LAWS

OF THE

STATE OF NEW YORK

PASSED AT THE

ONE HUNDRED AND FIFTY-FOURTH SESSION

OF THE

LEGISLATURE

BEGUN JANUARY SEVENTH, 1931, AND ENDED APRIL TENTH, 1931

ALSO CHAPTERS 773–799; PASSED AT THE EXTRAORDINARY SESSION OF THE LEGISLATURE, BEGUN AUGUST 25, 1931, AND ENDED SEPTEMBER 19, 1931

AT THE CITY OF ALBANY

AND ALSO OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED WITH THE SESSION LAWS

VOL. II



ALBANY
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LAWS OF THE STATE OF NEW YORK

PASSED AT THE 154TH REGULAR SESSION OF THE LEGISLATURE, BEGUN JANUARY 7, 1931, AND ENDED APRIL 10, 1931, AT THE CITY OF ALBANY.

VOLUME II

CHAPTER 495

AN ACT authorizing the exchange of certain real properties in the city of Albany by such city and the New York State College for Teachers Benevolent Association, Inc., and providing for mutual conveyances thereof

Became a law April 20, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

Section 1. The city of Albany may convey the real property, owned by it, hereinafter designated as Albany city property, to the New York State College for Teachers Benevolent Association, Inc., a membership corporation organized under the laws of the state of New York, and such association may convey to such city the real property owned by it, hereinafter designated as Benevolent Association property, by exchange, in mutual consideration of such conveyance by each to the other, such real property being in the county and city of Albany and consisting of the following: Exchange of property authorized.

All those three blocks located on the southerly side of Washington avenue in the city of Albany, bounded as follows: On the southerly side by Chestnut street; on the westerly side by Main avenue; on the northerly side by Washington avenue and on the easterly side by Erie street, five hundred seventy-seven and fifty one-hundredths feet by seven hundred forty-six and twenty-six one-hundredths feet. Description of lands.

All those certain lots and parcels of land between State street and Western avenue and Ontario street and Partridge street, particularly described as follows: Beginning at the southwesterly intersection of Ontario and State streets, and running thence westerly six hundred sixty-six and twenty hundredths feet to Partridge street; thence southerly three hundred five and twenty-five hundredths feet to Fenway; thence easterly along Fenway five hundred fifty-one and six hundred fifty-five thousandths feet to the rear of lot number two hundred and nineteen on a map of property of the Roman Catholic diocese of Albany, New York, filed in Albany county clerk's office; thence northerly parallel with Ontario street one hundred twenty-three and seventy-one hundredths feet; thence westerly parallel with State street forty feet; thence northerly one hundred thirty-six and fourteen hundredths feet; thence easterly one hundred fifty-three and six

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hundred seventy-five thousandths feet to Ontario street; thence northerly along Ontario street forty-five and forty hundredths feet to State street and the point of beginning. Also, all that other parcel of land within the street boundaries above designated, bounded and described as follows: Beginning at the southeasterly intersection of Partridge street and Fenway and running thence southerly forty-five and thirty-eight hundredths feet; thence easterly eighty-eight and sixty-seven hundredths feet; thence southerly eighty-four and sixty-two hundredths feet; thence easterly parallel with Fenway three hundred twenty-four and thirty-six hundredths feet; thence northerly thirty-nine and twenty-five hundredths feet; thence easterly one hundred thirty-eight and three hundred twenty-five thousandths feet; thence northerly ninety and seventy-five hundredths feet to Fenway; thence along Fenway five hundred fifty-one and four hundred twenty-five thousandths feet to the point of beginning, including all rights which said corporation has to street designated as Fenway.

Deeds; execution.

§ 2. The deed of conveyance pursuant to the provisions of this act by the city of Albany shall be executed by the mayor of such city, after authorization by the common council of such city by resolution, and the deed of conveyance by the New York State College for Teachers Benevolent Association, Inc., pursuant to the provisions of this act shall be executed by the president of such association, after authorization by its board of directors, by resolution. The property acquired by the city of Albany by any such exchange and the property so acquired by such association shall be available for any authorized city purpose of such city or any authorized corporate purpose of such association, as the case may be.

§ 3. This act shall take effect immediately.

CHAPTER 496

AN ACT to amend the judiciary law, in relation to expenses of official referees

Became a law April 20, 1931, 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:

§ 116a added.

Section 1. Chapter thirty-five of the laws of nineteen hundred nine, entitled "An act in relation to the administration of justice, constituting chapter thirty of the consolidated laws," is hereby amended by adding a new section, to be section one hundred and sixteen-a, to read as follows:

§ 116-a. **Allowance for expenses of official referees in the ninth judicial district.** Each official referee residing in the ninth judicial district appointed pursuant to section one hundred and fifteen of this chapter shall receive, in addition to the salary allowed to him by law, his necessary and reasonable traveling and other

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expenses, when he shall perform the duties of his office in a county in such judicial district other than the county in which he resides. Such expenses shall be a charge upon the county in such judicial district in which the action or proceeding is instituted when certified by a justice of the supreme court in such judicial district and shall be paid from money in the fund appropriated and provided for court purposes in such county.

§ 2. This act shall take effect immediately.

CHAPTER 497

AN ACT to amend the labor law, in relation to the health of operators of certain elevators

Became a law April 20, 1931, 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 three-a of chapter fifty of the laws of nineteen hundred twenty-one, entitled "An act in relation to labor, constituting chapter thirty-one of the consolidated laws," as added by chapter six hundred and four of the laws of nineteen hundred thirty, is hereby amended to read as follows: § 203a amended.

§ 203-a. **Seats in certain passenger elevators or relief for the operator.** Every passenger elevator operated and maintained for use by the public shall be equipped or furnished with a seat, collapsible or otherwise, for the use of the operator when the elevator is not being operated, provided the operator thereof is not allowed a continuous recess period of at least fifteen minutes in every three hours in addition to and apart from a lunch period of at least forty-five minutes. [1]Every passenger elevator operated in a building owned and maintained by the state shall be equipped or furnished with such a seat for the use of the operator when the elevator is not being operated, notwithstanding the operator is allowed the recess and lunch period herein specified. The provisions of this section shall not apply to elevators in factory buildings or any other building having only one passenger elevator.

§ 2. This act shall take effect immediately.

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[1] Following sentence new.

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CHAPTER 498

AN ACT to amend chapter four hundred and ninety of the laws of nineteen hundred twenty-two, entitled "An act to provide a charter for the city of Mount Vernon," in relation to the fees of jurors in the city court

Became a law April 20, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

§ 201 amended.

Section 1. Section two hundred and one of chapter four hundred and ninety of the laws of nineteen hundred and twenty-two, entitled "An act to provide a charter for the city of Mount Vernon," is hereby amended to read as follows:

§ 201. **Jurors'**[1] **fees.** Every juror who shall[2] sit on the trial of actions[3] in the city court shall receive the fee of three dollars for each day that he actually serves,[4] to be paid to him by the clerk of the city court out of the jury fund.

In effect Jan. 1, 1932.

§ 2. This act shall take effect January first, nineteen hundred thirty-two.

CHAPTER 499

AN ACT in relation to the city court of New Rochelle

Became a law April 20, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

CITY COURT OF NEW ROCHELLE

Article 1. Court continued; its judges, officers and employees (§§ 1–7).
2. Criminal jurisdiction and procedure (§§ 8–13).
3. Civil jurisdiction and procedure (§§ 14–153).
4. Miscellaneous (§§ 160–162).

ARTICLE 1

COURT CONTINUED; ITS JUDGES, OFFICERS AND EMPLOYEES

Section 1. City court continued.
2. Acting city judge.
3. City court clerk.
4. Deputy city court clerk.

[1] Formerly "Juror's".
[2] Word "actually" omitted.
[3] Word "actions" substituted for words "an action".
[4] Words "three dollars for each day that he actually serves," substituted for words "twenty-five cents,".

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5. Interpreter.
6. Stenographer.
7. Marshal; deputy marshal.

§ 1. **City court continued.** The city court of the city of New Rochelle is hereby continued and shall be presided over by the city judge and the acting city judge, with the power and jurisdiction as hereinafter set forth.

§ 2. **Acting city judge.** The mayor shall appoint a person who has the qualifications herein prescribed for the city judge, who shall perform the duties of the city judge in case of and during his disability or absence, or when the business of the court requires.

§ 3. **City court clerk.** There shall be a clerk and a deputy clerk of the city court to be appointed by the city judge. The clerk shall receive a salary to be fixed by the board of estimate and apportionment. He shall have power to administer oaths and to take and certify depositions to be used in said court, and when an information that a crime has been committed is laid before the court, he shall have power to take and certify the information and the depositions of the prosecutor and any witnesses he may procure, and upon such information and deposition, the city judge shall have jurisdiction to issue his warrant. In addition to the duties hereinafter prescribed, he shall collect and receive all fines and penalties imposed by the city judge or by law and fees allowed by law; he shall pay therefrom the fees of jurors; he shall prepare an account of such receipts and disbursements, in duplicate, and shall pay over the balance thereof to the city treasurer at the end of every day, at the same time delivering to said treasurer and to the comptroller, one copy of each of such accounts. The balance so turned over to the treasurer shall be applied to the fund for the maintenance of the city court. He shall perform no service for which fees are allowed by law until he has received the legal fee therefor, and he shall keep his office open for the transaction of civil business every judicial day, pursuant to the rules imposed by the court. The city court clerk shall furnish a surety company bond in the penal sum of five thousand dollars, the premium of which shall be paid for by the city of New Rochelle, and which shall be conditioned for the faithful performance of his trust and any moneys received by him as such clerk.

§ 4. **Deputy city court clerk.** The deputy city court clerk shall receive a salary to be fixed by the board of estimate and apportionment. He shall perform such duties as may be prescribed by the city judge and shall furnish a bond for the same amount and upon the same conditions and within the same time as that of the city court clerk and subject to approval by the city judge.

§ 5. **Interpreter.** In any case requiring an interpreter the city judge shall appoint a person to act in that capacity who shall hold office during the pleasure of the city judge, and shall

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receive a compensation to be fixed by the board of estimate and apportionment. Before entering upon the discharge of his duties as such interpreter he shall take oath before the city judge that he will fully and correctly interpret and translate each question propounded to a witness and each answer thereto. If said interpreter knowingly and wilfully interprets any evidence, matter or thing in the course of an action or proceeding falsely, he is guilty of perjury.

§ 6. **Stenographer.** The city judge may appoint and at pleasure remove a stenographer for the city court. Such stenographer shall be subject to the provisions of the judiciary law pertaining to court stenographers, except that the court may, in its discretion, dispense with the taking of full stenographic notes of the testimony in the following cases, namely: in actions wherein the pleadings may be oral, in summary proceedings to recover possession of real property for non-payment of rent where the amount of rent unpaid is less than one hundred dollars, in criminal proceedings where the accused or his attorney consents thereto in open court, and in all other actions or special proceedings where all the parties or their attorneys stipulate thereto in open court. Such stenographer shall receive a compensation to be fixed by the board of estimate and apportionment, and he shall receive for transcripts of his minutes from parties ordering the same ten cents per folio. When the city judge and acting city judge are presiding over sessions of the court at the same time the city judge may engage an additional stenographer who shall be subject to the provisions of law applicable to the city court stenographer and shall be paid for transcripts of minutes in like manner as the city court stenographer.

§ 7. **Marshal; deputy marshal.** The city judge shall appoint a marshal. He shall attend during each session of the city court and act as a court officer under the direction of the city judge. He shall perform such other duties as are elsewhere herein set forth. He shall receive an annual salary to be fixed by the board of estimate and apportionment. He shall be entitled to charge and receive for his own use, for services rendered at the request of a party to any action or proceeding pending in such court, the fees allowed to a constable for similar services in courts of justices of the peace. The marshal shall not be permitted to enter upon the duties of his office until he shall have given a bond as herein prescribed. The bond shall be in the penal sum of five thousand dollars, executed by the marshal and by a surety company. The bond shall provide that the marshal and the surety shall jointly and severally answer to the city of New Rochelle, and any person that may complain, for the true and faithful execution by such marshal of the duties of his office. The bond shall be submitted for approval to the city judge. When so approved, the bond shall be filed with the city clerk of the city of New Rochelle. The bond must be executed, approved and filed within thirty days after the appointment of the marshal or he

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shall be deemed to have declined his appointment and another person shall be appointed in his place. The authority of a marshal extends throughout the county of Westchester. Except as otherwise prescribed in this act or in the rules, every execution, warrant of attachment, requisition to replevy, warrant of seizure, or other mandate of the court shall be served and executed by a marshal, and all provisions of law relating to the powers, duties and liabilities of sheriffs in like cases and in respect to the taking and restitution of property, shall apply to marshals. Every marshal shall keep a record of his official acts in such manner as shall be prescribed by the city judge. Within five days after a marshal shall have collected or received any money upon any process of the court, he shall pay the same, less his lawful fees and disbursements, to the person entitled thereto, or to his attorney, or to the clerk of the city court. Upon his failure to do so he may be proceeded against as for a contempt. The clerk shall pay the same on demand to the person entitled thereto or to his attorney. The marshal shall serve such jury notices as the city judge may direct and for this service he shall receive no additional compensation.

The city judge shall also have power to appoint a deputy marshall, who shall receive such compensation as may be fixed by the board of estimate and apportionment and who shall give a bond for the same amount and upon the same conditions and within the same time as that of the marshal and subject to approval by the city judge, and who shall perform such duties as may be prescribed by the city judge. The premiums for the bonds of the marshal and deputy marshal shall be paid for by the city of New Rochelle.

ARTICLE 2

CRIMINAL JURISDICTION AND PROCEDURE

Section 8. Criminal jurisdiction.
9. Judicial notice of ordinances.
10. Prosecution for violation of ordinance.*
11. Removal of cases to grand jury.
12. Demand for jury trial.
13. Power to sentence.

§ 8. **Criminal jurisdiction.** The city judge and acting city judge shall have jurisdiction exclusive of any other officer except the judges and justices of courts of record, within the corporate limits of New Rochelle to issue all criminal process, except as otherwise provided in this act; to hear all complaints and conduct all examinations in criminal cases arising within the limits of the city; to hold courts of special sessions, with all the power and jurisdiction of such courts; and to hear and determine charges for every misdemeanor committed within the corporate limits of the city. Any judgment, order or conviction, made by him may be

* So in original. [Does not conform to section heading.]

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reviewed by appeal in the manner prescribed by the code of criminal procedure. He shall have jurisdiction and full power to hear, try and determine all causes, proceedings or actions, civil or criminal, arising by reason of the violation of the charter, by-laws or ordinances of the city, and to enforce the payment of any fines or penalties imposed by the charter, by-laws or ordinances of said city. He shall in all things relating to the manner of procedure in his court or in arraignment or trial of parties accused, be governed by the same law as courts of special sessions in towns, as such laws now exist or may hereafter be enacted; and his judgment shall have the same effect, and all his proceedings may be reviewed in the same manner, and in the same courts, as is now, or may hereafter be provided by law for such review in cases of judgments and proceedings.

§ 9. **Judicial notice of ordinances.** The city court and the city judge and acting city judge must take judicial notice of all ordinances adopted by the council and all regulations passed by the board of police commissioners and by the board of health, so long as the same remain in force and effect.

§ 10. **Prosecution for violation of ordinances.** A violation of an ordinance of the council is not a crime, but the prosecution therefor is a criminal proceeding instituted in the name of the city of New Rochelle. Arrests for violation of ordinances may be made as is now or may hereafter be provided by law for arrests for misdemeanor, and all proceedings shall be hereafter had as is now or may hereafter be provided by law for prosecutions for misdemeanor, and upon conviction the same process must be issued and executed as upon convictions for misdemeanor, and appeals therefrom may be taken in the same manner and with the same effect as appeals from conviction for misdemeanor. No costs may be allowed to or against the city in any such proceeding or appeal therefrom. The provisions of the code of criminal procedure relating to arrests, bail, confinement, trial, conviction and commitments for misdemeanor, and appeals from convictions therefor, and all other provisions thereof relating to misdemeanor, so far as they are not in conflict with the provisions of this act, apply to arrests for violations of ordinances of the council and to subsequent proceedings thereon.

§ 11. **Removal of cases to grand jury.** Any charge of misdemeanor pending before the city court or city judge or acting city judge may be removed to a court sitting with the grand jury by the method now or hereafter provided in sections fifty-seven and fifty-eight of the code of criminal procedure, but a complaint or charge for a violation of a city ordinance must not be removed.

§ 12. **Demand for jury trial.** A defendant upon being arraigned before the city court or the city judge, and at or before the time for interposing a plea, may, except upon a charge of public intoxication or vagrancy or a violation of a city ordinance, demand a trial by jury, but unless so demanded a trial by jury

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is waived. If a jury trial is demanded, the procedure shall be as prescribed by title one of part five of the code of criminal procedure for jury trials in courts of special sessions.

§ 13. **Power to sentence.** The city judge and the city court have power, upon convictions for misdemeanor, to impose a sentence of imprisonment not exceeding one year, or a fine not exceeding five hundred dollars, or both such fine and imprisonment, with further imprisonment if such fine is not paid not exceeding one day for each dollar thereof unpaid, except where a different punishment is by law prescribed for such offense. The city judge and the city court have power to impose or suspend sentence or to remit to probation pursuant to law.

ARTICLE 3

CIVIL JURISDICTION AND PROCEDURE

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* So in original. [Does not conform to section heading.]

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§ 14. Civil jurisdiction. Except as provided in the next section, the city court shall have jurisdiction in the following civil actions and proceedings:

1. When the sum claimed does not exceed two thousand five hundred dollars;

A. An action to recover damages upon or for breach of contract, express or implied, other than a promise to marry;

B. An action upon a bond conditioned for the payment of money. When the sum secured by the bond is to be paid in installments, an action may be brought for each installment as it becomes due;

C. An action upon a surety bond or undertaking;

D. An action upon the bond of the clerk or deputy clerk of the city court and of a marshal or deputy marshal of the city of New Rochelle;

E. An action for a fine or penalty;

F. An action for damages for fraud or deceit;

G. An action to recover damages for a personal injury or for loss of service or for medical or other necessary expenses occasioned thereby, or for an injury to property;

2. An action to recover one or more chattels, with or without damages for the taking, withholding or detention thereof, when the value of the chattel or chattels, as stated in the affidavit made on the part of the plaintiff, does not exceed two thousand five hundred dollars;

3. An action to foreclose a lien upon a chattel for a sum of money in any case where the amount of the lien does not exceed one thousand dollars;

4. An action to enforce a mechanic's lien on real property in which the court shall have the power to render judgment for

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the sum due and to declare the amount a valid lien against the interest of the defendant in the property described by the complaint, at the time of the filing of the lien, when the amount does not exceed two thousand five houndred dollars; but said court cannot render judgment for the foreclosure and sale of the property;

5. A summary proceeding under article eighty-three of the civil practice act to recover possession of real property which, or a portion of which, is situated within the city of New Rochelle. Such proceedings may be tried with or without a jury, which may be demanded by any party thereto. The court in any case has power, upon application, to allow the petition or answer to be amended, at any time, if substantial justice will be promoted thereby and the rights of the parties have not been impaired by reason of the defective pleading;

6. To issue or vacate a requisition to replevy, a warrant of attachment or an order of arrest, or to grant or vacate a stay of execution, or of proceedings, within the limitations of this act. But such stay shall not exceed five days;

7. To render judgment in an action upon confession or upon consent of both parties, when the amount does not exceed two thousand five hundred dollars; and to make a final order in summary proceedings upon confession or upon consent of both parties.

8. In an action or a summary proceeding, to direct or set aside a verdict, vacate, amend or modify a judgment or final order rendered or made on consent, confession, inquest or trial; grant a new trial; open a default; or, in a proper case, grant a new trial on the ground of fraud or newly discovered evidence.

9. The jurisdiction extends to actions against the city of New Rochelle, a domestic corporation, a foreign corporation, or individual, or partnership having an office or agency, or place of business within the county of Westchester, and an administrator or executor, as such. A corporation or joint stock association whose principal place of business is established by or pursuant to a statute or by its articles of association, or whose principal place of business or any part of its plant or plants, shops, factories or offices are actually located within the county, or in case of a railroad corporation where any portion of the road operated by it is within the county of Westchester, is deemed to have an office or agency or place of business within the county, and personal service of a summons, made within the county, as prescribed in this act, or personal service of a mandate whereby a special proceeding is commenced, made within the county, as prescribed in this act for personal service of a summons, is sufficient service thereof upon such corporation wherever it is located.

§ 15. **No jurisdiction in certain cases.** The city court cannot take cognizance of any civil action in any of the following cases:

1. An action to recover damages for an assault, battery, malicious prosecution, false imprisonment, libel, slander, criminal conversation, seduction, or loss of society of husband or wife.

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2. When the title to real property comes in question;

3. Said court shall not have any equity jurisdiction; but this subdivision shall not be construed as to prevent a person to or against whom a precept is issued, as provided in article eighty-three of the civil practice act, from setting up an equitable defense in summary proceedings.

4. Unless the plaintiff or the defendant, or one or more of the plaintiffs or defendants, reside in the city of New Rochelle. A domestic or foreign corporation having an office, or agency, or place for the transaction of its business established within the city of New Rochelle may institute an action in the city court notwithstanding this limitation.

§ 16. **Conformity to supreme court practice.** Except as otherwise provided in this act or in the rules, the practice, pleadings, forms and procedure in this court shall conform, as nearly as may be, to the practice, pleadings, forms and procedure existing at the time in like causes in the supreme court, any statutory limitations heretofore enacted, to the contrary thereof notwithstanding.

§ 17. **Rules of court.** The city judge may adopt and amend rules not inconsistent with the provisions of this act relating to the following subjects:

1. The hours during which the court shall be open.

2. The duties of the clerk, assistant clerks, stenographers, interpreters, attendants and employees; the manner of keeping records and papers, the collection and disposition of moneys and accounts thereof.

3. The forms and practices of the court, including forms of pleading and all matters of procedure not specifically provided for in this act.

4. The calendar practice and the designation of terms for the trial of cases by jury.

§ 18. **Criminal contempt of court.** The city court has power to punish for criminal contempt a person guilty of either of the following acts and no others:

1. Disorderly, contemptuous or insolent behavior, committed during its sitting, in its immediate view and presence, and directly tending to interrupt its proceedings;

2. Breach of peace, noise and other disturbance, directly tending to interrupt its proceedings;

3. Wilful disobedience of its lawful mandates;

4. Resistance wilfully offered to its lawful mandates;

5. Contumacious and unlawful refusal to be sworn as a witness or, after being sworn, to answer any legal and proper interrogatory;

6. Publication of a false or grossly inaccurate report of its proceedings. But the court cannot punish as a contempt the publication of a true, full and fair report of a trial, argument, decision or other proceeding thereon.

§ 19. **Punishment for contempt.** Punishment for a contempt, specified in the last section, may be by a fine, not exceeding two hundred and fifty dollars, or by imprisonment not exceeding

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thirty days in the county jail, or both, in the discretion of the court. Where a person is committed to jail for the non-payment of such a fine, he must be discharged at the expiration of thirty days; but when he is also committed for a definite time the thirty days must be computed from the expiration of the definite time. Such contempt committed in the immediate view and presence of the court may be punished summarily. When not so committed, the party charged must be notified of the accusation and have a reasonable time to make a defense, and the court may issue a warrant, directed generally to the marshal requiring him to bring the offender before the court. When a person is committed for such a contempt, the particular circumstance of his offense must be set forth in the mandate of commitment. Punishment for a contempt, as herein prescribed, does not bar an indictment for the same offense; but when a person who has been so punished is convicted on such an indictment, the court in sentencing him must take into consideration the previous punishment.

§ 20. **Contempt of court punishable civilly.** The court has power to punish by fine or imprisonment, or either, a neglect or violation of duty or other misconduct, by which a right or remedy of a party to a civil action or special proceeding pending in the court may be defeated, impaired, impeded or prejudiced in either of the following cases:

1. An attorney, counselor, clerk, sheriff, marshal, or other person, in any manner duly selected or appointed to perform a judicial or ministerial service, for a misbehavior in his office or trust, or for a wilful neglect or violation of duty therein; or for disobedience to a lawful mandate of the court, or of a judge thereof or of an officer authorized to perform the duties of such a judge;

2. A party to the action or special proceeding, for putting in fictitious bail or a fictitious surety, or for any deceit or abuse of a mandate or proceeding of the court;

3. A party to the action or special proceeding, an attorney, counselor or other person, for the non-payment of a sum of money ordered or adjudged by the court to be paid in a case where by law execution cannot be awarded for the collection of such a sum; or for any other disobedience to a lawful mandate of the court;

4. A person assuming to be an attorney or counselor or other officer of the court, and acting as such without authority, for rescuing any property or person in the custody of an officer by virtue of a mandate of the court; for unlawfully detaining or fraudulently preventing or disabling from attending or testifying, a witness of a party to the action or special proceeding, while going to, remaining at, or returning from the sitting where it is noticed for trial or hearing; and for any other unlawful interference with the proceedings therein;

5. A person subpoenaed as a witness, for refusing or neglecting to obey the subpoena or to attend, or to be sworn or to answer as witness;

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6. A person duly notified to attend as a juror at a term of the court, for improperly conversing with a party to an action or special proceeding to be tried at that term, or with any other person in relation to the merits of that action or special proceeding; or for receiving a communication from any other person in relation to the merits of such an action or special proceeding without immediately disclosing the same to the court;

7. In any case where an attachment or any other proceeding to punish for a contempt had been usually adopted and practiced in a court of record, to enforce a civil remedy of a party to an action or special proceeding in that court, or to protect the right of a party.

§ 21. **Actions to enforce mechanic's liens.** In an action under subdivision four of section fourteen, the practice and procedure shall be governed by the provisions of lien law pertaining to such actions in a court not of record.

§ 22. **Seal.** The said court shall have an official seal consisting of a circle within which shall be engrossed the words, "City Court of New Rochelle, New York."

§ 23. **Process; where service may be made.** The court shall have power to send its process and other mandates to any part of the county of Westchester for service or execution and to enforce obedience thereto.

§ 24. **City judge to administer oaths, et cetera.** The city judge or acting city judge may, in the city of New Rochelle, by virtue of his office, administer oaths, take depositions and acknowledgments, and certify the same in the manner and with the same effect as justices of courts of record.

§ 25. **Action continued.** The trial of an action or special proceeding or criminal proceeding may be continued from day to day, or from one day to any other day or days until the same is finished.

§ 26. **Death or removal not to impair action.** No process, action, judgment, execution, special proceeding or criminal proceeding shall abate or be discontinued by reason of the death, disability, removal from office or vacancy in the office of the city judge or acting city judge; but the successor in office of the said city judge or acting city judge shall proceed to hear, try and determine and give judgment in and upon the same, and upon all matters and things pending before and undecided or not acted upon or indorsed by his predecessor in office, with the same powers, jurisdiction and authority as his predecessor had.

§ 27. **Probation officer.** The judge of the city court may appoint and at his pleasure remove a probation officer. The salary of the probation officer shall be fixed by the board of estimate and apportionment.

§ 28. **Commencement of action.** All actions brought in the city court of New Rochelle shall be commenced by the service of a summons of like form as in the supreme court, except the time specified

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in the summons within which the defendant shall be required to appear or answer the complaint shall be six days instead of twenty days. When no complaint is served with the summons and a notice of appearance is served, the plaintiff shall have six days after the service of the notice of appearance within which to serve a complaint and the defendant shall have six days after the service of the complaint within which to serve his answer. Plaintiffs appearing without an attorney may have the summons issued by the clerk of the city court, which summons shall direct the defendant to serve the appearance or answer on the clerk. The clerk shall be paid a fee of one dollar by the plaintiff for issuing such a summons. For the purpose of saving a cause of action from the operation of the statute of limitations an attempt to commence an action is equivalent to the commencement thereof when the summons is issued by the clerk, provided that actual service thereof is made with due diligence.

§ 29. **Method of serving summons.** The summons may be served upon the defendant within the county of Westchester in like manner as though the summons issued out of the supreme court, except as otherwise provided in this act, provided that it shall not be served by publication.

§ 30. **Who may serve summons or precept; proof of service.** 1. Personal service of summons or service of a precept in summary proceedings shall be made by a marshal or deputy marshal or by any other person over the age of eighteen years and not a party to the action.

2. Proof of service shall be made by the certificate of the marshal or deputy marshal, by the affidavit of the person by whom the service was made; and such certificate or affidavit shall be indorsed upon or annexed to the summons or precept.

§ 31. **Substitutes for personal service of summons.** An order for the service of a summons upon a defendant residing or a defendant domestic corporation having its place of business within the county of Westchester may be made by the court, upon satisfactory proof, by the affidavit of a person not a party to the action, that proper and diligent effort has been made to serve the summons upon the defendant, and that the place of his sojourn cannot be found, or if he is within the county that he avoids service or that a defendant domestic corporation avoids service so that personal service cannot be made. The contents of the order, the method of service of the summons, the proof of service thereof, and the method of filing the order and the papers on which it was granted shall be the same as though the summons were issued out of the supreme court, unless otherwise provided by the rule; except that the service must be made and the order and papers filed with the clerk within five days after the order is granted. On filing proof of due service, the summons is deemed served, and the same proceedings may be taken thereupon as if personal service thereof had been made, except that no execution against the person shall issue upon a judgment entered upon such service.

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§ 32. **Endorsement upon summons in action for penalty.** If no written complaint is delivered to the defendant in an action for a penalty or forfeiture, the summons and the copy thereof delivered to the defendant must bear an endorsement substantially in the following form: "according to the provisions of," adding such a description of the section of the statute or ordinance as will identify it with convenient certainty.

§ 33. **Endorsement upon summons for execution against the person.** If no verified complaint is served with the summons in an action where execution against the person may issue upon the judgment, the summons and the copy delivered to the defendant must bear an endorsement substantially in the following language: "Plaintiff claims defendant is liable to arrest and imprisonment in this case."

§ 34. **Guardian ad litem.** When a guardian is necessary he must be appointed by the court, as follows:

1. If the infant is plaintiff, the appointment must be made before the summons is issued, upon the application of the infant, if he is of the age of fourteen years or upwards; if under that age, upon the application of some relative or friend. The consent in writing of the guardian to be appointed and to be liable for costs if he fails in the action, must be filed with the clerk of the court, except that the guardian shall not be liable for costs where the plaintiff has received leave to prosecute as a poor person.

2. After the filing of proof of service of the summons against an infant defendant, no other proceeding shall be taken in the action until a person has been appointed as his guardian for the purpose of the action. Upon the nomination of the defendant, the court must appoint a proper person for that purpose, but if the defendant neglects or refuses to nominate, the court, may, on application of the plaintiff, appoint any proper person as a guardian upon the filing of such person's written consent with the clerk. The guardian so appointed is not responsible for costs.

3. Where no guardian has been appointed, as in this section provided, the court shall at any time before judgment, make such appointment. The guardian so appointed is not responsible for costs.

§ 35. **Joinder of parties; interpleader.** 1. Except as otherwise expressly provided in this act, all questions as to the joinder of parties shall be determined by the provisions of law applicable to like cases in the supreme court.

2. No action shall be defeated by the nonjoinder or misjoinder of parties. The names of new parties may be added and the names of parties misjoined may be struck out, by order of the court, at any stage of the cause and upon such terms as justice may require.

3. Upon the application of the defendant in an action brought to recover upon a contract or to recover a chattel, the court may make an order of interpleader or an order joining adverse claimants as parties defendant, according to the provisions of law applicable to like cases in the supreme court.

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4. Where a plaintiff or defendant shows that some third person, not then a party to the action, is or will be liable to him wholly or in part for the claim made against him, the court, on application may direct such person to be brought in as a party to the action and direct that a supplemental summons and a pleading alleging his claim against such person be served upon such person, and that such person plead thereto, so that the claim of moving party against such person may be determined in such action, which shall thereupon proceed against such person as a defendant therein to such judgment as may be proper.

5. Where a defendant sets up any counterclaim which raises questions between himself and the plaintiff along with any other persons, he shall set forth the names of all the persons, who, if such counterclaim were to be enforced by cross action, would be defendants to such cross action. Where any such person is not a party to the action he shall be summoned to appear by being served with a copy of the answer. A person not a party to the action who is so served with an answer becomes a defendant in the action as if he had been served with the summons. Any such person named in an answer as party to a counterclaim may reply thereto within the time within which a defendant might serve an answer to a complaint, or he may serve a notice of appearance on the party interposing the counterclaim.

§ 36. **Attachment; in what actions granted.** In an action of which this court has jurisdiction, a warrant of attachment against the property of one or more defendants may be granted on the application of the plaintiff, if such a warrant might be granted were the action brought in the supreme court.

§ 37. **Grounds, affidavit.** To entitle the plaintiff to a warrant of attachment he must show by affidavit to the satisfaction of the court:

1. That a cause of action for which a warrant of attachment may be granted exists against the defendant; and if the action is based upon a breach of contract, that the plaintiff is entitled to recover a sum stated, in excess of all counterclaims known to him.

2. That the defendant is either a foreign corporation or not a resident of the state; or, if the defendant is a natural person and a resident of the city of New Rochelle, that he has departed or is about to depart therefrom with intent to defraud his creditors or to avoid the service of a summons, or keeps himself concealed with the like intent; or, if the defendant is a natural person or a domestic corporation, that he or it has removed or is about to remove property from the city of New Rochelle with intent to defraud his or its creditors, or has assigned, disposed of or secreted, or is about to assign, dispose or secrete property with the like intent; or, where for the purpose of procuring credit or the extension of credit, the defendant has made a false statement in writing under his own hand and signature, or under the hand and signature of a duly authorized agent made with his knowledge and acquies-

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cence, as to his financial responsibility or standing; or, that the defendant, being a natural person of full age and a resident of the state, has been continuously without the state for the space of six months or more immediately before the application, and either that he has not made a designation of a person upon whom to serve a summons in his behalf as prescribed in section two hundred and twenty-seven of the civil practice act, or that a designation so made no longer remains in force.

§ 38. **Issuance and contents of warrant.** The warrant may be granted by the court or a justice thereof and must be issued by the clerk, when the summons is issued or at any time after the commencement of the action and before final judgment. It must briefly recite the grounds of the attachment and must require the marshal to whom it is delivered to attach and safely keep so much of the defendant's personal property as will satisfy the plaintiff's demand, together with the costs and expenses of the action, and forthwith make return of his proceedings thereon to the court. The amount of the plaintiff's demand must be specified in the warrant.

§ 39. **Undertaking by plaintiff.** Before granting the warrant the court must require the plaintiff to give an undertaking to the defendant, with one or more sureties approved by the court to the effect that if the defendant recovers judgment or the warrant of attachment is vacated, the plaintiff will pay all costs which may be awarded to the defendant and all damages which he may sustain by reason of the attachment, not exceeding the sum specified in the undertaking, which must be at least twice the amount of the plaintiff's demand as stated in the warrant and in no case less than two hundred dollars, and that if the plaintiff recovers judgment he will pay to the defendant all money received by him from property taken by virtue of the warrant or upon any bond given therefor, above the amount of the judgment and interest thereon.

§ 40. **Execution of warrant; inventory.** The marshal to whom the warrant of attachment is delivered must obey the directions therein contained and must immediately make an inventory of the property attached, stating therein the estimated value of each article or item.

§ 41. **Property subject to levy.** An attachment may be levied upon any property within the county of Westchester upon which an attachment may be levied in an action in the supreme court, except real property and interests therein.

§ 42. **Manner of making levy; effect of levy and certificate of sale.** The manner of making the levy, the effect thereof and the effect of the marshal's certificate of sale, shall be governed by the provisions applicable to like cases in the supreme court.

§ 43. **Certificate of defendant's interest in property.** Upon application of a marshal holding a warrant of attachment, a certificate of the defendant's interest in property or in a debt or demand owing to him must be furnished to the marshal, and a

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person may be ordered to attend before the court and submit to an examination in respect thereto, according to the provisions applicable to like cases in the supreme court.

§ 44. **Actions by marshal.** The duties and powers of a marshal with respect to the collection of debts, effects and things in action attached by him, and with respect to the maintenance by him of actions and special proceedings to reduce personal property to his possession, shall be the same as those of a sheriff in the supreme court.

§ 45. **Service of summons, warrant and inventory.** Immediately upon making the inventory the marshal must serve the summons, if it has not yet been served, together with the warrant of attachment and inventory, upon the defendant by delivering to him personally a copy of each, if he can with reasonable diligence be found within the city, or, if he cannot be so found, by leaving a copy of each, certified by the marshal, at the last place of residence of the defendant in the city, with a person of suitable age and discretion, or, if such person cannot be found there, by posting them on the outer door, and also depositing another copy of each in the postoffice, inclosed in a sealed post-paid wrapper, directed to the defendant at his residence; or, if the defendant has no place of residence in the city, by delivering them to the person in whose possession the property attached is found.

If personal service of the summons upon the defendant has previously been made, the marshal must serve the warrant and inventory as herein provided.

§ 46. **Undertaking by defendant to reclaim property.** The defendant or his attorney or agent may at any time before judgment is rendered, execute and deliver to the marshal an undertaking to the plaintiff in a sum specified therein, at least twice the value of the property attached, as stated in the inventory, with one or more sureties approved by a justice of the court, and to the effect that if judgment is rendered against the defendant and an execution is issued thereon within six months after the giving of the undertaking, the property attached shall be produced to satisfy the execution. Thereupon the marshal must deliver the property to the defendant.

§ 47. **Claim by third person; bond and delivery thereupon.** If a person not a party to the action claims any property attached, which is not reclaimed by the defendant as prescribed in the last section, he may at any time after the seizure and before the execution is issued, execute and file with the clerk a bond to the plaintiff, with one or more sureties approved by the city judge or acting city judge, in a penalty at least twice the value of the property claimed, and conditioned that, in an action upon the bond to be commenced within three months thereafter, the claimant will establish that he was the general owner of the property claimed at the time of the seizure; or, if he fails so to do, that he will pay to the plaintiff the value thereof, with interest. The marshal must thereupon deliver the property claimed to the claimant.

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§ 48. **Judgment on bonds.** A judgment for the plaintiff in an action on a bond given as prescribed in the last section must award to him the value of the property seized and delivered to the claimant, with interest thereon from the time of the delivery. If the amount so recovered exceeds the amount which the plaintiff recovers in the action in which the warrant of attachment was issued, he is liable to the defendant for the excess.

§ 49. **Action on undertaking when warrant vacated.** If the warrant of attachment is vacated or annulled the defendant may maintain an action upon the bonds and undertaking specified in the last two sections, in his own name, in the same manner and with like effect as the plaintiff might have done if the warrant had remained in full force.

§ 50. **Return by marshal attaching.** The marshal executing the warrant of attachment must at the time when and the place where it is returnable make a return thereto under his hand, stating all his proceedings thereon. He must deliver to the clerk, with the return, each bond or undertakings delivered to him, pursuant to any of the foregoing provisions of this article, and a copy, certified by him, of the inventory of the property attached. The return must state the manner in which the warrant and inventory were served, and, if they were served otherwise than by delivering a copy thereof to the defendant personally, the reason therefor and the name of the person to whom the copy was delivered, unless his name is unknown to the marshal, in which case the return must describe him so as to identify him as nearly as may be.

§ 51. **Vacating or modifying warrant and increasing security.** The court may of its own motion vacate a warrant of attachment at any time on the ground that the issuance of the warrant was unauthorized. A motion to vacate or modify a warrant of attachment or to increase the security given by the plaintiff may be made on at least one day's notice. In all other respects the motion shall be governed by the provisions applicable to such motions in the supreme court.

§ 52. **Judgment when summons not personally served.** If the defendant has not appeared generally, and the summons has been served otherwise than personally, and his property has been attached by virtue of a warrant which has not been vacated, the judgment is only presumptive evidence of his indebtedness in an action subsequently brought.

§ 53. **Exception to and justification of sureties; reclaimer of attached property.** The provisions of this act contained in sections fifty-nine to sixty-three inclusive, shall apply as nearly as may be to cases of attachment of property.

§ 54. **Replevin; when action of replevin will lie.** An action to recover a chattel, with or without damages for the wrongful taking, withholding, or detention thereof, is maintainable, when within the jurisdiction of the court, in the cases where such an action is maintainable in the supreme court.

§ 55. **When chattel may be replevied; affidavit and undertaking.** At the time of issuing summons or at any time before

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joinder of issue, or if the defendant makes default in pleading, at any time before the entry of judgment, the plaintiff may cause the chattel for the recovery of which the action is brought, to be replevied by a marshal. For that purpose he must file with the clerk an affidavit and undertaking which shall be governed by the provisions of law applicable to such affidavits and undertakings in the supreme court. The sureties on the undertaking must be approved by the city judge or the acting city judge, as hereinafter provided.

§ 56. **Requisition to replevy.** Upon submission of the affidavit and undertaking, the city judge or acting city judge, must endorse upon or attach to the affidavit a requisition requiring the marshal to replevy the property described in the affidavit. The requisition must be issued by the clerk. The affidavit, undertaking and requisition must be delivered to the marshal.

§ 57. **How executed and served.** The requisition to replevy shall be executed and the requisition, affidavit and undertaking shall be served in the same manner as if the action were in the supreme court, subject to the provisions of section seven of this act. If personal service of the summons has not been previously made, the summons must be served together with, and in the same manner as, the requisition, affidavit and undertaking.

§ 58. **Return to requisition.** The marshal must make a prompt return to the requisition, stating all his proceedings thereon, and file it, with the affidavit, undertaking and requisition with the clerk. The return must state the manner in which the summons, affidavit, requisition and undertaking were served and the particulars of the service.

§ 59. **Exception to and justification of sureties.** Within three days after the chattel has been replevied, the defendant may serve upon the plaintiff or his attorney or upon the marshal a written notice that the defendant excepts to the sureties; otherwise, he is deemed to have waived all objections to them. If such notice is served upon the marshal he must immediately deliver it to the plaintiff or his attorney. Within three days after the service of such notice the plaintiff must serve upon the defendant or his attorney a notice that the sureties will justify before the court at a specified time, which shall be not more than three days after the service of the notice of justification. At the time specified the sureties, or other sureties on a new undertaking to the same effect as the first, must appear and justify before the court.

§ 60. **Defendant's reclaimer of chattel.** If the defendant does not except to the sureties he may file with the clerk, within three days after the chattel has been replevied, a notice that he requires the return of the chattel, and with the notice he must file the following papers:

1. An affidavit containing an allegation either that the defendant is the owner of the chattel or that he is lawfully entitled to the possession thereof by virtue of a special property therein, the facts with respect to which must be set forth.

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2. An undertaking executed by at least two sureties or a duly authorized fidelity or surety company to the effect that they or it are bound in a specified sum, not less than twice the value of the chattel as stated in the affidavit of the plaintiff, for delivery thereof to the plaintiff, if delivery thereof is adjudged, and for the payment to him of any sum which the judgment awards against the defendant.

If the plaintiff has stated separately in his affidavit the value of one or more chattels, or classes of chattels, the defendant may require a delivery of any or all of the chattels replevied, and the undertaking shall be conditioned accordingly.

Upon filing the undertaking the defendant must serve upon the plaintiff or the latter's attorney a copy of the undertaking and a notice that the sureties named therein will justify before the court at a time specified, which shall be not more than three days after the service of the notice.

§ 61. **Qualification of sureties.** A surety may be either an individual or a fidelity or surety company duly authorized by law to act as surety. Each individual surety must be:

1. A resident of the county of Westchester and a freeholder or a householder therein.

2. Worth twice the sum for which he becomes obligated in the undertaking exclusive of property exempt from execution.

§ 62. **Method of justifying.** For the purpose of justification, each individual surety must attend before the court at the time and place mentioned in the notice of justification and be examined on oath, touching his sufficiency, in such manner as the court in its discretion deems proper. If required by the adverse party, the examination must be reduced to writing and subscribed by the surety.

§ 63. **Allowance of undertaking.** If the court finds the surety sufficient, it must annex the examination to the undertaking, endorse its allowance thereon and cause them to be filed with the clerk.

§ 64. **When and to whom marshal must deliver chattel.** If the defendant neither excepts to the plaintiff's sureties, nor requires the return of the chattel, within the time prescribed for that purpose, or if he makes default in serving notice of the justification of his sureties or in procuring the allowance of his undertaking, or if the plaintiff, after the defendant has excepted to his sureties, duly procures the allowance of his undertaking, the marshal, except where a claim is made by a person not a party to the action, immediately must deliver the chattel to the plaintiff. If the plaintiff, after the defendant has excepted to his sureties, makes default in serving notice of justification or in procuring the allowance of his undertaking, or if the defendant, after he has required the return of the chattel, duly procures the allowance of his undertaking, the marshal immediately must deliver the chattel to the defendant. Where the marshal duly delivers a chattel to either party, as prescribed in this section, he must

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deliver, at the same time, to the adverse party, the undertaking received by him from the party to whom the chattel is delivered, together with the examination of the sureties, and the judge's allowance, if any. When the chattel is delivered by the marshal to either party, as prescribed in this section, the marshal ceases to be responsible for the sufficieny of the sureties of the plaintiff or of the defendant, as the case may be.

§ 65. **Practice in supreme court applicable.** The provisions of law applicable to an action of replevin in the supreme court, in so far as they concern the duties and liabilities of a sheriff with respect to the taking, keeping and delivery of a chattel replevied, the proceedings upon a claim of title by a third person, the indemnity to be furnished by the plaintiff to the sheriff upon such a claim, the defendant's answer of title in a third person, the method of ascertaining damages on the defendant's default, the character and contents of the verdict or judgment and of the execution, and the respective rights of action of the plaintiff and defendant upon undertakings, shall apply to like matters in this court in so far as such provisions can be made applicable thereto and except as otherwise provided in this act; and subject to like exception, all such provisions relating to a sheriff shall apply to a marshal, as prescribed in section seven of this act.

An undertaking to indemnify a marshal against a claim made by a third person to the chattel replevied must be substantially the same as that given to indemnify a sheriff in a similar case, except that the amount thereof need not be more than double the value of the chattel claimed and except that the sureties must possess the qualifications stated in section sixty-one of this act.

§ 66. **Third party may interplead and defend.** At any time before a chattel which has been replevied is actually delivered to either party, a person not a party to the action who claims a right to the possession of the chattel so replevied or any part thereof, which right is claimed to have existed at the time when the said chattel was replevied, may make an affidavit and deliver the same to the court, stating that he makes such claim without collusion with the defendant, specifying in such affidavit the chattel to which he makes claim, setting forth the facts upon which his right depends, and praying to be impleaded as a defendant in the action. The court may thereupon grant leave to said party to appear and defend, and the provisions of this act in relation to the defendant originally proceeded against, so far as applicable, shall apply to the said party, and the court may in its discretion make such order or direct such delivery of the property as may be just, and thereupon the entire controversy may be determined in the action. Nothing in this section, however, shall be construed to affect the right of any party to maintain a separate action or to recover damages for the wrongful taking or detention of a chattel, unless judgment is awarded against him on the merits. In that case the court may grant leave to said third party to appear and defend, and the provisions of this act in relation to

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the defendant originally proceeded against then apply to said party.

§ 67. **Judgment.** Final judgment for the plaintiff must award to him possession of the chattel recovered by him with his damages, if any. If a chattel recovered was not replevied, or if, after it was replevied, it was delivered to the defendant, or to a person not a party, as prescribed in this article, the final judgment must also award to the plaintiff the sum fixed as the value thereof, to be paid by the defendant if possession thereof is not delivered to the plaintiff. If the defendant has demanded judgment for the return of a chattel which was replevied and afterwards delivered to the plaintiff, or to a person not a party, as prescribed in this article, final judgment in his favor therefor must award to him possession thereof with his damages, if any; and it must also award to him the sum fixed as the value thereof, to be paid by the plaintiff if possession is not delivered to the defendant.

For the purpose of taxing costs, where the plaintiff is entitled to judgment, he may request the court to determine the value of the chattel and the damages to which he is entitled, if any.

§ 68. **Action to foreclose a lien on a chattel; what deemed lien on chattel.** For the purpose of this article a chattel mortgage to secure the payment of a loan of money or other debt, or the purchase price of the chattels shall be deemed a lien upon a chattel; and an action to foreclose such a lien may be maintained.

§ 69. **Warrant of seizure.** In an action to foreclose a lien upon a chattel, a warrant commanding the marshal to seize the chattel and safely keep it to abide the judgment, may be granted by the city judge or acting city judge, and must be issued by the clerk. Sections fifty-seven and fifty-eight of this act shall apply, as nearly as may be, to a proceeding taken under this article.

§ 70. **Affidavit and undertaking.** To entitle the plaintiff to such a warrant he must file with the clerk an undertaking and must show by affidavit to the satisfaction of the court that the plaintiff has a lien on the chattel, the amount thereof and the facts out of which the same arose and that the plaintiff is not in possession of the chattel. The affidavit must contain a description of the chattels so that they can be readily identified. The provisions applicable to an undertaking to procure a warrant of attachment shall apply, so far as practicable, to the undertaking required by this section.

§ 71. **Judgment in lien foreclosure.** In an action to foreclose a lien, the judgment in favor of the plaintiff must specify the amount of the lien and, when the chattel is not in the custody of the marshal by virtue of a warrant, must command the marshal to seize the chattel. The judgment must direct a sale by the marshal of the chattel after six days' personal service of the notice of sale upon the defendant unless such service shall be dispensed with by order of the court, to satisfy the lien and the costs, if any, in like manner as where a marshal sells personal property by virtue of an execution, and the application by him of the proceeds of sale, less his fees and expenses, to the payment of the amount of

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the lien and the costs of the action. It must also provide for the payment of the surplus, if any, to the owner of the chattel, and for the safekeeping of the surplus, if any, by the clerk of the court, until it is claimed by him. If a defendant upon whom the summons is personally served is liable for the amount of the lien or for any part thereof, the plaintiff may also have judgment for the deficiency, if any. The execution to be issued to the marshal shall be in accordance with the terms of the judgment.

§ 72. **Marshal's power under execution.** For the purpose of seizing a chattel by virtue of an execution, the power of the marshal is the same as where he is required to replevy a chattel.

§ 73. **Exemption to and justification of sureties; reclaimer of chattel.** Sections fifty-nine to sixty-three, inclusive, of this act shall apply, as nearly as may be, to a proceeding taken under this article.

§ 74. **Application of this article.** The provisions of this article shall not affect any right or remedy to foreclose or satisfy a lien upon a chattel without action, and do not apply to a case where another mode of enforcing a lien upon a chattel is specially prescribed by law.

§ 75. **Pleadings; bills of particulars; special appearance.** Pleadings in actions may be oral or written, verified or unverified, except that the pleadings in an action to establish a mechanic's lien must be verified. Pleadings shall consist of complaint and answer and, when ordered, a reply.

1. Where the amount demanded is one hundred dollars or less, the pleadings may be oral but a statement of the nature and substance of the plaintiff's cause of action shall be endorsed upon or annexed to the summons. In such case, a statement of the nature and substance of the defendant's answer shall be endorsed upon or annexed to the notice of appearance. Where the defendant does not appear by attorney, the clerk shall endorse upon the summons or annex thereto a statement of the nature and substance of the defendant's answer. Where the amount demanded is more than one hundred dollars, the pleadings must be written.

2. If a written complaint is served with the summons a written answer must be served and if the complaint is verified, the answer must be verified. The address of the defendant, or the office and postoffice address of his attorney, shall be endorsed upon the summons.

3. At any time before trial, the court may direct the service of a written pleading, verified or unverified.

4. The original or a copy of a contract or other writing on which a cause of action or a defense or a counterclaim is founded may be filed with the pleading and shall be deemed a part of the pleading. Within three days after the service of a written demand by either party, the adverse party shall file with the clerk the original or sworn copy of any such contract or other writing specified in such demand. If the paper is not duly filed, the court may order that it be filed and may exclude it from the evidence if not filed accordingly.

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5. In a proper case a written demand for a bill of particulars of the complaint or counterclaim may be made. A bill of particulars must be filed with the clerk and a copy served upon opposing counsel within three days after the demand is served and the court upon motion or notice may preclude the party failing to serve such bill of particulars from giving evidence of the part or parts of his affirmative allegation of which particulars have not been served. The court may order a written bill of particulars, with or without verification, to be filed and served by the plaintiff or by the defendant interposing a counterclaim.

6. For the purpose of raising a question not involving the merits of the action, a party may appear specially by serving upon the plaintiff's attorney, on or before the last day to appear or answer, a notice of special appearance stating the particular purpose for which he appears. Either party may then by notice of motion have the questions raised by such special appearance disposed of by the court. If the questions raised by such special appearance are sustained the action shall be dismissed; if overruled the court shall grant the defendant six days in which to appear or answer and may impose ten dollars costs. No order need be entered or served upon the disposition of said motion, but the judge shall endorse upon the original motion papers the substance of his decision.

§ 76. **Joinder and severance of causes of action.** The plaintiff may include in the same complaint any cause of action of which the court has jurisdiction, to the end that all matters of difference between the respective parties may, so far as practicable, be determined in one action; but if it appears to the court that causes of action so joined should not be tried or disposed of together, the court may order them to be tried separately, or that the action be severed, and may make such other and further orders as may be necessary or expedient for the separate disposal thereof.

§ 77. **Offer of judgment.** At the time of answering the defendant may file with the clerk a written offer to allow judgment to be taken against him for a sum of money or for property therein specified with costs. If there are two or more defendants, and the action can be severed, a like offer may be made by one or more of them against whom a separate judgment may be taken. If the plaintiff thereupon, before taking any other proceeding in the action, files with the clerk a written acceptance of the offer, the clerk must enter judgment accordingly. If an acceptance is not filed, the offer cannot be given in evidence upon the trial; but if the plaintiff fails to obtain a more favorable judgment, he cannot recover costs. Instead of making a written offer a defendant may deposit the amount of his offer with the clerk, if it be a sum of money, with like effect.

§ 78. **Complaint.** The complaint must state in a plain and concise manner the facts constituting the cause of action.

§ 79. **Answer; contents thereof.** The answer must contain:

1. A general or specific denial of each material allegation of

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the complaint intended to be controverted, or a denial of any knowledge or information thereof sufficient to form a belief. A denial must not be evasive, and unless the defendant intends in good faith to controvert all the allegations of the complaint or of a particular part thereof, the denial must be directed to the specific allegation intended to be controverted.

2. A plain and concise statement of any new matter constituting a defense or counterclaim.

3. When the judgment may determine the ultimate rights of two or more defendants as between themselves, a defendant must demand such a determination in his answer, which must be in writing; and a copy of such answer must be served at least two days before trial, or at such other time as the court shall direct upon each defendant to be affected by the determination or upon his attorney in the action.

§ 80. **Counterclaim.** Except as otherwise provided in this act, a counterclaim and judgment thereon shall be governed by the provisions of law applicable to like cases in the supreme court.

§ 81. **Joinder and severance of counterclaim.** There may be included in the counterclaim any claims or causes of action mentioned in section fourteen of this act, against the plaintiff, or, in a proper case, against the person whom he represents, and in favor of one or more defendants between whom and the plaintiff a separate judgment may be had in the action. But if it appears to the court that any of the claims or causes of actions so joined should not be tried or disposed of together, the court may order that they be tried separately, and may make such other and further orders as may be necessary or expedient for the separate disposal thereof; and if it appears to the court that any claim or cause of action alleged by way of counterclaim should not be tried or disposed of in the pending action, the court may strike it out, without prejudice to the bringing of another action or proceeding.

§ 82. **Amount recoverable on counterclaim.** A counterclaim may be interposed and judgment thereon in favor of the defendant may be rendered for any sum not to exceed two thousand five hundred dollars.

§ 83. **Reply to counterclaim.** A reply to a counterclaim is not necessary; but the court may order a written reply verified, or unverified, at any time before trial. When no reply is served, the allegations of the counterclaim shall be deemed denied.

§ 84. **Objections to jurisdiction and to pleadings.** An objection that the court has no jurisdiction of the person of the defendant or no jurisdiction of the subject of the action may be taken by serving a notice of special appearance. All other objections which heretofore might have been taken by demurrer may be taken by motion. The notice of motion must specify the grounds thereof and the particular defects or objections upon which the moving party relies.

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§ 85. **Objections which may be taken by answer.** An objection to the sufficiency of the complaint, or an objection which, if sustained, disposes of the action without putting the plaintiff to his proof, may be taken by alleging it as a defense in the answer in lieu of a motion, and on application of either party it must be disposed of before the trial. When an objection is thus taken, the answer must specify the particular objection or defect upon which the defendant relies.

§ 86. **Disposal of objections.** 1. If the court overrules a defendant's objection taken by motion, the court must allow him to answer; and as a condition thereof may impose costs.

2. If the court sustains an objection taken by a motion or answer upon the ground that the pleading is insufficient, the court must allow it to be amended; and as a condition thereof may impose costs; and if the party fails to amend, the defective pleading or part of pleading may be struck out.

§ 87. **Judgment from the pleadings.** If either party is entitled to judgment upon the pleadings, the court may, on motion at any time after issue joined, give judgment accordingly.

§ 88. **Summary judgment.** When an answer is served in an action to recover a debt or liquidated demand arising,

1. On a contract, express or implied, sealed or not sealed; or

2. On a judgment for a stated sum;

the answer may be stricken out and judgment entered thereon on motion, and the affidavit of the plaintiff or of any other person having knowledge of the facts, verifying the cause of action and stating the amount claimed, and his belief that there is no defense to the action; unless the defendant by affidavit, or other proof, shall show such facts as may be deemed, by the judge hearing the motion sufficient to entitle him to defend.

§ 89. **Signature to instrument; when deemed genuine.** A signature to a written instrument which is pleaded shall be taken as admitted unless the party sought to be charged thereby files with the clerk, within eight days after joinder of issue, a specific denial of the genuineness of the signature and a demand that it be proved. Such denial and demand by a defendant may be included in his answer.

§ 90. **Construction and amendments of pleadings, judgment and process.** 1. The allegation of a pleading must be liberally construed for the purpose of doing substantial justice between the parties.

2. At any stage of the cause the court must allow amendment of any summons, process, mandate, pleading, order or judgment, including a petition, precept, answer and final order in a summary proceeding, if substantial justice will be promoted thereby, and as a condition thereof may impose such terms as may be just.

3. Upon like terms the court may direct that a return made by a marshal or other officer be amended in matter of form, either before or after judgment.

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§ 91. **Bringing cases on for trial.** Where both parties appear by attorneys, either party may serve a notice of trial on the other fixing a date for trial not less than five days nor more than eight days after the service of such notice if served personally, nor less than seven days nor more than nine days if served by mail. Such notice with proof of service thereof, together with all the pleadings shall be filed with the clerk not less than two days prior to the day for which the case is noticed for trial. Where a party appears without attorney, the clerk at the request of such party may notice the case for trial for any trial day by giving to such adverse party not less than seven days' notice by mail. If such adverse party has appeared by an attorney, such notice shall be served in like manner upon such attorney.

Where either party not theretofore appearing by an attorney, subsequently appears by an attorney, all notices required to be served shall be served upon such attorney. A cross notice of trial shall not be necessary unless the adverse party shall demand a jury trial and the party first serving a notice of trial has not demanded a trial by jury.

Where a jury trial is demanded, the case shall be noticed for a specific day as in nonjury cases, but upon payment of the jury fee, the clerk shall place the case upon the calendar of the jury term next following the date for which the case is noticed, unless the day specified in the notice is a jury day, in which event the case shall be placed upon the calendar for that day.

§ 92. **Adjournament* of trial.** The trail* of an action may be adjourned:

1. By stipulation of the parties, or upon request of the plaintiff where the defendant has made default or upon consent of the parties in open court.

2. By the court.

§ 93. **Jury trial; how obtained; jury fee.** Either party within three days after joinder of issue may demand a trial by jury. The demand shall be in writing and shall be included in the notice of trial and shall be filed with the clerk within five days after joinder of issue. In summary proceedings, the demand may be made in open court on the return of the precept. The party demanding a trial by jury shall at the time of filing such demand pay to the clerk the sum of five dollars. Where either the plaintiff or the defendant have not appeared by attorney, the demand may be made orally to the clerk within three days after the joinder of issue. The clerk shall in such cases notify the adverse party of the fact that a jury trial had been demanded.

Unless a demand is made and a jury fee paid as above provided, a jury trial is waived and the court must hear the evidence and decide all questions of fact and law; provided, however, that the court may in its discretion at any time before or during the trial direct that a trial be had by jury, and thereupon a trial by jury shall be had in the same manner as if either party had demanded it, and the jury fee shall be paid by the plaintiff.

* **So in original.** [Word misspelled.]

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§ 94. **Time for rendering judgment or decision.** If a jury trial is not demanded or directed as provided in the last preceding section, the court must render judgment within twenty days from the time when the case is submitted for that purpose except when further time is given by the consent of the parties. If no decision is rendered within the time thus limited, the case shall be placed upon the calendar for trial.

A motion must be decided within ten days after it is submitted for decision except when further time is given by the consent of the parties; and if no decision is rendered within the time thus limited, the motion may be renewed.

§ 95. **Jury lists.** It shall be the duty of the commissioner of assessment and taxation of the city of New Rochelle, on or before the first Monday of February in each and every year to furnish a list of names of all suitable persons qualified by law, and not legally exempt, to serve as jurors in the city court. Duplicate lists of the persons so selected, with their respective places of residence, shall be signed by said commissioner of assessment and taxation, and one of said lists shall be filed with the clerk of the city court. As soon as such list is filed the city judge shall give notice by publication in the official newspapers that the jury list of the city court has been filed and that at a time named by him, not less than seven days after the publication of said notice, he will attend at the city court room to correct the same. On such a day he shall attend and receive evidence of exemption in the manner authorized in courts of record, and no juror who does not furnish proof of a legal exemption shall thereafter be exempt when he is drawn and summoned for jury duty. The names of persons found exempt by law shall be struck from the list and the ground of exemption recorded. When the list has been corrected and completed it shall again be filed with the clerk of the city court, and the clerk shall write the names and residences of each of the jurors remaining upon said list upon ballots as near as possible of like size and color, and shall keep the same in a box to be prepared for that purpose.

1. Drawing and summoning a jury; number of jurymen. When the attendance of jurors in the city court shall be required, the clerk of the city court shall publicly draw from the jury box the names of twenty-four of said jurors in the presence of the city judge of the city court and such others as may be in attendance and the clerk of the court shall enter the names thereof upon the minutes of the city court. The city judge shall thereupon immediately issue his order in writing to the marshal of the city of New Rochelle directing him to summon the persons so drawn to attend at the city court at the time and place to be therein named to try such cases as shall be given them in charge. Any action for which a jury trial shall have been demanded shall be tried before a jury of six jurors to be selected from those so summoned who attend in the manner aforesaid, who shall be drawn in the same manner as jurors are drawn in courts of record, which

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jurors so summoned shall be required to attend for the trial of all actions in said court for which they are summoned, as the city judge may direct. The city judge may, in his discretion, on application of any juror, excuse from the whole or part of the time of service required of him and may also change the time of service of a juror to a later day during the same or subsequent term of the court.

Jurors in the city court of the city of New Rochelle shall be drawn at least six days before the day when they shall be summoned, and notified to attend at least four days before the day when they shall be required to attend.

The court may order the marshal to summon from the bystanders or from the city at large those qualified to serve as jurors whenever a sufficient number of jurors duly drawn and summoned do not appear or cannot be obtained to form a jury. Whenever a panel of jurors shall have been drawn and summoned in said court and shall thereafter be discharged, it shall be the duty of the clerk of said court to return to the jury box the names of all such jurors as have not been actually empaneled for the trial of an action, and when so returned to such box they may again be drawn in the same manner as though such names had not been previously drawn therefrom.

Jurors who shall be actually empaneled and shall sit as jurors on the trial of any action in said court shall not be again summoned to attend in the city court as jurors for the calendar year in which they shall be served unless the entire jury panel has been exhausted.

2. Juror's fees. Every juror who shall actually sit on the trial of an action in the city court shall receive the fee of twenty-five cents to be paid to him by the clerk of the city court out of the jury fee.

3. Jury term. The city judge may by rule designate terms for the trying of issues by jury in said court.

4. Special jury. If in an action or special proceeding, trial by jury is demanded at a time when no jury is in existence and it appears to the city judge that the rights of a party may be prejudiced by delaying the trial until the next jury term, the city judge may order the clerk to summon in the manner herein prescribed such number of jurors as the said city judge may direct, to appear at the court at the time and place to be therein named to try such action or special proceeding.

5. Where a juror has served as such the court clerk shall certify that fact to the commissioner of jurors at White Plains who shall thereupon execuse* the said juror from further service as a juror in the city of White Plains for a period of a year.

§ 96. **Subpoena.** A subpoena requiring a witness to appear and testify on the trial of an action or a special proceeding, shall be issued on the demand of either party, by the clerk of the court; but when a party is represented by an attorney, the latter may

* So in original. [Word misspelled.]

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issue the subpoena and shall subscribe thereto his name and his office and post-office address. The subpoena may be served anywhere in the county of Westchester and may require the witness to bring with him any book or paper relating to the merits of the action.

§ 97. **Service of subpoena.** A subpoena may be served by any person over the age of eighteen years by delivering a copy thereof to the witness personally and by paying or tendering to him a fee of fifty cents for one day's attendance at court and eight cents for each mile going to the place of attendance.

§ 98. **Attachment against defaulting witness.** 1. Upon satisfactory proof by affidavit or otherwise that a person duly subpoenaed has refused or neglected to obey the subpoena, and upon the oath of the party in whose behalf the person was subpoenaed, or his attorney, that the testimony of such person is material, the court must issue a warrant of attachment directed generally to any marshal, to compel the attendance of such person.

2. Such a warrant of attachment must be executed in the same manner as an order of arrest. The fees of the marshal for serving it must be paid by the person against whom it is issued unless he shows just cause or a reasonable excuse for his omission to attend, in which case the party procuring the warrant must pay them and add them to his costs if he recover any.

§ 99. **Liability of defaulting witness.** A person duly subpoenaed who neglects or refuses to obey the subpoena, is liable to the party in whose behalf he was subpoenaed for all damages which the party sustains by reason of the neglect or refusal, and fifty dollars in addition thereto, and is subject to any fine or punishment which may be imposed in accordance with the provisions of law governing contempts punishable civilly.

§ 100. **Commission to take testimony.** When it appears by affidavit upon the application of either party to an action or special proceeding that the testimony of one or more witnesses, not within the county of Westchester, is material to the applicant's case, the court shall issue a commission to a competent person named therein, authorizing him to examine under oath the witness or witnesses named therein upon interrogatories annexed to the commission and to be settled by the court or by the written consent of the parties, and to take and certify the deposition of each witness and return the same and the commission by mail, addressed to the clerk.

§ 101. **When commission may issue.** Such a commission may issue:

1. When the defendant has made default in pleading and the testimony is required upon the assessment of damages.

2. Before joinder of issue when there is reason to apprehend that before issue is joined, and an application for a commission can thereafter be made, the witness will die or become unable to give his testimony or remove so that his testimony cannot be taken.

3. When issue has been joined in an action or special proceeding

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and the testimony is material to the applicant in the prosecution or defense thereof.

4. When an appeal or a motion for a new trial is pending and the testimony may be material to the applicant upon a new trial.

§ 102. **Open commission.** When issue has been joined in an action or special proceeding and application has been made as provided in section one hundred and one, a commission may, in the discretion of the court, issue without written interrogatories, or partly upon written interrogatories and partly upon oral questions.

§ 103. **Power of commissioner.** When a commission is executed within the state, the commissioner shall have the same power to issue a subpoena, to swear a witness and to compel his attendance that this court has in actions pending before it.

§ 104. **Execution and return of commission.** Except as otherwise provided in this act or in the rules, all matters with respect to the issuance, execution and return of the commission, the disposal of it when returned and the effect of the deposition as evidence, shall be governed by the provisions applicable if the action were in the supreme court and the deposition taken without the state for use within the state.

§ 105. **Suppression of deposition.** On proof by affidavit that deposition has been improperly or irregularly taken or returned, or that the personal attendance of the witness at the trial could have been procured with due diligence by a subpoena or that either party or his attorney has practiced any fraud or unfair conduct to the prejudice of the adverse party in the course of the proceedings, the court may order the suppression of the deposition upon application of the party aggrieved, upon notice.

§ 106. **Deposition to perpetuate testimony.** Upon proof by affidavit as prescribed in section one hundred and seven of this act, either party to an action or special proceeding may apply to the court where the action or proceeding is pending, for an order that the testimony of a witness be taken to be used conditionally as hereinafter provided; or, except when the person to be examined is confined in a prison or jail within the state, such an order may be granted on written stipulation of the parties.

§ 107. **The same. Affidavit of application.** The party desiring to take a deposition as prescribed in the last preceding section, must present to the court in an affidavit showing:

1. The title and nature of the action or proceeding and the name and residence of the person to be examined; and that the testimony of such person is material and necessary for the prosecution or defense of the action or proceeding.

2. That the person to be examined is about to depart from the county of Westchester or that he is so sick or infirm as to afford reasonable ground to believe that he will not be able to attend the trial, or that any other special circumstances exist which render it proper that he should be examined; but this subdivision does not apply where the person to be examined is a party to the action, except in case of his sickness or infirmity.

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3. If the party sought to be examined is a corporation, the affidavit shall state the name of the officers or directors thereof whose testimony is necessary and material, or the books and papers as to the contents of which an examination or inspection is desired; and the order to be made in respect thereto shall direct the examination of such persons and the production of such books and papers.

§ 108. **Order of examination.** The court, to whom an affidavit is presented, as provided in section one hundred and seven of this act, may, if the opposing party or his representatives are not present, require that a reasonable notice of the application be given, or may act on the application at the time of such presentation, and must grant an order for the taking of the deposition, if satisfied of the truth of the matter stated in the affidavit, and may in its discretion designate and limit the particular matters on which the examination is to be conducted. The order may require that the examination be conducted before the court or another place named in the order, in which event the order shall require the witness to be sworn before an officer authorized to take and administer oaths.

§ 109. **Testimony by deposition during pendency of action and before trial.** The deposition of a party to an action in this court or of a person who expects to be a party to an action about to be brought in this court may be taken at his own instance or at the instance of an adverse party, or by a co-plaintiff or co-defendant at any time before or during the trial, in the same manner as such depositions are taken under the provisions of law applicable to like cases in the supreme court.

