

Annual Report  
OF THE  
**Riparian Commissioners**

OF THE  
State of New Jersey

For The Year

**1914**

WITH ACCOMPANYING DOCUMENTS

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MOUNT HOLLY, N. J.  
NEW JERSEY MIRROR PRINT

1915

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## Riparian Commissioners.

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GOVERNOR JAMES F FIELDER, *Chairman* Jersey City, N J  
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J WARD RICHARDSON . . . . . Bridgeton N J.  
CHARLES A NUTTING . . . . . Caldwell, N. J.  
NEWTON B SMALLEY . . . . . Plainfield, N J.  
JOHN C PAYNE, *Secretary and Engineer* . . . Jersey City, N J.

## Commissioners' Report.

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*To His Excellency, James F. Fielder, Governor 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, 1914.

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 \$133,797 57, derived from the following sources:

Grants . . . . .	\$ 24,397 68
Conversions . . . . .	18,002 40
Leases . . . . .	52,600 00
Limited lease, annual rental .. . . .	12 81
License . . . . .	25 00
Rentals on leases . . . . .	38,313 28
Annual Licenses . . . . .	365 00
Interest on grant delayed in acceptance . . . . .	81 40
Total . . . . .	\$133,797 57

The amount received by the State through the Riparian Commission for riparian lands during the past fiscal year, reflects the general conditions of business in the country and is as satisfactory as could have been expected; some classes of business have been practically paralyzed, others have refrained from making any new developments, and in the case of an important application pending, the industry already established on the shores of the State reports to the Governor and Commission that its European business has come to a standstill and it therefore cannot now proceed with the development of its property in this State. This condition of things, as may well be hoped, will prove of short duration, and the development of the water front of the State continue its activity as indicated in the last annual report of

the Commission The industries referred to in the last annual report to your Excellency—that of the Bush Terminal Company and of the American Radiator Company—are covered by this statement, and it is satisfactory that, notwithstanding the depression and stagnation of business in the country, during the year a very important industry has been located on the shores of the Hudson River at Edgewater, the United States Aluminum Company, and this Company while at present feeling justified in securing only part of the State's rights in front of the lands it has secured for development, bids fair to be one of the most prosperous and attractive developments that have come to the State, and as the normal business of the country is resumed, it is expected without doubt that the development of this enterprise will require the additional water front which as riparian owner it has the right to acquire

There are, however, before the Commission and under present consideration, three very important applications, which if carried successfully to conclusion it is confidently predicted will bring at the least calculation a half million dollars into the School Fund during the coming fiscal year

#### IN THE MATTER OF EXTENSION OF LINES

The Riparian Commission again calls the attention of your Excellency to the importance of securing the location of such exterior lines as will best serve the development of the enterprises seeking a location on our shores, and refers at length to the statement of the Commission in its report of last year, pages 6 to 12, inclusive, and particularly to the matter of the establishment of lines on New York Bay

As stated in its last annual report, the Commission believes that the present status of the Exterior Line for improvements on New York Bay, as suggested by the United States Government, is in an unsatisfactory condition, and has made efforts to have the lines as formulated and laid down by the Riparian Commission in 1883, approved by the Government

The Commission believes that this matter has not received the consideration it deserves and has not been clearly understood. The position of the Riparian Commission is that these lines are not definitely located, and that no request to the United States Government for the expenditure of money for dredging and making the New Jersey water front of New York Bay usable and attractive, can be successfully prosecuted until the status of these lines is defined

The United States Government in declining to adopt the suggestion of the Riparian Commission, quotes as one of its principal reasons for so declining, a statement of the New Jersey Harbor Commission in the Third Preliminary Report of said Commission, September, 1913, to the Governor of New Jersey, that it is the opinion of said Commission and of the United States Government Engineers that no change should be made in the existing Pierhead and Bulkhead Line, until it is shown to be necessary to enable a definite project to be carried out, and that as yet no such project has been submitted by any one prepared to carry it into execution

