

ANNUAL REPORT
OF THE
RIPARIAN COMMISSIONERS

OF THE
State of New Jersey
FOR THE YEAR
1911

WITH ACCOMPANYING DOCUMENTS



TRENTON, N J
STATE GAZETTE PUBLISHING CO, PRINTERS
1912.

New Jersey State Library

Riparian Commissioners.

GOVERNOR WOODROW WILSON, *Chairman*. . . Princeton, N. J.
M. F. McLAUGHLIN, *Vice-Chairman*. Newark, N. J.
HENRY T. CAULLET. Trenton, N. J.
JOSEPH A. BIRKHOLZ. Orange, N. J.
J. WARD RICHARDSON Bridgeton, N. J.
JOHN C. PAYNE, *Secretary and Engineer*. Jersey City, N. J.

DEC 19 1912

Commissioners' Report.

To His Excellency, Woodrow Wilson, Governor of the State of New Jersey, and Chairman of the Board of Riparian Commissioners of the State of New Jersey

SIR—As required by law, we, the undersigned Riparian Commissioners of the State of New Jersey, herewith submit the annual report of the Commission for the year ending October 31st, 1911.

A detailed statement of the receipts of the Board from all sources will be found in the report of the Secretary and Engineer. They aggregate \$370,262.75, derived from the following sources:

Grants	\$92,556 60
Leases	104,439 25
Licenses	150 00
Conversions	126,153 70
Rentals on leases	44,424 13
Interest on grants delayed in acceptance	2,539 07
Total	\$370,262 75

The revenue from business done by the Commission during the past year is fully up to the average of the later years, but the attention of your Excellency is called to the fact that all of the business was done previous to August of the current year, at which time the plan of making limited leases, of twenty-five years duration, was inaugurated under the advice and suggestion of your Excellency. These limited leases have not been regarded favorably by all of the riparian owners who have made application for the State's rights. Fifteen of these limited leases have been granted; four have been accepted and eleven declined. The four that have been accepted have been of water fronts not commercially active, or, with the exception of one case, ever likely to be commercially important. The eleven declined are, for the greater part, on important commercial waters and for present commercial development.

One important industry, on the Passaic river, in declining the kind of conveyance offered by the Board, states "That the Com-

pany cannot afford to accept a lease of the riparian lands described in its application upon the terms fixed by your Board." And this is the verbal expression of opinion of all of the parties interested in these applications.

The Commission desires to introduce here a part of its report to the Honorable John Franklin Fort, Governor, for the fiscal year ending October 31st, 1910, as expressing the judgment and practice of the Commission up to that time:

"The Commission desires to advert to the statement made in its report of the preceding year to your Excellency on one of the difficulties which confront the Commission in the execution of the duties devolving upon it. It is this difficulty—that while the State is the absolute owner of the lands under water and may dispose of them to any applicant, after giving the riparian owner six months' time within which to apply for the same, the fact remains that the riparian owner is practically the only person who can utilize these lands under water advantageously, for the very obvious reason that he controls the connection between the water and the land, the State is therefore practically restricted to one purchaser or customer, and cannot dispose of the State's lands in the open market, nor can prices be determined by sales in such open market, as is the case with other lands or commodities.

"When applications are made, where the purpose and intention of the applicant is to establish a bona fide enterprise, increasing the value of the remaining water front lands of the State and increasing the taxable value of the lands themselves, as well as bringing new residents to the State, with all the advantages that this implies, the Commission has felt that it was justified in encouraging these industries, and while securing to the School Fund the actual present value of the lands in question, has averted the lasting injury of discouraging and driving these industries away from the State of New Jersey to find a home and location elsewhere.

"This phase of the question is referred to again, as the opinion is sometimes heard that none of the State's lands should be disposed of, but that they should be held, either at a figure that is prohibitive and would absolutely discourage the establishment of any new industries on our shore, or disposed of under very limited term leases."

