

Annual Report
OF THE
Riparian Commissioners

OF THE
State of New Jersey

For the Year

1913

WITH ACCOMPANYING DOCUMENTS

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1914

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Riparian Commissioners.

ACTING GOVERNOR LEON R. TAYLOR, *Chairman*. Asbury Park, N. J.
M. F. McLAUGHLIN, *Vice Chairman*.....Newark, N. J.
JOSEPH A. BIRKHOLZ.....Orange, N. J.
J. WARD RICHARDSON.....Bridgeton, N. J.
ERWIN E. MARSHALL.....Trenton, N. J.
JOHN C. PAYNE, *Secretary and Engineer*.....Jersey City, N. J.

Commissioners' Report.

To His Excellency, Leon R. Taylor, Acting 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, 1913.

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 \$288,043 49, derived from the following sources.

Grants	\$ 55,492 66
Conversions	14,658 57
Leases	184,892 00
Limited leases, annual rental	21 43
Rentals on leases	32,858 89
Interest on grants delayed in acceptance	119 94
Total	\$288,043 49

Notwithstanding the generally conservative attitude of the commercial interests of the country, the business done by the Commission in the past year is a very gratifying indication of the increasing value and importance of the State's riparian lands. The new business for the year is about sixty thousand dollars in excess of the average for the past five years, and the showing is even more encouraging than that—for, of the past five years, the receipts for the year 1910 were exceptionally large, the largest in the history of the administration of the riparian interests, and leaving out this exceptional year, the business for the past year is about ninety-five thousand dollars in excess of the average of the four preceding years.

During the year, one of the most important cases before the Commission has been brought to a successful conclusion by the recognition of the State's rights and the payment to the State of the con-

sideration named for the same. This was a case where the riparian owner, having parted with all but the fringe of the shore or the right, as riparian owner, to apply to the State for the lands under water, had the impression that because the riparian lands had no uplands attached to them, the State should make an appreciable concession by making a grant of the riparian lands at a lower figure than it would if considerable and usable upland was attached to the same.

Although no reflection is intended on the purpose or reasoning of the applicant in question, the Commission believed that he was suffering from the acts of his predecessors in title, who had reaped the benefit from the sale of all of the upland in question, and believed that the State should not be made to suffer and was not obligated to make any concession on account of this impairment of the value of the asset, and that the State should charge fully as much for the riparian lands in question, as it would have been able to charge if the uplands with their advantages had not been alienated and disposed of, and the asset thus divided.

The owner of this fringe, or right to the ripa, proceeded to develop the lands under water, pending a solution of the questions involved, and the Commission was obliged to halt the improvements until the State's rights were recognized. The owners finally recognized the State's rights and paid the amount fixed by the Commission.

Other cases of encroachment and purpresture have been abated or halted by the action of the Commission, and there are now before the Attorney General, under the direction of the Riparian Commission, such cases for legal supervision and control.

Acting Governor Fielder, succeeding Governor Wilson, has continued to favor the policy inaugurated by the Commission, of making grants in fee, or leases in perpetuity, for as much of the lands under water appurtenant to the ripa of intending developers, as is necessary for the carrying out of the enterprises under consideration, and full and adequate compensation has been received for the rights granted under these conditions. Acting Governor Fielder and the Commission have, however, declined to make any conveyance of extensive tracts of land under water, and where an effort has been made to secure such riparian rights without the purpose

and intention of the applicant being disclosed, the Commission has fixed such a price as will secure to the State the value that would attach by holding the same for a reasonable period, and this has, in all cases, prevented the taking up of the State's rights for speculative purposes.

