[illegible] require such local authority and such railroad company to transmit such views within a period of time to be prescribed by the commission. Thereafter the commission may make such changes in or modifications of such plan as the commission in its discretion may deem to be advisable. The commission shall thereafter formally adopt the plan and call upon each of the railroad companies which owns or operates any of the lines included therein to inform it within a period of time to be fixed by the commission whether it elects to accept such plan and be included in the arrangements to be made thereunder. If the railroad companies do so accept, or if in the judgment of the commission a sufficient number of them so accept as to justify carrying out the plan, the commission shall proceed with the preparation of contracts, plans and specifications and such other action as may be necessary to carry out the plan.

Before finally fixing the terms and conditions of any contract required to carry out the plan the commission shall hold a public hearing in accordance with the provisions of section thirty-seven of the rapid transit act. Upon the adoption of such contract or contracts or any other contract the commission shall transmit the same to the local authority of the city and request its approval thereof. If such local authority shall refuse to approve such contract or contracts it shall within thirty days from the date of the first meeting of the local authority following their receipt return them to the commission with a statement of the reasons of such local authority for such refusal. The commission shall thereupon consider such reasons and, if so requested by the local authority, shall hold a further such public hearing upon such contract or contracts and such reasons for refusal. The commission shall make such changes in such contract or contracts as it may deem advisable and shall then resubmit them to such local authority for approval. If within thirty days after the date of the first meeting of such local authority following the receipt of such contract or contracts so resubmitted the local authority shall refuse or neglect to approve the same, or if upon the original submission of such contract or contracts to the local authority it shall not approve the same and fail to return them to the commission as above provided, the commission may in the name and in behalf of the city execute and deliver such contract or contracts with full legal force and effect as if all approvals by the local authority and by any local officer had been given, any requirement for such approval by the local authority or approval as to form by any local officer whether by provision of law or contract or otherwise, including the provisions of the Greater New York charter, and of article two-a of the general city law, as added by chapter two hundred and forty-seven of the laws of nineteen hundred and thirteen, to the contrary notwithstanding, except as provided in section one hundred and nine of this article.

The plan of readjustment may include a single plan embracing all the railroads the commission decides should be included thereunder or may include several plans embracing one or more railroads or systems of railroads as the commission may decide. The commission may, if in its judgment such action is necessary, but only after a public hearing, modify such plan or plans after it shall have formally adopted the same. The commission may further extend any period of time prescribed in this article or by it thereunder.

§ 108. Additional powers and duties of commission. All the powers and duties under the rapid transit act and under any other law and under any contract of the board of rapid transit railroad commissioners, of the former public service commission of the first district as successor to such board of rapid transit railroad commissioners, of the transit construction commissioner as successor to the powers and duties of such public service commission of the first district, and of the local authority of such a city to approve contracts or modifications of contracts under any provision of the rapid transit act or of any contract heretofore made, are hereby transferred to and vested in the commission, together with such other and necessary powers as may be requisite to the efficient performance of the duties imposed upon the commission by such laws and contracts. All powers and duties conferred or imposed on the former public service commission for the first district by chapter seven hundred and seventy-seven of the laws of nineteen hundred and eleven, as amended by chapter seven hundred and nineteen of the laws of nineteen hundred and seventeen, are also hereby transferred to and vested in the commission.

In addition to its powers under the rapid transit act, the commission, in connection with any such plan, shall have and exercise in any such city the authority, subject to the other provisions of this article, to make contracts for the use of streets of any such city for street surface railroads and for stage and omnibus routes. Any such contracts shall be in the form of a certificate, or contract with terms and conditions as nearly as may be as required by the rapid transit act in a case of rapid transit railroads under section twenty-four and sections twenty-six and twenty-seven, and providing for limitation of such rights to a definite term or for a right of termination by the city on notice with provision for making good to the contractor his investment under such contract.

The commission from time to time may agree with railroad companies upon changes in and modifications of the terms and conditions of any contract under or pursuant to which any railroad, or any part thereof, has been or is to be constructed, equipped, maintained or operated, or such contract may be cancelled and replaced by a new contract to include the railroads embraced in such existing contract. The commission may include therein provision for the acquisition by the city of the railroads or any of them or portions of any of them and is authorized and empowered on behalf of the city to accept title thereto and to provide for the payment thereof through amortization or otherwise as the commission may determine.

Any contract made by the commission and any modification of any contract shall be in the form and shall contain the terms and conditions required in the case of rapid transit railroads by the rapid transit act, except that the time for the beginning of the right of termination on notice as provided in such act shall not be more than ten years from the date of the delivery of the contract or modification of an existing contract and except that the commission may make necessary provision for the amortization of outstanding securities in the case of the acquisition of railroads. The approval as to form of any contract or the modification of any contract by the corporation counsel or other chief legal adviser of such city shall not be required in the case of contracts or modifications of contracts entered into under the provisions of this article.

The commission for the purpose of being empowered fully and lawfully to execute and deliver such contracts or modification of contracts is made the successor of the local authority in respect of any power or right of approval under any law or contract including any power or right of approval to modifications of any contract; except as expressly provided in section one hundred and nine of this article.

§ 109. Approval of local authority necessary to certain contracts or modifications. Any other provision of this article to the contrary notwithstanding, the commission shall not make any new contract or modify any contract for the construction, equipment, maintenance or operation of the railroads or any of them without the approval or consent of the local authority, where such new contract or modification of an existing contract requires to carry it out the authorization by the local authority of corporate stocks or bonds of the city in addition to the corporate stock or bonds required to carry out such existing contract, or would result in replacing within the debt limit of the city under the constitution of the state corporate stock or bonds which have been excluded therefrom under orders of the appellate division of the supreme court, or where such contract or modification of an existing contract adopts or so modifies a route or routes and general plan of a railroad as to require consents therefor under section eighteen of article three of the constitution of the state.

