

and the same are hereby declared to extend to all telephone companies heretofore organized within this state, in the manner provided in said last-mentioned act for the organization of telegraph companies and the supplements thereto ; and telephone companies may be hereafter organized under said act and the supplements thereto and have and exercise all the powers and privileges conferred in and by said last-mentioned act and the supplements thereto upon telegraph companies, and such companies shall be subject and liable to all the provisions of said last-mentioned act and the supplements thereto, in the same manner and to the same extent that telegraph companies are or may be.

**An act respecting telegraph, telephone, electric light and other wires and cables for electric purposes.**

P. L. 1884, p. 239.

Approved April 21, 1884.

If wires or cables be attached to buildings, no lapse of time shall justify a prescription, &c.

**25. SEC. 1.** That whenever any wire or cable used for any telegraph, telephone, electric light, or other wire or cable for electric purposes, is or shall be attached to, or does or shall extend upon or over any building or land, no lapse of time whatsoever shall raise a presumption, or justify a prescription of any perpetual right to such attachment or extension.

## Territory and Jurisdiction.

### I. SEAT OF GOVERNMENT.

1. Trenton, seat of government.

### II. LIMITS AND JURISDICTION OF NEW JERSEY AND NEW YORK.

2. Boundary line, Bergen county.
3. Governor to appoint commissioners.
4. Their duties and powers.
5. Boundary line.
6. Islands subject to New York.
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8. Jurisdiction over Kill von Kull.
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14. Vacancies, how filled.
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16. Commissioners to agree upon location of northern boundary line between New York and New Jersey.
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18. Agreement ratified by the state of New Jersey.
19. Location of boundary line in Raritan bay.
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### III. LIMITS AND JURISDICTION OF NEW JERSEY AND DELAWARE.

21. The Delaware a common highway.
22. Jurisdiction over it.
23. Annexation of islands.
24. Agreement binding.
25. Division of islands.
26. Islands hereafter formed.
27. Jurisdiction of offenses committed on river Delaware.
28. Appointment of commissioners.
29. Powers and authority.
30. Expenses, how paid.
31. Act transmitted to governor of Delaware.
32. Powers of commissioners.
33. Enlarged power of commissioners.
34. Agreement to be submitted to the legislature.
35. Copy of act to be transmitted to governor of Delaware.
36. Suit authorized prosecuted against state of Delaware.

### IV. PRESERVATION OF STATE BOUNDARY MONUMENTS.

37. Governor empowered to cause monuments to be restored.
38. Riparian commissioners to cause an inspection of the monuments marking the boundary lines of the state every three years, and make report to the legislature.

### V. GRANTS AND CESSIONS TO THE UNITED STATES.

39. Consent of the state given to the purchase of lands by the United States.
40. When purchased, jurisdiction ceded to the United States.
41. Consent given and jurisdiction ceded on certain conditions.
42. Jurisdiction not to vest until title acquired. Lands exempt from taxation.
43. Proceedings when it is desirable to vacate streets, &c.
44. Proceedings when commissioners unable to agree with incumbencers or claimants.
45. Proceedings at the hearing before the commissioners.
46. After hearing, commissioners to ascertain value of private way, &c., and make award thereof.
47. When funds paid, governor to take possession.
48. Certain lands ceded to the United States.
49. Lands, &c., exempted from taxes and assessments.
50. Certain lands ceded to the United States.
51. Certain lands ceded to the United States.
52. Land exempted from taxation.
53. Certain land ceded to the United States.
54. Land exempted from taxes.
55. Consent given by state to purchase or condemnation of certain land by the United States.
56. Certain land ceded to United States when purchased or condemned.
57. Certain restrictions attached.
58. Jurisdiction not vested until title is acquired. Exonerated from taxes.
59. Certain lands ceded to United States.
60. Lands ceded, exempt from taxation.
61. State of New Jersey cedes certain lands to the United States for fortifications, &c.
62. Jurisdiction vested when description is filed in office of secretary of state.
63. While property of the United States, not taxable by state.

**I. Seat of government.**

An act for fixing a permanent seat of government in this state, and for altering the place of the first meeting of the legislature after the annual elections.

Passed November 25, 1790.

R. S. 789.

1. That Trenton, in the county of Hunterdon, shall henceforth be considered as the seat of the government of this state, and that the first meeting of the legislature, after the next, and every future annual election for the members thereof, shall be at Trenton, in the county of Hunterdon.

Trenton to be the seat of government.

**II. Limits and jurisdiction of New Jersey and New York.(1)**

An act to preserve and support the jurisdiction of this state.

Passed December 3, 1807.

P. L. 1807, p. 18.

WHEREAS, The meetings of the commissioners lately appointed on the part of this state, and of the state of New York, respectively, have failed to produce an amicable adjustment of the eastern boundary line of this state; and whereas, it has become highly expedient to bring the existing controversy respecting the said boundary line, to a legal conclusion and determination, and in the meantime necessary to preserve the lawful jurisdiction of this state, free from all interruption and usurpation; therefore,

Preamble.

2. SEC. 1. That the boundary lines of the county of Bergen, are hereby declared to be the middle or midway of the waters adjoining the said county. [The remaining sections are obsolete.]

Boundary line, Bergen county.

An act for the settlement of the territorial limits and jurisdiction between the states of New Jersey and New York.

Passed February 6, 1833.

Har. 414.

R. S. 36.

Preamble.

WHEREAS, The legislature of the state of New York have recently passed a law authorizing the governor of that state to appoint commissioners, to meet commissioners on the part of this state, to negotiate and agree respecting the territorial limits and jurisdiction of the state of New Jersey and the state of New York; and whereas, it is expedient and desirable that the difference heretofore existing on this subject should be amicably and speedily adjusted; therefore,

3. SEC. 1. That the governor of this state, or the person administering the government of the same, be and he is hereby authorized to appoint three commissioners, with full power on the part of New Jersey to meet commissioners appointed or to be appointed under or by virtue of a law of New York, passed January the eighteenth, eighteen hundred and thirty-three, and with them to negotiate and agree respecting the territorial limits and jurisdiction between the said states, as to them may seem just; and if, by death, resignation, or otherwise, a vacancy do happen among those appointed by the state of New Jersey, the governor, or person administering the government of this state, is hereby authorized to supply the same.

Governor to appoint commissioners.

4. SEC. 2. That the said commissioners on the part of the state of New Jersey, or a major part of them, shall have full power and authority to agree upon, settle and determine the limits of territory and jurisdiction between the said states, as to them may seem just; and their agreement in the premises, in writing, signed and sealed by the said commissioners of both states, or a majority of them, respectively, if made on or before the first Tuesday of January next, shall become binding on this state, when confirmed by the respective legislatures of New Jersey and New York, and approved by congress.

Their powers and duties.

[Secs. 3 and 4 executed.]

(1) For act of partition between the colonies of New York and Nova Caesarea or New Jersey, which has been executed, see R. S. 29.

An act to ratify and confirm an agreement made between the commissioners appointed by the governor of the state of New York, and the commissioners appointed by the governor of the state of New Jersey, respecting the territorial limits and jurisdiction between the said states.

P. L. 1834, p. 118.

R. S. 37.

Preamble.

Passed February 26, 1834.

WHEREAS, Commissioners duly appointed on the part of the state of New York, and commissioners duly appointed on the part of New Jersey, for the purpose of agreeing upon, and settling the jurisdiction and territorial limits of the two states, have executed certain articles, two copies for each state, which are contained in the following words :

Agreement made and entered into, by and between Benjamin F. Butler, Peter Augustus Jay and Henry Seymour, commissioners duly appointed on the part and behalf of the state of New York, in pursuance of an act of the legislature of the said state entitled "An act concerning the territorial limits and jurisdiction of the state of New York, and the state of New Jersey," passed January eighteenth, eighteen hundred and thirty-three, of the one part, and Theodore Frelinguysen, James Parker and Lucius Q. C. Elmer, commissioners duly appointed on the part and behalf of the state of New Jersey, in pursuance of an act of the legislature of the said state, entitled "An act for the settlement of the territorial limits and jurisdiction between the states of New Jersey and New York," passed February sixth, eighteen hundred and thirty-three, of the other part.

Boundary line.

5. ART. I. The boundary line between the two states of New York and New Jersey, from a point in the middle of Hudson river, opposite the point on the west shore thereof, in the forty-first degree of north latitude, as heretofore ascertained and marked, to the main sea, shall be the middle of the said river, of the bay of New York, of the water between Staten island and New Jersey, and of Raritan bay, to the main sea, except as hereinafter otherwise particularly mentioned.

Islands subject to New York.

6. ART. II. The state of New York shall retain its present jurisdiction of and over Bedlow's and Ellis' islands, and shall also retain exclusive jurisdiction of and over the other islands lying in the waters above mentioned, and now under the jurisdiction of that state.

Hudson and the bay.

7. ART. III. The state of New York shall have and enjoy exclusive jurisdiction of and over all the waters of the bay of New York, and of and over all the waters of Hudson river, lying west of Manhattan island, and to the south of the mouth of Spuytenduyvel creek, and of and over the lands covered by the said waters to the low-water mark on the westerly or New Jersey side thereof, subject to the following rights of property and jurisdiction of the state of New Jersey, that is to say :

(1) The state of New Jersey shall have the exclusive right of property in and to the land under water, lying west of the middle of the bay of New York and west of the middle of that part of the Hudson river which lies between Manhattan island and New Jersey.

(2) The state of New Jersey shall have the exclusive jurisdiction of and over the wharves, docks and improvements made and to be made on the shore of the said state, and of and over all vessels aground on said shore, or fastened to any such wharf or dock, except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers of the state of New York, which now exist or which may hereafter be passed.

(3) The state of New Jersey shall have the exclusive right of regulating the fisheries on the westerly side of the middle of the said waters ; *provided*, that the navigation be not obstructed or hindered.