§ 110. **References.** In any action pending, the judge or acting city judge shall have power to appoint an attorney to act as referee to take testimony by deposition and to determine and report upon a question of fact arising upon a motion, and also to try the issues of fact where the trial will require the examination of a long account on either side. Unless otherwise agreed upon by the parties the referee's fees shall be ten dollars per day.

§ 111. **Witnesses' fees; punishment for disobeying order.** Witnesses' fees, as provided in this act for attendance upon a trial, must be paid or tendered when the order is served upon the party or person required to attend. If the party or person so served fails to obey the order his attendance may be compelled, and he may be punished in like manner, as if he failed to obey a subpoena issued from the court.

§ 112. **Service of order and affidavit.** A copy of the order and of the affidavit upon which it was granted must be served at least two days before the time fixed for the examination, upon the attorney for each party to the action or special proceeding in like manner as a paper in the action; or if a party has not appeared they must be served upon him as directed by the order.

§ 113. **Adjournment of examination.** The time for taking such examination may be adjourned in like manner as the trial of an action.

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§ 114. **Witness confined in prison.** Where the party or other person to be examined is confined in a prison or jail within the state; under sentence for a misdemeanor or felony, that fact must be stated in the affidavit, and his deposition may be taken as if he were not so confined, except that in such case the granting or refusing of the order is always in the discretion of the court. The order must require the production of the prisoner by the person in charge of the prison or jail, at the prison or jail, but it may prescribe such regulations and restrictions with respect thereto as the court deems proper.

§ 115. **Examination; manner of taking and returning deposition; refusal to answer.** The deposition shall be in the form of question and answer, and when completed must be carefully read to and subscribed by the person examined; and within three days thereafter, unless sooner required by the order, must be filed in the office of the clerk of the city court, together with the stipulation or the affidavit on which the order was granted, with proof of service of the order and of the affidavit. If upon an examination, the person examined refuses to answer, that fact must be reported to the court, which must determine whether the question was relevant and the witness bound to answer.

§ 116. **When deposition may be read in evidence.** The deposition may be read in evidence by either party at the trial if it be satisfactorily proved that the witness is dead or is unable to attend by reason of his insanity, sickness or other infirmity, or that he is confined in a prison or jail, or that he has been and is absent from the county of Westchester, so that his attendance could not, with reasonable diligence, be compelled by subpoena.

§ 117. **Effect of deposition.** The deposition so read in evidence has the same effect, and no other, as the oral testimony of the witness would have; and an objection to the competency or credulity of the witness, or to the relevancy or substantial competency of a question put to him, or if an answer given by him, may be made as if the witness were then examined, and need not be noted upon the deposition.

§ 118. **Adjournment.** Where commission is granted upon the application of either party, he is entitled to one or more adjournments of the trial as may be necessary to procure the commission to be executed and returned.

§ 119. **Witness fees outside of county limits.** A witness voluntarily attending upon an action or special proceeding in the city court of New Rochelle, at the request of any party thereto, who shall reside outside of the jurisdiction of said court, shall nevertheless be entitled to receive, and the party at whose request he attends, if entitled to tax costs or disbursements, may tax and include as a proper and necessary disbursement fifty cents for each day's attendance of such witness and mileage fees at the rate of eight cents for each mile going to the place of attendance, the same as though his or her residence were within the jurisdiction of the court; provided, however, that the city judge shall certify in writ-

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ing to the clerk of the court that such attendance was not in his opinion unnecessarily procured by said party, and provided further that such fees shall in no event exceed the sum of ten dollars, in which event the excess thereof shall not be taxable.

§ 120. **Judgments.** Within the limits of jurisdiction defined in this act, the court shall have power to render any judgment that is consistent with the case made by the pleadings and embraced within the issues. A judgment dismissing the action may be rendered either on the merits or without prejudice to a new action, as the case requires, and the court shall make a proper note thereof. A decision as prescribed in an action tried without a jury in the supreme court shall not be required. All proceedings on the part of the party against whom judgment has been rendered, or who is required to pay the cost of any motion, except to review or vacate such judgment or order requiring payment of costs, are stayed without further direction of the court until the payment thereof.

In all cases tried before the city judge or acting city judge without a jury, he shall render and file with the clerk of said court his decision in writing within twenty days after the same shall have been finally submitted to him for determination. Should he refuse or neglect to render the decision within that time, the action shall not abate or be deemed discontinued, but at any time after the lapse of said twenty days and before the filing of such decision either party may again notice the action for trial and immediately file a note of issue and a new trial may thereupon be had. The clerk shall immediately notify the attorneys in the action in writing of the filing of the decision and of the substance thereof. He shall notify a party who has appeared without an attorney. Judgments after trial or on default or inquest shall be entered by the clerk in like manner as in the supreme court.

§ 121. **Dismissal for neglect to prosecute.** When an action has remained for more than six months upon the calendar, it may be dismissed by the court upon application of the defendant on notice; or, if the action has remained upon said calendar for more than one year, it may be dismissed by the court of its own motion.

§ 122. **Judgment for or against any of the parties; severance of action.** The court shall have power to render judgment for or against one or more plaintiffs and for or against one or more defendants, to determine the ultimate rights of all the parties and to render judgment accordingly; but unless the court otherwise directs a controversy between defendants shall not delay a judgment to which the plaintiff is entitled. When there are two or more defendants and a several judgment is proper, the court shall have power to render judgment, or to require that the plaintiff take judgment against one or more of them, and to direct that the action be severed and proceed against the others as sole defendants.

§ 123. **Judgment when defendant liable to arrest.** When a judgment is rendered in a case where the defendant is subject to arrest and imprisonment thereon, it must be so stated in the

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judgment and entered in the docket. The clerk must on any transcript issued by him insert the words "defendant liable to execution against his person," and a like note must also be made in the docket of a county clerk where such a transcript is filed with him.

§ 124. **Vacating and amending judgments and orders; opening defaults and granting new trials.** 1. Upon proof by affidavit or otherwise that a judgment has been taken or a final order made without service of summons or process, the judgment or final order must be vacated and set aside by the court.

2. A motion to open a default and to vacate and set aside a judgment entered thereon must be made with due diligence and upon good cause shown and in no event more than six months after entry of the judgment; except that where the summons was served as prescribed in section thirty-one of this act, such motion must be made in no event more than one year after entry of judgment. Upon granting such a motion the court must set the case down for trial. If a judgment taken by default or any part thereof has been collected or otherwise enforced and the defendant is successful upon the trial, such restitution may be compelled as the court directs; but the title to property sold to a purchaser in good faith under execution issued upon the judgment shall not be affected.

3. A motion to set aside the verdict of a jury and to vacate, amend or modify a judgment rendered upon a trial by the court with or without a jury, and for a new trial, must be made at the close of the trial or within ten days after the entry of judgment.

4. A motion for a new trial upon the ground of fraud or newly discovered evidence must be made with due diligence and in no event later than six months after the entry of the judgment; and unless the court otherwise directs, it may be made upon affidavits without making and settling a case.

5. A new trial may be limited to the questions with respect to which the verdict or judgment is found to be wrong, if such questions are separable. If a verdict or judgment is set aside solely because the damages are excessive or inadequate, it may stand in all other respects and the new trial may be limited to the question of damages.

6. Upon opening a default, amending, modifying or vacating a judgment or order, or setting aside the verdict of a jury and granting a new trial, the court may impose such terms and conditions as may be just.

§ 125. **Execution; when and how issued.** An execution may be issued upon a judgment, when the judgment creditor does not appear by attorney, by the clerk of the city court, or by the attorney for the judgment-creditor when he appears by attorney, within six years thereafter, the execution being directed to a marshal, or by the attorney for the judgment-creditor after filing a transcript of the judgment with a county clerk as pro-

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vided in this act, the execution being directed to a sheriff. But no execution shall issue out of this court after a transcript has been issued, and no transcript shall be issued while an execution of this court remains outstanding, except a transcript showing that the judgment has been modified, vacated or set aside. When the execution is issued to a marshal the prospective fees of the county clerk and sheriff must be omitted. An execution issued to the sheriff upon a judgment in an action to establish a mechanic's lien shall authorize and direct the sheriff to sell the right, title and interest of the owner of the premises upon which the lien set forth in the complaint existed when the notice of lien was filed.

§ 126. **Issuance and filing of transcript and effect thereof.** 1. Upon application of a judgment-creditor the clerk must deliver to him a transcript of the judgment, except as provided in the last preceding section. If the judgment is for the plaintiff in an action to establish a mechanic's lien, the clerk shall insert in the transcript an additional statement that the action was brought to establish a mechanic's lien and that the lien has been duly established and adjudged against the interests of the defendant in the property described in the complaint when the notice of lien was filed.

2. Upon presentation of the transcript and payment of the fees therefor, the clerk of Westchester county must endorse upon the transcript the date of its receipt, must file in his office and must docket the judgment as of the time of the receipt of the transcript, in a book kept by him for that purpose as prescribed by law; and if the judgment is for the recovery of a chattel which has been delivered to the unsuccessful party or for the value thereof, or for the establishment of a mechanic's lien, he must enter in the docket the particulars of the judgment as stated in the transcript.

3. Upon docketing of a judgment as prescribed in this section it shall be deemed a judgment of the supreme court and may be enforced accordingly. Nothing in this section shall be construed to prevent this court from vacating, setting aside or modifying the judgment or staying the execution thereof.

§ 127. **Proceedings against joint debtors.** An action, judgment and execution against one or more of several defendants alleged to be jointly indebted upon contract, shall be governed by the provisions applicable to like cases in the supreme court, including those whereby a plaintiff who has recovered judgment against one or more of such defendants may maintain an action and recover judgment against the others to charge their property with the sum remaining unpaid on the original judgment. When an execution upon a judgment against one or more of such defendants is issued out of this court, the clerk of the court shall make the same endorsements upon the execution and the same entries in the docket that a county clerk is required to make when execution is issued on a like judgment of the supreme court.

§ 128. **Docketing judgment in another county.** The county clerk with whom a transcript is filed, must furnish to any person

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applying therefor and paying the fee, one or more transcripts of the docket of the judgment, attested by his signature. A county clerk to whom such transcript is presented must, upon payment of the fees therefor, immediately file it and docket the judgment in the appropriate docket book kept in his office in like manner as the judgment was docketed by the first county clerk. The judgment when so docketed has the like effect as it has in the county in which it was docketed upon the transcript from this court.

§ 129. **Execution against marshals.** Execution on a judgment against a marshal or his sureties shall issue only to the sheriff after transcript filed with a county clerk as provided in this article, and must be made returnable to the county clerk.

§ 130. **Execution; requisites.** The execution, when issued out of this court, must be directed to a marshal and subscribed by either the clerk of the city court, or the attorney for the judgment creditor, and must bear date of the day of its delivery. It must state the names of the parties, the court, the time when rendered, the amount of the judgment and the amount due therefrom. It must require of the marshal substantially as follows:

1. If it is a case where the defendant cannot be arrested, it must direct the officer to collect the amount due on the judgment out of personal property of the debtor and to pay the same to the clerk or to the party entitled thereto.

2. If it is a case where the defendant may be arrested, in addition to the foregoing it may direct the officer, if sufficient property of the defendant liable to execution cannot be found to satisfy the judgment, that he arrest the defendant and commit him to the jail of the county of Westchester, until he pay the judgment or be discharged according to law.

3. When a defendant was served with summons otherwise than personally and did not appear generally, but his property has been duly attached under a warrant of attachment that has not been vacated, an execution on the judgment against him must require the marshal to collect the judgment only out of the property so attached.

4. In all cases it must further direct the officer to make proper return of the execution to the clerk of the court from which the execution issued, within twenty days from the time of the receipt thereof.

§ 131. **Execution against the person.** If the execution directs the arrest of the defendant for want of sufficient personal property, and if there is not sufficient personal property subject to levy found by the officer, or if upon demand by the officer the defendant fails to produce sufficient property, the officer must immediately arrest the defendant. When arrested, the defendant must be conveyed to the jail of the county of Westchester and there kept in custody until the execution, with costs, is paid, or he is discharged by due course of law.

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§ 132. **The same, as affected by joinder of causes of action.** When a cause of action for which a defendant may be arrested was united with a cause of action for which a defendant may not be arrested, an execution against the person of the defendant cannot be issued upon the judgment unless it appears that the judgment was rendered solely upon the cause of action for which he might have been arrested.

§ 133. **Renewal of execution.** At the request of the judgment creditor an execution may be renewed before the expiration of the twenty days by the word "renewal" being written thereon with the date, and subscribed by the clerk of the court or by the attorney for the judgment creditor. Such renewal has the same effect as an original issue, and may be repeated as often as necessary. If an execution is returned unsatisfied, others may be issued on like request from time to time until the judgment is satisfied.

§ 134. **Judgment and execution in favor of wage earners.** In an action by a journeyman, laborer, or other employee whose employment answers to the general description of wage earner, for services rendered or wages earned, if the plaintiff recovers a judgment for a sum not exceeding one hundred dollars, exclusive of costs, and the action was brought within three months after the cause of action accrued, no property of the defendant is exempt from levy and sale on execution; and if the execution is returned wholly or partly unsatisfied, the clerk must, upon the application of the plaintiff, issue an execution against the person of the defendant for the sum remaining uncollected. A defendant arrested in such a case must be actually confined in the jail and is not entitled to the liberties thereof, but must be discharged after having been so confined for fifteen days. After his discharge another execution against his person shall not issue upon the judgment, but the judgment creditor may enforce the judgment against his property. This section shall apply whether the defendant be male or female.

§ 135. **Time limit of execution.** A defendant cannot be arrested nor can his property be sold on execution after twenty days from its issue or renewal, but property levied on within twenty days may be sold after renewal.

§ 136. **Liability of marshal to execution creditor.** A marshal is liable to an execution creditor for the amount of the execution in the following cases:

1. Where he suffers the twenty days to elapse without making a true return of the execution and filing the same with the clerk of the court, and paying to him or to the party entitled thereto the money collected thereon.

2. Where he wilfully or negligently omits to levy on property of the defendant, or, if the defendant is liable to arrest, to arrest and imprison him within the twenty days, or, having arrested the defendant, fails to commit him to the county jail within the twenty days.

§ 137. **Return of execution and satisfaction of judgment.** 1. Judgments of this court may be satisfied and discharged and

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the record thereof cancelled in the same manner as judgments of the supreme court, except as otherwise provided in this section.

2. If no execution has been issued to a marshal and no transcript of the judgment has been filed in the office of a county clerk, the judgment may be satisfied by depositing with the clerk of the city court the full amount due on the judgment, with interest to the date of deposit, accompanied by a certificate of the marshal dated on the day of deposit that no execution upon the judgment is in his hands; whereupon the clerk must mark the record of the judgment satisfied, and shall pay the amount deposited in satisfaction of a judgment, to the judgment creditor or his attorney, upon demand.

3. When a transcript of a judgment has been filed in the office of a county clerk and no execution has been issued to the sheriff, the judgment may be satisfied by depositing with the said county clerk the full amount due on the judgment, with interest to the date of deposit, accompanied by a certificate of the sheriff of the same county, dated on the day of deposit, that no execution upon the judgment is in his hands; whereupon the said county clerk shall cancel and discharge the docket of the judgment.

4. When a judgment docketed in the office of a county clerk has been satisfied or discharged, the county clerk must issue, on payment of his fees, a certificate of the fact, and upon filing said certificate in the office of the clerk of any other county where the judgment has been docketed, the clerk of such county must enter satisfaction of the judgment accordingly.

§ 138. **Appeals; judgments and orders appealable.** A party aggrieved may appeal to the county court of Westchester county, except when the judgment or order or final order was rendered or made upon his default from

1. A judgment in an action.

2. A final order in a special proceeding.

3. An order granting or denying a new trial.

4. An order granting or denying a motion to open a default and to vacate a judgment entered thereon.

5. An order granting or denying a motion to vacate a judgment or a final order upon the ground that the judgment was rendered or the final order made without service of summons or process.

6. An order granting or denying a motion to vacate or modify a warrant of attachment or a requisition to replevy or a warrant of seizure.

7. Any other order affecting a substantial right.

8. An appeal may also be taken to the appellate division of the supreme court from a judgment or order rendered upon the decision of the county court of Westchester county, which finally determines a civil action or a special proceeding, upon an appeal to said county court from a judgment or final order therein, rendered by the city court.

9. The appellate court may reverse, affirm, or modify the judgment or order appealed from and where a judgment or final

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order is reversed, may order a new trial in the city court. Where the judgment or final order is modified or a new trial is ordered, costs shall be in the discretion of the appellate court, and may be awarded absolutely or to abide the event, in the discretion of the court.

§ 139. **Review of intermediate orders.** An appeal taken from a judgment or final order brings up for review an intermediate order which is specified in the notice of appeal and necessarily affects the judgment or final order and has not already been reviewed upon a separate appeal.

An order made after judgment or final order is deemed to have been made in the action or special proceeding within the meaning of this section.

§ 140. **Time to appeal.** An appeal must be taken within thirty days after service of notice of the entry of the judgment or final order.

§ 141. **Notice of appeal.** An appeal is taken by filing with the clerk of the city court a written notice of appeal and by serving a like notice upon the opposing attorney, or where the opposing party has not appeared by attorney, by serving the said notice upon the opposing party, which notice of appeal shall be subscribed by the appellant or by his attorney.

§ 142. **Stay of execution pending appeal.** 1. The appellant may stay execution by filing with the clerk and serving, as hereinafter provided, a written undertaking executed by one or more sureties approved by the court, to the effect that if the appeal is dismissed, or if judgment is rendered against the appellant in the appellate court and an execution issued thereon is returned wholly or partly unsatisfied, the sureties will pay the amount of the judgment or the portion thereof remaining unsatisfied and all costs and disbursements awarded against him on the appeal, not exceeding a sum specified in the undertaking, which must be at least one hundred dollars, and not less than twice the amount of the judgment; or, if the judgment is for the recovery of a chattel, that the sureties will pay the value of the chattel together with costs and the damages, if any, awarded by the judgment and on appeal. If execution has been issued, the service upon the sheriff or marshal of a copy of the undertaking, certified by the clerk or accompanied by an affidavit showing that it is a copy thereof and that the original has been duly filed, stays further proceedings under the execution, subject to the provisions of the section next following.

2. In lieu of an undertaking, the appellant may stay execution by depositing with the clerk a sum of money equal to the amount of the judgment with interest thereon for one year, and fifty dollars in addition.

§ 143. **Exception to and justification of sureties.** The respondent or his attorney may, within five days after notice by the clerk of the filing of the undertaking, serve upon the appellant or his attorney a written notice that he excepts to the sufficiency

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of the sureties. Within five days thereafter, the sureties, or other sureties in a new undertaking to the same effect, must justify on at least three days' notice, before the court in which the judgment was rendered. The court must endorse upon the undertaking or a copy thereof its allowance or rejection of the sureties. If the sureties fail or refuse to justify after service of the notice of exception, the respondent may proceed as if no undertaking had been executed.

§ 144. **Death of party.** When a party dies before an appeal has been taken, or when a party to an appeal dies before the appeal is heard, the proceedings after his death shall be governed by the provisions applicable to similar cases in the supreme court, and an order substituting the proper representative of the decedent as a party may be made on application by the survivor or by such representative, on notice.

§ 145. **Remittitur and return of papers.** The judgment or order of the appellate court must be remitted for enforcement to the court below; and the clerk of the appellate court shall return to the clerk of the court from which the appeal was taken, all the papers upon which the appeal was heard.

§ 146. **Return on appeal.** When an appeal has been taken as herein prescribed, the stenographer's original transcript of minutes, if any testimony were taken, must be certified by the court stenographer to be a true and correct transcript of the minutes taken, and must be furnished to the appellate court by the appellant, and the clerk of the city court upon receipt of the fees prescribed by this act, shall cause a return to be filed with the clerk of the appellate court which shall contain the judgment, order or final order appealed from, and all the original papers upon which the judgment, order or final order was rendered or made, duly authenticated by the certificate of the clerk, or copies thereof duly certified by him, and shall have annexed thereto the opinion of the court, if any, and the notice of appeal.

§ 147. **Costs; sums allowed.** In all actions brought in the city court there shall be allowed to the prevailing party, if he shall have appeared by an attorney at law who files a verified pleading or a written notice of appearance, the following sums as costs: 1. To either party. Where the amount demanded in the summons is under fifty dollars, or where the amount demanded is under fifty dollars and defendant interposes a counterclaim under fifty dollars, the court may, in its discretion, award a sum not exceeding ten dollars.

2. To the plaintiff. Where after the trial of an issue of fact raised by appearance and answer of defendant, plaintiff recovers judgment for fifty dollars, and under one hundred dollars, ten dollars; for one hundred dollars and under two hundred dollars, twenty dollars; for two hundred dollars and under three hundred dollars, thirty dollars; for three hundred dollars and under four hundred dollars, forty dollars; for four hundred dollars and under five hundred dollars, fifty dollars; for five hundred dollars and

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under one thousand dollars, sixty dollars; for one thousand dollars and under one thousand five hundred dollars, sixty-five dollars; for one thousand five hundred dollars and under two thousand dollars, seventy dollars; for two thousand dollars and under two thousand five hundred dollars, seventy-five dollars. If the action is for the recovery of a chattel the amount of costs shall be governed by the value of the chattel as determined in the judgment.

3. To the plaintiff. Where plaintiff recovers judgment upon the defendant's failure to appear or answer, costs shall be allowed at one-half of the rates prescribed in subdivision two of this section. If the action is for the recovery of a chattel the amount of costs shall be governed by the value of the chattel as determined in the judgment.

4. To the plaintiff. If the defendant interposes a counterclaim in excess of plaintiff's claim and the plaintiff recovers judgment, costs shall be allowed on the amount of the counterclaim at the same rate as if it were the amount of the plaintiff's recovery. If the counterclaim is less than the plaintiff's claim, costs shall be governed by plaintff's recovery.

5. To the defendant. Where the defendant recovers judgment after the trial of an issue of fact raised by appearance and answer, costs shall be awarded to the defendant at the rate prescribed in subdivision two, based upon the amount of plaintiff's demand in the summons. If the action is for recovery of a chattel, the amount of costs shall be governed by the value of the chattel, as set forth in the affidavit of himself.

6. To the defendant. Where defendant recovers judgment on the nonappearance of the plaintiff, costs shall be awarded to the defendant at the rates prescribed in subdivision three, based upon the amount of plaintiff's demand in the summons. If the action is for recovery of a chattel the amount of costs shall be governed by the value of the chattel set forth in the affidavit of plaintiff.

7. To the defendant. Where, after the trial of an issue of fact, raised by his appearance and answer, and counterclaim, the defendant recovers judgment; for fifty dollars and under one hundred dollars, ten dollars; for one hundred dollars and under two hundred dollars, twenty dollars; for two hundred dollars and under three hundred dollars, thirty dollars; for three hundred dollars and under four hundred dollars, forty dollars; for four hundred dollars and under five hundred dollars, fifty dollars; for five hundred dollars and under one thousand dollars, sixty dollars; for one thousand dollars and under one thousand five hundred dollars, sixty-five dollars; for one thousand five hundred dollars and under two thousand dollars, seventy dollars; for two thousand dollars and under two thousand five hundred dollars, seventy-five dollars.

8. To the defendant. Where the defendant recovers judgment on the plaintiff's failure to appear, costs to be awarded to the defendant shall be one-half of those provided in subdivision seven of this section.

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9. Upon settlement of case after service of summons and before trial, plaintiff shall be entitled to costs at the rate prescribed in subdivision three of this section, determined by the amount of the settlement.

10. Upon the settlement of case after trial and before entry of judgment, plaintiff shall be entitled to costs at the rate prescribed in subdivision two of this section, determined by the amount of the settlement.

11. Where a judgment is directed on motion without trial, the prevailing party shall recover the same costs as if the judgment had been in his favor, upon the default in the same action. Otherwise costs shall not exceed twenty dollars, in the discretion of the justice, as a condition for leave to plead over.

12. Costs on amendment of pleading. The court may, in its discretion, as a condition for allowing an amendment to a pleading, require the payment of a sum not to exceed twenty dollars as costs to the adverse party.

13. Costs on adjournment. When a trial shall be adjourned on cause shown, the court, in its discretion, may impose upon the party applying for the adjournment such conditions as to him shall seem reasonable, and may also impose costs to the amount of twenty dollars, besides disbursements as a condition of adjournment.

14. Where the prevailing party has appeared in person and not by an attorney, he shall not be entitled to costs but shall be entitled to his taxable disbursements.

15. Upon an appeal to the county court of Westchester county from a judgment or final order, costs awarded must be as follows; besides disbursements: To the appellant upon reversal, fifty dollars; to the respondent upon affirmance, thirty dollars. Upon an appeal to said county court from any other order, costs not exceeding ten dollars besides disbursements, may be awarded in the discretion of the court. The provisions of the civil practice act relating to costs on appeal to the appellate division shall apply to appeals to that court under the provisions of this act.

§ 148. **No costs on plea of bankruptcy.** Where the defendant recovers judgment upon the defense of bankruptcy, he shall not be entitled to costs.

§ 149. **Costs allowed by court.** The court may, in its discretion, impose costs not exceeding ten dollars upon granting or denying a motion.

§ 150. **Fees payable to the clerk.** There shall be paid to the clerk of the court the following sums as court fees in an action, and there shall be no others:

1. For filing notice of trial, two dollars.

2. For a return upon an appeal from a judgment or order, two dollars.

3. For issuing a warrant of attachment, or a requisition to replevin, two dollars.

4. For entry of judgment upon confession, two dollars.

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5. For certifying copy of paper on file in the clerk's office, ten cents for each folio of one hundred words, except return upon appeal.

6. For issuing transcript of judgment, twenty-five cents.

§ 151. **Fees in summary proceedings.** In summary proceedings to recover the possession of lands, the fees of officers, except where a fee is specially prescribed by statute, must be at the rate allowed by law in an action of this court and are limited in like manner.

§ 152. **Taxation of costs.** Where a judgment has been rendered, costs must be taxed by the clerk and inserted in the judgment. Before an item of costs other than the costs fixed by the express provision of law or granted by the court or fees paid to the clerk or marshal in the action are allowed, the party must show by his affidavit or that of his attorney, that the item was actually and legally paid or incurred. All items of cost must be entered by the clerk in the docket book kept by him. The clerk shall likewise tax costs allowed by the appellate court and the respective fees of the county clerk and sheriff, namely, a charge for docketing judgment and issuing an execution, and for receiving and returning one execution thereof.

§ 153. **Security for costs.** The defendant may on motion require security for costs to be given where the plaintiff is an individual and is a non-resident of the state, or is a foreign corporation and cannot be sued in the city court of New Rochelle. Such security for costs shall not exceed the sum of two hundred and fifty dollars. In those cases where an undertaking is to be filed as security for costs, the sureties shall justify in the same manner as in the supreme court. Where a motion for security for costs is made as herein provided, the court must require the plaintiff to give such security.

ARTICLE 4

MISCELLANEOUS

Section 160. Saving clause.
161. Laws repealed.
162. Taking effect.

§ 160. **Saving clause.** This act shall apply to all actions and special proceedings hereafter commenced, and so far as applicable, to all proceedings hereafter taken in any action or special proceeding pending in the city court of New Rochelle when this act takes effect. But the provisions of this act or the repeal of article fifteen of chapter five hundred and fifty-nine of the laws of nineteen hundred and ten and of chapter four hundred and thirty-three of the laws of nineteen hundred and fourteen, and sections thirteen and fourteen of chapter five hundred and ninety-six of the laws of nineteen hundred and twenty-one and chapter five hundred and thirty-one of the laws of nineteen hundred and twenty-seven shall not affect or impair any act done or right accrued or acquired or

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any liability, penalty, forfeiture or punishment incurred or imposed, or any limitation or defense occured or established prior to its enactment, but the same may be asserted, enforced, prosecuted or inflicted to the same extent as if this act had not been passed, and nothing in this act contained shall affect the title or tenure of any office or employment or the salary or emoluments thereof, but the same shall continue as heretofore until modified or abolished.

§ 161. **Laws repealed.** 1. Article thirty-four of chapter five hundred and thirty-one of the laws of nineteen hundred and twenty-seven is hereby repealed. L. 1927, ch. 531, art. 34 repealed.

2. Article twenty-three of local law number three of the city of New Rochelle, adopted by referendum at the general election held in the month of November, nineteen hundred and twenty-nine, wherein the provisions of law applicable to the city court of New Rochelle were inadvertently and erroneously included, incorporated and amended, is hereby superseded and repealed. Local law number 3, art. 23 repealed.

§ 162. **Taking effect.** This act shall take effect on July first, nineteen hundred thirty-one.

CHAPTER 500

AN ACT **to revive** and extend the corporate existence of Number Eleven Realty Company, Incorporated, and to annul all proceedings taken for the dissolution thereof under the provisions of section two hundred and three-a of the tax law

Became a law April 20, 1931, 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. Upon the filing by the corporation named in section two of this act of the certificate specified in section three of this act with the department of state within sixty days after this act takes effect, the corporate existence of such corporation shall be deemed to be revived, reinstated and continued, and the said corporation shall thereupon be deemed a valid corporation with the same force and effect as the same existed on the sixteenth day of December, nineteen hundred twenty-nine, and the proceedings heretofore taken for the dissolution of such corporation under the provisions of section two hundred and three-a of the tax law shall be deemed annulled and it shall have such corporate powers, rights, duties and obligations, as it had on the date of the publication of the proclamation with the same force and effect as if such proclamation had not been made or published, and all acts and proceedings of such corporation subsequent to the publication of such proclamation and prior to the filing of such certificate shall be valid and legal, and the acts of the directors of such corporation since the date of the dissolution of said corporation and until Corporate existence revived. Proceedings for dissolution annulled. Acts and proceedings legalized.

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the filing of said certificate are hereby legalized, ratified and confirmed.

Corporate Name. § 2. The name of the corporation to which this act applies is as follows: Number Eleven Realty Company, Incorporated, whose certificate of incorporation was filed in the office of the secretary of state on the twenty-third day of May, nineteen hundred seventeen.

Certificate to be filed; contents; fee. § 3. Such corporation accepting the benefit of this act shall, within sixty days after this act takes effect, pay to the office of the secretary of state a fee of fifty dollars and file in the office of the department of state a certificate, under the signature of an officer thereof, setting forth:

1. The name of the corporation.
2. The post office address of the corporation.
3. The date on which its original certificate of incorporation was filed in the office of the department of state.
4. The name of the county in which the duplicate certificate of incorporation or certified copy thereof was filed and the date of such filing.
5. That its existence is revived and extended pursuant to this act, and citing the same by chapter number and year of passage. Such certificate shall be acknowledged by the officer executing the same in the manner of a deed required to be recorded in this state.
6. Such certificate shall have endorsed thereon or attached thereto a certificate or receipt of the state tax commission showing that all franchise taxes, penalties and interest have been paid.

Notation on records. § 4. It shall be the duty of the secretary of state to make proper notation on the corporate records of his office relative to such reinstatement, to forward notice thereof to the county clerk of the county in which the duplicate certificate of incorporation or certified copy thereof was originally filed and to publish notice of such reinstatement in the state bulletin. The county clerk shall make proper notation in the records of his office, without charge.

Pending actions. § 5. Nothing in this act contained shall affect any action or proceedings pending at the time this act takes effect.

§ 6. This act shall take effect immediately.

CHAPTER 501

AN ACT to amend chapter three hundred and sixty-two of the laws of nineteen hundred twenty, entitled "An act to regulate sessions of the board of supervisors of Oneida county and to fix the compensation of the members thereof," in relation to the compensation of members when serving on standing committees

Became a law April 20, 1931, 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:

§ 3 amended. Section 1. Section three of chapter three hundred and sixty-two of the laws of nineteen hundred twenty, entitled "An act to

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regulate sessions of the board of supervisors of Oneida county and to fix the compensation of the members thereof," as last amended by chapter one hundred and eighteen of the laws of nineteen hundred twenty-six, is hereby amended to read as follows:

Supervisor; salary.

§ 3. Each supervisor so elected or appointed for any town or ward of any city shall receive for his services as a member of such board, including his services as a member of the board of county canvassers, an annual salary of four hundred and fifty dollars, and also mileage at the rate of eight cents per mile for once going and returning during each regular and special session of the board and also when the board is sitting as a board of county canvassers, from his residence to the place where the session of the board shall be held, and shall also receive the fees now allowed by law for copying or extending the assessment-roll. No supervisor shall receive any other or greater compensation, fee, charge, allowance, perquisite or emolument of any kind or nature, except for services which are by law a town charge and except also, when employed or actually rendering service on the following regular standing committees of such board, namely: ways and means, ratio and apportionment, state and county highways, highway officials, compensation and disposal of county lands by its direction, when such board is not in session, for which services he shall receive five dollars per each day's service thus actually performed and his actual and necessary expenses. Provided, the chairman and reading clerk of the board shall not be entitled to receive any such per diem fees or pay, and that no other member of the board shall receive in any one year for such service more than four[1] hundred dollars, and provided, that the total amount paid to all the members of the board in any one year for such services shall not exceed the sum of five thousand dollars.

§ 2. This act shall take effect immediately.

CHAPTER 502

AN ACT to amend the real property law, in relation to registration of titles to land

Became a law April 20, 1931, 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:

§ 383 amended.

Section 1. Section three hundred and eighty-three of chapter fifty-two of the laws of nineteen hundred nine, entitled "An act relating to real property, constituting chapter fifty of the consolidated laws," as amended by chapter six hundred and twenty-seven of the laws of nineteen hundred ten, chapter five hundred and forty-seven of the laws of nineteen hundred sixteen, and chap-

[1] Formerly "three"

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ter five hundred and seventy-two of the laws of nineteen hundred eighteen, is hereby further amended to read as follows:

§ 383. **Filing of caution.** Any person claiming to have any right or interest in or lien upon any real property or any part thereof the title to which has not been registered, may file with the registrar a written notice to be styled a "caution," that he requires written notice to be given to him of the filing of any petition for the registration of the title to said real property. In such notice he shall show how he claims title, right, interest or lien, and shall give his own place of residence with street number, if any, and his postoffice address, and that of a person (who may be himself or not), upon whom the notice may be served. In case any petition to register said title is filed, service of such notice shall be made within ten days after the petition is filed, by mailing said notice securely inclosed in a post-paid wrapper directed to the person indicated at the place named. A like cautionary notice may be required by the owner of any land, as to the registration of the title of any or all of the land abutting upon his land, with the like proceedings in all respects. There shall be kept by the registrar a locality index of the cautionary notices, in which the same shall be indexed under the name of the street or road upon which the property referred to in the notice abuts, or if it abuts upon none, under the name of the street or road which is nearest to it. In any place, however, where there is a land map dividing the property into numbered blocks, the index shall be made by block numbers; and if any system of indexing by lot numbers is used, the index lot numbers shall be shown. Such caution shall not be notice, except in a proceeding under this article. [1]When filed as provided by this section, a caution shall continue in effect for a period of twenty years from the date of filing. After the expiration of such period of time all rights accruing under this section shall cease, and the registrar shall endorse on the caution the word "expired"; and at his option may destroy such expired caution.

§ 404a added to art. 12.

§ 2. Article twelve of such chapter is hereby amended by inserting therein a new section, to be section four hundred and four-a to read as follows:

§ 404-a. **Withdrawal from registration in certain instances.** Notwithstanding the provisions of section four hundred and four of this chapter, a title to real property which has been duly registered as provided by article twelve thereof may be withdrawn from such registration when it is established to the satisfaction of the supreme court that it is no longer expedient and practical to continue such registration owing to peculiar and unusual circumstances or exigencies involving the title itself. An application for such withdrawal from registration may be filed with the registrar of the county in which the title is then registered and shall be entitled "in the matter of the application of (stating the name of the registered owner) for the withdrawal from regis-

[1] Remainder of section new.

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tration of the title to certain lands." Such application, in such form as may be approved by the registrar, must be made by the registered owner of the fee of the real property. It shall set forth and recite in detail the name and postoffice address of the registered owner, the number of the certificate of title last issued, the date of the last registration of the title, a description of the real property as stated in the certificate of title together with a reference to the proper section, block and lot numbers if any, a complete recital of all memorials entered on the certificate of title, the names and addresses of all persons owning any incumbrance, charge, trust or lien on the premises, a statement of all unpaid taxes, assessments and water rates due and payable, a statement of the circumstances existing which render continued registration of the title impracticable and inexpedient, and a prayer for the withdrawal from registration. The application shall be duly verified and executed in duplicate. The registrar shall file one copy as a document in his office and enter the same as a memorial on the certificate of title to which it relates. The other copy shall be delivered to an official examiner of title who shall forthwith proceed to examine the title since the date of the first or initial registration thereof and investigate the facts set forth in the application. Thereafter he shall make a report in writing to the supreme court of his findings and a recommendation as to the proper disposition of the application. The registrar shall set down a date for hearing on the application in the "title part" of a special term of the supreme court, which date shall be not less than twenty days after the filing of the application; and he shall notify by registered mail demanding a personally signed return receipt card all persons or parties who appear by the report of the official examiner of title to have any interest in or incumbrance, charge, trust, or lien upon the said real property. At the hearing any of the parties in interest may appear and consent or object to the granting of the prayer of the application. Whether granted or denied, the supreme court shall enter an order disposing of the application and after such order is filed with the clerk of the county a transcript or certified copy of the same shall be filed with the registrar and by him entered as a memorial on the certificate of title. When the order of the supreme court grants a withdrawal from registration of a title to real property as herein provided, the registered owner thereof shall forthwith deliver to the registrar and surrender his owner's duplicate certificate of title, or if the same has been lost or destroyed a new owner's duplicate certificate of title obtained as provided in section four hundred and fourteen of this chapter. The registrar shall then cause the owner's duplicate certificate of title to be recorded in the office of the recording officer of the county in which the real property is located, and thereafter permanently filed in his own office. A certified copy of the record shall be delivered to the registered owner as his future evidence of title.

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The recording of the owner's duplicate certificate of title shall be notice of the recitals and matters therein contained, and shall also be notice of the fact that the title to the real property therein described is no longer registered nor subject to the provisions of article twelve of this chapter. From the time of such recording and until any future or further registration of the title thereof, said property shall be and become as to all matters subsequent to the time of such recording subject to all provisions of law relating to real property the title to which has not at any time been registered.

The final order and judgment of registration by the court pursuant to which the aforesaid title to real property was originally registered shall continue to be binding and conclusive as a decree or judgment of the supreme court in the same manner and to the same extent and be of the same force and effect as if the said title had not been withdrawn from registration in accordance with the provisions of this section.

The fee of the registrar for all services rendered by him and by the official examiner of title pursuant to this section shall be the sum of one hundred dollars payable at the time of filing of the application for withdrawal from registration, and one-half of the said fee shall be transferred by the registrar to the assurance fund provided for by section four hundred and twenty-six of this chapter. In addition thereto the applicant shall pay to the registrar and the official examiner of title, their necessary expenses and disbursements incurred in connection with the withdrawal of the title from registration.

§ 406 amended.

§ 3. Section four hundred and six of such chapter, as amended by chapter six hundred and twenty-seven of the laws of nineteen hundred ten and chapter two hundred and seventy of the laws of nineteen hundred twenty-six, is hereby further amended to read as follows:

§ 406. **Transfers of registered property.** A registered owner of real property, in order to transfer his whole estate or interest therein, or any part or parcel thereof, or any undivided interest therein, shall execute to the intended transferee a deed or instrument of conveyance in any form authorized by law. [2]Such deed or instrument of conveyance shall have recited therein a statement or reference setting forth the source of the title of the grantor or the circumstances under which the title was acquired by him. Upon filing such deed or other instrument in the registrar's office and surrendering to the registrar the duplicate certificate of title, he shall then make out and register as herein provided a new certificate and also an owner's duplicate certificate of title[3] certifying the title to the estate or interest in the property conveyed to the transferee and shall enter upon the original and duplicate certificate the date of the transfer, the name of the transferee and the number of the new certificate, and shall stamp across the original and surrendered duplicate certificates the word "cancelled."

[2] Following sentence new.
[3] Words "certificate of title" new.

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Title to such property shall not pass by such transfer until the transfer is registered as prescribed by this section. Any instrument of transfer or mortgage of an estate in fee simple in registered property shall contain an express statement, after the description of the grantor or grantors, mortgagor or mortgagors, as to whether or not such party or parties are married or unmarried; and no instrument of transfer or mortgage which does not contain such statement shall be registered.

§ 426 amended.

§ 4. Section four hundred and twenty-six of such chapter, as last amended by chapter five hundred and seventy-five of the laws of nineteen hundred twenty-nine, is hereby amended to read as follows:

§ 426. **Assurance fund.** Upon the original registration of real property, there shall be paid to the registrar one-tenth of one per centum of the value thereof on the basis of the last assessment for local taxation, as an assurance fund for land registered in his county. Subsequent to the original registration, there shall also be paid to the registrar, and by him transferred to the said fund, the parts or portions of the fees so designated by section four hundred and four-a and section[4] four hundred and thirty-two of this article. All moneys so received by the registrar under the provisions of this section shall be paid to the treasurer of the county (in New York city to the city chamberlain), and shall[5] be invested by him in the same manner as are other trust funds. [6]All such moneys as have been so transferred by the registrar to the treasurer of the county (in New York city to the city chamberlain) prior to the first day of July, nineteen hundred and twenty-nine, and have been disposed of as provided by the law prior to said date, shall be returned to such treasurer of the county (in New York city to the city chamberlain) and shall become a part of such trust fund.[6] The proper local county authorities (in New York city the board of estimate and apportionment) are hereby authorized and directed to make such appropriations of funds as may be necessary for this purpose. Said treasurer (or city chamberlain) shall keep a separate account of such trust funds and report annually thereon as required by law in reference to other trust funds in his hands.

§ 3.[7] This act shall take effect immediately.

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[4] Words "four hundred and four-a and section" new.

[5] Words ", together with all moneys heretofore paid to the treasurer of the county (in New York city to the city chamberlain) under the provisions of this section," omitted.

[6] Following sentence new.

[7] So in original. Evidently should be § 5.

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CHAPTER 503

AN ACT authorizing and directing the board of commissioners of the land office to sell and convey to the city of Rome for parkway purposes a part of the lands in said city heretofore taken by the state for the Black River canal

Became a law April 20, 1931, 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. Upon certification by the conservation commissioner, made upon the recommendation of the state council of parks, that the lands lying within the boundaries of the city of Rome, heretofore taken and used by the state for the Black River canal, are not available for the development of park or parkway purposes by the conservation department, the board of commissioners of the land office is hereby authorized and directed to sell and convey to said city for parkway purposes and for the sum of one dollar so much of said lands as the city may require; and the board of commissioners of the land office is hereby authorized and directed to sell, in the manner provided in article four of the public lands law, the part of said lands within said city, not sold and conveyed as hereinbefore directed.

§ 2. This act shall take effect immediately.

CHAPTER 504

AN ACT to provide for the acquisition by the state of the tract or parcel of land in the village of Sacket's Harbor whereon was fought the battle between the forces of the United States and the English on or about the twenty-ninth day of May, eighteen hundred thirteen, and its preservation for the benefit of the people of the state of New York as an historic landmark and for educational and patriotic purposes

Became a law April 20, 1931, 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:

Acceptance of conveyance authorized.

Section 1. The board of commissioners of the land office, in behalf of the people of the state, is hereby authorized to accept from the Jefferson County Historical Society and the village of Sacket's Harbor a conveyance, duly executed by the proper authorities of such society and village, whereby there shall be conveyed to the state all those tracts or parcels of land acquired by such society and by such village under the deed made the fifth day of July, eighteen hundred eighty-six, between Walter B. Camp, sole surviving executor of the last will and testament of Elisha Camp, late of Hounsfield, Jefferson county, New York, deceased, of the first part and such society and such

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village of the second and third parts, respectively, such deed having been recorded in the county clerk's office of the county of Jefferson, on July seventeenth, eighteen hundred eighty-six, in liber two hundred and forty-five of deeds at page five hundred and seventy-seven, such tracts or parcels of land being described therein as the premises whereon was fought the battle between the forces of the United States and of the English on or about May twenty-ninth, eighteen hundred thirteen, and deeded to such society and village for the purpose of dedicating such premises in some suitable and effectual manner to the public, to be maintained as a perpetual memorial of that event.

Acceptance subject to compliance with conditions.

§ 2. The board of commissioners of the land office is hereby authorized to accept a conveyance of the premises described in section one of this act, subject to compliance by the state with all the conditions, limitations and restrictions contained in the deed of such premises referred to in such section.

Control of premises.

§ 3. Upon the acquisition of such premises, as provided by this act, the conservation department shall have the control, care, custody and management thereof, together with any additions and extensions thereof, hereafter acquired pursuant to law. Such lands shall be preserved for the benefit of the people of the state of New York as an historical landmark and for education and patriotic purposes; and shall be improved and cared for as a public park.

§ 4. This act shall take effect immediately.

CHAPTER 505

AN ACT to amend chapter six hundred and sixty of the laws of nineteen hundred twenty-three, entitled "An act to revise the charter of the city of Watertown, New York," in relation to the collection of taxes

Became a law April 20, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

§§ 126, 136 amended.

Section 1. Sections one hundred and twenty-six and one hundred and thirty-six of chapter six hundred and sixty of the laws of nineteen hundred twenty-three, entitled "An act to revise the charter of the city of Watertown, New York," are hereby amended to read as follows:

Payment of tax; penalty.

§ 126. All and each of the taxes or assessments paid during the month of the publication of the city treasurer's notice, as provided for by this title, shall be payable without penalty or interest, provided, however, that upon the state and county taxes the city treasurer shall be entitled to receive and shall collect for the benefit of the city the same fees as are received by and paid to town collectors pursuant to the provisions of the tax law of the state of New York; said fees so collected by the city treasurer shall belong to the

Fees of treasurer.

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Statement of unpaid taxes.

city of Watertown and shall be deposited by him in the general city fund. On May first of each year, the city treasurer shall prepare a statement of all taxes outstanding and unpaid on the city, school, and county and state tax-rolls, and combine and assemble the same to show the total outstanding against each piece of property; thereafter such statement shall be known as the "total tax" unpaid. [1]Upon payment of any tax in such statement, and before advertisement of sale as herein provided, the same addition shall be charged for collector's fees paid thereon and penalties and interest as if such tax was separate. During the first ten days in the month of May each year, the city treasurer shall mail to each delinquent taxpayer a notice in writing stating the taxes unpaid and the amounts thereof assessed and levied against said taxpayer and the fees, interest and penalties that are due thereon on the first day of May of that year, as the same are fixed by section one hundred and twenty-three of this act. Said written notice shall also contain the statement that, unless said tax, penalty, interest and fee is paid to the city treasurer on or before the first day of the following June, the lands upon which the same were imposed will be sold for the payment of such tax, penalty, interest or fee, or the part remaining unpaid, and the expenses of such sale, including an additional five per centum collection fee or penalty shall be a charge upon such lands so sold.

Collector's fees.

Notice of unpaid taxes, contents.

Publication of list of parcels to be sold.

§ 136. The treasurer shall, immediately after the said first day of June, cause to be published twice in each week, for three successive weeks, in the official newspaper published in the city, a list or statement of the parcels of land charged with any unpaid tax, penalty and interest and fee as may be shown by the total tax statement, describing each parcel according to the descriptions required by this act, with a notice that each of the said parcels of land will, on a day to be specified in such notice, be sold at public auction at a place in the city therein specified, to discharge the tax, penalty, interest or fee, and the expenses of sale, which shall be due thereon at the time of the sale. In advertising nonresident lots or plot of lots "owners unknown," to be sold for the nonpayment of taxes and assessments, or water rents, the city treasurer may advertise all the lots belonging to the same plot or purchase, in one parcel. The charge for publishing said notice shall be the printer's legal rate as fixed by the statute[2] for each piece or lot of land described in said notice. On the day and at the place stated in said notice, the treasurer shall commence the sale of said parcels of land, and shall continue the sale from day to day until all shall be disposed of.

Sale.

§ 2. This act shall take effect immediately.

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[1] Remainder of section substituted for former remainder of section which is too long to quote here.

[2] Words "the printer's legal rate as fixed by the statute" substituted for words "one dollar."

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CHAPTER 506

AN ACT to amend chapter six hundred and sixty of the laws of nineteen hundred twenty-three, entitled "An act to revise the charter of the city of Watertown, New York," in relation to the issuing of summonses in the city court

Became a law April 20, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

Section 1. Chapter six hundred and sixty of the laws of nineteen hundred twenty-three, entitled "An act to revise the charter of the city of Watertown, New York," is hereby amended by adding a new section following section one hundred and seventy-two, to be section one hundred and seventy-two-a, to read as follows: § 172a added.

§ 172-a. All summonses shall be printed under the direction of the clerk of the city court and shall be numbered serially and each shall have the name of the city judge and the name of the clerk of the city court printed thereon. Such summonses may be issued by the court by either the city judge or clerk of the city court signing his own name where it appears printed upon said summons and upon payment of fifty cents for each summons so issued by said court. Such blank summonses may be purchased by any attorney at law who has been admitted to practice in courts of record of this state from the clerk of the city court by paying therefor the sum of fifty cents for each summons so purchased, at the time of such purchase. Where a party commencing an action in said court is duly represented by an attorney at law qualified to practice in courts of record of this state, such summonses, so purchased by any attorney at law, may be issued by him or her, by such attorney writing his or her own signature on each summons so purchased. All summonses issued by attorneys at law shall be filed with the clerk of the city court on or before ten o'clock ante meridian on the last preceding legal business day prior to the return day of such summonses. Summons; preparation, issuance.

§ 2. This act shall take effect immediately.

CHAPTER 507

AN ACT authorizing the qualified electors of the town of Willsboro, Essex county, to vote on the question of appropriating money annually for the maintenance or employment of a band for musical purposes for entertainment of the public

Became a law April 20, 1931, 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. At the first town meeting held in the town of Willsboro, Essex county, after this act takes effect, or at a special town meeting called for the purpose pursuant to the town law, there Question to be submitted to voters.

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shall be submitted to the vote of the qualified electors of such town the following question: "Shall the town of Willsboro annually appropriate and pay for the maintenance or employment of a band for musical purposes for the entertainment of the public, an amount not to exceed the sum of five hundred dollars?"

Appropriation; town charge.

§ 2. If the majority of the votes cast at such town meeting or special town meeting shall be in the affirmative, the town board of such town shall appropriate and pay annually thereafter a sum not exceeding the sum of five hundred dollars for the employment or maintenance of a band for musical purposes for the entertainment of the public upon such conditions as such town board shall prescribe and such expenditure shall be a proper and valid town charge each year thereafter.

§ 3. This act shall take effect immediately.

CHAPTER 508

AN ACT to amend the workmen's compensation law, in relation to insurance premiums which shall be deemed preferred claims except as to wages

Became a law April 20, 1931, 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:

§ 130 added to art. 6.

Section 1. Chapter eight hundred and sixteen of the laws of nineteen hundred thirteen, entitled "An act in relation to assuring compensation for injuries or death of certain employees in the course of their employment and repealing certain sections of the labor law relating thereto, constituting chapter sixty-seven of the consolidated laws," as re-enacted and amended by chapter six hundred and fifteen of the laws of nineteen hundred twenty-two, is hereby amended by adding a new section, one hundred thirty to article six of the said chapter, to read as follows:

§ 130. **Workmen's compensation premiums shall be deemed preferred claims.** All premiums and interest charges on account of policies insuring employers against liability under this chapter which may be due to the state insurance fund, or any stock corporation or mutual association authorized to transact the business of insurance in this state, and all judgments recovered by the state insurance fund or any such insurance corporation or association against any employer on actions brought under any such policy, shall be deemed preferred claims in all insolvency or bankruptcy proceedings, trustee proceedings for administration of estates and receiverships involving the employer liable therefor or the property of such employer, provided however that claims for wages shall receive prior preference in all such proceedings.

§ 2. This act shall take effect immediately.

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CHAPTER 509

AN ACT to amend the labor law, in relation to the hours of labor of women and minors

Became a law April 20, 1931, 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 one hundred and eighty-one of chapter fifty of the laws of nineteen hundred twenty-one, entitled "An act in relation to labor, constituting chapter thirty-one of the consolidated laws," as last amended by chapter eight hundred and sixty-seven of the laws of nineteen hundred thirty, is hereby amended to read as follows: § 181 amended.

§ 181. **Females over sixteen.** Except from the eighteenth day of December to the following twenty-fourth of December, inclusive, and, further, except for two periods each year for the purpose of taking inventory, each period to be of not more than one week duration, and each period not to exceed a total of six hours under subdivision one and five hours under paragraph b of subdivision two, in addition to the hours permitted therein, and in no case later than ten o'clock in the evening,[1] no female over sixteen years of age shall be employed in or in connection with any mercantile establishment:[2]

1.[3] More than eight hours in any day, or more than forty-eight hours in any week, or more than six days in any week, except as otherwise provided in subdivisions two and three of this section.

2.[4] Such female may be employed as follows:

a. Ten hours on any one day of the week for the purpose of making one or more shorter work days in that week; or

b. Forty-nine and one-half hours in any week provided that upon one day of such week she work not more than four and one-half hours; but on the remaining five days of the week she shall not be permitted to work more than nine hours a day and in no case shall she be permitted to work more than forty-nine and one-half hours a week except as provided in paragraph c of this subdivision.

c. Notwithstanding the provisions of subdivision one and paragraph b of subdivision two, and in addition to the daily or weekly hours therein specified, a female may be employed overtime (1) not to exceed a total of ten hours in any calendar year if working under the provisions of subdivision one, provided the weekly hours shall not exceed fifty-four in any week and the daily hours

[1] Words "and, further, except for two periods each year for the purpose of taking inventory, each period to be . . . . . and in no case later than ten o'clock in the evening," new.

[2] Former subdivisions a, b, c, omitted.

[3] Following subdivision new.

[4] Subdivision two, paragraphs a, b, c new.

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shall not exceed ten in any day and provided further that when she so works overtime she shall be allowed an equal amount of time off from employment during the same week or within seven days before or seven days after the week in which she is so employed; or (2) not to exceed a total of twenty-five hours in any calendar year if working under the provisions of paragraph b of this subdivision, provided the weekly hours shall not exceed fifty-four in any week and the daily hours shall not exceed ten in any day and that in no case shall she be permitted to work overtime on the short day provided for by paragraph b of this subdivision.

Before the commencement of such overtime employment, the employer shall post a notice on a form furnished by the commissioner stating the amount of overtime which shall be required, in each room where the employees are employed or report for duty and in cases where less than all the employees are to be employed on overtime the names of the employees to work during such overtime shall be posted also.[5]

[6]No such overtime employment shall be permitted until at least four hours after a copy of such notice has been delivered to the commissioner.

[6]Every employer who employs females shall annually notify the commissioner that he will employ them either on the basis of subdivision one or paragraph b of subdivision two and shall not change such election more than twice in any calendar year.

d.* No female shall be employed between[7] the hours of ten o'clock in the evening and seven o'clock in the morning.

The provisions of this section prohibiting employment more than six days a week and between the hours of ten o'clock in the evening and seven o'clock in the morning shall not apply to female writers or reporters employed in newspaper offices or to duly licensed pharmacists.

In effect July 1, 1931.

§ 2. This act shall take effect July first, nineteen hundred thirty-one.

CHAPTER 510

AN ACT to amend the workmen's compensation law, in relation to service by private or domestic chauffeurs

Became a law April 20, 1931, 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:

§ 3, subd. 1, group 12 amended.

Section 1. Group twelve of subdivision one of section three of chapter eight hundred and sixteen of the laws of nineteen hun-

* So in original. Evidently should be "3."

[5] Words "A copy of such notice shall be forthwith mailed to the commissioner;" omitted.

[6] Following paragraph new.

[7] Words "3. No female shall be employed between" substituted for words "d. Between."

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dred thirteen, entitled "An act in relation to assuring compensation for injuries or death of certain employees in the course of their employment and repealing certain sections of the labor law relating thereto, constituting chapter sixty-seven of the consolidated laws," as re-enacted and amended by chapter six hundred and fifteen of the laws of nineteen hundred twenty-two, is hereby amended to read as follows:

Group 12. Work as:

Barbers	Marble workers
Blacksmiths	Masons
Carpenters	Movers
Chauffeurs	[1]Private or domestic chauffeurs, employed as such in cities of two million inhabitants or over, but failure to secure compensation for such private or domestic chauffeurs, as aforesaid, shall not subject the employer to the penalties prescribed in section fifty-two of this chapter
Drivers	Sheet metal workers
Furriers	Teamsters
Garbage sorters	Theatrical electricians, fly-men, lamp operators, moving picture machiners, property men, stage carpenters and stage hands
Horseshoers	
Janitors	
Life guards	
Longshoremen	

§ 2. Group eighteen of subdivision one of section three of such chapter, as last amended by chapters three hundred and four and seven hundred and two of the laws of nineteen hundred twenty-nine, is hereby amended to read as follows:[2] § 3, subd. 1, group 18, amended.

Group 18. All other employments, except persons engaged in a clerical, teaching or nonmanual capacity in or for a religious, charitable or educational institution, notwithstanding the definition of employment in subdivision five of section two, not hereinbefore enumerated, carried on by any person, firm or corporation in which there are engaged or employed four or more workmen or operatives regularly, in the same business or in or about the same establishment either upon the premises or at the plant or away from the plant of the employer, under any contract of hire, express or implied, oral or written, except farm laborers, domestic servants, other than private or domestic chauffeurs employed as such in cities of two million inhabitants or over,[3] and persons engaged in voluntary service not under contract of hire.

[1] Following item new.

[2] § 3, subd. 1, group 18 was also amended by ch. 385, ante.

[3] Words ", other than private or domestic chauffeurs employed as such in cities of two million inhabitants or over," new.

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A minister, priest or rabbi, or a member of a religious order, shall not be deemed to be employed or engaged in employment under the terms of this section.

§ 3. This act shall take effect immediately.

CHAPTER 511

AN ACT to amend the domestic relations law, relative to issuance of marriage licenses

Became a law April 21, 1931, 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:

§ 15 amended.

Section 1. Section fifteen of chapter nineteen of the laws of nineteen hundred nine, entitled "An act in relation to the domestic relations, constituting chapter fourteen of the consolidated laws," as last amended by chapter six hundred and thirty-three of the laws of nineteen hundred twenty-nine, is hereby amended to read as follows:

§ 15. **Duty of town and city clerks.** It shall be the duty of the town or city clerk when an application for a marriage license is made to him to require each of the contracting parties to sign and verify a statement or affidavit before such clerk or one of his deputies, containing the following information. From the groom: Full name of husband, color, place of residence, age, occupation, place of birth, name of father, country of birth, maiden name of mother, country of birth, number of marriage. From the bride: Full name of bride, place of residence, color, age, occupation, place of birth, name of father, country of birth, maiden name of mother, country of birth, number of marriage. From each: A statement in the following words: "I have not to my knowledge been infected with any venereal disease, or if I have been so infected within five years I have had a laboratory test within that period which shows that I am now free from infection from any such disease." The said clerk shall also embody in the statement if either or both of the applicants have been previously married, a statement as to whether the former husband or husbands or the former wife or wives of the respective applicants are living or dead and as to whether either or both of said applicants are divorced persons, if so, when and where and against whom the divorce or divorces were granted and shall also embody therein a statement that no legal impediment exists as to the right of each of the applicants to enter into the marriage state. The town or city clerk is hereby given full power and authority to administer oaths and may require the applicants to produce witnesses to identify them or either of them and may also examine under oath or otherwise other witnesses as to any material inquiry pertaining to the issuing

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of the license; provided, however, that in cities of the first class the verified statements and affidavits may be made before any regular clerk of the city clerk's office designated for that purpose by the city clerk.

If it appears from the affidavits and statements so taken, that the persons for whose marriage the license in question is demanded are legally competent to marry, the said clerk shall issue such license, except in the following cases. If it shall appear upon an application that the applicant is under twenty-one years of age, before the town or city clerk shall issue a license, he shall require documentary proof of age in the form of an original or certified copy of a birth record, a certification of birth, a baptismal record, passport, life insurance policy, employment certificate, school record, immigration record, nationalization record or court record, showing the date of birth of such minor. If the town or city clerk shall be in doubt as to whether an applicant claiming to be over twenty-one years of age is actually over twenty-one years of age, he shall, before issuing such license, require documentary proof as above defined. If it shall appear upon an application of the applicants as provided in this section or upon information required by the clerk that the man is under twenty-one years of age and is not under sixteen years of age, or that the woman is under the age of eighteen years and is not under fourteen years of age, then the town or city clerk before he shall issue a license shall require the written consent to the marriage from both parents of the minor or minors or such as shall then be living, or if the parents of both are dead, then the written consent of the guardian or guardians of such minor or minors. If one of the parents has been missing and has not been seen or heard from for a period of one year preceding the time of the application for the license, although diligent inquiry has been made to learn the whereabouts of such parent, the town or city clerk may issue a license to such minor upon the sworn statement and consent of the other parent. If the marriage of the parents of such minor has been dissolved by decree of divorce or annulment, the consent of the parent to whom the court which granted the decree has awarded the custody of such minor shall be sufficient. If there is no parent or guardian of the minor or minors living to their knowledge then the town or city clerk shall require the written consent to the marriage of the person under whose care or government the minor or minors may be before a license shall be issued. The parents, guardians, or other persons whose consent it shall be necessary to obtain before the license shall issue, shall personally appear before the town or city clerk and execute the same as if they are residents of the state of New York and physically able to do so. If they are nonresidents of the state required consents may be executed and duly acknowledged without the state, but the consent with a certificate attached showing the authority of the officer to take acknowledgements must be duly filed with the town or city clerk before a license shall issue. If it shall appear upon an application for a

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marriage license that the woman is under the age of sixteen years and is not under fourteen years of age, the town or city clerk shall require, in addition to the consents provided in this section, the written approval and consent of a judge of the children's court, having jurisdiction over the town or city in which the application is made, to be attached to or endorsed upon the application, before the license is issued. The application for such approval and consent shall be heard by the judge at chambers. All papers and records pertaining to any such application shall be sealed by him and withheld from inspection, except by order of a court of competent jurisdiction. Before issuing any license herein provided for, the town or city clerk shall be entitled to a fee of two dollars, which sum shall be paid by the applicants before or at the time the license is issued. Any town or city clerk who shall issue a license to marry any persons one or both of whom shall not be at the time of the marriage under such license legally competent to marry without first requiring the parties to such marriage to make such affidavits and statements or who shall not require the production of documentary proof of age or the procuring of the approval and consents provided for by this article, which shall show that the parties authorized by said license to be married are legally competent to marry, shall be guilty of a misdemeanor and on conviction thereof shall be fined in the sum of one hundred dollars for each and every offense. On or before the fifteenth day of each month, each town and city clerk shall transmit to the county clerk of the county in which such town or city is situated one dollar of the amount received for each fee collected, who, if the office of the county clerk be salaried, shall pay the same to the treasurer of such county and otherwise may retain the same for his own use as a fee of his office. In any city the balance of all fees collected for the issuing of a marriage license, or for solemnizing a marriage, so far as collected for services rendered by any officer or employee of such city, shall be paid monthly into the city treasury and may by ordinance be credited to any fund therein designated, and said ordinance, when duly enacted, shall have the force of law in such city. [1]Notwithstanding any other provisions of the article the clerk of any city with the approval of the governing body of such city is hereby authorized to designate in writing filed in the city clerk's office a deputy clerk, if any, or other city employee in such office to receive applications for, examine applications, investigate and issue marriage licenses in the absence or inability of the clerk of said city to act, and said deputy or employee so designated is hereby vested with all the powers and duties of said city clerk relative thereto. Such deputy or employee shall perform said duties without additional compensation.

§ 2. This act shall take effect immediately.

[1] Remainder of section new.

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CHAPTER 512

AN ACT to amend the tax law, in relation to the distribution of income tax

Became a law April 21, 1931, 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 eighty-two of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as added by chapter six hundred and twenty-seven of the laws of nineteen hundred nineteen, and last amended by chapter one hundred and seven of the laws of nineteen hundred twenty-two, is hereby amended to read as follows: § 382 amended.

§ 382. **Distribution of the income tax.** All revenue collected or received by the commission under this article shall be deposited daily with such responsible banks, banking houses or trust companies as may be designated by the comptroller, and to the credit of the comptroller of the state of New York. Such deposits shall be kept separate and apart from all other moneys in the possession of the comptroller. The comptroller shall require adequate security from all such depositories. Of the revenue collected under this article the comptroller shall retain in his hands sufficient to provide at all times a fund in his hands in the sum of two hundred and fifty thousand dollars out of which he shall pay any refunds to which taxpayers shall be entitled under the provisions of this article. Of the remainder, fifty per centum shall be paid into the state treasury to the credit of the general fund. The remaining fifty per centum thereof shall, not later than the first day of July, and in case of moneys subsequently collected at least quarterly thereafter, be distributed and paid to the treasurers of the several counties of the state, in the proportion that the assessed valuation of the real property of each county bears to the aggregate assessed valuation of the real property of the state. The tax commission shall in due time for the distribution thereof certify to the comptroller the apportionment to the various counties the share of taxes received under this article to which they are entitled and upon verification and approval of such apportionment by him the comptroller shall distribute such share of the tax moneys in accordance with the provisions of this article. As to any county included in the city of New York such payment shall be made to the receiver of taxes in such city and be paid into the general fund for the reduction of taxation of the city of New York. The county treasurer shall apportion the amount so received among the several towns and cities within the county, except a city containing a part of a town, in proportion that the assessed valuation of the real property of each town or city bears to the aggregate assessed valua-

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tion of the real property of the county. The county treasurer shall pay the amount so apportioned to each city to the chief fiscal officer of the city to be paid into the general fund for city purposes; and in a county having more than three towns[1] and adjoining a city of the first class having a population of one million and upwards, the county treasurer shall pay the amount so apportioned to the supervisor of the town and such amount shall be by him credited to general town purposes, and such amounts shall not be apportioned or distributed as hereinafter provided. If a town does not contain any part of a city or village, the county treasurer shall pay the amount so apportioned to the town to the supervisor of the town. If one or more incorporated villages or cities be wholly or partly within a town, the county treasurer shall divide the amount apportioned to such town between such town and such village, villages, or city in the proportions that the assessed valuations of the real property of such town, as appears by the last preceding town assessment-roll, and of the real property of such village, villages or city, or the portion thereof wholly within such town, as appears by the last preceding village or city assessment-roll, bear respectively to the aggregate assessed valuation of the real property of such town and of such village, villages or city, determined by adding together the assessed valuation of the real property of the town, as appears by the last preceding town assessment-roll and the assessed valuation of the real property of such village, villages or city, or the portion thereof wholly within such town, as appears by the last preceding village or city assessment-roll, as the case may be. If two or more villages be entitled to share in such division, the county treasurer shall divide between the amount to which they are entitled in the proportions that the assessed valuation of the real property of such villages located in the town, as appears by the last preceding village assessment-rolls bears to the aggregate assessed valuations of the real property of such villages located in such town, as so determined. [2]Except that if one or more incorporated villages or cities be wholly or partly within a town and such town be in a county adjacent to a city of the first class and such county has within it not more than three towns, the county treasurer of such county shall divide the amount apportioned to such town between such town and such village, villages or city or the portion thereof wholly within such town, in the proportion that the assessed valuation of the real property of each such village or city respectively or part thereof in such town, as the same appears upon the last preceding assessment-roll used for state and county tax purposes, bears to the aggregate assessed valuation of the real property of the entire town as appears upon the last preceding assessment-roll used for state and county tax purposes. The county treasurer shall pay over to the chief fiscal officer or officers of such village or villages or such city the amount to which such village, villages

[1] Words "more than three towns" substituted for words "a population of over three hundred thousand according to the last federal or state census."

[2] Following sentence new.

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or city is entitled in accordance with the above apportionment, and shall pay the remaining portion thereof to the supervisor of the town. Except as hereinafter provided, upon the distribution of such revenues to any town the supervisor shall, with the approval of the town board, distribute not to exceed one-third of such allotment to such town among the several school districts in the town in the proportions that the assessed valuation of the real property of each of such school districts, respectively, or part thereof in such town as the same appears upon the last preceding town assessment-roll bears to the aggregate assessed valuation of the real property of the entire town, but the amount so distributed to any school district for any one year shall not exceed one-fourth of the amount raised by taxation in such school district for school purposes during the preceding year, and the excess, if any, not so distributed to any such district shall be retained by the supervisor and credited, together with the remaining two-thirds of such total allotment, to general town purposes. However, the town board, by resolution, may direct the supervisor to retain all such moneys allotted to the town, in which case such one-third shall not be so distributed to the school districts, but all moneys so allotted to the town shall be credited to general town purposes.

§ 2. This act shall take effect immediately.

CHAPTER 513

AN ACT to amend chapter five hundred and thirty of the laws of nineteen hundred sixteen, entitled "An act to provide a charter for the city of Niagara Falls," in relation to the police court

Became a law April 21, 1931, 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. Sections two hundred and sixty-three and two hundred and sixty-four of chapter five hundred and thirty of the laws of nineteen hundred sixteen, entitled "An act to provide a charter for the city of Niagara Falls," are hereby amended to read as follows: §§ 263, 264 amended.

§ 263. There shall be a court of criminal jurisdiction to be known as the police court, with the jurisdiction and powers hereinafter provided and there shall be one justice of this court. [1]The police justice shall appoint a clerk and stenographer, at a salary to be fixed by the city council, the duties of each to be prescribed by the police justice, both positions to be held by one and the same person, however, until such time as the business of the police court requires the service of two persons to fill such two positions, at which time the city council may authorize the employment of an additional person. Police court.

[1] Remainder of section new.

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Under the direction of the police justice, said clerk may issue a summons or warrant of arrest in all cases in which the police justice is empowered to issue summonses or warrants of arrest pursuant to the provisions of section one hundred and fifty of the code of criminal procedure.

Acting city judge.