§ 110. Exemptions from organization and mortgage taxes. If under the contract or contracts or modification of contracts provided for in this article the title to the railroads is vested in the city the organization or reorganization of the lessee corporation and the mortgaging of its property and rights is exempted from taxation under the organization tax imposed by section one hundred and eighty-one of the tax law, and the mortgage tax imposed by article eleven of the tax law.

§ 111. [illegible] laws inapplicable. The provisions of any act or parts of [illegible] New York [illegible]

[illegible] article. [illegible] in original [illegible] rights [illegible] this article [illegible] thereunder.

§ 70. Sections one hundred and [illegible] hundred and twenty-two [illegible] thus renumbered by chapter six hundred and seventy-three of the laws of nineteen hundred and ten are hereby amended to read as follows:

§ 120. Board of railroad commissioners abolished; effect thereof. The board of railroad commissioners was abolished on July first, nineteen hundred and seven, the powers and duties of such board conferred and imposed by any statute of this state shall hereafter be exercised and performed by the public service commission or the transit commission determinable upon whether jurisdiction of the subject matter thereof is vested in one or the other.

§ 121. Commission of gas and electricity abolished; effect thereof. The commission of gas and electricity was abolished on July first, nineteen hundred and seven. All the powers and duties of such commission conferred and imposed by any statute of this state shall hereafter be exercised and performed by the public service commission.

§ 122. Inspector of gas meters abolished; effect thereof. The offices of inspector and deputy inspectors of gas meters were abolished on July first, nineteen hundred and seven. All the powers and duties of such inspector conferred and imposed by any statute of this state shall hereafter be exercised and performed by the public service commission. But any meter inspected, proved and sealed, by the said inspector of gas meters, prior to July first, nineteen hundred and seven, shall be deemed to have been inspected by the commission.

§ 71. Sections one hundred and twenty-four and one hundred and twenty-five of such chapter, as thus renumbered by chapter six hundred and seventy-three of the laws of nineteen hundred and ten, are hereby repealed.

§ 72. Section one hundred and twenty-six of such chapter, as thus renumbered by chapter six hundred and seventy-three of the laws of nineteen hundred and ten and amended by chapter five hundred and twenty of the laws of nineteen hundred and nineteen, is hereby amended to read as follows:

§ 126. Construction. Wherever the terms board of railroad commissioners, or commission of gas and electricity or inspector of gas meters or board of rapid transit railroad commissioners or transit construction commissioner or public service commission or public service commission for the first district or public service commission of the second district occur in any law, contract or document or whenever in any law, contract or document reference is made to such boards, commissions, commissioners or inspector, such terms or reference shall be deemed to refer to and include either the public service commission or the transit commission as established by this chapter, so far as such law, contract or document pertains to matters which are within the jurisdiction of such commission.

§ 73. Appointment of public service commissioners and transit commissioners. Within ninety days after this act takes effect the governor, by and with the advice and consent of the senate, shall appoint five public service commissioners and three transit commissioners, and thereupon the terms of office of the public service commissioner of the first district, the deputies, counsel, secretary and examiners of the public service commission of the first district, the term of office of the public service commissioners, counsel and secretary of the public service commission of the second district, and the term of office of the transit construction commissioner and deputy transit construction commissioner now in office, shall expire; but until such public service commissioners and transit commissioners shall have been appointed, and shall have been confirmed by the senate and shall have qualified, the public service commissioner of the first district, the public service commissioners of the second district and the transit construction commissioner shall exercise all the powers and perform all the duties of their respective offices, as prescribed by law immediately prior to the time this section takes effect.

§ 74. Transfer of officers and employees. Officers and employees of the public service commission of the second district and officers and employees of the public service commission of the first district performing services in respect of matters jurisdiction whereof is vested by this act in the public service commission shall be eligible for transfer and appointment without examination to similar offices and positions in the office of the public service commission. Officers and employees of the public service commission of the first district and of the transit construction commissioner performing services in respect of matters jurisdiction whereof is vested by this act in the transit commission shall be eligible for transfer and appointment without examination to similar offices and positions in the office of the transit commission.

§ 75. Transfer of records. The public service commission of the second district shall deliver to the public service commission all contracts, books, maps, plans, papers and records of whatever description within its jurisdiction or under its control; and the public service commission of the first district and the transit construction commissioner shall deliver in like manner to the transit commission all contracts, books, maps, plans, papers and records of whatever description or within its jurisdiction or control. The public service commission and the transit commission shall thereafter each transfer to the other commission all books, maps, plans, papers and records of whatever description pertaining to subjects or matters jurisdiction whereof is vested, by this act, in such other commission. A commission to which such transfer and delivery is directed by this act is authorized to take possession of all such contracts, books, maps, plans, papers and records.

§ 76. Pending actions and proceedings. This act shall not affect any actions or proceedings, civil or criminal, brought by or against the public service commission of the first district, the public service commission of the second district or the transit construction commissioner, or formerly brought against the board of railroad commissioners or the board of rapid transit railroad commissioners, or the former public service commission of the first district, but the same may be prosecuted or defended in the name of the public service commission or of the transit commission, determinable upon whether jurisdiction of the subject matter thereof is vested in one or the other of such commissions, and the commission succeeding to such jurisdiction, upon application to the court, shall be substituted as a party in such pending action or proceeding. Any investigation, examination or hearing, undertaken, commenced or instituted by the public service commission of the second district, the public service commission of the first district or the transit construction commissioner before the time this act takes effect may be conducted to final determination by either the public service commission or the transit commission, determinable upon whether jurisdiction of the subject matter thereof is vested in the one commission or the other by the public service commission law, as amended by this act.