In the last annual report to Governor Wilson, reference was had to the proposition of the Bush Terminal Company to locate its enormous and important business enterprise on the shores of New York Bay at Bayonne. A great deal of public sentiment was exhibited both for and against the proposition, meetings of citizens were held and a great many suggestions made to the Riparian Commission, as was set forth in the report of the Commissioners to Governor Wilson of 1912, but, as in all such cases, the people most interested, the people directly responsible for these developments, are controlled by business and commercial exigencies known best to themselves. In this case, unfortunately, the enterprise in question has not seen its way to prosecute the matter of acquiring the State's rights to a conclusion, but the Commission is warranted in reporting to your Excellency that the Company in question has not abandoned its desire and purpose, under feasible and proper conditions, to carry out the intentions as set forth in its original presentation to the Governor and Commission, and the Commission is warranted in saying that the Company has actually acquired certain upland interests which entitles it to the acquisition of the riparian rights appurtenant thereto. It is hoped that the matter may be brought to a successful conclusion in the near future, as it would be of enormous importance and benefit to the community if this enterprise and development could be located on our shores.

Another important industry that has not prosecuted its application to a conclusion, is that of the American Radiator Company, who acquired the lands under water formerly held under lease by C. G. Gunther and Sons, and who applied to the Commission for additional lands under water adjoining the same. The price fixed by the Commission was considered too high by the applicant, and the matter is held in abeyance for further consideration, but this Company has proceeded with its development, is erecting substantial and commodious buildings for its enterprise and is one of the most important and beneficial industries that has come to the City of Bayonne and the State. It is without doubt that the minds of the

gentlemen interested in this enterprise and the minds of the Governor and Commission will meet on the subject, and the lands under water necessary to complete this enterprise will be added to the development.

The location of these important enterprises points to the fact that the development of the land under water, within the lines fixed by the Riparian Commission and approved by the United States Government, must be made in accordance with the requirements and the successful prosecution of these developments and enterprises. It would be a physical and engineering impossibility for any one, other than the people interested in and responsible for the successful prosecution of these enterprises, to formulate what particular plan of development would best suit their needs and purposes, and it is earnestly hoped by the Commission that the United States Government, or any other authority, will not place any obstacle in the way of the successful development of these enterprises, but that everything will be done to further them and facilitate them.

IN THE MATTER OF EXTENSION OF LINES.

The Riparian Commission has continued its policy and practice of earnestly and actively endeavoring to secure the most advantageous location for the exterior lines for development that it is able to, and points with a great deal of satisfaction to the successful issue in the matter of the location of the Exterior lines on Newark Bay, fronting the cities of Newark, Elizabeth, Jersey City and Bayonne.

The Exterior Lines on Newark Bay were originally fixed by the Riparian Commission in 1876, and although subsequently the Government extended the Pierhead Line on the Bayonne and Jersey City shore some two hundred feet, it receded the Exterior Line on the Newark shore some two thousand feet, bringing the Exterior Line for improvements so close to the shore and so far within the line of low water that no commercial development, under the circumstances, could be carried out without prohibitive expense and insurmountable hydrographic difficulties.

The Riparian Commission, through the years that have passed, has exerted every effort and influence it could bring to bear on the United States Government, to not only restore this line to the posi-

tion originally fixed by the Commission, but to extend it to meet the needs of commerce and the feasible and practicable development of the shore front. In 1901 the Commission made a strenuous effort to have this result brought about, continued through the succeeding years, and the reports of the Commissioners, notably for the years 1901, 1902, 1903, 1905, and later years, have all been addressed to this important subject, and recently, that is to say, on April 24th, 1913, this Board directed that a map be prepared showing the lines desired by the Commission, and a history of the efforts of the Commission to have said lines approved by the United States Government submitted to Honorable Lindley M. Garrison, Secretary of War, with a request that this Commission be heard on the subject. On May 2nd, 1913, this matter was presented to the Honorable Secretary of War, and it is with gratification that this Commission reports to your Excellency that on September 13th, 1913, the Secretary of War approved modified lines for the east and west shores of Newark Bay,—those on the east shore of Newark Bay, or the Jersey City and Bayonne front being some five hundred feet in advance of the lines formerly approved by the Secretary of War, and the line on the west shore of Newark bay in front of the cities of Newark and Elizabeth being from twenty-five hundred to four hundred feet, or an average of fourteen hundred and fifty feet in advance of the lines fixed in 1901 by the Government, and this new line agrees almost identically with the line originally fixed by the Riparian Commission and is a substantial coincidence with the location of the lines recently asked for by this Commission. This recognition and concession by the Government is of enormous importance to the cities interested, particularly the City of Newark, where it has added on an average eighteen hundred feet to the available area of land under water for commercial development, in connection with the dock enterprises of the City of Newark.