The Commission heartily approves the trial of the plan of making limited term leases, instead of grants in fee, but the conditions above set forth, in the judgment of the Commission, stand greatly in the way of carrying out at this late day a plan of limited leases, and still has the fear, expressed in its report to Governor Fort in 1910, that such a policy might result in driving away industries, insuring their location in other States and final loss to the State of New Jersey.

The Commission calls attention to the splendid development on the State Island Sound at Chrome and Roosevelt, near Perth Amboy, where the lands of the State granted to these corporations consist of a mere fringe or narrow strip lying between the upland

owner's property and the exterior line fixed by the United States Government, which strip, in some instances, is so narrow as to almost approach the shore, and that the State of New Jersey does not do anything to make this water front valuable, builds no docks, dredges no water way, but simply gives the right to the owner of the tract of land on which these important industries are built, to extend a little further into the stream, where by reason of the depth of water expensive docks when built are necessary; and to the further fact that in these instances, as in some others, an inspection of the shore will reveal the fact that the water front is not the active and principal means of transportation, but that the railroads carry the great bulk of the material and products to and from these great industries.

This view of the case is not presented with the idea of lessening or undervaluing the rights of the State in these water front lands, but for the purpose of calling attention to the fact that perhaps the relative importance of the water front of these industries may be overestimated, and that while the water front is the determining factor in the location of these enterprises, it must not be so administered as to prevent the establishment on our shores of these and like industries, which create new communities around them and so increase the value of surrounding territory, that the return in taxes and in business far exceeds any reasonable return from the sale of these water front lands. This is the view that the Commission has had for the later years in administering the trust imposed upon it.

The Commission has continued its policy of making examination of the localities where applications are made, and has before it now a number of applications, some for large commercial developments, awaiting the determination of the question of the kind of conveyance the State will make.

The Commission has continued, under Chapter 83 of the Laws of 1906, the work of collecting rentals on leases in default, and a statement of this work will be found in the report of the Secretary and Engineer.

Respectfully submitted,

M. F. McLAUGHLIN,
H. T. CAULLET,
J. A. BIRKHOFF,
J. WARD RICHARDSON.

October 31st, 1911.

Engineer's Report.

To the Riparian Commission of the State of New Jersey:

GENTLEMEN—The following tabular statement shows the grants, leases and licenses made by the Riparian Commissioners during the year ending October 31st, 1911, the names of grantees or lessees, dates, localities and amounts paid or secured to be paid to the State:

GRANTS.

DATE	TO WHOM MADE	LOCALITY	COUNTY.	AMOUNT.
February 16, 1910	The Snare & Trist Company	Passaic River	Hudson	\$5,650 00
March 24, 1910	Isabel Edwards	South Shrewsbury River	Monmouth	281 25
April 21, 1910	Peter B. and Robert S. Bradley	Staten Island Sound	Middlesex	25,843 75
April 21, 1910	Henry H. Ottens	Grassy Sound Channel	Cape May	146 00
May 26, 1910	Maigate Company	Atlantic Ocean	Atlantic	4,000 00
May 26, 1910	Ventnor Syndicate	Atlantic Ocean	Atlantic	7,800 00
June 10, 1910	Ventnor Syndicate	Atlantic Ocean	Atlantic	4,500 00
August 25, 1910	Benjamin A. Sleeper	Grassy Sound Channel	Cape May	80 00
August 25, 1910	Samuel Johnson, Jr.	Grassy Sound Channel	Cape May	74 48
August 25, 1910	Jesse L. Sculthorp	Sandy Hook Bay or Shrewsbury River	Monmouth	879 00
August 25, 1910	Daniel I. Bryant	Sandy Hook or Raritan Bay.	Monmouth	500 00
August 25, 1910	William E. Hexamer	Atlantic Ocean	Cape May	375 00
October 20, 1910	Albert O. Headley and others	Passaic River	Hudson	1,500 00
October 20, 1910	South Jersey Realty Company	Great Channel	Cape May	1,000 00
November 22, 1910	Erie Terminals Railroad Company (perpetual license)	Hackensack River	Bergen and Hudson	2,000 00
November 22, 1910	Erie Terminals Railroad Company	Hackensack River	Bergen	509 12
November 22, 1910	Ocean City Association	Atlantic Ocean	Cape May	600 00
November 22, 1910	Wildwood Land Company	Beach Creek.	Cape May.	668 00
December 22, 1910	Charles E. Edwards	Atlantic Ocean	Cape May.	Nominal
December 22, 1910	Avalon Boulevard Company (perpetual license)	Leonards, Ingrams and Cravens Thoro-fares and smaller creeks between Swanton and Avalon		
January 26, 1911	Keansburg Beach Association	Raritan Bay	Cape May	100 00
January 26, 1911	Henry Kohl Company	Mill Creek.	Monmouth	300 00
			Hudson	50 00