§ 77. Continuity of commissions. The public service commission as constituted in pursuance of the public service commissions law as amended by this act, shall be deemed and held to constitute a continuation as to matters within its jurisdiction of the public service commission of the second district, as now constituted, and not as a new commission, for the purpose of succession to all the rights, powers, duties and obligations of the public service commission of the second district as now constituted, except as provided by this act, with the same force and effect as if such modifications were made without any change in the membership of the present commission; and the present public service commission of the second district, as now constituted, and the public service commission to be constituted in pursuance of the public service commissions law as amended by this act, shall be deemed and held to be one continuing commission notwithstanding the changes in the membership thereof. The transit commission as constituted in pursuance of the public service commissions law as amended by this act shall be deemed and held to constitute a continuation as to matters within its jurisdiction of the public service commission of the first district, as now constituted, and of the office of transit construction commissioner, as now constituted, not as a new commission for the purpose of succession to all the rights, powers, duties and obligations of the public service commission of the first district as now constituted, and of the office of transit construction commissioner as now constituted, except as provided by this act, with the same force and effect as if such modifications were made without change in the membership of the present public service commission of the first district or in the office of the transit construction commissioner, and the transit commission as constituted by the public service commissions law as amended by this act shall be deemed and held [illegible] a continuation of the present public service commission of the first district [illegible] constituted, and of the office of transit construction commissioner as now constituted.

§ 78. Appropriations. The balance of [illegible] hundred and [illegible]

[illegible] of the money appropriated by the state for personal service, maintenance and operation of the public service commission of the first district, is hereby reappropriated for the payment of charges for personal service, maintenance and operation at the time this act takes effect, or which shall thereafter become due, and which would be chargeable against such money if this act had not been passed, and for the payment of the salaries of the transit commissioners, and of the counsel and secretary of the transit commission, which become due prior to July first, nineteen hundred and twenty-one, and also for the payment of the salaries which become due prior to such date of such officers and employees of the public service commission of the first district as are transferred pursuant to this act from the office of the public service commission of the first district to the office of the public service commission.

The sum of two hundred and thirty-seven thousand and sixty-three dollars and thirty-four cents ($237,063.34), being the balance unexpended of the money appropriated by the state for personal service, maintenance and operation of the public service commission of the second district, is hereby reappropriated for the payment of charges for personal service, maintenance and operation at the time this act takes effect, or which shall thereafter become due, and which would be chargeable against such money if this act had not been passed, and for the payment of charges for personal service, maintenance and operation of the public service commission, which becomes due prior to July first, nineteen hundred and twenty-one.

§ 79. Taking effect. This act shall take effect immediately.

State of New York, Office of the Secretary of State, ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

JOHN J. LYONS,
Secretary of State.

LAWS OF NEW YORK.—By Authority.
CHAP. 135.

AN ACT to amend chapter five hundred and thirty-five of the laws of nineteen hundred and fifteen, entitled "An act to consolidate and revise the several acts relative to the city of Olean," in relation to the compensation of assessors.

Became a law April 1, 1921, with the approval of the Governor. Passed, three-fifths being present.

Accepted by the City.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section twenty-three of chapter five hundred and thirty-five of the laws of nineteen hundred and fifteen, entitled "An act to consolidate and revise the several acts relative to the city of Olean," is hereby amended to read as follows:

§ 23. The assessors shall perform all duties required of them by this act in relation to the assessment of property in said city, as well as for the purpose of levying taxes imposed by the board of supervisors of the county of Cattaraugus as those imposed by the common council of the city; and to that end they shall possess all the powers and authority, and perform all the duties of and proceed in the same manner and make an assessment at the same time as town assessors in said county, except as otherwise herein provided. The assessors of said city shall annually between the fifteenth day of March and the first day of July, ascertain by diligent inquiry, all the property, and the names of all the persons taxable therein. When the assessors have completed their assessment and on or before the fifth day of July in each year they shall furnish the clerk with all the necessary matter and information to enable him to prepare the assessment roll, which he shall complete, and upon completion thereof the same shall be compared and corrected by the assessors and thereafter and on or before the first day of August in each year the assessors shall deliver the same to the clerk in whose custody it shall remain until the review day. And thereupon the assessors shall give the notice prescribed by law for assessments in towns, except that the notice instead of stating that the assessment-roll has been left with one of the assessors shall state that it has been left with the clerk. Upon the review day the said assessment-roll shall be delivered to the assessors and they shall thereupon proceed as is provided by law for reviewing assessments in towns. The common council shall have power to examine and correct said city assessment-roll in the same manner as the board of supervisors may, by law, examine and correct town assessment-rolls; and shall possess all the powers in relation to said city assessment-rolls and the levying of city taxes, that boards of supervisors have by statute with respect to town assessment-rolls, and the levying of state and county taxes. The assessors shall each receive as compensation for their services such compensation as the common council shall fix. And their claims for such service shall be audited by the common council in the same manner as other claims against the city.

§ 2. This act shall take effect immediately.

State of New York, Office of the Secretary of State, ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

JOHN J. LYONS,
Secretary of State.

LAWS OF NEW YORK.—By Authority.
CHAP. 141.

AN ACT to amend the county law, in relation to compensation of county judge holding court in another county.

Became a law April 1, 1921, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two hundred and thirty-three of chapter sixteen of the laws of nineteen hundred and nine, entitled "An act in relation to counties, constituting chapter eleven of the consolidated laws," as last amended by chapter seventy of the laws of nineteen hundred and fourteen, is hereby amended to read as follows:

§ 233. When and how paid. Such salaries, except in the counties of Kings, Broome and Westchester, shall be paid quarterly, by the county treasurer of the respective counties. In the counties of Broome and Westchester, such salaries shall be paid monthly by the county treasurer. When a county judge of one county shall hold a county court, or preside at a court of sessions, in any other county, he shall be paid the sum of twenty dollars per day for his expenses in going to, and from, and holding or presiding at such court, which shall be paid by the county treasurer of such other county, on the presentation by the clerk of such court, of the number of days.

§ 2. This act shall take effect immediately.

State of New York, Office of the Secretary of State, ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

JOHN J. LYONS,
Secretary of State.