§ 264. In the absence or inability of the police justice, or in the case of a vacancy in his office the person designated as in this act provided as the acting city judge shall perform the duties of such police justice. The acting city judge shall be subject to all the requirements and liabilities of the police justice pertaining to the discharge of his duties, except that he shall not thereby be deprived of his right to practice in any court by reason thereof. And said acting city judge shall receive for his services rendered pursuant to such provisions the same rate of compensation as the police justice. The acting city judge shall present an itemized and verified bill of his said services within thirty days after the rendition thereof, to the city clerk and such bill shall be audited and paid in the same manner as other claims against the city. The amount so paid to the acting city judge shall be deducted from the salary of the police justice, except that the latter shall be entitled to fifteen days' vacation in each year without loss of pay, and except during such period as the police justice by reason of illness, disqualification, or other duties connected with his office, may be unable to perform the duties of his office, which latter period shall not exceed fifteen days in any one year,[2] but for good cause shown, the city council may extend such period to such time as is just, proper and reasonable. The provisions of this section shall be construed so as to authorize the city council to direct the payment to the police justice of his regular salary for the period during the year nineteen hundred thirty that he was unable to perform the duties of his office on account of illness.

Compensation.

Deductible from salary of police justice.

Absence of police justice and acting city judge.

In the absence or inability of both the police justice and the acting city judge, the mayor shall designate a duly qualified practicing attorney in said city to perform the duties of such police justice, as police justice pro tempore, which designation shall be in writing, and be immediately filed with the city clerk. The police justice pro tempore shall be vested with all the powers and duties and shall be subject to all the requirements and liabilities of the police justice pertaining to the discharge of his duties during the continuance of such absence or inability, but he shall not be deprived of his right to practice in any court by reason thereof. For his services rendered pursuant to such provisions, the police justice pro tempore shall receive compensation at the same rate and in the same manner that compensation is payable to the acting city judge for the services rendered by him.

§ 265 amended.

§ 2. Section two hundred and sixty-five of such chapter, as amended by chapter six hundred and thirty-two of the laws of nineteen hundred twenty, is hereby amended to read as follows:

Police court, jurisdiction.

§ 265. The police court shall, in the first instance, have exclusive jurisdiction to try and determine all offenses of which the courts of

[2] Remainder of section new.

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special sessions have or shall have exclusive jurisdiction, when such offenses are committed within the city. He shall have exclusive jurisdiction to try and determine all complaints and charges for violations of the city ordinances, and shall have the power and jurisdiction now or hereafter conferred upon courts of special sessions by section fifty-six of the code of criminal procedure, and shall also have exclusive jurisdiction, in the first instance, to try, for any other misdemeanor committed in the city, any person who is first brought before said court or police justice charged with such offense. Said court shall have power, upon conviction for a misdemeanor, to impose a sentence of imprisonment not exceeding one year, or a fine not exceeding five hundred dollars, or both such fine and imprisonment, with further imprisonment, if such fine is not paid, not exceeding one day for each dollar thereof unpaid, except where a different punishment is by law prescribed for such offense. But any charge of misdemeanor pending before said police court or justice may be removed to a court sitting with a grand jury by the same method now or hereafter provided in sections fifty-seven and fifty-eight of the code of criminal procedure; but a complaint or charge for a violation of a city ordinance shall not be removed. [3]Subject to the provisions of section five hundred and fifty-two of the code of criminal procedure, when the defendant has been held to answer, as provided in section two hundred and eight of the code of criminal procedure, the police justice may admit the defendant to bail in all cases where bail may be taken before conviction, as provided in section five hundred and fifty-four of the code of criminal procedure, notwithstanding the restrictions contained in section five hundred and fifty-seven of the code of criminal procedure.

§ 3. This act shall take effect immediately.

CHAPTER 514

AN ACT to amend the tax law, in relation to the franchise tax on real estate corporations

Became a law April 21, 1931, 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 one hundred and eighty-two of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as added by chapter six hundred and sixty-three of the laws of nineteen hundred thirty, is hereby amended to read as follows: § 182 amended.

§ 182. 1. **Franchise tax on real estate corporations.** The term "corporation" as used in this section shall include any business

[3] Remainder of section new.

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conducted by a trustee or trustees wherein interest or ownership is evidenced by certificates or other written instruments. For the privilege of exercising its corporate franchise or of holding property in this state every domestic corporation, joint stock company or association, except as otherwise provided by subdivision twelve of section two hundred and eleven of the tax law, wholly engaged in the purchase and sale of, and holding title to, real estate for itself, or wholly engaged in the business of subleasing real property held under a leasehold for a term of twenty years or more, by the terms of which the taxes on the real property are paid by the lessee corporation as part of the consideration for the leasehold, or wholly engaged in either or both of such activities, shall pay annually, in advance, an annual tax, to be computed upon the basis of the actual value of its gross assets employed or situate within this state during the preceding year, and upon each dollar of such amount, at the rate of one-fourth of one mill on each one dollar of such assets. Every corporation, joint stock company or association, subject to taxation under this section shall, in any event, pay a minimum tax of not less than ten dollars.

Every such corporation, joint stock company or association taxable under this section shall be subject to and pay an additional tax at the rate of two per centum on such a portion of the amount of all dividends made or declared during the year ending December thirty-one last preceding, as its gross assets employed or situate within this state bears to its gross assets wherever employed or situate. Interest paid on debenture bonds and/or certificates of indebtedness and/or certificates of beneficial interest, and/or promissory notes or other indebtedness to stockholders, the proceeds of which are used to acquire assets, shall, for the purposes of this section, be treated as dividends and taxed accordingly.

Every like corporation, joint stock company or association organized, incorporated or formed under the laws of any other state, country or sovereignty shall pay a like tax for the privilege of exercising its corporate franchise, or carrying on business or holding property in a corporate or organized capacity in this state, to be computed upon the basis of the measurement hereinbefore provided for the taxation of domestic corporations.

The owning or holding of property in this state by such a foreign corporation shall constitute carrying on business in this state within the intent of this section.

[1]A corporation having record title to real estate shall for the purposes of this section be deemed the absolute owner of such real estate and the franchise tax shall be computed accordingly. Any profits derived from the rental, use or sale of such property shall be deemed the profits of the corporate title holder and shall be a dividend within the meaning of this section when distributed to the stockholders or to the parties in interest and shall be taxed accordingly.

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[1] Following paragraph new.

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[2]The lien for franchise taxes on real property provided by section one hundred and ninety-seven of this chapter shall be a lien upon and bind the real estate to which such corporation has record title as though the corporation had the sole and exclusive title in fee.

[2]Any corporation classified as a real estate corporation under this section may hold or acquire the entire capital stock of one or more corporations taxable under this section, and retain its classification as a real estate corporation and be taxed accordingly.

2. Any corporation, joint stock company or association taxable under this section, shall at the time of its liquidation or prior to its dissolution, merger or consolidation with any other corporation, be subject to and pay an additional tax based upon the sum of any dividends distributed from surplus and not heretofore used as a basis of any additional franchise tax as herein provided, plus surplus available, or to become available for distribution at the time of its liquidation, dissolution, merger or consolidation, at the rate of two per centum on such portion of the aggregate thereof as its assets in New York bear to its total assets as shown by its annual report for the year preceding.

[2]Any corporation, joint stock company or association classified under this section as a real estate corporation, upon change of classification making it amenable to section one hundred and eighty-eight, or article nine-a, of the tax law, shall, for purposes of taxation upon its franchise hereunder, be subject to and shall, at the time of such change of classification, pay an added tax at the rate of two per centum upon a base measured by the corporation's actual net worth in excess of its actual paid in capital stock plus the amount of any dividends made or declared subsequent to the close of the preceding calendar year.

§ 2. This act shall take effect immediately.

CHAPTER 515

AN ACT to amend the tax law, in relation to franchise tax on business corporations

Became a law April 21, 1931, 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 eight of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as added by chapter seven hundred and twenty-six of the laws of nineteen hundred seventeen, as last amended by chapter § 208 amended.

[2] Following paragraph new.

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five hundred and eighty-two of the laws of nineteen hundred twenty-eight, is hereby amended to read as follows:

§ 208. **Definitions.** As used in this article:

1. The term "corporation" includes a joint-stock company or association and any business conducted by a trustee or trustees wherein interest or ownership is evidenced by certificate or other written instrument;

2. The words "tangible personal property" shall be taken to mean corporeal personal property, such as machinery, tools, implements, goods, wares and merchandise, and shall not be taken to mean money, deposits in bank, shares of stock, bonds, notes, credits or evidences of an interest in property and evidences of debt;

3. The term "entire net income" means[1] total net income[2] from all sources, without deduction of (1) items or sums excluded from the definition of gross income in use by any other taxing authority, (2) dividends received on stocks, (3) taxes paid to the government of the United States on either profits or net income, (4) any specific amount allowed by any other taxing authority, or (5) losses sustained by the corporation in other fiscal or calendar years, whether deducted by the government of the United States or not. [3]Bona fide gifts to a corporation, other than unpaid salaries or compensation due to officers, for which no consideration has been given or made by the corporation itself, shall not constitute income nor be included in entire net income for the purposes of this section.[4]

§ 209 amended.

§ 2. Section two hundred and nine of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as added by chapter seven hundred and twenty-six of the laws of nineteen hundred seventeen, as last amended by chapter three hundred and eighty-five of the laws of nineteen hundred twenty-nine, is hereby amended to read as follows:

§ 209. **Franchise tax on corporations based on net income.** For the privilege of exercising its franchise in this state in a corporate or organized capacity every domestic corporation, and for the privilege of doing business in this state, every foreign corporation, except corporations specified in the next section, shall annually pay in advance for the year beginning November first next succeeding the first day of July in each and every year an annual franchise tax, to be computed by the tax commission upon the

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1 Word "the" omitted.

2 Remainder of sentence new.

3 Following sentence new.

4 Words "including all dividends received on stocks and all interest received from federal, state, municipal or other bonds, except as otherwise provided by section two hundred and nine of the tax law, and without deduction for taxes paid to the government of the United States on either profits or net income and without deduction of any specific amount allowed by any taxing authority; but losses sustained by the corporation in other fiscal or calendar years whether deducted by the government of the United States or not shall not be deducted." omitted.

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basis of its entire net income[5] for its fiscal or the calendar year next preceding, as hereinafter provided, which entire net income is presumably the same as the entire net income which such corporation is required to report to the United States, plus any income not deductible under the definition of entire net income contained in section two hundred and eight of this article,[6] except that the entire net income of a corporation not organized under the laws of any state within the United States which shall be taken as the basis of computation by the tax commission shall be the entire net income in fact and determined as hereinbefore provided rather than the amount earned in the United States or the amount returned to the United States treasury department, or as otherwise provided by section two hundred and fourteen of the tax law. However, [7]for purposes of equitable taxation under this article of the tax law, [8]income from any source may be included or excluded,[9] provided only that the assets from which the income arose shall be included or excluded, as the case may require,[10] in any segregation of assets[11] for the purpose of computing the tax.

§ 3. Subdivision eight of section two hundred and eleven of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as added by chapter seven hundred and twenty-six of the laws of nineteen hundred and seventeen, as last amended by chapter six hundred and twenty-eight of the laws of nineteen hundred nineteen, is hereby amended to read as follows: § 211, subd. 8 amended.

8. Any corporation taxable hereunder[12] may omit from its report the statements required by subdivisions four and five by incorporating in its report [13]a waiver of its rights to a segregation of assets in and out of this state. Report.

§ 4. Subdivision eleven of section two hundred and eleven of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," such section having been last amended in its entirety by chapter one hundred and forty-five of the laws of nine- § 211, subd. 11 amended.

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5 Words ", as defined in subdivision three of section two hundred and eight of the tax law," omitted.

6 Words "not deductible under the definition of entire net income contained in section two hundred and eight of this article," substituted for words "received as dividends on stocks or any interest received on bonds of any character, and without deduction for taxes paid on either profits or net income to the government of the United States or for any specific deduction allowed by any other authority".

7 Words "in determining the entire net income,". omitted.

8 Words "the tax commission may include" omitted.

9 Words "may be included or excluded" new.

10 Words "or excluded, as the case may require," new.

11 Words "of assets" new.

12 Words "upon its entire net income" omitted.

13 Remainder of sentence substituted for words "a consent to be taxed upon its entire net income. Corporations having no net income shall, however, complete the segregation of assets in every case."

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teen hundred twenty-nine, such subdivision is hereby amended to read as follows:

Adjustment of tax on basis of corporate activity.

11. If it shall appear to the tax commission that the segregation of assets shown by any report made under this article does not properly reflect the corporate activity or business done, or the income earned from corporate activity or from business done in this state because of the character of the corporation's business and the character and location of its assets, the tax commission is authorized and empowered to equitably adjust the tax upon the basis of the corporate activity or the business done within and without the state rather than upon capital or assets only.[14]

§ 214 amended.

§ 5. Section two hundred and fourteen of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as added by chapter seven hundred and twenty-six of the laws of nineteen hundred seventeen, as last amended by chapter six hundred and eighty-four of the laws of nineteen hundred and thirty, is hereby amended to read as follows:

§ 214. **Computation of tax.** If the entire business of the corporation be transacted within the state, the tax imposed by this article, if measured by[15] the entire net income, shall be measured by[16] the entire net income of such corporation for such fiscal or calendar year as defined in section two hundred and eight of this chapter, subject, however, to any correction thereof for fraud, evasion or error, as ascertained by the state tax commission. If the entire business of such corporation be not transacted within the state, the tax imposed by this article shall be based upon a proportion of such entire net income, to be determined in accordance with the following rules: The proportion of the entire net income of the corporation upon which the tax under this article shall be based, shall be such portion of the entire net income as the aggregate of

1. The average monthly value of the real property and tangible personal property within the state.

2. The average monthly value of bills and accounts receivable arising from (a) personal property sold by the corporation from merchandise manufactured by it within the state; (b) personal property owned by the corporation and not manufactured by it within this state but sold by it or its agents and located within the state at the time of the receipt of the order; (c) the purchase or sale of, or trading in, goods, wares or merchandise not located at any place at which the corporation conducted a permanent or continuous business without the state, and where the bills and accounts receivable arose from orders received or accepted by any officer or agent, or at any place of business, in this state; and (d) services performed by any officer, agent or representative of the corporation connected with, sent from, or reporting, either directly

[14] Formerly "employed."
[15] Words "measured by" substituted for words "imposed upon".
[16] Words "measured by" substituted for words "based upon".

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or indirectly, to any officer located in this state or at any office located, owned, rented or occupied in this state.

3. The proportion of the average value of the stocks of other corporations owned by the corporation, allocated to the state as provided by this section, bears to the aggregate of

4. The average monthly value of all the real property and tangible personal property of the corporation, wherever located.

5. The average total monthly value for the fiscal or calendar year of bills and accounts receivable arising from (a) personal property sold by the corporation from merchandise manufactured by it within and without the state; and (b) the purchase, or sale of, or trading in, personal property, or from services performed by the corporation, its officers or agents, excluding those arising in any way from advances or loans.

6. The average total value of stocks of other corporations owned by the corporation.

7. In case any report is made as provided by subdivisions nine, ten, eleven and twelve of section two hundred and eleven of the tax law, the tax commission may assess the tax against either of the corporations whose assets or net income are involved in the report and upon the basis of the combined entire net income and the combined segregated assets of the corporations, and upon such other information as it may possess, or may adjust the tax in such other manner as it shall determine to be equitable.

8. If any corporation has been permitted to change the period for which it shall make its report, it shall be taxed upon a base measured by[17] the entire net income which has not been used or included in measuring a franchise tax to this state as though the entire net income had been earned within one year.

9. Real property and tangible personal property shall be taken at its actual value where located. The value of share stock of another corporation owned by a corporation liable hereunder shall for purposes of allocation of assets be apportioned in and out of the state in accordance with the value of the physical property in and out of the state representing such share stock.

10. It is further provided that every domestic corporation for the privilege of exercising its franchise in this state, other than one exempted by section two hundred and ten of this chapter, shall be subject to a minimum tax of (1) not less than twenty-five dollars and (2) not less than one mill upon each dollar of its issued capital stock at its face value, and (3) not less than would be produced by applying a rate of four and one-half per centum to a base found by using the following formula: From the sum of the entire net income and salaries and other compensation paid to all elected or appointed officers, and/or paid to any stockholder owning in excess of five per centum of the issued capital stock of the corporation, deduct as a specific exemption the sum of five thousand dollars and any net loss for the reported year. From the sum so found an exemption of seventy per centum thereof

[17] Words "a base measured by" new.

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shall be granted and the remainder, apportioned as hereinbefore provided,[18] shall be used as the base of the tax; whichever of the three methods will result in the largest amount of tax. If such corporation actually maintains a regular place of business outside of the state of New York, and actually employs capital outside of the state of New York, then such tax shall be computed upon such a part of its issued capital stock at its face value as the amount of its gross assets in this state bears to its gross assets wherever located. But if such corporation has stock without par value, then the base of the tax, with relation to such stock, shall be such issued capital stock, at not less than its actual or market value, and not less than five dollars per share, as may be determined by the state tax commission, apportioned as herein provided. Every corporation, joint-stock company or association, organized, incorporated or formed under the laws of any other state, country or sovereignty, other than those exempted by section two hundred and ten of the tax law, shall pay a like tax for the privilege of carrying on business in a corporate or organized capacity in this state, to be computed upon the basis of measurement hereinbefore provided for the taxation of domestic corporations. Any corporation newly organized prior to November first of any year, or any foreign corporation beginning business in this state prior to November first of any year, and any corporation whose capital stock is increased between the thirtieth day of June and the first day of November in any year, either of which is not subject to a franchise tax measured by entire[19] net income as provided in section two hundred and nine of this article, shall be subject to the minimum tax as hereinbefore provided, based on its issued capital stock as of the thirty-first day of October of such year.

11. If a[20] corporation is subject to a tax under the provisions of this article of the tax law, and it maintains no regular place of business outside of this state, except a statutory office, it shall be taxed on a base measured by[21] its entire net income, or entire issued capital stock, or otherwise, as hereinbefore provided.

§ 214a amended.

§ 6. Section two hundred and fourteen-a of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as added by chapter two hundred and ninety-two of the laws of nineteen hundred and eighteen, as last amended by chapter three hundred and twenty-three of the laws of nineteen hundred and twenty-five, is hereby amended to read as follows:

§ 214-a. **Taxation of corporations acquiring assets or franchises of other corporations.** If any business corporation shall acquire either directly, indirectly or by merger or consolidation the major portion of the actively employed assets or the franchises of another corporation or of corporations exercising any franchise or doing

18 Words ", apportioned as hereinbefore provided," new.
19 Words "measured by entire" substituted for word "on".
20 Formerly "such."
21 Words "on a base measured by" substituted for word "upon".

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any business in this state during any year, or shall merge or consolidate another corporation, it shall on or before the first day of July, or within thirty days after such acquisition, merger or consolidation, if consummated between the thirtieth day of June and the first day of November, file a report and include therein a statement showing its own and the consolidated entire net income of all such corporations for preceding calendar or fiscal years to the extent that all such income has not been used or included in measuring a franchise tax to this state. It shall, in any event, be liable for and pay all taxes that would have been due and payable by the corporation, or corporations, on or before the first day of January next succeeding had the corporation or corporations whose assets or franchises were acquired, or which were merged or consolidated, continued in business and as though there had been no interruption or change of the business thereof nor discontinuance of the privilege of exercising a franchise. It shall also include in its own next annual return, in addition to its own entire net income, so much of the entire net income of corporations whose assets or franchises it acquired, or which were merged or consolidated, as shall not have been used or included in measuring a franchise tax to this state, and shall be taxed on a base measured by[22] such combined entire net income for the year to ensue. The provisions for a minimum tax shall be applied only when under such provisions a tax will result in excess of the amount which would be produced by a tax measured by[23] entire net income as hereinbefore provided and then in lieu thereof.[24]

§ 7. This act shall take effect immediately.

CHAPTER 516

AN ACT to amend the vehicle and traffic law, in relation to manufacturers' and dealers' registration

Became a law April 21, 1931, 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. Subdivisions two and five of section sixty-two of chapter fifty-four of the laws of nineteen hundred twenty-nine, entitled "An act relating to motor vehicles, motor cycles and highway traffic, constituting chapter seventy-one of the consolidated laws," are hereby amended to read as follows: § 62, subds. 2, 5 amended.

[22] Words "on a base measured by" substituted for word "upon".
[23] Words "measured by" substituted for word "on".
[24] Paragraph omitted which read: "This section, as hereby amended, shall be construed as having been in effect as of the date of the original enactment of article nine-a of the tax law, as added by chapter seven hundred and twenty-six of the laws of nineteen hundred and seventeen."

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2. Except as otherwise provided in [1]section [2]sixty-three, registration and number plates provided under this section shall not be used otherwise than as permitted by this section.

5. Any[3] motor vehicle owned [4]by a person, firm, association or corporation engaged in the business of manufacturing or of buying and selling motor vehicles, and held for the purposes of such business, may be operated under registration provided by this section[5] except[6] a service car, a vehicle rented to another[7] or a vehicle used to transport passengers[8] for hire.

In effect June 1, 1931.

§ 2. This act shall take effect June first, nineteen hundred thirty-one.

CHAPTER 51[1]

AN ACT to amend chapter one hundred and forty-eight of the laws of eighteen hundred seventy-eight, entitled "An act authorizing the construction and management of a railroad from Lake Champlain to Dannemora prison," by providing for the taxation of the real property constituting such railroad and the payment of the taxes thereon

Became a law April 21, 1931, 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:

§ 5a added.

Section 1. Chapter one hundred and forty-eight of the laws of eighteen hundred seventy-eight, entitled "An act authorizing the construction and management of a railroad from Lake Champlain to Dannemora prison," is hereby amended by inserting therein, after section five, a new section, to be section five-a, to read as follows:

§ 5-a. All real property, acquired by the state pursuant to this chapter, and/or under the terms of any lease executed in accordance with this chapter, shall be subject to assessment and taxation

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[1] Words "the next" omitted.

[2] Remainder of subdivision substituted for words ", no person shall operate or drive, or cause to be operated or driven, on the public highways, a motor vehicle or motor cycle to which any such manufacturer's or dealer's number plates are attached unless the manufacturer or dealer is the owner or entitled to the possession of such vehicle".

[3] Word "Any" substituted for words "The privileges of this section shall not extend to any".

[4] Words "and operated or driven" omitted.

[5] Words ", and held for the purposes of such business, may be operated under registration provided by this section" substituted for words "if such motor vehicle is so changed in body or equipment as to be other than a passenger vehicle, provided, however, that nothing herein shall be construed to prevent a manufacturer or a person, firm, association or corporation buying and selling trucks or trailers from using such trucks or trailers for the transportation of merchandise in demonstrating such trucks or trailers or for any purpose connected with such business".

[6] Word "as" omitted.

[7] Words ", a vehicle rented to another" new.

[8] Words "a vehicle used to transport passengers" substituted for words "for the delivery of merchandise or".

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against the state for all purposes. The taxes levied thereon shall be paid by the state comptroller out of monies appropriated for the payment of taxes on state lands.

§ 2. This act shall take effect immediately.

CHAPTER 518

AN ACT to amend the vehicle and traffic law, in relation to rate of speed of operators of motor vehicles

Became a law April 21, 1931, 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. Paragraph b of subdivision one and subdivision two of section fifty-six of chapter fifty-four of the laws of nineteen hundred twenty-nine, entitled "An act relating to motor vehicles, motor cycles, and highway traffic, constituting chapter seventy-one of the consolidated laws," are hereby amended to read as follows: § 56, subd. 1, ¶ b and subd. 2 amended.

b. A rate of speed, by a motor vehicle other than a motor truck, in excess of forty[1] miles an hour for a distance of one-fourth of a mile, shall be presumptive evidence of driving at a rate of speed which is not careful and prudent.

2. Motor cycles. Every person operating a motor cycle on the public highways of this state shall drive the same in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person; provided, that a rate of speed in excess of forty[1] miles an hour for a distance of one-fourth of a mile shall be presumptive evidence of driving at a rate of speed which is not careful and prudent.

§ 2. This act shall take effect immediately.

CHAPTER 519

AN ACT to amend chapter three hundred and ninety-four of the laws of eighteen hundred ninety-five, entitled "An act to revise the charter of the city of Oswego," in relation to the furnishing of water by the city of Oswego to outlying territory

Became a law April 21, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

Section 1. Subdivision two of section three hundred and ninety-three of chapter three hundred and ninety-four of the laws of § 393, subd. 2 amended.

[1] Formerly "thirty".

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eighteen hundred ninety-five, entitled "An act to revise the charter of the city of Oswego," as added by chapter two hundred and seven of the laws of nineteen hundred two, and last amended or superseded by local law number two of the city of Oswego, nineteen hundred thirty-one, is hereby amended to read as follows:

Acquisition of lands for water supply.

2. It shall have the right[1] to purchase and acquire in the name of the city of Oswego and in the manner hereinafter provided, all lands, tenements, hereditaments, rights and privileges, whatever, situate at any place in the county of Oswego, which may be necessary for the purpose of a supply of water [2]to the city of Oswego or to the town of Minetto.

§ 393, subd. 7 amended.

§ 2. Subdivision seven of section three hundred and ninety-three of such chapter, as added by chapter two hundred and seven of the laws of nineteen hundred two, is hereby amended to read as follows:

Payment for water furnished state and United States.

7. Water furnished to the United States, the state of New York, the county of Oswego and such corporations[3] as the department shall consider solvent, shall be payable at such times as the department shall provide.

§ 393, subd. 8 amended.

§ 3. Subdivision eight of section three hundred and ninety-three of such chapter, as added by chapter two hundred and seven of the laws of nineteen hundred two, is hereby amended to read as follows:

Water service; unpaid rates.

8. It shall shut off the water of any service whose water rates shall remain unpaid for twenty days, excepting water furnished to the United States, the state of New York, the county of Oswego, and such corporations[3] as the department shall consider solvent. A reasonable uniform fee, shall be fixed by the department, shall be charged and collected, for turning on water after the same has been so shut off.

§ 400 amended.

§ 4. Section four hundred of such chapter, as added by chapter two hundred and seven of the laws of nineteen hundred two, and amended by chapter three hundred and fourteen of the laws of nineteen hundred seven, is hereby amended to read as follows:

Extension of water mains.

§ 400. Whenever the department shall deem it for the interest of the city so to do, it may extend or enlarge the water mains in any part of the city, or in the town of Minetto,[4] provided the expense of such enlargement or extension is paid from the funds of said department, and it may further extend or enlarge such mains in any part of the city, or in the town of Minetto,[4] provided it shall first certify to the common council its determination so to do, together with a description of the extension or enlargement, and the estimated cost thereof, and provided the common council shall approve of such extension or enlargement, but the total amount to be so expended upon such approval of the common

[1] Words "and it shall be its duty," omitted.
[2] Remainder of subdivision new.
[3] Word "corporations" substituted for words "railroad companies".
[4] Words ", or in the town of Minetto," new.

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council in any one year, shall not exceed the sum of five thousand dollars. In case of such certification and approval, the common council shall cause the estimated cost of such extension or enlargement to be included in the next general city tax levy of taxes, and to place the amount thereof to the credit of the department.

§ 401 amended.

§ 5. Section four hundred and one of such chapter, as added by chapter two hundred and seven of the laws of nineteen hundred two, is hereby amended to read as follows:

Use of ground in county roads.

§ 401. The said department of water in behalf of the city of Oswego and all persons acting under its authority, shall have the right to use the ground or soil of any street, highway or road within the county of Oswego, for the purpose of laying mains and making extensions and erecting and maintaining poles, and maintaining and introducing water into and through any portion of the city of Oswego or adjoining towns, or for the purpose of introducing and maintaining water into and through any portion of the town of Minetto,[5] on condition that they shall cause the surface of said street, highway or road to be relaid and restored to its usual state, and all damage done thereto to be repaired to the satisfaction of the superintendent of works of said city or the commissioner of highways of the town.

§ 408a, added.

§ 6. Such chapter is hereby amended by adding thereto a new section, to be section four hundred and eight-a, to read as follows:

Power to sell water to other consumers.

§ 408-a. Whenever the department shall determine that the surplus supply of water is sufficient, it may supply water directly to consumers in the town of Minetto, or contract to supply water to municipal or other corporations, water districts, fire districts or individuals within said town of Minetto and for that purpose and in that connection, shall have all the rights, powers, privileges and duties conferred upon it by this act or otherwise in connection with the supply of water in the city of Oswego.

L. 1895, ch. 394, repealed.

§ 7. Any provision of chapter three hundred and ninety-four of the laws of eighteen hundred ninety-five, as amended or superseded, in conflict with the foregoing is hereby repealed.

§ 8. This act shall take effect immediately.

CHAPTER 520

AN ACT to amend the general municipal law, in relation to the evidence necessary to raise the presumption that the business is transient

Became a law April 21, 1931, 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:

§ 85a amended.

Section 1. Section eighty-five-a of chapter twenty-nine of the laws of nineteen hundred nine, entitled "An act relating to municipal corporations, constituting chapter twenty-four of the

[5] Words ", or for the purpose of introducing and maintaining water into and through any portion of the town of Minetto," new.

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consolidated laws," as added by chapter one hundred and ninety-nine of the laws of nineteen hundred seventeen, is hereby amended to read as follows:

§ 85-a. **Taxation of transient merchants.** The legislative body of a city, the town board of a town or the board of trustees of a village has power to provide that a tax shall be levied upon all persons or corporations conducting transient retail business therein, and may provide for the collection of such tax by requiring a permit and bond, cash deposit or other security before the commencement of business by such persons or corporations. Such tax shall be based upon the gross amount of sales and shall be at the same rate as other property is taxed for the year in such city, town or village. If at the time such tax becomes due and payable, the tax rate for the current year of such city, town or village has not been fixed, the same shall be estimated by the assessors thereof. An ordinance or resolution providing for a tax hereunder may require verified reports to be filed from time to time relating to stock and sales, and may make such further requirements as may be necessary in order to determine the amount of such tax, and to provide for the collection thereof. A transient business is one conducted in a store, hotel, house, building or structure for the sale at retail of goods, wares or merchandise, excepting food products, and which is intended to be conducted for a temporary period of time and not permanently. If the place in which a business is conducted is rented or leased for a period of six[1] months or less, such fact shall be presumptive evidence that the business carried on therein is a transient business. Any person or corporation failing to pay said tax, or failing to obey the provisions of an ordinance or resolution adopted hereunder, shall be guilty of a misdemeanor.

§ 2. **This act shall take effect immediately.**

CHAPTER 521

AN ACT to amend the penal law, in relation to bribing of public officers

Became a law April 21, 1931, 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:

§§ 371, 372, 378, 1327, 1328, 1822 amended.

Section 1. Sections three hundred and seventy-one, three hundred and seventy-two, three hundred and seventy-eight, thirteen hundred and twenty-seven, thirteen hundred and twenty-eight, and eighteen hundred and twenty-two, of the penal law are hereby amended to read as follows, respectively:

§ 371. **Bribery of a judicial officer.** A person who gives or offers, or causes to be given or offered, a bribe, or any money, prop-

[1] Formerly "two".

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erty, or value of any kind, or any promise or agreement therefor, to a judicial officer, juror, referee, arbitrator, appraiser or assessor, or other person authorized by law to hear or determine any question, matter, case, proceeding, or controversy, or to any person elected, chosen or designated as such,[1] with intent to influence his action, vote, opinion, or decision thereupon, is punishable by imprisonment for not more than ten years, or by a fine of not more than five thousand dollars, or both.

§ 372. **Officer accepting bribe.** A judicial officer, a person who executes any of the functions of a public officer, or a person elected or appointed a judicial officer or to execute any of the functions of a public officer and[2] not designated in articles one hundred and twenty-four and one hundred and seventy and in section twenty-three hundred and twenty of this chapter, or a person employed by or acting for the state, or for any public officer in the business of the state, or elected or appointed to become so employed or act,[3] who asks, receives, or agrees to receive a bribe, or any money, property, or value of any kind, or any promise or agreement therefor, upon any agreement or understanding that his vote, opinion, judgment, action, decision or other official proceeding, shall be influenced thereby, or that he will do or omit any act or proceeding, or in any way neglect or violate any official duty, is punishable by imprisonment for not more than ten years, or by a[4] fine of not more than five thousand dollars, or by[5] both. A conviction also forfeits any office held by the offender, and forever disqualifies him from holding any public office under the state.

§ 378. **Bribing certain public officers.** A person who gives or offers, or causes to be given or offered, a bribe, or any money, property, or value of any kind, or any promise or agreement therefor, to a public officer, or[6] to a person executing any of the functions of a public office, or to a person elected, appointed or designated to thereafter execute the same,[7] other than one of the officers or persons designated in articles one hundred and twenty-four, one hundred and seventy. and in sections three hundred and seventy-one and twenty-three hundred and twenty of this chapter, with intent to influence him in respect to any act, decision, vote, opinion[8] or other proceeding, in the exercise of the[9] powers or functions which he has or may have,[10] is punishable by imprisonment for not more than ten years, or by a fine of not more than five thousand dollars, or by[5] both.

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1 Words "or to any person elected, chosen or designated as such," new.
2 Words ", or a person elected or appointed a judicial officer or to execute any of the functions of a public officer and" new.
3 Words ", or elected or appointed to become so employed or act," new.
4 Word "a" new.
5 Word "by" new.
6 Words ", to a public officer, or" new.
7 Words ", or to a person elected, appointed or designated to thereafter execute the same," new.
8 Word "opinion" new.
9 Word "the" substituted for word "his".
10 Words "which he has or may have," new.

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§ 1327. **Bribery of members of the legislature.** A person who gives or offers, or causes to be given or offered, a bribe, or any money, property, or value of any kind, or any promise or agreement therefor, to a member of the legislature, or to a person who has been elected a member of the legislature,[11] or attempts, directly or indirectly, by menace, deceit, suppression of truth, or other corrupt means, to influence such[12] a member or person[13] to give or withhold his vote, or to absent himself from the house of which he is, or is to be* become,[14] a member, or from any committee thereof, is punishable by imprisonment for not more than ten years, or by a fine of not more than five thousand dollars, or by[18] both.

§ 1328. **Receiving bribes by members of legislature.** A member of either of the houses composing the legislature of this state, or a person elected to become a member thereof[15] who asks, receives, or agrees to receive any bribe upon any understanding that his official vote, opinion, judgment or action shall be influenced thereby, or shall be given in any particular manner or upon any particular side of any question or matter upon which he may be required to act in his official capacity, or who gives or offers or promises to give any official vote in consideration that another member of the legislature, or person elected to become such member,[16] shall give any such vote, either upon the same or another question, is punishable by imprisonment in a state prison not exceeding ten years, or by a[17] fine not exceeding five thousand dollars, or by[18] both.

§ 1822. **Giving or offering bribes.** A person who gives or offers a bribe to any executive officer, or to a person elected or appointed to become an executive officer,[19] of this state with intent to influence him in respect to any act, decision, vote, opinion, or other proceeding as such officer, is punishable by imprisonment in a state prison not exceeding ten years, or by a[17] fine not exceeding five thousand dollars, or by both.

In effect July 1, 1931.

§ 2. This act shall take effect July first, nineteen hundred thirty-one.

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* So in original.

11 Words ", or to a person who has been elected a member of the legislature," new.

12 Word "such" new.

13 Words "or person" new.

14 Words ", or is to become," new.

15 Words ", or a person elected to become a member thereof," new.

16 Words ", or person elected to become such member," new.

17 Word "a" new.

18 Word "by" new.

19 Words ", or to a person elected or appointed to become an executive officer," new.

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CHAPTER 522

AN ACT to amend the tax law, in relation to the assessment and taxation of lands of the state in the town of Redfield, Oswego county

Became a law April 21, 1931, 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 twenty-two of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as last amended by chapter two hundred and seventy-one of the laws of nineteen hundred thirty, is hereby amended to read as follows: § 22 amended.

§ 22. **Assessment of state lands.** All wild or forest land within the forest preserve and also all such lands owned by the state in the towns of Altona and Dannemora, county of Clinton, except the lands in the town of Dannemora upon which buildings and inclosures are erected and maintained by the state for the use of state institutions, together with said buildings thereon, and also any lands which the state now owns or hereafter may acquire in the towns of Otselic and Pharsalia, county of Chenango, and in the towns of Berlin and Stephentown, county of Rensselaer, and in the town of Redfield, county of Oswego,[1] for use by the conservation department for reforestation or as a game refuge, shall be assessed and taxed at a like valuation and rate as similar lands of individuals within the tax districts where situated. In addition to the other matter required by law, the assessment-rolls in the forest preserve and in such towns shall have appended thereto a statement which shall state and specify which and how much, if any, of the lands assessed are forest lands, and which and how much, if any, are lands belonging to the state. Such statement shall be verified by the oaths of a majority of the assessors. The assessing officers in any tax district of the state in which state lands, other than lands of the forest preserve, are assessed, immediately upon the completion of the assessment-roll and prior to the hearing of grievances, and in any school district in which state lands are assessed for school purposes only, immediately upon the completion of the assessment-roll, shall notify the tax commission by mail of the amount of any such assessment. The tax commission shall annually fix a time or times, prior to the final completion of the assessment-rolls in tax district, and within thirty days from the receipt of notice of an assessment in any school district in which state lands are assessed for school purposes only, when the assessing officers of all, or a portion of, the tax districts in each county in which state lands are assessed and the school districts in which state lands are assessed for school purposes only, shall meet with a representative of such commission at the county

[1] Words ", and in the town of Redfield, county of Oswego," new.

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seat of the county, or at such place in the county as shall be designated by said commission, for the purpose of an examination of such rolls and the making and hearing of complaints, if any, on the part of the state, to be presented by such representative of the tax commission, in respect to assessments on lands of the state. The tax commission shall notify the clerk of the board of supervisors of any day so fixed, specifying the tax districts in the county in which lands of the state are assessed and the school districts in which state lands are assessed for school purposes only, the assessing officers of which are required to attend such meeting, and such clerk shall mail a notice to each of the assessing officers in such tax districts in which lands of the state are assessed and school districts in which state lands are assessed for school purposes only, requiring him to be present at the specified place on the date so fixed. Such notice by the tax commission to the clerk of the board of supervisors shall be given at least ten days, and by such clerk to the assessing officers at least five days, before the day so fixed. The assessing officers of the several tax and school districts, after such examination, shall fix the value of the several parcels of such state property, with the approval of the tax commission, and may increase or diminish the assessment thereof, but no such assessment shall be valid for any purpose without such approval. Such approval shall be attached to and deposited with the assessment-roll of the tax or school district.

Every assessment of such state owned lands made by the assessing officers of a village shall be approved by the tax commission before village taxes may be levied thereon, which approval shall be evidenced by a certificate attached to the assessment-roll.

§ 2. This act shall take effect immediately.

CHAPTER 523

AN ACT to authorize and direct the supervisors of the town of Hempstead, Nassau county, New York, to pay to the village of Hewlett Neck, Nassau county, New York, out of the highway fund, certain moneys collected in such village on account of the highway taxes of such town, and authorizing the borrowing of money and levying of taxes for the payment of the same

Became a law April 21, 1931, 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. The supervisors of the town of Hempstead, Nassau county, are hereby authorized and directed to pay to the treasurer of the village of Hewlett Neck, Nassau county, that portion of the amount of taxes levied against the property within the village of Hewlett Neck, aforesaid, by the board of supervisors of the county of Nassau for the year nineteen hundred twenty-seven, on account of the road or highway fund of such town, as hereinafter provided, notwithstanding the fact that subsequent to the completion, filing

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and delivery of the assessment roll of said town, the territory within the village was incorporated as such village, and the whole or part of said money became applicable only to the working and repairing of the highways of the town of Hempstead outside of the incorporated village of Hewlett Neck. Such money shall be payable when the same shall have been collected by the receiver of taxes of such town and shall have been paid to the supervisors thereof. Such money when received by such treasurer shall be applied to the street fund of such village. If sufficient funds are not available for the payment of any such moneys to such village, the town board of the town of Hempstead may borrow the same by temporary certificates of indebtedness to be levied and collected in the annual tax levy in the same manner as other town taxes are levied and collected.

§ 2. This act shall take effect immediately.

CHAPTER 524

AN ACT to authorize and direct the supervisors of the town of Hempstead, Nassau county, to pay to the village of Hewlett Harbor, Nassau county, certain moneys collected in such village on account of the highway taxes of such town, and authorizing the borrowing of money and levying of taxes for the payment of the same

Became a law April 21, 1931, 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. The supervisors of the town of Hempstead, Nassau county, are hereby authorized and directed to pay to the treasurer of the village of Hewlett Harbor, Nassau county, the amount of taxes levied against the property within the village of Hewlett Harbor, aforesaid, by the board of supervisors of Nassau in November, nineteen hundred twenty-six, for the year nineteen hundred twenty-six, on account of the road or highway fund of such town, notwithstanding the fact that subsequent to the completion, filing and delivery of the assessment roll of said town, the territory within the village was incorporated as such village, and said moneys became applicable only to the working and repairing of the highways of the town of Hempstead outside the incorporated village of Hewlett Harbor. Such money shall be payable when the same shall have been collected by the receiver of taxes of such town and shall have been paid to the supervisors thereof. Such money when received by said treasurer shall be applied to the street fund of said village. If sufficient funds are not available for the payment of any such moneys to such village, the town board of the town of Hempstead may borrow the same by temporary certificates of indebtedness to be levied and collected in the next annual tax levy in the same manner as other town taxes are levied and collected.

§ 2. This act shall take effect immediately.

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CHAPTER 525

AN ACT for the relief of the Ontario Dairy Company, Inc.

Became a law April 21, 1931, 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. The state tax commission is hereby authorized and directed to cancel the outstanding franchise taxes, amounting to four hundred and fifteen dollars and sixty-five cents, with the penalties and interest thereon, heretofore charged against the Ontario Dairy Company, Inc., a domestic corporation.

§ 2. This act shall take effect immediately.

CHAPTER 526

AN ACT to amend the real property law, in relation to maps of property located in Westchester county

Became a law April 21, 1931, 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:

§ 334 amended.

Section 1. Section three hundred and thirty-four of chapter fifty-two of the laws of nineteen hundred nine, entitled "An act relating to real property, constituting chapter fifty of the consolidated laws," as added by chapter four hundred and fifteen of the laws of nineteen hundred ten, and last amended by chapter one hundred and thirty-five of the laws of nineteen hundred twenty-seven, is hereby amended to read as follows:[1]

§ 334. **Maps to be filed; penalty for nonfiling.** It shall be the duty of every person or corporation who, as owner or agent, subdivides real property into lots, plots, blocks or sites, with or without streets, for the purpose of offering such lots, plots, blocks or sites for sale to the public, to cause a map thereof, together with a certificate of the surveyor or draughtsman attached showing the date of the completion of the survey and of the making of the map and the name of the subdivision as stated by the owner, to be filed in the office of the county clerk or register of deeds of the county where the property is situated prior to the offering of any such lots, plots, blocks or sites for sale; and a duplicate copy of such map shall also be filed in the office of the city, town or village clerk, where the property is situated before any such sale. All such maps must be printed or drawn upon tracing cloth, linen or canvas backed paper except that in the county of Westchester

[1] § 334 was amended by ch. 153, ante, which change is not contained here.

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all[2] maps presented for filing[3] must be printed or drawn with pen and ink[4] upon tracing cloth, [5]and must not be larger than thirty-six inches by forty-eight inches. Every such subdivision map of property, in the towns of Tonawanda, West Seneca, Cheektowaga, Amherst, Lancaster and Hamburg, Erie county, located wholly or partly outside an incorporated village, shall before the filing thereof as herein provided, have attached thereto in writing, the approval of the town board of such town, and every such map of property located wholly or partly in an incorporated village in such town, shall, if located wholly within the village have attached the approval of the board of trustees of the village, and if located partly within a village and partly within one of such towns, have attached the approval of both the town board of the town and the board of trustees of the village. All of such maps shall be placed and kept, by some suitable method, in consecutive order and shall be consecutively numbered in the order of their filing and shall be indexed under the initial letters of all substantives in the title of the subdivision. A failure to file any such map as required by the provisions of this section shall subject the owner of such subdivision, or of the unsold lots therein, to a penalty to the people of the state of twenty-five dollars for each and every lot therein sold and conveyed by or for such owner prior to the due filing of such map.

§ 2. This act shall take effect immediately.

CHAPTER 527

AN ACT to amend the vehicle and traffic law, in relation to highway traffic outside of the city of New York and definitions of terms

Became a law April 21, 1931, 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. Subdivision eight of section two of chapter fifty-four of the laws of nineteen hundred twenty-nine, entitled "An act relating to motor vehicles, motor cycles, and highway traffic, constituting chapter seventy-one of the consolidated laws," as last amended by chapter seven hundred and fifty-six, of the laws of nineteen hundred thirty, is hereby amended to read as follows:[1] § 2, subd. 8 amended.

8. "Motor vehicle" shall include all vehicles propelled by any power other than muscular power, except motor cycles, traction engines, road rollers, fire and police vehicles, ambulances, agricultural tractors, tractor cranes, steam shovels, road building

[2] Formerly "such".
[3] Words "presented for filing" new.
[4] Words "with pen and ink" new.
[5] Remainder of sentence new.
[1] Subd. 8 was also amended by ch. 205, which changes are not included in this act.

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machinery, well drillers,[2] electric trucks with small wheels used in factories, warehouses and railroad stations and operated principally on private property and such vehicles as run only upon rails or tracks.

§ 2. This act shall take effect immediately.

CHAPTER 528

AN ACT to amend the county law, in relation to prohibiting the county judge and district attorney of Rockland county from practicing law in a court of record in such county

Became a law April 21, 1931, 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:

§ 230b renumbered § 230c; §§ 201a, 230d added.

Section 1. Section two hundred and thirty-b of chapter sixteen of the laws of nineteen hundred nine, entitled "An act in relation to counties, constituting chapter eleven of the consolidated laws," as added by chapter four hundred and ninety-nine of the laws of nineteen hundred twenty-five, is hereby renumbered section two hundred and thirty-c, and such chapter is hereby amended by inserting therein two new sections, to be sections two hundred and one-a and two hundred and thirty-d, to read, respectively, as follows:

§ 201-a. **District attorney of Rockland county prohibited from practicing law in a court of record in such county.** Hereafter the district attorney of Rockland county and each person elected or appointed to such office shall, during his term of office, be prohibited from practicing law in a court of record in such county. The present incumbent of such office may, notwithstanding the provisions of this section, complete all pending legal business entrusted to his care as an attorney and counsellor-at-law prior to the time of taking effect of this section.

§ 230-d. **County judge of Rockland county prohibited from practicing law in a court of record in such county.** Hereafter, the county judge of Rockland county and each person elected or appointed to such office shall, during his term of office, be prohibited from practicing law in a court of record in such county. The present incumbent of such office may, notwithstanding the provisions of this section, complete all legal pending business entrusted to his care as an attorney and counsellor-at-law prior to the time of taking effect of this section.

§ 2. This act shall take effect immediately.

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[2] Words "well drillers," new.

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CHAPTER 529

AN ACT to amend the military law, in relation to relief to veterans permanently and totally disabled by reason of loss of sight

Became a law April 21, 1931, 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 twenty-four-m of chapter forty-one of the laws of nineteen hundred nine, entitled "An act in relation to the militia, constituting chapter thirty-six of the consolidated laws," as added by chapter six hundred and five of the laws of nineteen hundred twenty-eight and last amended by chapter one hundred and eighteen of the laws of nineteen hundred thirty, is hereby amended to read as follows: § 24m amended.

§ 24-m. **Creation of annuity.** Any soldier as defined in this article, who served in the military or naval forces of the United States during any war, the Philippine insurrection, or the China relief expedition, between April twenty-first, eighteen hundred ninety-eight and July fourth, nineteen hundred two[1] and who has been permanently and totally disabled by reason of loss of sight, and who is not receiving or not entitled to receive a benefit from any existing retirement system to which the state is a contributor, shall be paid out of the treasury of this state for the term of his life, the sum of five hundred dollars annually as herein provided.

§ 2. Section twenty-four-o of such chapter, as added by chapter six hundred and five of the laws of nineteen hundred twenty-eight, and last amended by chapter one hundred and eighteen of the laws of nineteen hundred thirty, is hereby amended to read as follows: § 24o amended.

§ 24-o. **Persons who may receive annuity.** The word "soldier," as used in this article, shall be taken to mean and include any officer, soldier, sailor, marine, nurse, or any other person regularly enlisted or inducted, who was in or is a part of the military forces of the United States, in any war, the Philippine insurrection, or the China relief expedition, between April twenty-first, eighteen hundred ninety-eight and July fourth, nineteen hundred two,[1] and who was a resident of the state of New York at the time he was commissioned, enlisted, inducted, appointed, or mustered into the military or naval service of the United States, and who has been or may be given an honorable or ordinary discharge or any other form of release from such service, except a dishonorable discharge, a discharge without honor or a discharge for the good of the service.

§ 3. This act shall take effect immediately.

[1] Words "the Philippine insurrection, or the China relief expedition, between April twenty-first, eighteen hundred ninety-eight and July fourth, nineteen hundred two," new.

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CHAPTER 530

AN ACT to amend the tax law, in relation to the franchise tax on savings banks

Became a law April 21, 1931, 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:

§ 189 amended.

Section 1. Section one hundred and eighty-nine of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as last amended by chapter three hundred and thirty-two of the laws of nineteen hundred twenty-four, is hereby amended to read as follows:

§ 189. **Franchise tax on savings banks.** Every savings bank incorporated, organized or formed under, by or pursuant to a law of this state, shall pay annually for the privilege of exercising its corporate franchise or carrying on its business in such corporate or organized capacity, an annual tax which shall be equal to six-tenths of[1] one per centum on the par value of its surplus and undivided earnings.

In effect July 1, 1932.

§ 2. This act shall take effect July first, nineteen hundred thirty-two.

CHAPTER 531

AN ACT to amend the public service law, in relation to state regulation of omnibus lines

Became a law April 21, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Subds. 28, 29, added to § 2.

Section 1. Section two of chapter four hundred and eighty of the laws of nineteen hundred ten, last re-entitled by chapter seven hundred and eighty-two of the laws of nineteen hundred thirty, "An act relating to the public service of utility companies, constituting chapter forty-eight of the consolidated laws," is hereby amended by adding at the end thereof, two new subdivisions, to be subdivisions twenty-eight and twenty-nine, to read as follows:

28. The term "omnibus line," when used in this chapter, means a motor vehicle or motor vehicles operated for the use and convenience of the public, usually along the same route or between stated termini, or on a fixed or stated schedule, carrying passengers for pay, and the property and equipment used in connection therewith. It shall include any motor vehicle so operated used in any intrastate business, notwithstanding such motor vehicle

[1] Words "six-tenths of" new.

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may be otherwise used in interstate commerce. It does not include motor vehicles used solely for the transportation of children to school, except when operated wholly or in part along a route for which a certificate of public convenience and necessity has been issued, or hotel buses used exclusively for the transportation of patrons to local railroad or other common carrier stations, or other motor vehicles operated in what is commonly known as taxicab service, unless such service becomes, or is held out to be regular service between stated termini.

29. The term "omnibus corporation," when used in this chapter, includes every corporation, company, association, joint-stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, owning, leasing or operating or proposing to own, lease or operate an omnibus line.

§ 2. Such chapter is hereby amended by inserting therein a new article, to be article three-a, to read as follows:

Art. 3a (§§ 60, 60a, 61-62, 62a, 63, 63a-63h) added.

ARTICLE 3-A

PROVISIONS RELATING TO OMNIBUS LINES AND OMNIBUS CORPORATIONS

Section 60. Application of article.
60-a. Safe and adequate service; just and reasonable charges; unjust discrimination; unreasonable preference.
61. General powers of the commission in respect to omnibus lines and omnibus corporations.
62. Approval of issues of stock, bonds and other forms of indebtedness.
62-a Reorganizations.
63. Transfer of franchises or stocks.
63-a. Complaints as to rates and fares; investigation by commission; form of complaints.
63-b. Notice of hearing; order fixing rates or requiring improvement.
63-c. Forfeiture for noncompliance with order.
63-d. Franchises and privileges.
63-e. Omnibus corporations operating through or into two or more municipalities; powers of commission.
63-f Lease and conveyance of line.
63-g. Summary proceedings.
63-h. Existing consents and certificates.[1]

§ 60. **Application of article.** The provisions of this article shall apply to omnibus lines, and omnibus corporations.

§ 60-a. **Safe and adequate service; just and reasonable charges; unjust discrimination; unreasonable preference.** 1. Every omni-

[1] No § 63-h is included in this act.

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bus corporation shall furnish and provide with respect thereto, such service and facilities as shall be safe and adequate and in all respects just and reasonable. All charges made or demanded by any such omnibus corporation for the transportation of passengers or for any service rendered or to be rendered in connection therewith, shall be just and reasonable and not more than allowed by law or by order of the commission having jurisdiction and made as authorized by this chapter. Every unjust or unreasonable charge made or demanded for any such service or transportation of passengers or in connection therewith or in excess of that allowed by law or by order of the commission is prohibited.

2. No omnibus corporation shall directly or indirectly, by any special rate, rebate, drawback, or other device or method, charge, demand, collect or receive from any person or corporation a greater or less compensation for any service rendered or to be rendered in the transportation of passengers, than it charges, demands, collects or receives from any other person or corporation for doing a like and contemporaneous service in the transportation of a like kind of traffic under the same or substantially similar circumstances and conditions.

3. No omnibus corporation shall make or grant any undue or unreasonable preference or advantage to any person or corporation, or subject any particular person or corporation to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

§ 61. **General powers of the commission in respect to omnibus lines and omnibus corporations.** Each commission,

1. Shall have general supervision of all omnibus corporations, having authority to operate an omnibus line or omnibus lines under any general or special law or under any charter or franchise, and of all omnibus lines owned, leased or operated by any such omnibus corporation.

2. Shall have power to and shall examine omnibus corporations and keep informed as to their general condition, capitalization, franchises and the manner in which their property is operated, not only with respect to the adequacy, security and accommodation afforded by their service, but also with respect to their compliance with all provisions of law, orders of the commision and charter requirements, and to issue such orders in connection therewith as may be required.

3. Shall have power, either through its members or inspectors duly authorized by it, to inspect the property and equipment of any omnibus corporation, including the right for such inspection purpose, upon payment of the published one-way fare established by the corporation for the transportation of passengers, to ride upon any vehicle operated by the omnibus corporation. The cost of such transportation, if the commission so elects, may be paid upon bills rendered to the commission after the transportation has been furnished and the amount thereof ascertained.

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4. Shall have power, in its discretion, to prescribe uniform methods of keeping accounts, records and books, to be observed by omnibus corporations. It may also, in its discretion, prescribe by order forms of accounts, records and memoranda to be kept by such omnibus corporations. Notice of alterations by the commission in the required method or form of keeping a system of accounts shall be given to such omnibus corporations by the commission at least six months before the same shall take effect.

5. Shall have power to examine all omnibus corporations and keep informed as to the methods, practices, regulations and property employed by them in the transaction of their business. Whenever the commission shall be of the opinion, after a hearing had upon its own motion or upon complaint, that the rates, fares or charges demanded, exacted, charged or collected by any omnibus corporation subject to its jurisdiction for the transportation of persons within the state, or that the regulations or practices of such omnibus corporation are unjust, unreasonable, unjustly discriminatory, or unduly preferential, or in any wise in violation of any provision of law over which the commission has supervision, the commission shall determine and prescribe in the manner provided by and subject to the provisions of section sixty-three-b of this chapter, the just and reasonable rates, fares and charges thereafter to be in force for the service to be furnished, and the just and reasonable acts and regulations to be done and observed; and whenever the commission shall be of the opinion, after a hearing had upon its own motion or upon complaint, that the property, equipment or appliances of any such corporation are unsafe, inefficient or inadequate, the commission shall determine and prescribe the safe, adequate and efficient property, equipment and appliances thereafter to be used, maintained and operated for the security and accommodation of the public and in compliance with the provisions of law and of its franchises and charters.

6. Shall have power to require every omnibus corporation, and it shall be the duty of every omnibus corporation to file with the commission an annual report, verified by the oath of the president, vice-president, treasurer, secretary, manager or receiver, if any, or by the person required to file the same. The verification shall be made by said official holding office at the time of filing of said report, and if not made upon the knowledge of the person verifying the same, shall set forth the sources of his information and the grounds of his belief as to any matters not stated to be verified upon his knowledge. The report shall show in detail (a) the amount of its authorized capital stock and the amount thereof issued and outstanding; (b) the amount of its authorized bonded indebtedness and the amount of its bonds and other forms of evidence of indebtedness issued and outstanding; (c) its revenues and expenditures during the preceding year; (d) the amount paid as dividends upon its stock and as interest upon its bonds; (e) the names of its officers and the aggregate amount paid as salaries to them and the amount paid as wages to its employees; (f) a full

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description of its property and franchises, stating in detail how each franchise stated to be owned was acquired; and (g) such other facts pertinent to the operation and maintenance of its property and equipment, and the affairs of the omnibus corporation as may be required by the commission. Such reports shall be in the form, cover the period and be filed at the time prescribed by the commission. The commission may, from time to time, make changes in and additions to such forms. When any such report is defective or believed to be erroneous, the commission shall notify the corporation making such report to amend the same within a time prescribed by the commission. Any such corporation which shall neglect to make any such report or which shall fail to correct any such report within the time prescribed by the commission, shall be liable to a penalty of one hundred dollars and an additional penalty of one hundred dollars for each day after the prescribed time for which it shall neglect to file or correct the same, to be sued for by the commission in the name of the people of the state of New York. The amount recovered in any such action shall be paid into the state treasury and be credited to the general fund. The commission for cause shown may extend the time prescribed.

7. Shall have power to examine the accounts, books, contracts, records, documents and papers of any omnibus corporation, and have power, after a hearing, to prescribe by order the accounts in which particular outlays and receipts shall be entered, charged or credited. At such hearing the burden of proof shall be on such corporation to establish the correctness of the accounts in which such outlays and receipts have been entered and the commission may suspend a charge or credit pending submission of proof by such corporation.

8. Shall have power to investigate the cause of all accidents resulting in loss of life or injury to persons or property, which in its judgment shall require investigation. Every omnibus corporation is hereby required to give immediate notice to the commission of every accident to which it shall in the course of its operations have been a party, but such notice shall not be admitted as evidence, or used for any purpose against such corporation in any action or proceeding for damages growing out of any such accident.

9. Shall have power to compel by subpoena duces tecum, the production of any accounts, books, contracts, records, documents, memoranda and papers. In lieu of requiring production of originals by subpoena duces tecum the commission or any commissioner may require sworn copies of any such books, records, contracts, documents and papers, or any parts thereof, to be filed with it. The commission may require of all such omnibus corporations specific answers to questions upon which the commission may need information, and may also require such corporation to file periodic reports in the form, covering the period and filed at the time prescribed by the commission. If such corporation shall fail to make specific answer to any question or shall fail to make

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a periodic report when required by the commission as herein provided within the time and in the form prescribed by the commission for the making and filing of any such report or answer, such corporation shall forfeit to the state the sum of one hundred dollars for each and every day it shall continue to be in default with respect to such report or answer. Such forfeiture shall be recovered in an action brought by the commission in the name of the people of the state of New York. The amount recovered in any such action shall be paid into the state treasury and credited to the general fund.

10. Shall have power in all parts of the state, either as a commission, or through its members, or through an officer or employee specially authorized to conduct an investigation or hearing to subpoena witnesses, take testimony and administer oaths to witnesses in any proceeding or examination instituted or conducted in reference to any matter within its jurisdiction under this article.

11. Shall have power to require every omnibus corporation to file with the commission and to print and keep open to public inspection schedules showing all rates, fares and charges for the transportation of passengers within the state between each point upon its route and all other points thereon. The schedules printed as aforesaid shall plainly state the places between which passengers will be carried, and any rules or regulations which may in anywise change, affect or determine any part, or the aggregate of, such aforesaid rates, fares and charges. Such schedules shall be plainly printed in large type, and a copy thereof shall be kept by every omnibus corporation readily accessible to and for convenient inspection by the public. The form of every such schedule shall be prescribed by the commission. Unless the commission otherwise orders, no change shall be made in any rate, fare or charge, or in any rule or regulation relating to any rate, fare, charge or service, or in any general privilege or facility, which shall have been filed by such a corporation, in compliance with an order of the commission, except after thirty days' notice to the commission and publication of a notice to the public of such proposed change once in each week for four successive weeks in a newspaper having general circulation in the county or counties containing territory affected by the proposed change, which notice shall plainly state the changes proposed to be made in the schedule then in force and the time when the change will go into effect. The commission for good cause shown may allow changes without requiring the thirty days' notice under such conditions as it may prescribe. No such corporation shall charge, demand, collect or receive a greater or less or different compensation for transportation of passengers, or for any service in connection therewith, than the rates, fares and charges applicable to such services as specified in its schedule filed and in effect at the time; nor shall any such corporation refund or remit in any manner or by any device any portion of the rates, fares, or charges so speci-

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fied, nor extend to any person any privileges or facilities in the transportation of passengers except such as are regularly and uniformly extended to all persons and corporations under like circumstances. No omnibus corporation shall charge, demand, collect or receive any greater compensation as a through rate than the aggregate of the intermediate rates; but this subdivision shall not be construed as authorizing any omnibus corporation to charge or receive as great compensation for a shorter as for a longer distance; and the commission may from time to time prescribe the extent to which such designated corporation may be relieved from the operation of this provision. The commission shall have power to prescribe the form of every schedule and from time to time prescribe by order such changes in the form thereof as may be deemed wise. The commission shall also have power to establish such rules and regulations to carry into effect the provisions of this subdivision as it may deem necessary, and to modify or amend such rules or regulations from time to time. Whenever there shall be filed with the commission by any omnibus corporation any schedule stating a new rate, fare or charge, or any change in any rule or regulation relating to any rate, fare, charge or service, or in any general privilege or facility, the commission shall have and it is hereby given authority, at any time within sixty days from the date when such schedule would or has become effective, either upon complaint or upon its own initiative without complaint at once, and, if it so orders, without answer or other formal pleading by the interested corporation, but upon reasonable notice, to enter upon a hearing concerning the propriety of such rate, schedule, or rule or regulation relating to any rate, fare, charge or service, or any general privilege or facility; and pending such a hearing and decision thereon, the commission upon filing with such schedule and delivering to the corporation affected thereby a statement in writing of its reasons therefor, may suspend the operation of such schedule and defer the operations of such rate, fare, charge, rule, regulation, service, general privilege or facility, but not for a longer period than one hundred and twenty days beyond the time when such rate, fare, charge, rule, regulation, service, general privilege or facility would otherwise go into effect; and after a full hearing, whether completed before or after the rate, fare, charge, rule, regulation, service, general privilege or facility goes into effect, the commission may make such order in reference to such rate, fare, charge, rule, regulation, service, general privilege or facility as would be proper in a proceeding begun after the rate, fare, charge, rule, regulation, service, general privilege or facility had become effective. Provided that, if any such hearing cannot be concluded within the period of suspension as above stated, the commission may in its discretion extend the time of suspension for a further period, not exceeding six months. The commission may, as authorized by section sixty-three-b, establish temporary rates, fares or charges for any period of suspension under this section.

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At any hearing involving a rate, fare or charge, the burden of proof to show that the change or proposed change if proposed by the corporation, or that the existing rate, fare or charge, if on motion of the commission, or in a complaint filed with the commission, it is proposed to reduce the rate, fare or charge, is just and reasonable shall be upon the corporation; and the commission may give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible. The schedule, rates, fares, charges, rule, regulation, service, general privilege or facility in force when the new schedule, rate, fare, charge, rule, regulation, service, general privilege or facility was filed shall continue in force during the period of the suspension provided for in this section unless the commission shall establish a temporary rate, fare or charge as authorized by section sixty-three-b of this chapter.

12. In case an omnibus corporation is engaged in carrying on any business other than the operation of an omnibus line or omnibus lines, as defined in this chapter, which other business is not otherwise subject to the jurisdiction of the commission, and is so conducted that its operations are to be substantially kept separate and apart from the owning, operating, managing or controlling of such omnibus lines, said corporation in respect of such other business shall not be subject to any of the provisions of this chapter and shall not be required to procure the assent or authorization of the commission to any act in such other business or to make any report in respect thereof. But this subdivision shall not restrict or limit the powers of the commission in respect to the owning, operating, managing or controlling by such corporation of such omnibus line or omnibus lines, and said powers shall include also the right to inquire as to, and prescribe the apportionment of, capitalization, earnings, debts and expenses fairly and justly to be awarded to or borne by the ownership, operation, management or control of such omnibus line or omnibus lines as distinguished from such other business. In any such case, if the owning, operating, managing or controlling of such other business by any such corporation is wholly subsidiary and incidental to the operation of an omnibus line or omnibus lines carried on by it and is inconsiderable in amount and not general in its character, the commission may by general rules exempt such corporation from making full reports and from the keeping of accounts as to such subsidiary and incidental business.

13. Shall have power after a hearing to fix and approve the route or routes and stated termini of any omnibus corporation and from time to time either upon application of the corporation, or on complaint, or upon its own initiative without complaint, but upon reasonable notice, modify and amend the route or routes or the stated termini of any such omnibus corporation. The commission under such rules as it may prescribe may upon application authorize temporary deviation from the route under which an

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omnibus corporation is authorized to operate pursuant to such certificate. No omnibus corporation shall hereafter operate an omnibus line or omnibus lines upon any highway, avenue or street in the state except along a route and between stated termini as fixed and approved by the commission, except that in case of street repairs, parades or other temporary obstruction of the highway, the omnibus corporation may use during the period of such emergency, another route as close as practicable to the original route. The use of such alternate route during the period of such emergency shall be lawful unless otherwise ordered by the commission. Notice of a hearing to fix and approve the route or stated termini of an omnibus corporation, or to amend the route or stated termini of such corporation, shall be given to the corporation affected, to each railroad corporation, street railroad corporation, omnibus line or other common carrier competing on the established route or proposed route, if any and to each city into or through which the route or proposed route is to pass, and to each town or village into or through which the route or proposed route is to pass, which shall have theretofore filed with the commission notice that it has adopted a resolution requiring consent of local authorities before a certificate of public convenience and necessity be issued by the commission. Provided, however, that the particular street or streets along which such route or proposed route is to pass in a city shall not be designated by the commission without the approval of the local authorities of the city affected.

14. The powers granted to the commission by this article to regulate and prescribe bus equipment and appliances shall not supersede or otherwise limit, qualify or modify the powers granted to the commissioner of motor vehicles in respect thereto pursuant to the vehicle and traffic law, and shall not be exercised except in furtherance and in addition to any regulations or requirement of the commissioner of motor vehicles made pursuant to law.

15. The jurisdiction of the commission over the matters herein conferred on the commission shall be exclusive.

§ 62. **Approval of issues of stock, bonds and other forms of indebtedness.** 1. An omnibus corporation organized or existing, or hereafter incorporated, under or by virtue of the laws of the state of New York, may issue stocks, bonds, notes or other evidences of indebtedness payable on demand or at periods of more than twelve months after the date thereof, or a receiver of such a corporation, if duly authorized by law, may issue receiver's certificates, when necessary for the acquisition of property, the construction, completion, extension or improvement of its lines, or for the improvement or maintenance of its service or for the discharge or lawful refunding of its obligations or for the reimbursement of moneys actually expended from income or from any other moneys in the treasury of the corporation not secured or obtained from the issue of stocks, bonds, notes or other evidences of indebtedness of such corporation, within five years next prior to the filing of an application with the

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commission for the required authorization, for any of the aforesaid purposes except maintenance of service and except replacements in cases where the applicant shall have kept its accounts and vouchers of such expenditure in such manner as to enable the commission to ascertain the amount of moneys so expended and the purposes for which such expenditure was made; provided and not otherwise that there shall have been secured from the commission an order authorizing such issue, and the amount thereof, and stating the purposes to which the issue or proceeds thereof are to be applied, and that, in the opinion of the commission, the money, property or labor to be procured or paid for by the issue of such stock, bonds, notes or other evidences of indebtedness is or has been reasonably required for the purposes specified in the order, and that except as otherwise permitted in the order in the case of bonds, notes and other evidences of indebtedness, such purposes are not in whole or in part reasonably chargeable to operating expenses or to income. The issue of stocks, bonds or other evidences of indebtedness, within the meaning of this section, shall include the sale hereafter by any such corporation of its stocks, bonds or other evidences of indebtedness previously issued and reacquired, whether originally issued at, before or after the time this section takes effect, provided, however, for good cause shown the commission may exempt from the restriction hereof stocks, bonds or other evidences of indebtedness. Nothing herein contained shall prohibit the commission from giving its consent to the issue of bonds, notes or other evidences of indebtedness for the reimbursement of moneys, heretofore actually expended from income for any of the aforesaid purposes, except maintenance of service and replacements, prior to five years next preceding the filing of an application therefor, if in the judgment of the commission such consent should be granted. For the purpose of enabling it to determine whether it should issue such an order, the commission shall make such inquiry or investigation, hold such hearings and examine such witnesses, books, papers, documents or contracts as it may deem of importance in enabling it to reach a determination. Such corporation shall not without the consent of the commission apply said issue or any proceeds thereof to any purpose not specified in such order. Such corporation may issue notes, for proper corporate purposes and not in violation of any provision of this or of any other act, payable at periods of not more than twelve months without such consent; but no such notes shall, in whole or in part, directly or indirectly be refunded by any issue of stock or bonds or by any evidences of indebtedness running for more than twelve months without the consent of the commission. Within ten days after the issuance by any such corporation of stocks, bonds, notes or other evidences of indebtedness, issued with or without the approval of the commission as herein provided, the corporation shall file with the commission a notice of such transaction in such form as the commission may prescribe. Provided, however, that the commission

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shall have no power to authorize the capitalization of any franchise to be a corporation nor to authorize the capitalization of any franchise or the right to own, operate or enjoy any franchise whatsoever in excess of the amount (exclusive of any tax or annual charge) actually paid to the state or to any political subdivision thereof as the consideration for the grant of such franchise or right, nor to authorize the issuance of any stocks or other securities in payment of dividends or for any purposes other than those enumerated in this section. Nor shall the capital stock of a corporation formed by the merger or consolidation of two or more other corporations, exceed the sum of the capital stock of the corporations, so consolidated, at the par value thereof, or such sum and any additional sum actually paid in cash; nor shall any contract for consolidation or lease be capitalized in the stock of any corporation whatever; nor shall any corporation hereafter issue any bonds against or as a lien upon any contract for consolidation or merger.

