." If a cross or plus mark shall be made in the said square it shall be counted a vote for all of the delegates who are bracketed together, both as to the delegates-at-large and the district delegates.

The sixty-four (64) candidates for delegates-at-large receiving the highest number of votes shall be declared elected delegates-at-large, and the number of candidates for district delegates apportioned to each county who receive the highest number of votes in such county shall be declared elected as such district delegates for such county. The elected delegates shall be entitled to be seated in such convention. Certificates of election of delegates-at-large shall be issued by the Secretary of State and certificates of election of district delegates shall be issued by the clerk of the county for which such delegates are elected.

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9. Each candidate or each group of bracketed candidates for delegates-at-large or district delegates to the convention as provided in this act shall be allowed to appoint one challenger in each election district who shall have such powers as are given to challengers under "An act to regulate elections," approved April eighteenth, one thousand nine hundred and thirty, together with any supplements thereto or amendments thereof.

10. The board of county canvassers of each county shall meet on Monday next, after such election, at twelve o'clock noon, at the courthouse of such county, for the purpose of checking the statements of the district boards filed in the office of the county clerk.

11. The county clerk of each county shall certify to the Secretary of State on the form provided by the Secretary of State the number of votes cast for each delegate-at-large and each district delegate not later than the second Thursday following the election.

12. The Board of State Canvassers shall meet at Trenton on the second Tuesday next after the day of election, for the purpose of canvassing and estimating the votes cast for each person for whom any votes shall have been cast for delegates-at-large, and of determining and declaring the persons who shall have been duly elected as such delegates-at-large. The said board shall meet in the chamber of the Senate or some other convenient place at Trenton at the hour of two o'clock in the afternoon.

13. Within twenty days after the holding of the said election, the Governor of this State, by proclamation, shall convene the said convention. The convention shall meet in the city of Trenton and shall organize by the selection of a chairman and secretary, and such other officers as may be necessary, and shall adopt rules governing the deliberations thereof. The convention shall proceed to consider the proposed article of amendment and shall by a vote thereon either approve or reject the same, and the action for the said convention thereon either approve or reject the same, and the action of the said convention thereon shall be valid to all intents and purposed as representing the people of the State of New Jersey. The chairman and the secretary of the convention shall certify the results of the votes of the delegates to the Secretary of State, who shall certify the result of the vote to the Secretary

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of State of the United States and to the Senate and the House of Representatives of the United States.

14. This act shall take effect immediately.

[Pg. 14]

**[Official Copy Reprint]**

**Senate, No. 284**

**STATE OF NEW JERSEY**

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Introduced March 20, 1933

By Mr. Powell

(For the President)

(Without Reference)



An Act providing for the election of delegates to a convention and providing for the holding of a convention to consider the article of amendment, proposed by the Congress, to the Constitution of the United States designed to repeal the eighteenth article of amendment.

Whereas, The Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein) did resolved that the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by conventions in three-fourths of the several States; and

Whereas, The said proposed amendment reads as follows:

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of submission hereof to the States by the Congress; therefore,

[Pg.15]

Be it enacted *by the Senate and General Assembly of the State of New Jersey*:

1. For the purpose of considering the article of amendment to the Constitution of the United States proposed by the Congress, as recited in the preamble of this act, there shall be held in this State a convention of delegates. Such convention shall consist of two hundred and twenty-six delegates as follows:

Sixty-four delegates shall be elected from the State at large, and one hundred and sixty-two county delegates hereinafter called district delegates shall be elected in the several counties of this State; each county being entitled to delegate representation on the basis of twice as many delegates to represent such county as the said county is entitled to elect members of the Senate and the House of Assembly of this State.

2. Any person having the qualifications which would entitle him to a seat in the House of Assembly may be elected as a delegate-at-large or district delegate to said convention.

3. The election for delegates shall be held on the third Tuesday in May, one thousand nine hundred and thirty-three, coincident with and upon the same day with the holding of the primary election for the general election, and shall in all respects, except as herein otherwise provided, in accord with the provision of an act entitled "An act to regulate elections" (Revision 1930), approved April eighteenth, on thousand nine hundred and thirty, and the acts amendatory and supplemental thereto. A separate ballot printed on bluish tint paper and a separate ballot box shall be provided for the ballots for convention delegates. The form of the ballot shall be uniform in all the counties of the State and the form thereof shall be prescribed by the Secretary of State. The officials now obligated under such "An act to regulate elections" to furnish ballots, tally sheets, ballot boxes and other equipment necessary for

the conduct of an election are hereby directed to furnish similar supplies for the election herein directed to be held. The district boards of election that shall conduct the primary election are hereby required to conduct the election for convention delegates and without addi-

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tional compensation. The powers of all other officials given to or directed to be employed by such "An act to regulate elections" are hereby given to such officials.

4. Any person desiring to be a delegate-at-large to said convention shall prior to twenty days before the date fixed for holding such election file a petition with the Secretary of State. Any person desiring to be a candidate for district delegate to said convention shall prior to twenty days before the date fixed for holding such election file his petition with the clerk of the county in which he is a resident. The form of the petition in either case shall be prescribed by the Secretary of State.