GRANTS—Continued.

DATE	TO WHOM MADE.	LOCALITY.	COUNTY	AMOUNT.
April 20, 1911	Vineland Railroad Company	Cohansey Creek	Cumberland	\$500 00
April 20, 1911	Frederick S Morris	North Shrewsbury River	Monmouth	475 00
June 1, 1911	The Martin Dennis Company	Hackensack River	Hudson	2,500 00
June 1, 1911	Francis Hendricks and Harmon W Hendricks	Passaic River	Essex	200 00
June 1, 1911	David Harper	Delaware River.	Burlington	2,000 00
June 7, 1911	George E Cutley	Mill Creek	Hudson	25 00
June 7, 1911	Obadiah C Bogardus	Raritan Bay	Monmouth	Nominal
July 13, 1911	Midland Linseed Company	Hudson River	Bergen	22,500 00
September 7, 1911	Charles F Bonsor	Beach Thoroughfare	Atlantic	Nominal
September 7, 1911	United States Metals Refining Company	Staten Island Sound	Middlesex	7,500 00
			Total	\$92,556 60

8

REPORT OF RIPARIAN COMMISSIONERS.

CONVERSIONS.

DATE.	TO WHOM MADE.	LOCALITY	COUNTY.	AMOUNT.
October 20, 1910..	Manhasset Realty Company (conversion of part of Berkeley Land and Improvement Company lease of May 17, 1884).	Barnegat Bay and Atlantic Ocean.....	Ocean	\$31 35
November 22, 1910..	Ocean City Association (conversion of part of its lease of January 11, 1906).	Great Egg Harbor Bay...	Cape May.....	300 00
November 22, 1910..	Ocean City Association (conversion of First Tract in lease of February 10, 1898, extended to new lines November 29, 1905)	Great Egg Harbor Bay	Cape May.....	422 50
December 22, 1910	Ocean City Association (conversion of part of its lease of January 29, 1903)..	Atlantic Ocean	Cape May	75 00
December 22, 1910.	Ocean City Association (conversion of part of its lease of January 29, 1903)	Atlantic Ocean	Cape May ...	75 00
January 26, 1911..	Julia B Malcomson (conversion of her lease of January 20, 1910).. . . .	Toms River	Ocean	500 00
February 23, 1911.	James E Lake (conversion of part of his lease of July 31, 1902)	Atlantic Ocean	Cape May.....	50 00
June 22, 1911..	Lillian C Moore (conversion of her lease of October 28, 1882)	Raritan or Sandy Hook Bay.. ..	Monmouth	109 85
September 7, 1911..	Argam Tannin Company (conversion of lease to Bulls Ferry Chemical Company)	Hudson River.. . . .	Bergen	49,410 00
September 21, 1911..	Water Front Realty Company (conversion of its lease of April 25, 1907)....	Hudson River....	Bergen	75,180 00
			Total	\$126,153 70

9

REPORT OF RIPARIAN COMMISSIONERS.

LEASES.