Another case in connection with this subject, is that of the adjustment of the Exterior Lines on the Hudson River

The Riparian Commission in 1864-1865 fixed Exterior Lines on the Hudson River, which lines were approved by the Legislature, and were the established and acknowledged Exterior Lines for improvements out to which grants were made by the State of New Jersey to the riparian owners. Unfortunately, in the year 1890, the Secretary of War materially receded or set back these lines,

from a point known as Pleasant Valley Landing on the Hudson River, extending a considerable distance up the river, and this recession amounted in some cases to as much as five hundred feet

Through the subsequent years and by the repeated efforts of this Commission, the Government has been gradually extending its lines, and in 1900 a material extension was granted, from Pleasant Valley Landing, north, but still not within two hundred feet of the lines originally fixed by the Riparian Commission

During this time the City of New York was industriously endeavoring and succeeding in having its lines extended. In the year 1897 an effort was made by the City of New York to have its line extended all the way from the Battery to 81st Street, and a hearing was had by the New York Harbor Line Board, at which the Dock Department of the City of New York, as well as Associations interested in the welfare of New York, appeared and made a strong presentation of their desires to have the extension above referred to, and without regard to the State of New Jersey absorbed the idea that the New York side of the river formed entirely the port of New York. It seemed as though there was but one side to this question and everything seemed favorable to the granting of the request of the City of New York, when it developed upon the Riparian Commission of New Jersey to present the needs and claims of the State of New Jersey in this matter, and so forcibly and convincingly were the said claims presented, and the fact that the New Jersey shore of the Hudson River was as much a part of the port of New York as was the New York shore, was so forcibly and energetically presented, that dismay seized the representatives of the authorities of the City of New York and a re-assembling of their forces was necessary. The result of the presentation on the part of the State of New Jersey was that an extension of the Line was granted on the New Jersey side, equal to the extension asked for on the New York side. This line was approved by the Secretary of War on May 18th, 1897, and has been the accepted and acknowledged Exterior Line for improvements, out of which the rights of the riparian grantees have extended, and for which rights the State of New Jersey has accepted payment and devoted the proceeds to the support of its free public schools

Recently, in some interest or through some influence, an agitation has been started for the modification of this line fixed by the Secre-

tary of War in 1897, which modification is as follows: it would, from the Pleasant Valley Landing north to Coytesville, practically coincide with and restore the line originally fixed by the Riparian Commissioners, but unfortunately the modification proposed from Weehawken Cove to Guttenberg would recede the line as agreed upon in the presentation between the City of New York and the State of New Jersey in 1897, and approved by the Government at that time, about one hundred feet, and thus nullify in effect the agreement, and we might say, the consideration under which the agreement was reached in 1897 and be in a sense an injustice to the State of New Jersey if carried out, unless, in the interests of this modification—whatever it may be—the City of New York were required to give up or abandon an equal area or width that it is now proposed the State of New Jersey should give up.

This matter has a still further serious aspect than that; it affects directly the interests of the grantees as to the area of land which they are entitled to under their grants from the State. The law under which the Riparian Commissioners are obliged to administer the riparian rights of the State, is explicit; they must first establish exterior lines, out to which they may then grant the rights of the State for commercial development. These grants contain a covenant not only that the State will not make or give any grant of land under water in front of the lands so granted, injuriously affecting the same, but the State has protected itself by obliging the grantee to accept a conveyance with the provision that if the lines out to which the grant is made are thereafter changed by the action of the United States Government and the grantee suffers damages, the action for such damages shall lie against the United States Government and not against the State of New Jersey. It is, therefore, a serious question when a line is favored by a State authority, whether the State is not then made responsible for the damages arising through the change in this line, instead of the United States Government; and there is a half a mile of this water front held under direct grant from the State, for which as high as five hundred dollars per foot front has been paid into the School Fund. This Commission has been very cautious in considering lines for improvements that would injuriously affect the grantees of the State and the riparian owners, and possibly involve the State in litigation and result in serious loss, and feels that it is performing its