LAWS OF NEW YORK.—By Authority.
CHAP. 142.

AN ACT to amend chapter one hundred and twenty-two of the laws of nineteen hundred and nineteen, entitled "An act to provide a service ribbon and medals of honor for citizens of this state who entered the service of the United States of America in the war with the German empire and its allies as a volunteer or otherwise, and making an appropriation therefor," in relation to persons entitled to service ribbons and medals of honor.

Became a law April 1, 1921, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two of chapter one hundred and twenty-two of the laws of nineteen hundred and nineteen, entitled "An act to provide a service ribbon and medals of honor for citizens of this state who entered the service of the United States of America in the war with the German empire and its allies as a volunteer or otherwise, and making an appropriation therefor," is hereby amended to read as follows:

§ 2. As soon as practicable after the passage of this act, the board shall adopt a suitable service ribbon of appropriate size, color and design as a mark of distinction and honor for all citizens of this state who entered the military or naval service of the United States of America in the war with the German empire and its allies as a volunteer or otherwise, [illegible]

[illegible]

JOHN J. LYONS,
Secretary of State.

LAWS OF NEW YORK.—By Authority.
CHAP. 143.

AN ACT to amend the penal law, in relation to the wearing of military badges, insignia, clasps, rosettes and buttons.

Became a law April 1, 1921, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section fourteen hundred and eighty-four of the penal law is hereby amended by adding at the end thereof a new subdivision, to be subdivision four, to read as follows:

4. Any person who shall fraudulently wear any badge, insignia, clasp, rosette or button issued by the government of the United States or the state of New York or any foreign government which the government of the United States was allied in the world war, shall be guilty of a misdemeanor.

§ 2. This act shall take effect immediately.

State of New York, Office of the Secretary of State, ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

JOHN J. LYONS,
Secretary of State.

LAWS OF NEW YORK.—By Authority.
CHAP. 144.

AN ACT to amend the town law, in relation to the maintenance of the sewer system in sewer districts.

Became a law April 1, 1921, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two hundred and forty-three of chapter sixty-three of the laws of nineteen hundred and nine, entitled "An act relating to towns, constituting chapter sixty-two of the consolidated laws," as amended by chapter one hundred and thirty-four of the laws of nineteen hundred and ten, is hereby amended to read as follows:

§ 243. Expense of maintenance, how raised. After the sewer system is constructed it shall be maintained by the commissioners, and the cost of such maintenance shall be a charge upon the sewer district, provided, however, that in a case where the boundaries of any such district are coterminous with the boundaries of the town outside of an incorporated village or city all work required in connection with the maintenance of the sewer system may be performed by, under or through the superintendent of highways. In July of each year, the sewer commissioners shall present to the town board an estimate of the amount of money required by said commissioners to meet the expenses of maintaining the sewer system for the ensuing year. The town board shall formally pass upon such estimate and approve, or correct and approve, the same. The sewer commissioners shall thereupon assess the amount of the estimate as so approved, and corrected, on the lands within their district, in proportion, as nearly as may be, to the benefit which each lot or parcel will derive therefrom, and shall give the same notice thereof, and shall correct and file such apportionment in the same manner, and shall give the same notice of the filing of such corrected apportionment, as is provided for in section two hundred and thirty-seven of this chapter. An appeal may be taken from such corrected apportionment within the same time, and the procedure thereupon shall be the same as specified in sections two hundred and thirty-eight to two hundred and forty-two, both inclusive, of this chapter, except that the fees of the commissioners appointed by the county court to readjust the apportionment made pursuant to this section shall be a charge upon the sewer district, and shall be included in the expenses of maintenance. Whenever an apportionment is to be made to meet an installment of principal and interest on the bonds issued pursuant to section two hundred and thirty-seven of this chapter, any proceedings for the correction, review or readjustment thereof shall be consolidated with the like proceedings, if any, with respect to the apportionment made as provided in this section. The town board shall present such estimate to the board of supervisors at its annual meeting, with a statement of each property or parcel liable for the same and the amount chargeable to each. The board of supervisors shall levy such sums against the property liable and shall state the amount of tax in the annual tax roll under the name "sewer tax," with the sewer tax to be raised for payment of bonds as provided in section two hundred and thirty-seven of this chapter, and after such bonds shall have been entirely paid in a similar column headed "sewer tax." This tax for maintenance, when collected, shall be paid to the supervisor of the town and by him paid to the sewer commissioners to meet the expense of maintenance of the sewer system. An unpaid assessment under this section shall be collected in the manner provided for in section two hundred and thirty-seven of this chapter. The sewer system as so constructed, or as hereafter added to or changed, shall be under the charge and control of the sewer commissioners, under whose supervision it shall be used by property owners, and no person shall enter into, open or interfere with or use said sewer system except under the inspection and direction of said sewer commissioners and after formal permission shall have been given by said commissioners. The sewer commissioners shall adopt rules and regulations to govern the maintenance and use of the sewer system and shall therein fix the amount of fees that shall be chargeable to individuals or property owners who may wish to enter or use the sewer system, which fees shall be sufficient in amount to pay for the cost of inspection of such entry or entries. Any person violating any provisions hereof and interfering with, entering or using said sewer system without obtaining such permission shall be guilty of a misdemeanor and liable to punishment accordingly.

§ 2. This act shall take effect immediately.

State of New York, Office of the Secretary of State, ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

JOHN J. LYONS,
Secretary of State.

LAWS OF NEW YORK.—By Authority.
CHAP. 145.

AN ACT to amend the town law, in relation to the collection and disposition of garbage and ashes.