The Riparian Commission submits that the applications already before it—that of the American Radiator Company and that of the Bush Terminal Company—are proof positive that projects are formulated that require action on the part of the State of New Jersey to make its water front available, and it was with this end in view that the Riparian Commission presented to the Secretary of War its petition for the determination of such lines, in order that money might be appropriated by the Government and spent in improving the water front of New Jersey, as is done on the water front of New York As confirmation of this position the Commission refers to an editorial in "The Jersey Journal" of May 6th, 1914, in which the statement is made.—

"There is a great shallowness in the bay at the end of the pier line and every effort should be made to induce the Federal Government to dredge the bay outside of that line, between Communipaw and Constable's Hook

If there was a deep channel on this line there would soon be piers on the water front south of Black Tom. The lack of water has been a detriment that can be removed only by the General Government."

The Bulkhead and Pierhead Line as established by the Riparian Commission in 1883, has been accepted by the grantees of the State, and has been taken advantage of by the Pennsylvania Railroad Company in the enormous development of its freight terminal on New York Bay, and as but few enterprises could afford to dredge a separate channel through the intervening area of shallow water, it seems evident to the Riparian Commission that a channel as originally projected along the Pierhead Line, would necessarily bring these lands into use for commercial development.

What this development shall be, it is impossible for human mind to prophesy, and it is also impossible to lay out any plan that could reasonably be assured would be the one that such important enterprises as the Bush Terminal Company and the American Radiator Company would find necessary for their particular developments. The Riparian Commission believes that these matters must be left to the enterprises seeking our shores and to the individual needs of the enterprises themselves. Enough that such industries as the Chrome Steel Works, the Guggenheim Smelting Works, and others, that have built up entire communities on the shores of Staten Island Sound at Roosevelt, have done so on lands of the State granted for that purpose.

It is the earnest wish and hope of this Commission that your Excellency will join with it and secure the co-operation of any other Board or Commission in the State having supervision or interest in this matter, in the coming year, and settle on a line and secure the appropriation from the United States Government for the dredging of such a channel as projected by the Riparian Commission in 1883.

In the case of the Aluminum Company, above referred to, this Company found it could at this time only devote capital enough

to secure two hundred feet of water front, and it is proceeding to establish its industry and to develop its water front; but, it could not be foretold at this time what particular plan of development would serve the further uses of the Company, nor would it be fair to burden this Company with any plan of development, but it is safe to leave it to the Company itself as its business increases to increase or add to the development of the water front as its needs indicate.

The attention of your Excellency is again called to the matter of changes in existing exterior lines without due consideration to the effect of such changes, both on the riparian grantees and on the obligations of the State.

The proceeds of the sale of riparian lands is by the Constitution irrevocably set apart for the support of the Free Public Schools throughout the State. This is a unique constitutional provision that New Jersey is justly proud of and in which the schools of the entire State share, whether the schools are on the shores of Delaware Bay in Cape May County or in the mountain fastnesses of Sussex County, and no specious plea of advantage to the particular locality of benefits to such locality, should overshadow the constitutional provision in disposing of or parting with a foot of the State's lands without full and adequate compensation. The Constitution forbids this; justice to the Public Schools in the entire State forbids it, and no consideration that the present Commission has fixed in the case of any application, has deterred any enterprise from locating on our shores. This plea for low rates is the natural and legitimate exercise of the business of attorneys representing clients interested in securing the best bargains; but the unique situation still remains that our forefathers wisely set apart this valuable asset as a sacred trust for the benefit of the Free Public Schools of the entire State. It is the duty of the Commission to see that this beneficent object is not defeated by interested parties, and the suggestion to your Excellency in the last annual report that great care should be exercised in making changes in lines affecting the interests of the State, is here repeated.