duty in calling your Excellency's attention to this phase of the question, so that you may be advised and informed as to the effect on the rights of the riparian grantees, and the responsibilities of the State, in the matter of any lines submitted to you for approval

This matter of the modification of the lines on the Hudson River, above referred to, is to be made the subject of a hearing before the Honorable Secretary of War in the near future, and it is earnestly hoped and expected that a solution will be reached that will be just to the grantees of the State, that shall conserve the navigable waterway of the river, and that shall still regard the tacit agreement entered into between the United States Government, the City of New York and the State of New Jersey in 1897

The Commission, realizing that the present status of the exterior lines for improvements on New York Bay was, as far as those lines were suggested by the United States Government, in an unsatisfactory condition, on April 25th, 1913, applied to the Honorable Secretary of War, Lindley M. Garrison, for such an adjustment of these lines as would enable the State of New Jersey and its riparian owners and grantees to carry out a practicable plan of development, and to have the Government devote its energies and resources to improving the New Jersey side of New York Harbor as had been done on the New York side of the Harbor, and the Secretary of War was asked to have the Pierhead Line fixed by the Government in 1891, so modified that the original plan laid down by the Riparian Commission in 1883 could be carried out. This plan of the Riparian Commission in 1883 contemplated the dredging of a ship channel one thousand feet wide, exterior to the Pierhead Line then laid down, but at that time the Government not only disapproved of the Pierhead Line fixed in 1883 but disapproved of the Solid Filling Line fixed at the same time, which was some twenty-four hundred feet interior or landward of the Pierhead Line, receding the Solid Filling Line to that fixed by the Riparian Commission in 1865 and extending the Pierhead Line some two thousand feet beyond the Pierhead Line proposed by the Riparian Commission, and disapproving of the ship channel

Subsequently, the Secretary of War, namely on May 24th, 1900, advanced the Solid Filling Line approved by him in 1891 to the position fixed by the Riparian Commission in 1883, but retained the

Pierhead Line some two thousand feet exterior to the Riparian Commissioners' Pierhead Line

The riparian grantees of the State in these waters have proceeded, notably in the case of the Pennsylvania Railroad Company, to construct its important freight terminal on New York Bay, out to the lines fixed by the Riparian Commission in 1883, and the important industries above referred to, the Bush Terminal Company, American Radiator Company and others calling for a favorable adjustment of these lines, the Commission, as has been stated, on April 25th, 1913, applied to the Secretary of War for practically an adoption of the plan of the Riparian Commission in 1883, and an important hearing was had, upon the reference of this matter by the Secretary of War to the New York Harbor Line Board, at which there was no opposition to this request of the Riparian Commission, but the important interests involved agreed with the request of the Commission that some feasible plan on the lines proposed should be adopted. The Commission believes that if the Government will modify these lines in the direction requested by the Riparian Commission, and Congress will appropriate the money for the dredging of the ship channel suggested, that the commercial interests desiring to locate on our shores will develop the lands out to such lines in the best way suited to their development and to the interests of the State. This matter is still under consideration by the Secretary of War.