Became a law April 1, 1921, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section three hundred and twenty of chapter sixty-three of the laws of nineteen hundred and nine, entitled "An act relating to towns, constituting chapter sixty-two of the consolidated laws," as amended by chapter fifty-five of the laws of nineteen hundred and seventeen and last amended by chapter four hundred and thirty-two of the laws of nineteen hundred and eighteen, is hereby amended to read as follows:

§ 320. Collection and disposition of garbage and ashes. Within any town having over five thousand inhabitants or within any town adjoining a city of the first class, or within any district in any such town established by the town board of such town, it shall be lawful for the town board of such town to provide for the collection of and to cause to be consumed by fire or heat or disposed of in such other manner as the town board may determine, and to prohibit the throwing, casting or deposit in any body or stream of water, or upon any ash heap or other place than such as may be provided by them within such town or district, any animal or vegetable refuse, dead animal, carrion, offal, swill or garbage. And it shall be lawful for the town board of any such town, to contract for the collection and for the consumption by heat or fire or for the disposition in such other manner as the town board may determine of any such refuse or other aforesaid matter, or for the purchase, maintenance and operation of any appliances for the collection and disposition thereof. Such town board may also provide for the collection and disposition of ashes and may contract for such collection and disposition, or for the purchase, maintenance and operation of any appliances for the collection and disposition thereof. Such town board may also acquire by purchase or condemnation the necessary land and construct thereon the necessary plant that may be required for such purposes [illegible] as well as for the cost of any of the appliances, including vehicles required for the collection and disposition of garbage and of ashes or either of them. In case such a town acquires such [illegible]

[illegible]

JOHN J. LYONS,
Secretary of State.

LAWS OF NEW YORK.—By Authority.
CHAP. 149.

AN ACT to amend the town law, in relation to traffic policemen for hamlets and unincorporated villages.

Became a law April 1, 1921, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter sixty-three of the laws of nineteen hundred and nine, entitled "An act relating to towns, constituting chapter sixty-two of the consolidated laws," is hereby amended by inserting therein a new section, to be section one hundred and nineteen, to read as follows:

§ 119. Traffic policemen for unincorporated villages and hamlets. The town board of any town, of its own motion or at the request of a resident of the town, may, by resolution, define the boundaries of any unincorporated village or hamlet in the town, for the purposes of this section, and file with the town clerk a general map or description thereof. A petition may then be filed with the town clerk, addressed to the town board, praying for the appointment of a traffic policeman for such unincorporated village or hamlet. The petition shall be signed by the owners of two-thirds of the taxable property in such unincorporated village or hamlet, according to the assessed valuation thereof upon the last preceding town assessment roll. Upon the filing of such petition, the town board shall appoint a traffic policeman in accordance with the prayer of the petition. It shall also fix his compensation, which shall be payable monthly by the town. The amount of such compensation, annually, shall be a charge against the taxable property within the territory of such unincorporated village or hamlet and shall be levied thereon, as town taxes, by the board of supervisors. If a like number of taxpayers shall thereafter petition the town board for the abolition of such position, the town board, in its discretion, may abolish such position. It shall be the duty of such policeman to enforce all laws relating to traffic upon the highways within the territory for which he is appointed, including speed regulations, and he shall also have all the powers of a peace officer. Any petition provided for in this section must be duly acknowledged by the signers in the same manner as a deed to be recorded.

The town board of any town, of its own motion and without petition therefor, may provide portable standards known as "dummy policemen" to be placed at such points in the public highways within the town as the town superintendent of highways may deem proper, and may appropriate from town funds the necessary moneys therefor; provided, however, that the placing of any such dummy policemen within the bounds of a state route or county highway by such town superintendent shall be done only with the consent of the county superintendent of highways.

§ 2. This act shall take effect immediately.

State of New York, Office of the Secretary of State, ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

JOHN J. LYONS,
Secretary of State.

LAWS OF NEW YORK.—By Authority.
CHAP. 150.

AN ACT to amend the condemnation law, in relation to the consolidation number thereof.

Became a law April 1, 1921, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter nine hundred and twenty-three of the laws of nineteen hundred and twenty, entitled "An act in relation to the acquisition, by condemnation, of real property for a public use, constituting chapter seventy-one of the consolidated laws," is hereby renumbered chapter seventy-three of the consolidated laws.

§ 2. This act shall take effect immediately.

State of New York, Office of the Secretary of State, ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

JOHN J. LYONS,
Secretary of State.

LAWS OF NEW YORK.—By Authority.
CHAP. 154.

AN ACT authorizing designated authorities in behalf of the state of New York to enter into an agreement or compact with designated authorities of the state of New Jersey for the creation of the "Port of New York District," the establishment of "The Port of New York Authority," and the defining of the powers and duties of such authority.

Became a law April 2, 1921, with the approval of the Governor. Passed by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. William R. Willcox, Eugenius H. Outerbridge and Murray Hulbert, or any two of them, commissioners heretofore appointed under chapter four hundred and twenty-six of the laws of nineteen hundred and seventeen of the state of New York, together with the attorney-general of the state of New York, are hereby authorized as commissioners upon the part of the state of New York to enter into, with the state of New Jersey, by and through the commissioners appointed or who may be appointed under or by virtue of a law of the legislature of the state of New Jersey, an agreement or compact in the form following, that is to say:

Whereas, In the year eighteen hundred and thirty-four the states of New York and New Jersey did enter into an agreement fixing and determining the rights and obligations of the two states in and about the waters between the two states, especially in and about the bay of New York and the Hudson river; and

Whereas, Since that time the commerce of the port of New York has greatly developed and increased and the territory in and around the port has become commercially one center or district; and

Whereas, It is confidently believed that a better co-ordination of the terminal, transportation and other facilities of commerce in, about and through the port of New York, will result in great economies, benefiting the nation, as well as the states of New York and New Jersey; and

Whereas, The future development of such terminal, transportation and other facilities of commerce will require the expenditure of large sums of money and the cordial co-operation of the states of New York and New Jersey in the encouragement of the investment of capital, and in the formulation and execution of the necessary physical plans; and

Whereas, Such result can best be accomplished through the co-operation of the two states by and through a joint or common agency.