Several cases have been presented to the Commission during the past year for grants of additional lands added to original grants by the adoption of new exterior lines, and in every case it has been found that the original consideration, in the light of present day knowledge, was inadequate and certainly carried with it no right in equity or in law to any further consideration, and the Commission has taken this view and has exacted the present value for the additional lands so added by the adoption of these new lines.

The Commission has held numerous hearings and has been successful in meeting the requirements and wishes of the various applicants and with increasing compensation to the School Fund, and believes with the coming year the interest in and development of the shore front of the State will resume its normal activity and volume.

The Commission acknowledges the co-operation and assistance of the Attorney General's Office and advice as to legal questions involved. Among the questions satisfactorily concluded during the year is that of the "Slank," a branch of the Passaic River, between the City of Passaic and the Borough of Garfield.

Your Excellency is referred to the report of the Secretary and Engineer for details of the conveyances made by the State.

Respectfully submitted,

ERWIN E. MARSHALL.  
J. WARD RICHARDSON.  
CHAS. A. NUTTING  
N. B. SMALLEY

October 31st, 1914.

## 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, 1914, 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
Sept 25, 1913 ..	Burlington Supply Company .	Delaware River	Burlington	\$1,479 20
Oct 23, 1913	Bridgeton Electric Company	Cohansey River . . . . .	Cumberland	75 00
Oct 23, 1913 .	Eleanor Whitfield	North Shrewsbury River.	Monmouth	162 00
Dec 24, 1913 .	Martha S Griggs	Raritan Bay . . . . .	Monmouth	Nominal
Dec. 24, 1913 .	Keansburg Shore Improvement Co	Raritan Bay . . . . .	Monmouth	Nominal
Dec 24, 1913	James E Noe .	Arthur Kill or Staten Island Sound .	Middlesex	359 95
Dec 24, 1913	Annie E Noe	Arthur Kill or Staten Island Sound	Middlesex	362 25
Jan 22, 1914	Louis and Emma Wolff	Shrewsbury River	Monmouth	400 00
Jan 22, 1914 . .	James Kay	Shrewsbury River	Monmouth	480 00
Jan 22, 1914	Hanesport Mining and Transportation Company	Rancocas River . . . . .	Burlington	200 00
Jan 22, 1914	Ocean City Association	Atlantic Ocean	Cape May	1,500 00
Jan 22, 1914	People's Brewing Company of Trenton	Delaware River . . . . .	Mercer	226 68
Jan 22, 1914	Reuben L Babcock	Atlantic Ocean	Atlantic	1,440 00
Jan 22, 1914 .	Estate of John M Hughes	Mill Creek . . . . .	Hudson	42 00
Feb 19, 1914	Inlet Point Company	Shark River	Monmouth	Nominal
Feb 19, 1914 .	Samuel Michaelson	Shark River	Monmouth	Nominal
Feb 19, 1914 ..	Georgiana M Pearson	Shark River	Monmouth	Nominal
Feb 19, 1914	Mathilda Richardson	Shark River	Monmouth	Nominal
Feb 19, 1914	Mathilda Richardson	Shark River	Monmouth	Nominal
March 26, 1914 ..	James Kay	Shrewsbury River	Monmouth	40 00
March 26, 1914 .	George W Rogers	Van Horne, Vreeland or Fish Creek	Hudson	75 00
April 23, 1914 ..	John W Kidd	Shark River	Monmouth	Nominal
May 11, 1914 .	Standard Oil Company (New Jersey)	Staten Island Sound .	Middlesex	3,600 00
July 30, 1914	C W H Carter, corporation . . . . .	Hackensack River . . . . .	Hudson	11,850 00
July 30, 1914 .	Ocean Gate Yacht Club	Toms River . . . . .	Ocean	172 00
July 30, 1914	Fancy Hill Real Estate Company	Delaware River and Big Timber Creek	Gloucester	Nominal
July 30, 1914	The Bridgeton Gas Light Company	Cohansey Creek	Cumberland	498 00