2. This section shall not prevent the issuance, with the consent of the commission on application made to it therefor within five years after this act takes effect, of stocks, bonds, notes or other evidences of indebtedness by a corporation, for the reimbursement of moneys actually expended before this section takes effect, and within ten years prior to filing application for such consent, from income or from any other moneys in the treasury of the corporation not secured or obtained from the issue of stocks, bonds, notes or other evidences of indebtedness of such corporation.

§ 62-a. **Reorganizations.** 1. Reorganizations of omnibus corporations pursuant to sections ninety-six and ninety-seven of the stock corporation law and such other statutes as may be enacted from time to time shall be subject to the supervision and control of the commission, and no such reorganization shall be had without the authorization of such commission.

2. Upon all such reorganizations the amount of capitalization, including therein all stocks and bonds and other evidences of indebtedness, shall be such as is authorized by the commission, which, in making its determination shall not exceed the fair value of the property involved, taking into consideration its original cost of construction, duplication cost, present condition, earning power at reasonable rates and all other relevant matters and any additional sum or sums as shall be actually paid in cash, provided, however, that the commission may make due allowance for discount of bonds. Any reorganization agreement before it becomes effective shall be amended so that the amount of capitalization shall conform to the amount authorized by the commission.

§ 63. **Transfer of franchises or stocks.** 1. No omnibus corporation shall transfer or lease its franchise, works or system or any part of such franchise, works or system to any other person or corporation or contract for the operation of its works and system, without the written consent of the commission. The permission and approval of the commission to the assignment, transfer or lease

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of a franchise under this section shall not be construed to revive or validate any lapsed or invalid franchise or to enlarge or add to the powers and privileges contained in the grant of any franchise or to waive any forfeiture. No such corporation shall directly or indirectly acquire the stock or bonds of any other corporation incorporated for, or engaged in, the same or a similar business, or proposing to operate or operating under a franchise from the same or any other municipality, or municipalities, unless authorized so to do by the commission. Save where stock shall be transferred or held for the purpose of collateral security only with the consent of the commission empowered by this chapter to give such consent, no stock corporation of any description, domestic or foreign, other than an omnibus corporation, railroad corporation or street railroad corporation, shall purchase or acquire, take or hold, more than ten per centum of the voting capital stock issued by any omnibus corporation organized or existing under or by virtue of the laws of this state, except that a corporation now lawfully holding a majority of the voting capital stock of any omnibus corporation may with the consent of the commission acquire and hold the remainder of the voting capital stock of such omnibus corporation or any portion thereof. Provided, that with the consent of such commission and upon and subject to such terms and conditions as such commission may fix and impose, any such stock corporation may acquire, take and hold more than ten per centum of the voting capital stock of any omnibus corporation, organized or existing under or by virtue of the laws of this state.

2. No consent shall be given by the commission to the acquisition of any stock in accordance with this section unless it shall have been shown that such acquisition is in the public interest. Nothing contained in this section shall be construed to prevent the holding of any stock heretofore lawfully acquired, nor to prevent, upon the surrender or exchange of such stock pursuant to a reorganization plan, the purchase, acquisition, taking or holding of a proportionate amount of stock of any new corporation organized to take over, at foreclosure or other sale, the property of any corporation whose stock has been thus surrendered or exchanged; but the proportion of the voting capital stock of the new corporation held by a stock corporation and acquired by it by any such surrender or exchange of stock shall not without the consent of the commission exceed the proportion of the voting capital stock held by it in the former corporation. Every contract, assignment, transfer or agreement for transfer of any stock by or through any person or corporation to any corporation, in violation of any provision of this chapter shall be void and of no effect, and no such transfer or assignment shall be made upon the books of any such omnibus corporation, or shall be recognized as effective for any purpose.

§ 63-a. **Complaints as to rates and fares; investigation by commission; form of complaints.** Upon the complaint in writing of the mayor of a city, the trustees of a village or the town board of

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a town in which an omnibus corporation is authorized to operate, or upon the complaint in writing of not less than twenty-five persons in any such municipality, or upon complaint of an omnibus corporation supplying such service, as to the rates, fares or charges demanded, received or collected, or as to the methods employed in furnishing such service or as to the amount of service furnished, the commission may, by its agents, examiners and inspectors, inspect the property, equipment and appliances and methods used by such omnibus corporation in furnishing such service, and may examine or cause to be examined the books and papers of such omnibus corporation pertaining to such service in such municipality. The form and contents of complaints made as provided in this section shall be prescribed by the commission. Such complaints shall be signed by the officers, or by the persons making them, who must add to their signatures their places of residence, by street and number, if any.

§ 63-b. **Notice of hearing; order fixing rates or requiring improvement.** Before proceeding under a complaint presented as provided in section sixty-three-a, the commission shall cause notice of such complaint, and the purpose thereof, to be served upon the corporation affected thereby. Such corporation shall have an opportunity to be heard in respect to the matters complained of at a time and place to be specified in such notice. An investigation may be instituted by the commission of its own motion as to any matter of which complaint may be made, as provided in section sixty-three-a of this chapter, or to enable it to ascertain the facts requisite to the exercise of any power conferred upon it. After a hearing and after such an investigation as shall have been made by the commission or its officers, agents, examiners or inspectors, the commission may, by order, fix the just and reasonable rates, fares and charges to be charged by the corporation for the service to be furnished and the amount of service furnished, and may order such improvement in such service, or in the methods employed by such corporation, as will in its judgment be adequate, just and reasonable. Any change in rates, fares, charges or amount of service shall be upon such terms, conditions or safeguards as the commission may prescribe. If it shall be made to appear to the satisfaction of the commission that the public interest requires a change in rates, fares, charges or service or that such change is necessary for the purpose of providing adequate and efficient service, or for the preservation of the property, the commission, upon such terms, conditions or safeguards as it deems proper, may authorize an immediate, reasonable, temporary increase or decrease in such rates, fares, charges or service pending a final determination of the rates, fares, charges and service to be thereafter charged by such corporation. The terms, conditions or safeguards prescribed may include provisions for the purposes for which the additional revenue derived from any such temporary increase may be expended and for the impounding thereof until the same shall be applied to the purposes so specified. **The rate or fare fixed by the**

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commission under this section or under subdivision five of section sixty-one shall be the rate or fare to be charged by such corporation for the service to be furnished until the commission shall, upon its own motion or upon complaint as provided in section sixty-three-a fix in the manner heretofore described a higher or lower rate or fare to be thereafter charged. In determining the rates and fares to be charged or the service to be furnished, the commission may consider all facts which in its judgment have any bearing upon a proper determination of the question although not set forth in the complaint and not within the allegations contained therein, with due regard among other things to a reasonable average return upon capital actually expended and to the necessity of making reservations out of income for surplus and contingencies. At any hearing involving a rate, the burden of proof to show that the change in rate or fare if proposed by the corporation operating such utility, or that the existing rate or fare, if on motion of the commission or in a complaint filed with the commission it is proposed to reduce the rate or fare, is just and reasonable shall be upon the corporation operating the utility; and the commission may give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible.

§ 63-c. **Forfeiture for noncompliance with order.** Every omnibus corporation and its officers, agents and employees thereof shall obey, observe and comply with every order made by the commission under authority of this chapter so long as the same be and remain in force. Any such person or corporation, or any officer, agent or employee thereof, who knowingly fails or neglects to obey or comply with such order, or any provision of this chapter, shall forfeit to the state of New York not to exceed the sum of one thousand dollars for each offense. Every distinct violation of any such order or of this chapter shall be a separate and distinct offense and in case of a continuing violation each day shall be deemed a separate and distinct offense.

§ 63-d. **Franchises and privileges.** 1. No omnibus corporation shall operate an omnibus line without first having obtained the permission and approval of the commission having jurisdiction and its certificate of public convenience and necessity, after a hearing had upon notice. Any person, firm or corporation and the agents, servants and employees of any person, firm or corporation operating any omnibus line as the same is defined in this chapter without having obtained the certificate of convenience and necessity as provided in this chapter, shall be guilty of a misdemeanor. Notice of such hearing shall be given to each city, town and village into or through which the route or proposed route is to pass, and to such other steam and street surface railroads, omnibus corporations operating under certificates of convenience and necessity, and other persons or corporations deemed by the commission to be interested in the proceeding. It shall be the duty of each town and village which has adopted a resolution requiring consent of local

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authorities to file with the commission a certified copy of such resolution.

2. Except as otherwise provided in section sixty-three-e, no such certificate of public convenience and necessity shall be issued until there be filed in the office of the commission by the applicant therefor a verified statement showing that the required consent of the proper city or other municipal authorities has been obtained as required by the transportation corporations law.

3. The commission on application may approve or disapprove a transfer or assignment of a certificate of public convenience and necessity provided such transfer or assignment be shown to be in the public interest, and every such transfer or assignment without the approval of the commission shall be void and of no effect.

4. The commission either upon complaint or upon its own motion without complaint, but upon reasonable notice and for cause, may revoke or suspend a certificate of public convenience and necessity theretofore issued for noncompliance with any condition prescribed by rule of the commission or for failure to comply with an order of the commission lawfully made with respect to the omnibus corporation or for violation of any provision of law, or for failure to operate over all or any part of its route for a period of one month or more.

§ 63-e. **Omnibus corporations operating through or into two or more municipalities; powers of commission.** 1. Notwithstanding any inconsistent general or special statute, the commission shall have power to issue a certificate of public convenience and necessity to any omnibus corporation proposing to operate through or into two or more cities, towns, and/or villages without the consent of local authorities of such towns or villages, if such consent is unreasonably refused or withheld, or if unjust or unreasonable conditions are attached to the granting of any such local consent, and may modify any such conditions, or attach new conditions as it shall determine to be just and reasonable. Provided, however, that conditions lawfully attached by local authorities with respect to the rate of speed, and the protection of the safety of its inhabitants shall not be deemed or be determined to be unjust or unreasonable.

2. The commission may also issue a certificate of public convenience and necessity without the consent of local authorities of cities and other municipalities otherwise required by law, if such local authorities do not either grant or refuse the consent within ninety days after the application is filed.

3. In any proceeding before the commission for a certificate of convenience and necessity without the consent of local authorities of towns or villages, such local authorities shall file with the commission within thirty days from the date of notice a certified statement setting forth the reasons for not granting such consent, or for withholding consent or for attaching conditions to the granting thereof. The commission shall consider such reasons in its determination of whether the local consent was unreasonably

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refused or withheld or whether the conditions attached thereto were unjust or unreasonable. If such local authorities shall not file said certified statement as herein required, they may not thereafter question such determination of the commission.

4. Whenever the commission shall grant a certificate of public convenience and necessity, without the consent of such towns or villages, it may attach such conditions thereto, as it shall determine just and reasonable, which shall provide for reasonable compensation to the municipality for wear and tear of pavements, improvements and bridges.

5. Local authorities may attach a condition to any such consent for reasonable compensation for wear and tear of pavements, improvements and bridges, but such condition in any existing consent or any such consent hereafter granted may be modified by the commission on application of the omnibus corporation after reasonable notice to the municipality affected.

6. The commission may approve the transfer or assignment of consents issued by local authorities for the operation of an omnibus line or omnibus lines through or into two or more cities, towns and villages provided such transfer or assignment be shown to be in the public interest. No other consent to such transfer or assignment shall be required, but such consent shall only be given upon reasonable notice to the municipalities affected.

7. Nothing herein contained shall be construed as in any way affecting the discretionary rights of cities to grant, or refuse, or to limit the duration of the consents provided for in section sixty-six and sixty-seven of the transportation corporations law.

§ 63-f. **Lease and conveyance of line.** Subject to the permission and approval of the commission, any omnibus corporation, or any corporation owning or operating any omnibus line within this state, may contract with any other such corporation for the use of their respective line or lines, or any part thereof, and thereafter use the same in such manner and for such time as may be prescribed in such contract. Such contract may provide (1) for the exchange or guarantee of the stock and bonds of either of such corporations by the other, or (2) for the conveyance by one of such corporations to another corporation of the property, appurtenances and franchises of the conveying corporation for the consideration named in such contract, which may be stock, bonds or other securities of the corporation to which such conveyance is to be made or of its successor or of another corporation, or for both of such purposes, and shall be executed by the contracting corporations under the corporate seal of each corporation; and if such contract shall be a lease of any such line and for a longer period than one year or if such contract shall provide for such conveyance, such contract shall not be binding or valid unless approved by the votes of stockholders owning at least two-thirds of the stock of each corporation which is represented and voted upon in person or by proxy at an annual meeting of stockholders for the purpose of electing directors, called in the manner

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prescribed by law, provided that the notice of such meeting shall state that one of the purposes thereof will be the approval of such contract, or at a meeting, called separately for that purpose upon a notice stating the time, place and object of the meeting, served at least thirty days previously upon each stockholder personally, or mailed to him at his postoffice address and also published at least once a week, for four weeks successively, in some newspaper printed in the city, town or county where such corporation has its principal office, and there shall be endorsed upon the contract the certificate of the secretaries of the respective corporations under the seals thereof, to the effect that the same has been approved by such votes of the stockholders, and the contract shall be executed in duplicate and filed in the offices where the certificates of incorporation of the contracting corporations are filed. The provisions herein contained providing for notice of such stockholders' meeting shall not obtain in case the unanimous consent of the holders of all the outstanding issued capital stock is secured, which said consent may be evidenced by the certificate of the secretary of said corporation to that effect. The line or route of a corporation cannot be used under any such contract in a manner inconsistent with the provisions of law applicable to its use by the corporation owning the same at the time of the execution of the contract. Such contracts shall be executed by the corporations, parties thereto, and proved and acknowledged in such manner as to entitle the same to be recorded in the office of the clerk or register of each county through or into which the road so to be used shall run. If any contract so recorded shall be or has been terminated by the contracting corporations in pursuance of resolutions of their respective boards of directors prior to the time specified in such contract for the termination thereof, then the contracting corporations shall execute, acknowledge and procure to be recorded in each office where such contract is recorded a certificate to the effect that such contract has been terminated, stating the date of the termination thereof, and said certificates so recorded shall be presumptive evidence of the termination of such contract accordingly.

§ 63-g. **Summary proceedings.** Whenever the commission shall be of opinion that an omnibus corporation within its jurisdiction is failing or omitting or about to fail or omit to do anything required of it by law or by order of the commission or is doing anything or about to do anything or permitting anything or about to permit anything to be done, contrary to or in violation of law or of any order of the commission, it shall direct counsel to the commission to commence an action or proceeding in the supreme court of the state of New York in the name of the commission for the purpose of having such violations or threatened violations stopped and prevented either by mandamus or injunction. Counsel to the commission shall thereupon begin such action or proceeding by a petition to the supreme court alleging the violation complained of and praying for appropriate relief by way of

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mandamus or injunction. It shall thereupon be the duty of the court to specify the time not exceeding twenty days after service of a copy of the petition within which the omnibus corporation complained of must answer the petition. In case of default in answer or after answer, the court shall immediately inquire into the facts and circumstances in such manner as the court shall direct without other or formal pleadings, and without respect to any technical requirement. Such other persons or corporations, as it shall seem to the court necessary or proper to join as parties in order to make its order, judgment or writs effective, may be joined as parties upon application of counsel to the commission. The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that a writ of mandamus or an injunction or both issue as prayed for in the petition or in such modified or other form as the court may determine will afford appropriate relief.

§ 3. This act shall take effect immediately.

CHAPTER 532

AN ACT relating to appropriations made by chapter thirty-six of the laws of nineteen hundred thirty-one for judgments in the court of claims with interest

Became a law April 21, 1931, 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. The appropriation made by part two of chapter thirty-six of the laws of nineteen hundred thirty-one for judgments in the court of claims with interest shall be available to pay so much as shall be required to meet judgments with interest in the following cases, but not to exceed in each case the amount indicated: Pauchogue Land Corporation versus state of New York, not to exceed five thousand seven hundred dollars ($5,700); William Edward Ward versus state of New York, not to exceed seven thousand five hundred dollars ($7,500); Martin V. W. Hall versus the state of New York, not to exceed seven thousand two hundred dollars ($7,200).

§ 2. This act shall take effect immediately.

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CHAPTER 533

AN ACT making a reappropriation to the conservation department for the state reservation at Niagara

Became a law April 21, 1931, 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. Of the amount of ten thousand dollars ($10,000) appropriated by chapter five hundred and ninety-three, part three, of the laws of nineteen hundred twenty-nine to the conservation department, state reservation at Niagara, for remodelling administration building, $10,000, the sum of six hundred forty-four dollars and thirty cents ($644.30) is hereby reappropriated for the same purpose.

§ 2. This act shall take effect immediately.

CHAPTER 534

AN ACT to amend the conservation law, in relation to the taking of water fowl in Lake Ontario

Became a law April 21, 1931, 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:

§ 212, subd. 2 amended.

Section 1. Subdivision two of section two hundred and twelve of chapter six hundred and forty-seven of the laws of nineteen hundred eleven, entitled "An act relating to conservation of land, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the consolidated laws," as added by chapter three hundred and eighteen of the laws of nineteen hundred twelve and last amended by chapter two hundred and forty-two of the laws of nineteen hundred twenty-eight, is hereby amended to read as follows:

2. Manner of taking. Except as prohibited by section two hundred and twenty-one, water fowl may be taken during the open season therefor from half an hour before sunrise to sunset by aid of any floating device other than sailboats or power boats, at any distance from shore on Long Island sound, Lake Champlain, Lake Erie, Niagara river, Chautauqua lake, Shinnecock, Gardiner, Peconic, Reeves and Flanders bays and in Great South bay west of Smith's point and east of the Nassau-Suffolk county line. Notwithstanding however, any other provision of this article, or any rule or regulation of the department, batteries shall not be used on any of the waters of Great South bay on Long Island, for taking water fowl, before November first of any year. On Oneida

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lake, Hudson river, and lakes, ponds and streams or parts thereof in counties bordering on the Hudson river, or through which such river passes, water fowl may be taken during the open season therefor by aid of any floating device other than sailboats, power boats, or batteries at any distance from shore. [1]Except as prohibited by section two hundred and twenty-one, water fowl may be taken during the open season therefor, by aid of a blind or any floating device other than sail boats, power boats or batteries at any distance from shore on Lake Ontario west of a line commencing at the most easterly portion of the easterly United States government pier in the city of Oswego and running thence due north.

§ 2. This act shall take effect immediately.

CHAPTER 535

AN ACT to amend the conservation law, in relation to screening flumes and raceways

Became a law April 21, 1931, with the approval of the Governor. Passed, on message of necessity, 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-seven of chapter six hundred and forty-seven of the laws of nineteen hundred eleven, entitled "An act relating to conservation of land, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the consolidated laws," as added by chapter three hundred and eighteen of the laws of nineteen hundred twelve and last amended by chapter two hundred and forty-two of the laws of nineteen hundred twenty-eight, is hereby amended by adding a new subdivision, to be subdivision three, to read as follows: Subd. 3 added to § 247.

3. Flumes or raceways which divert water of streams which have been stocked with fish furnished by the state shall be screened in such manner as the department may direct so that the passage of such fish into such flumes or raceways will be prevented.

§ 2. This act shall take effect immediately.

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[1] Following sentence new.

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CHAPTER 536

AN ACT to amend the county law, in relation to authorizing appropriations by the boards of supervisors of the counties of Erie and Niagara in aid of the Niagara frontier bridge commission, and the raising of money for said appropriations by taxation or bond issues by such counties

Became a law April 21, 1931, 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:

§ 12, subd. 52 renumbered subd. 51a and amended.

Section 1. Subdivision fifty-two of section twelve of chapter sixteen of the laws of nineteen hundred nine, entitled "An act in relation to counties, constituting chapter eleven of the consolidated laws," as added by chapter eight hundred and twenty-eight of the laws of nineteen hundred thirty, is hereby renumbered subdivision fifty-one-a and amended to read as follows:

Supervisors may agree to aid Niagara frontier commission.

51-a. The boards of supervisors of Erie and Niagara counties, or either of them, may each agree and undertake to provide and make available, and to appropriate annually such sums as they may deem proper to aid the Niagara frontier bridge commission in the erection and/or maintenance of the two bridges to be erected by it across the Niagara river to Grand Island, [1]and for the purpose of thereby improving and extending the highway system of the state and of the counties of Erie and Niagara. Such annual appropriation hereby authorized to be made by the board of supervisors of Erie county shall not exceed the sum of two hundred thousand dollars for any one year, and such annual appropriation hereby authorized to be made by the board of supervisors of Niagara county shall not exceed the sum of fifty thousand dollars for any one year. Each board of supervisors may by resolution direct the county treasurer to pay the amount of such appropriations to the treasurer of the Niagara frontier bridge commission.

Maximum appropriation

Supervisors authorized to borrow.

If sufficient county moneys are not available, such boards of supervisors may authorize the county treasurer to borrow money for such purpose on the faith and credit of the county in anticipation of taxes to be levied.

Tax for payment.

[2]Each board of supervisors may cause such moneys to be raised by taxation and levied and collected as other taxes in such county or may borrow money therefor on the credit of such county by the issuance and sale of county bonds in the manner provided by law for the issuance and sale of other county obligations.

§ 2. This act shall take effect immediately.

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[1] Remainder of sentence new.

[2] Following sentence substituted for sentence which read: "Such boards of supervisors shall annually raise by tax a sum sufficient to pay the amount of money appropriated pursuant to the provisions of this subdivision."

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CHAPTER 537

AN ACT to amend the county law, in relation to appropriations and expenditures of moneys for the propagation of game, game birds and fish in the counties of Warren, Washington, Saratoga and Essex

Became a law April 21, 1931, 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 twelve of chapter sixteen of the laws of nineteen hundred nine, entitled "An act in relation to counties, constituting chapter eleven of the consolidated laws," is hereby amended by inserting therein a new subdivision, to be subdivision sixteen-a, to read as follows:

Subd. 16a added to § 12.

16-a. Each or either of the boards of supervisors of the counties of Warren, Washington, Saratoga and Essex by resolution adopted by a three-fourths vote of its members, may appropriate in any year a sum not exceeding twelve hundred dollars in such year for the propagation of game, game birds and fish. Such work may be carried on separately, by the county whose board makes the appropriation, or jointly by two or more of such counties, making such appropriations, and in the latter case the moneys shall constitute a joint fund for the purpose, and each county treasurer shall transfer the amount appropriated by his county to the "two-county," "tri-county" or "four-county" game propagation fund, as the case may be. Such work shall be done and moneys expended by or under the direction of a committee of the board, or of a joint committee of members of two or more such boards, as the case may be, any such committee to be constituted and appointed as provided by a resolution or similar resolutions of such board or boards. Such committee shall choose from its members a chairman. In carrying on such work, the committee may accept the aid of any incorporated association or society engaged in such work within such counties or either of them and, with the consent of such association or society, may utilize and aid in maintaining its game farms and facilities, except that no county moneys shall be applied to the maintenance of any such farm or facilities conducted for profit. The county treasurer shall pay out from time to time the amount appropriated, or the amount in his hands constituting part of such joint fund, on the requisition of the chairman of such committee, except that in the case of a joint committee the requisition shall be signed also by at least one member thereof from the county of such treasurer. No expenditure by the committee of moneys so withdrawn shall be made except upon vouchers or receipted bills duly itemized, and either taken or approved by the committee, nor shall any such association or society incur any expense, chargeable to such appropriation or fund, unless it shall have been previously authorized by the committee. The committee, on or before the first day of November of each year,

Supervisors authorized to appropriate funds for game propagation.

Work, how done.

Payment by treasurer.

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shall render to the board of supervisors, or each board in the case of a joint committee, a statement in detail of the amount of moneys received and the nature and amounts of expenditures therefrom during the preceding year, in carrying out the provisions of this subdivision.

Question to be submitted to voters.

Any such board may appropriate such moneys in the year nineteen hundred thirty-one, to be applied as above provided, without other authorization, but neither board shall make such appropriation thereafter unless and until authorized by a proposition adopted at a general election by the affirmative vote of a majority of the qualified electors of the county voting thereon. The board of elections shall submit the proposition therefor in any county at a general election, in the year nineteen hundred thirty-one or thereafter, whenever a resolution directing the submission is adopted by the board of supervisors, by a majority vote, and a certified copy filed with the board of elections not less than sixty days before the general election; but the proposition may not be submitted in any such county oftener than once in two years, nor after it has been once adopted. The form of the proposition shall be "May the county of ..... appropriate twelve hundred dollars annually for the propagation of game, game birds and fish?" The provisions of the election law relating to propositions submitted at a general election, the taking, canvass and return of the vote thereon shall apply to such proposition, except that the proposition shall be set forth in the regular published notice of the general election.

§ 2. This act shall take effect immediately.

CHAPTER 538

AN ACT to amend the education law, in relation to the duration of eligible lists

Became a law April 21, 1931, 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:

§ 871 amended.

Section 1. Section eight hundred and seventy-one of chapter twenty-one of the laws of nineteen hundred nine, entitled "An act relating to education, constituting chapter sixteen of the consolidated laws," as amended by chapter one hundred and forty of the laws of nineteen hundred ten, such section having been last amended by chapter eight hundred and thirty-seven of the laws of nineteen hundred twenty, is hereby amended to read as follows:[1]

§ 871. **Board of examiners.** In a city having a population of one million or more there shall be a board of examiners to consist of seven members. No person while in the supervising or

[1] § 871 is further amended by ch. 539, post.

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teaching service in the city shall serve on such board. It shall be the duty of the board to hold examinations whenever necessary, to examine all applicants who are required to be licensed or to have their names placed upon eligible lists for appointment in the schools in such city, except examiners, and to prepare all necessary eligible lists. Eligible lists shall not be merged and one eligible list shall be exhausted before nominations are made from a list of subsequent date. No eligible lists, except a principal's eligible list, shall remain in force for a longer period than three years, [2]but all eligible lists in existence on April first, nineteen hundred thirty-one, except principal's eligible lists, shall remain in force for a period of four years. The board of examiners may employ temporary assistants at a compensation fixed by the board of education. It shall perform such other duties as the board of education may require.

§ 2. This act shall take effect immediately.

CHAPTER 539

AN ACT to amend the education law, in relation to the duration of an eligible list of candidates for appointment as member of a board of examiners

Became a law April 21, 1931, 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 eight hundred and seventy-one of chapter twenty-one of the laws of nineteen hundred nine, entitled "An act relating to education, constituting chapter sixteen of the consolidated laws," as amended by chapters one hundred and forty of the laws of nineteen hundred ten, seven hundred and eighty-six of the laws of nineteen hundred seventeen, two hundred and fifty-two of the laws of nineteen hundred eighteen, six hundred and forty-five of the laws of nineteen hundred nineteen, and chapter eight hundred and thirty-seven of the laws of nineteen hundred twenty, is hereby amended to read as follows:[1] § 871 amended.

§ 871. **Board of examiners.** In a city having a population of one million or more, there shall be a board of examiners to consist of seven members. No person while in the supervising or teaching service in the city shall serve on such board. It shall be the duty of the board to hold examinations whenever necessary, to examine all applicants who are required to be licensed or to have their names placed upon eligible lists for appointment in the schools in such city, except examiners, and to prepare all necessary eligible lists. Eligible lists shall not be merged and one eligible list shall be exhausted before nominations are made from a list of subse-

[2] Remainder of sentence new.

[1] § 871 was also amended by ch. 538, ante.

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quent date. No eligible lists, except a principals' eligible list, shall remain in force for a longer period than three years. The board of examiners may employ temporary assistants at a compensation fixed by the board of education. It shall perform such other duties as the board of education may require.

[2]An eligible list of candidates for appointment as member of the board of examiners shall remain in force for four years from the date of its promulgation. Prior to the expiration of said list, the board of education may request the civil service commission or body which created said list to continue said list for a period of two years, and said civil service commission shall grant such request. Said civil service commission may, upon like request made prior to the termination of said two years, continue said list for a further period of two years. As to the eligible list in existence on the first day of March, nineteen hundred thirty-one, the time to make the first request herein provided shall be extended for a period of sixty days after the passage of this act.

§ 2. This act shall take effect immediately.

CHAPTER 540

AN ACT to amend the education law, in relation to the salaries of the members of the supervising and teaching staffs and of the administrative staff in cities having a population of one million or over

Became a law April 21, 1931, 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:

§ 889 amended.

Section 1. Section eight hundred and eighty-nine of chapter twenty-one of the laws of nineteen hundred nine, entitled "An act relating to education, constituting chapter sixteen of the consolidated laws," as amended by chapter one hundred and forty of the laws of nineteen hundred ten, such section having been added by chapter six hundred and forty-five of the laws of nineteen hundred nineteen and amended by chapter five hundred and thirty of the laws of nineteen hundred thirty, is hereby amended to read as follows:

§ 889. **Schedules to be filed.** A copy of the schedules and schedule conditions approved by the board of education of each city together with a copy of such changes in schedules and schedule conditions as are made in conformity with this article, certified by the secretary of the board, shall, within thirty days after the adoption thereof, be filed in the office of the state commissioner of education. The schedules and schedule conditions fixing the salaries of members of the teaching and supervising staffs, the administrative staff and of all other employees of the board of education of a city having a population of one million or over, and of the

[2] Following paragraph new.

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officers of administration and instruction and all other employees of any public institution of higher learning conferring degrees and subject to the provisions of the law relative to colleges and of which the compensation and salaries of such persons are paid directly or indirectly out of moneys appropriated by the board of estimate or like financial authority of such city of one million inhabitants or over shall be not less than the salaries and salary increments fixed by the schedules and schedule conditions adopted by such board of education and by the board of higher education or the included boards of trustees of such higher institutions of learning and on file in the office of the state commissioner of education on the fifth[1] day of March,[2] nineteen hundred thirty-one.[3] This section shall not be construed so as to operate as a reduction of any salary.

§ 2. This act shall take effect immediately.

CHAPTER 541

AN ACT to amend the general municipal law, in relation to the taking of real estate or interests therein in the counties of Nassau and Suffolk for park and parkway purposes

Became a law April 21, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Section seventy-two-c of chapter twenty-nine of the laws of nineteen hundred nine, entitled "An act relating to municipal corporations, constituting chapter twenty-four of the consolidated laws," as amended, is hereby amended to read as follows: § 72c amended.

§ 72-c. **Acquisition of lands for parkway purposes and dedication of the same in the counties of Nassau and Suffolk.** 1. The governing board of any municipal corporation in the county of Nassau or the board of supervisors of the county of Nassau or Suffolk may acquire by purchase, gift, devise or condemnation real estate or any interest therein necessary for or incidental to the construction of a state park,[1] parkway or boulevard or incidental to the separation of grades at the intersection of a state parkway or boulevard and a county, town or village road, highway or street within such counties, and may donate or dedicate the same to the state or may release to the state for such purpose existing rights of way or easements not required for county, town or village purposes. [2]Such municipal corporations or boards of supervisors may also purchase options to carry out the purposes of this section in aid of the state park and parkway system.

§ 2. This act shall take effect immediately.

[1] Formerly "first".
[2] Formerly "February".
[3] Formerly "thirty".
[1] Word "park," new.
[2] Following sentence new.

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CHAPTER 542

AN ACT to amend the judiciary law, in relation to the salaries of interpreters of the county court of Kings county

Became a law April 21, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

§ 390 amended.

Section 1. Section three hundred and ninety of chapter thirty-five of the laws of nineteen hundred nine, entitled "An act in relation to the administration of justice, constituting chapter thirty of the consolidated laws," as such section was added by chapter six hundred and thirty-nine of the laws of nineteen hundred twenty-one, is hereby amended to read as follows:

§ 390. **Salary of interpreters of county court of Bronx [1]and Kings counties.** The salaries of the interpreters of the county court of Bronx county are hereby equalized and fixed at the same amount per annum as is now paid to interpreters of the supreme court in such county. [2]The salaries of the interpreters of the county court of Kings county are hereby equalized and fixed, subject to the approval of the board of estimate and apportionment, at the same amount per annum as is now paid to interpreters of the supreme court in such county. Such compensation shall be paid semi-monthly,[3] out of the amount appropriated for the support of the county court in such counties,[4] respectively,[5] or from any other contingent fund.

§ 2. This act shall take effect immediately.

CHAPTER 543

AN ACT to authorize the board of commissioners of the land office upon the application of the commissioner of mental hygiene to grant to the port of New York authority for the construction, operation and maintenance of the approaches to a bridge across the Hudson river and for other public purposes, a certain parcel of land in the vicinity of the said bridge

Became a law April 21, 1931, 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:

Grant to port of New York authority authorized.

Section 1. The board of commissioners of the land office upon the application of the commissioner of mental hygiene may in their discretion and on such terms and conditions as to them may

1 Remainder of section heading substituted for word "county".
2 Following sentence new.
3 Word "semi-monthly" substituted for word "monthly".
4 Formerly "county".
5 Word "respectively," new.

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seem just, execute and deliver to the port of New York authority, for the purpose of constructing, operating and maintaining approaches to a bridge being constructed across the Hudson river pursuant to chapter two hundred and eleven, laws of New York, nineteen hundred twenty-five and chapter forty-one, laws of New Jersey, nineteen hundred twenty-five, between Fort Washington on the New York side and Fort Lee on the New Jersey side, and for other public purposes, a grant to the port of New York authority of the following described premises, namely:

Description of premises.

All that certain lot, piece or parcel of land, situate, lying and being in the borough of Manhattan, city, county and state of New York, bounded and described as follows:

Beginning at a point on the easterly side of Riverside Drive as now legally opened, distant nine hundred and sixty-eight feet and six and one-eighth inches southerly, measured along the said easterly side of Riverside Drive from the corner formed by the intersection of the southerly side of west one hundred and seventy-second street as legally opened and the said easterly side of said Riverside Drive, the said point of beginning being also the intersection of the southerly side of the land of Susan B. Ward with the said easterly side of Riverside Drive; running thence southerly, along said easterly side of Riverside Drive, a distance of two and eighty-three one hundredths feet; thence again southerly, and continuing along the said easterly side of Riverside Drive, and along the arc of a circle having a radius of eight hundred feet the center of which lies to the west, an arc distance of one hundred and fifty-six and ninety-six one hundredths feet to a point of curve; thence northerly, on a line tangent to said point, seventy-nine and sixty-three one hundredths feet; thence northerly, along the arc of a circle having a radius of five hundred and twelve and ten one hundredths feet the center of which lies to the west, an arc distance of seventy-five and seventy-nine one hundredths feet to the said southerly side of the land of Susan B. Ward, thence westerly along said land of Susan B. Ward, ten and ninety-two one hundredths feet to the said easterly side of Riverside Drive, the point or place of beginning.

Approval of attorney-general.

§ 2. The grant shall be approved as to form by the attorney-general.

Vesting of title.

§ 3. Upon the acceptance and recording of such conveyance title of the premises described therein shall vest in the port of New York authority.

§ 4. This act shall take effect immediately.

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CHAPTER 544

AN ACT to amend the Nassau and Suffolk counties highway improvement act, generally

Became a law April 21, 1931, 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:

L. 1927, ch. 190, §§ 6, 8 10, 13 amended.

Section 1. Sections six, eight, ten and thirteen of chapter one hundred and ninety of the laws of nineteen hundred twenty-seven, entitled "An act in relation to the acquisition of real property by the counties of Nassau and Suffolk for highway purposes," such chapter having been thus re-entitled and such sections amended by chapter five hundred and eighty-seven of the laws of nineteen hundred twenty-nine, are hereby amended to read as follows:

§ 6. **Conveyance of real property to county.** An owner of real property which the county is authorized to acquire by a proceeding pursuant to this act may convey or cede the same to the county, provided such real property be free from incumbrances inconsistent with the title to be acquired by the county, on such terms and conditions, including exemptions from assessments, as the board may prescribe. When a conveyance of such real property shall be accepted, the county shall become vested with the title to the real property so conveyed to the same extent and effect as if it had been acquired for the improvement by a proceeding had for that purpose. [1]In a proceeding to acquire real property pursuant to this act the county attorney may make settlements of compensation to be paid an owner or owners on such terms and conditions, including exemption from assessment, as shall be approved by the board of supervisors.

§ 8. **Board to determine the portion of expense of proceeding to be borne by the county and by the real property benefited.** Whenever the board shall have determined that all or[2] a portion of the cost of acquisition of real property pursuant to this act shall be borne by the real property benefited by the improvement, it may also determine that all or[2] a corresponding portion of the expense of the proceeding shall be borne by the real property deemed by such board to be benefited by the improvement; and such board may also determine in any proceeding or class of proceedings, or generally, that all or[2] a portion of the expense of the office of the county attorney incurred by reason of the provisions of this act and the expense incurred by the department of the county engineer or the county superintendent of highways in the preparation of rule, damage and benefit and tax maps, shall be borne by the real property deemed by the said board to be benefited thereby. The determination of such board in

[1] Following sentence new.
[2] Words "all or" new.

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any proceeding as to placing all or a[3] portion of cost and expense upon the property deemed to be benefited by the improvement[4] may after it shall have been made and announced, be reopened and reconsidered and a change of its determination or decision made as to the portion of the cost and expense of the proceeding to be borne and paid by the property benefited reduced but not increased at any time before the entry of the final decree of the court as to the assessment or before the final confirmation of the report of the commissioner of assessment appointed in the proceeding as the case may be, provided, however, that such board shall cause to be published once each week for two consecutive weeks in at least two newspapers published in the county a notice that it proposes to reopen and reconsider its determination or decision as to the portion of the cost and expense to be borne by the property benefited and that at a time and place specified in the notice, which time shall be not less than ten days after the first publication of such notice, the board will hold a hearing in respect to a reopening and reconsideration of its former determination or decision as to the portion of the cost and expense to be borne by the property benefited, at which time it will afford a reasonable opportunity to all interested persons to be heard.

§ 10. **The county engineer or county superintendent of highways to furnish maps, surveys or diagrams.** The county engineer or county superintendent of highways shall furnish to the court or to the commissioners of estimate and the commissioner of assessment, as the case may be, such maps, surveys or diagrams as the court, or the commissioners of estimate or the commissioner of assessment, as the case may be, shall require, to enable the court or the commissioners of estimate or the commissioner of assessment, as the case may be, to hear and determine the claims of the owners of the real property affected by the proceeding. Such surveys and maps shall distinctly indicate, by separate numbers, the names of the claimants to, or of the owners of, the respective parcels of real property to be taken or to be assessed for benefit by such proceedings, as far as the same are known. It shall also specify in figures with sufficient accuracy the dimensions and bounds of each of the parcels to be taken or to be assessed. In all cases the lots shall be designated on the maps by the same description as shall be used to designate such real property on the tax books and the tax map, if any, of the town in which such property is situated. The court or commissioners may require the county engineer, or county superintendent of highways, if the county attorney shall approve, to furnish such surveys and maps and other information as will aid and assist the court or commissioners in the trial or determination of the proceeding. The county engineer or county superintendent of highways furnishing such

[3] Words "placing all or a" substituted for word "the".

[4] Words "upon the property deemed to be benefited by the improvement" substituted for words "thereof to be borne and paid by the county, and as to the portion thereof to be assessed upon the real property benefited by the improvement".

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surveys, maps or information shall certify to the county attorney the expense incurred in making such surveys and maps and furnishing such information, and the whole of such expenses so certified, or such part thereof as the board of supervisors shall determine, shall be included in the assessment for benefit after the same shall have been taxed by the court, [5]including computations of interest on awards, computations of assessments and other work in connection with the preparation of tentative and final decrees and reports as the court or commissioners may direct.

§ 13. **Vesting of title in county.** Upon the date of the entry of the order granting the application to condemn, if the proceeding be before the supreme court without a jury, and otherwise upon the date of the filing of the oaths of the commissioners of estimate, unless the board of supervisors shall have adopted a resolution as provided by this section, the county shall become vested with the title or interest sought to be acquired in the proceeding, in fee or otherwise, of, to or in all those parcels of real property indicated on the map or maps filed pursuant to the provisions of this act and described in the petition. The board of supervisors, however, prior to filing the map as required by section four, may adopt a resolution, that the county shall become vested with the title or interest sought to be acquired on a date [6]subsequent to the entry of the order to condemn or filing of the oaths of the commissioners but not later than the filing of the final decree or the entry of the order confirming the final report of the commissioners. The county, upon becoming vested with the title or interest sought to be acquired, may immediately or at any time or times thereafter take possession of the same or of any part or parts thereof without any further action or proceeding at law; and such title or interest shall be vested in the county in perpetuity for the purposes authorized by this act.

§§ 16, 17 amended.

§ 2. Sections sixteen and seventeen of such chapter, as last amended by chapter three hundred and thirty-six of the laws of nineteen hundred thirty, are hereby amended to read as follows:

§ 16. **Payment of damages for real property taken; costs and expenses.** All damages awarded by the court, with interest thereon from the date of vesting title, and all costs and expenses which may be taxed, shall be paid by the county to the respective owners mentioned or referred to in such final decree, or in the report of the commissioners of estimate, as the case may be, or to the persons and parties in whose favor such costs or expenses shall be taxed. Damages awarded as compensation shall be payable immediately upon the entry of the final decree of the court, or upon the entry of the order confirming the report of the commissioners of estimate, as the case may be. Interest shall cease to

[5] Remainder of sentence new.

[6] Remainder of sentence substituted for words "the date of the entry of the final decree, if the proceeding be before the supreme court without a jury, or upon the date of the entry of the order confirming their report, if the proceeding be before commissioners of estimate."

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run on the sums awarded as damages to known owners[7] six months after the date of the filing of the final decree or after the date of the entry of the order confirming the report of the commissioners of estimate, as the case may be, unless within that time demand therefor, in writing, be served upon the county treasurer. [8]Interest shall cease to run on the sums awarded as damages to unknown owners from the date of the order directing the same to be retained by the treasurer or to be paid into court as provided by section eighteen of this act. Such damages, costs and expenses shall be paid from the fund for acquisition of land for highway purposes provided for in this act, and by existing laws. The owners to whom an award shall be made in such proceedings, and the person in whose favor costs and expenses may be taxed, shall not have an action at law against the county for such awards, costs or expenses, but the court in which such proceedings shall have been had, upon the application of any such owner or person, in case of the failure of the treasurer of the county to pay the same within thirty days after demand therefor, shall by order require and direct the treasurer to pay such awards, costs and expenses from such fund, and enforce such order in the same manner as other orders of such court are enforced.

§ 17. **Temporary loans to pay awards, settlements or purchases.**[9] Whenever the amount of damages awarded in any final decree or report of commissioners of estimate, as the case may be, or the costs taxed or the amount in settlement of a claim or the purchase price by negotiation[10] shall exceed the balance remaining in such fund after deducting all outstanding claims against such balance, the treasurer shall and he is hereby authorized and directed to raise by the issue of temporary notes of the county maturing not more than one year from their date such amounts as shall be necessary to pay such damages, costs and expenses, amounts in settlement of claims and for the purchase by negotiation,[11] and such court, upon the application of any owner to whom an award shall be made in such proceeding, and the person in whose favor costs and expenses shall have been taxed, may require or direct the treasurer to raise the money necessary to enable him to pay such awards, costs and expenses, and from such fund pay the same. Such temporary notes may be renewed from time to time by extending the outstanding notes with the consent of the holders or by the issuance of similar temporary notes, but no such extension shall mature in more than two years from the date of the temporary notes first issued. Such temporary notes shall be authorized by resolution of the board of supervisors. The principal of such temporary notes and renewals shall be paid from

[7] Words "to known owners" new.
[8] Following sentence new.
[9] Words ", settlements or purchases" new.
[10] Words "or the amount in settlement of a claim or the purchase price by negotiation" new.
[11] Words ", amounts in settlement of claims and for the purchase by negotiation," new.

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the proceeds of sale of permanent bonds. If the purposes for which the permanent bonds are authorized includes interest charges, then interest on said temporary notes may likewise be financed temporarily and ultimately paid out of the proceeds of sale of the permanent bonds, all such temporary notes shall be general obligations of the county and unless paid out of the proceeds of sale of permanent bonds an amount sufficient for principal and interest thereof, as the same shall become due, shall be raised by taxation as provided for permanent county bonds. The powers hereby conferred shall not be subject to the restrictions or limitations imposed by section five of the general municipal law.

§§ 49, 70-72 amended.

§ 3. Sections forty-nine, seventy, seventy-one and seventy-two of such chapter, as amended by chapter five hundred and eighty-seven of the laws of nineteen hundred twenty-nine, are hereby amended to read as follows:

§ 49. **Final decree.** After considering the objections, if any, and making any corrections or alterations in the tentative decree as to awards for damages or assessments for benefits, which the court deems just and proper, the justice trying the proceedings shall instruct the county attorney as to the preparation of the final decree. Such final decree shall consist of the tentative decree altered and corrected in accordance with the instructions of the justice and of the final awards as determined by the court set opposite the respective parcel damage numbers in a column headed "final awards" in the tabular abstract of awards for damage and the final assessments as determined by the court set opposite the respective parcel benefit numbers in a column headed "final assessments" in the tabular abstract of assessments for benefit. Such final decree shall contain also a statement of the facts conferring on the court jurisdiction of the proceeding and a statement that the amounts set opposite the respective damage parcel numbers in the column headed "final awards" in the tabular abstract of awards for damage constitute and are the just compensation which the respective owners are entitled to receive from the county and that the amounts set opposite the respective benefit parcel numbers in the column headed "final assessments" in the tabular abstract of assessments for benefit constitute the sums of money to be paid to the county for the benefit and advantage derived by reason of the improvement by the respective owners of each parcel so assessed. Such final decree also shall contain a statement of such other matters as the court shall require to be set forth. The maps, diagrams and surveys hereinbefore mentioned, duly corrected, shall be attached to the final decree, if the court so direct. The final decree shall set forth the several parcels taken or assessed by reference to the numbers of such parcels on the respective maps, diagrams or surveys, and it shall not be necessary to describe any parcel either acquired or assessed by a description by metes and bounds. The final decree shall also set forth the names of the respective owners of the several parcels acquired and assessed for benefit as far as the same shall

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have been ascertained, but in all cases where the owners are unknown or not fully known to the court, it shall be sufficient to set forth and state in general terms the respective sums to be allowed and paid to or by the owners of the respective parcels for the loss and damage or for the benefit and advantage, as the case may be, without specifying their names or their estates or interests therein, and in such cases the owners may be specified as unknown. [12]The final decree, together with all of the affidavits and proofs upon which the same is based, shall be filed in the office of the clerk of the county. [12]A final decree unless set aside or reversed on appeal shall be final and conclusive as well upon the county as upon the owner of the real property mentioned therein and also upon all other persons whomsoever.

§ 70. **Final report of commissioners.** After considering the objections, if any, which have been filed, and making any corrections or alterations in their report which the commissioners of estimate, or a majority of them, or which the commissioner of assessment shall find are just and proper, such commissioners shall sign[13] such reports.[14] Such commissioners shall thereupon notify the county attorney[15] that such report or reports have been signed.[16]

§ 71. **Proceedings after signing final[17] report.** The[18] county attorney shall immediately after the receipt of notice from the commissioners of the signing of their final report or reports give notice in writing to all persons, or their attorneys, who had filed objections to such report or reports or who had appeared in the proceeding[19] that at a time and place specified in such notice, he will apply to the court for an order to confirm or set aside such report or reports.[20] Upon such motion, the court may confirm the report, or may set it aside for irregularity or other error of law in the proceedings before the commissioners, or upon the ground that the award is excessive or insufficient or that the assessment for[21] benefit, if any, was not properly made. If the report is set aside the court may direct a rehearing before the same com-

12 Following sentence new.

13 Formerly "file".

14 Words ", signed by the commissioners of estimate, or a majority of them, and by the commissioner of assessment respectively, at the same time, in the office of the county clerk" omitted.

15 Words "and all persons who have filed objections and who have theretofore appeared," omitted.

16 Formerly "filed".

17 Words "after signing final" substituted for word "on".

18 Word "The" substituted for words "After such report shall have been so completed and filed the".

19 Words "shall immediately after the receipt of notice . . . . who had appeared in the proceeding" substituted for words "shall publish a notice once in each week for two successive weeks in a newspaper published in the county".

20 Words "or reports" new. Sentence omitted which read: "The county attorney shall also serve notice of such motion upon all parties who have appeared in the proceedings, or their attorneys."

21 Formerly "of".

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missioners, or may appoint new commissioners, for that purpose, and the proceedings upon such rehearing shall be conducted in the manner prescribed for the original hearing, and the same proceedings shall be had for the confirmation of the second report as are herein prescribed for the confirmation of the first report.[22] [23]The final report, together with all of the affidavits and proofs upon which the same is based, and the order of the court confirming the same shall be filed in the office of the clerk of the county. A final report unless the order confirming it is set aside or reversed on appeal shall be final and conclusive as well upon the county as upon the owners of the real property mentioned therein and also upon all other persons whomsoever.

§ 72. **Commissioner's fees.** Each commissioner appointed by the court as provided by this act, shall be entitled to compensation at not exceeding twenty-five dollars each full day necessarily employed as such and his necessary expenses. The amount of compensation to which such commissioner shall be entitled shall be determined by the court, upon verified accounts presented by such commissioners, stating in detail the number of hours necessarily employed in the discharge of their duties, and the nature of the services rendered, upon eight days' notice to the county attorney. Such compensation and expenses shall be a county charge.

§ 4. This act shall take effect immediately.

CHAPTER 545

AN ACT to amend the Greater New York charter, in relation to payment of moneys into the sinking funds of the city of New York

Became a law April 21, 1931, with the approval of the Governor. **Passed,** on emergency message, by a two-third vote

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

L. 1901, ch. 466, § 206 amended.

Section 1. Section two hundred and six of the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred one, as such section was last amended by chapter three hundred and nine of the laws of nineteen hundred fifteen, is hereby amended to read as follows:

§ 206. **The sinking fund of the city of New York.** There shall be created a fund to be known as the "sinking fund of the city of New York," which shall have for its purposes the liquidation of the principal of the debt of the corporation of the city of New York incurred on or after January first, eighteen hundred and

[22] Sentence omitted which read: "Such report when confirmed, if no appeal be taken from the order of confirmation thereon, shall be final and conclusive on the county and on the owners and all persons interested in or entitled to the real property mentioned in such report, and upon all persons whomsoever."

[23] Remainder of section new.

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ninety-eight, as to which no provision for the payment thereof otherwise than from taxation is made, and excepting revenue bonds, certificates of indebtedness or other evidences of indebtedness, issued pursuant to the provisions of section one hundred and eighty-seven of this act, serial bonds issued pursuant to the provisions of section one hundred and sixty-nine of this act, and corporate stock notes, tax notes or other obligations issued pursuant to the provisions of section one hundred and eighty-nine of this act, and bonds issued to provide for the supply of water. For the redemption of such debt out of said sinking fund there shall be annually included in the budget and paid into the sinking fund of the city of New York herein created an amount to be estimated and certified by the comptroller, and to be by the board of aldermen and the board of estimate and apportionment inserted in the budget for each year, which amount shall not be less than a sum, figured at the time such debt was incurred, which would if thereafter annually contributed to such fund, with the fund and accumulations thereon, and the contributions thereto, computed at the rate of three per centum per annum,[1] be sufficient to meet and discharge such bonds or stocks by the time the same shall be payable, provided, however, that there shall be deducted from said amount the amounts annually received from the operation of any rapid transit railroad or railroads for the construction of which bonds shall have been issued pursuant to the provisions of the rapid transit act applicable to the city of New York or any municipal corporation or territory embraced therein. Whenever the bonds and stocks outstanding on December thirty-first, eighteen hundred and ninety-seven, and being charges or liens on any of the sinking funds hereby made subject to the control of the commissioners of the sinking fund, shall in respect to any such sinking fund be wholly discharged, liquidated or canceled, it shall thereupon be lawful for the commissioners of the sinking fund to cancel such bonds of the corporation of the city of New York issued on or after January first, eighteen hundred and ninety-eight, as may be held by such sinking fund, and the revenues of such sinking fund when thus relieved of such liens or charges shall thereupon and thereafter be paid into the sinking fund of the city of New York, as herein created. Whenever such payments shall be made, the comptroller in making the certificate to the board of estimate and apportionment by this section required shall take into account the amount thereof, and deduct the same from the estimated amount to be included in each year's budget as herein provided.

§ 208 amended.

§ 3.[2] Section two hundred and eight of the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of

[1] Words "amount shall not be less than a sum, figured at the time such debt was incurred, which would if thereafter annually contributed to such fund, with the fund and accumulations thereon, and the contributions thereto, computed at the rate of three per centum per annum," substituted for words "with the accumulations of interest thereon shall".

[2] Evidently should be "§ 2."

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the laws of nineteen hundred one, is hereby amended to read as follows:

§ 208. **Sinking funds created pursuant to constitutional requirements; water sinking fund of the city of New York.** There shall be created a fund to be known as the "water sinking fund of the city of New York," which shall have for its purpose the liquidation of the principal of the debt incurred by the city of New York, as hereby constituted, on and after January first, eighteen hundred and ninety-eight, for the supply of water. [3]For the redemption of such debt out of said sinking fund there shall be annually included in the budget and paid into said sinking fund an amount to be estimated and certified by the comptroller, and to be by the board of aldermen and the board of estimate and apportionment inserted in the budget for each year, which amount shall not be less that* a sum, figured at the time such debt was incurred, which would if thereafter annually contributed to such fund, with the fund and accumulation thereof, and the contributions thereto, computed at the rate of three per centum per annum, be sufficient to meet and discharge such bonds or stocks by the time the same shall be payable. The funds known as the "sinking fund number two of the city of New York," the "water sinking fund of the city of Brooklyn," and the sinking funds of each and every municipal and public corporation or part thereof hereby made part of the corporation of the city of New York, including the counties of Kings and Richmond, created pursuant to the requirements of the constitutional amendment adopted November fourth, eighteen hundred and eighty-four, or of section ten of article eight of the constitution of the state of New York, shall be continued, and the funds, moneys, revenues and assets heretofore pledged and appropriated to each of said funds shall, except as herein otherwise specifically provided, continue to be severally and respectively so pledged and appropriated. It shall, however, be the duty of the comptroller of the city of New York, as soon as practicable after the passage of this act, to cause an examination to be made as to the condition of said funds, and if it appears to him, and he shall so certify to the commissioners of the sinking fund, that said funds or any of them have been managed, invested and administered in the manner required by the provisions of the constitution of the state of New York as aforesaid, it shall be lawful for the said commissioners of the sinking fund, by concurrent vote, to authorize and direct the amalgamation of said fund or funds with the water sinking fund of the city of New York, as hereby constituted.

Inconsistent acts repealed.

§ 4.[4] All acts and parts of acts, provisions of the Greater New York charter and ordinances of the city of New York, inconsistent with this act, are hereby superseded and repealed.

§ 5. This act shall take effect immediately.

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* So in original.

[3] Following sentence new.

[4] Evidently should be "§ 3."

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CHAPTER 546

AN ACT to amend the Greater New York charter, in relation to benefits payable to members of the New York city employees' retirement system upon dismissal without fault or delinquency[1]

Became a law April 21, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

Section 1. Section seventeen hundred and nine of the Greater New York charter, as revised and re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred one, as amended by chapter four hundred and twenty-seven of the laws of nineteen hundred twenty, chapter one hundred and forty-two of the laws of nineteen hundred twenty-three, chapters seven hundred and eighty-seven and seven hundred and eighty-nine of the laws of nineteen hundred twenty-eight and chapter six hundred and fifty-five of the laws of nineteen hundred thirty, is hereby amended by changing subdivisions two, three, four and five thereof, to read as follows: L. 1901, ch. 466, § 1709 amended.

WITHDRAWALS

§ 1709. (1) Should a member discontinue city-service except by death or retirement, he shall be paid such part of the amount of the accumulated deductions standing to the credit of his individual account in the annuity savings fund as he shall demand; provided, however, that the board of estimate and apportionment, may in its discretion, withhold for not more than one year after a member last rendered city-service all or part of his accumulated deductions, if after a previous discontinuance of service he withdrew from the annuity savings fund all or part of the amount of his accumulated deductions and failed to redeposit such withdrawn amount in such fund. City retirement system; discontinuance of service.

(2) In addition thereto, a member who is removed or otherwise involuntarily separated from city-service for any cause other than fault or delinquency on his part after having completed twenty years of allowable service, including not less than one-half of year during the year immediately preceding such discontinuance, or who is so removed from a position in the competitive or labor class of the classified civil service after any period of service and whose name no longer appears upon the appropriate preferred civil service eligible list for such position, shall receive, in lieu of the benefit provided in subdivision one of this section, as he may elect: (a) the amount of his accumulated deductions, or, in lieu thereof; (b) an annuity of equivalent actuarial value to his accumulated deductions, and, in addition, a pension beginning immediately, having a value equal to the present value of the pension Removal from service.

[1] The amendments effected by this act are so extensive that it is impracticable to indicate the changes made.

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beginning of his minimum age of service retirement that would be payable to him at that age for the period of service creditable to him at the time of such removal or separation. If such member has attained age fifty and has completed twenty years of allowable service, including not less than one-half year during the year immediately preceding such discontinuance, he shall be paid in addition a pension equal to fifty per centum of the difference between such pension and the pension to which he would be eligible had he attained the minimum age of service retirement.

His membership in the retirement system shall thereupon cease, subject, however, to the provisions of subdivision four of this section

Election to city, county or state office.

(3) Should a member previously in city-service as a city official or employee be elected a city, county or state official, he may on application therefor and approval by the mayor, withdraw from the retirement system, and upon such withdrawal, he shall be paid such part of the amount of the accumulated deductions standing to the credit of his individual account in the annuity savings fund as he shall be entitled to receive.

Re-entrance into service by beneficiary

(4) Should a beneficiary receiving a retirement allowance under the provisions of subdivision two of this section re-enter city-service, his retirement allowance shall cease, he shall thereupon again become a member of the retirement system, the amount of his annuity reserve shall be transferred to his credit in the annuity savings fund, and he shall contribute to the said fund as if he were a new entrant. Upon his subsequent retirement, he shall be credited with all his service as a member subsequent to his last restoration to membership, and shall receive a retirement allowance therefor as if he were a new entrant, and, in addition he shall receive the pension which he was receiving immediately prior to his last restoration.

Prior-service credit.

(5) If a member has received benefits under subdivision one of this section, his prior-service credit and member service credit at the time of leaving service shall be restored in full provided such member return to service within five years after leaving service and redeposits the total amount so withdrawn. Subsequent contributions will be at the rate applicable to his age on re-entry to service.

§ 2. This act shall take effect immediately.

CHAPTER 547

AN ACT to amend the inferior criminal courts act of the city of New York, in relation to the chief city magistrate

Became a law April 21, 1931, 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:

L. 1910, ch. 659, § 51 amended.

Section 1. Section fifty-one of chapter six hundred and fifty-nine of the laws of nineteen hundred ten, entitled "An act in

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relation to the inferior courts of criminal jurisdiction in the city of New York, defining their powers and jurisdiction and providing for their officers," as last amended by chapter five hundred and thirty-one of the laws of nineteen hundred fifteen, is hereby amended to read as follows:

§ 51. **Chief city magistrate.** On the first day of July, nineteen hundred and fifteen, or as soon thereafter as practicable, the mayor shall appoint from among the city magistrates in office on the said day the chief city magistrate who shall hold office as chief city magistrate and as a city magistrate for ten years from said first day of July. The chief city magistrate, in addition to the exercise of all the powers of a city magistrate, shall be the administrative head of and have general supervision of the business of all the courts held by city magistrates as provided for in this act, and he shall preside and be entitled to vote at all meetings of the board of city magistrates. Subject to the provisions of this act, he shall determine the number of city magistrates' courts which shall be held and shall prescribe the hours for attendance of city magistrates, clerks and employees thereat. No[1] magistrates shall be assigned to sit[2] in any borough in which he does not reside except temporarily to help out in some emergency and except that a magistrate residing in Manhattan or the Bronx may be assigned to sit[3] in either of said boroughs. All[4] assignments to courts held by city magistrates shall be made by the chief city magistrate. [5]The chief city magistrate shall cause to be investigated all matters pertaining to the officers or employees of the magistrates' courts and shall take such steps as may be necessary or proper in respect thereto. [5]The chief city magistrate may take testimony under oath and may issue, or cause to be issued, subpoenas requiring witnesses to appear and testify and to produce books and papers in regard to all matters relevant to such inquiry. In case of the[6] absence of the chief city magistrate[7] or his[8] inability to serve, he may designate any one of the city magistrates as acting chief city magistrate during such absence or inability and not to exceed sixty days. If such absence or inability extends beyond sixty days the mayor shall designate an acting chief city magistrate. The chief city magistrate shall establish and supervise a system for keeping the

[1] Word "No" substituted for words "The board of city magistrates shall appoint a committee of ten of its own number, four of whom shall be residents of the borough of Manhattan, three of whom shall be residents of the borough of Brooklyn, one a resident of the borough of the Bronx, one of the borough of Queens and one of the borough of Richmond, who with the chief city magistrate shall make assignments of the city magistrates to sit at the various city magistrates' district courts, but no".

[2] Words "in such court." omitted.

[3] Words "in any such district court" omitted.

[4] Word "All" substituted for words "Except as otherwise provided in this act, all".

[5] Following sentence new.

[6] Formerly "his".

[7] Words "of the chief city magistrate" new.

[8] Word "his" new.

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records of each such court and shall have such other powers and duties as are provided in this act.

§ 59 amended.

§ 2. Section fifty-nine of said act, as amended by chapter five hundred and thirty-one of the laws of nineteen hundred fifteen, is hereby amended to read as follows:

§ 59. **Meetings of the board of city magistrates.** It shall be the duty of the board of city magistrates to meet at least four times in each year, at such hour and place as the board may determine, and at such other times as it may be convened by the chief city magistrate, for the consideration of matters concerning the administration of justice in any of the courts provided for in this act. The[9] board shall have the power, except as herein otherwise provided and it shall be its duty, from time to time, to make, alter and amend rules regulating the practice and procedure, which shall be uniform, so far as practicable, in all city magistrates' courts. All rules shall be printed within a reasonable time after their adoption. Whenever requested by ten or more magistrates the chief city magistrate shall call a special meeting of the board for the purposes set forth in such request.

§ 95a amended.

§ 3. Section ninety-five-a of said act, as added by chapter five hundred and thirty-one of the laws of nineteen hundred fifteen, is hereby amended to read as follows:

§ 95-a. **Organization of the municipal term.** The[10] chief city magistrate shall designate one or more city magistrates to hold the municipal term and[11] shall fix the times and places for the holding of such court, one part of which shall be held in the borough of Brooklyn.[12] Each municipal term shall be held by one magistrate. The chief city magistrate shall designate one or more clerks and such other deputy clerks, officers and employees as may be necessary for service in such court. He[13] may establish additional parts of such municipal terms and shall fix and publish, as provided in section seventy hereof, the boundaries of the district over which each such part has jurisdiction. With the city magistrate or magistrates assigned to such terms the chief city magistrate shall prescribe and publish rules and regulations for the conduct thereof.

§ 70 amended.

§ 4. Section seventy of said act, as last amended by chapter eight hundred and forty-four of the laws of nineteen hundred twenty, is hereby amended to read as follows:

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[9] Word "The" substituted for words "At such meetings the board shall receive or cause to be investigated all complaints presented to it pertaining to the courts, or to the magistrates, officers or employees thereof, and shall take such steps as it may deem necessary or proper in respect thereof, and the."

[10] Word "The" substituted for words "On the first day of July, nineteen hundred and fifteen, or as soon thereafter as practicable, the."

[11] Words "the committee of ten, appointed as provided in section fifty-one of this act," omitted.

[12] Words ", but no magistrate shall be assigned to sit in a borough other than the one in which he resides, except temporarily to help out in some emergency and except that a magistrate residing in Manhattan or the Bronx may be assigned to sit in either of said boroughs" omitted.

[13] Words ", with the committee of ten, appointed as provided in section fifty-one of this act," omitted.

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§ 70. **Court districts.** On or before the first day of September, nineteen hundred and ten, and as often thereafter as the mayor may deem advisable, the mayor, or the president of the board of aldermen if designated by the mayor, the police commissioner and the chief city magistrate shall meet, fix and publish in the City Record the boundaries of the city magistrates' court districts in each borough. Each city magistrate's court district shall be composed, as far as may be practicable, of entire police precincts as constituted upon the date when the boundaries of such court shall be determined. The board of city magistrates may provide for holding in any borough such special city magistrates' courts or courts of special sessions for the trial of specified classes of offenses or offenders, and to be held at such times and places, as they shall determine. It may also provide for the holding in any borough of a probation court in which persons placed on probation by a magistrate shall be dealt with. The magistrate sitting in such probation court shall have all the powers possessed by a city magistrate either under this act or any other statute. Except as otherwise provided in this act the territorial jurisdiction of all city magistrates' courts, including a court held by the chief city magistrate, but not including[14] city magistrates' district courts, shall be coterminous with the city unless the boundaries thereof within the city are otherwise prescribed by the chief city magistrate.

§ 5. **This act shall take effect immediately.**

CHAPTER 548

AN ACT to amend chapter four of the laws of eighteen hundred ninety-one, entitled "An act to provide for rapid transit railways in cities of over one million inhabitants," in relation to payment of awards in condemnation proceedings and the discharge of liens or encumbrances on property condemned

Became a law April 21, 1931, 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 four of the laws of eighteen hundred ninety-one, entitled "An act to provide for rapid transit railways in cities of over one million inhabitants," is hereby amended by adding thereto a new section, to be section forty-seven-b, to read as follows: § 47b added.

§ 47-b. **Payment of liens and encumbrances.** Whenever a person would be entitled to the payment of any advance under section forty-seven-a of this act and there shall exist mortgages or other prior liens on such property, the holder of any such prior lien may apply to the said city for payment of his mortgage or encumbrance,

[14] Words ", including a court held by the chief city magistrate, but not including" substituted for words "other than."

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and if after five days' written notice given by the corporation counsel of said city to the owner of said property to file a verified statement of his objections, if any, to the payment of said mortgage or lien, the corporation counsel shall be satisfied as to the amount due said mortgagee or lienor, and shall so certify, the city shall, to the extent of the moneys available under such section forty-seven-a, after providing for prior liens or encumbrances, if any, pay the said mortgage or lien with the interest due thereon.

§ 2. This act shall take effect immediately.

CHAPTER 549

AN ACT to amend the Greater New York charter, in relation to certificates heretofore issued by the board of examiners of the board of education and the teachers' retirement board allowing non-teaching experience as service or prior service for salary and retirement purposes

Became a law April 21, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

L. 1901, ch. 466, § 1091a added.

Section 1. The Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred one, is hereby amended by inserting therein a new section, to be section ten hundred and ninety-one-a, to read as follows:

§ 1091-a. No certificate heretofore issued by the board of examiners of the board of education to a teacher or principal allowing credit for service in a profession, or in a mechanical or mercantile occupation, or in a trade, in pursuance or in purported pursuance of section ten hundred and ninety-one or of a rule of the board of education, shall be invalid for want of authority in the said board of examiners to allow such credit for such service, but such allowance and certificate shall be valid and effective to the same extent and with the same effect as if section ten hundred and ninety-one had at all times authorized the said board of examiners, in addition to such authority as is given to it, to allow and certify credit to a teacher or principal for service (other than in schools) in a profession, or in a mechanical or mercantile occupation, or in a trade; and all credits and allowances and all certificates for prior service heretofore granted or issued by the teachers' retirement board as constituted by section ten hundred and ninety-two which include or allow or are based upon any such allowance by the said board of examiners shall likewise be valid and effective to the same extent and with the same effect as if such allowance and certificate by the said board of examiners had been authorized by section ten hundred and ninety-one; and the teachers' retirement board shall allow in prior service credit all credit allowed by the board of examiners of the board of education prior to October fifteenth, nineteen hundred twenty-nine, in pursuance or in purported pursuance of section ten hundred and ninety-one or of a rule of the board of education.

§ 2. This act shall take effect immediately.

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CHAPTER 550

AN ACT to amend chapter eight hundred and forty-six of the laws of nineteen hundred eleven, entitled "An act in relation to the retirement of justices of the municipal court of the city of New York, their appointment as official referees and their compensation as such," in relation to the appointment of retired justices of the municipal court of the city of New York as official referees and their compensation as such

Became a law April 21, 1931, 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 one of chapter eight hundred and forty-six of the laws of nineteen hundred eleven, entitled "An act in relation to the retirement of justices of the municipal court of the city of New York, their appointment as official referees and their compensation as such," as amended by chapter seven hundred and twenty-four of the laws of nineteen hundred thirteen, is hereby amended to read as follows: L. 1911 ch. 846, § 1 amended.

§ 1. Every justice of the municipal court of the city of New York who shall have served as[1] justice in said court[2] for a period of twenty years or more, and who after said service shall have retired or[3] shall hereafter retire after such service of twenty years[4] from the office of said justice by reason of the expiration of his term or resignation, shall be an official referee for the term of his life, and to any such official referee may be referred by any judge or justice of any court within the counties constituting the city of New York, any action, matter or proceeding pending in such court which now or hereafter may be referable by statute or rules and practice of courts, in which the judge or justice making the order of reference shall deem that for any reason the expense of such reference should not be borne by the parties to such action, matter or proceeding, and such official referee shall not charge or receive from the parties to the action, matter or proceeding referred to him, any fee or compensation for any services rendered as such referee, but may charge the parties with any disbursements actually incurred by him in the performance of his duties as such referee, provided the same shall be allowed by the court out of which the order of reference is issued. If the service of a stenographer shall be required in the action, matter or proceeding, so referred to such official referee, such stenographer shall be selected by such referee from the official stenographers of the court out of which the order of reference is issued, and the parties to the action, matter or proceeding shall not be required to pay any of the fees of such stenographer for taking the testimony and furnishing one copy thereof to the

Official referees.

Stenographer.