Now, therefore, The said states of New Jersey and New York do supplement and amend the existing agreement of eighteen hundred and thirty-four in the following respects:

ARTICLE I.

They agree to and pledge, each to the other, faithful co-operation in the future planning and development of the port of New York, holding in high trust for the benefit of the nation the special blessings and natural advantages thereof.

ARTICLE II.

To that end the two states do agree that there shall be created and they do hereby create a district to be known as the "Port of New York District" (for brevity hereinafter referred to as "The District") which shall embrace the territory bounded and described as follows:

The district is included within the boundary lines located by connecting points of known latitude and longitude. The approximate courses and distances of the lines enclosing the district are recited in the description, but the district is determined by drawing lines through the points of known latitude and longitude. Beginning at a point A of latitude forty-one degrees and four minutes north and longitude seventy-three degrees and fifty-six minutes west, said point being about sixty-five-hundredths of a mile west of the westerly bank of the Hudson river and about two and one-tenth miles northwest of the pier at Piermont, in the county of Rockland, state of New York; thence due south one and fifteen-hundredths miles more or less to a point B of latitude forty-one degrees and three minutes north and longitude seventy-three degrees and fifty-six minutes west; said point being about one and three-tenths miles northwest of the pier at Piermont, in the county of Rockland, state of New York; thence south fifty-six degrees and thirty-four minutes west six and twenty-six-hundredths miles more or less to a point C of latitude forty-one degrees and [illegible] four degrees and two minutes west, said [illegible] point D of latitude forty degrees [illegible] minutes north and [illegible] degrees and twelve minutes west, said point being about [illegible] of the business [illegible] of Paterson, in the [illegible] state of New Jersey; thence south thirty-seven degrees and seventeen minutes west eleven and seventy-seven-hundredths miles more or less to a point E of latitude forty degrees and fifty minutes north and longitude seventy-four degrees and twenty-two minutes west, said point being about four and five-tenths miles west of the borough of Caldwell, in the county of Morris, state of New Jersey; thence due south nine and twenty-hundredths miles more or less to a point F of latitude forty degrees and forty-two minutes north and longitude seventy-four degrees and twenty-two minutes west, said point being about one and two-tenths miles southwest of the passenger station of the Delaware, Lackawanna and Western railroad in the city of Summit, in the county of Union, state of New Jersey; thence south forty-two degrees and twenty-four minutes west, seven and seventy-eight-hundredths miles more or less to a point G of latitude forty degrees and thirty-seven minutes north and longitude seventy-four degrees and twenty-eight minutes west, said point being about two and two-tenths miles west of the business center of the city of Plainfield, in the county of Somerset, state of New Jersey; thence due south twelve and sixty-five-hundredths miles more or less on a line passing about one mile west of the business center of the city of New Brunswick to a point H of latitude forty degrees and twenty-six minutes north and longitude seventy-four degrees and twenty-eight minutes west, said point being about four and five-tenths miles southwest of the city of New Brunswick, in the county of Middlesex, state of New Jersey; thence south seventy-seven degrees and forty-two minutes east ten and seventy-nine-hundredths miles more or less to a point I of latitude forty degrees and twenty-four minutes north and longitude seventy-four degrees and sixteen minutes west, said point being about two miles southwest of the borough of Matawan, in the county of Middlesex, state of New Jersey; thence due east twenty-five and forty-eight-hundredths miles more or less, crossing the county of Monmouth, state of New Jersey, and passing about one and four-tenths miles south of the pier of the Central Railroad of New Jersey at Atlantic Highlands to a point J of latitude forty degrees and twenty-four minutes north and longitude seventy-three degrees and forty-seven minutes west, said point being in the Atlantic ocean; thence north eleven degrees fifty-eight minutes east twenty-one and sixteen-hundredths miles more or less to a point K, said point being about five miles east of the passenger station of the Long Island railroad at Jamaica and about one and three-tenths miles east of the boundary line of the city of New York, in the county of Nassau, state of New York; thence in a northeasterly direction passing about one-half mile west of New Hyde Park and about one and one-tenth miles east of the shore of Manhasset bay at Port Washington, crossing Long Island sound to a point L, said point being the point of intersection of the boundary line between the state of New York and Connecticut and the meridian of seventy-three degrees, thirty-nine minutes and thirty seconds west longitude, said point being also about a mile north-east of the village of Port Chester; thence northwesterly along the boundary line between the states of New York and Connecticut to a point M, said point being the point of intersection between said boundary line between the states of New York and Connecticut and the parallel of forty-one degrees and four minutes north latitude, said point also being of the city of White Plains; thence due west along said parallel, about four and five-tenths miles northeast of the business center of forty-one degrees and four minutes north latitude, the line passing about two and one half miles north of the business center of the city of White Plains and crossing the Hudson river to the point A, the place of beginning.

The boundaries of said district may be changed from time to time by the action of the legislature of either state concurred in by the legislature of the other.

ARTICLE III.

There is hereby created "The Port of New York Authority" (for brevity hereinafter referred to as the "Port Authority"), which shall be a body corporate and politic, having the powers and jurisdiction hereinafter enumerated, and such other and additional powers as shall be conferred upon it by the legislature of either state concurred in by the legislature of the other, or by act or acts of congress, as hereinafter provided.

ARTICLE IV.

The port authority shall consist of six commissioners—three resident voters from the state of New York, two of whom shall be resident voters of the city of New York, and three resident voters from the state of New Jersey, two of whom shall be resident voters within the New Jersey portion of the district, the New York members to be chosen by the state of New York and the New Jersey members by the state of New Jersey, in the manner and for the terms fixed and determined from time to time by the legislature of each state respectively, except as herein provided.

Each commissioner may be removed or suspended from office as provided by the law of the state for which he shall be appointed.

ARTICLE V.

The commissioners shall, for the purpose of doing business, constitute a board and may adopt suitable by-laws for its management.

ARTICLE VI.