GRANTS—Continued

DATE	TO WHOM MADE	LOCALITY	COUNTY	AMOUNT
July 30, 1914	Passaic Valley Sewerage Commissioners	New York Bay	Hudson	500 00
July 30, 1914	Catharine Lenox	Delaware River	Mercer	25 00
Aug 27, 1914	Ralph J Schoettle	Atlantic Ocean	Ocean	375 60
Aug 27, 1914	Veronica Pannaci	Shrewsbury River	Monmouth	10 00
Aug 27, 1914	Ocean City Association	Atlantic Ocean	Cape May	500 00
Sept 24, 1914	C Heidt & Son	Unnamed Creek . . . . .	Hudson	25 00
			Total	\$24,397 68

CONVERSIONS

DATE	TO WHOM MADE	LOCALITY	COUNTY	AMOUNT
June 16, 1913 .. .	South Jersey Sand Company, (Conversion of lease to Jonathan Cone of March 16, 1878) . . . . .	Delaware Bay . . . . .	Cape May . .	272 40
Oct 23, 1913 .....	George W Jessup & Son, (conversion of part of lease to William J Thompson of August 29, 1895) . . . . .	Delaware River and Big Timber Creek	Gloucester . .	3,340 00
Nov 28, 1913 ...	Benjamin Moore & Company, (conversion of their lease of October 1, 1903)	Staten Island Sound . . . . .	Middlesex ..	4,500 00
Jan 22, 1914 .	Ocean City Association, (conversion of part of its lease of January 29, 1903)	Atlantic Ocean . . . . .	Cape May ..	660 00
Feb 17, 1914.....	Mungo J Currie and James Currie, Exrs etc, (conversion of their lease of November 12, 1896) ..	Newark Bay . . . . .	Hudson ..	935 00
May 11, 1914 .	David Baird, (conversion of lease to William J Thompson of April 21, 1891) . . . . .	Delaware River, Little Timber Creek, and Big Timber Creek	Camden . .	8,295 00
			Total	\$18,002 40

LEASES

DATE	TO WHOM MADE	LOCALITY	COUNTY	AMOUNT
Dec 24, 1913 .	Marion R Owen	Atlantic Ocean . . . . .	Atlantic	3,300 00
Jan 22, 1914..	Dudley Farrand. . . . .	Shrewsbury River . . . . .	Monmouth	1,000 00
May 11, 1914 .	Jesse R Turner . . . . .	Atlantic Ocean . . . . .	Atlantic . .	3,300 00
Sept 1, 1914..	The United States Aluminum Company	Hudson River . . . . .	Bergen ..	45,000 00
			Total .	\$52,600 00

LIMITED LEASE (Twenty-five Years)

DATE	TO WHOM MADE	LOCALITY	COUNTY	ANNUAL RENTAL
Sept 24, 1914 . . .	Overpeck Boat Club.. . . .	Overpeck Creek . . . . .	Bergen	\$12 81

## LICENSES.

DATE	TO WHOM MADE	LOCALITY	COUNTY	AMOUNT
April 23, 1914	Lehigh Valley Railroad Company, proposed construction of crib and solid fill pier at Constable Hook approved Victor Talking Machine Company, permission to extend their solid fill pier O'Rourke Engineering Construction Company, permission to sink temporary shaft	New York Bay	Hudson	No considera'n
June 25, 1914		Delaware River	Camden	No considera'n
July 30, 1914		New York Bay	Hudson	\$25 00
			Total	\$25 00

### Leases in Arrears.

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

Respectfully submitted,

JOHN C PAYNE,

Secretary and Engineer

October 31st, 1914.

## 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 31, 1914

1913			
	DR		
November 1914	To amount received from State Treasurer	\$7,153 50	
	CR		
	By amount paid for salary of Secretary and Engineer	\$4,500 00	
	By rent of offices for 1914	720 00	
	By maps, stationery and office expenses	1,933 50	
			\$7,153 50

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 lands under water applied for.

Third 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.