1 Words "served as" substituted for words "been such."

2 Words "or in any court of which the present municipal court of the city of New York is a continuation" omitted.

3 Words "after said service shall have retired or" new.

4 Words "after such service of twenty years" new.

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referee, if such official referee shall certify that such stenographer's fees should not be borne by all or any of the parties but if such official referee shall certify that such stenographer's fees should be borne by the parties or any of them, then the said parties or party shall pay the same at the rate of ten cents per folio. The county of New York in the case of official referees appointed by and under the provisions of this act who shall have been justices of the municipal court of the city of New York in the borough of Manhattan in the county of New York, and the comptroller of the state of New York in the case of official referees appointed by and under the provisions of this act, who shall have been justices of said court in any of the other counties embraced within the city of New York, shall pay annually[5] to each of the official referees appointed pursuant to this act a[6] sum equal to two-thirds of the total annual compensation now or hereafter paid to each justice of said municipal court[7] in equal monthly installments. To provide the money necessary to pay the salaries of said official referees who shall have been justices of said municipal court elsewhere than in the borough of Manhattan in the county of New York, the comptroller of the state of New York shall annually apportion a sum equal to the total amount of said salaries among the counties composing the city of New York, other than the county of New York, and cause the same to be levied and collected on the real and personal property in said counties, in the same manner in which state taxes are levied and collected.

Compensation.

§ 2. This act shall take effect immediately.

CHAPTER 551

AN ACT to provide for the better arrangement, indexing and preservation of the records, documents, books and papers deposited or filed in the office of the clerk of the city court of the city of New York, in each county within the city of New York

Became a law April 21, 1931, 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:

Records to be arranged and indexed.

Section 1. The records, documents, books and papers deposited or filed in the office of the clerk of such court in each county within the city of New York shall be collated, arranged, repaired or restored and properly indexed, as may be required for their better reference, use and preservation, as hereinafter provided, by a commissioner of records of the city court of the city of New York to be appointed for the purpose by the presiding justice of the city court of the city of New York.

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[5] Word "annually" new.

[6] Formerly "the."

[7] Words "equal to two-thirds of the total annual compensation now or hereafter paid to each jnstice of said municipal court" substituted for words "of five thousand dollars per annum."

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§ 2. Such commissioner shall examine into the arrangement and condition of the records, documents, books and papers, deposited or filed in the office of the clerk of the city court of the city of New York, in each county within the city of New York, and as to the condition and sufficiency of the indices thereof, and take such steps as may be necessary to provide for the restoration, preservation and convenient references to, and such examination and use of such records, documents, books, papers and indices, as the public interests may require, and cause copies thereof to be made whenever by reason of age, use, exposure or any casualty such copies shall in his judgment be necessary. Whenever such a copy is made, and after it has been compared with the original, it shall be certified by such commissioner, and shall thereafter be considered and accepted as evidence and for all other purposes, the same as the original would be; but the original shall be placed in a suitable enclosure by said commissioner, and preserved, properly endorsed and indexed, for such examination, as may be directed by an order of court in any action or proceeding in which the accuracy of the copy is questioned. Duty and powers of commissioner.

§ 3. The duties of such commissioner of records of the city court of the city of New York, as herein provided, shall be performed in such manner as not to prevent such examination and use of such records, documents, books, papers and indices, as may be necessary for public convenience, and under such conditions and regulations as may be approved by the presiding justice of such court. Manner of performance of duties.

§ 4. Within twenty days after this act takes effect, the presiding justice of the city court of the city of New York shall appoint a commissioner of records of the city court, as provided by this act, who shall hold office until such time as the work for which he is appointed is completed. Such commissioner shall receive a salary to be fixed by the presiding justice, which shall be paid in the manner now provided by law for the payment of salaries of other city officers in the city of New York. Such commissioner of records shall appoint such employees to assist him in the performance of his duties as may be authorized by the presiding justice of the city court of the city of New York, and the compensation of such employees shall be fixed by such presiding justice and paid in the manner now provided by law for the payment of salaries of employees in other offices of the city of New York. For the purpose of paying the salaries and expenses of the commissioner of records of the city court of the city of New York during the current year, the comptroller of the city of New York shall issue certificates of indebtedness to an amount sufficient therefor, which shall be a charge against the city of New York and included in the final estimate for the year nineteen hundred and thirty-two. Appointment of commissioner. Salary. Assistants. Certificates of indebtedness authorized.

§ 5. This act shall take effect immediately.

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CHAPTER 552

AN ACT to amend chapter five hundred and one of the laws of nineteen hundred, as amended by chapter seven hundred and seventy-eight of the laws of nineteen hundred twenty, entitled "An act appointing a public administrator in counties wherein the office of county treasurer has been abolished," in relation to the office of public administrator in the counties of Queens and Richmond

Became a law April 21, 1931, 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:

L. 1900, ch. 501 amended.

Section 1. Chapter five hundred and one of the laws of nineteen hundred, as amended by chapter seven hundred and seventy-eight of the laws of nineteen hundred twenty, is hereby amended to read as follows:

Appointment of administrator.

§ 1. In any county, except in New York, [1]Kings, and Richmond,[2] wherein the office of county treasurer shall have been abolished, the county judge, surrogate and sheriff thereof shall within ten days after the passage of this act, appoint a public administrator of and for such county, to take office immediately and to hold for the term of five years from the first day of January succeeding his appointment, unless sooner removed for cause. The appointment must be made in writing, signed by the county judge and filed in the office of the clerk of the county. This act shall not apply to a county where provision is already made by statute for the appointment of a public administrator.

Oath; bond.

§ 2. Before entering upon the duties of his office he must take and subscribe before the county judge of the county or a justice of the supreme court the constitutional oath of office, and execute a bond with sureties in a sum fixed and to be approved by the county judge not less than two thousand dollars nor more than five thousand dollars, except that in the county of Queens the amount of the said bond shall be not less than fifty thousand dollars,[3] conditioned for the faithful discharge of all duties of his office, and that he will fully and correctly account for and pay all moneys and property that may come into his hands as such public administrator, according to law which bond must be filed with the clerk of the county.

Laws applicable to office.

§ 3. All provisions of law conferring jurisdiction, authority or power on a county treasurer relating to the office of public administrator in the several counties of the state, shall apply to and are conferred on the office hereby created. [4]All other provisions of law not inconsistent herewith conferring jurisdiction, authority or power on, or defining the duties or obligations of the

[1] Word "and" omitted.
[2] Words "and Richmond," new.
[3] Words ", except that in the county of Queens the amount of the said bond shall be not less than fifty thousand dollars," new.
[4] Remainder of section new.

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office of public administrator of the city of New York, shall apply to the office of public administrator in the county of Queens.

§ 4. The said public administrator shall receive a salary of twelve hundred dollars per annum, except that in the county of Queens the public administrator [5]shall receive a salary to be fixed by the board of estimate and apportionment of the city of New York. Such salaries shall be payable monthly by the county in the same manner as other county charges. [6]The public administrator in the county of Queens shall be entitled to retain from all moneys or property of any intestate that come into his hands, after deducting all actual and necessary expenses, the same commissions as are now or may hereafter be allowed by law to executors or administrators, and he shall pay into the treasury of the city of New York all commissions and costs received by him from any source whatever and all interest accruing from general bank accounts maintained by him as public administrator; such payments shall be made monthly and shall be accompanied by a sworn statement in such form as the comptroller of the city of New York shall prescribe, showing in detail the costs and commissions received and allowed to him and the accrued interest upon the aforesaid general bank balances maintained by him as public administrator. A suitable office for said public administrator of the county of Queens shall be provided for him in one of the county buildings in said county, or in such other building or part thereof as may be authorized for the purpose by the board of commissioners of the sinking fund of the city of New York. The public administrator of the county of Queens shall appoint a counsel and a clerk, and such other employees as may be allowed by the board of estimate and apportionment of the city of New York, their salaries to be fixed by the board of estimate and apportionment of the city of New York and to be raised and paid each year in the same manner as are other county charges.

Salary.

Commissions.

Office.

Counsel.

§ 5.[7] The moneys collected, received and deposited by the public administrator in any state bank, savings bank or trust company shall, in case of the insolvency or voluntary or involuntary liquidation of the depositary, be entitled to equal priority of payment with that given by law to deposits of moneys by the state superintendent of banks; and any bank or trust company, in which such moneys are deposited, by the public administrator shall be required to give a bond with sufficient sureties to be approved by the surrogate of the county of Queens, for the security of any deposit.

Priority of moneys deposited.

§ 6.[7] All other provisions of law relating to the office of public administrator in the county of Queens, insofar as they are inconsistent herewith, are hereby repealed.

Inconsistent provisions repealed.

§ 2. This act shall take effect immediately.

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[5] Remainder of sentence substituted for words "shall receive a salary of three thousand five hundred dollars per annum."

[6] Remainder of section new.

[7] Following section new.

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CHAPTER 553

AN ACT authorizing and empowering The Port of New York Authority to make payments to municipalities in the port of New York district

Became a law April 21, 1931, 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:

Agreement by Port Authority to pay amounts annually authorized.

Section 1. To the end that counties, cities, boroughs, villages, towns, townships and other municipalities in the port of New York district, may not suffer undue loss of taxes and assessments by reason of the acquisition and ownership of property therein by The Port of New York Authority (hereinafter called the Port Authority), the Port Authority is hereby authorized and empowered, in its discretion, to enter into a voluntary agreement or agreements with any county, city, borough, village, town, township or other municipality in said port district, whereby it will undertake to pay a fair and reasonable sum or sums annually in connection with any marine or inland terminal property owned by it, not in excess of the sum last paid as taxes upon such property prior to the time of its acquisition by the Port Authority. Such payment or payments which the Port Authority is hereby authorized and empowered to make, shall be in such amount or amounts and shall be payable at such time or times and under such terms and conditions as shall be agreed upon by and between the Port Authority and such county, city, village, borough, town, township or other municipality concerned.

Agreement by towns, etc., authorized.

§ 2. Every county, city, village, borough, town, township or other municipality in the port of New York district aforesaid is hereby authorized and empowered to enter into such agreement or agreements with the Port Authority to accept the payment or payments which the Port Authority is hereby authorized and empowered to make. The sums so received by any county, city, village, borough, town, township or other municipality shall be devoted to purposes to which taxes may be applied, unless and until otherwise directed by the law of the state in which such municipality is located.

In effect when New Jersey enacts law of identical effect.

§ 3. This act shall take effect upon the enactment into law by the state of New Jersey of legislation having an identical effect with this act, but if the state of New Jersey has already enacted such legislation this act shall take effect immediately.

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CHAPTER 554

AN ACT to make the office of the clerk of the county of Rockland a salaried office, and regulating the disposition of moneys received by such county clerk

Became a law April 21, 1931, 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:

Clerk Rockland county to receive salary.

Section 1. On and after the first day of January, nineteen hundred thirty-two, the clerk of the county of Rockland shall receive an annual salary, not to exceed seventy-five hundred dollars, to be fixed by the board of supervisors of such county, as his compensation, which shall be in lieu of all fees, perquisites, emoluments, commissions, percentages and moneys for discharging the duties of clerk, and for the performance of any other duty prescribed by law, directly or indirectly, for said clerk, or which he may perform by virtue of that office.

Money due clerk belong to county.

§ 2. On and after January first, nineteen hundred thirty-two, all moneys to which the clerk of the county of Rockland may be entitled, by virtue of his office, or which he may receive for any and all official services rendered by him, shall belong to and be for the benefit of the county of Rockland and shall be collected by such clerk and accounted for and paid over on the first day of each and every month into the treasury of the county of Rockland.

Expenses to be borne by county.

§ 3. On and after the first day of January, nineteen hundred thirty-two, the expenses of conducting the clerk's office of the county of Rockland shall be a county charge upon the county of Rockland and shall be paid by the county of Rockland.

Power to appoint deputies.

§ 4. The clerk of the county of Rockland shall have the power to appoint and at pleasure remove all deputies, clerks and other employees and assistants in his office, subject to the provisions of the civil service law, fix their compensation within the amounts made available by appropriation by the board of supervisors therefor, and shall prescribe and regulate their respective duties, and in his discretion require of each of said subordinates a bond and determine the amount thereof.

Inconsistent acts.

§ 5. All act and parts of acts inconsistent with this act are hereby repealed.

§ 6. This act shall take effect immediately.

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CHAPTER 555

AN ACT to amend chapter four hundred and eighty-six of the laws of eighteen hundred ninety-nine, entitled "An act to establish the office of public administrator in the county of Richmond," in relation to the office of public administrator in the county of Richmond

Became a law April 21, 1931, with the approval of the Governor. Passed, on message of necessity, by a two-thirds vote

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

L 1899, ch. 486 amended.

Section 1. Chapter four hundred and eighty-six of the laws of eighteen hundred ninety-nine, entitled "An act to establish the office of public administrator in the county of Richmond," is hereby amended to read as follows:

Office established.

§ 1. The office of public administrator in and for the county of Richmond is hereby established, and within twenty days after this act takes effect, the surrogate of that county shall appoint a public administrator, who shall hold office for the term of five years, unless sooner removed by the surrogate of Richmond county[1] for cause. He must before entering upon the duties of his office take and file the constitutional oath of office and execute a bond to the people of the state with sufficient sureties to be approved by such surrogate, in the penal sum of fifty[2] thousand dollars conditioned for the faithful discharge of the duties of his office, and that he will fully and correctly account for and pay over all moneys and property that may come into his hands as such public administrator according to law, which bond shall be filed with the clerk of the county of Richmond.[3] [4]In case of a vacancy in said office by reason of death, resignation or otherwise, said surrogate shall fill the same by appointing a suitable person as public administrator for the full term of five years from the date of such appointment and qualification.

Oath, bond.

Vacancy.

Administrator entitled to retain commissions.

Salary.

§ 2. The public administrator of Richmond county [5]shall be entitled to retain from all moneys or property of any intestate that come into his hands after deducting all actual and necessary expenses the same commissions as are now or may hereafter be allowed by law to executors or administrators, and he shall receive a salary for his services to be fixed by the board of estimate and

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1 Words "by the surrogate of Richmond county" new.

2 Formerly "five."

3 Words "of Richmond" new.

4 Remainder of section new.

5 Remainder of section substituted for words "shall possess all the powers and jurisdiction and be subject to all the duties, liabilities and responsibilities of a county treasurer acting as public administrator, except as otherwise herein provided. He may retain for his services from all moneys or other property belonging to any estate that may come into his hands, after deducting all actual and necessary expenses, the commissions allowed by law to executors or administrators.

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apportionment of the city of New York upon the recommendation of the surrogate of the county of Richmond, the same to be raised and paid each year in the same manner as are other county charges. The public administrator shall not receive to his own use any fees or emoluments in addition to his salary, and he shall pay into the treasury of the city of New York all commissions and costs received by him from any source whatever and all interest accruing from general bank accounts maintained by him as public administrator; such payments shall be made monthly and shall be accompanied by a sworn statement in such form as the comptroller of the city of New York shall prescribe, showing in detail the costs and commissions received and allowed to him and the accrued interest upon the aforesaid general bank balances maintained by him as public administrator. A suitable office for the public administrator of Richmond county shall be provided for him in one of the county buildings in said county, or in such other building or part thereof as may be authorized for the purpose by the board of commissioners of the sinking fund of the city of New York. The public administrator of the county of Richmond shall appoint an assistant public administrator, a counsel and a clerk, and such other employees as may be allowed by the board of estimate and apportionment of the city of New York, their salaries to be fixed by the board of estimate and apportionment of the city of New York upon the recommendation of said surrogate and to be raised and paid each year in the same manner as are other county charges. He shall have the prior right and authority to collect, take charge of and administer upon the goods, chattels, personal property and debts of persons dying intestate, and for that purpose to maintain suits as such public administrator as any executor or administrator might by law in the following cases:

Payment over of commissions.

Office.

Assistants, counsel.

Prior rights.

a. Whenever such person dies leaving any assets or effects in the county of Richmond, and there is no widow, husband or next of kin entitled to a distributive share in the estate of such intestate, entitled, competent or willing to take out letters of administration on such estate.

Where no next of kin.

b. Whenever assets or effects of any person dying intestate, after his death, come into the county of Richmond and there is no such person entitled, competent or willing to take administration of the estate. In such cases intestacy is presumed until a will is proved and letters testamentary issued thereon.

Where assets come into county after death.

All other provisions of law, not inconsistent herewith, conferring jurisdiction, authority or power on or defining the duties or obligations of the office of public administrator of the city of New York shall apply to the office of public administrator of the county of Richmond. The surrogate of the county of Richmond, in cases where now authorized by law to issue letters of temporary administration, may in his discretion issue letters of temporary administration to such public administrator without further security than required by this section.

Law applicable.

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Deposits entitled to priority of payment.

§ 3.[6] The moneys collected, received and deposited by the public administrator of the county of Richmond in any state bank, savings bank, or trust company shall, in case of the insolvency or voluntary or involuntary liquidation of the depositary, be entitled to equal priority of payment with that given by law to deposits of moneys by the state superintendent of banks.

§ 2. This act shall take effect immediately.

CHAPTER 556

AN ACT to amend chapter six hundred and fifty-four of the laws of nineteen hundred thirty, entitled "An act to authorize the board of commissioners of the land office to grant and release to the city of New York certain lands under water in the lower bay, in the borough of Richmond, to provide for the protection of adjacent uplands and the acquisition of property for any such purposes by such city, and to prescribe the method for defraying the cost," in relation to the location of the interior or inland lines of public beaches laid out in pursuance of the provisions thereof

Became a law April 21, 1931, 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:

§ 2 amended.

Section 1. Section two of chapter six hundred and fifty-four of the laws of nineteen hundred thirty, entitled "An act to authorize the board of commissioners of the land office to grant and release to the city of New York certain lands under water in the lower bay, in the borough of Richmond, to provide for the protection of adjacent uplands and the acquisition of property for any such purposes by such city, and to prescribe the method for defraying the cost," is hereby amended to read as follows:

§ 2. The city of New York, acting by its board of estimate and apportionment, is authorized and empowered in its discretion to lay out on the map or plan of said city, along the lower bay front of the borough of Richmond from the southerly line of the United States reservation Fort Wadsworth to the northerly line of the United States reservation Miller field, Richmond county, New York, as the same is laid out and designated on the map of the city of New York, or along any portion thereof, a public beach or beaches, the interior or inland line or lines of which shall be fixed by such board to correspond as nearly as practicable with the existing high water line, and in no case be located more than three hundred feet outshore from the existing high water line,[1] and the exterior or outshore line or lines of which may be fixed by said board at such distance outshore of the existing high water line as said board may determine. Said board of estimate and

[6] Following section new.

[1] words "and in no case be located more than three hundred feet outshore from the existing high water line," new.

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apportionment in laying out any such public beach or beaches shall be governed by the provisions of the Greater New York charter as to laying out on the map or plan of said city, streets and parks, and from time to time said board may amend the plan or plans of any such public beach or beaches in the manner provided by the Greater New York charter for amending the map or plan of said city.

§ 3.[2] This act shall take effect immediately.

CHAPTER 557

AN ACT to amend the state housing law, in relation to the sale or lease of land by cities to limited dividend housing companies

Became a law April 21, 1931, 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. Article two of chapter eight hundred and twenty-three of the laws of nineteen hundred twenty-six, entitled "An act to promote the public health and safety by providing for the elimination of unsanitary and dangerous housing conditions, to relieve congested areas, and the construction and supervision of dwellings and for the letting of apartments at reasonable rentals; repealing article two-a of the public buildings law relating to the bureau of housing and regional planning, and making an appropriation to carry out the provisions of this act," as such chapter was re-enacted and amended by chapter thirty-five of the laws of nineteen hundred twenty-seven, and as last amended by chapter eight hundred and seventy-two of the laws of nineteen hundred thirty, is hereby amended by adding a new section, to be section twenty-two and to read as follows:

L. 1926, ch. 823, § 22 added to art. 2.

§ 22. **Sale or lease of land by city to limited dividend housing company.**

1. The local legislative body of a city by resolution, may determine that real property of the city specified and described in such resolution is not required for use by the city in its corporate capacity and may authorize the proper board, body or officer of a city, in behalf of the city, to sell or lease such real property pursuant to this section to a public or a private limited dividend housing company organized under this chapter.

2. Notwithstanding the provisions of any state statute, city charter, local law or ordinance, such sale or lease may be made without appraisal, public notice, advertisement or public bidding, for such price or rental and in case of a lease for such term (not exceeding fifty years with a right of renewal for not exceeding thirty years) as may be agreed upon between such body, board

[2] So in original. Evidently should be § 2.

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or officer, and such limited dividend housing company. Before any agreement shall be concluded with a limited dividend housing company, a public hearing shall be held by such board, body or officer of the city to consider the proposed sale or lease. Notice of such hearing shall be published at least ten days before the date set for the hearing in such publication and in such manner as may be designated by the legislative body of the city or in default of such designation, by such board, body or officer.

3. The deed or lease of such property shall be executed in the same manner as the deed or lease by the city of other real property, and shall contain a provision that the sale or lease shall be subject to all of the provisions of this section.

4. If any city, pursuant to this section, shall sell or lease real property to a limited dividend housing company, the board, body or officer of the city designated by the local legislative body shall appoint a director to represent the city on the board of directors of such company; shall have the right to remove such director at any time with or without cause; on the death, resignation, disqualification or removal of such director, shall have the right to appoint a successor.

5. A limited dividend housing company leasing or purchasing land from a city, shall not without the written approval of such board, body or officer of the city and of the state board of housing, own or operate any project under this chapter except the project approved in connection with the land purchased or leased from such city.

6. If real property of a city be leased to a limited dividend housing company pursuant to this section:

(a) the lease shall provide that all improvements shall be the property of the city;

(b) the city may grant to the limited dividend housing company the right to mortgage the fee of such property and thus enable the limited dividend housing company to give as security for its notes or bonds a first lien upon the land and improvements;

(c) the lease may provide for the gradual retirement of the stock and debentures of the corporation out of rentals, until all of such shares of stock and/or debentures are retired, except a minimum of not less than ten shares. The lease may also make provision for the payment and surrender of all outstanding shares and debentures upon the termination of the lease;

(d) the execution of a lease by a city shall not impose upon the city any liability or obligation in connection with or arising out of the financing, construction, management or operation of a housing project involving the land so leased. A city shall not by executing such lease incur any obligation or liability with respect to such leased premises other than may devolve upon a city with respect to premises not owned by it. A city by consenting to the execution by a limited dividend housing company of a mortgage upon the leased land shall not thereby assume, and such consent shall not be construed as imposing upon the city any liability upon the note or bond secured by the mortgage.

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(e) the lease may reserve such easements or other rights in connection with the property as may be deemed necessary or desirable for the future planning and development of the city and the extension of public facilities therein (including the construction of subways and conduits, the widening and change of grade of streets); and it may contain such other provisions for the protection of the parties as are not inconsistent with the provisions of this chapter.

7. After the expiration of one year from the sale or lease of real property by a city to a limited dividend housing company pursuant to this section, the city shall have the right of recapture in the manner herein provided. The local legislative body of such city may, by resolution, determine to recapture the real property of any limited dividend housing company which has purchased or leased property from the city. Such right of recapture may, where property has been sold by a city, be exercised at any time prior to twenty years after such sale, or where property has been leased, at any time prior to the termination of the lease. A certified copy of such resolution shall be filed in the office of the county clerk or register in which the deed or lease of such property by the city to the limited dividend housing company is recorded, and shall be served upon the limited dividend housing company, and also upon all mortgagees or holders of liens upon the real property or upon any interest therein. Upon the filing of such notice, all indebtedness of the limited dividend housing company shall become immediately due and payable. The city shall, within ninety days after the filing of the notice of recapture, or as soon thereafter as may be feasible, pay to the company a sum which, together with the assets of such company, shall be sufficient to discharge the indebtedness of the company, pay the reasonable expenses of liquidation and/or dissolution and return to the holders of stock or debentures then outstanding, the par value thereof plus interest at the rate of six per centum per annum and any accrued and unpaid dividends or interest on such outstanding stock and debentures. Upon the making of such payment, the limited dividend housing company shall deliver to the city proper instruments evidencing the cancellation of the indebtedness and the surrender of the rights of the limited dividend housing company, and thereupon the recapture shall be complete. In the event of the foreclosure of a mortgage or other lien held by any of the persons, bodies, institutions, associations or corporations specified in section forty, the right of recapture by the city shall terminate upon the entry of an interlocutory judgment of foreclosure and sale.

8. In projects where the land is leased from a city the value of the land shall be taken at a sum fixed by the board, body or officer designated by the local legislative body and approved by the state board of housing. For all the purposes of this chapter (including the provisions of section forty) the determination of the actual or estimated cost of projects involving leased lands

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shall be made on the basis provided in section fourteen and other sections of this chapter in the case of projects involving land purchased in fee by a limited dividend housing company, except that in projects involving leased land the value of the land leased, ascertained in the manner described above, shall be used instead of the cost of the land in determining the total cost of the land and improvements comprising the project. In projects involving leased land, the rental, if any, during the period of construction may be included as part of the cost of the project. The sections of this chapter requiring the investment of at least one-third of the cost of the projects in stock and income debentures shall not apply to projects involving leased land but in such projects the value of the land, ascertained in the manner described above, plus the amount obtained by the investment of private capital in the stock and income debentures of the limited dividend housing company shall be at least one-third of the cost of the project, and the amounts, if any, to be raised by mortgage indebtedness shall not exceed two-thirds of such cost.

9. A city which shall have leased or sold real property to a limited dividend housing company shall have the same rights to make application or to appeal to the board or to a court as is permitted to lienholders under any present or future provision of the state housing law.

10. In projects involving leased land the certificate of incorporation of the limited dividend housing company may permit the retirement of income debentures and stock in such manner and to the extent approved by the state board of housing provided the shares of stock shall not be reduced below ten during the continuance of the lease.

11. Except as in this section otherwise provided, a project involving real property purchased or leased by a city to a limited dividend housing company shall conform to and be governed by all provisions of the state housing law.

§ 51 amended.

§ 2. Section fifty-one of such chapter is hereby amended to read as follows:

§ 51. **Powers; exemptions.** Private limited dividend housing companies shall be subject to the provisions of sections ten to twenty-two,[1] inclusive, sections thirty to thirty-seven, inclusive, subdivisions three to eleven, inclusive, of section thirty-eight, sections thirty-nine to forty-two, inclusive, and sections forty-three,[2] forty-four and forty-five of this act, except that (a) Private limited dividend housing companies are authorized to sell, assign, convey and otherwise dispose of real property owned by them; but no private limited dividend housing company shall sell, assign or convey any real property owned, operated or managed by it or any right, title or interest therein, except upon notice to the board of the terms of such sale, transfer or assignment and unless and until the board shall consent thereto, and any sale, transfer or assignment in violation of the terms hereof shall be void;

1 Formerly "twenty-one."
2 Word "forty-three" new.

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(b) The provisions exempting the buildings and improvements of such companies from taxation shall apply only so long as such property is owned, managed and operated by a public or private limited dividend housing company;

(c) Said companies shall not under any circumstances have or exercise the power of eminent domain or acquire property otherwise than by purchase, bequest or gift;

(d) The securities of a private limited dividend housing company are not to be deemed instrumentalities of the state, but they and the interest on bonds or income debentures and the dividends on the stock of such companies shall nevertheless be exempt from any taxation by the state.

§ 3. This act shall take effect immediately.

CHAPTER 558

AN ACT to amend the state housing law, in relation to mortgages and the foreclosure thereof

Became a law April 21, 1931, 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. Subdivision two of section thirty-eight, sections forty, forty-three and fifty-one of chapter eight hundred and twenty-three of the laws of nineteen hundred twenty-six, entitled "An act to promote the public health and safety by providing for the elimination of unsanitary and dangerous housing conditions, to relieve congested areas, and the construction and supervision of dwellings and for the letting of apartments at reasonable rentals; repealing article two-a of the public buildings law relating to the bureau of housing and regional planning, and making an appropriation to carry out the provisions of this act," as such chapter was re-enacted by chapter thirty-five of the laws of nineteen hundred twenty-seven, and last amended by chapter eight hundred and seventy-two of the laws of nineteen hundred thirty, are hereby amended to read as follows: L. 1926, ch. 823, §§ 38, subd. 2; 40, 43, 51 amended.

2. Sell, transfer or assign any real property except (a) to another public limited dividend housing company formed under this article, and (b) without first having obtained the consent of the board, and (c) for a price not in excess of the cost of the said property less any amounts paid in amortization of the mortgage indebtedness[1] and the retirement or redemption of stock, plus so much of the limited dividends on the stock of the said company from date of issue as shall have been unpaid, and accrued interest on the mortgage indebtedness and income debenture certificates.

[1] Words "mortgage indebtedness" substituted for words "first lien."

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§ 40. **Mortgages and mortgage bonds.** Any company formed under this chapter[2] may, subject to the approval of the board, borrow funds and secure the repayment thereof by bond and mortgage or by an issue of bonds under trust indenture. Each mortgage and/or issue of bonds by a company formed hereunder shall relate only to a single specified project and no other and said bonds shall be secured by[3] mortgage upon all of the real property of which said project consists. First lien bonds of such company when secured by mortgage not exceeding two-thirds of the estimated cost prior to the completion of the project, or two-thirds of the appraised value or actual cost, whichever shall be less, after such completion, as certified by the board, are hereby declared securities in which all public officers and bodies of the state and of the municipal subdivisions, all insurance companies and associations, all savings banks and saving institutions, including saving and loan associations, executors, administrators, guardians, trustees and all other fiduciaries in the state may properly and legally invest the funds within their control. The bonds so issued and secured and the mortgage or trust[4] indentures relating thereto, may create[5] a first or senior lien[6] and a second or junior lien[7] upon the real property embraced in any project; provided, however, that the total mortgage liens shall not exceed two-thirds of the estimated cost prior to the completion of the project, or two-thirds of the appraised value or actual cost, whichever shall be less, as certified by the board, after such completion. Where there is a first and a second mortgage lien upon the property embraced in a project,[8] only the first or senior lien thereon[9] shall be deemed a security[10] in which such officers, bodies, corporations, associations and fiduciaries, may invest the funds within their control. Such bonds and mortgages may contain such other clauses and provisions as shall be approved by the board, including the right to assignment of rents and entry into possession in case of default; but the operation of the housing projects in the event of such entry by mortgagee or receiver shall be subject to the regulations of the board under this act. Provisions for the amortization of the bonded indebtedness of companies formed under this chapter[11] shall be subject to the approval of the board.

§ 43. **Foreclosure.** 1. In any foreclosure action the board shall be made a party defendant; and such board shall take all steps in such action necessary to protect the interest of the public therein,

2 Formerly "article."
3 Word "first" omitted.
4 Words "or trust" new.
5 Word "create" substituted for words "be so drawn that."
6 Formerly "interest."
7 Word "lien" substituted for words "interest therein." Remainder of sentence substituted for words "may be acquired by different investors."
8 Sentence here substituted for words "In such event."
9 Words "lien thereon" substituted for words "interest therein."
10 Words "a security" substituted for word "securities."
11 Formerly "article."

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and no costs shall be awarded against the board. Foreclosure shall not be decreed unless the court to which application therefor is made shall be satisfied that the interests of the lien-holder[12] or holders[13] can not be adequately secured or safeguarded except by the sale of the property. In any such proceeding, the court shall be authorized to make an order increasing the rentals to be charged for the housing accommodations in the project involved in such foreclosure, but not exceeding the maximum average rentals fixed herein, or appoint a receiver of the property or grant such other and further relief as may be reasonable and proper. In the event of a foreclosure sale or other judicial sale, the property shall except as provided in the next succeeding paragraph of this section be sold only to a[14] limited dividend housing corporation organized under this act, unless the court shall find that the interest on the bonds cannot be earned under the restrictions imposed by this and the preceding sections and that the proceeding was brought in good faith. In such event the property shall be sold free of all restrictions imposed by this act.

2. Notwithstanding the foregoing provisions of this section, wherever it shall appear that a corporation, subject to the supervision either of the state insurance department or the state banking department, shall have loaned on a mortgage which is a first lien upon any such property such corporation shall have all the remedies available to a mortgagee under the laws of the state of New York, free from any restrictions contained in this section except that the board shall be made a party defendant and that such board shall take all steps necessary to protect the interests of the public and no costs shall be awarded against it.

§ 15. **Powers, exemptions.** Private limited dividend housing companies shall be subject to the provisions of sections ten to twenty-one, inclusive, sections thirty to thirty-seven, inclusive, subdivisions three to eleven, inclusive, of section thirty-eight, sections thirty-nine to forty-two, inclusive, and sections forty-three,[15] forty-four and forty-five of this act, except that (a) private limited dividend housing companies are authorized to sell, assign, convey and otherwise dispose of real property owned by them; but no private limited dividend housing company shall sell, assign or convey any real property owned, operated or managed by it or any right, title or interest therein, except upon notice to the board of the terms of such sale, transfer or assignment and unless and until the board shall consent thereto, and any sale, transfer or assignment in violation of the terms hereof shall be void;

(b) The provisions exempting the buildings and improvements of such companies from taxation shall apply only so long as such property is owned, managed and operated by a public or private limited dividend housing company;

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12 Formerly "holder."
13 Words "of the first lien or first lien bonds" omitted.
14 Word "public" omitted.
15 Word "forty-three" new.

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(c) Said companies shall not under any circumstances have or exercise the power of eminent domain or acquire property otherwise than by purchase, bequest or gift;

(d) The securities of a private limited dividend housing company are not to be deemed instrumentalities of the state, but they and the interest on bonds or income debentures and the dividends on the stock of such companies shall nevertheless be exempt from any taxation by the state.

§ 2. This act shall take effect immediately.

CHAPTER 559

AN ACT to amend the town law, in relation to property to be acquired by park districts in certain towns

Became a law April 21, 1931, 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:

§ 349o added.

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

§ 349-o. **Changing or altering property to be acquired for park purposes.** Notwithstanding any provision of this article, the town board of a town in which a park district is located, upon application of the board of park commissioners of the district, at any time before the acquisition of all the property proposed to be acquired for park purposes and described in the petition for the establishment of such park district, may by resolution change or alter the property proposed to be acquired as described in such petition, so as to eliminate any or all of the property described therein, and may, in the same manner, at the same or at a subsequent time, add other or additional property in the district in place of the property eliminated. Any such resolution shall contain a description of the property proposed to be acquired, including that which shall have been theretofore acquired, as changed or altered by such resolution. The change or alteration made by any such resolution shall not, however, be effective, until a proposition, containing an abstract of such resolution concisely stating the purpose and affect thereof, shall have been submitted to the qualified electors of the district at a general or special election and adopted by a majority of such electors voting thereon. A "qualified elector" within the meaning of this section, is a person who is a resident and the owner of property in such district, assessed upon the last preceding town assessment-roll.

§ 2. This act shall take effect immediately.

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CHAPTER 560

AN ACT to legalize the acts and proceedings of the board of supervisors of the county of Westchester, New York, in the formation of fire district number one of the town of New Castle, Westchester county, New York, and to legalize all the acts and proceedings taken by the board of fire commissioners, resident taxable inhabitants, their officers and agents

Became a law April 21, 1931, 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:

Creation of fire district legalized.

Section 1. That the creation of fire district number one of the town of New Castle, Westchester county, New York, by resolution of the board of supervisors of the county of Westchester bearing date the first day of June, nineteen hundred twenty-five, and duly adopted on that date, is hereby in all respects legalized, validated and confirmed, notwithstanding any legal omission or defect in the proceedings therefor, or want of lawful authority.

District established; description.

Such fire district, as so created, is hereby established and shall comprise the territory within the following boundaries in the town of New Castle, county of Westchester, New York, to-wit:

Beginning at the junction of the roads leading from Croton Lake to Chappaqua near the school house in district number seven, with the road running east to Roaring Brook and running easterly with the center of said road to Roaring Brook and its continuation to and near the residence of Thomas Wright and the intersection of said road with the road running from said Thomas Wright to Chappaqua Depot, thence southeasterly in a straight line and with the line of election district number one to the saw mill of Henry Dickinson, thence in a straight line and with election district number one to the North Castle line, at the intersection of the road running from the residence of Doctor Mearson to the North Castle town line, thence southwesterly along North Castle town line to the town of Mount Pleasant, thence westerly along said Mount Pleasant town line to the Washburn Brook on said Mount Pleasant town line, thence northeasterly in a straight line and with district number two to the place of beginning. Such district is hereby vested with all powers of a fire district under article three, section thirty-eight of the County Law, as amended.

Proceedings legalized.

§ 2. All the acts and proceedings had and taken by the board of fire commissioners, the resident taxable inhabitants, the officers and agents of said fire district are hereby in all respects legalized, validated and confirmed, notwithstanding any legal omission or defect in the proceedings or want of lawful authority in the establishment of said fire district.

Territory benefited.

§ 3. It is hereby determined that the territory within the boundaries described in section one of this act is the territory especially benefited by the creation of said fire district number one.

§ 4. That this act shall take effect immediately.

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CHAPTER 561

AN ACT to amend chapter two hundred and ninety-two of the laws of nineteen hundred twenty-two, entitled "An act to provide for the location, creation, acquisition and improvement of parks, parkways and boulevards in and by the county of Westchester; authorizing the borrowing of money and issuing of bonds therefor; providing for the management and maintenance thereof; creating a commission therefor, and defining the powers and duties of such commission," in relation to actions against the park commission

Became a law April 21, 1931, 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:

§ 16 amended.

Section 1. Section sixteen of chapter two hundred and ninety-two of the laws of nineteen hundred twenty-two, entitled "An act to provide for the location, creation, acquisition and improvement of parks, parkways and boulevards in and by the county of Westchester; authorizing the borrowing of money and issuing of bonds therefor; providing for the management and maintenance thereof; creating a commission therefor, and defining the powers and duties of such commission," as last amended by chapter four hundred and forty-four of the laws of nineteen hundred twenty-eight is hereby amended to read as follows:

§ 16. The park commission shall have the right and it hereby is authorized and empowered to bring or maintain in the name of the county of Westchester any action or proceeding necessary to carry out the purposes of this act, also any action to recover damages for the breach of any agreement growing out of the management, improvement or government of the park or parks or for damages for injuries to any of the property appertaining thereto and it shall have the power and right to seize and impound cattle and other animals roaming in, on, or through such park or parks.

Upon the trial of any issue or the prosecution of any action or[1] proceeding, or upon the taking or making of any inquisition, appraisal or award, or upon the judicial investigation of any facts whatever, to which issue, action,[2] proceedings, inquest, investigation or award the Westchester county park commission or the county of Westchester is a party, or in which the Westchester county park commission or the county of Westchester may, in any way, be interested, no person shall be deemed incompetent as a judge, referee, commissioner, witness or juror by reason of his being an inhabitant, freeholder or taxpayer of the county of Westchester. The place of trial of all actions or[3] proceedings against the Westchester county park commission, or the county of Westchester in which the Westchester county park

1 Words "action or" new.
2 Word "action," new.
3 Formerly "and."

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commission is a party, or is interested, shall be the county of Westchester.

[4]No civil action shall be maintained against the Westchester county park commission or the county of Westchester for damages or injuries to the person sustained solely in consequence of the existence of snow or ice upon any walk, path, steps, park, parkway or pavement, unless written notice thereof, relating to the particular place, was actually given to the park commission and the clerk of the board of supervisors and there was a failure or neglect to cause such snow or ice to be removed, or the place otherwise made reasonably safe within a reasonable time after the receipt of such notice; nor shall any action be maintained against the Westchester county park commission or the county of Westchester for damages or injuries to person or property sustained in consequence of any park, parkway, boulevard, bridge, culvert, public building, public lands or public work being defective, out of repair, unsafe, dangerous, or obstructed unless it appear that written notice of the defective, unsafe, dangerous or obstructed condition thereof was actually given to the park commission and the clerk of the board of supervisors, and that there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of, or in the absence of such notice it appear that such defective, unsafe, dangerous, or obstructive condition existed for so long a period of time that the same should have been discovered and removed in the exercise of reasonable care and diligence.

Neither the park commission nor the county shall be liable in any civil action for damages or injuries to person or property, or any invasion of personal or property rights, of any name or nature whatsoever, whether casual or continuing, arising at law or equity, or by the creation or maintenance of any nuisance, alleged to have been caused or sustained, in whole or in part, by or because of any act, omission of duty, wrongful act, fault, neglect, misfeasance or negligence on the part of the park commission or the county, or any board, department, officer, agent, servant or employee thereof, unless a claim in writing, verified in duplicate by the oath of the claimant to the effect that the same is true, containing a statement of the place of residence of the claimant, by street and number, if any, otherwise such facts as will disclose such place of residence with reasonable certainty, and describing the time when, the particular place where, and the circumstances under which the damages or injuries were sustained, the cause thereof, and so far as then practicable, the nature and extent thereof, shall within thirty days after the happening of the accident or injury or the occurrence of the act, omission, fault or neglect out of which or on account of which the claim arose, be presented to the park commission and served upon the clerk of the board of supervisors, and notice of intention to commence an action thereon be served upon the county attorney,

[4] Remainder of section new.

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nor unless an action shall be commenced thereon within six months after the happening of such accident or injury or the occurrence of such act, omission, fault or neglect; but no action shall be commenced to recover upon or enforce any such claim against the park commission or the county until the expiration of three months after the service of said notice upon the county attorney. The omission to present any such claim in the manner and within the time mentioned shall be a bar to any action against the park commission, or the county or any board, department, officer, agent, servant or employee thereof. Nothing herein contained, however, shall be held or construed to revive any claim or cause of action now barred by any existing requirement or statute of limitations, nor to waive any existing limitation now applicable to any claim, or cause of action, against the park commission or the county, or to create any liability on the park commission, or the county, which does not exist by reason of the provision of any general or special law.

§ 2. This act shall take effect immediately.

CHAPTER 562

AN ACT to amend the decedent estate law, the surrogate's court act, the domestic relations law, the personal property law, and the real property law, generally, in relation to decedents' estates

Became a law April 21, 1931, 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:

Decedent estate law, § 18, subd. 1, sub-paragraphs (a), (g) amended.

Section 1. Sub-paragraphs a and g of subdivision one of section eighteen of chapter eighteen of the laws of nineteen hundred nine, entitled "An act relating to estates of deceased persons, constituting chapter thirteen of the consolidated laws," as added by chapter two hundred and twenty-nine of the laws of nineteen hundred twenty-nine, are hereby amended to read as follows:

(a) In exercising the right of election herein granted a surviving spouse shall in no event be entitled to take more than one-half of the net estate of the decedent, after the deduction of debts, administration expenses and any estate tax,[1] and the words "intestate share" wherever used in this section shall in no event be construed to mean more than one-half of such net estate.

(g) The provisions of this section with regard to the creation of a trust, with income payable for life to the surviving spouse, shall likewise apply to a legal life estate or to an annuity for life or any other form of income for life created by the will for the benefit of the surviving spouse. In the computation of the value of the provisions under the will the capital value of the fund

[1] Remainder of sub-paragraph new.

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or other property[2] producing the income shall be taken and not the value of the life estate.

§ 2. Section twenty-eight of such chapter is hereby amended to read as follows: Decedent estate law, § 28 amended.

§ 28. **Action by child born after making a will, or by subscribing witness, [3]or by surviving husband, wife or issue after revocation by marriage.** A child, born after the making of a will, who is entitled to succeed to a part of the real or personal property of the testator, or a subscribing witness to a will, who is entitled to succeed to a share of such property, or the surviving husband, or wife, or the issue entitled to succeed to a share of such property under the provisions of section thirty-five of this article,[4] may maintain an action against the legatees or devisees, as the case requires, to recover his share of the property; and he is subject to the same liabilities, and has the same rights, and is entitled to the same remedies, to compel a distribution or partition of the property, or a contribution from other persons interested in the estate, or to gain possession of the property, as any other person who is so entitled to succeed.

§ 3. Section thirty-five of such chapter as amended by chapter two hundred and ninety-three of the laws of nineteen hundred nineteen is hereby amended to read as follows: Decedent estate law, § 35 amended.

§ 35. **Revocation by marriage.** If after making any will, such testator marries, and the husband or wife, or any issue of such marriage, survives the testator, such will shall be deemed revoked as to them, unless provision shall have been made for them by some settlement, or they shall be provided for in the will, or in such way mentioned therein as to show an intention not to make such provision; and such surviving husband or wife, and the issue of such marriage, shall be entitled to the same rights in, and to the same share or portion of the estate of said testator as they would have been, if such will had not been made. [5]Such husband or wife or issue of any such marriage shall be entitled to such share or portion of the estate from the devisees and legatees in proportion to and out of the parts devised and bequeathed to them by such will. No evidence to rebut such presumption of revocation shall be received, except as herein provided.

§ 4. Section forty-six of such chapter is hereby amended to read as follows: Decedent estate law, § 46 amended.

§ 46. **Validity of purchase notwithstanding devise.** The title of a purchaser in good faith and for a valuable consideration, from the heir of a person who died seized of real property, shall not be affected by a devise of the property made by the latter, unless within two[6] years after the testator's death, the will

[2] Words "or other property" new.
[3] Remainder of section heading new.
[4] Words ", or the surviving husband, or wife, or the issue entitled to succeed to a share of such property under the provisions of section thirty-five of this article," new.
[5] Following sentence new.
[6] Formerly "four."

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devising the same is either admitted to probate and recorded as a will of real property in the office of the surrogate having jurisdiction, or established by the final judgment of a court of competent jurisdiction of the state, in an action brought for that purpose. But if, at the time of the testator's death, the devisee is either within the age of twenty-one years, or insane, or imprisoned on a criminal charge, or in execution upon conviction of a criminal offense, for a term less than for life; or without the state; or, if the will was concealed by one or more of the heirs of the testator, the limitation created by this section does not begin until after the expiration of one year from the removal of such a disability, or the delivery of the will to the devisee or his representative, or to the proper surrogate.

Surrogate's court act, §§ 208, 218, 255, 258, 261, 271 amended.

§ 5. Sections two hundred eight, two hundred eighteen, two hundred fifty-five, two hundred fifty-eight, two hundred sixty-one and two hundred seventy-one of the surrogate's court act are hereby amended to read as follows:

§ 208. **Effect of failure to present claim pursuant to notice.** If a claim against a deceased person be not presented to the executor or administrator on or before the day fixed for presentation of claims in the notice to creditors, published pursuant to section two hundred and seven, or, if no notice be published, within seven months[7] from the date of issue of letters, the executor or administrator shall not be chargeable for any assets or moneys that he may have paid in satisfaction of any lawful claims, or of any legacies, or in making distribution to the next of kin before such claim was presented.

§ 218. **Payment of legacies.** No legacy shall be paid by an executor, or administrator with the will annexed, before the completion of the publication of notice to creditors if such notice be published, or if none be published before the expiration of seven months[7] from the time from granting letters testamentary or of administration, unless directed by the will or by a decree on an accounting to be sooner paid. Bequests of specific articles of property, other than securities representing money, may be delivered at any time in the discretion of the executor. Whenever a legacy is directed by the will to be sooner paid, or specific property is bequeathed, the executor or administrator may require a bond, with two sufficient sureties, conditioned, that if debts against the deceased duly appear, and there are not other assets to pay the same, and no other assets sufficient to pay other legacies, then the legatees will refund the legacy so paid, or the value of the articles so delivered, with interest thereon or such ratable portion thereof with the other legatees, as may be necessary for the payment of such debts, and the proportional parts of such other legacies, if there be any, and the costs and charges incurred by reason of the payment to such legatee, and that if the will, under which such legacy is paid, be denied probate on appeal or other-

[7] Words "seven months" substituted for words "one year."

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wise that such legatee will refund the whole of such legacy, with interest, to the executor or administrator entitled thereto.

§ 225.[8] **Voluntary intermediate judicial settlement of the account of an executor, administrator, guardian or testamentary trustee.** An executor, administrator, guardian or testamentary trustee may, at any time after seven months[9] has expired since letters were issued to him, or he was appointed and qualified, and not oftener than annually thereafter, file in the surrogate's court having jurisdiction an intermediate account and a petition for its judicial settlement.

If the surrogate entertain such application, a citation shall issue to all persons who would be required to be cited upon a voluntary final judicial settlement of such account, and the same proceedings shall be had and with like effect, so far as the settlement of such account is concerned, as though such proceeding were a final judicial settlement.

§ 258. **When surrogate's court may require judicial settlement of account.** In either of the following cases, the surrogate's court may, from time to time, compel a judicial settlement of the account of an executor, administrator, guardian or trustee:

1. In the case of an executor or administrator,

a. where fifteen days have elapsed after the time in which to present claims has expired, or seven months have[10] expired since letters were issued to him.

b. Where letters issued to him have been revoked, or, for any other reason, his powers have ceased.

c. Where the administrator is a temporary administrator.

d. Where he has sold, or otherwise disposed of, any of the decedent's real property, or the rents, profits or proceeds thereof, pursuant to a power contained in the decedent's will, or an order of the surrogate's court, and fifteen days have elapsed after the time in which to present claims has expired, or seven months have[10] elapsed since letters were issued to him.

2. In the case of a guardian,

a. Where the ward has attained the age of twenty-one years, or has died.

b. Where the guardian is a guardian in socage, or the guardian of the infant's person only.

c. Where letters issued to him have been revoked, or his powers have ceased.

3. In the case of a trustee,

a. Where the trustee has been removed, or for any other reason his powers have ceased.

b. Where the trusts, or one or more distinct and separate trusts, created by the terms of the will, have been executed, or are ready to be executed; so that the persons beneficially interested are, by

[8] So in original. Evidently should be "§ 255."
[9] Words "seven months" substituted for words "one year."
[10] Words "seven months have" substituted for words "one year has."

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the terms of the will, or by operation of law, entitled to receive any money or other personal property from the trustee.

§ 261. **Voluntary judicial settlement.** In either of the following cases an administrator, executor, guardian or testamentary trustee may present to the surrogate's court his acccunt and a petition praying that his account may be judicially settled and that all necessary and proper parties may be cited to show cause why such settlement should not be had:

1. By an executor or administrator,

a. Where the time for presentation of claims as fixed by a notice duly published has expired; or seven months have[11] expired since letters were issued to him or his predecessor in office.

b. Where letters issued to the petitioner have been revoked.

c. The surrogate may, in his discretion, at any time within six months after letters were first issued upon an estate, entertain an application by an executor or administrator for the judicial settlement of his account, where it appears from the petition or account that a mortgage, lease or sale of the decedent's real property will be necessary for any of the purposes specified in section two hundred and thirty-four of this act, and in a proceeding so commenced the citation must be directed generally to all unknown creditors of the deceased as well as to those known.

2. By a guardian,

a. Where a petition for a compulsory judicial settlement of his accounts may be presented by any other person.

b. Where he has properly used and expended all of the estate of the infant, and the circumstances are such that, in the discretion of the surrogate, it is proper that such guardian should be discharged.

3. By a testamentary trustee,

a. Where one or more distinct and separate trusts created by the will, have been, or are ready to be, fully executed.

§ 271. **Payment of share of infant or incompetent.**[12] When a legacy or distributive share or the proceeds of any action brought as prescribed in section one hundred and thirty of the decedent estate law or the proceeds of a settlement of a cause of action brought in behalf of an infant for personal injuries is payable to an infant or an incompetent, the decree or order shall direct that it be paid to his guardian or committee of his property,[13] upon his filing sufficient security, unless the sum payable to the infant or to the incompetent[14] does not exceed one hundred and fifty dollars, in which case the decree or order may order it to be paid to his father, or to his mother, or to some competent person with whom the infant or incompetent[12] resides, or who has some interest in his welfare, for the use and benefit of such infant or incompetent.[12] If there be no guardian or committee of the property,[15] the decree or order shall provide that the sum payable to the infant or incompetent[12] not

[11] Words "seven months have" substituted for words "one year has."
[12] Words "or incompetent" new.
[13] Words "or committee of his property," new.
[14] Words "or to the incompetent" new.
[15] Words "or committee of the property," new.

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disposed of in the manner aforesaid, shall be paid into or deposited with the surrogate's court.

Surrogate's court act, § 115a added.

§ 6. The surrogate's court act is hereby amended by inserting therein a new section, to be section one hundred and fifteen-a, to read as follows:

§ 115-a. **Proceeding against surety or representative of surety to enforce liability on bond or undertaking.** 1. Where a decree has been made in any proceeding directing payment by an executor, administrator, temporary administrator, testamentary trustee or guardian, and execution against the property of such fiduciary has been returned wholly or partly unsatisfied, a petition may be presented by any person interested to the surrogate and citation issued to the surety or sureties or the representatives of a deceased surety, to show cause why the liability of the surety or sureties or representative of a deceased surety should not be fixed and determined. If the principal debtor is a resident of the state, the execution must have been issued to the county where he resides. Citation may likewise issue in such proceeding to such other persons interested as the surrogate deems necessary. Upon the return of the citation, the surrogate may make a decree fixing the liability on the official bond of the surety, sureties or representative of a deceased surety, and directing payment to the successor fiduciary or other person interested, as justice may require.

2. After ten days have expired since the service upon the attorney for the appellant and upon the surety or sureties on an undertaking given on appeal of a written notice of a judgment or order affirming a decree appealed from, or dismissing the appeal, as provided in section three hundred and six of this chapter, a petition may be presented by any person interested to the surrogate and citation issued to the surety or sureties or the representatives of a deceased surety, to show cause why the liability of the surety or sureties or representative of a deceased surety should not be fixed and determined. Citation may likewise issue in such proceeding to such other persons interested as the surrogate deems necessary. Upon the return of the citation, the surrogate may make a decree fixing the liability on the undertaking of the surety, sureties or representative of a deceased surety, and directing payment to the successor fiduciary or other person interested, as justice may require.

Domestic relations law, § 114 amended.

§ 7. Section one hundred and fourteen of chapter nineteen of the laws of nineteen hundred nine, entitled "An act relating to the domestic relations, constituting chapter fourteen of the consolidated laws, as amended by chapter six hundred and eight of the laws of nineteen hundred twenty-five, is hereby amended to read as follows:

§ 114. **Effect of adoption.** Thereafter the parents of the person adopted are relieved from all parental duties toward, and of all responsibility for, and have no rights over such a child, or to his property by descent or succession, except that where a husband

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or wife adopts a natural child of the other spouse such child shall thereafter for all purposes be regarded and treated as the legitimate offspring of the marriage of its natural parent and its foster parent. Where a parent who has procured a divorce, or a surviving parent, having lawful custody of a child, lawfully marries again, or where an adult unmarried person who has become a foster parent and has lawful custody of a child, marries, and such parent or foster parent consents that the person who thus becomes the stepfather or the stepmother of such child may adopt such child, such parent or such foster parent, so consenting, shall not thereby be relieved of any of his or her parental duties toward, or be deprived of any of his or her rights over said child, or to his property by descent or succession. If the order allowing and confirming the adoption shall direct that the name of the child be changed, the child shall be known by the new name designated in such order. His rights of inheritance and succession from his natural parents remain unaffected by such adoption. The foster parent or parents and the person adopted sustain toward each other the legal relation of parent and child, and have all the rights and are subject to all the duties of that relation, including the right of inheritance from each other, except as the same is affected by the provisions in this section in relation to adoption by a stepfather or stepmother, and such right of inheritance extends to the heirs and next of kin of the person adopted, and such heirs and next of kin shall be the same as if he were the legitimate child of the person adopting, but as respects the passing and limitation over of real or personal property dependent under the provisions of any instrument on the foster parent dying without heirs, the person adopted is not deemed the child of the foster parent so as to defeat the rights of remaindermen.

[16]Where a foster parent or foster parents have adopted more than one person, each of such adopted persons shall sustain toward each other the legal relation of brother or sister as the case may be and have all the rights of that relation, including the right of inheritance from each other; and such right of inheritance extends to the heirs and next of kin of such adopted persons; and such heirs and next of kin shall be the same as if each such adopted person were the legitimate child of the person or persons adopting; but as respects the passing and limitation over of real or personal property dependent under the provisions of any instrument on any of such adopted persons dying without brothers or sisters him surviving, such other adopted person is not deemed a brother or sister so as to defeat the rights of remaindermen; and provided further that the provisions of this sentence shall not apply in any way to a person adopted by a husband or wife where such person is the natural child of the other spouse.

Personal property law, § 12, subd. 2 amended.

§ 8. Subdivision two of section twelve of chapter forty-five of the laws of nineteen hundred nine entitled "An act relating to personal property constituting chapter forty-one of the consolidated laws" is hereby amended to read as follows:

[16] Following paragraph new.

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2. The supreme court shall have control over gifts, grants and bequests in all cases provided for by subdivision one of this section, and, whenever it shall appear to the court that circumstances have so changed since the execution of an instrument containing a gift, grant or bequest to religious, educational, charitable or benevolent uses as to render impracticable or impossible a literal compliance with the terms of such instrument, the court may, upon the application of the trustee or of the person or corporation having the custody of the property, and upon such notice as the court shall direct, make an order directing that such gift, grant or bequest shall be administered or expended in such manner as in the judgment of the court will most effectually accomplish the general purpose of the instrument, without regard to and free from any specific restriction, limitation or direction contained therein; provided, however, that no such order shall be made without the consent of the donor or grantor of the property, if he be living. [17]The surrogate's court of the county wherein the will is probated shall have jurisdiction concurrent with that conferred herein upon the supreme court, and in an appropriate proceeding may make a decree which shall direct that any such bequest in the will to religious, educational, charitable or benevolent uses shall be administered or expended in such manner as in the judgment of the surrogate will most effectually accomplish the general purposes of such bequest, without regard to and free from any specific restriction, limitation or direction contained in the will.

§ 9. Subdivision two of section one hundred and thirteen of chapter fifty-two of the laws of nineteen hundred nine entitled "An act relating to real property constituting chapter fifty of the consolidated laws" is hereby amended to read as follows:

Real property law, § 113, subd. 2 amended.

2. The supreme court shall have control over gifts, grants and devises in all cases provided for by subdivision one of this section, and, whenever it shall appear to the court that circumstances have so changed since the execution of an instrument containing a gift, grant or devise to religious, educational, charitable or benevolent uses as to render impracticable or impossible a literal compliance with the terms of such instrument, the court may, upon the application of the trustee or of the person or corporation having the custody of the property, and upon such notice as the court shall direct, make an order directing that such gift, grant or devise shall be administered or expended in such manner as in the judgment of the court will most effectually accomplish the general purpose of the instrument, without regard to and free from any specific restriction, limitation or direction contained therein; provided, however, that no such order shall be made without the consent of the donor or grantor of the property, if he be living. [17]The surrogate's court of the county wherein the will is probated shall have jurisdiction concurrent with that conferred herein upon the supreme court, and in an appropriate proceeding may make a decree which shall direct that any such devise in the will to reli-

[17] Following sentence new.

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gious, educational, charitable or benevolent uses shall be administered or expended in such manner as in the judgment of the surrogate will most effectually accomplish the general purposes of such devise, without regard to and free from any specific restriction, limitation or direction contained in the will.

Time of taking effect.

§ 10. This act shall take effect immediately; provided, however, that the provisions of sections two, three, four and seven of this act and the amendments made by section five of this act to various sections of the Surrogate's Court Act shall apply only to the estates or wills of persons dying after the date of the taking effect of this act, and the provisions of law affected by such sections in force prior to the taking effect of this act shall apply to the estates and wills of all persons dying prior to the date of the taking effect of this act, with the same force and effect as if they were not hereby amended.

CHAPTER 563

AN ACT to amend chapter five hundred and twenty-three of the laws of eighteen hundred ninety, entitled "An act in relation to the office of sheriff of the city and county of New York," in relation to providing for the appointment of additional deputy sheriffs in such office

Became a law April 21, 1931, 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:

§ 1 amended.

Section 1. Section one of chapter five hundred and twenty-three of the laws of eighteen hundred ninety, entitled "An act in relation to the office of sheriff of the city and county of New York," as last amended by chapter six hundred and eighty-eight of the laws of nineteen hundred twenty-seven, is hereby amended to read as follows:

§ 1. From and after the time when such section as hereby amended takes effect, the sheriff of the county of New York shall be allowed a salary at the rate of fifteen thousand dollars per year, which said salary shall be in full for all services and duties performed by the said sheriff in summoning jurors, transporting prisoners, certifing* the number of convictions for crime to the secretary of state, and for all other services performed by him either for the state of New York, or for the county of New York, and for all services and duties performed by the said sheriff for which certain fees are allowed as specified and set forth in section seventeen of this act and the various subdivisions thereof and in section fifteen hundred and fifty-eight of the civil practice act. The under-sheriff of the said county of New York shall be allowed a salary at the rate of seven thousand and five hundred dollars per year; and each deputy of said sheriff not exceeding

* So in original. [Word misspelled.]

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twenty-five[1] shall be allowed a salary of thirty-five hundred dollars per year; and each of these deputy sheriffs shall be allowed an assistant, to be appointed by the sheriff, who shall receive a salary of two thousand and five hundred dollars per year. And the duties of the said under-sheriff, deputy sheriffs and assistants shall be as prescribed by the sheriff. This provision shall not relate to such persons as the sheriff may from time to time appoint to perform particular acts. The said sheriff may appoint counsel who shall receive a salary of six thousand and five hundred dollars per annum. The sheriff may appoint an assistant counsel to the sheriff, who shall receive a salary of four thousand dollars per annum. The sheriff may appoint a chief clerk, who shall receive a salary of six thousand dollars per annum. From and after the first day of January, nineteen hundred eighteen, the official term of the sheriff of the county of New York shall be four years.

§ 2. The board of estimate and apportionment of the city of New York is hereby authorized to borrow on special revenue bonds or certificates of indebtedness the amount necessary to pay the additional salaries provided for in this act, until such time as the same may be provided for in the annual estimate and tax levy.

§ 3. This act shall take effect immediately.

CHAPTER 564

AN ACT to amend the Greater New York charter, in relation to the minimum age of retirement of members of the New York city employees' retirement system

Became a law April 21, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

Section 1. Subdivision three of section seventeen hundred and ten of the Greater New York charter, as revised and re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred one, and as amended by chapter four hundred and twenty-seven of the laws of nineteen hundred twenty and chapter sixty-nine of the laws of nineteen hundred twenty-three as added by chapter seven hundred and eighty-eight of the laws of nineteen hundred twenty-eight and as amended by chapter four hundred and forty-three of the laws of nineteen hundred twenty-nine and by chapter six hundred and fifty-six of the laws of nineteen hundred thirty, is hereby amended to read as follows: L. 1901, ch. 466, § 1710, subd. 3 amended.

(3) Notwithstanding the provisions of subdivision two of this section, any member may elect at any time on or before the thirtieth day of June, nineteen hundred thirty-one,[1] or thereafter any person becoming a member who was not previously a

[1] Formerly "twenty."
[1] Formerly "thirty."

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member or who during his last previous membership in the retirement system contributed on the basis of a minimum retirement age of fifty-five, may elect, prior to the certification of his rate of contribution, to contribute on the basis of a minimum retirement age of fifty-five by a written election duly executed and acknowledged and filed with the board of estimate and apportionment. The minimum age of retirement for such member so electing shall be fifty-five years, and all contributions and benefits payable by or on account of such member shall be computed on the basis of such minimum retirement age.

§ 2. This act shall take effect immediately.

CHAPTER 565

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the education department

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, are hereby made to the education department:

VOCATIONAL AND EXTENSION EDUCATION DIVISION—CRIPPLED CHILDREN

PERSONAL SERVICE

To permit the department to fill one vacant and one new position the item in chapter twenty-one, of the laws of nineteen hundred thirty-one, reading,	
Assistant, 2 at $3,000	6,000 00
is hereby made to read,	
Assistant, 2 at $4,000	8,000 00
The item in chapter twenty-one, of the laws of nineteen thirty-one, reading,	
Assistant	3,200 00
is hereby made to read,	
Assistant	3,000 00

FREDONIA STATE NORMAL SCHOOL

PERSONAL SERVICE

Assistant in department	2,200 00
Clerk	1,200 00

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OSWEGO STATE NORMAL SCHOOL

PERSONAL SERVICE

The item in chapter twenty-one, of the laws of nineteen hundred thirty-one, reading,

Laborer, 4 at $600 — $2,400.

is hereby made to read,

Laborer, $1,200, laborer, 2 at $600 — $1,200.

MOTION PICTURE DIVISION

PERSONAL SERVICE

Projectionist	3,600 00
Assistant projectionist	2,600 00
Clerk	1,500 00
Temporary service	500 00

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one of the laws of nineteen hundred thirty-one, reading,

Communication	1,300

is hereby made to read,

Communication	900 00

The item appearing in chapter twenty-one, of the laws of nineteen hundred thirty-one, reading,

Rent	5,500 00

is hereby repealed.

The item appearing in chapter twenty-one of the laws of nineteen hundred thirty-one, reading,

Repairs and alterations to buildings	200 00

is hereby made to read,

Repairs and alterations to buildings	100 00

The item appearing in chapter twenty-one, of the laws of nineteen hundred thirty-one, reading,

Contingencies	8,000 00

is hereby made to read,

Contingencies	700 00

§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the education department:

PERSONAL SERVICE

Temporary examiners	2,000 00

MAINTENANCE AND OPERATION

Communication (for liabilities incurred prior to June thirty, nineteen thirty-one) in addition to amount appropriated by chapter twenty-one, of the laws of nineteen hundred thirty-one, part II	3.000 00

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Fixed charges and contributions:
Expenses of district superintendents (for liabilities incurred prior to June thirty, nineteen hundred thirty-one) 633 99

STATE COLLEGE FOR TEACHERS, BUFFALO

MAINTENANCE AND OPERATION

Fuel, light, power and water..... 3,135 06
Communication 200 00

CORTLAND STATE NORMAL SCHOOL

MAINTENANCE AND OPERATION

Printing and advertising..... 24 75

MERCHANT MARINE ACADEMY

MAINTENANCE AND OPERATION

Fuel, light, power and water..... 2,000 00

MOTION PICTURE DIVISION

MAINTENANCE AND OPERATION

Equipment, supplies and materials:
For the purchase or rental and installation (sound equipment) 2 projection rooms, including detaching and moving present sound equipment now in use; for charge for servicing speaking equipment, for motion picture projectors, lamp houses and accessories for two booths..... 16,500 00

AGRICULTURAL EXPERIMENT STATION, GENEVA

MAINTENANCE AND OPERATION

Services and expenses for investigations:
Suppressing or controlling insect pests and diseases affecting small fruits in Chautauqua, Erie and Niagara counties (including the purchase of an automobile or an auto truck at not to exceed $700) 5,000 00

VETERINARY COLLEGE, CORNELL UNIVERSITY

MAINTENANCE AND OPERATION

* * * * * * * * * * *

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STATE COLLEGE OF FORESTRY, SYRACUSE

MAINTENANCE AND OPERATION

Repairs and alterations to buildings; repairs and replacement of building equipment..... 2,000 00

SCHOOL OF AGRICULTURE AND DOMESTIC SCIENCE, DELHI

MAINTENANCE AND OPERATION

* * * * * * * * * *

STATE INSTITUTE OF APPLIED AGRICULTURE ON LONG ISLAND, FARMINGDALE

MAINTENANCE AND OPERATION

Repairs and alterations to buildings; repairs and replacements of building equipment, for repairs to steam lines 5,000 00

SCHOOL OF AGRICULTURE, MORRISVILLE

MAINTENANCE AND OPERATION

Equipment, supplies and materials (additional heating unit) 900 00

* * * * * * * * * * *

§ 3. The following sums, or so much thereof as may be necessary, being the unexpended balances of former appropriations, are hereby reappropriated to the education department and made immediately available for the same purposes as the former appropriations:

EDUCATION DEPARTMENT

By chapter eighty-four of the laws of nineteen hundred twenty-nine, for:

Printing and advertising (re. $18,822.08).

§ 4. This act shall take effect immediately.

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LAWS OF NEW YORK.— By Authority

CHAPTER 566

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of correction

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, are hereby made to the department of correction:

PERSONAL SERVICE

Division of administration
Stenographer 1,500 00
* * * * * * * * * * * *

Division of probation
Chief clerk and hearing stenographer..... 2,200 00
The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,
Stenographer 1,560 00
to correct an error is hereby made to read,
Stenographer 1,600 00

ATTICA PRISON

PERSONAL SERVICE

Classification
The items in chapter twenty-one of the laws of nineteen hundred thirty-one, reading,
Psychiatrist 6,000 00
Stenographer 1,800 00
are hereby transferred to Auburn prison.

AUBURN PRISON

PERSONAL SERVICE

Administration
The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,
Principal keeper 4,250 00
to comply with the salary schedule as fixed by law, is hereby made to read,
Principal keeper 4,312 50
* * * * * * * * * * * *

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General supervision of prisoners

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Assistant principal keeper	3,250 00

to comply with the salary schedule as fixed by law, is hereby made to read,

Assistant principal keeper	3,275 00

Classification

The items in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Director of clinic	6,500 00
Assistant director	4,500 00
Psychologist	3,500 00
Stenographers, 2 at $1,800 each	3,600 00
Pathologist	3,500 00
Investigator	2,000 00

are hereby transferred to Attica prison.

CLINTON PRISON

PERSONAL SERVICE

Classification

The items appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Psychiatrist	6,000 00
Stenographer	1,800 00

are hereby transferred to the New York State Reformatory at Elmira.

NEW YORK STATE REFORMATORY FOR WOMEN, BEDFORD HILLS

Administration

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Superintendent	5,000 00

to comply with the salary schedule as fixed by law, is hereby made to read,

Superintendent	8,000 00

INSTITUTION FOR DEFECTIVE DELINQUENTS, NAPANOCH

PERSONAL SERVICE

Administration

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Superintendent	6,000 00

to comply with the salary schedule as fixed by law, is hereby made to read,

Superintendent	9,000 00

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CAPITAL FUNDS

PRISON CAPITAL FUND

AUBURN PRISON

PERSONAL SERVICE

* * * * * * * * * * * *

CLINTON PRISON

PERSONAL SERVICE

* * * * * * * * * * * *

GREAT MEADOW PRISON

PERSONAL SERVICE

* * * * * * * * * * * *

SING SING PRISON

PERSONAL SERVICE

* * * * * * * * * * * *

§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the department of correction:

DEPARTMENT OF CORRECTION

MAINTENANCE AND OPERATION

Maintenance undistributed

To reimburse the county of Cayuga, pursuant to section six hundred and six of the correction law, for expenses of trial of convicts committing crimes in prison..... 20,821 97

To reimburse the county of Westchester, pursuant to section six hundred and six of the correction law, for expenses of trial of convicts committing crimes in prison..... 11,061 14

CORRECTIONAL INSTITUTIONS

MAINTENANCE AND OPERATION

Fixed charges and contributions

Board of prisoners in penitentiaries..... 45,909 17

CLINTON PRISON

MAINTENANCE AND OPERATION

Farm and garden

For the purchase of livestock to replace cattle destroyed because of tuberculosis..... 4,000 00

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GREAT MEADOW PRISON

MAINTENANCE AND OPERATION

For repairs and alterations to buildings, repairs and replacement of building equipment, in addition to the amount appropriated by chapter eighty-five of the laws of nineteen hundred thirty..... 2,000 00

SING SING PRISON

MAINTENANCE AND OPERATION

Traveling expenses (of which $1,000 may be used for traveling outside of the state)..... 1,000 00

MATTEAWAN STATE HOSPITAL

MAINTENANCE AND OPERATION

For repairs and alterations to buildings, repairs and replacement of building equipment (for liabilities incurred prior to June thirtieth, nineteen hundred thirty-one) additional 2,500 00

§ 3. The following sums, or so much thereof as may be necessary, being the unexpended balances of former appropriations are hereby reappropriated to the department of correction and made immediately available for the same purposes as the former appropriations:

DEPARTMENT OF CORRECTION

By chapter eighty-four of the laws of nineteen hundred twenty-nine, for:

Penitentiaries, re. $21,045 40

§ 4. This act shall take effect immediately.