The port authority shall constitute a body, both corporate and politic, with full power and authority to purchase, construct, lease and/or operate any terminal or transportation facility within said district; and to make charges for the use thereof; and for any of such purposes to own, hold, lease and/or operate real or personal property, to borrow money and to secure the same by bonds or by mortgages upon any property held or to be held by it. No property now or hereafter vested in or held by either state, or by any county, city, borough, village, township or other municipality, shall be taken by the port authority, without the authority or consent of such state, county, city, borough, village, township or other municipality, nor shall anything herein impair or invalidate in any way any bonded indebtedness of such state, county, city, borough, village, township or other municipality, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property, or dedicating the revenues derived from any municipal property to a specific purpose.

The powers granted in this article shall not be exercised by the port authority until the legislatures of both states shall have approved of a comprehensive plan for the development of the port as hereinafter provided.

ARTICLE VII.

The port authority shall have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of either state concurred in by the legislature of the other. Unless and until otherwise provided, it shall make an annual report to the legislature of both states, setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder. The port authority shall not pledge the credit of either state except by and with the authority of the legislature thereof.

ARTICLE VIII.

Unless and until otherwise provided, all laws now or hereafter vesting jurisdiction or control in the public service commission, or the public utilities commission, or like body, within each state respectively, shall apply to railroads and to any transportation, terminal or other facility owned, operated, leased or constructed by the port authority, with the same force and effect as if such railroad, or transportation, terminal or other facility were owned, leased, operated or constructed by a private corporation.

ARTICLE IX.

Nothing contained in this agreement shall impair the powers of any municipality to develop or improve port and terminal facilities.

ARTICLE X.

The legislature of the two states, prior to the signing of this agreement, or thereafter as soon as may be practicable, will adopt a plan or plans for the comprehensive development of the port of New York.

ARTICLE XI.

The port authority shall from time to time make plans for the development of said district, supplementary to or amendatory of any plan theretofore adopted, and when such plans are duly approved by the legislature of the two states, they shall be binding upon both states with the same force and effect as if incorporated in this agreement.

ARTICLE XII.

The port authority may from time to time make recommendations to the legislatures of the two states or to the congress of the United States, based upon study and analysis, for the better conduct of the commerce passing in and through the port of New York, the increase and improvement of transportation and terminal facilities therein, and the more economical and expeditious handling of such commerce.

ARTICLE XIII.

The port authority may petition any interstate commerce commission (or like body), or any other federal, municipal, state or local authority, administrative, judicial or legislative, having jurisdiction in the premises, after the adoption of the comprehensive plan as provided for in article ten, for the adoption and execution of any physical improvement [illegible]

[illegible] in any proceeding [illegible] of the port.

ARTICLE XIV.

[illegible] port authority shall elect from [illegible] a chairman, vice-chairman, [illegible] appoint such officers and emplo [illegible] it may require for the performan [illegible] duties, and shall fix and deter [illegible] their qualifications and duties.

ARTICLE XV.

Unless and until the revenues [illegible] operations conducted by the port authority are adequate to meet all expe [illegible] the legislatures of the two s [illegible] shall appropriate, in equal amounts, [illegible] for the salaries, office and [illegible] administrative expenses, such sum [illegible] as shall be recommended by [illegible] port authority and approved by the [illegible] ernors of the two states, but each [illegible] obligates itself hereunder only to the [illegible] tent of one hundred thousand dolla [illegible] any one year.

ARTICLE XVI.

Unless and until otherwise determ [illegible] by the action of the legislatures o [illegible] two states, no action of the port [illegible] thority shall be binding unless take [illegible] a meeting at which at least two mem [illegible] from each state are present and u [illegible] four votes are cast therefor, two [illegible] each state. Each state reserves the [illegible] hereafter to provide by law for the [illegible] cise of a veto power by the gove [illegible] thereof over any action of any com [illegible] sioner appointed therefrom.

ARTICLE XVII.

Unless and until otherwise determ [illegible] by the action of the legislatures of [illegible] two states, the port authority shall [illegible] incur any obligations for salaries, [illegible] or other administrative expenses, w [illegible] the provisions of article fifteen, pri [illegible] the making of appropriations adeq [illegible] to meet the same.

ARTICLE XVIII.

The port authority is hereby autho [illegible] to make suitable rules and regula [illegible] not inconsistent with the constitutio [illegible] the United States or of either state, [illegible] subject to the exercise of the powe [illegible] congress, for the improvement of the [illegible] duct of navigation and commerce, w [illegible] when concurred in or authorized by [illegible] legislatures of both states, shall be [illegible] ing and effective upon all persons [illegible] corporations affected thereby.

ARTICLE XIX.

The two states shall provide pen [illegible] for violations of any order, rule or r [illegible] lation of the port authority, and fo [illegible] manner of enforcing the same.

ARTICLE XX.

The territorial or boundary lines e [illegible] lished by the agreement of eighteen [illegible] dred and thirty-four, or the jurisdi [illegible] of the two states established the [illegible] shall not be changed except as h [illegible] specifically modified.

ARTICLE XXI.

Either state may by its legislature [illegible] draw from this agreement in the [illegible] that a plan for the comprehensive [illegible] velopment of the port shall not have [illegible] adopted by both states on or prio [illegible] July first, nineteen hundred and tw [illegible] three; and when such withdrawal [illegible] have been communicated to the gov [illegible] of the other state by the state so [illegible] drawing, this agreement shall be th [illegible] abrogated.

ARTICLE XXII.