Kill von Kull.

8. ART. IV. The state of New York shall have exclusive jurisdiction of and over the waters of the Kill von Kull, between Staten island and New Jersey, to the westernmost end of Shooter's island, in respect to such quarantine laws and laws relating to passengers as now exist, or may hereafter be passed under the authority of that state, and for executing the same ;

and the said state shall also have exclusive jurisdiction, for the like purposes, of and over the waters of the sound from the westernmost end of Shooter's island to Woodbridge creek, as to all vessels bound to any port in the said state of New York.

**9. ART. V.** The state of New Jersey shall have and enjoy exclusive jurisdiction of and over all the waters of the sound between Staten island and New Jersey, lying south of Woodbridge creek, and of and over all the waters of Raritan bay, lying westward of a line drawn from the lighthouse at Prince's bay to the mouth of Matavan creek, subject to the following rights of property and jurisdiction of the state of New York, that is to say :

(1) The state of New York shall have the exclusive right of property in and to the land under water lying between the middle of the said waters and Staten island.

(2) The state of New York shall have the exclusive jurisdiction of and over the wharves, docks and improvements made and to be made on the shore of Staten island, and of and over all vessels aground on said shore, or fastened to any such wharf or dock, except that the said vessels shall be subject to the quarantine or health laws and laws in relation to passengers of the state of New Jersey, which now exist or which may hereafter be passed.

(3) The state of New York shall have the exclusive right of regulating the fisheries between the shore of Staten island and the middle of the said waters ; *provided*, that the navigation of the said waters be not obstructed or hindered.

**10. ART. VI.** Criminal process issued under the authority of the state of New Jersey against any person accused of an offense committed within that state, or on board of any vessel being under the exclusive jurisdiction of that state, as aforesaid, or committed against the regulations made or to be made by that state, in relation to the fisheries mentioned in the third article ; and also civil process issued under the authority of the state of New Jersey against any person domiciled in that state, or against property taken out of that state to evade the laws thereof, may be served upon any of the said waters within the exclusive jurisdiction of the state of New York, unless such person or property shall be on board a vessel aground upon or fastened to the shore of the state of New York, or fastened to a wharf adjoining thereto ; or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New York.

**11. ART. VII.** Criminal process issued under the authority of the state of New York against any person accused of an offense committed within that state, or committed on board of any vessel being under the exclusive jurisdiction of that state as aforesaid, or committed against the regulations made or to be made by that state in relation to the fisheries mentioned in the fifth article ; and also civil process issued under the authority of the state of New York against any person domiciled in that state, or against property taken out of that state to evade the laws thereof, may be served upon any of the said waters within the exclusive jurisdiction of the state of New Jersey, unless such person or property shall be on board a vessel aground upon or fastened to the shore of the state of New Jersey, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure by virtue of process or authority of the state of New Jersey.

**12. ART. VIII.** This agreement shall become binding on the two states when confirmed by the legislatures thereof, respectively, and when approved by the congress of the United States.

Done in four parts (two of which are retained by the commissioners of New York, to be delivered to the governor of that state, and the other two of which are retained by the commissioners of New Jersey, to be delivered to the governor of that state) at the city of New York, this sixteenth day of September, in the year of our Lord one thousand

eight hundred and thirty-three, and of the independence of the United States the fifty-eighth.

THEODORE FRELINGHUYSEN,                   B. F. BUTLER,  
JAMES PARKER,                                PETER AUGUSTUS JAY,  
LUCIUS Q. C. ELMER,                        HENRY SEYMOUR.

Therefore—

Ratification by  
New Jersey.

That the aforesaid agreement, and every article, clause, matter, and thing therein contained, shall be and the same is hereby fully and amply ratified and confirmed on the part of the state of New Jersey. (a)

(Confirmed by New York, February 5th, 1834. Approved by the congress of the United States, June 28th, 1834.)

An act appointing commissioners to locate the northern boundary line between the states of New York and New Jersey, and to replace or erect monuments therein.

P. L. 1876, p. 139.  
Preamble.

Approved April 13, 1876.

WHEREAS, The state of New York passed an act May twenty-sixth, eighteen hundred and seventy-five, authorizing the regents of the university of the state of New York, in connection with the authorities of Pennsylvania and New Jersey, respectively, to replace any monuments which have become dilapidated or been removed, on the boundary lines of those states, and it being suggested that there is uncertainty about the true location of the boundary line between the states of New York and New Jersey as defined in the act entitled "An act establishing the boundary or partition line between the colonies of New York and Nova Cæsarea, or New Jersey, and for confirming the titles and possessions," passed the twenty-sixth day of September, seventeen hundred and seventy-two, and confirmed by the king in council the first day of September, seventeen hundred and seventy-three;(1) now therefore,

Appointment of  
commissioners to  
locate northern  
boundary between  
New York and  
New Jersey.

**13. SEC. 1.** That the governor of this state be and he is hereby authorized to appoint three commissioners, with power on the part of this state to meet any authorities of the state of New York who may be duly authorized, and with them to negotiate and agree upon the true location of said boundary line between the states of New York and New Jersey as defined in said act of September twenty-sixth, seventeen hundred and seventy-two, and also to replace any monuments which may have become dilapidated or been removed on said boundary line, or to erect new ones; which agreement shall be in writing, and signed and sealed by the authorities of the state of New York and the commissioners of this state, but shall not take effect unless confirmed by the respective legislatures of the states of New York and New Jersey.

Vacancies, how  
filled.

**14. SEC. 2.** That the governor is hereby authorized to fill any vacancies in said commission occasioned by death, resignation or otherwise.

Expenses, how  
paid.

**15. SEC. 3.** That the expenses of said commissioners shall be paid by the treasurer on the warrant of the comptroller, after being first approved by the governor.

#### Supplement.

P. L. 1881, p. 258.

Approved March 25, 1881.

Commissioners  
authorized to  
ascertain and  
agree upon the  
location of north-  
ern boundary line  
between New  
York and New  
Jersey, &c.

**16. SEC. 1.** That the commissioners appointed under said act to which this is a supplement, shall, in addition to the authority conferred by said act, have authority, in their discretion, to proceed to ascertain and agree upon the location of the northern boundary line between the states of New York and New Jersey, as originally established and marked with monu-

(a) The boundary of the state extends to the middle of the Hudson river. *State v. Babcock*, 1 *Vr.* 29. But the exclusive jurisdiction over the waters of the Hudson is in the state of New York. *Ib.* History of the treaty of 1833. *State v. Babcock*, 1 *Vr.* 82. Under the compact between New Jersey and New York, made in 1833, each state has absolute control over its own soil, and everything attached to the piers or wharves, except in regard to quarantine or health laws. *People v. C. R. R. of N. J.*, 42 *N. Y.* 253, reversing 48 *Barb.* 478. See *People v. Central R. R. Co.*, 12

*Wall.* 455. This jurisdiction includes the power to prescribe when, where and how wharves, docks, &c., shall be erected on the shores, and the courts of New York have no jurisdiction to order their removal, even if they are a public nuisance, and injuriously affect the common use of the waters of the bay. *Ib.* New Jersey's exclusive jurisdiction includes "the wharves, docks, \* \* \* all vessels aground on said shore, or fastened to any such wharf or dock." *Jarrard v. The Argo*, U. S. D. C. for N. J., August, 1876, *Nixon, J.*

(1) See R. S. 29.

ments; and in case any monuments are found dilapidated or removed from their original location, said commissioners are authorized to renew or replace them, in a durable manner, in their original positions, and to erect such additional monuments at such places on said line as they may deem necessary for the proper designation of the boundary line of said state.

17. SEC. 2. That any agreement made by the said commissioners shall be in writing, and signed and sealed by the authorities of the state of New York and the commissioners of this state, but shall not take effect unless confirmed by the respective legislatures of the states of New York and New Jersey.

Agreement to be made in writing, and signed and sealed.

An act to ratify and confirm an agreement made between the commissioners appointed on the part of the state of New York and the commissioners appointed on the part of the state of New Jersey, respecting the location of the northern boundary line between the states of New York and New Jersey, and the replacing and erecting of monuments thereon, bearing date the seventh day of June, in the year of our Lord one thousand eight hundred and eighty-three.

Approved April 2, 1884.

P. L. 1884, p. 117.

WHEREAS, Henry R. Pierson, Elias W. Leavenworth and Chauncey M. Depew, commissioners duly appointed on the part of the state of New York, and Abraham Browning, Thomas N. McCarter and George H. Cook, commissioners duly appointed on the part of the state of New Jersey, for the purpose of negotiating and agreeing upon the true location of the northern boundary line between the states of New York and New Jersey, and also of replacing any monuments that may have become dilapidated or been removed on said boundary line, and of erecting new ones, have executed a certain agreement in duplicate, which is contained in the words following :

Preamble.

“An agreement, made the seventh day of June, in the year one thousand eight hundred and eighty-three, between Henry R. Pierson, Elias W. Leavenworth and Chauncey M. Depew, commissioners on the part of the state of New York, and Abraham Browning, Thomas N. McCarter and George H. Cook, commissioners on the part of the state of New Jersey.

Agreement.

“WHEREAS, By the first section of chapter CCCXL. of the laws of the state of New York, for the year one thousand eight hundred and eighty, it was recited, among other things, that whereas by an act of the legislature, passed the twenty-sixth day of May, eighteen hundred and seventy-five, the regents of the university of the state of New York were authorized and directed, in connection with the authorities of Pennsylvania and New Jersey, respectively, to replace any monuments which have become dilapidated or been removed on the boundary lines of those states, and it was thereby declared that the lines originally laid down and marked with monuments by the several joint commissioners duly appointed for that purpose, and which have since been acknowledged and legally recognized by the several states interested, as the limits of their territory and jurisdiction, are the boundary lines of said states, irrespective of want of conformity to the verbal descriptions thereof; and, by the second section of the same chapter of the laws of the state of New York, the said regents were authorized and empowered to designate and appoint three of their number as commissioners to meet such commissioners as may have been or may be appointed on the part of the states of Pennsylvania and New Jersey, or either of them, and with such last-named commissioners, as soon as may be, to proceed to ascertain and agree upon the location of said lines as originally established and marked with monuments; and in case any monuments are found dilapidated or removed from their original location, said commissioners are authorized to replace them in a durable manner in their original positions, and to erect such additional monuments at such places on said lines as they may deem necessary for the proper designation of the boundary lines of said states;

Preamble.