Numerous plans have been suggested for the development of the lands under water on New York Bay, some of them by men having acquired no interest and no rights as riparian owners, or otherwise, and in no position to carry out the plans formulated by them. All through the years past, these plans, of greater or less magnitude, and of greater or less merit, have cropped out. Efforts have been made to secure considerable areas of the State's lands in New York Bay under claims of title, all of which when they have been submitted to the Attorney General, have been disapproved of. Other plans have been made, showing the possibilities of development of New York Bay, and made by men trained and competent to formulate such plans as plans themselves, and the plans themselves interesting and perhaps feasible, if the bay of New York was in its virgin condition and the riparian owners had no rights, and the State of New Jersey was ready and willing and empowered to ex-

pend millions of dollars upon the carrying out of these plans, and the spirit of prophecy could be so accurate and so correct that the skillful makers of these plans could foretell the exact kind of development that the good fortune of the future would bring to the State of New Jersey; but the facts all negative these "ifs". The most feasible, the most practical effort that has been made in this direction is the effort made by the authorities of the City of Newark, who appropriated the money and bought the upland, and paid the State School Fund the money the Constitution requires shall be paid for the State's riparian rights before it is so devoted, and thus put themselves in a position to take advantage of these skillful and interesting plans of development made by the intellects to whom it had entrusted this duty.

This is also true of the City and State of New York. The City of New York does not plan its docks in advance of acquiring the property on which to construct them, and this is no reflection on the State of New Jersey. The water front of New York, as has been set forth in the yearly reports to your Excellency, is uniquely situated. It has streets running parallel throughout the entire water frontage of the City, and it is not dependent, as is the water front of the State of New Jersey, on the upland owner, but the fact remains that the City of New York acquired the water front before it formulated plans for its development.

The Riparian Commission submits to your Excellency that it has proceeded with industry, energy and intelligence to secure such location of the exterior lines for improvements as will best meet the demands of the enterprises seeking our shores for developments, and until the State of New Jersey or the municipality acquires the upland and then as riparian owner acquires the land under water, it is impossible to authoritatively direct and put into execution any plan of development of such lands under water, but it is earnestly hoped by this Commission that some of the plans, so interesting in appearance and so magnificent in extent, may be carried out; that the commerce will warrant it; that the developments will come to our shores, and that the State and the municipalities will see their way to devoting the millions of dollars necessary to carry out these plans.

The Commission begs to refer your Excellency to its report to Governor Wilson for the year 1912, for a discussion of many of

these questions, and in which report the matters up to that time were fully set forth.

The Commission has had the co-operation and assistance of the Attorney General's Office and his advice and direction in legal matters, and the Commission is gratified that all of the cases coming before it, in which the interests of the State were involved, have been successfully regulated.

The Commission points with gratification to the fact that the proceeds of its work have been so magnificent, and that the expense of administering the riparian interests of the State have been kept at a minimum, amounting to not more than 5% of the entire proceeds of such administration.

Your Excellency is referred to the report of the Secretary and Engineer for details of the conveyances made by the State, and for a report on the triennial examination of the monuments marking the boundary line between the States of New Jersey and New York, and of the relocation and repairs to said boundary-line monuments. This is an important duty imposed on the Commission by the Legislature, and the Commission favors the suggestion made by its Secretary and Engineer in connection with that work.

Respectfully submitted,

M. F. McLAUGHLIN.
JOSEPH A. BIRKHOLZ.
J. WARD RICHARDSON.
ERWIN E. MARSHALL.

October 31st, 1913.