CHAPTER 567

AN ACT making additional appropriations to the department of public works for highway and parkway construction

Became a law April 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. The following appropriations are hereby made to the department of public works:

* * * * * * * * * * *

To reimburse the Long Island railroad for the cost of elevating the railroad over the four-a spur,

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known as the Wantagh spur, and for construction on such spur between the Merrick road and the Sunrise highway 330,000 00

For beginning construction of Grand Central parkway in the county of Queens beginning at or near Queens boulevard, passing through Hillside Park, Alley Park and the land dedicated to the city of New York by the state at Creedmoor state hospital and connecting with the Northern state parkway at the city line, on rights of way to be dedicated by the city of New York for boulevard or parkway purposes, and upon plans and specifications to be prepared by the superintendent of public works, subject to approval by the board of estimate and apportionment of the city of New York and by the Long Island state park commission. Upon the completion of construction on such artery and the acceptance of the work thereon by the superintendent of public works, jurisdiction and control thereof shall vest in such city 1,000,000 00

§ 2. The money hereby appropriated shall be paid by the department of taxation and finance on the audit of the comptroller in accordance with the provision of law.

§ 3. This act shall take effect immediately.

CHAPTER 568

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of social welfare

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first nineteen hundred thirty-one, are hereby made to the department of social welfare:

DIVISION OF OLD AGE SECURITY

PERSONAL SERVICE

The item reading,

Stenographer, 3 at $1,200 ..... 3,600 00

is hereby made to read,

Stenographer, 2 at $1,200 ..... 2,400 00

and 1 stenographer at $1,200 is hereby transferred to the subdivision New York office.

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The item reading,
Clerk 1,350 00
is hereby made to read,
Statistical clerk 1,350 00
The item reading,
Audit clerk 1,500 00
is hereby made to read,
Clerk 1,500 00
To correct an error, the item reading,
District supervisor 3,250 00
is hereby made to read,
District supervisor 3,600 00
The item reading,
Field agent, 4 at $2,250 ..... 9,000 00
is hereby made to read,
Field agent, 3 at $2,250..... 6,750 00
and there is hereby transferred to the New York
office 1 Field agent at..... 2,250 00
New York office.
The item reading,
Clerk 1,500 00
is hereby made to read,
Statistical clerk 1,500 00
The item reading,
Field agent, 2 at $2,500 ..... 5,000 00
is hereby made to read,
Field agent 2,500 00
and there is hereby transferred to the Buffalo
office, Field agent 2,500 00
* * * * * * * * * * *
The item reading,
Field agent, 3 at $2,250 ..... 6,750 00
is hereby made to read,
Field agent 2,250 00
and there is hereby transferred to the New York
office Field agent, 2 at $2,250 ..... 4,500 00

§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the department of social welfare:

DEPARTMENT OF SOCIAL WELFARE

MAINTENANCE AND OPERATION

Equipment, supplies and materials 3,000 00
Traveling expenses,
Office and employees 5,000 00
State alien and non-resident poor 5,000 00
Communication (for liabilities incurred prior to
June thirtieth, nineteen hundred thirty-one) 2,500 00

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Fixed charges and contributions,
Maintenance of state and Indian poor in almshouses and outdoor relief to Indian poor, additional 20,000 00

§ 3. This act shall take effect immediately.

CHAPTER 569

AN ACT to amend the code of criminal procedure, in relation to the trial of indictments for crimes punishable with death in Jefferson county

Became a law April 22, 1931, 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:

§ 39, subd. 2 amended.

Section 1. Subdivision two of section thirty-nine of the code of criminal procedure is hereby amended to read as follows:

2. To try and determine indictments found therein or sent thereto by the supreme court or by a city court in the county for crimes not punishable with death; and the county courts of Albany, Onondaga, Oswego, Rensselaer, Orange, Ulster, Kings, Queens, Bronx, Nassau, Suffolk, Erie, Sullivan, Richmond, Jefferson[1] and Monroe counties shall also have jurisdiction to try and determine all such indictments including those for crimes punishable with death.

In effect Sept. 1, 1931.

§ 2. This act shall take effect September first, nineteen hundred thirty-one.

CHAPTER 570

AN ACT to authorize and direct the supervisors of the town of Hempstead, Nassau county, to pay to the village of Freeport, Nassau county, certain moneys collected or to be collected in such village on account of the highway taxes of such town and authorizing the borrowing of money and levying of taxes for payment of the same

Became a law April 22, 1931, 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:

Payment over of certain moneys authorized.

Section 1. The supervisors of the town of Hempstead, Nassau county, are hereby authorized and directed to pay to the treasurer of the village of Freeport, Nassau county, the amount of taxes levied against property within the village of Freeport aforesaid by the board of supervisors of the county of Nassau, for the second half of the nineteen hundred thirty tax which became a lien on July first, nineteen hundred thirty, on account of the road or highway fund of such town, notwithstanding the fact that subse-

[1] Word "Jefferson" new.

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quent to the completion, filing and delivery of the assessment-roll of such town, the territory affected by such taxes was annexed to the village of Freeport on or about June twenty-eighth, nineteen hundred thirty, and said money became applicable only to the working and repairing of the highways of the town of Hempstead outside the village of Freeport. Such money shall be payable when the same shall have been collected by the receiver of taxes of such town and shall have been paid to the supervisors thereof. Such money when received by said treasurer shall be applied to the street fund of such village. If sufficient town funds are not available for the payment of any such moneys to such village, the town board of the town of Hempstead may borrow the same by temporary certificates of indebtedness, to be levied and collected in the next annual tax levy in the same manner as other town charges are levied and collected.

Time payable.

Certificates of indebtedness authorized.

§ 2. This act shall take effect immediately.

CHAPTER 571

AN ACT to amend chapter five hundred and thirty-five of the laws of nineteen hundred twenty-four, entitled "An act to re-establish union free school district number twenty-eight of the town of Hempstead, county of Nassau, state of New York, generally

Became a law April 22, 1931, 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 one of chapter five hundred and thirty-five of the laws of nineteen hundred twenty-four, entitled "An act to re-establish union free school district number twenty-eight of the town of Hempstead, county of Nassau, state of New York," is hereby amended to read as follows:

L. 1924, ch. 535, § 1 amended.

§ 1. **Union free school district re-established.** Union free school district number twenty-eight of the town of Hempstead, county of Nassau is hereby re-established and restored, with all its former powers, rights, duties and liabilities, and [1]all the land lying in the island of Long Beach, town of Hempstead, county of Nassau, east of a line parallel with and nineteen and one-half feet west of the easterly side of Nevada avenue (as shown on a map entitled "Map number two, west end, Long Beach, Long Island, New York," filed as map number five hundred and thirty-six in the office of the clerk of the county of Nassau on November thirteenth, nineteen hundred twenty-three) shall constitute said union free

[1] Remainder of section substituted for words "such union free school district number twenty-eight of the town of Hempstead, county of Nassau, shall have the same boundaries as it had prior to the time the same was abolished by chapter six hundred and thirty-five of the laws of nineteen hundred and twenty-two."

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school district number twenty-eight of the town of Hempstead, county of Nassau.

§ 6 amended.

§ 2. Section six of such chapter is hereby amended to read as follows:

§ 6. **Annual meeting.** The annual meeting of such union free school district number twenty-eight of the town of Hempstead shall be held on the first Tuesday in [2]May of each year. [3]The annual election of such union free school district number twenty-eight of the town of Hempstead shall be held on the day following the annual meeting. All proceedings at such meeting and election[4] shall be conducted pursuant to the education law.

§ 3. This act shall take effect immediately.

CHAPTER 572

AN ACT to reincorporate The Jewish Center, a domestic corporation heretofore organized under the religious corporations law

Became a law April 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Corporators.

Section 1. Otto A. Rosalsky, Gustavus A. Rogers, Morris Asinof, Samuel Bayer, Samuel Brimberg, William Fischman, Joseph Golding, Samuel H. Golding, Albert Herskovits, Marks Hurowitz, Samuel Kamlet, Arthur M. Lamport, Abraham Landan, Nathan Sadowsky, Reuben Sadowsky, Julius Schwartz, Israel Shapero, Meyer Vesell, Joseph H. Cohen, Rabbi Leo Jung, together with such persons who, at the time this act shall go into effect are members of The Jewish Center as it now exists, and their successors, are hereby constituted a body corporate by the name of The Jewish Center.

Corporate name.

Corporate powers and purposes.

§ 2. The corporation hereby formed shall have the following purposes and powers: To maintain and keep alive The Jewish Center heretofore established and maintained by The Jewish Center, a religious corporation formed under the religious corporations laws; to maintain a synagogue for divine worship and religious observances according to the tenets and precepts of the Jewish faith; to conduct classes for secular instruction in the religious doctrine and traditions of Judaism; to encourage social services; to cultivate social intercourse as a means of fostering American culture, and Jewish sentiment and support; and to provide facilities for social gatherings including the giving of banquets; the carrying on in the traditional Orthodox Jewish manner of religious

[2] Remainder of sentence substituted for words "August, nineteen hundred and twenty-four and each year thereafter."

[3] Following sentence new.

[4] Words "and election" new.

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and traditional Jewish observances, functions and ceremonies; to provide facilities for the observance, in a Jewish manner, of the requirements of Jewish law and custom in the celebration of weddings, confirmations, funerals, circumcisions and other ceremonies of the Jewish faith. The corporation hereby formed shall have power: to take and hold, by bequest, demise, gift, contribution, purchase, exchange, lease or by judicial order or decree, either absolutely or in trust, for its purposes, any property, real or personal, without limitation as to the amount or value, except such limitation, if any, as the legislature shall hereafter specifically impose; to transfer and convey such property; to invest and reinvest the principal and income thereof in such manner as the trustees may deem wise and without limitation to those securities which by law are or may be authorized as trust investments; to deal with and expend the principal and/or income of the corporation in such manner as in the judgment of the trustees will best achieve its purposes, or any of them and likewise to mortgage or lease its real estate or personal property by a majority vote of the duly elected trustees. The corporation shall have the power to carry on any of its purposes in any part of the state of New York and elsewhere throughout the United States. The corporation shall possess all the powers which by the general corporation law are conferred upon corporations; it also shall have all the powers and be subject to all the restrictions which can or hereafter may pertain by law to membership and religious corporations insofar as the same are applicable thereto and are not inconsistent with the provisions of this act. Powers.

§ 3. The duration of this corporation shall be perpetual. Duration.

§ 4. The observances and the religious form of the worship and celebration of all Jewish ceremonies, religious, educational, social or otherwise, shall be in accordance with the Jewish orthodox faith, and in the event of a dispute as to the proper or authentic form of observance or ritual, the rules and precepts of orthodoxy as contained in the Shulchan Aruch and the Ramoh shall be conclusive and binding on all persons concerned. That such adherence to the strict rules and precepts of the Jewish orthodox faith shall not be departed from until and unless ninety-five per centum of the membership qualified to vote shall vote for such change, but only after at least a three-fourths vote of the duly elected trustees shall have approved such change. Form of religious worship.

§ 5. The corporation shall be managed by a board of trustees of not less than nine in number, nor more than twenty-one and the persons constituting the membership of The Jewish Center at the date of the enactment of this act, shall, within ninety days after this act has become a law, hold a meeting and then and there shall fix the number and classes of trustees to manage and govern the corporation; that one-third of the number of trustees elected at said first meeting shall serve for a term of one year, and the trustees constituting such class shall be designated by the members at the first meeting; that one-third of the Board of trustees. Organization.

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trustees so designated at said first meeting shall serve for a one-year term; one-third for a two-year term, and the trustees to so serve for said time, shall be designated by the members at said first meeting; and one-third of the trustees elected at the said first meeting shall serve for a term of three years, such trustees to be designated by the members at the said first meeting. That at the expiration of each term of each class of trustees, the remaining trustees shall elect a one-third number of trustees, to serve for the three years, and thereafter, so that the trustees shall elect the successors of each class as the term of each expires, except that members of the board of trustees who shall die or resign, or whose term shall end for any reason before its fixed expiration, shall be replaced in accordance with the provisions of the constitution and by-laws provided for in section six of this act.

Constitution, by-laws.

§ 6. The board of trustees, after it has been elected according to section five of this act, shall provide a constitution and by-laws not inconsistent with the provisions of this act, nor with the constitution of this state and such constitution and by-laws shall be voted on at a meeting at which a majority of the members shall be present, or a majority vote of the members shall by writing, confirm and adopt the said constitution and by-laws; such constitution shall prescribe: the qualification of members and officers and the manner of their election; the number of members who shall constitute a quorum for the transaction of business at the corporation meetings; the manner of amending the constitution and by-laws, the manner in which vacancies among the trustees and officers, occurring by death, resignation, increase in number, or in any other manner shall be filled; also such other provisions for the management and disposition of the property of the corporation or for the regulation of its affairs which may be deemed necessary.

Quorum.

Not for pecuniary profit.

§ 7. The corporation shall not be maintained or conducted for pecuniary benefit or profit of its members. No officer, trustee or member thereof, shall receive, or be entitled to receive, any pecuniary profit or benefit from the operation thereof, except only compensation for services rendered in behalf of the corporation for the purposes herein established and then only by two-thirds vote of the duly elected trustees.

§ 8. This act shall take effect immediately.

CHAPTER 573

AN ACT to amend the legislative law, in relation to the exercise of certain statutory powers of the temporary president of the senate and speaker of the assembly, during vacancies in either or both of such offices

Became a law April 22, 1931, 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:

§ 33 added to art. 2.

Section 1. Chapter thirty-seven of the laws of nineteen hundred nine, entitled "An act in relation to legislation, constituting

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chapter thirty-two of the consolidated laws," is hereby amended by inserting at the end of article two a new section, to be section thirty-three, to read as follows:

§ 33. **Exercise of certain statutory powers during a vacancy in office of the temporary president of the senate and speaker of the assembly.** A statutory power of the temporary president of the senate or speaker of the assembly, jointly or singly to approve vouchers, to direct the expenditure of moneys appropriated for a legislative purpose, to appoint or fix the compensation of legislative employees, to appoint a member or members of a legislative committee of investigation or other special legislative committee, or of a temporary commission lawfully constituted, or to act ex officio as a member of such a committee or commission, may be exercised during a vacancy or vacancies in such office or offices, between final adjournment of the annual session of the legislature and the ensuing first day of January, by the chairman of the finance committee of the senate, acting in the place and stead of the temporary president of the senate, if such vacancy be in that office, and by the chairman of the ways and means committee of the assembly, in the place and stead of the speaker of the assembly, if such vacancy be in that office.

In case of the disability of the chairman of such a committee, or of a vacancy in such chairmanship, if the occasion arises for the exercise by the chairman of the powers conferred by this section, a majority of the members of the committee, by certificate in triplicate filed with the respective clerks of the senate and assembly and with the comptroller, may designate one of the members of the committee to exercise such powers.

§ 2. This act shall take effect immediately.

CHAPTER 574

AN ACT to provide for extending the boundaries of the city of Middletown by annexing a part of the towns of Wallkill and Wawayanda, Orange county, to provide for the government of the annexed territory, the making of a survey and map of said territory and the apportionment and payment of any town and school bonded indebtedness and unpaid taxes

Became a law April 22, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

Section 1. Subject to the provisions of section seven of this act and without a referendum vote as provided by section eight of article twelve of the constitution, there being no people of the territory proposed to be annexed, all that part of the towns of Wallkill and Wawayanda included within the following boundaries shall form a part of the city of Middletown: Description of land to form part of city.

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ALL THAT TRACT OR PARCEL OF LAND, situate in the town of Wallkill and the town of Wawayanda, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point, said point being the intersection of the easterly line of the Middletown-Goshen State road and the northerly line of lands of Emil E. Rassch, thence along said state road N 3° 21′ W. 108.5 ft; thence N 2° 07′ E 97 ft; thence N 7° 02′ E 125 ft.; thence 10° 35′ E 97 ft; thence N 19° 56′ E 175 ft; thence N 34° E 183.2 ft; thence N 46° 51′ E 500 ft; thence N 42° 51′ E 200.4 ft; thence N 40° 08′ E 112 ft; thence N 37° 51′ E 270.4 ft to a point in the easterly line of said state road and the southerly line of lands of Elroy Giveans, thence along said Giveans line S 87° 33′ E 2093.8 ft; thence S 30° W 863.9 ft; thence S 72° W 600.6 ft; thence S 54° 30′ W 425.7 ft; thence S 35° W 297 ft; thence N 88° W 283.8 ft; thence S 2° W 49.5 ft; thence N 88° W 1215 ft to the point of beginning and also a strip of land 15 feet in width the center line of which is described by the following courses and distances—beginning in the southerly line of Elroy Giveans and in the northerly line of the above described tract, said point being S 87° 33′ E 881.3 ft from the intersection of the easterly line of the Middletown-Goshen state road and the southerly line of said Giveans thence N 48° 15′ E 429 ft; thence N 16° 15′ E 637 ft to the southerly boundary of the city of Middletown.

The combined area of both tracts being 67 acres more or less.

To constitute fourth ward.

§ 2. The territory described in the preceding section, when annexed to the city of Middletown, shall constitute a part of the fourth ward of such city, and all laws applicable to the city of Middletown not inconsistent herewith shall apply to such territory.

Unpaid taxes.

All unpaid taxes heretofore levied against such annexed territory and existing at the time this act takes effect shall be due and payable and collected in all respects in the same manner and with the same force and effect as though this law had not been enacted.

Bonded indebtedness of school district.

§ 3. Any bonded indebtedness of the school district in which said annexed territory is located, including principal and interest, which exists at the time this act takes effect shall be a charge upon and be paid by the city of Middletown as the same shall become due and payable in proportion to the whole bonded indebtedness of such school district which the assessed valuation of the portion annexed bears to the assessed valuation of the whole school district shown by the last assessment roll of such school district.

Bonded indebtedness of Wallkill.

§ 4. Any bonded indebtedness of the town of Wallkill, including principal and interest, which exists when this act takes effect shall be a charge upon and shall be paid by the city of Middletown to the supervisor of such town as the same shall become due and payable in proportion to the whole bonded indebtedness of such town which the assessed valuation of the portion annexed bears to the whole assessed valuation of such town as shown by the last assessment roll of the town of Wallkill.

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§ 5. Any bonded indebtedness of the town of Wawayanda, including principal and interest, which exists when this act takes effect shall be a charge upon and shall be paid by the city of Middletown to the supervisor of such town as the same shall become due and payable in proportion to the whole bonded indebtedness of such town which the assessed valuation of the portion annexed bears to the whole assessed valuation of such town as shown by the last assessment roll of the town of Wawayanda. Bonded indebtedness of Wawayanda.

§ 6. Within a reasonable time after such annexation, the city of Middletown shall cause a survey to be made of the annexed territory, the boundaries of the same to be marked with monuments and a map of the city, including the territory annexed, to be made and filed in the Orange county clerk's office. Survey.

§ 7. Notwithstanding the foregoing provisions of this act, the territory described in section one of this act shall not become annexed to the city of Middletown, nor shall any of the foregoing provisions become operative, unless and until the consent of the city of Middletown, by its mayor or acting mayor and common council, be obtained in the manner provided by law for the passage of local ordinances to be given or denied by such city authority on or before the last Tuesday in May, nineteen hundred thirty-one. Consent of city.

§ 8. The territory hereby annexed to the city of Middletown shall cease to be a part of the town of Wallkill and the town of Wawayanda or of the school district in which such territory is now located. The town of Wallkill and the town of Wawayanda, excluding the portions thereof hereby annexed, shall remain separate and distinct towns. The remainder of the school district not annexed by the provisions of this act shall remain a separate and distinct school district. Status of portions annexed and remaining.

§ 9. This act shall take effect immediately.

CHAPTER 575

AN ACT to repeal subdivision eight of section one hundred and fifty-four of the New York city municipal court code, relating to the limitation of the right to appeal in certain cases

Became a law April 22, 1931, 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. Subdivision eight of section one hundred and fifty-four of chapter two hundred and seventy-nine of the laws of nineteen hundred fifteen, entitled "An act in relation to the municipal court of the city of New York, and repealing certain statutes affecting such court, its justices and officers," as added by chapter six hundred and thirty-four of the laws of nineteen hun- L. 1915, ch. 279, § 154, subd. 8 repealed.

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dred twenty-three and so renumbered by chapter six hundred and thirty-seven of the laws of nineteen hundred twenty-five, is hereby repealed.

In effect Sept. 1, 1931.

§ 2. This act shall take effect September first, nineteen hundred thirty-one.

CHAPTER 576

AN ACT to amend the New York city municipal court code, in relation to the service of summons, warrant and inventory in actions in which a warrant of attachment has been granted

Became a law April 22, 1931, 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:

L. 1915, ch. 279, § 48 amended.

Section 1. Section forty-eight of chapter two hundred and seventy-nine of the laws of nineteen hundred fifteen, entitled "An act in relation to the municipal court of the city of New York, and repealing certain statutes affecting such court, its justices and officers," is hereby amended to read as follows:

§ 48. **Service of summons, warrant and inventory.** Immediately upon making the inventory the marshal must serve the summons, if it has not yet been served, together with the warrant of attachment and inventory, upon the defendant by delivering to him personally a copy of each, if he can with reasonable diligence be found within the city, or, if he cannot be so found, by leaving a copy of each, certified by the marshal, at the last place of residence of the defendant in the city, with a person of suitable age and discretion, or, if such person cannot be found there, by posting them on the outer door, and also depositing another copy of each in the post office, inclosed in a sealed post-paid wrapper, directed to the defendant at his residence; or, if the defendant has no place of residence in the city, by delivering a true copy of the summons, warrant and inventory,[1] to the person in whose possession the property attached is found,[2] and by sending another copy of each by registered mail, addressed to the defendant at his last known address. If personal service of the summons upon the defendant has previously been made, the marshal must serve the warrant and inventory as herein provided.

In effect Sept. 1, 1931.

§ 2. This act shall take effect September first, nineteen hundred thirty-one.

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[1] Words "a true copy of the summons, warrant and inventory," substituted for word "them."

[2] Remainder of sentence new.

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CHAPTER 577

AN ACT authorizing the commissioners for the improvement of the navigation of the Oswegatchie river to quit-claim to the county of Saint Lawrence for highway purposes certain lands at the outlet of Cranberry lake in the town of Clifton in said county

Became a law April 22, 1931, 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:

Execution of quit-claim deed authorized.

Section 1. The commissioners for improvement of the navigation of the Oswegatchie river are hereby authorized and directed to execute and deliver to the county of Saint Lawrence for the Star lake-Cranberry lake, federal aid highway number eight thousand two hundred and sixty-nine, route fifty, Saint Lawrence county, a quit-claim deed of all that piece or parcel of land situate, lying and being in the town of Clifton, county of Saint Lawrence and state of New York, being more particularly described as follows:

Description of lands.

Beginning at a point on the northerly boundary of the existing Star Lake-Cranberry Lake highway at the intersection of the said boundary with the division line between the lands of George Reynolds, reputed owner, on the west and the lands of New York state, reputed owner, on the east, said point being 18 feet, more or less, distant northwesterly, measured at right angles, from station S 1143+38± of the survey base line of the proposed Star Lake-Cranberry Lake, Federal Aid Highway No. 8269, Route No. 50, St. Lawrence County, thence northerly along said division line 14 feet, more or less, to a point 32 feet distant northwesterly, measured at right angles, from station S 1143+38± of said base line, thence N. 65° 34′ E. 557 feet, more or less, to a point 51 feet distant northwesterly measured at right angles, from station K 1150+00 of said base line, thence N. 66° 50′ E. 309 feet, more or less, to its intersection with the northerly boundary of said existing highway, the last mentioned point being 24 feet, more or less, distant northwesterly, measured at right angles, from station K 1153+00± of the said base line, thence westerly along the last mentioned boundary and assumed boundary of said existing highway 877 feet, more or less, to the point of beginning, being 0.64 acres more or less.

The above mentioned survey base line is a portion of the survey base line for the said proposed Star Lake-Cranberry Lake, Federal Aid Highway No. 8269, Route No. 50, St. Lawrence County, as shown on a map on file in the office of the Clerk of St. Lawrence County.

Consideration.

In consideration of the sum of one thousand dollars which said commissioners are authorized to accept as compensation for damages sustained by said commissioners by reason of the taking of said lands for highway purposes and the removal of buildings thereon, and to expend said sum of one thousand dollars pursuant

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to the provisions of chapter five hundred and five of the laws of eighteen hundred sixty-five, as amended, and said county is hereby authorized to pay said sum of one thousand dollars therefor and to accept the conveyance for the purpose set forth herein.

§ 2. This act shall take effect immediately.

CHAPTER 578

AN ACT to incorporate Saint Bernard's Seminary and College

Became a law April 22, 1931, 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:

Corporators.

Section 1. Right Reverend John Francis O'Hern, bishop of the Roman Catholic diocese of Rochester, Right Reverend William M. Hart, vicar general of the Roman Catholic diocese of Rochester, Right Reverend Monsignor Andrew B. Meehan, Right Reverend George V. Burns, Right Reverend Monsignor Michael J. Nolan, chancellor of the Roman Catholic diocese of Rochester, Reverend James B. Keenan, Reverend J. Emil Gefell, Reverend Thomas F. Connors, and Reverend Francis Luddy, all of Rochester, New York, and their successors duly chosen and appointed as hereinafter provided are hereby constituted a body corporate under the name of St. Bernard's Seminary and College. Said corporation shall have perpetual succession, and said Right Reverend John Francis O'Hern, bishop of the Roman Catholic diocese of Rochester, Right Reverend Monsignor William M. Hart, vicar general of the Roman Catholic diocese of Rochester, Right Reverend Monsignor Andrew B. Meehan, Right Reverend George V. Burns, Right Reverend Monsignor Michael J. Nolan, chancellor of the Roman Catholic diocese of Rochester, Reverend James B. Keenan, Reverend J. Emil Gefell, Reverend Thomas F. Connors, and Reverend Francis Luddy, all of Rochester, New York, are hereby constituted the board of trustees thereof. The bishop and the vicar general of the Roman Catholic diocese of Rochester and their successors in office shall by virtue of their offices always be trustees of the said corporation. In case of a vacancy in the said board of trustees by death, resignation or otherwise, the survivors or remainder of said trustees shall fill such vacancy, subject to the approval of the bishop of the Roman Catholic diocese of Rochester and his successor in office.

Corporate name; duration. Board of trustees.

Vacancies.

Officers.

§ 2. The bishop of the Roman Catholic diocese of Rochester shall by virtue of his office be the president of said corporation, and said board of trustees shall select from their number a vice-president, a secretary and treasurer and a majority of said trustees shall constitute a quorum for the transaction of business.

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No act or proceeding of the trustees of said corporation shall be valid without the sanction of the bishop of the Roman Catholic diocese of Rochester in writing, or in case of his absence or inability to act, without the sanction in writing of the administrator of the Roman Catholic diocese of Rochester.

Corporate objects.

§ 3. The objects of the corporation shall be to provide for the higher education of young men in literature, history, science, the liberal and fine arts, philosophy, and theology, and kindred subjects, and to maintain all such departments of knowledge, conducive to these ends; to maintain a department for the instruction and preparation of young men in the science and art of teaching; to maintain a school of education; to conduct instruction in secondary education in academic and classical courses; to conduct a junior college; to conduct a college or university for higher education; to teach such branches of learning, science and knowledge as the trustees deem advisable; to confer literary, scientific and professional degrees, and in testimony thereof award certificates and diplomas.

Corporate powers.

§ 4. Said corporation shall have all the powers and authority conferred on educational corporations incorporated under the University of the State of New York, and shall have all the powers incident and necessary to carry out and perform the foregoing objects of the corporation, and may take, acquire and hold real or personal property or both by purchase, gift, grant, bequest or devise, or otherwise. Except as to property rights conferred by this act said corporation shall be subject to the provisions of the education law controlling institutions of a similar nature incorporated by the regents of the university.

Sale or lease of property.

§ 5. Said corporation shall not sell, mortgage or lease any of its real property unless such sale, mortgage or lease is authorized by the bishop of the Roman Catholic diocese of Rochester, or in case of his inability to act, by the administrator of the Roman Catholic diocese of Rochester, and unless the same is also authorized by a vote of two-thirds of the board of trustees of the corporation at a meeting called for that purpose. In case such sale, mortgage or lease is so authorized by the said bishop, or in case of his inability to act by the said administrator, and by a vote of two-thirds of said trustees, the said trustees shall petition the supreme court of the state of New York for leave to sell, mortgage or lease its said real property, and no such sale, mortgage or lease of real property shall be valid excepting upon an order of a justice of the supreme court of the state of New York approving the same. In case of dissolution, said corporation shall be dissolved in a manner similar to religious corporations under the jurisdiction and control of the Roman Catholic faith.

Conveyance of corporate property.

§ 6. Said corporation with the consent of the court may convey its real and personal property, or both, with the consent of the bishop of the Roman Catholic diocese of Rochester, or in case of his inability to act, with the consent of said administrator, and the concurring vote of two-thirds of the board of trustees thereof,

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with or without consideration to another corporation created for the same or kindred purposes or to a religious corporation of the Roman Catholic faith.

§ 7. This act shall take effect immediately.

CHAPTER 579

AN ACT authorizing the payment of tuition of the children on the Tonawanda Indian reservation at the Akron public schools and their transportation to and from such school or schools

Became a law April 22, 1931, 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. The commissioner of education is hereby authorized to set aside from the appropriation for the support of common schools pursuant to chapter twenty-one of the laws of nineteen hundred thirty-one the sum of six thousand dollars ($6,000.00), or so much thereof as may be necessary, for the payment of tuition of the children on the Tonawanda Indian reservation at the Akron public schools and their transportation to and from such school or schools. The money hereby appropriated shall be paid from the state treasury on the certificate of the commissioner of education, after audit by and on the warrant of the comptroller.

§ 2. This act shall take effect immediately.

CHAPTER 580

AN ACT to revive, continue and extend the corporate existence of West Canada Lumber Company, from and after the fourth day of August, nineteen hundred twenty-eight

Became a law April 22, 1931, 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:

Corporate existence revived.

Section 1. Upon the filing of the certificate specified in section two of this act, in the department of state, within sixty days after this act takes effect, and payment of the fifty dollar fee to the secretary of state prescribed by section two hundred and three-a of the tax law, the corporate existence of West Canada Lumber Company, a corporation created pursuant to the laws of the state of New York, by a certificate duly filed and recorded in the department of state, on the fourth day of August, nineteen hundred three, shall be deemed to be revived, reinstated, extended and continued perpetually, and the said West Canada Lumber

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Company shall thereupon be deemed to be a valid corporation with the same force and effect as the same existed on the fourth day of August, nineteen hundred twenty-eight, and it shall have such corporate powers, rights, duties, and obligations as it then had, and all acts and proceedings of such corporation subsequent thereto shall be valid and legal, and the acts of the directors of such corporation, since the fourth day of August, nineteen hundred twenty-eight, and until the filing of said certificate, are hereby legalized, ratified and confirmed, and the duration of such corporation shall be perpetual. Acts legalized.

§ 2. The said corporation, within sixty days after this act takes effect, shall file in the department of state a certificate, over the signature of one of its officers, setting forth: Certificate to be filed; contents.

1. The name of the corporation;
2. Its post-office address;
3. The date on which its certificate of incorporation was filed in the department of state;
4. The name of the county in which the duplicate certificate of incorporation or the certified copy thereof was filed, and the date of such filing;
5. That its existence is revived, extended and continued perpetually pursuant to the act, citing the same by chapter number, and year of passage. Such certificate shall be acknowleged by the officer executing it, in the same manner as a deed to be recorded in this state;
6. Such certificate shall have endorsed thereon and attached thereto a certificate of the state tax commission to the effect that all franchise taxes, penalties, and interest charges have been paid to the date of such certificate.

§ 3. The secretary of state shall make proper notation of such revival, reinstatement, extension, and continuance on the records of the department of state, and shall forward notice thereof to the county clerk in whose office the duplicate certificate of incorporation or certified copy thereof is filed. Such county clerk shall make proper notation on the records of his office. Notation on records.

§ 4. Nothing in this act contained shall affect any action or proceeding pending at the time this act takes effect. Pending actions.

§ 5. This act shall take effect immediately.

CHAPTER 581

AN ACT making an appropriation for the payment of indemnities for tubercular bovine animals killed under the provisions of the agriculture and markets law

Became a law April 22, 1931, 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. The sum of one million dollars ($1,000,000), or so much thereof as may be necessary therefor, is hereby appropri-

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ated to the department of agriculture and markets for payment of indemnities on account of tubercular bovine animals killed pursuant to condemnation or order heretofore or hereafter made, provided, however, that of the amount hereby appropriated not more than five hundred and three thousand nine hundred and forty dollars and eighty-two cents ($503,940.82) shall be available for payment of such indemnities on account of animals killed prior to January first, nineteen hundred thirty-one. Such moneys shall be payable in the manner provided in section eighty-seven of the agriculture and markets law.

§ 2. This act shall take effect immediately.

CHAPTER 582

AN ACT making an appropriation for construction of a cafeteria, bathing facilities and a comfort station at Montauk Point and Hither Hills state parks

Became a law April 22, 1931, 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. The sum of thirty-five thousand dollars ($35,000.00) is hereby appropriated to the Long Island state park commission for the construction of a cafeteria, bathing facilities and a comfort station at Montauk Point and Hither Hills state parks.

§ 2. This act shall take effect immediately.

CHAPTER 583

AN ACT making an additional appropriation for boundary fencing to the New York State Training School for Girls, Hudson

Became a law April 22, 1931, 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. In addition to the amount appropriated by chapter twenty-one of the laws of nineteen hundred thirty-one to the New York State Training School for Girls at Hudson for boundary fencing, the sum of thirteen thousand dollars ($13,000.00) is hereby appropriated.

§ 2. This act shall take effect immediately.

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CHAPTER 584

AN ACT making an appropriation for the purchase of equipment for the new practice school at State Normal School at New Paltz, Ulster county

Became a law April 22, 1931, 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. The sum of forty-two thousand five hundred dollars ($42,500), or so much thereof as may be necessary, is hereby appropriated to the education department from any moneys in the state treasury not otherwise appropriated, for the purchase of equipment for the new practice school at the State Normal School at New Paltz, Ulster county. Such equipment shall be purchased subject to the provisions of article seven of the state finance law, and such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved as provided by law.

§ 2. This act shall take effect immediately.

CHAPTER 585

AN ACT making an appropriation for materials and supplies for the construction of a garage at Clinton prison

Became a law April 22, 1931, 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. The sum of five thousand dollars ($5,000) is hereby appropriated for the purchase of materials and supplies to be used in the construction by inmate labor of a garage at Clinton prison.

§ 2. The money hereby appropriated shall be paid out by the department of taxation and finance on audit of the comptroller in accordance with the provisions of law.

§ 3. This act shall take effect immediately.

CHAPTER 586

AN ACT making an appropriation for completing the practice school at the state normal school at New Paltz, Ulster county, including heating plant

Became a law April 22, 1931, 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. In addition to the amount appropriated by chapter eighty-two, laws of nineteen hundred thirty, the sum of one hun-

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dred and thirty-five thousand dollars ($135,000), or so much thereof as may be necessary, is hereby appropriated from any moneys in the state treasury not otherwise appropriated, for completing the construction of the practice school at the state normal school at New Paltz, Ulster county, including heating plant and heating system with necessary appliances.

§ 2. The moneys hereby appropriated shall be expended by and under the direction of the state department of education and paid on its order on the audit and warrant of the comptroller, subject to the provisions of the law applying to the construction of such building and heating system.

§ 3. This act shall take effect immediately.

CHAPTER 587

AN ACT making an appropriation to the department of social welfare for old age relief, in addition to the appropriation made by chapter twenty-one of the laws of nineteen hundred thirty-one

Became a law April 22, 1931, 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. The following appropriations are hereby made to the department of social welfare, division of old age security, in addition to the appropriations made in part two of chapter twenty-one of the laws of nineteen hundred thirty-one:

Fixed charges and contributions

Old age relief..... $1,650,000

Administration—one-half of local administrative cost 163,500

§ 2. The money hereby appropriated shall be paid by the department of taxation and finance on the audit of the comptroller in accordance with the provision of law.

§ 3. This act shall take effect immediately.

CHAPTER 588

AN ACT in relation to an agreement between the state and the village of Newark relating to sewage of the Newark State School, and making an appropriation therefor

Became a law April 22, 1931, 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:

Contract with village relative to sewage authorized.

Section 1. The commissioner of mental hygiene is authorized on behalf of the state to enter into a contract with the village of Newark which shall provide that in consideration of the immediate withdrawal by the village of Newark of its objections to a sewer

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connecting contract which the state proposes to make at the Newark State School and its objections to the reception of the sewage of that institution and any of its buildings into the sewers of the village of Newark the state shall pay to the village of Newark the sum of thirty-six thousand dollars whenever, within two years after the passage of this act, the village board shall by resolution, as provided by law, or the qualified electors of the village of Newark shall, at a regular or a special village election held or called in the manner provided in the village law, vote to authorize to bond the village for a sum not less than one hundred thousand dollars for the purpose of constructing or reconstructing a sewage disposal plant, or enlarging or remodeling the present plant, including necessary sewer connections thereto.

Consideration.

The agreement shall specify that in consideration of the payment of thirty-six thousand dollars the village of Newark shall take and receive into its sewer system the sewage of the Newark State School by whatsoever name and with whatsoever activities it may have for a period of fifteen years from the date of the agreement so long as the inmate population remains under three thousand. If the inmate population exceeds three thousand the contract term shall then cease and determine. The agreement shall provide, however, that at the expiration of twelve years the state and the village shall attempt to reach an agreement under the terms of which the village shall continue to receive the sewage of the Newark State School for disposal on the basis of a just proportion of the cost of annual maintenance of the village sewage disposal plant and of the payment of a sum of money for enlargement if by the growth of the Newark State School the sewage plant is no longer able to accommodate the sewage including that of the Newark State School. The sewage agreement entered into pursuant to this act shall operate to supersede and abrogate the sewage contract entered into between the state and the village in the year nineteen hundred thirteen from and after the time at which the obligation of the state to pay such sum of thirty-six thousand dollars pursuant to such new agreement accrues. The agreement shall further provide that the state may connect its sewers with such village sewer capable, as may be determined by village authorities, of receiving and accommodating the sewage so delivered.

Future attempt to reach agreement.

Former sewage contract abrogated.

§ 2. The sum of thirty-six thousand dollars ($36,000) is hereby appropriated for the purposes of this act.

Appropriation.

§ 3. This act shall take effect immediately.

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CHAPTER 589

AN ACT in relation to an appropriation made by chapter twenty-one of the laws of nineteen hundred thirty-one for the College of Agriculture at Cornell University

Became a law April 22, 1931, 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. The items for the College of Agriculture at Cornell University contained in part one of chapter twenty-one of the laws of nineteen hundred thirty-one, under the heading "education department" and reading:

Extension service	
Professor	4,250 00
Professor, 8 at $4,000	32,000 00

are hereby amended to read:

Extension service	
Professor, 2 at $4,250	8,500 00
Professor, 7 at $4,000	28,000 00

§ 2. This act shall take effect immediately.

CHAPTER 590

AN ACT in relation to the expediting of construction of school buildings in the state, and making an appropriation therefor

Became a law April 22, 1931, 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. It appearing that many school districts in this state have appropriated moneys for the construction and alteration of school buildings and that plans and specifications for such buildings have been filed with the state commissioner of education for approval as required by statute, and that owing to the inadequate facilities and lack of a sufficient personnel for the approval of sites and examination of plans the construction of many of these buildings has been and is delayed, thereby adding to unemployment and inflicting hardship upon many school children due to overcrowded conditions, the sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby appropriated to the education department out of any moneys in the state treasury not otherwise appropriated, for the purpose of expediting the construction and alteration of school buildings in the state. The board of regents, on the recommendation of the commissioner of education, shall employ competent persons for such purpose, and

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is hereby authorized to incur the necessary expenses in connection therewith within the limits of this appropriation. The moneys so appropriated shall be immediately available and shall be paid out of the state treasury on the certificate of the commissioner of education, after audit by and on the warrant of the comptroller. This appropriation shall not lapse July first, nineteen hundred thirty-one, but any balance on such date shall be available during the ensuing fiscal year for the purposes herein specified.

§ 2. This act shall take effect immediately.

CHAPTER 591

AN ACT in relation to a new state armory at Jamestown, and making an appropriation for the preparation of plans, specifications and estimates therefor

Became a law April 22, 1931, 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. There shall be a new state armory in the city of Jamestown when monies shall be available by appropriation for its construction. Plans, specifications and estimates shall be prepared for such new armory, and the sum of two thousand dollars ($2,000), is hereby appropriated for that purpose. They shall be prepared by the department of public works, to conform to such armory requirements as the adjutant-general may prescribe. The monies hereby appropriated shall be payable from the state treasury to the order of the department of public works, on the audit and warrant of the comptroller and vouchers certified or approved as provided by law.

§ 2. This act shall take effect immediately.

CHAPTER 592

AN ACT making an appropriation for the preparation of plans and specifications for a new armory at Corning

Became a law April 22, 1931, 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. The sum of two thousand dollars ($2,000), or so much thereof as may be needed, is hereby appropriated, from any money in the treasury not otherwise appropriated, to pay the expenses incurred in the preparation of plans and specifications,

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by the division of architecture in the department of public works, for a new armory at Corning. The money hereby appropriated shall be paid from the treasury on the audit and warrant of the comptroller upon vouchers approved by the adjutant-general.

§ 2. This act shall take effect immediately.

CHAPTER 593

AN ACT making an appropriation to pay Kenneth E. Bailey for coal delivered to Schuyler mansion

Became a law April 22, 1931, 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. The sum of sixty-four dollars ($64), or so much thereof as may be needed, is hereby appropriated from any money in the treasury not otherwise appropriated, to pay Kenneth E. Bailey for five tons of coal delivered to Schuyler mansion. The money hereby appropriated shall be paid from the treasury on the audit and warrant of the comptroller upon vouchers approved by the conservation department.

§ 2. This act shall take effect immediately.

CHAPTER 594

AN ACT making an appropriation to pay George J. Zepf for work performed and materials furnished in making repairs to Fort Cralo

Became a law April 22, 1931, 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. The sum of one hundred and thirty-three dollars and seventy-eight cents ($133.78), or so much thereof as may be needed, is hereby appropriated from any money in the treasury not otherwise appropriated to pay George J. Zepf for work performed and materials furnished for repairs at Fort Cralo. The money hereby appropriated shall be paid from the treasury on the audit and warrant of the comptroller upon vouchers approved by the conservation department.

§ 2. This act shall take effect immediately.

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CHAPTER 595

AN ACT making an appropriation for the purpose of paying for services rendered by Alexander Lloyd, deceased, as a photographer

Became a law April 22, 1931, 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. The sum of four hundred and eighty-nine dollars ($489), or so much thereof as may be necessary is hereby appropriated from any funds of the treasury not otherwise appropriated for the purpose of paying to Mary H. Lloyd as executrix of the estate of Alexander Lloyd, deceased, the amount due her for services rendered by the said Alexander Lloyd as a photographer at the special instance and request of the barge canal survey commission. The money hereby appropriated shall be paid from the treasury on the audit and warrant of the comptroller.

§ 2. This act shall take effect immediately.

CHAPTER 596

AN ACT making an appropriation to reimburse Onondaga county for moneys expended for county nurses

Became a law April 22, 1931, 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. The sum of four thousand seven hundred and twenty-nine dollars and fifty-seven cents ($4,729.57), or so much thereof as may be needed, is hereby appropriated, from any money in the treasury not otherwise appropriated, to reimburse the county of Onondaga for money expended, by virtue of and in conformity with the provisions of article two-b of the public health law, for the employment of county nurses for the improvement of and necessary to the public health, which money hereby appropriated represents the difference between the amount fixed by the public health law as the share of the state in aid of such public enterprise and activity and the amount paid by the state therefor since November first, nineteen hundred twenty-eight.

§ 2. This act shall take effect immediately.

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CHAPTER 597

AN ACT to amend the judiciary law, in relation to the clerk of the appellate division of the supreme court in the second judicial department, and making an appropriation therefor

Became a law April 22, 1931, 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:

§ 271, subd. 2 amended.

Section 1. Subdivision two of section two hundred and seventy-one of chapter thirty-five of the laws of nineteen hundred nine, entitled "An act in relation to the administration of justice, constituting chapter thirty of the consolidated laws," as last amended by chapter six hundred and fourteen of the laws of nineteen hundred twenty-nine, is hereby amended to read as follows:

2. The salary of the clerk of the appellate division in the second judicial department shall be fixed by the justices of the said appellate division or a majority of them,[1] to be paid quarterly by the department of taxation and finance out of the public treasury of the state.

Appropriation.

§ 2. The sum of three thousand dollars ($3,000), or so much thereof as may be necessary, is hereby appropriated, in addition to the appropriations made for the salary of the clerk of the said appellate division for the fiscal years ending June thirtieth, nineteen hundred thirty-one, and June thirtieth, nineteen hundred thirty-two, to pay additional compensation to said clerk.

§ 3. This act shall take effect immediately.

CHAPTER 598

AN ACT making an appropriation for a study, survey and report on a lake shore boulevard through the county of Wayne

Became a law April 22, 1931, 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:

Appropriation for survey.

Section 1. The sum of fifteen thousand dollars ($15,000) for a fact finding study, survey and report to be made by or under the supervision of the department of public works to determine the location and cost of a boulevard along and near the shore of Lake Ontario from Sea Breeze in the county of Monroe through the county of Wayne to the Fairhaven state park and to present the important factors and considerations involved in the construction of such a boulevard. The study, survey and report shall take

[1] Words "at an amount not to exceed seven thousand dollars per annum," omitted.

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into consideration the alternate possibilities of carrying such a boulevard across Sodus bay and around the bay. It shall also take into consideration the relationship of such project to the plans of the Wayne county park commission, the Monroe county regional planning board and the boards of supervisors of Wayne and Monroe counties.

§ 2. The moneys hereby appropriated shall be paid from the treasury on the audit and warrant of the comptroller on vouchers therefor approved by the superintendent of public works. Audit.

§ 3. This act shall take effect immediately.

CHAPTER 599

AN ACT providing for the erection of a state armory at Peekskill, and making an appropriation therefor

Became a law April 22, 1931, 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. The sum of three hundred and fifteen thousand dollars ($315,000), or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the construction of a state armory at Peekskill, payable from the state treasury on the audit and warrant of the comptroller on vouchers approved by the adjutant-general. The adjutant-general is hereby directed to employ the services of an associate architect to prepare the necessary plans and specifications for the construction of such armory, if such services can be secured at a cost not to exceed five per centum of the amount hereby appropriated for the construction of such armory and to pay for such services out of the amount hereby appropriated for such armory. Appropriation for construction of armory.

§ 2. The adjutant-general is hereby authorized and empowered to execute the necessary contracts in behalf of the people of the state of New York for the construction of such armory. The acquisition and preparation of a site and the construction of such armory shall be as provided by the military law. No part of the appropriation made by this act for construction shall be expended for personal service, provided, however, that this provision shall not apply to personal service employed by contractors. Execution of contracts; site; not for personal service.

§ 3. This act shall take effect immediately.

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CHAPTER 600

AN ACT making a reappropriation for construction and reconstruction of bridges and approaches

Became a law April 22, 1931, 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. The sum of two thousand forty-nine dollars and eighty-nine cents ($2,049.89) being the balance of the amount appropriated by chapter eighty-four of the laws of nineteen hundred twenty-nine, is hereby appropriated to the division of highways for construction, reconstruction of bridges and approaches.

§ 2. This act shall take effect immediately.

CHAPTER 601

AN ACT repealing an item for the Saint Lawrence State Hospital in chapter twenty-one of the laws of nineteen hundred thirty-one

Became a law April 22, 1931, 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. The item of appropriation for the Saint Lawrence State Hospital appearing in chapter twenty-one of the laws of nineteen hundred thirty-one reading "Fire escapes, $5,000" is hereby repealed.

§ 2. This act shall take effect immediately.

CHAPTER 602

AN ACT to amend chapter eighty-two of the laws of nineteen hundred thirty, relative to appropriation for agricultural experiment station, Geneva

Became a law April 22, 1931, 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:

§ 6 amended.

Section 1. Section six of chapter eighty-two of the laws of nineteen hundred thirty, entitled "An act authorizing the creation of a state debt and making appropriations for the construction of certain state buildings," is hereby amended to read as follows:

Appropriation for agricultural station.

§ 6. The sum of two hundred and eighty-five thousand dollars ($285,000) is hereby appropriated from the proceeds of the sale of bonds hereby authorized for the construction of an horticultural building and necessary alterations to the heating plant in the existing biological and dairy building to provide for heating the

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proposed horticultural building[1] at New York state agricultural experiment station, Geneva. Subject to the provisions of this act such building shall be constructed in accordance with plans and specifications prepared by the department of public works and approved by Cornell university, and the contract or contracts shall be let and executed by Cornell university as the representative of the education department and payments shall be made pursuant to the provisions of the public buildings law. Before any such contract or contracts are let all plans and specifications made or to be made shall be subject to the approval of the education department and of Cornell university and all payments pursuant to such contract or contracts, before payment, shall have indorsed thereon the approval of Cornell university and the education department. The moneys hereby appropriated shall be paid out of the state treasury on the audit and warrant of the comptroller on the certificate of the commissioner of education.

Approval of plans.

§ 2. This act shall take effect immediately.

CHAPTER 603

AN ACT making an appropriation for grading of grounds at new buildings at the State College for Teachers, Buffalo

Became a law April 22, 1931, 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. The sum of thirteen thousand dollars ($13,000.00) is hereby appropriated for grading of grounds at new buildings at the State College for Teachers, Buffalo, including walks, roads, landscaping and other items incidental thereto.

§ 2. This act shall take effect immediately

CHAPTER 604

AN ACT to amend chapter six hundred and fifteen of the laws of nineteen hundred twenty-eight, entitled "An act creating a temporary state commission to co-operate with the federal government in the celebration of the two hundredth anniversary of the birth of George Washington, and making an appropriation to pay the expenses of the commission," in relation to the powers and duties of such commission, and making an appropriation therefor

Became a law April 22, 1931, 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 one of chapter six hundred and fifteen of the laws of nineteen hundred twenty-eight, entitled "An act

§ 1 amended.

[1] Words "and necessary alterations to the heating plant in the existing biological and dairy building to provide for heating the proposed horticultural building" new.

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creating a temporary state commission to co-operate with the federal government in the celebration of the two hundredth anniversary of the birth of George Washington, and making an appropriation to pay the expenses of the commission," is hereby amended to read as follows:

Commission continued.

§ 1. The[1] temporary state commission heretofore[2] created under this act[3] to co-operate with the federal government in the celebration of the two hundredth anniversary of the birth of George Washington[4] is hereby continued to and including December thirty-first, nineteen hundred thirty-two, with the following additional objects, and duties:

Duties of commission.

Such commission shall promote the adoption of and aid in carrying out a state-wide program, during the years nineteen hundred thirty-one and nineteen hundred thirty-two, for the following purposes: to emphasize and promote the ideals of Washington; to stimulate public interest in the historical events of his time connected with the birth of the nation; to promote an understanding of the meaning and results of the great world movement known as the American revolution; to encourage the people of the state to continue to advance along the lines of civic betterment, individual responsibility and human progress which were begun by that revolution, and to instill a feeling of pride in the important part played by the colony and state of New York in securing American independence. Such program shall provide for the participation therein, in some form, of the governor, the legislature, the judiciary, and other public officers, state and local and the military; the churches, the public and private schools, other institutions of learning, libraries and museums, the press and the various civic and state and local bar associations, historical, patriotic and fraternal bodies and organizations. In so far as the program affects the public schools, it shall be subject to the approval of the department of education.

Appropriation by municipalities.

The various municipalities may appropriate and expend such moneys for local expenses in carrying out such program as the state comptroller may determine is reasonable, the maximum amount for any municipality, to be fixed by him, before expenditure, on application of the commission.

Receipt of gifts authorized.

The commission is hereby authorized to receive gifts of money and personal property and apply the same, together with moneys appropriated, in carrying out any of the provisions of this act.

Commission to represent state.

It shall be the duty of the commission to represent the state of New York at Yorktown, Virginia, at the celebration to be held thereat in the year nineteen hundred thirty-one, of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis; and, also the celebration or celebrations in the year nineteen hundred thirty-two to be held in Virginia, in the national capital, or elsewhere, under the direction and by the co-operation of the thirteen original states or their authorized representatives. For such purpose the commission shall aid in

[1] Formerly "A."
[2] Word "heretofore" substituted for words "is hereby."
[3] Words "under this act" new.
[4] Remainder of section new.

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formulating and co-operating with authorities of the federal government and of other states in carrying out the necessary programs, and may defray, in whole or in part, the expenses of military and public officers and citizens of the state attending and taking part in any such celebration by the written designation of the commission, from moneys available for carrying out the provisions of this act.

Moneys available on audit and warrant.

Any moneys appropriated or to be appropriated for employees and expenses of such commission or for carrying out the provisions of this act, shall be available for all the purposes of this act, as hereby amended, and shall be payable from the state treasury upon the audit and warrant of the comptroller on vouchers approved by the chairman or vice-chairman of the commission.

Appropriation.

§ 2. The sum of forty thousand dollars ($40,000) of which not to exceed five thousand five hundred dollars ($5,500) shall be available for the payment of indebtedness including interest, contracted prior to the taking effect of this act, is hereby appropriated for the expenses of the commission, including personal service and travel outside the state in carrying out the state's program for the year nineteen hundred thirty-one. Such moneys shall be payable upon the audit and warrant of the comptroller on vouchers approved by the chairman or the vice-chairman of the commission, in the manner provided by law.

§ 3. This act shall take effect immediately.

CHAPTER 605

AN ACT making an appropriation for additional land at Attica prison

Became a law April 22, 1931, 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. The sum of twenty-five thousand dollars ($25,000) is hereby appropriated to the department of correction for additional land at Attica prison.

§ 2. This act shall take effect immediately.

CHAPTER 606

AN ACT making an appropriation for new dry dock, lock twenty-eight-a

Became a law April 22, 1931, 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. The sum of twenty thousand dollars ($20,000) is hereby appropriated to the department of public works for a new dry dock, lock twenty-eight-a, including bottoms and ways.

§ 2. This act shall take effect immediately.

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CHAPTER 607

AN ACT making an appropriation for equipment for new assembly hall at Craig Colony, Sonyea

Became a law April 22, 1931, 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. The sum of eight thousand dollars ($8,000) is hereby appropriated to the department of mental hygiene for equipment of new assembly hall.

§ 2. This act shall take effect immediately.

CHAPTER 608

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of taxation and finance

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, are hereby made to the department of taxation and finance:

DEPARTMENT OF TAXATION AND FINANCE

DIVISION OF TAXATION

PERSONAL SERVICE

Special services,

Services of surrogates, in addition to the amount appropriated by chapter twenty-one, laws of nineteen hundred thirty-one..... 3,200 00

§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the department of taxation and finance:

MAINTENANCE AND OPERATION

To reimburse checking account to the amount of protested checks 1,000 00

To reimburse Mrs. Emma J. Robb for taxes paid by her May 13, 1926, and January 20, 1927, on certain

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land in Greene county, assessed to the estate of John W. Robb, which land, at the time of said payments, was owned by the state..... 114 49

§ 3. The following sums are hereby reappropriated and made immediately available:

DEPARTMENT OF TAXATION AND FINANCE

By chapter eighty-four of the laws of nineteen hundred twenty-nine, for:

Printing and advertising (re. $6,000.00)

Printing and advertising reports and bulletins (re. $5,438.54)

§ 4. This act shall take effect immediately.

CHAPTER 609

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of state

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the department of state:

MAINTENANCE AND OPERATION

Printing and advertising (for liabilities incurred prior to June thirtieth, nineteen hundred thirty-one)..... 91 80

Printing and advertising

Session laws, slips and local laws..... 16,200 00

To reimburse Charles F. Noyes Company, Incorporated, for excess taxes paid on July thirteenth, nineteen hundred twenty-nine, in connection with the increase of capital stock..... 500 00

§ 2. This act shall take effect immediately.

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CHAPTER 610

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of health

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, are hereby made to the department of health:

DEPARTMENT OF HEALTH

DEPARTMENT OF LABORATORIES AND RESEARCH

PERSONAL SERVICE

The item in chapter twenty-one of the laws of nineteen hundred thirty-one reading,

Secretary to director	2,500 00

is hereby made to read,

Secretary to director	3,000 00

and the item reading,

Secretary	3,000 00

is hereby made to read,

Secretary	2,500 00

§ 2. The following appropriation for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, is hereby made to the department of health:

DEPARTMENT OF HEALTH

STATE INSTITUTE FOR THE STUDY OF MALIGNANT DISEASES

PERSONAL SERVICE

Nurse, 2 at $1,500, 3 months	750 00

§ 3. This act shall take effect immediately.

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CHAPTER 611

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of mental hygiene

Became a law April 22, 1931, 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. The item in chapter twenty-one of the laws of nineteen hundred thirty-one under the heading of the Hudson River State Hospital—Maintenance and Operation, reading, "General administration, including the purchase or exchange of 2 motor trucks at not to exceed $2,700—25,600," is hereby made to read, "General administration, including the purchase or exchange of 2 motor trucks and 1 auto bus at not to exceed $3,900—25,600."

§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the department of mental hygiene: Appropriation.

DEPARTMENT OF MENTAL HYGIENE

MAINTENANCE AND OPERATION

For transfer of patients from one hospital to another to relieve overcrowding and for the return to other states and countries of non-resident and alien insane, mental defectives, epileptics and defective delinquents	8,000 00

BUFFALO STATE HOSPITAL

MAINTENANCE AND OPERATION

Traveling expenses (for liabilities incurred prior to June 30, 1931)	1,000 00

HUDSON RIVER STATE HOSPITAL

MAINTENANCE AND OPERATION

Special repairs, repairs to power-house	10,000 00

ROCHESTER STATE HOSPITAL

MAINTENANCE AND OPERATION

Fuel, light, power and water (for liabilities incurred prior to June 30, 1931)	7,000 00

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SYRACUSE PSYCHOPATHIC HOSPITAL

MAINTENANCE AND OPERATION

Office expenses (for liabilities incurred prior to June 30, 1931) 400 00

Reappropriation.

§ 3. The following sums or so much thereof as may be necessary, being the unexpended balances of former appropriations, are hereby reappropriated to the department of mental hygiene and made immediately available for the same purposes as the former appropriations:

STATE INSTITUTIONS BUILDINGS FUND

BINGHAMTON STATE HOSPITAL

By chapter eighty-four of the laws of nineteen hundred twenty-nine, for:

Employees' accommodations (re. $.10).

CENTRAL ISLIP STATE HOSPITAL

By chapter five hundred and twenty of the laws of nineteen hundred twenty-seven and chapter eighty-four of the laws of nineteen hundred twenty-nine, for:

Patient accommodations to replace frame buildings in north colony (re. $.90).

§ 4. This act shall take effect immediately.

CHAPTER 612

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the insurance department

Became a law April 22, 1931, 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. The following appropriation for the support of government to be available for obligations incurred prior to June thirty, nineteen hundred thirty-one, is hereby made to the insurance department:

INSURANCE DEPARTMENT

MAINTENANCE AND OPERATION

Fuel, light, power and water..... $70 64

§ 2. This act shall take effect immediately.

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CHAPTER 613

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of law

Became a law April 22, 1931, 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. The following appropriation for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, is hereby made to the department of law:

DEPARTMENT OF LAW

PERSONAL SERVICE

Assistant attorney-general (assigned to the corporation tax bureau of the department of taxation and finance)	8,500 00

§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the department of law:

DEPARTMENT OF LAW

PERSONAL SERVICE

Assistant attorney-general, February 1, 1931 to June 30, 1931, 5 months at $8,500 per annum	3,541 66

MAINTENANCE AND OPERATION

Printing and advertising	
General	3,500 00
Equipment, supplies and materials	
To equip the New York and Buffalo offices in the new state buildings	11,000 00
The item in part II of chapter twenty-one of the laws of nineteen hundred thirty-one, reading "For the purchase or exchange of an automobile, 3,200" is hereby made to read, "For the purchase or exchange of automobiles, 3,200."	
Communication	1,500 00
Contingencies	
Agricultural counsel (for liabilities incurred prior to June thirtieth, nineteen hundred thirty-one).	8,300 00

§ 3. This act shall take effect immediately.

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CHAPTER 614

AN ACT making an appropriation for the purchase of equipment for the department of public works

Became a law April 22, 1931, 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. The sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary, is hereby appropriated, from any money in the treasury not otherwise appropriated, for the purchase of steel equipment for the storage of registered bond books and bond paper in the custody of the state comptroller.

§ 2. This act shall take effect immediately.

CHAPTER 615

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the education department

Became a law April 22, 1931, 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. The following appropriations for the support of government, to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the education department:

MOTION PICTURE DIVISION

MAINTENANCE AND OPERATION

Maintenance undistributed:

For the projection of films, including personal service $500 00

§ 2. This act shall take effect immediately.

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CHAPTER 616

AN ACT making an appropriation for the encouragement of exhibits by the New York state granges at the state fair

Became a law April 22, 1931, 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. The sum of five thousand dollars ($5,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated from any moneys in the state treasury not otherwise appropriated, to encourage exhibits by the New York state granges at the state fair. Such moneys shall be paid out of the state treasury on the audit and warrant of the comptroller, on vouchers approved therefor by the commissioner of agriculture and markets.

§ 2. This act shall take effect immediately.

CHAPTER 617

AN ACT making an appropriation for additions and alterations to the heating plant at State Normal School at Geneseo, Livingston county

Became a law April 22, 1931, 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. The sum of forty thousand dollars ($40,000), or so much thereof as may be necessary, is hereby appropriated to the education department from any moneys in the state treasury not otherwise appropriated, for making additions and alterations to the heating plant, including the equipment thereof and necessary service connections, at the State Normal School at Geneseo, Livingston county. Appropriation.

§ 2. The moneys hereby appropriated shall be expended by and under the direction of the state department of education and paid on its order on the audit and warrant of the comptroller, subject to the provisions of the law applying to the construction of such additions and alterations. Audit.

§ 3. This act shall take effect immediately.

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CHAPTER 618

AN ACT making an appropriation for the development of a comprehensive park and parkway plan and report for the third park region

Became a law April 22, 1931, 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:

Appropriation.

Section 1. The sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby appropriated from any moneys in the state treasury, not otherwise appropriated, for the development of a comprehensive park and parkway plan and report for the third park region.

Approval by state council of parks.

§ 2. The moneys hereby appropriated shall be expended by the Genesee state park commission under plans approved by the state council of parks and the conservation commissioner for the purposes of this act.

Audit.

§ 3. The moneys hereby appropriated shall be paid out of the treasury on the audit and warrant of the comptroller on vouchers therefor approved by the chairman of the Genesee state park commission.

§ 4. This act shall take effect immediately.

CHAPTER 619

AN ACT making an appropriation for the purchase of equipment for the horticultural building at the New York state agricultural experiment station at Geneva, Ontario county

Became a law April 22, 1931, 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. The sum of sixty-five thousand dollars ($65,000.00), or so much thereof as may be necessary, is hereby appropriated from any moneys in the state treasury not otherwise appropriated, for the purchase of equipment for the horticultural building at the New York state agricultural experiment station at Geneva, Ontario county. Such equipment shall be purchased by the trustees of Cornell university as the representative of the education department, and such moneys shall be payable on the audit and warrant of the comptroller on certificates of the trustees of Cornell university approved by the education department.

§ 2. This act shall take effect immediately.

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CHAPTER 620

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the executive department

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, are hereby made to the executive department.

EXECUTIVE CHAMBER

PERSONAL SERVICE

The item in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Clerk 1,500 00

is hereby made to read

Clerk 2,000 00

§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one are hereby made to the executive department.

MAINTENANCE AND OPERATION

Printing

Public papers of governors, including preparation of same, including liabilities incurred prior to June thirtieth, nineteen hundred thirty-one.... 15,000 00

§ 3. This act shall take effect immediately.

CHAPTER 621

AN ACT making an appropriation to the Saratoga Springs commission for the development of the Saratoga Springs reservation

Became a law April 22, 1931, 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. The following sums are hereby appropriated to the Saratoga Springs commission, created by chapter eight hundred and sixty-six of the laws of nineteen hundred thirty, for the Appropriation.

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development of the Saratoga Springs reservation as a state health resort, in addition to the amount appropriated by said chapter:

Drink hall, arcades, gardens, et cetera	$900,000 00
Remodeling Washington baths	100,000 00

Audit. § 2. The amounts hereby appropriated shall be paid out of the state treasury on the audit and warrant of the comptroller on vouchers approved by the chairman of the commission.

§ 3. This act shall take effect immediately.

CHAPTER 622

AN ACT making an additional appropriation for personal service in the division of parole in the executive department

Became a law April 22, 1931, 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. The sum of two thousand four hundred dollars ($2,400), or so much thereof as may be necessary, is hereby appropriated from any money in the state treasury not otherwise appropriated, for the salary of two stenographers in the division of parole in the executive department. The moneys hereby appropriated shall be in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, shall be payable from the state treasury in the same manner as other personal services are paid by such department, and shall be available for the year beginning July first, nineteen hundred thirty-one.

§ 2. This act shall take effect immediately.

CHAPTER 623

AN ACT making an appropriation for personal service, maintenance and operation in the banking department for additional, extra and special examiners

Became a law April 22, 1931, 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:

Appropriation. Section 1. The sum of one hundred and fifty thousand dollars ($150,000), is hereby appropriated, from any moneys in the state treasury not otherwise appropriated, for personal service and maintenance and operation in the banking department for additional, extra and special examiners.

Audit. § 2. Such moneys shall be paid by the division of finance, department of taxation and finance, pursuant to the requirements of the state finance law on the audit and warrant of the comptroller on the certificate of the superintendent of banks.

§ 3. This act shall take effect immediately.

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CHAPTER 624

AN ACT making an appropriation for the expenses of the temporary commission to recommend a revision of the tax laws, created by chapter seven hundred and twenty-six of the laws of nineteen hundred thirty, and continued by chapter twelve of the laws of nineteen hundred thirty-one

Became a law April 22, 1931, 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. The sum of twenty thousand dollars ($20,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated for the expenses of the commission to recommend a revision of the tax laws, created by chapter seven hundred and twenty-six of the laws of nineteen hundred thirty and continued by chapter twelve of the laws of nineteen hundred thirty-one; the moneys hereby appropriated to be available for such commission in addition to any other moneys made available for it by reappropriation. The moneys hereby appropriated shall be paid out of the state treasury on the certificate of the chairman of such commission, after audit by and on the warrant of the comptroller.

§ 2. This act shall take effect immediately.

CHAPTER 625

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of labor

Became a law April 22, 1931, 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. The following appropriation for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, is hereby made to the department of labor:

DEPARTMENT OF LABOR

DIVISION OF WORKMEN'S COMPENSATION

PERSONAL SERVICE

Bureau of hearing stenographers
New York
Hearing stenographer, 8 at $1,800..... 14,400 00

§ 2. The following appropriation for the support of government to be available for obligations incurred prior to June thirtieth,

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nineteen hundred thirty-one, is hereby made to the department of labor:

DEPARTMENT OF LABOR

DIVISION OF WORKMEN'S COMPENSATION

PERSONAL SERVICE

Bureau of hearing stenographers
New York
Hearing stenographer, 8 at $1,800, 3 months.... 3,600 00

§ 3. This act shall take effect immediately.

CHAPTER 626

AN ACT making an appropriation to the department of public works, in connection with the prevailing rate of wage claims in the court of claims

Became a law April 22, 1931, 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. For the purpose of investigating the prevailing rate of wage claims in the court of claims, the following appropriations effective July first, nineteen hundred thirty-one, are made to the department of public works:

PERSONAL SERVICE

Claim adjuster, not to exceed 7 at not to exceed $50 per week $16,000 00

MAINTENANCE AND OPERATION

For expenses of maintenance and operation..... 4,000 00

§ 2. This act shall take effect immediately.

CHAPTER 627

AN ACT providing for the erection of a state armory at New Rochelle, and making an appropriation therefor

Became a law April 22, 1931, 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:

Appropriation.

Section 1. The sum of two hundred thousand dollars ($200,000), or so much thereof as may be necessary, is hereby appropriated

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out of any money in the state treasury not otherwise appropriated, for the construction of a state armory at New Rochelle, payable from the state treasury on the audit and warrant of the comptroller on vouchers approved by the adjutant-general.

§ 2. The adjutant-general is hereby authorized and empowered to execute the necessary contracts in behalf of the people of the state of New York for the construction of such armory. The preparation of a site and the construction of such armory shall be as provided by the military law. No part of the appropriation made by this act for construction shall be expended for personal service, provided, however, that this provision shall not apply to personal service employed by contractors. Execution of contracts; site; not for personal service.

§ 3. This act shall take effect immediately.

CHAPTER 628

AN ACT to increase the number of guards at the New York State Reformatory, and making an appropriation therefor

Became a law April 22, 1931, 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 eighty-five, part one, of the laws of nineteen hundred thirty, providing for guards at the New York State Reformatory, and reading: L. 1930, ch. 85 amended.