“AND WHEREAS, ALSO, The above-named Henry R. Pierson, Elias W. Leavenworth and Chauncey M. Depew have been duly designated and

Preamble.

appointed by the said regents of the university of the state of New York, commissioners on the part of said state for the purposes mentioned in the said act ;

Preamble.

"AND WHEREAS, ALSO, By an act of the legislature of the state of New Jersey entitled 'An act appointing commissioners to locate the northern boundary line between the states of New York and New Jersey, and to replace and erect monuments thereon,' approved April thirteenth, one thousand eight hundred and seventy-six, the governor of the state of New Jersey was authorized to appoint three commissioners, with power, on the part of said state of New Jersey, to meet any authorities on the part of the state of New York who may be duly authorized, and with them to negotiate and agree upon the true location of the said boundary line between the states of New York and New Jersey, and also to replace any monuments which may have become dilapidated or been removed on said boundary lines, and to erect new ones, which agreement it was thereby enacted should be in writing, and signed and sealed by the authorities of the state of New York and the commissioners of the state of New Jersey ;

Preamble.

"AND WHEREAS, The above-named Abraham Browning, Thomas N. McCarter and George H. Cook have been duly appointed commissioners on the part of the state of New Jersey under said act ;

Preamble.

"AND WHEREAS, By a supplement to the last said act, approved on the twenty-fifth day of March, 1881, the commissioners under the last said act were, in addition to the authority conferred by the last said act, also authorized, in their discretion, to proceed to ascertain and agree upon the location of the northern boundary line between the states of New York and New Jersey, as originally established and marked with monuments ; and in case any monuments are found dilapidated or removed from their original location, said commissioners were authorized to renew and replace them in a durable manner in their original positions, and to erect such additional monuments as such places on said line as they may deem necessary for the proper designation of the boundary line of said states ;

Preamble.

"AND WHEREAS, The said commissioners acting for and on behalf of their respective states, have entered upon the performance of the duties imposed upon them by the said acts, and have, in pursuance of the authority to them severally given as aforesaid, agreed, and hereby do agree, as follows :

Boundary line  
agreed upon.

"*First.* The line extending from the Hudson river on the east to the Delaware on the west, as the same was laid down and marked with monuments in seventeen hundred and seventy-four, by William Wickham and Samuel Gale, commissioners on the part of the then colony of New York, duly appointed for that purpose in pursuance of an act of the assembly of the colony of New York, passed on the sixteenth day of February, seventeen hundred and seventy-one, entitled 'An act for establishing the boundary or partition line between the colonies of New York and Nova Cæsarea, or New Jersey, and for confirming titles and possession,' and John Stevens and Walter Rutherford, commissioners on the part of the then colony of New Jersey, duly appointed in pursuance of an act of the assembly of the colony of New Jersey, passed on the twenty-third day of September, seventeen hundred and seventy-two, entitled 'An act for establishing the boundary or partition line between the colonies of New York and Nova Cæsarea, or New Jersey, and for confirming titles and possession,' which said line has since been acknowledged and recognized by the two states as the limit of their respective territory and jurisdiction, shall, notwithstanding its want of conformity to the verbal description thereof, as recited by said commissioners, continue to be the boundary or partition line between the said two states ; *provided,* that wherever upon said line the location of one or more of the monuments erected by said commissioners in seventeen hundred and seventy-four, has been lost, and cannot otherwise be definitely fixed and determined, then in that case, and in every case where it is required to establish intervening points on said line, a straight line drawn between the nearest adjacent monuments, whose localities are ascertained, shall be understood to be, and shall be, the true boundary line.

Proviso.

"*Second.* The monumental marks by which said boundary line shall hereafter be known and recognized are hereby declared to be: *first*, the original monuments of stone erected in seventeen hundred and seventy-four, along said line by the commissioners aforesaid, as the same have been restored and re-established in their original positions by Edward A. Bowser, surveyor on the part of New Jersey, and Henry W. Clarke, surveyor on the part of New York, duly appointed by the parties hereto; *second*, the new monuments of granite erected by the aforesaid surveyors at intervals of one mile, more or less, along said line, and numbered consecutively, beginning from the Hudson river, and severally marked on the northerly side with the letters N. Y., and on the southerly side with the letters N. J.; and *third*, the monuments of granite erected by the aforesaid surveyors at intervening points on said line at its intersection with public roads, railroads and rivers, and severally marked by them on the northerly side with the letters N. Y., and on the southerly side with the letters N. J.; and *fourth*, the terminal monuments erected at the western terminus of said line at the confluence of the Delaware and Navesink rivers, and the terminal monument erected on the brow of the rock called the Palisades, near the eastern terminus, and the rock lying and being at the foot of the Palisades on the bank of the Hudson river, and marked as the original terminal monument of said line established in seventeen hundred and seventy-four, as the same are described in a joint report made to the parties hereto by Elias W. Leavenworth, commissioner on the part of New York, and George H. Cook, commissioner on the part of New Jersey.

Monumental marks of boundary line.

"*Third.* The field-books of said surveyors, containing the descriptions of the locations of the several monuments erected by them, and of the witness marks thereto, the report of said surveyors containing the account of their work in ascertaining and marking said line, together with the topographical map of said line and the vicinity thereof, and the several documents and books of record containing the transactions of the parties aforesaid, having been duly authenticated and attested by the signatures of the said commissioners, and placed on file in the offices of the secretaries of state of the two states, shall constitute the permanent and authentic records of said boundary line, and are hereby adopted by the parties hereto, and made part of this agreement.

What to constitute the permanent and authentic record of boundary line.

"*Fourth.* This agreement shall become binding on the two states when confirmed by the legislatures thereof, respectively, and when confirmed by the congress of the United States.

Agreement binding when confirmed by congress and the legislatures of both states.

"IN WITNESS WHEREOF, the said commissioners have hereto set their hands and seals, in duplicate, this seventh day or June, in the year of our Lord one thousand eight hundred and eighty-three.

"HENRY R. PIERSON,	[L. S.]
"E. W. LEAVENWORTH,	[L. S.]
"CHAUNCEY M. DEPEW,	[L. S.]
"A. BROWNING,	[L. S.]
"THOMAS N. McCARTER,	[L. S.]
"GEO. H. COOK.	[L. S.]

"Executed in the presence of—

"Witness as to H. R. Pierson,  
A. C. JUDSON, Albany.  
"As to commissioners of New Jersey,  
B. WILLIAMSON.  
"Witness to the signature of E. W. Leavenworth,  
A. F. LEWIS.  
"As to Chauncey M. Depew,  
W. I. VANARSDALE."

Therefore,

18. SEC. 1. That the aforesaid agreement, and every article, clause, matter and thing therein contained, shall be and the same are hereby ratified and confirmed on the part of the state of New Jersey.

Agreement ratified by the state of New Jersey.

Joint resolution authorizing the appointment of a commission to locate and mark out the boundary line between the state of New Jersey and the state of New York in Raritan bay.

P. L. 1886, p. 418.

Approved April 20, 1886.

Preamble.

WHEREAS, Disputes are constantly arising between citizens of this state and citizens of the state of New York engaged in the shell fisheries in Raritan bay as to the boundary line between the two states in lands under water of said Raritan bay ; *and whereas*, that by reason of the absence of any means to locate the boundary line there exists an uncertainty about the true location thereof between the state of New Jersey and the state of New York, as defined in the act entitled "An act for the settlement of the territorial limits and jurisdiction between the states of New Jersey and New York," passed the sixth day of February, one thousand eight hundred and thirty-three ; now, therefore,

Location of  
boundary line in  
Raritan bay.

19. SEC. 1. That the governor of this state be and he is hereby authorized to appoint three commissioners with power on the part of the state to meet any authorities of the state of New York who may be duly authorized, and with them, locate and mark out by proper buoys the boundary line between the two states in lands under water of Raritan bay ; that the expenses of said commission shall be paid by the treasurer, on the warrant of the comptroller, after being first approved by the governor.

An act to ratify and confirm an agreement made between the commissioners appointed by the governor of the state of New York and the commissioners appointed by the governor of the state of New Jersey, to locate and mark out by proper buoys the boundary line between the two states in lands under water in Raritan bay.

P. L. 1888, p. 85.

Approved February 21, 1888.

Preamble.

WHEREAS, Commissioners duly appointed on the part of the state of New York and commissioners duly appointed on the part of the state of New Jersey, for the purpose of locating and marking out by proper buoys the boundary line between the two states in lands under the water of Raritan bay, have executed certain articles, two copies for each state, which are contained in the following words :

Articles of  
agreement.