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, 1913, 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
Feb. 23, 1911.	Ocean City Association	Beach Thoroughfare	Cape May ...	\$250 00
Sept 13, 1912 .	Lillie J Earle	Shrewsbury River	Monmouth . . .	450 00
Sept. 13, 1912	Lillie J Earle	Shrewsbury River	Monmouth . . .	900 00
Nov. 27, 1912 .	John R Davies	South Shrewsbury River	Monmouth . . .	300 00
Nov. 27, 1912	Bay Head Yacht Club	Barnegat Bay	Ocean	210 00
Nov. 27, 1912	Water Witch Development Company	Shrewsbury River and Sandy Hook Bay	Monmouth . . .	Nominal
Dec. 12, 1912	Henry H Marter, Jr	Atlantic Ocean	Cape May	Nominal
Dec. 12, 1912	Charles W Beck	Liberty Thoroughfare	Ocean	12 50
Dec. 12, 1912	Charles W Beck	Liberty Thoroughfare	Ocean	25 00
Dec. 12, 1912	Irene J Collins	Liberty Thoroughfare	Ocean	25 00
Dec. 12, 1912	City of Perth Amboy	Staten Island Sound	Middlesex . . .	2,640 00
Jan 23, 1913 .	Justus Siebert, Sr	Atlantic Ocean	Atlantic	750 00
Jan. 23, 1913	James Natallo	Hackensack River	Bergen	120 00
Jan. 29, 1913	Elise Louise Douglas and J. Montgomery Douglas	Shrewsbury River	Monmouth	300 00
Feb 17, 1913 .	John Baxter	Atlantic Ocean	Cape May	220 00
March 31, 1913	John E Kelly	Mill Creek	Hudson	25 00
April 24, 1913	Jersey City Poster Advertising Co	Mill Creek	Hudson	75 00
June 3, 1913 .	Elijah Mathews	Mill Creek	Hudson	25 00
June 16, 1913	Peter Kroll	Passaic River	Essex	1,871 30
June 16, 1913	South Jersey Sand Company	Delaware Bay	Cape May	264 00
June 16, 1913	David Baird	Delaware Bay	Cape May	102 00
June 16, 1913	John C Payne	Atlantic Ocean and Shrewsbury River	Monmouth	Nominal
June 26, 1913	Felice Raimondo and Clemendina Raimondo	Mill Creek	Hudson	25 00
July 24, 1913	The Inhabitants of the City of Burlington	Delaware River	Burlington . . .	3,593 40
July 24, 1913	Thomas Devlin Manufacturing Company	Delaware River	Burlington . . .	3,617 84
July 24, 1913	Bond and Investing Company	Shark River	Monmouth . . .	10 00

GRANTS—Continued.

DATE.	TO WHOM MADE.	LOCALITY.	COUNTY.	AMOUNT.
July 24, 1913	J and J. W. Elsworth Company	Raritan Bay	Monmouth	2,365 80
July 24, 1913	The Holland Company	Passaic River	Essex	34,100 00
July 24, 1913	Caroline P. Buck and others	Cohansey Cr��ek.	Cumberland	10 00
July 24, 1913	Caroline Miller and others	Mill Creek	Hudson	25.00
Aug. 21, 1913	Peter C Olsen	Staten Island Sound	Middlesex	1,000 00
Sept. 25, 1913	Benjamin P Morris	Shark River	Monmouth	516 00
Sept. 25, 1913	George E. Morris	Shark River	Monmouth	25 83
Sept. 25, 1913	Annie M. Jones	Shark River	Monmouth	25 83
Sept. 25, 1913	Frederick W. Denninger	Shark River	Monmouth	43.33
Sept. 25, 1913	Louis E. Ganong and Jennie A. Ganong	Shark River	Monmouth	69 83
Oct. 23, 1913	American Bridge Company	Delaware River	Mercer	1,500 00
			Total	\$55,492 66

CONVERSIONS

DATE	TO WHOM MADE	LOCALITY	COUNTY	AMOUNT
Oct 24, 1912	Ocean City Association, (conversion of part of its lease of January 29, 1903)	Atlantic Ocean	Cape May	\$750 00
Oct 24, 1912	Ocean City Association, (conversion of part of its lease of January 29, 1903)	Atlantic Ocean	Cape May	225 00
Oct 24, 1912	Ocean City Association, (conversion of part of its lease of January 29, 1903)	Atlantic Ocean	Cape May	2,175 00
Oct 24, 1912	Ocean City Association, (conversion of part of its lease of January 29, 1903)	Atlantic Ocean	Cape May	5,250 00
Dec 12, 1912	R G Packard Company, (conversion of lease to James Binns dated August 17 1878)	New York Bay	Hudson	3,428 57
Sept 25, 1913	Fancy Hill Real Estate Company, (conversion of part of lease to William J Thompson dated August 29, 1895)	Delaware River	Gloucester	2,830 00
			Total	\$14,658 57

LICENSE.