PERSONAL SERVICE

Guard (67) 128,008 35

is hereby amended to read as follows:

Guard (87) 128,008 35

§ 2. Any additional amount required to pay salaries of guards at said institution during the fiscal year ending June thirtieth, nineteen hundred thirty-one, may be made up of the savings in any one or more of the subdivisions of personal service as appropriated to said institution by chapter eighty-five, part one, of the laws of nineteen hundred thirty. Additional amount required.

§ 3. In addition to the appropriation made by chapter twenty-one, part one, of the laws of nineteen hundred thirty-one, to said institution, for the fiscal year ending June thirtieth, nineteen hundred thirty-two, there is hereby appropriated the following: Additional appropriation.

PERSONAL SERVICE

Guard (20) 43,750 00

§ 4. This act shall take effect immediately.

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CHAPTER 629

AN ACT making an appropriation for improving Fulmer creek

Became a law April 22, 1931, 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. The sum of ten thousand dollars ($10,000) is hereby appropriated to the department of public works for improving Fulmer creek at Erie canal aqueduct.

§ 2. This act shall take effect immediately.

CHAPTER 630

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the conservation department

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, are hereby made to the conservation department:

CONSERVATION DEPARTMENT

PERSONAL SERVICE

Administration	
The item in chapter twenty-one, laws of nineteen hundred thirty-one, reading,	
Confidential agent, 4 at $2,650.....	10,600 00
is hereby made to read,	
Confidential agent, 2 at $2,650.....	5,300 00
Executive assistant	5,000 00
The item in chapter twenty-one, laws of nineteen hundred thirty-one, reading,	
Confidential agent	2,200 00
is hereby made to read,	
Stenographer	1,500 00
Division of lands and forests	
Field agent	4,000 00
Division of fish and game	
The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,	
Inspector, 11 at $2,600.....	28,600 00

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is hereby made to read,

Chief inspector	5,000 00
Inspector, 10 at $2,600	26,000 00

The caption reading, "Division of Saratoga Springs Reservation," is hereby made to read, "Saratoga Springs Commission."

DIVISION OF PARKS

PALISADES INTERSTATE PARK

Administration Headquarters, Bear Mountain

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials	7,700 00

is hereby made to read,

Equipment, supplies and materials, including the purchase of police uniforms	7,700 00

BEAR MOUNTAIN STATE PARK

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials	18,500 00

is hereby made to read,

Equipment, supplies and materials, including purchase of automobiles at not to exceed $1,700, motor trucks at not to exceed $3,000, including the purchase of police uniforms at not to exceed $2,100	18,500 00

HARRIMAN STATE PARK

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials	16,000 00

is hereby made to read,

Equipment, supplies and materials, including the purchase of police uniforms	16,000 00

HOOK MOUNTAIN STATE PARK

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials	6,350 00

is hereby made to read,

Equipment, supplies and materials, including the purchase of police uniforms	6,350 00

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BLAUVELT STATE PARK

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials.....	550 00

is hereby made to read,

Equipment, supplies and materials, including the purchase of police uniforms.....	550 00

STORM KING STATE PARK

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials.....	250 00

is hereby made to read,

Equipment, supplies and materials, including the purchase of police uniforms.....	250 00

TALLMAN MOUNTAIN STATE PARK

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials.....	740 00

is hereby made to read,

Equipment, supplies and materials, including the purchase of police uniforms.....	740 00

BROOKS LAKE STATE PARK

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials.....	350 00

is hereby made to read,

Equipment, supplies and materials, including the purchase of police uniforms	350 00

ROCKLAND LAKE STATE PARK

MAINTENANCE AND OPERATION

The item appearing in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials.....	60 00

is hereby made to read,

Equipment, supplies and materials, including the purchase of police uniforms	60 00

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§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the conservation department:

CONSERVATION DEPARTMENT

MAINTENANCE AND OPERATION

Equipment, supplies and materials (for liabilities incurred prior to June 30, 1930)	150 04
The item in chapter twenty-one, laws of nineteen hundred thirty-one, reading, "Equipment, supplies and materials, including the purchase or exchange of 10 automobiles at not to exceed $15,775 and the purchase or exchange of 9 trucks at not to exceed $9,600" is hereby made to read, "Equipment, supplies and materials, including the purchase or exchange of 12 automobiles at not to exceed $15,775 and the purchase or exchange of 9 trucks at not to exceed $9,600."	
Communication (for liabilities incurred prior to June 30, 1931)	6,000 00
Fixed charges and contributions	
General, including justices' fees and refunds (for liabilities incurred prior to June 30, 1931)	2,000 00
For repayment of temporary loans made by the state comptroller, pursuant to the provisions of section fifty-three of the conservation law for the suppression of forest fires	100,000 00
Maintenance undistributed	
Suppression of gypsy moth and other forest insects of the amount of $75,000 appropriated by chapter twenty-one, laws of nineteen hundred thirty-one, an additional $1,000 is hereby made available for the purchase or exchange of six automobiles.	
The caption reading "Conservation Department—Saratoga Springs Division" is hereby made to read "Saratoga Springs Commission."	

DIVISION OF PARKS

NIAGARA STATE RESERVATION

PERSONAL SERVICE

Thomas Thompson Estate	65 00

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CONSERVATION FUND

MAINTENANCE AND OPERATION

The item reading,

Equipment, supplies and materials	66,400 00

is hereby made to read,

Equipment, supplies and materials, including the purchase of uniforms	66,400 00

ESTABLISHMENT AND MAINTENANCE OF GAME REFUGES INSIDE OF THE FOREST PRESERVE COUNTIES

MAINTENANCE AND OPERATION

Food (for liabilities incurred prior to June 30, 1931)	156 05
Fuel, light, power and water (for liabilities incurred prior to June 30, 1931)	51 75
Communication (for liabilities incurred prior to June 30, 1931)	31 30
Travel (for liabilities incurred prior to June 30, 1931)	89 99

ACQUISITION OF NON-AGRICULTURAL AREAS OUTSIDE THE FOREST PRESERVE COUNTIES

MAINTENANCE AND OPERATION

Communication (for liabilities incurred prior to June 30, 1931)	1,109 20
Travel (for liabilities incurred prior to June 30, 1931)	96 19

BIOLOGICAL SURVEY, FISH PROTECTION

The item in chapter twenty-one, laws of nineteen hundred thirty-one, reading,

Equipment, supplies and materials, including the purchase or exchange of an automobile at not to exceed $2,300 and motor trucks at not to exceed $1,400	6,500 00

is hereby made to read,

Equipment, supplies and materials, including the purchase or exchange of 2 automobiles at not to exceed $2,300 and motor trucks at not to exceed $1,400	6,500 00

§ 3. The following sums, or so much thereof as may be necessary, being the unexpended balances of former appropriations, are hereby reappropriated to the conservation department and

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made immediately available for the same purposes as the former appropriations:

CONSERVATION DEPARTMENT

DIVISION OF PARKS

ALLEGANY STATE PARK

By chapter eighty-four of the laws of nineteen hundred twenty-nine, for:
Acquisition of land (re. $1,111.50)

STATE RESERVATION AT NIAGARA

By chapter five hundred and ninety-three of the laws of nineteen hundred twenty-nine, for:
Remodelling administration building (re. $4,091.13)

§ 4. This act shall take effect immediately.

CHAPTER 631

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the executive department

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, are hereby made to the executive department:

EXECUTIVE DEPARTMENT

DIVISION OF MILITARY AND NAVAL AFFAIRS

National Guard Headquarters

PERSONAL SERVICE

Telephone operator (assigned to department public works) $1,500 00

DIVISION OF STANDARDS AND PURCHASE

PERSONAL SERVICE

Stencil cutter 900 00

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NEW YORK STATE TRAINING SCHOOL FOR GIRLS—HUDSON

PERSONAL SERVICE

Dean of business (to correct an error), in addition to amount appropriated by chapter 21, laws of 1931 ..... 200 00

THOMAS INDIAN SCHOOL—IROQUOIS

PERSONAL SERVICE

Teacher, 10 months (to correct an error), in addition to amount appropriated by chapter 21, laws of 1931 ..... 80 00

DIVISION OF PAROLE

PERSONAL SERVICE

The items in chapter 21, laws of 1931 reading, "Stenographer, 5 at $1,500 — 7,500.00" and "Stenographer, 7 at $1,200 — 8,400.00" are hereby made to read (to correct an error), "Stenographer, 7 at $1,500 — 10,500.00" and "Stenographer, 5 at $1,200 — 6,000.00."

§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the executive department:

EXECUTIVE CHAMBER

MAINTENANCE AND OPERATION

For the expenses incurred in the celebration in honor of Rear Admiral Richard E. Byrd on June 24, 1930, including interest 1,010 33

DIVISION OF STANDARDS AND PURCHASE

PERSONAL SERVICE

Stencil cutter (3 months) 225 00

MAINTENANCE AND OPERATION

Communication 2,000 00

Of the amount of $8,500 appropriated for traveling expenses by chapter 85, part I, laws of 1930, $100 is hereby made available for traveling outside the state.

STATE AGRICULTURAL AND INDUSTRIAL SCHOOL, INDUSTRY

MAINTENANCE AND OPERATION

Traveling expenses 2,000 00

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NEW YORK STATE WOMEN'S RELIEF CORPS HOME—OXFORD

MAINTENANCE AND OPERATION

Traveling expenses 200 00

DIVISION OF PAROLE

PERSONAL SERVICE

Chauffeur (3 months) 400 00

MAINTENANCE AND OPERATION

Equipment, supplies and materials, in addition to the amount appropriated by chapter 21, laws of 1931, and for the same purposes..... 500 00

DIVISION OF STATE POLICE

MAINTENANCE AND OPERATION

The items in chapter 85, of the laws of 1930, reading "Fuel, light, power and water — $20,000; Equipment, supplies and materials, including the sum of $73,700 for the purchase or exchange of motor equipment,—$320,000; Equipment, supplies and materials, in addition to the amount of $73,700 made available for motor equipment, the sum of $11,500 out of the above total appropriation is also made available for that purpose; Traveling expenses, Fares and hotel expenses, including travel outside of the state not exceeding $2,000—720,300; Repairs and alterations to buildings — 25,000" are hereby made to read: "Fuel, light, power and water — 28,000; Equipment, supplies and materials, including the sum of $73,700 for the purchase or exchange of motor equipment — 334,000; Equipment, supplies and materials, in addition to the amount of $73,700 made available for motor equipment, the sum of $11,500 out of the above total appropriation is also made available for that purpose;

Traveling expenses, Fares and hotel expenses, including travel outside of the state not exceeding $2,000 — 695,300;

Repairs and alterations to buildings — 28,000."

§ 3. The following sums, or so much thereof as may be necessary, being the unexpended balances of former appropriations, are hereby reappropriated to the executive department and made immediately available for the same purposes as the former appropriations:

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EXECUTIVE DEPARTMENT

By chapter 84 of the laws of 1929, for:
Printing—Public papers of governors including preparation of same (re. $2,500.00).

DIVISION OF STANDARDS AND PURCHASE

By chapter 593 of the laws of 1929, for:
Printing and advertising (re. $1,500.00).

§ 4. This act shall take effect immediately.

CHAPTER 632

AN ACT authorizing a survey of the present method of apportionment of state funds to the public school districts of the state, and making an appropriation therefor

Became a law April 22, 1931, 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:

Survey authorized.

Section 1. The commissioner of education is hereby authorized to set aside from the appropriation for the supprot* of common schools pursuant to chapter twenty-one of the laws of nineteen hundred thirty-one the sum of ten thousand dollars ($10,000) for the purpose of making a survey of the present method of apportionment of state funds to the public school districts of the state, the use and effect of such appropriations, and needed changes in the method of apportionment. The money hereby appropriated shall be paid from the state treasury on the certificate of the commissioner of education, after audit by and on the warrant of the comptroler.*

§ 2. This act shall take effect immediately.

CHAPTER 633

AN ACT to amend the executive law, in relation to providing for the establishment and maintenance of a police communication system in the state of New York under the supervision of the division of state police, and making an appropriation therefor

Became a law April 22, 1931, 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:

§§ 95a-95e added to art. 9a.

Section 1. Article nine-a of chapter twenty-three of the laws of nineteen hundred nine, entitled "An act in relation to executive officers, constituting chapter eighteen of the consolidated laws," as

* So in original. [Word misspelled.]

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added by chapter one hundred and sixty-one of the laws of nineteen hundred seventeen, is hereby amended by adding thereto, after section ninety-five, five* new sections, to be sections ninety-five-a, ninety-five-b, ninety-five-c, ninety-five-d and ninety-five-e, to read as follows:[1]

§ 95-a. **Communication.** There shall be established in the division of state police, executive department, a basic co-ordinating police communication system of telephone, typewriter communication, operating through sending and receiving stations or receiving stations only, and such associated equipment as may be necessary, at the headquarters of the division of state police and at such substations or detached posts of the state police as shall be designated by the superintendent of state police, for the purpose of prompt collection and distribution of information throughout the state of New York as the police problems of the state may require. Authority is hereby granted to connect the basic system herein provided for, directly or indirectly with similar systems in this or adjoining states.

§ 95-b. **Installation, operation and maintenance of basic system; personnel.** The superintendent of state police is hereby authorized to install, operate and maintain the basic system and to employ the necessary personnel, within the appropriation, for its installation, operation and maintenance; the persons so employed may be members of the state police, or employees, particularly qualified for the duty they are to perform.

§ 95-c. **Availability.** The basic system herein provided for may be made available for use by any department or division of the state government and by any municipal, county, town, village, railroad or other special police department lawfully maintained by any corporation in this state, subject to the following terms and conditions: (a) application for permission to connect with the basic system shall be made to the superintendent of state police on forms to be provided by him; (b) such application may be approved by the superintendent of state police if, as and when in his discretion such connection is requisite and necessary for the best interests of the entire system; (c) upon approval of such application and before the applicant shall be connected with the basic system, such applicant must agree to assume and pay all rentals for sending and receiving stations, or receiving stations only, as may be authorized by the superintendent of state police for installation within the jurisdiction of the applicant, and any and all costs of installation and operation of such stations; (d) the state shall pay all rental for necessary wire or circuit mileage required to connect such stations with the basic system.

§ 95-d. **Orders, rules or regulations.** The basic system herein provided for shall remain at all times under the control of the superintendent of state police and such control may be exercised

* So in original.

[1] **§ 95e is not added by this act.**

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by him through any member of the state police as he shall designate for such purpose. The superintendent of state police is hereby authorized to make and issue such orders, rules or regulations for the use of this system as in his discretion are necessary for efficient operation.

§ 2. The sum of ninety-four thousand dollars ($94,000), or so much thereof as may be necessary, is hereby appropriated for the purposes of carrying out the provisions of this act, payable on the audit and warrant of the comptroller and the certificate of the superintendent of state police.

In effect Sept. 1, 1931.

§ 3. This act shall take effect September first, nineteen hundred thirty-one.

CHAPTER 634

AN ACT making an appropriation for the commission created by chapter five hundred and nineteen of the laws of nineteen hundred twenty-seven to investigate defects in the laws of estates and to recommend legislation in order to modernize and simplify the statutes relating thereto, the power and duties of such commission having been continued by chapter one hundred and seventy-five of the laws of nineteen hundred twenty-eight, chapter forty-four of the laws of nineteen hundred twenty-nine, chapter thirty-six of the laws of nineteen hundred thirty, and chapter thirty-two of the laws of nineteen hundred thirty-one, for the expenses of such commission

Became a law April 22, 1931, 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. The sum of ten thousand dollars ($10,000), or so much thereof as may be needed, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated for the expenses of the commission created by chapter five hundred and nineteen of the laws of nineteen hundred twenty-seven, to investigate defects in the laws of estates and to recommend legislation in order to modernize and simplify the statutes relating thereto, the powers and duties of such commission having been continued by chapter one hundred and seventy-five of the laws of nineteen hundred twenty-eight, chapter forty-four of the laws of nineteen hundred twenty-nine, chapter thirty-six of the laws of nineteen hundred thirty, and chapter thirty-two of the laws of nineteen hundred thirty-one. The moneys appropriated by this act or any part thereof shall be paid out of the state treasury on the audit and warrant of the comptroller, on the certificate of the chairman of such commission.

§ 2. This act shall take effect immediately.

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CHAPTER 635

AN ACT making an appropriation for services and expenses in acquiring site for state prison at Attica

Became a law April 22, 1931, 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. The sum of three hundred and thirty-two dollars and fifty cents ($332.50), or so much thereof as may be needed, is hereby appropriated from any money in the treasury not otherwise appropriated, to pay the expenses incurred for services and disbursements in acquiring a site for the state prison at Attica, including the examination and perfecting of title thereto. The money hereby appropriated shall be paid from the treasury on the audit and warrant of the comptroller upon vouchers approved by the commissioner of correction.

§ 2. This act shall take effect immediately.

CHAPTER 636

AN ACT making an appropriation for the use of the department of law

Became a law April 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. The following sums are hereby severally appropriated from any money in the treasury not otherwise appropriated for the purposes hereinafter set forth for additional personal service, maintenance and operation in the department of law, to be paid from the treasury on the audit and warrant of the comptroller upon vouchers approved by the attorney-general:

Expenses of attorney-general	$2,600 00
Personal service, July 1, 1931 to June 30, 1932:	
Title attorney, 4 at $4,500	18,000 00
Examiner of titles, 2 at $3,500	7,000 00
Clerk, 3 at $1,200	3,600 00
Stenographer, 7 at $1,320	9,240 00
Process server, 4 at $1,500	6,000 00
Immediately available for services, maintenance and operation to June 30, 1932:	
Agricultural counsel (Including liabilities incurred prior to June 30, 1931)	2,700 00
Water power litigation	5,000 00

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For the establishment of bureau for investigation of titles to lands under water:	
Personal service	30,000 00
Maintenance and operation, including equipment and traveling expenses	5,000 00
Additional personal service:	
Deputy assistant attorney-general	4,500 00
Deputy assistant attorney-general	4,500 00
Deputy assistant attorney-general, 2 at $4,000	8,000 00
Investigator or claim agent, 2 at $3,000	6,000 00

§ 2. The moneys hereby appropriated by this act shall be in addition to any and all other money heretofore appropriated for the use of the department of law and, except the items specifically stated to be for personal service from July first, nineteen hundred thirty-one to June thirtieth, nineteen hundred thirty-two, shall be immediately available for payment when this act shall take effect.

§ 3. This act shall take effect immediately.

CHAPTER 637

AN ACT making an additional appropriation to the legislative contingent fund

Became a law April 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. The sum of two hundred and fifty thousand dollars ($250,000) is hereby appropriated to the legislative contingent fund, in addition to the amount appropriated by chapter thirty-six of the laws of nineteen hundred thirty-one.

§ 2. The sum hereby appropriated shall be available for the use of the joint legislative committee appointed pursuant to joint resolution of the legislature, to investigate the affairs of the city of New York, and shall be payable only on audit of the comptroller, after approval by the speaker of the assembly and the president pro tempore of the senate and also by the chairman of the committee.

§ 3. This act shall take effect immediately.

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CHAPTER 638

AN ACT making an appropriation for dredging on the Ocean boulevard or parkway

Became a law April 22, 1931, 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. In order to supplement the deficiency in the appropriation made by chapter twenty-one of the laws of nineteen hundred thirty-one, due to the higher cost of dredging, there is hereby appropriated out of any funds in the treasury not otherwise appropriated, the sum of sixty-five thousand dollars ($65,000) for dredging, grading, slope protection and removal of old structures on the ocean boulevard or parkway.

§ 2. The moneys hereby appropriated shall be paid out of the treasury on the audit and warrant of the state comptroller on vouchers therefor approved by the president of the Long Island state park commission.

§ 3. This act shall take effect immediately.

CHAPTER 639

AN ACT making an appropriation for the expenses of the temporary state commission created by chapter eight hundred and twenty-five of the laws of nineteen hundred thirty to make an intensive study and investigation of prison adiministration, and to formulate a comprehensive plan of prison construction and financing, and the development and expansion of prison industries

Became a law April 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. The sum of twenty-five thousand dollars ($25,000), or so much thereof as may be needed, is hereby appropriated, from any moneys in the treasury not otherwise appropriated, for the expenses of the commission created by chapter eight hundred and twenty-five of the laws of nineteen hundred thirty to make an intensive study and investigation of prison administration, and to formulate a comprehensive plan of prison construction and financing, and the development and expansion of prison industries, in addition to the moneys heretofore appropriated for such expenses by such chapter. The money so appropriated shall be paid from the treasury upon the audit and warrant of the comptroller on the certificate of the chairman of such commission. Hereafter such commission shall consist of nine members, instead of seven as provided in section one of such chapter, and the addi-

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tional members shall be a senator and an assemblyman who shall be appointed as provided in such section one of such chapter. The commission also shall have the ex officio advisory members provided for in chapter twenty of the laws of nineteen hundred thirty-one.

§ 2. This act shall take effect immediately.

CHAPTER 640

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of audit and control

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, are hereby made to the department of audit and control:

DEPARTMENT OF AUDIT AND CONTROL

PERSONAL SERVICE

Auditor, 2 at $1,800	$3,600 00
Clerk, 2 at $1,500	3,000 00

§ 2. The following appropriations for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, are hereby made to the department of audit and control:

DEPARTMENT OF AUDIT AND CONTROL

PERSONAL SERVICE

Auditor, 2 at $1,800 (3 months)	900 00
Clerk, 2 at $1,500 (3 months)	750 00

MAINTENANCE AND OPERATION

Communication	2,000 00
Fixed charges and contributions	
Treasurer, Suffolk county—	
for taxes of 1923, 1924, 1925, 1926 and 1927 against certain state lands in the town of Smithtown, notwithstanding the failure to comply with the provisions of chapter 686 of the laws of 1907	7,050 14
Treasurer, Suffolk county—	
for taxes of 1922 against certain state lands in the town of Babylon notwithstanding the failure to comply with the provisions of section 440 of the education law	96 00

§ 3. This act shall take effect immediately.

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CHAPTER 641

AN ACT authorizing the city of Corning to close that part of State street between the north and south right of way lines of the Erie Railroad Company tracks and ratifying and confirming the acts and proceedings of the city had and taken with respect thereto

Became a law April 22, 1931, with the approval of the Governor. Passed on emergency message, by a two-thirds vote

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

Proceedings legalized.

Section 1. The owners of the abutting property on that part of State street in the city of Corning, lying between the north and south right of way lines of the Erie railroad company tracks having heretofore presented to the common council a petition dated July twenty-first, nineteen hundred thirty, requesting that such portion of said street be discontinued and closed and a public hearing having been held thereon in such city on the second day of February, nineteen hundred thirty, pursuant to notice duly published, and no objection having been raised to the granting of the petition, the acts and proceedings of the common council, and of the board of public works of such city, had and taken with respect to the discontinuance and closing of such portion of such street, notwithstanding any defect, omission or lack of statutory authority, are hereby legalized, ratified and confirmed, and the common council of such city may by ordinance adopted by affirmative vote of three-fourths of all its members, discontinue and close that part of State street in such city hereinbefore described. The common council may take releases from or may agree with any adjacent property owner as to the damage sustained by such discontinuance, if any, and if unable to agree such damage, if no release be obtained, shall be ascertained in the manner provided by law for ascertaining damages for lands taken for the opening of streets.

Releases.

Contract for erection of overhead bridge.

§ 2. The common council of such city may enter into a contract with the Erie Railroad Company, its successors and assigns, providing for the erection and perpetual maintenance by such railroad company of an overhead bridge and approaches for pedestrians only, in line with State street spanning the tracks of such railroad company over such crossing and indemnifying such city against claims for damage by persons or corporations for the negligent erection, construction and/or maintenance of such overhead structure.

§ 3. This act shall take effect immediately.

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CHAPTER 642

AN ACT to amend the New York city municipal court code, in relation to service of summons by publication in actions wherein warrants of attachment have been granted

Became a law April 22, 1931, 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:

L. 1915, ch. 279, § 21 amended.

Section 1. Section twenty-one of chapter two hundred and seventy-nine of the laws of nineteen hundred fifteen, entitled "An act in relation to the municipal court of the city of New York, and repealing certain statutes affecting such court, its justices and officers," is hereby amended to read as follows:

§ 21. **Method of serving summons.** [1]The summons may be served upon the defendant within the city of New York in like manner as though the summons issued out of the supreme court, except as otherwise provided in this act or in the rules, provided that it shall not be served by publication,[2] except that in an action wherein a warrant of attachment has been granted by the court, unless the summons is served within thirty days after the granting of the warrant, an order of the court may be obtained, before the expiration of such period, providing for the service of the summons upon the defendant by publication. Such an order may be granted in any such action instituted and pending in such court at the time this section as amended takes effect although such period of time has theretofore expired.

In effect Sept. 1, 1931.

§ 2. This act shall take effect September first, nineteen hundred thirty-one.

CHAPTER 643

AN ACT to amend the executive law and the public officers law, in relation to the appointment of commissioners of deeds in other states, territories and foreign countries

Became a law April 22, 1931, 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:

Executive law, § 107 amended.

Section 1. Section one hundred and seven of chapter twenty-three of the laws of nineteen hundred nine, entitled "An act in relation to executive officers, constituting chapter eighteen of the consolidated laws," is hereby amended to read as follows:

§ 107. **Commissioners of deeds in other states, territories and foreign countries.** The secretary of state may, in his discretion,[1]

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[1] Figure "1." omitted.

[2] Remainder of section new.

[1] Words "secretary of state **may, in his discretion,**" substituted for word "governor."

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appoint and commission in any other state, territory or dependency, or in any foreign country, such number of commissioners of deeds as he may think proper, each of whom shall be a resident of or have his place of business in the city, county, municipality or other political subdivision from which chosen, and shall hold office for the term of four years, unless such appointment shall be sooner revoked by the secretary of state,[2] who shall have power to revoke the same. A person applying for appointment as a commissioner of deeds shall state in his application the city, county, municipality or other political subdivision for which he desires to be appointed, and shall inclose with his application the sum of five dollars, which sum, if a commission shall be granted, shall be paid[3] by the secretary of state into the state treasury,[4] and if such commission shall not be granted, then the same shall be returned to the person making the application. Each commissioner, before performing any of the duties or exercising any of the powers of his office, shall take the constitutional oath of office, if appointed for a city or county within the United States, before a justice of the peace or some other magistrate in such city or county; and if for a territory or dependency, before a judge of a court of record in such territory or dependency; and if for a city, municipality or other political subdivision in a foreign country, before a person authorized by the laws of this state to administer an oath in such country, or before a clerk or judge of a court of record in such foreign country; and shall cause to be prepared an official seal on which shall be designated his name, the words "commissioner of deeds for the state of New York," and the name of the city or county, and the state, country, municipality or other political subdivision from which appointed, and shall file a clear impression of such seal, his written signature and his oath certified by the officer before whom it was taken, in the office of the department[5] of state. The secretary of state upon receipt of such impression, signature and oath, shall forward to such commissioner instructions and forms, and a copy of sections one hundred and seven, one hundred and eight and one hundred and nine of this chapter.

Public Officers. law, § 8 amended.

§ 2. Section eight of chapter fifty-one of the laws of nineteen hundred nine, entitled "An act in relation to public officers, constituting chapter forty-seven of the consolidated laws," as last amended by chapter one hundred and forty-four of the laws of nineteen hundred twenty-seven, is hereby amended to read as follows:

§ 8. **Commissions of officers.** The commission of every officer appointed by the governor, or by the governor by and with the consent of the senate, shall be signed by the governor and attested

2. Words "secretary of state" substituted for word "governor."
3 Word "over" omitted.
4 Words "secretary of state into the state treasury," substituted for words "governor to the state treasurer."
5 Formerly "secretary."

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under the seal of this state, by the secretary of state, who shall make and record in his office a copy of such commission, and deliver the original to the officer appointed, by a messenger, if the governor shall so direct, and otherwise, by mail, or as the secretary of state shall deem proper. Commissions of notaries public shall be signed by the secretary of state, or by a person or persons in the department of state designated by the secretary of state, and shall be sent to the county clerk of the county in which such notaries public respectively reside. [6]Commissions of commissioners of deeds in other states, territories and foreign countries, shall be signed by the secretary of state, or by a person or persons in the department of state designated by secretary of state. Every other appointment of an officer, made by one or more state officers, shall be in writing, and signed by the officer or officers, or by a majority of the officers, or by the presiding officer of the board or body making the appointment. Every such written appointment shall be deemed the commission of the officer appointed, and if of a state officer, a duplicate or a certified copy thereof shall be recorded in the office of the department[7] of state; if of a local officer it shall be sent to the clerk of the county in which the officer appointed shall then reside, who shall file the same in his office, and notify the officer appointed of his appointment.

Papers and records to be transferred.

§ 3. All papers and records in the office of the governor pertaining to commissioners of deeds in other states, territories and foreign countries shall be transferred, upon the taking effect of this act, to the office of the department of state. This act shall not operate to abridge the present terms of commissioners of deeds in other states, territories and foreign countries heretofore appointed by the governor, and they shall hold their offices for the unexpired terms of their respective commissions, subject to removal in the manner provided by law.

§ 4. This act shall take effect immediately.

CHAPTER 644

AN ACT to amend the town law, in relation to the fees of inspectors of election, ballot clerks and poll clerks

Became a law April 22, 1931, 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:

§ 85, subd. 2 amended.

Section 1. Subdivision two of section eighty-five of chapter sixty-three of the laws of nineteen hundred nine, entitled "An act relating to towns, constituting chapter sixty-two of the consolidated laws," as last amended by chapters three hundred and

[6] Following sentence new.
[7] Formerly "secretary."

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seventy-six, four hundred and ninety-five, four hundred and ninety-six and eight hundred of the laws of nineteen hundred twenty-eight, is hereby amended to read as follows:[1]

2. If a different rate is not otherwise established as herein provided, each inspector of election, ballot clerk and poll clerk is entitled to three dollars per day; but the town board may establish in its town a higher rate, not exceeding ten dollars per day for election day, primary and registration[2] days and for other services,[3] except in a county adjoining a city of three hundred thousand or more inhabitants and[4] in the counties of Cattaraugus and[5] Nassau, where the rate shall not exceed twelve dollars per day[6]; and except in the counties of Schenectady and Putnam, where the rate shall not exceed ten dollars per day and not exceeding ten dollars per day for other services; and except in the county of Rockland, where the rate shall not exceed fifteen dollars per day and not exceeding ten dollars per day for other services. The term "election day" includes and means the time spent in polling and canvassing the vote and performing all the duties required by law in connection with receiving and canvassing the vote and certifying the result of the election. The term "primary day" includes and means the time spent in polling and canvassing the vote and performing all the duties required by law in connection with receiving and canvassing the primary vote and certifying the result of the primary election.

§ 2. This act shall take effect immediately.

CHAPTER 645

AN ACT making an appropriation for the use of the department of public service to pay for personal service and expenses in connection with legal proceedings relative to the International Railway company

Became a law April 22, 1931, 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. The sum of seventeen thousand dollars ($17,000), or so much thereof as may be needed, is hereby appropriated, from any money in the treasury not otherwise appropriated, for the

[1] This act is a combination of the various amendments to this subdivision effected by the four chapters of L. 1928 as indicated. No new matter is added nor old matter omitted by this act. The purpose of this act is merely to indicate the amendments made in nineteen hundred twenty-eight.

[2] Words "and registration" new.

[3] Words "and for other services" new.

[4] Words "in a county adjoining a city of three hundred thousand or more inhabitants and" new.

[5] Words "Cattaraugus and" new.

[6] Words "and not exceeding six dollars per day for other services" omitted. Remainder of sentence new.

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use of the department of public service in paying for personal service and all other disbursements incurred in connection with legal proceedings relative to the International Railway Company. The money hereby appropriated shall be paid from the treasury on the audit and warrant of the comptroller upon vouchers approved by the chairman of the public service commission.

§ 2. This act shall take effect immediately.

CHAPTER 646

AN ACT making appropriations for the support of government, in addition to those made by chapter thirty-six of the laws of nineteen hundred thirty-one, to the legislature

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, are hereby made to the legislature:

THE LEGISLATURE

THE SENATE

PERSONAL SERVICE

Statutory
Salaries, temporary
Indexing journals, bills, etc., in addition to the amount appropriated by chapter 36 of the laws of 1931..... $1,000 00

THE ASSEMBLY

PERSONAL SERVICE

Statutory
Salaries, temporary
Indexing journals, bills, etc., in addition to the amount appropriated by chapter 36 of the laws of 1931..... 1,000 00

BILL DRAFTING COMMISSION

PERSONAL SERVICE

Legal assistant 1,800 00

§ 2. The following appropriations for the support of government to be immediately available, are hereby made to the legislature:

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THE LEGISLATURE

THE SENATE

MAINTENANCE AND OPERATION

Equipment, supplies and materials, in addition to the amounts appropriated by chapter 730 of the laws of 1930 and chapter 36 of the laws of 1931.. 4,000 00

THE ASSEMBLY

MAINTENANCE AND OPERATION

Maintenance undistributed

For the purchase of furniture, fixtures, draperies, carpets and rugs; alterations, repairs and refinishing furniture for which purpose not to exceed $30,000 shall be available for personal service, freight and cartage; to be expended under the supervision and direction of the clerk of the assembly and paid on the audit and warrant of the comptroller upon vouchers approved by the speaker and clerk of the assembly..... 65,000 00

§ 3. This act shall take effect immediately.

CHAPTER 647

AN ACT to amend the surrogate's court act, in relation to the appointment of officers and employees of such court in the county of Queens

Became a law April 22, 1931, 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. Sections twenty-two, twenty-three and twenty-five of the surrogate's court act are hereby amended to read as follows: §§ 22, 23, 25 amended.

§ 22. **Chief clerks of surrogate's court of Kings and Queens counties[1]; compensation of clerks and officers.** The surrogates of the counties[2] of Kings and Queens[3] may severally[4] appoint a chief clerk of the court and of his[5] office[6] and such additional clerks, stenographers and other officers and employees as may be necessary. Each such chief clerk[7] shall hold office for five years unless sooner removed by the surrogate for cause, after trial, upon charges duly

1 Words "and Queens counties" substituted for word "county."
2 Formerly "county."
3 Words "and Queens" new.
4 Word "severally" new.
5 Words "of his" new.
6 Remainder of sentence substituted for words "of such surrogate, who."
7 Words "Each such chief clerk" new.

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served upon him and an opportunity to be heard and defend. Whenever a vacancy exists for any cause in such office of chief clerk,[8] the surrogate of the county where such vacancy exists[9] shall appoint a person to fill such office for a[10] full term of five years. Each such[11] chief clerk shall, before entering upon the performance of his duties, take the constitutional oath of office and shall file the same with the county clerk of the county wherein the surrogate's court of which he is appointed is situated,[12] together with a bond in the sum of ten thousand dollars, with sureties approved by the surrogate of such county,[13] conditioned for the faithful performance of his duties as such chief clerk. Each such[11] chief clerk shall perform such duties as now pertain to the office of chief clerk and the clerk of the surrogate's court in each[14] such county, and such other duties as the surrogate of such county[13] may from time to time by rule of the court or otherwise impose upon him. The compensation of each[14] such chief clerk and of the other clerks, stenographers[15] and other[16] officers and employees[17] of the said[18] court and office of such surrogate shall, notwithstanding any other provision of law, be fixed by the[19] surrogate of the respective county wherein such court and office are situated,[20] and the same shall be a county charge. The compensation of[21] any such[22] chief clerk shall not be decreased during his term of office. The surrogate's clerk must, upon request, and upon payment of, or offer to pay, the fees allowed by law, or, if no fees are expressly allowed by law, fees at the rate allowed to a county clerk for a similar service, diligently search the files, papers, records and dockets in the surrogate's office; and either make one or more transcripts therefrom, and certify to the correctness thereof, and to the search, or certify that a document or paper cannot be found in such office.

§ 23. **Appointment of court officers and attendants.** The surrogates of Kings and Queens counties[23] may severally[24] appoint, and at pleasure remove, all attendants, messengers and court officers in their[25] courts,[26] who must attend, from day to day,

8 Words "of chief clerk," new.
9 Words "of the county where such vacancy exists" new.
10 Formerly "the."
11 Words "Each such" substituted for word "Such."
12 Words "the county wherein the surrogate's court of which he is appointed is situated," substituted for words "Kings county."
13 Words "of such county" new.
14 Word "each" new.
15 Word "stenographers" new.
16 Word "other" new.
17 Words "and employees" new.
18 Word "said" new.
19 Word "said" omitted.
20 Words "of the respective county wherein such court and office are situated," new.
21 Word "the" omitted.
22 Words "any such" new.
23 Words "and Queens counties" substituted for word "county."
24 Word "severally" new.
25 Formerly "his."
26 Formerly "courts."

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the terms and sittings of the court to preserve order, and to perform whatever services may be required of him by the surrogate.

The surrogates of Erie, Bronx[27] and Richmond counties may severally appoint, and at pleasure remove, as many attendants, messengers and court officers in their courts, to be paid by the county, as the board of supervisors of Erie county or the board of estimate and apportionment of the city of New York, respectively, authorize them so to appoint. The court officer or officers so appointed shall possess all the powers of officers designated by sheriffs to attend upon courts, and shall perform whatever services may be required by the surrogate.

The surrogate of any other county may appoint, and at pleasure remove, one or more court officers to attend his court and to perform such duties in respect thereto as the said surrogate may prescribe, who shall be paid by the county treasurer upon the certificate of the surrogate, such compensation as may be fixed and determined by the board of supervisors of said county. Such officers shall also have all the powers of officers designated by sheriffs to attend upon courts of record.

§ 25. **Stenographer for surrogates' courts in New York, Kings, Erie, Albany, Westchester, Monroe and Queens counties.** The surrogate of each of the counties of New York, Kings, Queens, Erie, Albany, Monroe and Westchester must appoint, and may, for cause, remove, a stenographer for his court. In the counties of New York, [28]Kings and Queens[29] such stenographers shall receive a salary fixed by law, to be paid as the salaries of clerks in the surrogate's office are paid. In the counties of Erie, Albany, Westchester and[30] Monroe[31] the salary of said stenographer shall be fixed by the board of supervisors,[32] and the payment of such salary shall be provided for by such board in the same manner as other county salaries are paid.

§ 2. This act shall take effect July first, nineteen hundred thirty-one. In effect July 1, 1931.

CHAPTER 648

AN ACT to amend the county law, in relation to the power of boards of supervisors to offer rewards in criminal prosecutions

Became a law April 22, 1931, 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 twelve of chapter sixteen of the laws of nine- Subd. 56, added to § 12.

[27] Word ", Queens" omitted.
[28] Word "and" omitted.
[29] Words "and Queens" new.
[30] Word "and" new.
[31] Words "and Queens" omitted.
[32] Words "or by the board of estimate and apportionment, as the case may be," omitted.

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teen hundred nine, entitled "An act in relation to counties, constituting chapter eleven of the consolidated laws," is hereby amended by adding a new subdivision, to be subdivision fifty-six, to read as follows:

56. The board of supervisors in any county may, by resolution, authorize the district attorney to offer rewards, whenever in his judgment there shall be necessity therefor, for the detection and apprehension of persons who shall have committed crimes within the county and may, by such resolution, limit the offering of such rewards to specific crimes and fix the amounts of such rewards applicable to each of such crimes, but no reward shall exceed the sum of five thousand dollars for the detection and apprehension of all the persons implicated in one crime. The board shall appropriate annually sufficient money to pay any rewards which may be offered pursuant to such resolution.

§ 2. This act shall take effect immediately.

CHAPTER 649

AN ACT to amend the executive law, in relation to the executive director of the board of parole

Became a law April 22, 1931, 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:

§ 117 amended.

Section 1. Section one hundred and seventeen of chapter twenty-three of the laws of nineteen hundred nine, entitled "An act in relation to executive officers, constituting chapter eighteen of the consolidated laws," as added by chapter eight hundred and twenty-four of the laws of nineteen hundred thirty, is hereby amended to read as follows:

§ 117. **Executive director; other employees; salaries; qualifications.** The board of parole, with the approval of the governor, shall appoint[1] an executive director who shall be the administrative officer for the board and devote his whole time and capacity to the duties of his office. He shall receive an annual salary of nine thousand dollars and his necessary expenses actually incurred in the discharge of his official duties. The board shall also appoint a chief parole officer, and prescribe his duties, who shall receive an annual salary of six thousand dollars; three case supervisors, at salaries of four thousand dollars a year each; an employment director at a salary of four thousand dollars a year; and a staff of parole officers for investigation for the purpose of selection for release on parole or otherwise and for supervision upon release, sufficient in number so that no such officer shall be required to supervise more than seventy-five persons

[1] Words "and may at pleasure remove" omitted.

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at one time. Such parole officers shall receive salaries of not more than three thousand dollars a year each, and their necessary expenses actually incurred in the discharge of their official duties. The board may also appoint and fix their salaries within the amounts appropriated therefor, such other officers, clerks, stenographers, assistants and employees as it may determine to be necessary. All of the employees of the board[2] shall be in the competitive class of the civil service. The attorney-general shall be the legal adviser of the board.

No persons shall be eligible for the position of parole officer who is under twenty-one nor over sixty years of age nor who has not had a high school education or its equivalent, nor who is not fitted physically, mentally and morally. Parole officers shall be selected because of definite qualifications as to character, ability and training, and, primarily, with regard for their capacity and ability for influencing human behavior; they shall be persons likely to exercise a strong and helpful influence upon persons placed under their supervision. The parole officers shall be divided into two groups. One group shall in general make investigations of persons eligible for release from correctional institutions. The other group shall in general supervise persons so released. The board may transfer employees from their positions to other positions within its jurisdiction and may consolidate or abolish such positions. The board, acting in cooperation with the civil service commission shall establish standards, preliminary requisites and requirements to govern the selection and appointment of the employees of the board.

The executive director, under the direction and authority of the board of parole, shall direct and supervise the work of the board of parole, and with its approval shall formulate methods of investigation and supervision in its work and develop various processes in the technique of the case-work of the official staff of the board, including interviewing, consultation of records, analysis of information, diagnosis, plan of treatment, correlation of effort by individuals and agencies, and methods of influencing human behavior. He shall, with like approval, prepare and issue rules and regulations for the guidance of the staff and the conduct of its work. It shall be his duty, besides constantly scrutinizing and supervising the work of the staff, to imbue them with proper standards and ideals of work and shall hold monthly staff meetings at which common problems and difficult cases, questions of policy, procedure and methods shall be discussed. With the approval of the board, he shall establish and maintain within the appropriations made therefor, a library at the central office containing the leading books on parole and methods of influencing human conduct, together with reports and other documents on correlated topics of criminology and social work.

§ 2. This act shall take effect immediately.

[2] Words ", except the executive director," omitted.

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CHAPTER 650

AN ACT to amend the New York city municipal court code, in relation to requiring the service and notice of entry of a judgment, order or final order upon the appellant before the time to appeal commences

Became a law April 22, 1931, 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:

L. 1915, ch. 279, § 156 amended.

Section 1. Section one hundred and fifty-six of chapter two hundred and seventy-nine of the laws of nineteen hundred fifteen, entitled "An act in relation to the municipal court of the city of New York, and repealing certain statutes affecting such court, its justices and officers," is hereby amended to read as follows:

§ 156. **Time to appeal.** An appeal must be taken within twenty days after the entry of the judgment or order or final order,[1] provided, however, that when the appellant has appeared by attorney such appeal must be taken within twenty days after the service upon such attorney of a copy of such judgment, order or final order and written notice of entry thereof. The right to review an intermediate order is not affected by the expiration of the time within which a separate appeal therefrom might have been taken.

In effect Sept. 1, 1931.

§ 2. This act shall take effect September first, nineteen hundred thirty-one.

CHAPTER 651

AN ACT to amend the surrogate's court act, in relation to the salary of the stenographer of the surrogate's court in Allegany county

Became a law April 22, 1931, 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:

§ 26 amended.

Section 1. Section twenty-six of the surrogate's court act is hereby amended to read as follows:

§ 26. **Stenographers in other counties.** The surrogate of each county, except New York, Kings, Bronx, Albany, Westchester, Hamilton, Queens, Richmond, Monroe and Erie, must appoint and may at pleasure remove, a stenographer for his court, who shall receive a salary to be fixed by such surrogate, not exceeding twelve hundred dollars per annum; except that in Clinton, Essex, Franklin, Otsego, Allegany,[1] Warren and Washington counties, such salary shall not exceed fifteen hundred dollars per annum, and except that in Genesee, Montgomery, Ontario, Dutchess, Steuben, Ulster, Herkimer and Orleans counties, such salary shall not exceed

[1] Remainder of sentence new.
[1] Word "Allegany," new.

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eighteen hundred dollars per annum and except that in Madison county such salary shall not exceed twenty-four hundred dollars per annum, and except that in counties in which are located a city of the second class, or in counties in which are located three cities of the third class, such salary shall not exceed twenty-seven hundred dollars per annum; and in any county wholly containing a city of the first class, or any county wholly containing a city or cities of the second class and of the third class, such salary shall not exceed thirty-six hundred dollars per annum. The population of the several counties shall be determined by the last preceding census. The board of supervisors shall provide for the payment of such salary in the same manner as other county salaries are paid. When not actually engaged in the discharge of his duties as stenographer, he shall perform such clerical duties in connection with the surrogate's court as the surrogate directs. In the county of Broome the stenographer appointed by the surrogate shall continue to be the stenographer of the county court unless and until the board of supervisors of the county shall provide for a separate stenographer for the county court, and on and after January first, nineteen hundred and thirty-one, shall as stenographer of the county court, receive an additional salary, to be fixed by the county judge, not exceeding twelve hundred dollars per annum. In counties wherein the surrogate is also county judge, the stenographer so appointed shall be the stenographer of the county court, and shall perform the duties pertaining to a stenographer of the county court without additional compensation. In counties where, for any cause, a regular stenographer for his court has not been appointed, as provided by this section, the surrogate may, in individual proceedings requiring the services of a stenographer, appoint a stenographer who shall be paid a reasonable compensation certified by the surrogate in every case in which he takes notes of testimony, from the estate or matter in which such services are rendered. When the regular stenographer appointed under this or the last section is sick, absent, on his vacation or unable to act for other good cause, the surrogate may designate a stenographer to act temporarily in his place, who shall be paid by the county a reasonable compensation certified by the surrogate.

§ 2. The stenographer of the surrogate's court of the county of Allegany shall receive the salary authorized by law on January first, nineteen hundred thirty-one, for services rendered while acting as such stenographer and as stenographer of the county court until January first, nineteen hundred thirty-two.

§ 3. This act shall take effect immediately.

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CHAPTER 652

AN ACT to amend the civil practice act, in relation to surplus money proceedings

Became a law April 22, 1931, 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:

§ 1082 amended.

Section 1. Section ten hundred and eighty-two of the civil practice act is hereby amended to read as follows:

§ 1082. **Final judgment must direct sale.** In an action to foreclose a mortgage upon real property, if the plaintiff becomes entitled to final judgment, it must direct the sale of the property mortgaged or of such part thereof as is sufficient to discharge the mortgage debt, the expenses of the sale and the costs of the action; except in an action brought to foreclose or extinguish a right of redemption, in which action the judgment, instead of directing a sale of the property, shall fix the time within which such property shall be redeemed by a person having or claiming the right to redeem or foreclose a second or subsequent mortgage or lien that has been matured for at least five years and shall provide that a failure to redeem or commence an action for the foreclosure of such mortgage or lien within such time, shall preclude such mortgagee or lienor from redeeming such property or foreclosing such mortgage or lien and thereafter such mortgagee or lienor shall be excluded from claiming any title or interest in such property and all title or interest of such mortgagee or lienor in such property shall thereby be extinguished and terminated. All surplus moneys arising from the sale of mortgaged premises under any judgment shall be deposited by the officer appointed to conduct the sale of the premises within five days after the same shall be received and be ascertainable to the credit of the action[1] in a bank or trust company named by the court in the final judgment unless otherwise specially directed, subject to the further order of the court; and every judgment in foreclosure shall contain such directions, except where other provisions are made specially by the court. Any person claiming the surplus moneys arising upon the sale of mortgaged premises, or any part thereof, either in his own name or by his attorney at any time before the confirmation of the report of sale, may file with the clerk in whose office the report of sale is filed a written notice of such claim, stating therein the nature and the extent of his claim and the address of himself or his attorney. A motion to confirm such report of sale shall not be made within three months after the filing of the report and shall in any event be made not later than four months after the filing of such report, [2]except that

[1] Words "to the credit of the action" **new.**
[2] Remainder of sentence new.

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if there be no surplus moneys arising from the sale of the mortgaged premises under such judgment, an application for confirmation of the report of sale may be made at any time after the report shall have been filed eight days. Where the report of sale shows surplus money[3] the party moving for confirmation of the report of sale shall present with his motion papers a proper voucher for the surplus moneys showing that they have been paid over, deposited or disposed of in pursuance of the judgment, a certificate of the clerk specifying the notices of claim to the surplus moneys, if any, so filed with him, and an affidavit showing any other unsatisfied lien on the property. Where it appears to the court, on such motion for confirmation of the report of sale, that the owner of the equity of redemption in the action is entitled to all of the surplus moneys, and is the only person claiming the same, it may order that such surplus moneys shall be paid over to such owner or his assigns by the officer appointed to conduct the sale of the premises, without further proceedings. Where it appears on such motion that the owner is not the only person claiming such surplus, the court shall direct the sheriff or referee making the sale, within five days after such order is made, to pay such surplus moneys in the city of New York to the chamberlain of the said city, and in other counties outside the city of New York, to the treasurer thereof, unless otherwise specially directed, subject to the further order of the court. [4]In case of the death, disability, or removal of the officer appointed to conduct the sale of the premises, the court may grant an order authorizing the bank or trust company in which such surplus moneys are deposited to pay them over to the person or persons entitled thereto.

§ 2. This act shall take effect September first, nineteen hundred thirty-one. In effect Sept. 1, 1931.

CHAPTER 653

AN ACT to amend chapter twenty-one of the laws of nineteen hundred thirty-one, relative to an appropriation to the commission on revision of public service commissions law

Became a law April 22, 1931, 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. The item in chapter twenty-one of the laws of nineteen hundred thirty-one reading "Commission on revision of public service commissions law—Maintenance undistributed including personal service (liabilities incurred prior to June 30, 1931), $6,000.00" is hereby amended to read, "Commission on Item amended.

[3] Words "Where the report of sale shows surplus money" new.
[4] Following sentence new.

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revision of public service commissions law—For expenses of the commission and expenses in connection with hearings on public service bills subsequent to March 1, 1930 and prior to June 30, 1931, $6,000.00''.

§ 2. This act shall take effect immediately.

CHAPTER 654

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of labor

Became a law April 22, 1931, 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. The following appropriation for the support of government to be available for obligations incurred prior to June thirty, nineteen hundred thirty-one, is hereby made to the department of labor:

DEPARTMENT OF LABOR

State Insurance Fund

To reimburse the state insurance fund for moneys paid Albert C. Holzhauer, a member of the state employees' retirement system $483 15

§ 2. This act shall take effect immediately.

CHAPTER 655

AN ACT to amend the general corporation law and the executive law, in relation to the filing of certificates in the department of state and in the offices of the county clerks, and making an appropriation therefor

Became a law April 22, 1931, 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:

General corporation law, § 8 amended.

Section 1. Section eight of chapter twenty-eight of the laws of nineteen hundred nine, entitled ''An act relating to corporations generally, constituting chapter twenty-three of the consolidated laws,'' such chapter having been amended throughout by chapter six hundred and fifty of the laws of nineteen hundred twenty-nine, is hereby amended to read as follows:

§ 8. **Filing[1] certificates.** 1. Every certificate of incorporation and

[1] Words "and recording" omitted.

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every certificate amendatory thereof or supplemental thereto,[2] shall be in the English language, except that the corporate name may be in another language provided it is written in English letters or characters.

2. Except as otherwise provided by law, every such certificate shall be filed in the department of state.[3] [4]The secretary of state shall index such certificate and shall make, certify and transmit a copy thereof, by registered mail, to the clerk of the county in which the office of the corporation is to be or is located. [4]The county clerk shall file and index, but shall not record such copy. All taxes required by law to be paid before or upon incorporation and the fees for filing[5] such certificate must be paid before filing. No corporation shall exercise any corporate powers or privileges until such taxes and fees have been paid.

[6]Immediately upon the filing of a certificate of incorporation in the department of state the existence of the corporation created thereby shall be deemed to begin, and immediately upon such filing of any certificate amendatory of or supplemental to any certificate of incorporation, such certificate of incorporation shall be deemed to be amended or supplemented in accordance with the provisions thereof.

§ 2. Section twenty-six of chapter twenty-three of the laws of nineteen hundred nine, entitled "An act in relation to executive officers, constituting chapter eighteen of the consolidated laws," as amended by chapter sixty-nine of the laws of nineteen hundred seventeen, subdivision ten having been amended by chapter one hundred and sixty-three of the laws of nineteen hundred twenty-nine, is hereby amended to read as follows: Executive law, § 26 amended.

§ 26. **Fees.** The department[7] of state shall collect the following fees:[8]

1.[9] For searching the records of the department[10] for any one year and for every other year in which such search is made, six cents.

2.[11] For a copy of any paper or record not required to be certified or otherwise authenticated,[12] ten cents per folio.

3.[13] For a certified or exemplified copy of any law, record or

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2 Words "and every certificate which alters the provisions of any certificate of incorporation or of any amendatory or supplemental certificate hereafter executed," omitted.

3 Words ", and shall be indexed and a copy of such certificate duly certified by the secretary of state, or a duplicate original of such certificate shall be filed in the office of the clerk of the county in which the office of the corporation is to be or is located, and shall be recorded and indexed by such clerk" omitted.

4 Following sentence new.

5 Words "and recording" omitted.

6 Following paragraph new.

7 Formerly "secretary."

8 Words "1. For entering a caveat, twelve and a half cents" omitted.

9 Formerly "2."

10 Words "of the department" substituted for words "in his office."

11 Formerly "3."

12 Words "by him" omitted.

13 Formerly "4."

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paper, fifteen cents per folio, and one dollar additional for the certificate under the official[14] seal of the department of state, affixed[15] thereto; and this fee shall be the same whether such copy be made by the department[15a] of state or previously prepared and presented to it[16] for certification, any other law to the contrary notwithstanding.

4.[17] For a certificate under the great seal of the state, two dollars.

5.[18] For recording a certificate, notice or other paper required to be recorded, except as otherwise provided by this section, twenty-five cents per folio.

6.[19] For a certificate as to the official character of a commissioner of deeds residing in another state or foreign country, twenty-five cents, and for every other certificate under the official[14] seal of the department of state,[20] two dollars.

7.[21] For every patent for lands under water, five dollars for each parcel included therein, and for every other patent the sum of five dollars except when the parcels conveyed exceed five in number, when an additional sum of one dollar shall be charged for each lot in excess of five embraced in such patent.

8.[22] For[23] a peddler's license,[24] two dollars.

9.[25] For registering and recording a notice of a mining claim as required by section eighty-three of the public lands law, five dollars.

10.[25] For registering a trade-mark, name, brand, device or label, in pursuance of law, for the registry of which no other fee is exacted, five dollars.

11.[26] For filing the certificate of incorporation of a railroad corporation, fifty dollars; for filing the certificate of incorporation of any other corporation, forty[27] dollars; for filing a certificate of voluntary dissolution under the provisions of the stock corporation law or the membership corporations law,[28] including the issuance of duplicate certificates by the secretary of state, five dollars; for filing a certificate or report of voluntary dissolution under the provisions of the co-operative corporations law, five dollars; for filing the statement and designation of a foreign corporation, including the issuance of a certificate of authority,[29] one

14 Words "the official" new.
15 Words "the department of state, affixed" substituted for words "his office, attached."
15-a Formerly "secretary."
16 Formerly "him."
17 Formerly "5."
18 Formerly "6."
19 Formerly "7."
20 Words "the department of state," substituted for words "his office."
21 Formerly "8."
22 Formerly "9."
23 Words "each license granted to" omitted.
24 Words "peddler's license," substituted for words "peddler, the sum of."
25 Following subdivision new.
26 Formerly "10."
27 Formerly "thirty."
28 Words "or the membership corporations law" new.
29 Words "including the issuance of a certificate of authority," new.

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hundred[30] dollars; for filing any other certificate or instrument under the provisions of any section of the corporate laws or the benevolent orders law or the general association law, twenty-five[31] dollars.[32]

12.[33] For a certificate under subdivision three of section twelve[34] of the general corporation law, twenty-five dollars.

No fee shall be collected for copies of records furnished to state officers for use in their official capacity, [35]nor shall any fee be collected for certified copies of corporation certificates transmitted to county clerks by the department of state for filing pursuant to law.

The department of state shall, on or before the tenth day of each month, out of the moneys collected during the preceding month pursuant to subdivision eleven of this section, pay over to each county clerk in whose office a certified copy of a corporation certificate shall have been filed by the department during such preceding month pursuant to law, the sum of five dollars for each such copy, and such payment shall be received by the county clerk in full satisfaction of all fees for filing such copy, any other general or special law to the contrary notwithstanding. All such moneys remaining after such payments to the county clerks shall be paid to the state treasurer pursuant to section thirty-seven of the state finance law.

§ 3. For the purposes of carrying this act into effect, the following appropriations are hereby made payable from the state treasury on the audit and warrant of the comptroller on vouchers approved by the secretary of state: Appropriation.

PERSONAL SERVICE

Assistant examiner	$2,500 00
Searcher	1,600 00
Photostat operator	1,500 00
Assistant photostat operator	1,200 00
Clerk or stenographer, 3 at $1,200	3,600 00

MAINTENANCE AND OPERATION

Equipment, supplies and materials	46,300 00
Communication	3,300 00

§ 4. This act shall take effect September first, nineteen hundred thirty-one. In effect Sept. 1, 1931.

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[30] Words "one hundred" substituted for word **"fifty."**
[31] Formerly "twenty."
[32] Former subdivisions 11–14 omitted.
[33] Formerly "15."
[34] Formerly "nine."
[35] **Remainder of subdivision new.**

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CHAPTER 656

AN ACT making an additional appropriation to the legislature for the payment of certain expenses incurred by William S. Murray and Samuel H. Miller in connection with the contest instituted by said William S. Murray against said Samuel H. Miller, formerly representing the thirty-sixth senatorial district in the senate of the state of New York

Became a law April 22, 1931, 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. The several sums specified herein shall, notwithstanding the provisions of section sixty-five of the legislative law, be immediately available for payment when this act takes effect and shall be paid by the division of finance, department of taxation and finance, on the warrant of the comptroller, to the persons and for the purposes herein specified and indicated, which several amounts are hereby appropriated out of any moneys in the state treasury not otherwise appropriated.

THE LEGISLATURE

THE SENATE

Murray against Miller

For payment to James T. Cross, counsel for William S. Murray, in the contest of William S. Murray against Honorable Samuel H. Miller, for services and expenses heretofore rendered and incurred... $7,500 00

For payment to James M. O'Hara, counsel for Honorable Samuel H. Miller, in the contest of William S. Murray against Honorable Samuel H. Miller, for services and expenses heretofore rendered and incurred $7,500 00

§ 2. This act shall take effect immediately.

CHAPTER 657

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the conservation department

Became a law April 22, 1931, 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. The following appropriation for the support of government to be immediately available is hereby made to the conservation department:

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MAINTENANCE AND OPERATION

Administration

For the purchase of power boats for patrol work for use of protectors and inspectors..... $16,000 00

§ 2. The following appropriations made to the conservation department by chapter twenty-one, laws of nineteen hundred thirty-one, parts one and two, are hereby repealed: L. 1931, ch. 21, parts I, II repealed in part.

CONSERVATION DEPARTMENT

PART I

PERSONAL SERVICE

Bureau of marine fisheries, laborer "Yolanda" $1,200.00; laborer and caretaker "Yolanda" $2,100.00; cook "Yolanda" (nine months) $1,500.00; laborer "Yolanda" (nine months) $900.00; laborer "Yolanda" (nine months) $900.00; laborers, temporary $1,200.00; clerk $1,200.00.

MAINTENANCE AND OPERATION PART I

Marine fisheries

Food 2,500 00

MAINTENANCE AND OPERATION PART II

Marine fisheries, services and expenses and equipment (for liabilities prior to June thirty, nineteen thirty-one) 5,000 00

§ 3. This act shall take effect immediately.

CHAPTER 658

AN ACT making an appropriation for the payment to Elaine Lackey Frey, widow of the late John E. Frey, sergeant of state police, who was shot and killed in the performance of his duty on March eighteenth, nineteen hundred thirty-one

Became a law April 22, 1931, 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. The sum of five thousand dollars ($5,000) is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, to be paid to Elaine Lackey Frey, widow of the late John E. Frey, sergeant of state police, who was shot and killed in the performance of his duty on March eighteenth, nineteen hundred thirty-one. The moneys hereby appropriated shall be paid by the department of taxation and finance on the audit and warrant of the state comptroller.

§ 2. This act shall take effect immediately.

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CHAPTER 659

AN ACT making appropriations for the support of government, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one, to the department of public service

Became a law April 22, 1931, 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. The following appropriations for the support of government to be available for the year beginning July first, nineteen hundred thirty-one, is hereby made to the department of public service:

DEPARTMENT OF PUBLIC SERVICE

STATE DIVISION

PERSONAL SERVICE

Administrative

The item in chapter twenty-one, of the laws of nineteen hundred thirty-one, reading, "Clerk, 3 at $1,700" is hereby made to read "Clerk, $1,750; clerk, 2 at $1,700."

The item in chapter twenty-one, of the laws of nineteen hundred thirty-one, reading, "Stenographer, $1,700," to correct an error, is hereby made to read "Stenographer, $1,800."

§ 2. The following appropriation for the support of government to be available for obligations incurred prior to June thirtieth, nineteen hundred thirty-one, is hereby made to the department of public service:

DEPARTMENT OF PUBLIC SERVICE

STATE DIVISION

MAINTENANCE AND OPERATION

Traveling expenses 10,000 00

§ 3. This act shall take effect immediately.

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CHAPTER 660

AN ACT making an appropriation, in addition to that made by chapter two hundred and twenty-seven of the laws of nineteen hundred thirty, for increases in salaries of persons in the competitive class of the civil service of the state

Became a law April 22, 1931, 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. In addition to the moneys provided by chapter two hundred and twenty-seven of the laws of nineteen hundred thirty for increases in salaries of persons in the competitive class of the civil service of the state the sum of eighteen thousand dollars ($18,000) is hereby appropriated.

§ 2. This act shall take effect immediately.

CHAPTER 661

AN ACT making an appropriation for the expenses of a fitting celebration of the centennial anniversary of the founding of the New York State Agricultural Society

Became a law April 22, 1931, 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:

Observance of anniversary authorized.

Section 1. For the purpose of providing for the proper observance of the one hundredth anniversary of the organization of the New York State Agricultural Society which has performed a valuable service to the state in promoting all branches of agriculture, the department of agriculture and markets and the state historian are hereby authorized and empowered to arrange for and conduct suitable ceremonies and other commemorative exercises, and prepare and publish a centennial history of agriculture in the state of New York.

Appointment special officers authorized.

§ 2. The department of agriculture and markets and the state historian are hereby authorized to appoint and employ such special officers, committees and agencies as shall best enable them to carry out the purposes of this act.

Appropriation.

§ 3. For the purpose of carrying out the provisions of this act the sum of five thousand dollars ($5,000), or so much thereof as may be necessary, is hereby appropriated for the purposes aforesaid out of any moneys in the treasury not otherwise appropriated which said sum shall be available for the fiscal year beginning July first, nineteen hundred thirty-one. The expenditures under and pursuant to the provisions of this act shall be paid by the state treasurer on the warrant of the state comptroller issued upon requests or vouchers approved by the commissioner of agriculture and markets of the state of New York.

§ 4. This act shall take effect immediately.

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CHAPTER 662

AN ACT to create a temporary state commission to prepare and propose plans for participation by the state in the Chicago World's Fair Centennial Celebration to be held in the year nineteen hundred thirty-three

Became a law April 22, 1931, 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:

Temporary commission created; membership.

Section 1. There is hereby created a temporary state commission to consist of six members, of whom one member shall be appointed by the governor, one member shall be the commissioner of education, ex-officio, one member shall be the commissioner of agriculture and markets, ex-officio, one member shall be the conservation commissioner, ex-officio, and two members of the legislature, one senator to be appointed by the temporary president of the senate and one member of the assembly to be appointed by the speaker of the assembly. The commission shall organize by the selection from its members of a chairman and may employ a secretary and such other assistants as may be necessary and fix their compensation within the amount of the appropriation. A majority of the members of the commission shall constitute a quorum. The members of the commission shall serve without pay but may be allowed their necessary expenses incurred in the performance of their duties. The commission may meet, both within and without the state of New York. A vacancy in the office of an appointive member of the commission shall be filled by appointment by the person making the original appointment.

Organization.

Quorum.

To serve without pay.

Meetings.

Vacancies.

Report to legislature.

§ 2. Such commission shall prepare and propose plans for participation by the state in the Chicago World's Fair Centennial Celebration to be held at Chicago, Illinois, in the year nineteen hundred thirty-three, and report its recommendations to the legislature of the state of New York not later than March first, nineteen hundred thirty-two. Such report shall include such legislation as the commission deems necessary to carry out its recommendations.

§ 3. This act shall take effect immediately.

CHAPTER 663

AN ACT to amend the charter of the city of Batavia, generally

Became a law April 22, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

L. 1921, ch. 678, § 10 amended.

Section 1. Section ten of chapter six hundred and seventy-eight of the laws of nineteen hundred twenty-one, entitled "An act to

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revise the charter of the city of Batavia," such title being thus amended by chapter six hundred and eighty-nine of the laws of nineteen hundred twenty-six,* is hereby amended to read as follows:

§ 10. **City officers.** The officers of the city shall be a mayor, six councilmen, a city judge, a justice of the peace, a treasurer, city clerk, city attorney, city engineer, three assessors, not less than two or more than four constables, a commissioner of charities, a health officer, one chief of police, one assistant chief of police and such number of policemen as the common council may determine upon not exceeding, however, one for every one thousand inhabitants of said city as shown by the last preceding national census, a police matron, six[1] supervisors, and such other elective or appointive officers as are created by this act.

§ 2. Section twelve of such chapter is hereby amended to read as follows: § 12 amended.

§ 12. **Elective city officers enumerated; their terms of office.** The elective city officers to be elected by the city at large shall be a mayor, a city judge, a justice of the peace, a city attorney, a city treasurer, each of whom shall be chosen for a term of two years. The elective officers to be elected by each ward shall be a councilman[2] and a supervisor,[3] each of whom shall be chosen for a term of two years.

§ 3. Section eighteen of such chapter is hereby amended to read as follows: § 18 amended.

§ 18. **City elections and primaries.** The election of city officers shall be held biennially on the day of the general election held pursuant to the general election law of the state of New York, as provided in section one hundred and ninety-five of this act. The common council shall cause notice of such election as well as notice of all special and primary elections, to be published at least ten days previously in two or more of the newspapers printed in the said city and by posting written or printed notices thereof in six public places in said city. Every elective officer shall be nominated and elected at large except that one councilman and one supervisor[4] shall be nominated and elected by each ward.[5] [6]The supervisors of the city of Batavia, who shall be in office when this act shall take effect, and who shall have been elected or appointed pursuant to the provisions of chapter six hundred and seventy-eight of the laws of nineteen hundred twenty-one, the same being the charter of the city of Batavia, shall continue to hold their

* So in original [Evidently should be nineteen hundred twenty-one].

1 Formerly "three."

2 Words "; the elective officers of the city to be elected by a district composed of the first and second wards, shall be one supervisor; the elective officers of the city to be elected by a district composed of the third and fourth wards, shall be one supervisor; the elective officers of the city to be elected by a district composed of the fifth and sixth wards, shall be one supervisor," omitted.

3 Words "and a supervisor" new.

4 Words "and one supervisor" new.

5 Words "and one supervisor by each of the districts described in section twelve of this chapter for the election of supervisors" omitted.

6 Remainder of paragraph new.

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respective offices until the expiration of the terms of office for which they were respectively elected or appointed. The six supervisors to be elected in and from the several wards of the city of Batavia, as provided by this act, shall be so elected at the general election to be held in the year nineteen hundred thirty-one, and thereafter at each general biennial city election. No person shall be appointed to any such office of supervisor prior to such general election to be held in the year nineteen hundred thirty-one, except to fill a vacancy existing in the office of one of the three supervisors provided for by chapter six hundred and seventy-eight of the laws of nineteen hundred twenty-one, the same being the charter of the city of Batavia.

Every nomination of candidates for city or ward officers shall be made at a primary of the political party making the same, or by a duly authorized committee thereof, in the manner provided by the election law of the state of New York except as herein otherwise provided, such primary to be held at a time and place fixed thereby not less than four or more than five weeks prior to the election at which such offices are to be filled, notice of which shall be published in at least one or more newspapers fairly representing such party, published in said city, and posted in at least two public places in the ward in which such primary is to be held, at least one week prior to the time fixed for holding the same. No person shall be entitled to vote at any party primary unless he shall be duly enrolled as a voter of the party holding the same and a qualified voter at the ensuing city election. All nominations shall be made by ballot, and the result shall be determined by pluralities. The polls thereat shall be kept open as follows: at the general primary for the nomination of candidates at large from three o'clock in the afternoon until ten o'clock in the afternoon;[7] and at the primary in each of the several wards for the nomination of a councilman and a supervisor[8] from five o'clock in the afternoon until seven o'clock in the afternoon; poll lists of all persons voting thereat shall be kept by tellers elected for that purpose, and watchers shall be appointed for each candidate requesting the same. Independent nominations may also be made by petition in the manner provided by the election laws. Party certificates of nomination for all city and ward offices shall be filed with the city clerk not less than twenty nor more than twenty-five days before the election; independent certificates of nomination shall be filed with said clerk within five days after party nominations are required to be filed, and not earlier than party nominations for the same offices can be filed; and all provisions of the election law as to the form and execution thereof, the declinations of nominations and the filling of vacancies shall apply thereto. All provisions of the election law of the state of

[7] Words "at the several district primaries for the nomination of a supervisor from six o'clock in the afternoon until eight o'clock in the afternoon;" omitted.

[8] Words "and a supervisor" new.