An agreement, made the twelfth day of October, in the year one thousand eight hundred and eighty-seven, between Mayo W. Hazeltine, Robert Moore and Lieutenant G. C. Hanus, U. S. N., commissioners on the part of the state of New York, and George H. Cook, Robert C. Bacot and A. B. Stoney, commissioners on the part of the state of New Jersey :

WHEREAS, By chapter sixty-nine of the laws of the state of New York for the year one thousand eight hundred and eighty-seven, the governor was authorized to appoint three commissioners on the part of the state of New York, with full power to meet with the commissioners duly authorized on the part of the state of New Jersey, and with them locate and mark out by proper monuments and buoys the true boundary line between the two states in lands under water in Raritan bay ; and

WHEREAS, The said Mayo W. Hazeltine, Robert Moore and Lieutenant G. C. Hanus, U. S. N., were duly appointed commissioners on the part of the state of New York, for the purposes mentioned in said act ; and

WHEREAS, By an act of legislature of the state of New Jersey, passed April twentieth, one thousand eight hundred and eighty-six, entitled "A joint resolution authorizing the appointment of a commission to locate and mark out the boundary line between the state of New Jersey and the state of New York in Raritan bay," the governor of the state of New Jersey was authorized to appoint three commissioners, with power on the part of the state to meet any authorities duly authorized on the part of the state of New York, and with them locate by proper buoys the boundary line between the two states of lands under water in Raritan bay ; and

WHEREAS, The said George H. Cook, Robert C. Bacot and A. B. Stoney were duly appointed commissioners for the purpose of said act ; and

WHEREAS, The said commissioners, acting for and on behalf of their respective states, have entered upon the performance of the duties imposed upon them by said act, and have, in pursuance of the authority to them severally given as aforesaid, agreed and hereby do agree upon a boundary line between the two states in lands under water in Raritan bay, and locate the same, as follows :

*First.* From the "Great Beds lighthouse" in Raritan bay, north, twenty degrees and sixteen minutes west, true, to a point in the middle of the waters of Arthur Kill or Staten Island sound, equidistant between the southwesterly corner of the dwelling-house of David C. Butler, at Ward's point, on Staten island, in the state of New York, and the southeasterly corner of the brick building on the lands of Cortlandt L. Parker, at the intersection of the westerly line of Water street with the northerly line of Lewis street, in Perth Amboy, in the state of New Jersey ;

Location of  
boundary line.

*Second.* From "Great Beds lighthouse" south, sixty-four degrees and twenty-one minutes east, true, in line with the center of Waackaack or Wilson's beacon, in Monmouth county, New Jersey, to a point at the intersection of said line with a line connecting "Morgan number two" triangulation point, United States coast and geodetic survey, in Middlesex county, New Jersey, with the granite and iron beacon marked on the accompanying map as "Romer stone beacon," situated on the "Dry Romer shoal ;" and thence on a line bearing north, seventy-seven degrees and nine minutes east, true, connecting "Morgan number two" triangulation point, United States coast and geodetic survey, in Middlesex county, New Jersey, with said Romer stone beacon (the line passing through said beacon and continuing in the same direction), to a point at its intersection with a line drawn between the "Hook beacon," on Sandy Hook, New Jersey, and the triangulation point of the United States geodetic survey, known as the Oriental hotel, on Coney island, New York ; then southeasterly, at right angles with the last-mentioned line, to the main sea ;

*Third.* The monumental marks by which said boundary line shall be hereafter known and recognized are hereby declared to be as follows :

Monumental  
marks.

I. The "Great Beds lighthouse ;"

II. A permanent monument marked "state boundary line New York and New Jersey," and to be placed at the intersection of the line drawn from the "Great Beds lighthouse" to "Waackaack or Wilson's beacon," Monmouth county, New Jersey, and the line drawn from "Morgan's number two" triangulation point, United States coast and geodetic survey, in Middlesex county, New Jersey, to the "Romer stone beacon ;"

III. Eight buoys or spindles, to be marked like the permanent monuments above mentioned and placed at suitable intervening points along the line from the said permanent monument to the "Romer stone beacon ;"

IV. The Romer stone beacon ;

*Fourth.* The maps accompanying and filed with this agreement, showing the location of the above-described boundary line between the state of New York and the state of New Jersey in Raritan bay to the main sea, and the monumental marks by which it is marked and to be marked, duly authenticated and attested by the signatures of the said commissioners, and placed on file in the offices of the secretaries of state of the respective states, shall constitute the permanent and authentic records of said boundary line, and are hereby adopted by the parties thereto and made a part of this agreement.

IN WITNESS WHEREOF, the said commissioners have hereto set their hands and seals in duplicate, this twelfth day of October, in the year of our Lord one thousand eight hundred and eighty-seven.

M. W. HAZELTINE,	[L. S.]
ROBERT MOORE,	[L. S.]
G. C. HANUS, Lieut., U. S. N.,	[L. S.]
GEORGE H. COOK,	[L. S.]
ROBERT C. BACOT,	[L. S.]
A. B. STONEY.	[L. S.]

Certified to—

EDWARD P. DOYLE, *Secretary of Joint Commission.*

Therefore,

Agreement  
ratified.

20. SEC. 1. That the aforesaid agreement, and every article, clause, matter and thing therein contained, shall be and the same is hereby fully and amply ratified and confirmed on the part of the state of New Jersey.

### III. Limits and jurisdiction of New Jersey and Delaware.

An act to ratify and confirm an agreement, made between commissioners appointed by the legislature of the state of Pennsylvania, and commissioners appointed by the legislature of the state of New Jersey, for the purpose of settling the jurisdiction of the river Delaware, and islands within the same.

Rev. 57.

R. S. 41.

Preamble.

Passed May 27, 1783.

WHEREAS, Commissioners, duly appointed on the part of the state of Pennsylvania, and commissioners, duly appointed on the part of the state of New Jersey, for the purpose of settling the jurisdiction of the river Delaware, and islands within the same, have executed two instruments of an agreement for the purposes aforesaid, one for each state, which agreement is contained in the following words :

Recital of an  
agreement  
between Pennsylv-  
ania and New  
Jersey, respecting  
jurisdiction over  
islands in the  
Delaware.

An agreement made and concluded between George Bryan, George Gray, and William Bingham, commissioners appointed by the legislature of the state of Pennsylvania for settling the jurisdiction of the river Delaware, and islands within the same, and Abraham Clark, Joseph Cooper, and Thomas Henderson, commissioners appointed by the legislature of the state of New Jersey for the like purpose.

Preamble.

WHEREAS, Inconveniences and mischiefs have arisen, and may hereafter arise, from the uncertainty of jurisdiction within and on the river Delaware—therefore, to prevent the same, and in order that law and justice may hereafter in all cases be executed, and take effect within and upon the said river from shore to shore, in all parts and places thereof where the same river is the boundary between the said states, the said commissioners do agree and establish, for and in behalf of their respective states, in manner following, that is to say :

Delaware a com-  
mon highway.

21. *First.* It is declared, that the river Delaware, from the station point or northwest corner of New Jersey, northerly, to the place upon the said river where the circular boundary of the state of Delaware toucheth upon the same, in the whole length and breadth thereof, is and shall continue to be and remain a common highway, equally free and open for the use, benefit and advantage of the said contracting parties ; *provided nevertheless*, that each of the legislatures of said states shall hold and exercise the right of regulating and guarding the fisheries on the said river Delaware annexed to their respective shores, in such manner that the said fisheries may not be unnecessarily interrupted, during the season for catching shad, by vessels riding at anchor on the fishing-ground, or by persons fishing under claim of a common right on said river.

Jurisdiction  
over it.

22. *Secondly.* That each state shall enjoy and exercise a concurrent jurisdiction within and upon the water, and not upon the dry land, between the shores of said river, but in such sort, nevertheless, that every ship and other vessel, while riding at anchor before any city or town in either state, where she hath last laded or unladed, or where it is intended she shall first thereafter either lade or unlade, shall be considered exclusively within the jurisdiction of such state ; and every vessel fastened to or aground on the shore of either state, shall in like manner be considered exclusively within the jurisdiction of such state ; but that all capital and other offenses, trespasses, or damages, committed on said river, the juridical investigation and determination thereof shall be exclusively vested in the state wherein the offender or person charged with such offense shall be first apprehended, arrested, or prosecuted. (a)

(a) The consent of both New Jersey and Pennsylvania is necessary to the erection of a bridge over the river Delaware. *State, Lehigh Valley R. E. Co. v. Mutchler*, 13 Vt. 461.

23. *Thirdly.* That all islands, islets, and dry land within the bed and between the shores of the said river, and between the said station point, northerly, and the falls of Trenton, southerly, shall, as to jurisdiction, be hereafter deemed and considered as parts and parcels of the state to which such insulated dry land doth lie nearest at the time of making and executing this agreement; and that from said falls of Trenton to the state of Delaware, southerly, Biles' island, near Trenton, Windmill island, opposite to Philadelphia, League island, Mud or Fort island, Hog island, and Little Tinnicum islands, shall be annexed to the state of Pennsylvania, and considered as parts and parcels thereof; and that Biddle's or Newbold's island, Burlington island, Petty's islands, Redbank island, Harmanus Helm's island, Chester island, and Shiverse's island, shall be annexed to the state of New Jersey, and considered as parts and parcels thereof; and that all other islands within said river, between the falls of Trenton and the state of Delaware, which are not hereinbefore particularly enumerated, shall be hereafter deemed and considered as parts and parcels of the state to which such island doth lie nearest, at the date hereof; and that all islands which may hereafter be formed within the said river shall be classed and annexed to the jurisdiction of either state, according to the same principle.

Annexation of islands.

24. *Fourthly.* That this present agreement, and every article and clause therein contained, shall be suspended and take no effect until each of the legislatures of the state of Pennsylvania and New Jersey, respectively, shall have passed laws approving of and ratifying the same; which being done, the said agreement shall then be considered as a joint compact between the said states, and the citizens thereof, respectively, and be forever thereafter irrevocable by either of the said contracting states, without the concurrence of the other. *In witness whereof,* we, the commissioners of the aforesaid states, have set our hands and seals to two instruments of the agreement, one for each state, dated this twenty-sixth day of April, anno domini one thousand seven hundred and eighty-three.

Agreement binding.

ABRAHAM CLARK,	[L. S.]	GEORGE BRYAN,	[L. S.]
JOSEPH COOPER,	[L. S.]	GEORGE GRAY,	[L. S.]
THOMAS HENDERSON.	[L. S.]	WM. BINGHAM.	[L. S.]