DATE	TO WHOM MADE.	LOCALITY	AMOUNT.	COUNTY.
Nov 27, 1912..	The Navesink Railroad Company, (license to change construction of bridge)	Shrewsbury River, Monmouth	Nominal

LEASES

DATE.	TO WHOM MADE	LOCALITY	COUNTY.	AMOUNT
June 26, 1913	Augustus W Colwell	Staten Island Sound	.. Middlesex	\$28,309 50
July 24, 1913.	Undercliff Terminal and Warehouse Co	Hudson River	.. Bergen	114,392 50
Aug 21, 1913 ...	The Land Filling and Improvement Co	Newark Bay	. Essex	42,190 00
			Total ..	\$184,892 00

LIMITED LEASES, (Twenty-five Years.)

DATE.	TO WHOM MADE.	LOCALITY	COUNTY.	AMOUNT.
Nov 27, 1912 .	Wesley Falkenburgh	Barnegat Bay	Ocean	\$3 85
June 16, 1913	William P Terhune	Overpeck Creek	Bergen . . .	14 44
June 16, 1913	Ernst Bruno	Overpeck Creek	Bergen ...	3 14
			Total annual rental	\$21 43

LEASES IN ARREARS

Under the provisions of Chapter 83 of the Laws of 1906, the State Treasurer reported five leases as being in arrears for rentals, whereupon the Commission took up the matter with the lessees and in all cases but one, secured the payment of the rentals due. In this case, by reason of difficulty in ascertaining the owner, the matter is still in abeyance.

The continued beneficial effect of this law is seen in the fact that the rentals now are promptly paid, and there is each year a decreasing number of failures to pay; in almost every instance the arrearage is made up as soon as the machinery of this law is invoked.

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 Commission during the last fiscal year caused an examination to be made of these monuments, and the work was very carefully and exhaustively carried out by Mr. Charles Hopper, Civil Engineer, acting under the direction of the Board, in conjunction with Mr. O. F. Lewis, Civil Engineer, acting on the part of New York. A general report was made at that time, showing the monuments in need of repairs and the cost of such repairs. It was estimated that the cost would be \$3,500.00, half of which was to be paid by the State of New Jersey. With the report of Mr. Hopper, there was a detailed report covering seventy-six (76) pages of typewritten matter, giving a description of each of the monuments on the boundary line between Staten Island and New Jersey, and on the northern boundary line, between New Jersey and New York, together with valuable information as to the location of the monuments with relation to present existing and known objects.

The work of relocating, repairing and restoring these monuments was carried out during the past fiscal year by Mr. Hopper, under the direction of this Commission, and Mr. Lewis, acting for the State of New York, an appropriation having been made for this work of \$2,000.00. These repairs were made at a joint expense of

\$758.82, half of which (\$379.41) was paid by the State of New Jersey; adding to this Mr. Hopper's individual expenses and charge for services \$816.68, made a total expenditure of \$1,196.09, leaving a balance to be returned to the State Treasury of \$803.91

Mr. Hopper's report on the restoration of these monuments, together with his report of last year, is appended to this report of the Commission, and it is earnestly recommended to the Commission that these reports be printed as part of the Report of the Riparian Commission, as they are very valuable in connection with the subject of the boundary lines of the State.

Respectfully submitted,

JOHN C. PAYNE,

Secretary and Engineer

October 3rd, 1913.

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.

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, 1913

1912		DR.	
November.	To amount received from State Treasurer		\$6,984 43
1913		CR.	
	By amount paid for salary of Secretary and Engineer . . .	\$4,333 32	
	By rent of offices for 1913	610 00	
	By maps, stationery and office expenses	2,041 11	
			<u>\$6,984.43</u>
Amount received and expended for relocation, restoration and repairs to the State Boundary Line Monuments, under act of the Legislature approved April 4th, 1891		\$1,196 09	
		JOHN C. PAYNE,	
		Secretary	