

**THE GOVERNMENT OF  
HUDSON COUNTY,  
NEW JERSEY**

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The Government of Hudson County, New Jersey by Earl Willis Crecraft

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**EARL WILLIS CRECRAFT**

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**NEW JERSEY**

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**BY**  
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**UNIV. OF**  
**CALIFORNIA**

**JERSEY CITY, N.J.**  
**1915**

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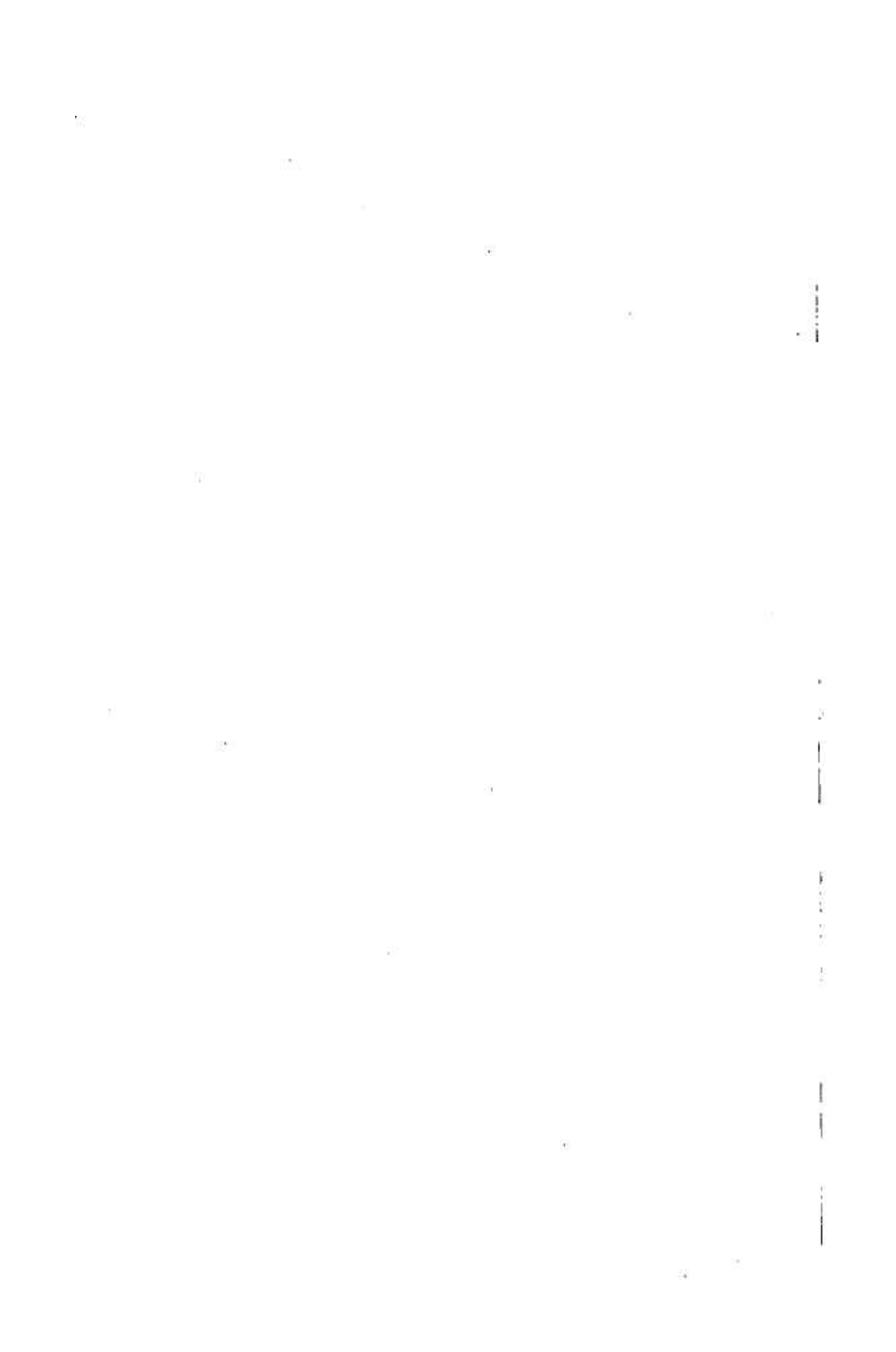
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## CHAPTER I

### INTRODUCTORY

Hudson County is one of the two counties of the first class in the State of New Jersey.<sup>1</sup> In point of population it is the largest county in the State but in respect to its area it is the smallest.<sup>2</sup> The cost per inhabitant for the government of the county in 1913 was \$3.30, which was an increase of \$1.32 per capita since 1908. The per capita wealth of the county in 1913 was \$977.68, and in 1908 was \$820.85, showing an increase of \$106.83 in the per capita wealth of the county for a period of five consecutive years. The county has had a rapid growth both in population and in economic wealth and the prospects are favorable for a still greater development due to its position as near neighbor to the City of New York, just across the Hudson.<sup>3</sup>