Therefore—

That the aforesaid agreement, and every article, clause, matter and thing therein contained, shall be and the same is hereby fully and amply ratified and confirmed, and shall be and ever hereafter remain in force, agreeably to the true tenor and extent thereof.

The agreement confirmed.

(Ratified by Pennsylvania September 20th, 1783.)

An act to ratify and confirm an agreement made between the commissioners appointed by the legislature of the state of Pennsylvania, and the commissioners appointed by the legislature of the state of New Jersey, for the purpose of agreeing upon, and accurately describing which of the islands, islets, and insulated dry land, mentioned in the agreement between the two states, bearing date on the twenty-sixth day of April, seventeen hundred and eighty-three, belong to each of the said states, according to the purport of that agreement.

Rev. 77.

Passed March 16, 1786.

R. S. 43.

WHEREAS, Commissioners duly appointed on the part of the state of Pennsylvania, and a commissioner duly appointed on the part of the state of New Jersey, for the purpose of dividing the islands in the river Delaware, between the falls of Trenton, and the station point, or northwest corner of the state of New Jersey, have executed two articles of agreement, one for each state, which is contained in the following words:

Preamble.

An agreement made and concluded upon, between George Wall, John Okely, and Jonas Hartzell, commissioners appointed by the supreme executive council of the state of Pennsylvania, for dividing the islands and insulated dry land in the river Delaware, with the state of New Jersey, from the falls at Trenton to the station point, or northwest corner

Recital of an agreement between Pennsylvania and New Jersey, respecting the division of the islands in the Delaware, from the falls at Trenton, northerly, to the station point.

of the said state, and Moore Furman, commissioner appointed by the said state of New Jersey, for the like purpose.

Islands of  
Pennsylvania.

25. *First.* The parties aforesaid, in pursuance of the authority to them severally given, and in behalf of the respective states aforesaid, do agree, that from the said falls of Trenton, to the station point, or northwest corner of the state of New Jersey, aforesaid, the following islands, opposite to the county of Bucks, and the townships hereafter named, that is to say, opposite to the Falls township, Bird's island; opposite to Lower Makefield township, Slack's three islands, Duer's island, and Harvey's lower island; opposite to Upper Makefield township, Harvey's upper island and Lowne's island; opposite to Solebury township, Smith's island and bar, and Paxton's island and bar; opposite to Tinnicum township, Pratt's two islands, Wall's island, Resolution island, Marshall's island, Wall's two islands, Fishing island, and Pennington's island; opposite to Nockamixon township, Loughley's island; and opposite the county of Northampton, and the townships hereafter named, that is to say, Williams township, Pohatcung island, Shoemaker's island, and Loor's island; opposite to the Forks township, Easton island; opposite to Mount Bethel, Mason's island and bar, Mason's island, Foulrift island, McElhany's island, and Attin's two islands; opposite to Lower Smithfield, Handy's island and bar, Goodwin's two islands, Shawanagh, or I. and B. Van Campen's island, N. Depew's island and two bars, Chambers' island and Van Oken's island; opposite to Delaware township, Swartwood's island and Isaac Van Campen's island; opposite Upper Smithfield township, Punkey's island and five bars, shall be annexed to the state of Pennsylvania, and considered as parts and parcels thereof.

Islands of New  
Jersey.

And that the following islands, opposite to the county of Hunterdon, in the state of New Jersey, and the townships hereafter named, that is to say, opposite to the township of Trenton, Yard's island, Mott's two islands, and Gould's two islands; opposite to the township of Hopewell, Stout's island; opposite to the township of Amwell, Smith's Mill island, Coryell's island, Holcombe's two islands, Eagle island, and Bull's island; opposite to the township of Kingwood, Rush island, Ridge's island, Shyhawk's three islands, Pinkerton's island, and Man-of-war island; opposite to the township of Alexandria, Stull's island, Lowrey's island, and Loughley's island and bar; and opposite to the county of Sussex, and the townships hereafter named, that is to say, opposite to the township of Greenwich, Rope's island, Champman's island, Stout's island and bar, and Bar island; opposite to the township of Oxford, Capush island, Foulrift island, and Mack's island; opposite to the township of Knowlton, Mack's island and three bars, and Gap island; opposite to the township of Walpack, Hoops' two islands, Chambers' island, A. Van Campen's fishing island, Opaughanaugh island, and Necesses island; opposite to the township of Sandyston, Nominack island, and Westfall's island; opposite to the township of Montague, Minisink island, Quick's two islands and bar, Shabbacung great island and bar, and Westfall's two islands, shall be annexed to the state of New Jersey, and hereafter be considered as parts and parcels thereof, agreeably to a map or chart of the said river, and description of the several islands and insulated dry land therein, made under our direction, by Mr. Reading Howell, surveyor, and herewith exhibited to each state.

Islands hereafter  
formed.

26. *Secondly.* That all other islands which may hereafter be formed within said river, between the falls of Trenton and the station point, or northwest corner of the state of New Jersey aforesaid, shall hereafter be deemed and considered as parts and parcels of the state to which such island may be nearest. *In witness whereof*, we, the commissioners of the states aforesaid, have set our hands and seals to two instruments of writing, one for each state, dated this second day of December, anno domini one thousand seven hundred and eighty-five.

GEORGE WALL, [L. s.]  
JOHN OKELY. [L. s.]

JONAS HARTZELL, [L. s.]  
MOORE FURMAN. [L. s.]

Therefore—

That the aforesaid agreement, and every article, clause, matter, and thing therein contained, shall be and the same is hereby fully and amply ratified and confirmed, and shall be and ever hereafter remain in force, agreeably to the true tenor and extent thereof. (a)

(See act of Pennsylvania, September 25th, 1786.)

The agreement confirmed.

An act providing for the punishment of offenses committed on the river Delaware.

Approved March 14, 1856.

P. L. 1856, p. 242.

27. SEC. 1. That the judicial investigation and determination of any capital or other offense, trespass or damage hereafter committed within and upon the water of the river Delaware, which this state is entitled to enjoy and exercise, by virtue of the agreement set forth in the act entitled "An act to ratify and confirm an agreement made between commissioners appointed by the legislature of the state of Pennsylvania and commissioners appointed by the legislature of the state of New Jersey, for the purpose of settling the jurisdiction of the river Delaware, and islands within the same," passed the twenty-seventh day of March, one thousand seven hundred and eighty-three, shall belong to and be exercised by the courts and officers of the county lying and being nearest to the place where such offense, trespass or act was committed, as fully and in all respects as if the said place was within the body of such county, and it shall be lawful to describe the said offense, trespass or act as having been committed in or upon the water of the river Delaware in the said county. (1)

Jurisdiction of offenses committed on the river Delaware.

(a) The objects and purposes of the compact of 1783, between New Jersey and Pennsylvania, were merely to secure the administration of justice, and to secure to the contracting parties the use of the river as a public highway. The provision for concurrent jurisdiction had reference to the former only, and was merely a police regulation. *Atty. Gen. v. D. & B. E. R. R. Co.*, 12 *C. E. Gr.* 1, 631. The provision of the compact of 1783, on the subject of fisheries, relates to fisheries below the head of tide-water, which were the subject of private ownership and individual occupancy. The right in the riparian owners of several fishery in front of their lands, is distinctly recognized in this state. *Ib.* Pennsylvania gave authority to build a bridge by the act of 1852, incorporating the North Pennsylvania Railroad Company. New Jersey has acquiesced by her silence in the construction which Pennsylvania thus put upon the compact of 1783. *Ib.* Authority to bridge the river has been given by both states. A long interval between the times of giving their consent does not affect it. *Ib.* When Pennsylvania has authorized one of its railroad corporations to bridge the Delaware so as to connect with any New Jersey road, and New Jersey has authorized one of its railroad companies to bridge the Delaware so as to connect with any Pennsylvania road, the states have exercised concurrent jurisdiction under the treaty of 1783, in such manner as to give mutual consent to the erection of a bridge by the New Jersey and Pennsylvania companies jointly, each from its own bank to the center of the stream. *Atty. Gen. v. D. & B. E. R. R. Co.*, 12 *C. E. Gr.* 631. The compact recognizes the right of fishery in riparian owners on the Delaware. *Bennett v. Duggs*, *Bald.* *C. C.* 60. The right of separate fisheries existing in the Delaware, is expressly recognized in the compact, and the right reserved to both states to regulate fishing by persons claiming a common right in said river. *Hart v. Hull*, 1 *Whart.* 124, 136. *Tinticum Fishing Co. v. Carter*, 61 *Pa. St.* 21. *Opinion of Hon. Joel Jones*, 4 *Am. Law Reg.* 582. See *Fisher v. Carter*, 1 *Wall, Jr.* 69, 4 *Grif. Law Reg.* 1290, note. The proviso inserted in the charter of the Delaware Division Canal Company, that the existing natural navigation of the Delaware should not be obstructed or injured thereby, was inserted in consequence of the compact with New Jersey. *McKen v. Del. Div. Canal Co.*, 49 *Pa. St.* 484, 485. The compact between New Jersey and Pennsylvania being made in 1783, before the adoption and ratification of the federal constitution in 1789, was not affected by its adoption, except so far as the states reserved in the compact the right of regulating navigation. *Opinion of Hon. Joel Jones*, 4 *Am. Law Reg.* 582. How far the right of fishing in the Delaware may be considered subordinate to the right of navigation. *Cobb v. Bennett*, 75 *Pa. St.* 326. After a