5. Any person desiring to be a candidate for delegate-at-large shall file with the Secretary of State a petition, which petition must be signed by at least twenty-five thousand voters who were legally registered for the last general election. Any person desiring to be a candidate for district delegate from a county in which he resides shall file with the clerk of the county a petition, which petition shall be signed by such registered voters of the county equal to at least one-tenth of the vote cast in the preceding general election for members of the Assembly in such county; provided, that not more than ten thousand signatures shall be required for any district delegate petition.

6. Candidates for the position of either delegate-at-large or district delegate may join in a petition to have his or her name bracketed with that of any other candidate or candidates for such position. Delegates-at-large who desire to be bracketed may file one petition or one series of petitions aggregating twenty-five thousand signatures of such registered voters, which petition shall be sufficient. District delegates who desire to be bracketed may file one petition or one series of petitions aggregating the number of such registered voters as hereinbefore indicated, which shall be sufficient. A single petitioner may state opposite his name, or bracketed petitioners may state outside of the bracket whether he or they will vote in the convention for or against ratification of the amendment, and so as not to confuse the voter the candidates so pledging themselves shall state the question on the ballot as follows:

[Pg. 17]

For Repeal  
of  
18<sup>th</sup> Amendment.  
or  
Against Repeal  
of  
18<sup>th</sup> Amendment.

7. All citizens of the State who are qualified to vote for members of the General Assembly and who are qualified to vote at the primary election shall be qualified to vote in the election in this act authorized and shall be permitted to vote in the election district in which he is legally entitled to vote.

8. Delegates-at-large who have petitioned to be bracketed may, in writing, signed by such delegates and addressed to the Secretary of State, petition to be bracketed together, and district delegates who have petitioned to be bracketed together may, in writing, signed by such delegates and addressed to the county clerk, petition to be bracketed together. Where the delegates are so bracketed together a box or a square shall be placed above the name of the first delegate in the bracket and opposite such bracket or square to the right thereof, shall be printed in the following words: "To vote for all of the delegates in the bracket make a cross X or plus + mark in the square to the left." If a cross or plus mark shall be made in the said square it shall be counted a vote for all of the delegates who are bracketed together, both as to the delegates-at-large and the district delegates.

The sixty-four (64) candidates for delegates-at-large receiving the highest number of votes shall be declared elected delegates-at-large, and the number of candidates for district delegates apportioned to each county who receive the highest number of votes in such county shall be declared elected as such district delegates for such county. The elected delegates shall be entitled to be seated in such convention. Certificates of election of delegates-at-large shall be issued by the Secretary of State and certificates of election of district delegates shall be issued by the clerk of the county for which such delegates are elected.

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9. Each candidate or each group of bracketed candidates for delegates-at-large or district delegates to the convention as provided in this act shall be allowed to appoint one challenger in each election district who shall have such powers as are given to challengers under "An act to regulate elections," approved April eighteenth, one thousand nine hundred and thirty, together with any supplements thereto or amendments thereof.

10. The board of county canvassers of each county shall meet on Monday next, after such election, at twelve o'clock noon, at the courthouse of such county, for the purpose of checking the statements of the district boards filed in the office of the county clerk.

11. The county clerk of each county shall certify to the Secretary of State on the form provided by the Secretary of State the number of votes cast for each delegate-at-large and each district delegate not later than the second Thursday following the election.

12. The Board of State Canvassers shall meet at Trenton on the second Tuesday next after the day of election, for the purpose of canvassing and estimating the votes cast for each person for whom any votes shall have been cast for delegates-at-large, and of determining and declaring the persons who shall have been duly elected as such delegates-at-large. The said board shall meet in the chamber of the Senate or some other convenient place at Trenton at the hour of two o'clock in the afternoon.

13. Within twenty days after the holding of the said election, the Governor of this State, by proclamation, shall convene the said convention. The convention shall meet in the city of Trenton and

shall organize by the selection of a chairman and secretary, and such other officers as may be necessary, and shall adopt rules governing the deliberations thereof. The convention shall proceed to consider the proposed article of amendment and shall by a vote thereon either approve or reject the same, and the action for the said convention thereon either approve or reject the same, and the action of the said convention thereon shall be valid to all intents and purposed as representing the people of the State of New Jersey. The chairman and the secretary of the convention shall certify the results of the votes of the delegates to the Secretary of State, who shall certify the result of the vote to the Secretary

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of State of the United States and to the Senate and the House of Representatives of the United States.

14. This act shall take effect immediately.

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Chapter 73

Senate, No. 284

As Act providing for the election of delegates to a convention and providing for the holding of a convention to consider the article of amendment, proposed by the Congress, to the Constitution of the United States designed to repeal ht eighteenth amendment.

Filed March 2, 1933

Thomas A. Mathis, Secretary of State

I certify that this bill originated in the Senate

/s/ Oliver F. Van Camp

Secretary of the Senate