While Hudson County has grown to be the most populous of the twenty-one counties of the State, its history as a separate political unit dates from a much later period than that of the older counties of New Jersey. The first appearance of any county as a unit of local government in New Jersey was in 1675. Hudson County, however, did not become a separate county until 1840. In the colonial period, distinct county functions first take root in the "Concessions" of 1665, which may be

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<sup>1</sup> Essex County is also a county of the first class. Its population in 1910 was 512,888. For legislative purposes all counties in New Jersey are divided into four classes. Those having a population above 300,000 are of the first class; those having between 50,000 and 300,000 are of the second class; those having between 20,000 and 50,000 are of the third; and those having a population under 20,000 are of the fourth class.

<sup>2</sup> The population of Hudson County in 1910 was 537,221. The total area is 23,709 acres, or about sixty square miles.

<sup>3</sup> The County of Hudson and the City of New York lie parallel on opposite sides of the Hudson.

regarded as comprising the first charter of the province.<sup>4</sup> By the Concessions the assembly was granted the right to establish courts, limit their jurisdiction, and appoint the executive officers for the courts.<sup>5</sup> In accordance with the charter the assembly passed the act of 1675 which made provision for a county judiciary. "At the same time," says Howard, "four counties were somewhat vaguely defined, each with a county court or court of sessions meeting twice a year."<sup>6</sup>

The several administrative officers which were soon added to the county courts of the colonial period, were the sheriff and the county treasurer, or collector, as he came to be known later. It is interesting to note that the early judicial bodies exercised certain administrative functions relating to the assessment of property for taxation and the building of county jails. In assessing property for taxation the county authorities co-operated with the local assessors in the several towns. This presents a feature of local government which has been pointed out as constituting an important precedent for the mixed town and county system of local rural government which extends so widely in the United States to-day.<sup>7</sup> The functions of the courts were further developed as the county government gradually took shape. General sessions of the peace and courts of common pleas were established from which appeals might be taken to the supreme court of the colony. In 1704 definite county

<sup>4</sup>Howard; *Local Constitutional History of the United States*, Vol. I, page 166-168.

<sup>5</sup>*Ibid.* Text of "Concessions;" Leaming & Healy Coll, pg. 1-26. Other references: Field, *Provincial Courts of New Jersey*, in *Coll. of the New Jersey Historical Society*, Vol. 3; *New Jersey Archives* 1; Scott, *Influence of the Proprietors in Founding New Jersey* 7-22.

<sup>6</sup>The four counties were Essex, Middlesex, Monmouth and Bergen, from which latter county Hudson County was finally separated by act of the legislature in 1840. A separate county government for Hudson County was established in 1848.

<sup>7</sup>Scott; *Influence of Properties*, pg. 19-23; Howard, pg. 387. Professor Howard says: "Thus in 1688, rates for highways, laid out by the county commissioners appointed by the general assembly, and taxes for all other public purposes within the limits of the town, were to be levied by four or five assessors elected by the people of each town; and the justices of the county court were authorized, with the consent of a majority of the assessors, to approve, amend, and confirm the same."

government was provided for the colony by the Ordinance of Lord Cornbury.<sup>1</sup>

The mixed town and county system of local government, therefore, developed quite early in New Jersey. The justices of the peace, like their English prototype, performed administrative functions as well as judicial. They were given the authority to work in co-operation with the town officials in financial matters. In 1693, "each town in the county was empowered to choose one or more men to join with the justices of the county court, annually, to adjust the debts of the county and assess taxes for their payment."<sup>2</sup> The association of these two groups of officials working together developed into the county boards composed jointly of justices of the peace and of chosen or elected "freeholders" representing the several towns.

The freeholders and the justices were authorized to choose a county collector to act as the receiver of taxes for the county; they were also empowered to assess property for purposes of taxation. The county collector was held responsible for the collection of taxes and might sue the collectors of the local town governments for non-payment of their respective share of the county taxes. The justices were directed to sell the property of citizens who became delinquent in the payment of their taxes. The expenses of the county governments were small and the taxes were of minor importance to the town expenditures.

The freeholders and the justices were empowered to supervise the construction of a county jail and a building for the county court. Such authorization usually was given to the counties by a special act of the assembly; this act outlined the procedure for the county officers to follow. The justices and the freeholders might decide first on the need for a jail or court house. An election might then be held to determine the location of the pro-

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<sup>1</sup> For this general subject see Field, *The Provincial Courts of New Jersey*, Appendix C of which contains the Ordinance of Lord Cornbury.

<sup>2</sup> Scott; *Influence of the Proprietors*, pg. 22. *Fairlie: Local Rural Government in Counties, Towns and Villages*, p. 23.