defendant has been arrested and held to bail in New Jersey, for an offense committed on the Delaware river, within the concurrent jurisdiction of Pennsylvania, he cannot, under the agreement of 1783, be held in Pennsylvania for the same offense. *Commonwealth v. Frazer*, 2 *Phila. Rep.* 191. By the agreement entered into between the states of New Jersey and Pennsylvania, the river Delaware, in its whole length and breadth, is to be and remain a common highway equally free and open for the use of both states, and each state is to enjoy and exercise concurrent jurisdiction within and upon the water between the shores of said river. Both states concurred in granting to complainants the right to erect and maintain their bridge, and take tolls thereon. The legislature of New Jersey afterwards passed an act declaring "that it should not be lawful for any person or persons whatsoever to erect, or cause to be erected, any other bridge or bridges across the said river Delaware at any place or places within three miles of the bridge to be erected." *Held*, that even if it was the intention that this act should take effect without the assent of Pennsylvania, that it is void on the ground that it is a contravention of the agreement above mentioned between the two states. As neither state, by the exercise of her sole jurisdiction, has the right by the terms of the agreement to grant the franchises, so neither can lawfully contract to refuse to grant it. *President, &c. v. Trenton City Bridge Co.*, 2 *Beas.* 46. Under the circumstances as exhibited in the case, it was further held that the act of 1801, which conferred the exclusive privilege on the complainants, was not designed by the legislature of New Jersey to go into effect until the same had received the assent of the legislature of Pennsylvania. *Ib.* The boundary line between New Jersey and Pennsylvania above the falls of the Delaware, extends to the middle of the river. *State v. Metz*, 5 *Dutch.* 122. *State, Easton Bridge Co. v. Metz*, 2 *Vr.* 378. *S. C.*, 3 *Vr.* 169. *Rundle v. Del. & Rar. Canal Co.*, 1 *Wall, Jr.* 275, 294, 302, note, 14 *How.* 80. *Pennsylvania v. Trenton Bridge Co.*, 9 *Am. Law Reg.* 298. The township of Camden and that part of the county included in said township, extend to the middle of the Delaware river; other parts of the county extend only to the eastern side of the river. *State v. Davis*, 1 *Dutch.* 386. See *Montgomery v. Henry*, 1 *Dall.* 49. *Infra*, Sec. 28. That part of the Lambertville bridge which is not within the limits of the town (defined in the charter as running to low-water mark of the river), is not within any county or township of the state. *State v. Hull*, 1 *Dutch.* 561. *Semble* that the cove opposite the mouth of Maurice river is within the jurisdiction of New Jersey, and forms part of Cumberland county. *Kean v. Rice*, 12 *Serg. & Rawle* 203.

(1) The following acts have been passed ceding to the United States jurisdiction over lands for purposes therein designated, viz.: For lands to be occupied as sites of lighthouses. P. L. 1853, p. 38. Supplement to same. P. L. 1854, p. 102. For land in Newark for custom-house. P. L. 1855, p. 248. For erection of defenses at Finn's Point. P. L. 1871, p. 110. Supplement to same. P. L. 1872, p. 8. To provide sites for life-saving stations. P. L. 1872, p. 19. Supplement to same. P. L. 1873, p. 70. For National Cemetery at Beverly. P. L. 1872, p. 37. For government building at Trenton. P. L. 1871, p. 36; 1872, p. 63, and 1872, p. 87. For erection of lighthouse, &c. P. L. 1873, p. 20. For fort at Red Bank. P. L. 1873, p. 47. For post-office, Jersey City. P. L. 1873, p. 156. For lands under tidal-waters for lighthouses, &c. P. L. 1875, p. 28.

## TERRITORY AND JURISDICTION.

## An act for the settlement of the territorial limits and jurisdiction of the state of New Jersey and the state of Delaware.

P. L. 1873, p. 20.  
Appointment of  
commissioners.

Approved February 26, 1873.

**28. SEC. 1.** That the governor shall, by and with the advice and consent of the senate, appoint three commissioners, who shall have full powers on the part of the state of New Jersey, to meet three commissioners appointed or to be appointed under or by virtue of a law of the state of Delaware, to negotiate and agree respecting the territorial limits and jurisdiction of the state of New Jersey and the state of Delaware, and if by death, resignation, or otherwise, a vacancy do happen among those appointed by the state of New Jersey, the governor or person administering the government of this state, is hereby authorized to supply the same.

Power and  
authority of  
commissioners.

**29. SEC. 2.** That the said commissioners on the part of the state of New Jersey, or a major part of them, shall have full power and authority to agree upon, settle and determine the limits of territory and jurisdiction between the said states, as to them may seem just; and their agreement in the premises in writing, signed and sealed by the said commissioners of both, or a majority of them, respectively, if made on or before the first day of January next, shall become binding on the state of New Jersey, when confirmed by the respective legislatures of the state of Delaware and of the state of New Jersey, and the congress of the United States shall consent thereto.

Expenses of com-  
missioners to be  
paid on the war-  
rant of the  
governor.

**30. SEC. 3.** That the said commissioners shall meet at such time and place as they may agree upon; and that the expenses and disbursements of the said commissioners for surveys, if any shall be necessary, for maps and copies of maps, of documents of any kind that may be deemed useful, and for any other purpose which shall aid them in the discharge of their duties, and a reasonable compensation for their services, shall be ascertained and allowed by the governor, and paid by the treasurer, on the governor's warrant, out of any moneys in the treasury not otherwise appropriated.

Copy of act trans-  
mitted to governor  
of Delaware.

**31. SEC. 4.** That the governor shall transmit to the governor of the state of Delaware a copy of this act.

## Supplement.

P. L. 1873, p. 40.  
Preamble.

Approved March 11, 1873.

WHEREAS, It appears that the state of Delaware has in some measure modified the original joint resolution passed by the legislature of that state, with respect to the subject of difference between the state of New Jersey and that state, and thereby declined to submit to commissioners any question as to the title claimed by said state to a part of the Delaware river, but has authorized the submission of the question whether the citizens of New Jersey have the right to fish in that part of the Delaware river claimed by the state of Delaware and the nature and extent of that right; and whereas, it is expedient to settle at this time so much of the difference between the said states as may be settled amicably; therefore,

Powers of the  
commissioners.

**32. SEC. 1.** That the commissioners already appointed under the act to which this is a supplement, and their successors, shall have power to settle so much of the difference between this state and said state of Delaware as the said state of Delaware has submitted, or may from time to time hereafter submit; *provided, however,* that nothing in this act contained shall be construed to, or to authorize said commissioners by any act or agreement to affect any other claim or jurisdiction of New Jersey in or over the whole or any part of the Delaware river or the soil thereof, notwithstanding the settlement of the said fishery question.

Proviso.

Enlarged powers  
of commissioners.

**33. SEC. 2.** That if the said state of Delaware shall hereafter give more enlarged powers to its commissioners, the said commissioners of this state and their successors may act upon and exercise every of the powers given in this act, or the act to which this is a supplement, to the extent of the submission under such enlarged powers so to be given by said state of Delaware.

**34. SEC. 3.** That the said commissioners and their successors shall remain charged with the matters mentioned in the said act to which this is a supplement, until the same shall be finally settled under the powers by said act given, and such as shall be given by said state of Delaware or otherwise, notwithstanding the agreement contemplated by said act to which this is a supplement, may not be made on or before the first day of January next, and that any agreement made under this act or the act to which this is a supplement, shall be submitted to the legislature of this state, and be ratified and confirmed by this state in the manner prescribed by the act to which this is a supplement, and be consented to by congress before the same shall be finally binding on this state.

Agreement to be submitted to the legislature for ratification.

**35. SEC. 4.** That a copy of this act shall be transmitted to the governor of Delaware, and that the same shall take effect immediately.

Copy of act transmitted to governor of Delaware.

Joint resolution relative to the rights of the state of New Jersey in that part of the Delaware river which runs between the states of Delaware and New Jersey.

Approved March 30, 1876. P. L. 1876, p. 419.

Preamble.

WHEREAS, The state of Delaware now claims to own the bed and to have exclusive jurisdiction, from shore to shore, of a portion of the Delaware river, extending from the boundary line between the states of Pennsylvania and Delaware, for some distance below the town of New Castle; and has lately endeavored to exercise jurisdiction co-extensive with said claim; and whereas, this state always claimed and now doth claim to own the bed of said river to the middle thereof, so far as said river lies between this state and the state of Delaware, and to be entitled to exclusive jurisdiction (subject to the constitution of the United States and the acts of congress made in pursuance thereof) over its half of said river, and hath always heretofore exercised jurisdiction accordingly; and whereas, it is desirable and necessary that the rights of this state, as between it and the state of Delaware, in and to said river shall be definitely, finally and conclusively settled; and whereas, the efforts heretofore made to settle said matters of difference by consultation and agreement between the said differing states have proved ineffectual; therefore,

**36. SEC. 1.** That the governor of this state be and he is hereby authorized to cause to be instituted and prosecuted, in the supreme court of the United States, a suit in equity, or an action at law, by the state of New Jersey against the state of Delaware, to ascertain, determine and settle the true territorial boundary line between said states and the extent of the jurisdiction of each of said states in and on said river and for that purpose the governor shall have power to employ, on behalf of this state, counsel to assist the attorney-general in the commencement and prosecution of said suit, or action, and the expenses necessarily and reasonably attending the commencement and prosecution of said suit, or action, on bills certified by the governor, shall be paid out of any moneys in the treasury not otherwise appropriated. (a)

Governor authorized to cause to be instituted and prosecuted a suit against the state of Delaware.

May employ counsel to assist the attorney-general.

Expenses, how paid.

#### IV. Preservation of state boundary monuments.

An act to provide for the preservation and protection of the state boundary monuments and marks.

Approved March 23, 1888. P. L. 1888, p. 205.

**37. SEC. 1.** That in case any of the monuments or marks set for designating the boundaries or partition lines between this and any of the adjoining states be destroyed, mutilated or their integrity in any way endangered, the governor of this state is hereby empowered to cause such monuments or marks to be restored, repaired or protected in such way as may secure

Governor empowered to cause monuments to be restored.