DATE	TO WHOM MADE.	LOCALITY	COUNTY.	PRINCIPAL SUM.
August 25, 1910	George J Gold..	Atlantic Ocean ..	Monmouth ..	\$1,705 00
November 22, 1910..	Crossman Company.	Raritan River ..	Middlesex ..	3,000 00
June 1, 1911	John H MacDonald.	Kill Von Kull ..	Hudson	4,568 25
July 13, 1911..	Midland Linseed Company	Hudson River ..	Bergen	95,166 00
			Total	\$104 439 25

LICENSES.

DATE	TO WHOM MADE	LOCALITY	COUNTY	AMOUNT.
October 20, 1910	Stone Harbor Turnpike Company (perpetual)	Great Channel, Scotch Bonnet and Crooked Creek	Cape May	\$100 00
June 1, 1911	New Point Comfort Beach Company (6 months license to dredge sand).	Tidal waters in Monmouth county.	Monmouth	50 00
September 7, 1911	J F Shanley Company (permission to build temporary dock for one year)	Hackensack River	Hudson.	No consideration
			Total	\$150 00

LEASES IN ARREARS.

Under the provisions of Chapter 83 of the Laws of 1906, the State Treasurer reported ten leases as being in arrears for rentals, whereupon the Commission took up the matter as prescribed in the law, and succeeded in collecting the entire amount of rentals due.

BOUNDARY LINE EXAMINATION.

Under the provisions of the act of the Legislature approved April 4th, 1891, making it the duty of this Commission to cause an examination to be made of the monuments marking the boundary line of the State, every three years, the year just ended being the year in which such examination should, under the law, be made, an appropriation was asked of the Appropriation Committee for this work, but the appropriation was not made, and I respectfully suggest that the appropriation be asked for this year, as the purpose of this triennial examination is to ascertain if any of the Boundary Line Monuments are in need of repair, or in danger of disturbance or dislocation, and irreparable injury may ensue by waiting three years, the next period for such examination.

Respectfully submitted,

JOHN C. PAYNE,

Secretary and Engineer.

October 31st, 1911.

Financial Statement

OF AMOUNT RECEIVED AND PAID BY THE RIPARIAN COMMISSIONERS FOR SALARIES
OF EMPLOYEES AND OFFICE EXPENSES OF THE COMMISSION FOR
THE YEAR ENDING OCTOBER 31ST, 1911

1910

DR.

November To amount received from State Treasurer, \$5 600 98

1911

CR

By amount paid for salary of Secretary and Engineer	\$3,500 00
By rent of offices for 1911.	600 00
By maps, stationery and office expenses	1,500 98

\$5,600 98

JOHN C PAYNE,
Secretary

Appendix.

DIRECTIONS FOR APPLICANTS TO THE RIPARIAN COMMISSION OF THE STATE OF NEW JERSEY FOR LANDS UNDER WATER.

Applicants for lands of the State under tide-water will observe the following directions:

First. Furnish a description by metes and bounds of the lands owned by the applicant in front of which the lands applied for lie, accompanied by a map and survey of the same, made by a competent surveyor, showing the exact frontage of said lands on the shore at mean high-water mark, and the names of the owners of the adjacent lands.

Second. State whether the lands under water applied for are now or are hereafter to be used for commercial or other purposes, and if so, what; whether they have been improved in whole or in part, or are authorized to be improved under any grant or license protected by the provisions of the supplement of the Riparian act of March 31st, 1869; also, if any oyster land, fishery or privilege therefor is embraced within the limits of the land under water applied for.

Thrd. State whether a grant in fee simple, or a lease in perpetuity, with privilege to convert the same into a fee, is desired.

(NOTE.—For a grant in fee simple, the principal sum is required to be paid. For a lease, a rental at the rate of seven per cent. per annum on the principal sum is payable semi-annually in advance to the State Treasurer.)

Fourth. An abstract of title to the land owned by the applicant, prepared by a practitioner of the law of this State, or by the clerk of the county in which the land is situated, must be furnished with the application before the same will be considered by the Commissioners.

Blank forms for application and all further information required will be furnished by John C. Payne, Secretary of the Commission. Office, Commercial Trust Building, Jersey City, N. J.