Definitions. The following word [illegible] herein used shall have the follo [illegible] meaning: "Transportation facility" [illegible] include railroads, steam or electric, [illegible] tor truck or other street or hig [illegible] vehicles, tunnels, bridges, boats, fe [illegible] car-floats, lighters, tugs, floating e [illegible] tors, barges, scows or harbor cra [illegible] any kind, air craft suitable for ha [illegible] service, and every kind of transport [illegible] facility now in use or hereafter des [illegible] for use for the transportation or [illegible] riage of persons or property. "Term [illegible] facility" shall include wharves, [illegible] slips, ferries, docks, dry docks, [illegible] heads, dock-walls, basins, car-f [illegible] float-bridges, grain or other st [illegible] elevators, warehouses, cold sto [illegible] tracks, yards, sheds, switches, con [illegible] tions, overhead appliances, and [illegible] kind of terminal or storage facility [illegible] in use or hereafter designed for [illegible] for the handling, storage, loading or [illegible] loading of freight at steamship, rail [illegible] or freight terminals. "Railroads" [illegible] include railways, extensions thereof, [illegible] nels, subways, bridges, elevated [illegible] tures, tracks, poles, wires, con [illegible] power houses, substations, lines for [illegible] transmission of power, car-barns, s [illegible] yards and motive equipment. "Faci [illegible] shall include all works, buildings, s [illegible] tures, appliances and appurtenances [illegible] essary and convenient for the prope [illegible] struction, equipment, maintenance [illegible] operation of such facility or faciliti [illegible] any one or more of them. "Real [illegible] erty" shall include land under wate [illegible] well as uplands, and all property e [illegible] now commonly or legally defined a [illegible] property or which may hereafter [illegible] defined. "Personal property" shal [illegible] clude choses in action and all other [illegible] erty now commonly or legally defin [illegible] personal property or which may [illegible] after be so defined. "To lease" sha [illegible] clude to rent or to hire. "Rule or [illegible] lation" until and unless otherwise de [illegible] mined by the legislatures of both s [illegible] shall mean any rule or regulation no [illegible] consistent with the constitution of [illegible] United States or of either state, and, [illegible] ject to the exercise of the power of [illegible] gress, for the improvement of the [illegible] duct of navigation and commerce w [illegible] the district, and shall include cha [illegible] rates, rentals or tolls fixed or estab [illegible] ed by the port authority; and [illegible] otherwise determined as aforesaid, [illegible] not include matters relating to harb [illegible] river pollution. Wherever action b [illegible] legislature of either state is herein [illegible] ferred to, it shall mean an act of [illegible] legislature duly adopted in accor [illegible] with the provisions of the consti [illegible] of the state.

Plural or singular. The singular [illegible] ever used herein shall include the p [illegible]

Consent, approval or recommend [illegible] of municipality; how given. Whe [illegible] herein the consent, approval or r [illegible] mendation of a "municipality" is [illegible] quired, the word "municipality" sh [illegible] taken to include any city or inc [illegible] rated village within the port distric [illegible] in addition in the state of New J [illegible] any borough, town, township or any [illegible] nicipality governed by an improv [illegible] commission within the district. Such [illegible] sent, approval or recommendation [illegible] ever required in the case of the c [illegible] New York shall be deemed to have [illegible] given or made whenever the boa [illegible] estimate and apportionment of sai [illegible] or any body hereafter succeeding [illegible] duties shall by a majority vote p [illegible] resolution expressing such consent [illegible] proval or recommendation; and in [illegible] case of any municipality now or [illegible] after governed by a commission, [illegible] ever the commission thereof sha [illegible] majority vote pass such a resolution [illegible] in all other cases whenever the bod [illegible] thorized to grant consent to the [illegible] the streets or highways of such [illegible] nicipality shall by a majority vote [illegible] such a resolution.

§ 2. The said agreement or con [illegible] when signed and sealed by the com [illegible] sioners of each state as hereinbefore [illegible] vided, and the attorney-general o [illegible] state of New York, and the attorney [illegible] eral of the state of New Jersey if [illegible] designated so to act by the state of [illegible] Jersey, shall become binding upo [illegible] state of New York, and shall be [illegible] in the office of the secretary of [illegible] of the state of New York.

§ 3. If by death, resignation or [illegible] wise, a vacancy occurs among thos [illegible] pointed hereunder by the state of [illegible] York, the governor is hereby auth [illegible] to fill the same.

§ 4. The said commissioner, tog [illegible] with the commissioners appointed [illegible] the state of New Jersey, shall have [illegible] to apply to the congress of the U [illegible] States for its consent and approv [illegible] the agreement or compact signe [illegible] them; but in the absence of such [illegible] sent of congress and until the same [illegible] have been secured, the said agre [illegible] or compact shall be binding upo [illegible] state of New York in all respects [illegible] mitted by law for the two states of [illegible] York and New Jersey without the [illegible] sent of congress to co-operate, fo [illegible] purposes enumerated in said agre [illegible] or compact, and in the manner pr [illegible] therein.

§ 5. This act shall take effect im [illegible] ately.

State of New York, Office of the Sec [illegible] of state, ss:

I have compared the preceding wi [illegible] original law on file in this office, a [illegible] hereby certify that the same is a c [illegible] transcript therefrom and of the wh [illegible] said original law.

JOHN J. LYON [illegible]
Secretary of S [illegible]

LAWS OF NEW YORK.—By Aut [illegible]
CHAP. 155.

AN ACT to amend the penal law, [illegible] lation to intoxicating liquor, rep [illegible] the liquor tax law and the city [illegible] option law, and providing for co [illegible] ing the unfinished business of the [illegible] excise department.

Became a law April 4, 1921, wit [illegible] approval of the Governor. Passed, [illegible] fifths being present.

The People of the State of New [illegible] represented in Senate and Assemb [illegible] enact as follows:

Section 1. The penal law is [illegible] amended by inserting therein a new [illegible] cle, to be article one hundred and [illegible] them, to read as follows:

ARTICLE 112.
Intoxicating Liquor.

Section 1310. Definition of intox [illegible] liquor.
1311. Definition of intox [illegible] liquor to conform [illegible] eral statute.
1312. Prohibited transacti [illegible] intoxicating liquo [illegible]
1313. Exceptions; applic [illegible] article.