(a) The territory of the state of Delaware within "the twelve-mile circle," extends across the Delaware river to low-water mark on the New Jersey shore. *Pea Patch Case*, 1 Wall. Jr. Ap. IX. *Emory v. Collings*, 1 Har. (Del.) 328, note (a).

**Expenses.**

their preservation and identity; and the necessary expenses incurred in carrying out these purposes, shall be paid upon the warrant of the comptroller, by the treasurer of the state, upon all bills contracted for this purpose, and approved by the governor.

An act to provide for the care and preservation of the monuments marking the boundary lines of this state.

P. L. 1891, p. 321.

Riparian commissioners to cause an inspection of the monuments marking the boundary lines of the state every three years and make report to the legislature.

Approved April 4, 1891.

**38. SEC. 1.** That the riparian commissioners of this state are hereby authorized and directed during the year one thousand eight hundred and ninety-three, and every third year thereafter, to cause to be made an examination and inspection of all the said monuments upon the state boundary lines and to make a detailed report thereof to the legislature, and if any of such monuments be found injured, displaced or removed, the said commissioners are hereby authorized and directed, in co-operation with persons duly authorized by the adjoining state, to repair, restore or replace the same and to cause suitable stone monuments to be set wherever such are now wanting at the points where said state boundary is intersected by the boundary of any towns or counties of this state, or by any highway, and for the purpose of carrying out the provisions of this act the said commissioners are authorized to expend such reasonable sum or sums of money as may be necessary to defray the expenses of such examination, repair or restoration of said monuments, with the incidental expenses connected therewith, payable to said commissioners by the treasurer of this state on their certificate of said expenses when approved by the governor and state comptroller.

### V. Grants and cessions to the United States.

An act granting the consent of the state of New Jersey to the purchase by the United States of certain lands for the purpose of erecting public buildings in the city of Newark, county of Essex, and in the city of Camden, county of Camden.

P. L. 1888, p. 244.

Consent of the state given to the purchase of lands by the United States.

Approved March 23, 1888.

**39. SEC. 1.** That the consent of the state of New Jersey is hereby given to the purchase by the United States of one or more pieces of land situated in the city of Newark, county of Essex, not exceeding two acres in quantity, and one or more parcels of land situated in the city of Camden, county of Camden, not exceeding two acres in quantity, on which to erect buildings for post-offices and other public purposes; and the said United States shall have, hold, use, occupy and own the said land or lands when purchased, and exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereinafter mentioned.

When purchased, jurisdiction ceded to the United States.

**40. SEC. 2.** That the jurisdiction of the state of New Jersey in and over the said land or lands mentioned in the foregoing section, when purchased by the United States, shall be and the same is hereby ceded to the United States, but the jurisdiction hereby ceded shall continue no longer than the said United States shall own the said land or lands.

Consent given and jurisdiction ceded on certain conditions.

**41. SEC. 3.** That the said consent is given and the said jurisdiction ceded upon the express condition that the state of New Jersey shall retain concurrent jurisdiction with the United States in and over the said land or lands, so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the state of New Jersey against any person or persons charged with crimes or misdemeanors committed within said state, may be executed therein in the same way and manner as if said consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

Jurisdiction not to vest until title acquired.

**42. SEC. 4.** That the jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said land or lands by purchase or grant; and so long as said land or lands shall remain the

property of the United States, when acquired as aforesaid, and no longer, the same shall be and continue to be exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of the state.

Lands exempt from taxation.

An act to vacate streets, highways and public places laid out on lands required for the uses of the United States.

Approved April 2, 1888.

P. L. 1888, p. 356.

43. SEC. 1. That in any case where the United States, or any officer of the United States, has or may hereafter, in pursuance of law, lease or purchase any lands within this state for government purposes, and it may be desirable that any streets, highways or public places which may have been laid out upon any map of the said lands, should be vacated, the attorney-general, by direction of the governor, shall, on request of the said lessee, owner, officer or proper authority of the United States, make application to a justice of the supreme court of this state for the appointment of commissioners to examine into and adjudge the true value of any rights, ways, easements or servitudes in or upon the said lands, or any parts thereof, and to acquire and extinguish the same.

Proceedings when it is desirable to vacate streets, &c.

44. SEC. 2. That the justice of the supreme court to whom such application shall be made is authorized to appoint three disinterested freeholders as such commissioners; the said commissioners, before entering upon the discharge of their duties, shall severally take before a master in chancery of this state, an oath or affirmation faithfully, impartially and justly to perform all the duties required of them by this act, and that if the said commissioners shall be unable to agree with the persons holding or entitled to incumbrances, rights, private ways, easements or servitudes in, upon or over said tract of land, or any part thereof, for the purchase, conveyance or extinguishment thereof, or cannot satisfactorily ascertain such owners or persons, or if such owners or persons cannot make and execute valid conveyances for the same, then the said commissioners shall proceed to examine into and adjudge the true value of the said rights, private ways, easements or servitudes in or upon said land, or any part thereof, and that thereupon they shall fix a time and place of meeting in some place near the said lands; and summon to attend, and be heard before them, at such time and place, all persons claiming to hold incumbrances thereon, and also all persons or corporations claiming to have lawfully acquired and to be entitled to any private ways, or other easements or servitudes whatever, in, upon or over the said tract of land or any part thereof; such summonses shall declare that the state of New Jersey is about to take for the public use of the United States all said rights, private ways, easements or servitudes whatever in, upon or over the same, or any part thereof, and that the said commissioners are about to ascertain the values thereof respectively, which summons shall be served upon all residents of this state known to the commissioners to be claimants or incumbrancers of or upon said tract of land, or any part thereof, or as holders of any rights, private ways, easements or servitudes therein or thereon; and such summonses shall be served by agents to be appointed by said commissioners, and in the same manner as summonses issued out of the supreme court of this state are now required by law to be served, and in like manner, upon all persons claiming to be entitled to any private ways or other easements or servitudes whatever in, upon or over the same, or any part thereof; the said commissioners shall also publish for one month in at least two newspapers printed and published in the county in which said lands are situate a like summons, addressed to all persons not resident in the state of New Jersey, and to all persons resident in or out of said state and unknown to said commissioners, who claim to be owners of incumbrances upon said tract of land, or any part thereof, or to be entitled to any rights, private ways, or other easements or servitudes whatever in, upon or over said tract of land or any part thereof, requiring such persons to attend and be heard before them, at the time and place fixed by said commissioners as hereinbefore directed; and such service and publication

Proceedings when commissioners unable to agree with incumbrancers or claimants.

shall be deemed and taken to be due notice to all persons interested, of the intention of the state of New Jersey to take the said private ways, easements or servitudes for the public use of the United States, and due notice to such persons of the opportunity afforded them to be heard thereon.

Proceedings at the hearing before the commissioners.

**45. SEC. 3.** That at the time and place so fixed the said commissioners shall hear representations of all the claimants as aforesaid, who shall attend before them for that purpose, in respect to the value of the said private ways, easements or servitudes aforesaid, and shall inspect all documentary proofs offered by such claimants before them, and shall take the depositions of such witnesses as shall be produced to testify before them, either in behalf of said claimants or of the state or the United States, and for that purpose they are hereby empowered to administer oaths or affirmations to such witnesses, and to employ a stenographer to reduce such depositions to writing, who shall receive the compensation now prescribed by law to be paid to stenographers appointed by the circuit courts or the state; the said commissioners may adjourn the proceedings before them from time to time, and shall orally announce at the close of each of their meetings the time and place at which their next meeting will be held.

After hearing, commissioners to ascertain value of private way, &c., and make award thereof.

**46. SEC. 4.** That after the hearing before prescribed, the said commissioners shall proceed and ascertain the value of each private way, or other easement or servitude whatever, in, upon or over the same or any part thereof, and shall make their award thereof in writing, and return and file the same in the office of the clerk of the supreme court, and on the payment of the amount of said award and the cost of the said proceedings into the supreme court to the clerk thereof, it shall be the duty of a justice of the said court to give notice, in such manner as he shall prescribe, to the several claimants of said funds named in said award, and to all other persons claiming the same, to appear before him and present their claims thereto, and the said justice shall adjudge the validity of their claims and order payment thereof as he shall deem equitable and just.

When funds paid, governor to take possession.

**47. SEC. 5.** That so soon as the said funds shall have been paid into the supreme court as aforesaid, the governor of this state shall take possession of all the said private ways or other easements or servitudes whatever, in, upon or over the same, for the public use of the United States; and that upon such taking, all roads, avenues, streets or ways, and public places, embraced within the limits of said tract of land, shall be vacated and made void; and it shall not be lawful for any public or municipal body, or any person or corporation, to open or use the same, and the land when so taken shall be held free from any and every easement of way over the same.

Roads, &c., vacated.

An act ceding to the United States jurisdiction over a lot of land, situate in the city of Hoboken, and for other purposes therein mentioned.

P. L. 1889, p. 12.

Approved February 5, 1889.

WHEREAS, The United States have recently appropriated money for the erection of a building in the city of Hoboken for the accommodation of the post-office, the United States courts, pension and internal revenue offices; therefore,

Certain lands ceded to the United States.

**48. SEC. 1.** That jurisdiction of the land and its appurtenances that may be purchased in said city of Hoboken, for the erection of the aforesaid building, be, and the same is hereby ceded to the United States of America; *provided*, that all civil and criminal process, issued under the authority of this state, or any officer thereof, may be executed on said land in the same way and manner as if jurisdiction had not been ceded as aforesaid.

Proviso.

**49. SEC. 2.** That the said land, with its appurtenances and the building, and other property thereon, shall forever hereafter be exempted from all state, county and municipal taxation and assessment, so long as the same shall remain the property of the United States of America.

Lands, &c., exempted from taxes and assessments.

**An act to facilitate certain improvements in the harbor of Philadelphia.**

Approved March 12, 1890.

P. L. 1890, p. 55.

Preamble.

WHEREAS, The government of the United States of America has undertaken and is about to make improvements in the harbor of Philadelphia, requiring excavation and removal of soil in order to deepen the waters of said harbor in front of Petty's island in the Delaware river; *and whereas*, the lands below high-water mark in front of Petty's island and in the bed of the Delaware river are the lands of the state of New Jersey, and the deepening of said water cannot be effected without excavation and removal of considerable portion of the said land; *and whereas*, the improvement of the waters of said harbor will be a great benefit to the people of this state; therefore,

**50. SEC. 1.** That the lands under water in the Delaware river below high-water mark, in front of Petty's island, belonging to this state, be and the same are hereby ceded to the United States of America so far as the same may be necessary to be used or taken in the making of the improvements now being or about to be made by the government of the United States of America in the harbor of Philadelphia; *provided*, that this act shall not be construed so as to affect the right to or the amount of damages claimed by any owner of the upland by reason of his adjacency to tide-water.

Certain lands ceded to the United States.

Proviso.

**An act ceding to the United States jurisdiction over a lot of land situate in Atlantic county, and exempting the land from taxation.**

Approved May 23, 1890.

P. L. 1890, p. 351.

Preamble.

WHEREAS, The United States are about to purchase a lot of land situate in Atlantic county, near Absecom inlet, for a site for a buoy depot; therefore,

**51. SEC. 1.** That jurisdiction of the said lot of land and its appurtenances, when it shall have been purchased for the said purpose, is hereby ceded to the United States of America; *provided*, that all civil and criminal process, lawfully issued in this state, may be executed on said land in the same manner as if jurisdiction had not been ceded as aforesaid.

Certain lands ceded to the United States.

Proviso.

**52. SEC. 2.** That the said lot of land, with its appurtenances and the buildings thereon, shall hereafter be exempted from all taxes so long as it shall remain the property of the United States.

Land exempted from taxes.

**An act ceding to the United States jurisdiction over a lot of land situate in Cape May city, and exempting the same from taxation.**

Approved May 23, 1890.

P. L. 1890, p. 352.

Preamble.

WHEREAS, The United States is about to purchase a lot of land situate in Cape May city, for a site for a boathouse; therefore,

**53. SEC. 1.** That jurisdiction of the said lot of land and its appurtenances, when it shall have been purchased for the said purpose, is hereby ceded to the United States of America; *provided*, that all civil and criminal process lawfully issued in this state may be executed on said land in the same manner as if jurisdiction had not been ceded as aforesaid.

Certain land ceded to the United States.

Proviso.

**54. SEC. 2.** That the said lot of land, with its appurtenances and the buildings thereon, shall hereafter be exempt from all taxes so long as it shall remain the property of the United States.

Land exempted from taxes.

**An act granting the consent of the state of New Jersey to the purchase or condemnation by the United States of certain lands for the purpose of erecting public buildings in the city of Newark, county of Essex.**

Approved June 13, 1890.

P. L. 1890, p. 453.

**55. SEC. 1.** That the consent of the state of New Jersey is hereby given to the purchase or condemnation by the United States of one or more pieces of land situated in the city of Newark, county of Essex, not exceeding two

Consent given by state to purchase or condemnation of certain land by the United States.

The United States to use and occupy said lands.

Certain land ceded to the United States when purchased or condemned.

Certain restrictions attached.

Jurisdiction not vested until title is acquired. Exonerated from taxes.

acres in quantity, on which to erect buildings for post-offices and other public purposes; and the said United States shall have, hold, use, occupy and own the said land or lands when purchased or condemned, and exercise jurisdiction and control over the same, and every part thereof, subject to the restrictions hereinafter mentioned.

**56. SEC. 2.** That the jurisdiction of the state of New Jersey, in and over the said land or lands mentioned in the foregoing section, when purchased or condemned by the United States, shall be and the same is hereby ceded to the United States, but the jurisdiction hereby ceded shall continue no longer than the said United States shall own the said land or lands.

**57. SEC. 3.** That the said consent is given, and the said jurisdiction ceded, upon the express condition that the state of New Jersey shall retain concurrent jurisdiction with the United States in and over the said land or lands, so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the state of New Jersey against any person or persons charged with crimes or misdemeanors committed within said state, may be executed therein in the same way and manner as if said consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

**58. SEC. 4.** That the jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said land or lands by purchase, condemnation or grant; and so long as said land or lands shall remain the property of the United States, when acquired as aforesaid, and no longer, the same shall be and continue to be exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of the state.

An act ceding to the United States of America jurisdiction over a lot of land situate in the city of Paterson, and exempting the same and its appurtenances from taxation.

P. L. 1893, p. 11.  
Preamble.

Approved January 18, 1893.

WHEREAS, The United States of America have recently appropriated money for the erection of a building in the city of Paterson for the accommodation of the post-office and other governmental offices of the United States; therefore,

Certain lands ceded to United States.

Proviso.

**59. SEC. 1.** That jurisdiction of the land and its appurtenances which have been purchased in said city of Paterson for the erection of the aforesaid building, be and the same is hereby ceded to the United States of America; *provided*, that all civil and criminal process, issued under the authority of this state, or any officer thereof, may be executed on said land in the same way and manner as if jurisdiction had not been ceded as aforesaid.

Lands ceded exempt from taxation.

**60. SEC. 2.** That the said land, with its appurtenances, and the building and other property thereon, shall forever hereafter be exempt from all state, county and municipal taxation and assessment so long as the same shall remain the property of the United States of America.

An act to authorize the acquisition by the United States of a tract of land in the township of Middletown, in the county of Monmouth and state of New Jersey, to be used for the purpose of erecting and maintaining thereon fortifications and accessories for the defense of the southern entrance to New York harbor.

P. L. 1893, p. 93.  
Preamble.

Approved March 7, 1893.

WHEREAS, The United States has acquired, by purchase, a tract or parcel of land situate, lying and being in the township of Middletown, in the county of Monmouth and state of New Jersey, and which is more particularly described as follows: beginning at the government stone monument in southwest corner of the United States lighthouse reservation for Bayside beacon, on the south shore of Raritan bay and southeast of Point Comfort; running thence north eleven degrees and forty-nine minutes west (N. 11°

49' W.) in a straight line, passing through a monument two hundred and two and eight-tenths ( $202\frac{8}{10}$ ) feet from the point of beginning, a distance of three hundred and sixty-seven and sixty-two hundredths ( $367\frac{62}{100}$ ) feet; thence, south nineteen degrees and fifty-three minutes west (S.  $19^{\circ} 53'$  W.), three hundred and eighty-five and five-tenths ( $385\frac{5}{10}$ ) feet; thence, north, sixty-six degrees and forty-five minutes west (N.  $66^{\circ} 45'$  W.), thirteen hundred and seventy-six (1376) feet; thence, south eleven degrees and fifty minutes east (S.  $11^{\circ} 50'$  E.), fourteen hundred feet; thence, north seventy-eight degrees and ten minutes east (N.  $78^{\circ} 10'$  E.), seven hundred and forty-three and three-tenths ( $743\frac{3}{10}$ ) feet; and thence, north thirty-three degrees and fifty-nine minutes east (N.  $33^{\circ} 59'$  E.), eight hundred and sixteen and five-tenths ( $816\frac{5}{10}$ ) feet to the point or place of beginning, containing twenty-five and seven hundred and thirty-four thousandths ( $25\frac{734}{1000}$ ) acres; therefore.

**61. SEC. 1.** That the consent of the state of New Jersey is hereby given to the acquisition by the United States of the tract or parcel of land above described, and the same is hereby ceded to the United States of America; upon the said land so acquired the United States may erect fortifications, barracks, and other public buildings, for the defense of the southern or main entrance to New York harbor, and the United States shall have, hold, occupy and own said land thus acquired, and exercise jurisdiction and control over the same and every part thereof subject to the restrictions hereafter mentioned; the same, however, not to be used for quarantine purposes.

State of New Jersey cedes certain lands to the United States for fortifications, &c.

**62. SEC. 2.** That the jurisdiction hereby ceded shall vest when a plat and description of the land thus acquired shall have been filed in the office of the secretary of state of the state of New Jersey; such jurisdiction shall continue no longer than the United States shall own such land, and such consent is given and jurisdiction ceded upon the express condition that the state of New Jersey shall retain concurrent jurisdiction with the United States in and over such land so far as that all civil processes in all cases, and such criminal and other processes as may issue under the laws or authority of the state of New Jersey against any person or persons charged with crimes, misdemeanors or criminal offenses committed within the state may be executed thereon, in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such processes may affect the real or personal property of the United States.

Jurisdiction vested when description is filed in office of secretary of state.

**63. SEC. 3.** That so long as such land thus acquired shall remain the property of the United States, and no longer, the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of the state.

While property of United States, not taxable by the state.

## Thread.

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|--|--|
| 1. Spools and packages to be marked with number of yards they contain. | 3. Penalty for selling or offering for sale without label. |
| 2. Penalty for neglect to affix such marks.                            | 4. Act only to apply to cotton thread.                     |

### An act to prevent frauds in the sale of thread.

Approved April 1, 1869. P. L. 1869, p. 1150.

**1.** That every manufacturer of sewing thread, or person engaged in putting up sewing thread on spools or in packages intended for sale, shall, before the same is offered for sale, affix to each spool or package a label or ticket designating the actual number of yards which each spool or package contains.

Spools or packages to be marked with number of yards they contain.

**2.** That if any manufacturer, or person so engaged as aforesaid, shall purposely neglect to affix such label to each spool or several packages of thread manufactured or put up as aforesaid, or shall, with intent to deceive, affix, or cause to be affixed, a label or ticket to any spool or package of thread intended for sale, specifying that such spool or package contains a

Penalty for neglect to affix such marks.