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New York not inconsistent with this act, shall apply to and govern the manner of conducting all elections in said city. At least six days before any election to fill any public office, the city clerk shall cause to be published in two or more newspapers of the city a list of all nominations of candidates for offices to be filled at such election, certified to such clerk or filed in his office. Such publication shall contain the names and residences of each candidate. At the general election where candidates for city offices are to be elected the form of general ballot, tally sheet and official pasters; the method of voting, of preparing the ballots by voters to indicate their choice, and the method of counting the votes and certifying the results shall be in all respects as provided by the election law, except as in this act otherwise provided. Only the names of candidates nominated for the offices of mayor, city judge, city attorney, city treasurer, justice of the peace, supervisors[9] and councilmen in their respective wards in the manner in this title provided shall be placed upon the official ballot as candidates for such offices. The names of such candidates shall be placed in the column on the extreme right of the official ballot; at the top of such column there shall be printed in type known as great primer roman condensed capitals the caption "city nominations" which caption shall be separated from the rest of the column by a heavy printed line. Under such caption the names of the candidates for the offices of mayor, councilman, supervisors,[9] city judge, city attorney, city treasurer and justice of the peace shall be printed in the same manner and with the same alphabetical arrangement as provided in this title for the official ballot at primary elections. A voter may write in the blank space under the candidates for mayor, in the blank spaces under the candidates for councilmen, in the blank spaces under the candidates for supervisors,[10] in the blank space under the candidates for city judge, in the blank space under the candidates for city attorney, in the blank space under the candidates for city treasurer and in the blank space under the candidates for justice of the peace the name or names of any person or persons for whom he desires to vote as his choice for the office, whose name or names are not printed on the ballot as candidates for such office. No words, device, emblem, sign or writing whatsoever shall be printed, written, stamped or placed over, in or upon the column containing the city nominations, except as herein specially provided for such column. In case of the death of a candidate for the office of mayor, councilman, supervisor,[11] city judge, city attorney, city treasurer or justice of the peace the official paster as provided for in section one hundred and thirty-seven of the election law shall contain the name of the successor candidate but not the title of the office. If the voter desires to vote for a person who has been nominated as a candidate for the office of mayor, councilman,

[9] Word "supervisors" new.
[10] Words "in the blank spaces under the candidates for supervisors" new.
[11] Word "supervisor" new.

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supervisor,[12] city judge, city attorney, city treasurer or justice of the peace he must make a cross × mark in the voting space before the name of such candidate. If the voter desires to vote for any person for the office of mayor, councilman, supervisor,[12] city judge, city attorney, city treasurer or justice of the peace whose name does not appear upon the ballot, he can so vote by writing the name of the person with a pencil having black lead in the blank space under the title of the office in the city nominations column. There shall be a separate tally sheet made for city officers. On the right of the column of such tally sheet headed "total number of ballots counted for," there shall be a column headed "city candidates" in which column shall be printed the titles of the respective city offices of mayor, councilman, supervisor,[12] city judge, city attorney, city treasurer and justice of the peace and the names of the candidates therefor, respectively in the same order as printed in the city nomination column on the general ballot, except that between the name of the last candidate for mayor, and the title of the office of councilman, supervisor,[12] city judge, city attorney, city treasurer and justice of the peace shall be left a space sufficient to write therein the names of persons voted for for such office of mayor; and like blank spaces shall be similarly left under the office of councilman, supervisor,[12] city judge, city attorney, city treasurer and justice of the peace in such column. To the right of such column shall be a column headed "total number of votes cast and counted for each candidate, and blank ballots," in which column opposite the name of each person shall be entered the total number of votes cast and counted for him. Immediately below the space left for the writing in of names of persons voted for for the office of mayor, councilman, supervisor,[12] city judge, city attorney, city treasurer and justice of the peace in the column headed "city candidates," and in the same column, shall be printed the words "blank ballots," and opposite thereto shall be entered the number of ballots on which no vote for any person for such office has been cast. Opposite thereto, and in the column headed "total number of votes cast and counted for each candidate, and blank ballots" shall be entered the total number of such blank ballots. The votes canvassed for city candidates, and such blank ballots, shall be entered by single marks grouped into five marks. A voting machine to be used at any general election where candidates for city office are to be voted for must be so constructed as to require and permit the voter who desires to vote for candidates for the offices of mayor, councilman, supervisor,[12] city judge, city attorney, city treasurer and justice of the peace of the city to do so separately. The candidates for city office shall be arranged by themselves upon the ballot used upon such machines, in as nearly as may be practicable the same order as provided in this section for the arrangement of such candidates

[12] Word "supervisor" new.

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upon the blank ballots, but they may be arranged either in horizontal rows or vertical columns. Return shall be made by the several inspectors of election in the several districts in the form and manner provided by the election law, and filed with the city clerk of said city, immediately upon the completion thereof. The common council shall convene on the second Wednesday next succeeding the election at eight o'clock in the afternoon at their usual place of meeting, and shall thereupon organize as a city board of canvassers of the election returns, and the statement of the votes filed with the city clerk shall be produced by the city clerk; the common council acting as such board of canvassers shall forthwith determine, declare and certify in the manner provided by law, who were duly elected at such election to the various city offices; they shall make and sign a certificate of such election and file it with the city clerk. All the provisions of the general election law as to the powers, duties and procedure of a county board of canvassers shall be applicable to said city board of canvassers and shall regulate and control it in the discharge of its duties, and any error in its determination or statement may be corrected in the manner provided by the general election law. In case of a tie vote at any election the office shall be filled by the majority vote of the common council. All officers and employees in said city shall be appointed with reference to their qualifications and fitness and for the good of the public service, and without reference to their political faith or party affiliations.

§ 4. Section forty-four of such chapter is hereby amended to read as follows: § 44 amended.

§ 44. **Powers and duties of supervisors.** The supervisors of the city of Batavia shall have the same powers and duties as supervisors of the towns of Genesee county and shall be members of the board of supervisors of the county of Genesee. They shall receive the same compensation allowed, by law, in the same manner as supervisors of towns, except fees for copying assessment rolls and extending taxes, which last mentioned fees shall be paid to the city clerk for the use of the city. The supervisors elected, appointed or qualified under this act shall be recognized by the board of supervisors of Genesee county and be allowed to take their seats as members of said board and participate in all the deliberations and proceedings of said board during their terms of office and each of the wards[13] of said city from which a supervisor shall be elected shall at all times be entitled to the same representation on the board of supervisors of Genesee county as a town of Genesee county. Each of the said wards[13] of said city shall be regarded as a town of Genesee county for the purpose specified in article sixteen of the judiciary law, respecting the selection, drawing and procuring the allowance of trial jurors. The supervisor of the first ward, the supervisor of the second ward,[14] the supervisor of the third ward, the supervisor of

[13] Formerly "districts."
[14] Words "ward, the supervisor of the second ward," substituted for words "and second wards together."

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the fourth ward,[15] the supervisor of the fifth ward and the supervisor of the sixth ward,[16] each supervisor acting only for the ward[17] from which he was elected, and the city clerk and assessors of said city shall perform for said wards respectively the duties prescribed in said article. A triplicate of each list of jurors selected by them respectively shall be filed in the office of the clerk of said city, which shall be deemed a town clerk's office for that purpose. The supervisors and the clerk and assessors of said city shall meet in the clerk's office at the time provided by law and proceed to discharge the duties imposed upon them by the judiciary law as aforesaid, and by this act; and the lists made by them, each supervisor acting for the ward[17] only in which he was elected, shall constitute the list of persons to serve as trial jurors for the ensuing three years. The supervisors elected under this act and the clerk and assessors of said city shall meet every third year thereafter for the same purpose, and in the same manner make and file lists so required of them. The city clerk shall furnish to the city judge and justice of the peace certified copies of all such lists, and from the names of all such jurors in the city shall be drawn the trial jurors in actions and proceedings in the city court and before the city judge and justice of the peace.

§ 5. This act shall take effect immediately.

CHAPTER 664

AN ACT to amend the penal law, in relation to agreements or contracts for privileges to deal with prospective occupants of tenements or apartment houses in process of construction or to be constructed

Became a law April 22, 1931, 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:

§ 861 amended.

Section 1. Section eight hundred and sixty-one of the penal law is hereby amended to read as follows:

§ 861. **Agreements or contracts for privileges to deal with occupants of tenements or apartment houses.** 1. A contract, agreement or arrangement entered into or executed by and between the owner or prospective owner[1] of an apartment house or a tenement, whether such apartment house or tenement is in existence or in process of construction or to be constructed in the future,[2] or any of the[3] agents, employees or servants of such an owner[4] and a dealer

15 Words "ward, the supervisor of the fourth ward" substituted for words "and fourth wards together."

16 Words "ward and the supervisor of the sixth ward," substituted for words "and sixth wards together."

17 Formerly "wards."

1 Words "or prospective owner" new.

2 Words "whether such apartment house or tenement is in existence or in process of construction or to be constructed in the future," new.

3 Formerly "his."

4 Words "of such an owner" new.

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in or seller of fuel, ice or food, or his agents, employees or representatives for the purpose of giving to such dealer or seller the privilege of selling or delivering fuel, ice or food, to the persons occupying or to occupy[5] such apartment house or tenement is against public policy and void.

2. Any person who shall, directly or indirectly, either as the owner or prospective owner[6] of such apartment house or tenement, or as an agent, employee or servant of such an[7] owner, accept any money, property or thing of value for permitting or giving to any person, or his agents, employees or representatives, the privilege of selling or delivering fuel, ice or food, to the persons occupying or to occupy[5] such apartment house or tenement, and any person who shall, directly or indirectly, either as a seller of, or dealer in, fuel, ice or food, as an agent, employee, or representative of such seller or dealer, pay or give any money, property or thing of value, for such privilege shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment for not less than thirty days nor more than one year, or by both such fine and imprisonment in the discretion of the court. If a corporation is convicted of a violation of this section, it shall be punished by a fine of not less than fifty nor more than one thousand dollars.

3. A person occupying an apartment house or tenement, to whom fuel, ice or food, shall be sold or delivered by a seller or dealer who has paid or given any money, property or thing of value for the privilege of selling or delivering fuel, ice or food, to the persons occupying or to occupy[5] such apartment house or tenement, may recover of such seller or dealer for his benefit a penalty, in the sum of two hundred and fifty dollars, in a civil action brought in a court of competent jurisdiction.

§ 2. This act shall take effect September first, nineteen hundred thirty-one. In effect Sept. 1, 1931.

CHAPTER 665

AN ACT to amend the penal law, in relation to fraudulent checks

Became a law April 22, 1931, 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 twelve hundred and ninety-two-a of the penal law is hereby amended to read as follows: § 1292a amended.

§ 1292-a. **Issuing fraudulent check, draft or order; how punished.** Any person who, with intent to defraud, shall make or draw or utter or deliver any check, draft or order for the payment

[5] Words "or to occupy" new.
[6] Words "or prospective owner" new.
[7] Word "an" new.

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of money either in his own behalf or in behalf of any other person, or as an agent or representative of another or as an officer or agent of a corporation or purporting to be such an agent, representative or officer,[1] upon any bank or other depositary, knowing at the time of such making, drawing, uttering or delivering that the maker or drawer has not sufficient funds in or credit with such bank or other depositary for the payment of such check, although no express representation is made in reference thereto, shall be guilty of a misdemeanor; and if money or property is obtained from another thereby is guilty of larceny and punishable accordingly. In any prosecution under this section as against the maker or drawer thereof, the making, drawing, uttering or delivering of a check, draft or order, payment of which is refused by the drawee because of lack of funds or credit, shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in or credit with such bank or other depositary; where such check, draft or order has been protested, the notice of protest thereof shall be admissible as proof of such presentation, non-payment and protest, and shall be presumptive evidence that there was a lack of funds in or with such bank or other depositary.

The word "credit" as used herein, shall be construed to mean an arrangement or understanding with the bank or depositary for the payment of such check, draft or order.

In effect Sept. 1, 1931.

§ 2. This act shall take effect September first, nineteen hundred thirty-one.

CHAPTER 666

AN ACT making an appropriation for additional personal services, maintenance and operation in the department of public service

Became a law April 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. The sum of twenty-nine thousand eight hundred dollars ($29,800), or as much thereof as may be needed, is hereby appropriated from any money in the treasury not otherwise appropriated, and made available to the department of public service for the fiscal year commencing July first, nineteen hundred thirty-one, for personal services, maintenance and operation in such department during such fiscal year in addition and supplemental to any other appropriations made available to such department in such fiscal year for personal services, maintenance and operation. The money hereby appropriated shall be paid from the

[1] Words "either in his own behalf or in behalf of any other person, or as an agent or representative of another or as an officer or agent of a corporation or purporting to be such an agent, representative or officer," new.

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treasury in the same manner as other personal services, maintenance and operation charges are paid in such department and in accordance with the following schedule:

Water engineer	$6,000 00
Assistant engineer	3,000 00
Accountant	3,600 00
Accountant	2,400 00
Inspector, 3 at $2,400	7,200 00
Stenographer	1,500 00
Clerk	1,200 00
Clerk	900 00
	$25,800 00
Maintenance and operation	4,000 00
	$29,800 00

§ 2. This act shall take effect immediately.

CHAPTER 667

AN ACT making an appropriation for completing the construction of Bronx parkway extension

Became a law April 22, 1931, 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. The sum of two million four hundred and twenty-five thousand dollars ($2,425,000), is hereby appropriated to the Westchester county park commission as the agent for the state for completing construction of Bronx parkway extension in Westchester county including the spur connecting with the eastern state parkway at the Putnam county line.

§ 2. The money hereby appropriated shall be paid by the department of taxation and finance on the audit of the comptroller in accordance with the provision of law.

§ 3. This act shall take effect immediately.

CHAPTER 668

AN ACT to amend the penal law, in relation to immoral plays and the use of real property therefor

Became a law April 22, 1931, 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. Subdivision one of section eleven hundred and forty-a of the penal law is hereby amended to read as follows: § 1140a, subd. 1 amended.

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1. Any person who as owner, manager, producer, director[1] or agent or in any other capacity, prepares, advertises, gives, directs, presents or participates in, any obscene, indecent, immoral or impure drama, play, exhibition, show or entertainment, or any obscene, indecent, immoral, impure scene, tableau, incident, part or portion of any drama, play, exhibition, show or entertainment, which would tend to the corruption of the morals of youth or others; or who

Subd. 4 added to § 1140a.

§ 2. Such section is amended by inserting therein a new subdivision to follow subdivision three, to be subdivision four, to read as follows:

4. The provisions of this section shall not apply to any person participating in such performance merely as an actor, musician, stage hand or spectator.

In effect Sept. 1, 1931.

§ 3. This act shall take effect September first, nineteen hundred thirty-one.

CHAPTER 669

AN ACT to amend the vehicle and traffic law, in relation to financial responsibility for operation of motor vehicles

Became a law April 22, 1931, 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:

Art. 6a (§§ 94, 94a-94n) amended.

Section 1. Article six-a of chapter fifty-four of the laws of nineteen hundred twenty-nine, entitled "An act relating to motor vehicles, motor cycles, and highway traffic, constituting chapter seventy-one of the consolidated laws," as amended, is hereby amended to read as follows:

ARTICLE 6-A

FINANCIAL RESPONSIBILITY FOR OPERATION OF MOTOR VEHICLES

Section 94. General application.
94-a. Convictions and forfeitures of bail; revocations of licenses and security.
94-b. Failure to satisfy judgments; revocation of licenses and security.
94-c. Security and proof thereof; actions thereon.
94-d. Abstract of operating record.
94-e. Information as to security.
94-f. Return of licenses; certificates and number plates.
94-g. Cancellation and return of security.
94-h.[1] Transfer after suspension.
94-i.[1] Insurance policies not to be affected.

[1] Word ", actor" omitted.
[1] Following section new.

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94-j.[2] Forging of evidence of security.
94-k.[3] Motor vehicle liability policies.
94-l.[4] Definitions.
94-m.[5] Rules and regulations.
94-n.[6] Saving clause.

§ 94. **General application.** This article shall in no respect be considered as a repeal of any of the provisions of this chapter or of other laws relating to the registration, numbering and regulation of motor vehicles; the licensing and regulation of chauffeurs and operators; the use of the public highways by motor vehicles and the accessories used upon them and their incidents; the speed of motor vehicles upon the public highways; or the punishment for the violations of such provisions but shall be construed as supplemental thereto.

§ 94-a. **Convictions and forfeitures of bail; revocations of licenses and security.** The motor vehicle operator's or chauffeur's license and all of the motor vehicle registration certificates of any person who shall by a final order or judgment have been convicted of or pleaded guilty to or shall have forfeited any bond or collateral given for a violation of any of the following provisions of law, to wit: Homicide or assault arising out of the operation of a motor vehicle or motor cycle; reckless driving as provided in section fifty-eight of the vehicle and traffic law, or in an ordinance duly adopted by any city of the state pursuant to law, where an injury to the person or property actually results therefrom; operating or driving a motor vehicle contrary to the provisions of sections fifty-six or fifty-seven, of the vehicle and traffic law, or any ordinance, rule or regulation regulating speed of motor vehicles and motor cycles duly adopted pursuant to law, where an injury to the person or property actually results therefrom; operating or driving a motor vehicle upon the public highways of this state without an operator's license as provided in subdivision four of section twenty of the vehicle and traffic law; operating or driving a motor vehicle when in an intoxicated condition or going away without stopping after an accident as provided in subdivision five of section seventy of the vehicle and traffic law; an offense in any other state or in any province of Canada which, if committed in this state, would be a violation of any of the aforesaid provisions of law of this state, shall be suspended by the commissioner of motor vehicles because of such conviction, and shall remain so suspended and shall not at any time thereafter be renewed nor shall any motor vehicle be thereafter registered in his name until he shall give proof of his ability to respond thereafter in damages resulting from the ownership, maintenance, use[7] or operation of a motor

[2] Formerly "§ 94h."
[3] Formerly "§ 94i."
[4] Formerly "§ 94j."
[5] Formerly "§ 94k."
[6] Formerly "§ 94l."
[7] Words "maintenance, use" **new.**

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vehicle and arising by reason of personal injury to or death of any one person of at least five thousand dollars and subject to the aforesaid limit for each person injured or killed, of at least ten thousand dollars for such injury to or the death of two or more persons in any one accident, and for damage to property of at least one thousand dollars resulting from any one accident. Such proof in said amounts shall be furnished for each motor vehicle owned or registered by such person. If any such person shall fail to furnish said proof, his operator's or chauffeur's license and also his registration certificate shall remain suspended and shall not at any time thereafter be renewed nor shall any other motor vehicle be thereafter registered in his name until such time as said proof be given. If such person shall not be a resident of this state, the privilege of operating any motor vehicle in this state and the privilege of operation within the state of any motor vehicle owned by him shall be withdrawn, until he shall furnish such proof. A certified copy of the judgment, order or certificate of conviction shall be prima facie evidence of such conviction, plea or forfeiture therein stated. [8]It shall be the duty of the clerk of the court, or of the court where it has no clerk, in which any such judgment, order or certificate of conviction is rendered or other such action taken, to forward immediately to the commissioner a certified copy thereof. In the event that the person so shown to have been convicted, pleaded guilty or forfeited bond or collateral appears to be a non-resident of this state, the commissioner shall transmit a copy of such certified copy certified to by him, to the officer in charge of the issuance of motor vehicle operators' and/or chauffeurs' licenses and registration certificates of the state or province, of which such person appears to be a resident.

Provided, however, that if it shall be duly established to the satisfaction of the commissioner of motor vehicles, and the commissioner shall so find (a) that any such person so convicted, pleading guilty, or forfeiting bail or collateral,[9] was upon the occasion of the violation upon which such conviction or plea[10] was based or such bail or collateral forfeited,[11] a chauffeur or motor vehicle operator however designated in the employ of the owner of such motor vehicle, or a member of the immediate family or household of the owner of such motor vehicle,[12] and (b) that there was not at the time of such violation nor subsequent thereto up to the date of such finding any motor vehicle registered in this state, or, of a non-resident, in the state of his residence,[13] in the name of such [14]person, who so has been convicted, pleaded guilty or forfeited bail or collateral,[15] then and in such event if the person

[8] Remainder of paragraph new.
[9] Words "pleading guilty, or forfeiting bail or collateral," new.
[10] Words "or plea" new.
[11] Words "or such bail or collateral forfeited," new.
[12] Words "or a member of the immediate family or household of the owner of such motor vehicle," new.
[13] Words ", or, of a non-resident, in the state of his residence," new.
[14] Word "convicted" omitted.
[15] Words "who so has been convicted, pleaded guilty or forfeited bail or collateral," new.

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in whose name such motor vehicle is registered shall give proof of ability to respond in damages in accordance with the provisions of this act (and the commissioner of motor vehicles is hereby authorized to accept such proof from such person) such [14]person who so has been convicted, pleaded guilty or forfeited bail or collateral,[15] shall thereupon be relieved of the necessity of giving such proof in his own behalf.

§ 94-b. **Failure to satisfy judgments; revocation of licenses and security.** The operator's or chauffeur's license and all of the registration certificates of any person, in the event of his failure within fifteen days thereafter to satisfy every judgment which shall have become final by expiration without appeal, of the time within which appeal might have been perfected or by final affirmance on appeal, rendered against him by a court of competent jurisdiction in this state, or in any other state or the District of Columbia, or of any district court of the United States, or by a court of competent jurisdiction in any province of the Dominion of Canada,[16] for damages on account of personal injury, including death,[17] or damages to property in excess of one hundred dollars, resulting from the ownership, maintenance, use[18] or operation of a motor vehicle by him, his agent, or any other person for whose negligence he shall be liable and responsible, shall be forthwith suspended by the commissioner of motor vehicles, upon receiving a certified copy of such final judgment or judgments from the court in which the same are rendered, showing such judgment or[19] judgments to have been still unsatisfied after the expiration of fifteen days after the same became final as aforesaid, and shall remain so suspended and shall not be renewed nor shall any other motor vehicle be therefter registered in his name while any such judgment or judgments remain unstayed, unsatisfied and subsisting, until said judgment or judgments are satisfied or discharged, except by a discharge in bankruptcy, to the extent of or at least five thousand dollars for an injury to one person in one accident, and to the extent of ten thousand dollars for an injury to more than one person in one accident, and to the extent of one thousand dollars for an injury to property in any one accident, and until the said person gives proof of his ability to respond in damages, as required in section ninety-four-c of this chapter for future accidents. It shall be the duty of the clerk of the court, or of the court, where it has no clerk, in which any such judgment is rendered, to forward immediately, after the expiration of said fifteen days as aforesaid, to such commissioner a certified copy of such judgment or a transcript thereof. In the event the defendant is a non-resident

[14] Word "convicted" omitted.

[15] Words "who so has been convicted, pleaded guilty or forfeited bail or collateral," new.

[16] Words "or in any other state or the District of Columbia, or of any district court of the United States, or by a court of competent jurisdiction in any province of the Dominion of Canada," new.

[17] Words "including death," new.

[18] Words "maintenance, use" new.

[19] Words "judgment or" new.

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it shall be the duty of the commissioner to transmit to the commissioner of motor vehicles or other officer or officers having in charge the licensing of chauffeurs and operators and the registration of motor vehicles of the state or of any province of Canada of which the defendant is a resident, a certified copy or copies of the said judgment. If after such proof has been given, any other such judgment shall be recovered against such person for any accident occurring before such proof was furnished, such license and certificates shall again be and remain suspended, and no other such license or certificate shall be issued to such person[20] while any such judgment remains unsatisfied and subsisting, provided, however, that

(1) when five thousand dollars has been credited upon any judgment or judgments[21] rendered in excess of that amount for personal injury to or the death of one person as the result of any one accident, or

(2) when subject to the limit of five thousand dollars for each person, the sum of ten thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or the death of more than one person as the result of any one accident, or

(3) when one thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount for damage to property as the result of any one accident, resulting from the ownership, maintenance, use[22] or operation of a motor vehicle by such judgment debtor, his agent or by any other person for whose negligence the owner shall be liable and responsible, then and in such event, such payment or payments shall be deemed a satisfaction of such judgment or judgments for the purpose of this section only.

If any such motor vehicle owner or operator shall not be a resident of this state, the privilege of operating any motor vehicle in this state and the privilege of operation within the state of any motor vehicle owned by him shall be withdrawn, while any final judgment[23] against him as aforesaid,[24] shall be unstayed, unsatisfied and subsisting for more than fifteen days, as aforesaid, and shall not be renewed, nor shall any operator's or chauffeur's license be issued to him nor any motor vehicle registered in his name until every such judgment shall be stayed, satisfied or discharged as herein provided,[25] and until such person[26] shall have

[20] Words ", and no other such license or certificate shall be issued to such person" new.

[21] Words "or judgments" new.

[22] Words "maintenance, use" new.

[23] Words "or judgments hereafter procured" omitted.

[24] Words "as aforesaid," substituted for words "for damages, including personal injury or death caused by the operation of any motor vehicle, in this state or elsewhere,".

[25] Words "for more than fifteen days . . . satisfied or discharged as herein provided," substituted for words ", until said judgment or judgments are satisfied or discharged to the extent of at least five thousand dollars for an injury to one person in one accident, and to the extent of ten thousand dollars for an injury to more than one person in one accident, and to the extent of one thousand dollars for an injury to property in any one accident,".

[26] Words "such person" substituted for word "he."

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given proof of his ability to respond in damages for future accidents, as required in the next section.

§ 94-c. **Security and proof thereof; actions thereon.** Proof of ability to respond in damages when required by this act may be evidenced by the written certificate or certificates of any insurance carrier, duly authorized to do business within the state, that it has issued to or for the benefit of the person named therein a motor vehicle liability policy or policies as defined in this article, which, at the date of said certificate or certificates, is or are[27] in full force and effect, and designating therein by explicit description or by other appropriate reference all motor vehicles with respect to which coverage is granted by the policy or policies[28] certified to, which certificate or certificates shall be filed with the commissioner. The commissioner shall not accept any certificate or certificates unless the same shall cover all motor vehicles then registered in this state[29] in the name of the person furnishing such proof. Additional certificates as aforesaid shall be required as a condition precedent to the registration of any additional motor vehicle or motor vehicles in the name of such person required to furnish proof as aforesaid. Said certificate or certificates shall certify that the motor vehicle liability policy or policies therein cited shall not be cancelled or expire[30] except [31] as hereinafter provided.

Such proof may be the bond of a surety company, duly authorized to do business within the state, or a bond with at least two[32] individual sureties, each owning real estate within this state, which real estate shall be scheduled in the bond,[33] approved by a judge of a court of record, which said bond shall be conditioned for the payment of the amounts specified in this section, and shall not be cancellable except after ten days' written notice to the commissioner, and said bond shall be filed with the commissioner. Such bond shall constitute a lien in favor of the state upon the real estate of any individual surety, which lien shall exist in favor of any holder of any final judgment on account of damage to property over one hundred dollars in amount or injury to any person or persons resulting from the ownership, maintenance, use or[34] operation of such person's motor vehicle, upon the filing of notice to that effect by the commissioner in the office of the clerk of the county where such real estate shall be located. The county clerk shall record such notice in the books kept for the recording

27 Words "or are" new.
28 Words "or policies" new.
29 Words "in this state" new.
30 Words "or expire" new.
31 Remainder of sentence substituted for words "upon ten days' prior written notice thereof to the commissioner."
32 Words "at least two" new.
33 Words "within this state, which real estate shall be scheduled in the bond," new.
34 Words "resulting from the ownership, maintenance, use or" substituted for words "caused by the."

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of mortgages and shall index the same in the indexes for mortgagors and mortgagees, under the name of the individual surety in the column for mortgagors and the state of New York in the column for mortgagees.

Such proof of ability to respond in damages may also be evidence presented to the commissioner of a deposit by such person with the department of taxation and finance of a sum of money or collateral[35] in a form satisfactory to the commissioner, amounting to eleven thousand dollars. Subject to the approval of the commissioner the[36] department of taxation and finance shall accept any such deposit and issue a receipt therefor. But such department shall not accept a deposit of money or collateral where any judgment or judgments, theretofore recovered against such person as a result of damages arising from the operation of any motor vehicle, shall not have been paid in full.

The commissioner shall be notified of the cancellation or expiration of any motor vehicle liability policy of insurance certified under the provisions of this article at least ten days before the effective date of such cancellation or expiration. In the absence of such notice of cancellation or expiration said policy of insurance shall remain in full force and effect. Additional evidence of ability to respond in damages shall be furnished the commissioner at any time upon his demand. Such bond, money or collateral shall be held by the commissioner of motor vehicles or the department of taxation and finance,[37] as the case may be, to satisfy in accordance with the provisions of this article any judgment against such owner making the deposit in any suit arising out of damage caused by the operation of any motor vehicle owned or operated by such owner or by any other person for whose negligence the owner shall be liable and responsible. Money or collateral so deposited with the department of taxation and finance shall not be subject to any claims or demands except an execution on a judgment for damages for injury to property or personal injury or death as a result of the maintenance, use or[38] operation of the motor vehicle for which the security was given. Such motor vehicle liability policy or bond, or such money or collateral deposited, shall be furnished for each motor vehicle owned or registered by such owner in the amount of five thousand dollars for personal injury to or death of any one person, and subject to the aforesaid limit for each person injured or killed, of at least ten thousand dollars for such injury to or the death of two or more persons in any one accident, and for damage to property of at least one thousand dollars resulting from any one accident.

If a final judgment rendered against the principal on the bond

[35] Remainder of sentence substituted for words "in the amount or amounts specified in this section."

[36] Words "Subject to the approval of the commissioner the" substituted for word "The."

[37] Words "department of taxation and finance" substituted for words "state treasurer."

[38] Words "maintenance, use or" new.

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filed with the commissioner as provided in this section, shall not be satisfied within fifteen days after its rendition, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action on said bond in the name of the state against the company or persons executing such bond. Where the sureties on said bond are individual sureties, the judgment creditor may maintain such action or actions[39] on said bond and[40] for the foreclosure of the lien on the real estate of said sureties and for a sale thereof to satisfy said lien. The provisions of the civil practice act and the rules of civil practice in relation to an action to foreclose a mortgage shall apply to the action on said bond and to foreclose said lien so far as the same are applicable thereto.

§ 94-d. **Abstract of operating record.** The commissioner shall upon request furnish any insurer, person, or surety a certified abstract of the operating record of any person subject to the provisions of this act, which abstract shall fully designate the motor vehicles if any registered in the name of such person, and, if there shall be no record of any conviction of such person of a violation of any provision of any statute relating to the operation of a motor vehicle or any injury or damage caused by such person as herein provided, the commissioner shall so certify. The commissioner shall collect for each such certificate the sum of one dollar.

§ 94-e. **Information as to security.** The commissioner shall furnish any person who may have been injured in person or property by any motor vehicle, upon written request, with all information of record in his office pertaining to the evidence of the ability of any operator or owner of any motor vehicle to respond in damages.

§ 94-f. **Return of licenses, certificates and number plates.** Any operator or any owner, whose operator's license or certificate of registration shall have been suspended as herein provided, or whose policy of insurance or surety bond, when same is required under this law,[41] shall have been cancelled or terminated,[42] or who shall neglect to furnish additional evidence of ability to respond in damages upon request of the commissioner shall immediately return to the commissioner his operator's license, certificate of registration and the number plates issued thereunder. If any person shall fail to return to the commissioner, the operator's license, certificate of registration and the number plates issued thereunder as provided herein, the commissioner shall forthwith direct any state policeman or other police officer to secure possession thereof and to return the same to the office of the commissioner. Any person wilfully[43] failing to return such operator's license or such certificate and number plates shall be guilty of a

[39] Words "or actions" new.
[40] Word "and" new.
[41] Words ", when same is required under this law," new.
[42] Words "as herein provided" omitted.
[43] Word "wilfully" new.

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misdemeanor and shall be fined not less[44] than one hundred dollars [45] nor more than one thousand dollars, and such penalty shall be in addition to any penalty imposed for any violation of any other statute.

Such fine shall be paid over[46] in the manner provided for the disposition of fines and penalties under section seventy-three of the vehicle and traffic law.

§ 94-g. **Cancellation and return of security.** The commissioner may cancel such bond or return such evidence of insurance, or the department of taxation and finance, may, with the consent of the commissioner, return such money or collateral to the person furnishing the same, provided three years shall have elapsed since the filing of such evidence or the making of such deposit, during which period such person shall not have been convicted of, pleaded guilty to or forfeited bond or collateral given for any of the offenses specified[47] in section ninety-four-a of this article,[48] and provided no suit or judgment against him[49] for damages on account of personal injury or damage to the property in excess of one hundred dollars resulting from the ownership, maintenance, use or[50] operation of a motor vehicle by him or his agent, shall then be pending or[51] outstanding against such person, and the affidavit of such person that he has not so violated the motor vehicle laws and that there are then outstanding against him no suits or judgments for damages as aforesaid, shall be sufficient proof thereof in the absence of evidence to the contrary then before the commissioner.

The commissioner may direct the return of any money or collateral to the person entitled thereto at any time upon[52] the acceptance and substitution of other evidence of his ability to respond in damages or, at any time after three years from the expiration of any registration or license issued to such person, or at any time in the event of death or permanent incapacity of such person to own or operate a motor vehicle, or upon other good cause shown therefor,[53] provided no written notice shall have been filed with the commissioner stating that a[54] suit has been brought against such person by reason of the ownership, use,[55] maintenance or operation of a motor vehicle and, upon the filing by such person with the commis-

44 Formerly "more."

45 Remainder of sentence new.

46 Words "to the comptroller of the state" omitted.

47 Words "been convicted of, pleaded guilty to or forfeited bond or collateral given for any of the offenses specified" substituted for words "violated any provision of the motor vehicle laws referred to."

48 Words "ninety-four-a of this article" substituted for word "two."

49 Words "against him" new.

50 Words "ownership, maintenance, use or" new.

51 Words "pending or" new.

52 Words "entitled thereto at any time upon" substituted for words "who furnished the same upon."

53 Words ", or at any time in the event of death or permanent incapacity of such person to own or operate a motor vehicle, or upon other good cause shown therefor," new.

54 Formerly "such."

55 Word "use," new.

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sioner of an affidavit that he has abandoned his residence in this state or that he has made a bona fide sale of any and all motor vehicles owned by him and does not intend to own or operate any motor vehicle in this state for a period of one or more years.

§ [56]94-h. **Transfer after suspension.** If an owner's certificate of registration has been suspended under the provisions of this act, such certificate shall not be transferred nor the motor vehicle in respect of which such certificate was issued, registered in another name, where the commissioner has reasonable grounds to believe that such transfer or registration is proposed for the purpose or will have the effect of defeating the purpose of this act. Provided, however, that such transfer of registration shall be permitted upon the furnishing of proof of financial responsibility to the commissioner by such transferee, and provided further that nothing in this section contained shall be held to apply to or affect the registration of any motor vehicle sold by a person, firm or corporation which, pursuant to the terms or conditions of any written instrument giving a right of repossession, has exercised such right and has repossessed such motor vehicle from a person, firm or corporation whose certificate of registration has been suspended under the provisions of this act.

§ [56]94-i. **Insurance policies not to be affected.** Nothing in this article contained shall be held to apply to or affect forms of policies of automobile insurance against liability which may now or hereafter be required by special act, and such policies, if endorsed to conform to the requirements of this article shall be accepted as proof of financial responsibility when required under this article, nor shall anything in this article contained be held to apply to or affect forms of policies insuring solely the insured named in the policy against liability resulting from the maintenance, operation or use by other persons in the insured's employ or in his behalf of motor vehicles not owned by the insured.

§ 94-j.[57] **Forging of evidence of security.** Any person who shall forge, or without authority, sign any evidence of ability to respond in damages as required by the commissioner in the administration of this article,[58] and any non-resident who shall operate a motor vehicle in this state from whom the privilege of operating any motor vehicle has been withdrawn as provided herein,[59] shall be fined not more[60] than one thousand[61] dollars or imprisoned not more than thirty days or both.

§ 94-k.[62] **Motor vehicle liability policies.** "Motor vehicle liability policy," as used in this article, shall be taken to mean a

[56] Following section new.
[57] Formerly "94-h."
[58] Formerly "act."
[59] Words ", and any non-resident who shall operate a motor vehicle in this state from whom the privilege of operating any motor vehicle has been withdrawn as provided herein," new.
[60] Formerly "less."
[61] Formerly "hundred."
[62] Formerly "94-i."

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policy of liability insurance issued by an insurance carrier authorized to transact business in this state to the person therein named as insured, which policy shall designate, by explicit description or by appropriate reference, all motor vehicles with respect to which coverage is intended to be granted by said policy, and shall insure the insured named therein and any other person using or responsible for the use of any such motor vehicle with the consent, expressed or implied, of such insured, against loss from the liability imposed upon such insured by law or upon such other person for injury to or death of any person, other than such person or persons as may be covered, as respects such injury or death by any workmen's compensation law, or damage to property except property of others in charge of the insured or the insured's employees growing out of the ownership,[63] maintenance, use or operation of any such motor vehicle in the United States of America; or which policy shall, in the alternative, insure the person therein named as insured against loss from the liability imposed by law upon such insured for injury to or death of any person, other than such person or persons as may be covered as respects such injury or death by any workmen's compensation law, or damage to property, except property of others in charge of the insured or the insured's employees, growing out of the maintenance,[64] operation or use by such insured of any motor vehicle except a motor vehicle registered in the name of such insured and occurring while such insured is personally in control, as driver or occupant, of such motor vehicle within the United States of America, to the amount or limit of five thousand dollars exclusive of interest and costs, on account of injury to or death of any one person, and subject to the same limit as respects injury to or death of one person, of ten thousand dollars, exclusive of interest and costs, on account of any one accident resulting in injury to or death of more than one person; and of one thousand dollars for damage to property of others, as herein provided, resulting from any one accident; or a binder pending the issuance of any such policy, or an endorsement to an existing policy as hereinafter provided: Provided that this section shall not be construed as preventing such insurance carrier from granting any lawful coverage in excess of or in addition to the coverage herein provided for, nor from embodying in such policy any agreements, provisions or stipulations not contrary to law. No motor vehicle liability policy shall be issued or delivered in this state until a copy of the form of policy shall have been on file with the superintendent of insurance for at least thirty days, unless sooner approved in writing by the superintendent of insurance, nor if within said period of thirty days the superintendent of insurance shall have notified the carrier in writing that in his opinion, specifying the reasons therefor, the form of policy does not comply with the laws of the state. The superintendent of insurance shall approve any

[63] Word "ownership," new.
[64] Word "maintenance," new.

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form of policy which discloses the name, address and business of the insured, the coverage afforded by such policy, the premium charged therefor, the policy period, the limit of liability and the agreement that the insurance thereunder is provided in accordance with the coverage defined in this section and is subject to all the provisions of this article.

Such motor vehicle liability policy shall be subject to the following provisions, which need not be contained therein:

(a) The liability of any company under a motor vehicle liability policy shall become absolute whenever loss or damage covered by said policy occurs, and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or duty of the carrier to make payment on account of such loss or damage. No such policy shall be cancelled or annulled as respects any loss or damage by any agreement between the carrier and the insured after the said insured has become responsible for such loss or damage, and any such cancellation or annulment shall be void. Upon the recovery of a final judgment against any person for any such loss or damage, if the judgment debtor was at the accrual of the cause of action insured against liability therefor under a motor vehicle liability policy, the judgment creditor shall be entitled to have the insurance money applied to the satisfaction of the judgment. But the policy may provide that the insured, or any other person covered by the policy, shall reimburse the company for payments made on account of any accident, claim or suit involving a breach of the terms, provisions or conditions of the policy; and further, if the policy shall provide for limits in excess of the limits designated in this section, the insurance carrier may plead against such judgment creditor, with respect to the amount of such excess limits of liability, any defenses which it may be entitled to plead against the insured. Any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance.

(b) The policy, the written application therefor (if any) and any rider or endorsement which shall not conflict with the provisions of this article shall constitute the entire contract between the parties.

(c) The insurance carrier shall, upon the request of the insured, deliver to the insured for filing, or at the request of the insured shall file direct, with the commissioner of motor vehicles an appropriate certificate as set forth in section four hereof.

(d) Any carrier authorized to issue motor vehicle liability policies as provided for in this article may, pending the issue of such a policy, execute an agreement, to be known as a binder; or may, in lieu of such a policy issue an indorsement to an existing policy; each of which shall be construed to provide indemnity or protection in like manner and to the same extent as such a policy. The provisions of this section shall apply to such binders and endorsements.

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§ 94-l.[65] **Definitions.** The following words as used in this article, shall have the following meanings:

(a) The singular shall include the plural; the masculine shall include the feminine and neuter, as requisite.

(b) "Person" shall include individuals, partnerships, corporations, receivers, referees, trustees, executors and administrators; and shall also include the owner of any motor vehicle as requisite; but shall not include the state or any political subdivision thereof.

(c) "Motor vehicle" shall include trailers, motor cycles and tractors.

§ 94-m.[66] **Rules and regulations.** The commissioner shall make rules and regulations necessary for the administration of this act.

§ 94-n.[67] **Saving clause.** Nothing herein shall be construed as preventing the plaintiff in any action at law from relying for security upon the other processes provided by law.

§ 2. This act shall take effect immediately.

CHAPTER 670

AN ACT to amend chapter four hundred and ninety of the laws of nineteen hundred two, entitled "An act to make the office of sheriff of Monroe county a salaried office in part, and regulating the management of said office," in relation to the fees and compensation of the officers and employees of such office

Became a law April 23, 1931, 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:

Title amended.

Section 1. The title of chapter four hundred and ninety of the laws of nineteen hundred two, entitled "An act to make the office of sheriff of Monroe county a salaried office in part, and regulating the management of said office," is hereby amended to read as follows: An act to make the office of sheriff of Monroe county a salaried office,[1] and regulating the management of said office.

§ 1 amended.

§ 2. Section one of such chapter, as amended by chapter sixty-seven of the laws of nineteen hundred sixteen, is hereby amended to read as follows:

§ 1. The sheriff of the county of Monroe shall receive as his compensation for his services an annual salary [2]to be fixed by the board of supervisors of such county before the fifteenth day of May of the year of the election of every such sheriff, but the salary so fixed shall not be increased or diminished during the term for which any such sheriff shall have been elected.

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65 Formerly "94-j."
66 Formerly "94-k."
67 Formerly "94-l."
1 Words "in part" omitted.
2 Remainder of section substituted for words "of four thousand dollars."

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§ 3. Section two of such chapter as amended by chapter one hundred of the laws of nineteen hundred three, is hereby amended to read as follows: § 2 amended.

§ 2. The said salary shall constitute the whole compensation which shall be allowed or paid to, or received by the sheriff, for all official services performed by him or required to be performed by him as sheriff in the county of Monroe and for all services performed by him for the United States, the state of New York, or the county of Monroe, or chargeable thereto, or[3] which he is by law required or authorized to perform, or which he may hereafter be by law required or authorized to perform.

§ 4. Section three of such chapter is hereby amended to read as follows: § 3 amended.

§ 3. All[4] fees, emoluments and perquisites which such sheriff shall charge or receive, or which he[5] shall be authorized, required or entitled to charge or receive for performing any service or duty with which he is charged by law,[6] shall belong to the county of Monroe.[7] It shall be the duty of said sheriff to exact, collect and receive the full amount allowed by law for all such fees, emoluments and perquisites for said county, and all fees[8] shall be payable in advance.

§ 5. Section nine of such chapter is hereby repealed. § 9 repealed.

§ 6. Section ten of such chapter, as last amended by chapter sixty-seven of the laws of nineteen hundred sixteen, is hereby amended to read as follows: § 10 amended.

§ 10. The said sheriff, his under sheriff, deputies and employees appointed pursuant to this act[9] shall also be allowed and entitled to receive the necessary and actual disbursements incurred or to be incurred by them,[10] or[11] the court attendants when employed as deputies in the discharge of the duties designated in this act, or in performing any service for which the county received, or is

[3] Words "for all official services performed by him or required to be performed by him as sheriff in the county of Monroe and for all services performed by him for the United States, the state of New York, or the county of Monroe, or chargeable thereto, or" substituted for words "except that he shall be entitled to receive and to retain to his own use the fees and mileage fixed by law in civil actions and proceedings which the state of New York or the county of Monroe is not liable to pay, and his compensation from the state of New York for services upon the appellate division of the supreme court. The sheriff shall, without additional compensation, serve all subpoenas delivered to him by the district attorney, and shall perform all official acts and services."

[4] Word "other" omitted.

[5] Words "shall charge or receive, or which he" new.

[6] Words "for performing any service or duty with which he is charged by law," new.

[7] Words ", including his fees for conveying prisoners to state institutions, and for the board, custody and care of United States prisoners" omitted.

[8] Words "to which either the sheriff or the county may be entitled," omitted.

[9] Words ", his under sheriff, deputies and employees appointed pursuant to this act" new.

[10] Word "them" substituted for words "him, his under sheriff and deputies appointed pursuant to this act."

[11] Word "by" omitted.

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entitled to receive, the fees therefor under this act, which said disbursement shall be audited by the board of supervisors. Nothing herein contained shall authorize any disbursements[12] for salary or disbursements[13] of the sheriff or[14] any deputy or employee other than those herein specifically provided for. No claim for any service or disbursement by the sheriff or any of his appointees or employees except the salaries, wages and disbursements specifically designated in this act shall be a county charge nor be considered nor audited by such board of supervisors unless presented in due form to such board of supervisors within sixty days after the same shall have accrued or been made.

Time of taking effect.

§ 7. This act shall take effect January first, nineteen hundred thirty-two, except that the provision of section one of such chapter, as amended by this act, authorizing the board of supervisors to fix the salary of the sheriff prior to his election shall take effect immediately, in so far as to permit such board of supervisors to fix the salary of the sheriff who shall take office January first, nineteen hundred thirty-two, prior to that time.

CHAPTER 671

AN ACT to create a temporary state commission to act jointly with similar commissions of the states of New Jersey and Connecticut in formulating the terms of a treaty between the three states and the federal government in the matter of the prevention and eradication of contamination and pollution of the natural waterways flowing or situated between the states of New York and New Jersey or the states of New York and Connecticut and the natural waterways of said states flowing to any such separating natural waterways and the legislation, state and federal, necessary to make such recommendations effective, and making an appropriation for the expenses of such commission

Became a law April 23, 1931, 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:

Temporary commission created; how constituted.

Section 1. There is hereby created a temporary state commission to consist of seven members, of whom one member shall be appointed by the governor, one member shall be the state commissioner of health, ex officio, one member the chairman of the sanitary commission of the city of New York, ex officio and four to be members of the legislature, two senators to be appointed by the temporary president of the senate and two members of the assembly to be appointed by the speaker of the assembly. The commission shall organize by the selection from its members of a chairman and may employ a secretary and such engineering, legal or other professional assistants and such stenographic and clerical help

Organization.

[12] Words "by the sheriff" omitted.
[13] Formerly "fees."
[14] Words "the sheriff or" new.

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as may be necessary and fix their compensation within the amount of the appropriation. A majority of the members of the commission shall constitute a quorum. The members of the commission shall serve without pay but may be allowed their necessary expenses incurred in the performance of their duties. The commission may meet, both within and without the state of New York. A vacancy in the office of an appointive member of the commission shall be filled by appointment by the person making the original appointment.

Quorum.

To serve without pay.

Meetings.

Vacancy.

§ 2. Such commission shall have the power, on the part of the state of New York, to meet commissioners appointed, or who may be appointed, under or by virtue of the laws of the legislature of the states of New Jersey and Connecticut, to negotiate and agree upon the terms of a treaty between the said three states and the government of the United States, for the submission of such treaty to the legislatures of such states and to the federal government for approval, such treaty to cover comprehensively all matters relating to the prevention and eradication of the contamination and pollution of the natural waterways flowing or situated between the states of New York and New Jersey or the states of New York and Connecticut and of the natural waterways of said states flowing respectively to any of such separating natural waterways. Such commission shall report the terms, so agreed upon, of such treaty to the legislature of the state of New York not later than March first, nineteen hundred thirty-two and shall recommend such legislation, both state and federal, as may be necessary to render such treaty effective, accompanied with a statement of the facts necessary to afford the legislature the needed information therefor and draft or drafts of legislation to be enacted by the legislature of the state of New York to carry out its recommendations.

Powers.

Report.

§ 3. The sum of ten thousand dollars ($10,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the expenses of the commission created by this act. The money so appropriated shall be paid out of the state treasury on the certificate of the chairman of the commission, after an audit by and on the warrant of the comptroller.

Appropriation.

§ 4. This act shall take effect immediately.

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CHAPTER 672

AN ACT making an appropriation to provide for the construction of a bridge over the Hudson river from the city of Albany to the city of Rensselaer and apportioning the cost thereof between the state, the county of Albany and the county of Rensselaer

Became a law April 23, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Appropriation for construction of bridge.

Section 1. The sum of two million one hundred thousand dollars ($2,100,000), or so much thereof as may be needed, is hereby appropriated from moneys in the treasury not otherwise appropriated to pay the state's share of the cost of the construction, including engineering services, of the bridge over the Hudson river between the city of Albany and the city of Rensselaer, as authorized by chapter four hundred and one of the laws of nineteen hundred twenty-nine. The total cost of construction including engineering services of the superstructure and the substructure of said bridge shall be borne by the state. Of the total cost of the approaches, including engineering services together with the cost of the necessary lands and easements therefor, the county of Albany shall pay fifty per centum, and the county of Rensselaer shall pay fifty per centum.

Cost of approaches.

Moneys not available until agreements by counties are filed.

§ 2. The money hereby appropriated for the state's share of the cost shall not become available unless and until there has been filed with the department of public works agreements, signed by the chairman of the respective boards of supervisors of both Albany and Rensselaer counties, making available to the superintendent of public works such amounts as are certified to the respective county boards of supervisors by the superintendent of public works as the estimated county share of such estimated cost, based upon the percentages of the total cost herein stated. Such moneys representing the respective county shares of the estimated cost of such work shall be made available to the requisition of the superintendent of public works.

L. 1929, ch. 401 applicable.

§ 3. All of the provisions of chapter four hundred and one of the laws of nineteen hundred twenty-nine shall apply to the construction of such bridge and approaches except insofar as the provisions of this act are inconsistent therewith.

Respective shares of cost, how borne.

The respective shares of the cost of such work to be borne by the counties of Albany and Rensselaer shall be in accordance with agreements made pursuant to this act and not pursuant to the provisions of chapter four hundred and one of the laws of nineteen hundred twenty-nine, and for the purpose of applying section five of chapter four hundred and one of the laws of nineteen hundred twenty-nine, agreements made pursuant to the provisions of this act as to county shares of cost shall be deemed the determination referred to in such section.

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Moneys hereby appropriated to defray the state's share of the cost of such construction shall be paid out of the state treasury on the audit and warrant of the state comptroller on the certificate of the superintendent of public works. Audit.

§ 4. Section seven of chapter four hundred and one of the laws of nineteen hundred twenty-nine shall apply to the manner of the acquisition of any lands or easements required in Rensselaer county for the construction of such bridge and approaches, but the cost thereof shall be defrayed from the moneys to be made available as provided in this act. The cost of necessary lands or easements for the westerly approach to the bridge, in the city of Albany, being a part of a grade crossing elimination, is not a charge against the moneys to be made available as provided in this act. Acquisition of lands in Rensselaer county.

§ 5. All agreements covering the cost of lands or easements made by the county of Rensselaer shall be subject to the approval of the superintendent of public works before payment for same may be made from the county moneys made available to the requisition of the superintendent to cover the cost of such lands and easements. Any lands or easements acquired by either of such counties pursuant to this act shall, when acquired, be conveyed by such respective counties to the state. Agreements for cost of lands; approval.

§ 6. To expedite construction and to place responsibility and management in one general contracting organization, the superintendent of public works is authorized to and may, with the approval of the Delaware and Hudson Railroad Corporation, let the bridge work and the grade crossing work in one combined contract to the lowest responsible bidder upon the submitting of a tabulated list of bids to the public service commission and the approval by that commission to the effect that the bids received for the grade crossing work are not excessive. Proposals shall be received so as to show separately the cost of the bridge and cost of grade crossing elimination work as determined from the itemized bid prices. In the event that the low bidder on the combined work fails to become the low bidder for the grade crossing work, as shown by such proposals, the state will pay upon completion of the contract to the Delaware and Hudson Railroad Corporation from bridge appropriation funds herein authorized an amount of money equal to one-half the difference between the cost of the elimination work as performed under the bid prices of the low bidder for the combined work and the cost of the elimination work as determined by applying the itemized bid prices of the lowest responsible bidder, as determined by the public service commission from the bids received and shown in the tabulation of such bids covering the elimination work only. Manner of centralizing responsibility.

§ 7. This act shall take effect immediately.

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CHAPTER 673

AN ACT to create a temporary state commission to act jointly with similar commissions of states adjoining the state of New York to make a survey of utility companies engaged in interstate transmission of power, to formulate the terms of a treaty between such states and the federal government, and to recommend proposed legislation, state and federal, necessary to effectively regulate and control utility companies engaged in such interstate transmission of power, and making an appropriation for the expenses of such commission

Became a law April 23, 1931, 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:

Temporary commission created; how constituted.

Organization.

Quorum.

To serve without pay.

Meetings.

Vacancy.

Section 1. There is hereby created a temporary state commission to consist of six members, of whom two members shall be appointed by the governor, two senators to be appointed by the temporary president of the senate and two members of the assembly to be appointed by the speaker of the assembly. The commission shall organize by the selection from its members of a chairman and may employ a secretary and such legal or other professional assistants and such stenographic and clerical help as may be necessary and fix their compensation within the amount of the appropriation. A majority of the members of the commission shall constitute a quorum. The members of the commission shall serve without pay but may be allowed their necessary expenses incurred in the performance of their duties. The commission may meet both within and without the state of New York. A vacancy in the office of a member of the commission shall be filled by appointment by the person making the original appointment.

Powers.

Report.

§ 2. Such commission shall have power, on the part of the state of New York, to meet commissioners appointed, or who may be appointed, under or by virtue of the laws of the legislature of a state or states adjoining the state of New York, to make a general survey of utility companies of such states engaged in interstate transmission of power and to negotiate and agree upon the terms of a treaty or compact between the states and the government of the United States, for submission to the legislature of such states and to the federal government for approval, such treaty or compact to cover comprehensively all matters relating to the effective regulation and control of interstate transmission of power between such states. Such commission shall report the terms, so agreed upon, of such treaty or compact to the legislature of the state of New York not later than March first, nineteen hundred thirty-two, and shall recommend such legislation, both state and federal, as may be necessary to render such treaty or compact effective, accompanied with a statement of the facts necessary to afford the legislature the needed information therefor and a draft or drafts of legislation to be enacted by the legislature of the state of New York to carry out its recommendations.

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§ 3. The sum of five thousand dollars ($5,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the expenses of the commission created by this act. The moneys so appropriated shall be paid out of the state treasury after audit and upon the warrant of the comptroller on vouchers certified or approved by the chairman of the commission. Appropriation.

§ 4. This act shall take effect immediately.

CHAPTER 674

AN ACT to amend the highway law, in relation to additional amounts of state aid to towns to be paid in the year nineteen hundred thirty-one, and making an appropriation therefor

Became a law April 23, 1931, 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 thirty of the laws of nineteen hundred nine, entitled "An act relating to highways, constituting chapter twenty-five of the consolidated laws," is hereby amended by adding thereto a new section to be known as section one hundred and one-a, to read as follows: § 101a added.

§ 101-a. **Additional amount of state aid.** In the year nineteen hundred thirty-one there shall be paid by the state to the several counties in respect of certain towns therein an amount which shall be in addition to the sums now provided to be paid to said towns under authority of this chapter to be determined as follows:

To each town, in which by the latest annual tax levy, the tax for the repair and improvement of highways in the town, outside cities and incorporated villages, exclusive of state and county highways constructed or under contract and other highways maintained by the state, was less than three mills on each dollar of actual valuation of such property an amount which, after deducting therefrom the difference between the amount of said tax and the amount of a tax at three mills on each dollar of actual valuation, shall be not less than the difference between the amount of tax at three mills on each dollar of actual valuation and one hundred dollars per mile, provided, however, that the total of state aid to be paid to any such town shall be not less than the amount of state aid received by any such town in the year nineteen hundred twenty-six.

In any such town, however, the town board may on or before thirty days after this act takes effect elect to provide by the application of surplus moneys belonging to the town for which no provision for expenditure is otherwise made and/or by the issuance of a certificate of indebtedness payable in not more than ten months after date an amount equal to the difference between the amount of

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said tax and the amount of a tax at three mills on each dollar of actual valuation and to each such town so electing there shall be paid an amount which shall be not less than the difference between the amount of the tax at three mills on each dollar of actual valuation and one hundred dollars per mile, provided, however, that the total of state aid to be paid to any such town shall be not less than the amount of state aid received by any such town in the year nineteen hundred twenty-six.

To each town, in which by the latest annual tax levy, the tax for the repair and improvement of highways in the town, outside cities and incorporated villages, exclusive of state and county highways constructed or under contract and other highways maintained by the state, was less than three mills on each dollar of actual valuation of such property, and less than fifty dollars per mile of such highways, an amount equal to the difference between the amount of said tax and the sum of fifty dollars per mile for each such mile of highway in the town, provided, however, that the town board shall within thirty days after this act takes effect, provide by the application of surplus moneys belonging to the town for which no provision for expenditure is otherwise made and/or by the issuance of a certificate of indebtedness payable in not more than ten months after date, an amount equal to the difference between the amount of said tax and the amount of a tax the equivalent of fifty dollars or more per mile of such highways in the town.

The town board of any town complying with the foregoing provisions of this chapter by the application of surplus moneys or by the issuance of a certificate of indebtedness shall forthwith certify such fact to the state comptroller.

Such additional sums so provided by any town shall not be included in the year nineteen hundred thirty-two as any part of the basis of apportionment of state aid in that year.

Appropriation.

§ 2. The sum of ninety-four thousand six hundred eighty-four dollars and forty-three cents ($94,684.43), or so much thereof as may be necessary is hereby appropriated out of any moneys in the state treasury not otherwise appropriated to carry out the purpose of this act which shall be immediately available for payment when this act becomes a law and shall be paid by the division of finance, department of taxation and finance on the warrant of the comptroller.

§ 3. This act shall take effect immediately.

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CHAPTER 675

AN ACT making an additional appropriation for state aid to towns for the repair and improvement of town highways

Became a law April 23, 1931, 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. In addition to the amount appropriated by chapter twenty-one of the laws of nineteen hundred thirty-one, the sum of ten thousand nine hundred fifty-four dollars and thirty-two cents ($10,954.32) is hereby appropriated for the contribution of the state to the several towns based upon the amount of taxes levied therein for the repair and improvement of town highways, sluices, culverts and bridges having a span of less than five feet in the proportions fixed by section one hundred and one of the highway law and for complying with the requirements of said section.

§ 2. This act shall take effect immediately.

CHAPTER 676

AN ACT to amend chapter nineteen of the laws of nineteen hundred twenty-four, entitled "An act authorizing the creation of a debt of the state and the issuance and sale of bonds to provide for the payment of bonuses to honorably discharged soldiers, sailors and marines of the world war who were actual residents of the state at the time of their enlistment or induction into the military or naval service of the United States," in relation to removing certain limitations in such chapter and extending the time for filing applications, and making an appropriation therefor

Became a law April 23, 1931, 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 nineteen of the laws of nineteen hundred twenty-four, entitled "An act authorizing the creation of a debt of the state and the issuance and sale of bonds to provide for the payment of bonuses to honorably discharged soldiers, sailors and marines of the world war who were actual residents of the state at the time of their enlistment or induction into the military or naval service of the United States," is hereby amended by inserting therein after section fourteen, a new section, to be section fourteen-a, to read as follows: L. 1924 ch. 19, § 14a added.

§ 14-a. **Time to apply for bonus, and right to bonus, extended.** The right of any person to a state bonus, under this act, being chapter nineteen of the laws of nineteen hundred twenty-four as amended, which would have existed under this act at any time prior to the enactment of this section in the absence of the limita-

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tions imposed by section fourteen of this act and amendments thereto is hereby revived and continued in full force and effect, notwithstanding the provisions of such section fourteen; and the executive department, division of military affairs, shall continue to administer the provisions of this act, including this section; provided, however, that such department or division shall neither receive applications from nor make any awards of bonus to any applicant whose application for such bonus shall not have been filed with such division before July first, nineteen hundred thirty-two, and any right to such state bonus accruing to any applicant by reason of the provisions of this act on and after July first, nineteen hundred thirty-two, shall cease, terminate and be forever void. The right to a bonus given by subdivision E of section six of this act, as added by chapter twenty-six of the laws of nineteen hundred twenty-five, to certain relatives therein described, of a deceased person, shall accrue to such relatives of such deceased person who shall have died after the thirtieth day of April, nineteen hundred twenty-seven, and before the first day of July, nineteen hundred thirty-two, provided the application be filed before that day, notwithstanding the limitations prescribed by such section.

Appropriation.

§ 2. The sum of two hundred and fifty thousand dollars ($250,000), or so much thereof as may be necessary, is hereby appropriated, from any moneys in the state treasury not otherwise appropriated, for the payment of state bonuses under the provisions of chapter nineteen of the laws of nineteen hundred twenty-four, as hereby amended, applications for which shall have been filed after this act takes effect and before July first, nineteen hundred thirty-two. For the purposes hereof, the state comptroller, after audit, shall draw his warrants on the state treasury to the order of the adjutant-general of such amounts as may be certified from time to time by the adjutant-general.

§ 3. This act shall take effect immediately.

CHAPTER 677

AN ACT to amend the education law, in relation to establishing a county commission for special education in Westchester county, and providing for the establishment and operation of a special education district therein

Became a law April 23, 1931, 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:

Art. 21b (§§ 594-599, 599a) added.

Section 1. Chapter twenty-one of the laws of nineteen hundred nine, entitled "An act relating to education, constituting chapter sixteen of the consolidated laws," as amended by chapter one hundred and forty of the laws of nineteen hundred ten, is

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hereby amended by inserting therein a new article, to be article twenty-one-b, to read as follows:

ARTICLE 21-B

COUNTY COMMISSION FOR SPECIAL EDUCATION IN WESTCHESTER COUNTY

Section 594. Establishment of a special education district.
595. Powers and duties of county commission for special education.
596. Courses of study and qualifications of teachers.
597. State aid.
598. Appropriations by board of supervisors.
599. Issuance of special education district bonds.
599-a. County treasurer to act as treasurer of the county commission for special education.

§ 594. Establishment of a special education district. 1. The board of supervisors of Westchester county shall have power to adopt a resolution by a majority vote of the members of such board to establish within the county a special education district which shall include all the territory within the county. A city school district in such county having a population of fifty thousand or more inhabitants shall be excluded from such special education district provided the board of education of such city shall adopt a resolution requesting that such city school district be so excluded and file such resolution with the board of supervisors within sixty days after the establishment of such special education district. With the approval of the county commission for special education to be appointed as hereinafter provided, a city school district so excluded may later become a part of such special education district upon the written application by the board of education of such city school district.

2. Upon the establishment of such special education district the board of supervisors shall appoint a board which shall be known as the county commission for special education. Such commission shall consist of five members who shall serve for a period of five years each, except that members first appointed shall be appointed for such terms that the term of one member will expire each year, and their successors shall thereafter each be appointed for a full term of five years, respectively. Vacancies occurring in such office shall be filled by the board of supervisors for the unexpired term.

Members of such commission shall serve without compensation except their actual and necessary traveling expenses incurred in the performance of their official duties.

§ 595. Powers and duties of county commission for special education. The county commission for special education shall have power:

1. To make or cause to be made a survey to determine the special educational needs of the district.

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2. To establish schools or classes for physically handicapped children and to provide other necessary educational services, including transportation and home teaching.

3. To establish and maintain vocational schools and classes for the purpose of providing instruction in agricultural, industrial, commercial, technical and homemaking subjects.

4. To provide vocational and educational guidance service.

5. To establish such other special educational services as may meet the approval of the commissioner of education.

6. To employ a director of special education, who shall be the executive officer and secretary of the commission, and upon the recommendation of such director to employ directors, supervisors and teachers and all other persons necessary to carry on such special education projects as it may establish, and to determine the salaries to be paid.

7. To purchase, lease, rent, improve or sell land, and build, repair, improve, lease, rent, buy and sell buildings.

8. To acquire real property by condemnation for the purposes of such special education district. Such condemnation proceedings shall be instituted and conducted by such commission in the name of the district, under the provisions of the statutes relating to the condemnation of real property.

9. To purchase all necessary furniture, implements, books, materials, equipment and supplies.

10. To make contracts with cities, villages, school districts or other agencies for carrying out the purposes of this article.

11. To appoint advisory committees.

12. To make and establish, and from time to time alter and amend, rules and regulations for the transaction of its business and for the administration of the work under its charge.

13. It shall be the duty of the commission to make an itemized estimate of the money needed for the ensuing year for the purposes of this article and file the same with the clerk of the board of supervisors at least sixty days before the annual meeting of such board.

14. It shall be the duty of the commission to make an annual report in writing to the regents of the university of the state of New York and to the board of supervisors on or before the first day of October in each year. It shall also be its duty to make such other reports as may be required by the commissioner of education and by the board of supervisors.

15. It shall have such other powers and shall perform such other duties as may be necessary to carry into effect the purposes of this article.

16. It shall not incur liabilities against county funds in excess of the amounts appropriated by the board of supervisors.

§ 596. **Courses of study and qualifications of teachers.** The courses of instruction to accomplish the purposes of this article are to be approved by the commissioner of education. The qualifications of the teachers, directors, assistants and supervisors employed by the county commission for special education must conform to

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the regulations of the regents of the university and the commissioner of education.

§ 597. **State aid.** The commissioner of education in the annual apportionment of public moneys shall apportion therefrom to such county the quotas provided in section five hundred and ninety-two of this chapter.

§ 598. **Appropriations by board of supervisors.** The board of supervisors may make appropriations and levy taxes upon all the taxable property included within the boundaries of the special education district to carry out the purposes of this article, and such taxes shall be assessed, levied and collected at the same time and in the same manner as county taxes are assessed, levied and collected within the boundaries of such special education district.

§ 599. **Issuance of special education district bonds.** For the purpose of giving effect to the provisions of this article the board of supervisors of such county is hereby authorized, whenever an appropriation shall have been made or a tax shall have been voted for the purpose of purchasing or improving real estate, or for the purpose of erecting or making additions or alterations to buildings, or for the purchase of furniture, fixtures and equipment, or for the purpose of paying any judgment, or for the purpose of repayment or refunding of an outstanding bonded indebtedness, to borrow so much of the sum voted as may be necessary, at a rate of interest not exceeding six per centum, and to issue bonds or other evidence of indebtedness therefor which shall be a charge upon the special education district and be paid at maturity and which shall not be sold below par. Whenever at the time of its enlargement the special education district shall have an outstanding bonded indebtedness, such outstanding bonded indebtedness shall become a charge against the enlarged district.

§ 599-a. **County treasurer to act as treasurer of the county commission for special education.** All moneys collected from taxes levied in accordance with the provisions of this article and all moneys apportioned by the commissioner of education, and any and all moneys received from any and all sources whatsoever for the carrying out of the provisions of this article, shall be paid to the county treasurer. Such funds shall be disbursed by such county treasurer upon audit by the special education commission.

§ 2. **This act shall take effect July first, nineteen hundred thirty-one.** In effect July 1, 1931.

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CHAPTER 678

AN ACT to amend the education law, in relation to the qualifications for licensing of professional engineers and land surveyors

Became a law April 23, 1931, 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:

§ 1457 repealed; new § 1457 addi.

Section 1. Section fourteen hundred and fifty-seven of chapter twenty-one of the laws of nineteen hundred nine, entitled "An act relating to education, constituting chapter sixteen of the consolidated laws," as added by chapter eighty-five of the laws of nineteen hundred twenty-seven, is hereby repealed and such chapter is hereby amended by inserting therein a new section fourteen hundred and fifty-seven, to read as follows:

§ 1457. **Qualifications, examinations, and fees for license.** For license as a professional engineer evidence must be submitted that the applicant

1. Is more than twenty-five years of age;

2. Is a citizen of the United States or has legally declared his intention of becoming a citizen;

3. Is of good moral character;

4. Has satisfactorily completed a four year high school course or the equivalent thereof approved by the department, and such further educational requirements as the department may determine;

5. Has had eight years or more of practical experience in professional engineering work of a grade and character satisfactory to the board;

6. Has successfully passed the prescribed examinations.

For license as a land surveyor evidence must be submitted that the applicant

1. Is more than twenty-one years of age;

2. Is a citizen of the United States or has legally declared his intention of becoming a citizen;

3. Is of good moral character;

4. Has satisfactorily completed a four year high school course or the equivalent thereof approved by the department, and such further educational requirements as the department may determine;

5. Has had six years or more of practical experience in land surveying work of a grade and character satisfactory to the board;

6. Has successfully passed the prescribed examinations.

A person desiring such licenses shall make application therefor on prescribed forms.

Examinations for certificate of license as professional engineer and as land surveyor shall be in writing and in English and shall be held by the department twice each year in at least three

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convenient places in the state. Subject to the approval of the department, the board shall determine the subjects of the examinations, and shall submit to the department each year lists of suitable questions for examination in the mathematical and physical sciences as applied to professional engineering and to land surveying and the professional education and training required for the practice of professional engineering and of land surveying. Each written examination may be supplemented by such oral examination as the department shall determine upon recommendation of the board. The holding of serial examinations and granting of credits and the conditions of reexamination shall be determined by the department on the recommendation of the board. The plan, scope, and requirements of examinations shall, subject to the approval of the department, be set up and published annually.

The department on the recommendation of the board may waive specific qualification requirements, except as to age, character and citizenship, in the cases of applicants who are possessed of long established and recognized standing in the engineering profession, who have practiced lawfully for more than twelve years, or who were actively engaged in the practice of professional engineering or of land surveying in this state for at least four years prior to May fourteenth, nineteen hundred twenty, or who possess membership of a grade satisfactory to the board in a national engineering society recognized by the board as maintaining suitable standards of qualifications for membership.

The board may exempt from examination an applicant who holds an unexpired certificate of license or registration to practice professional engineering or land surveying issued to him after examination by a legally constituted board of examiners in the District of Columbia or in any state or territory of the United States, or a certificate of qualification issued by the national council of state boards of engineering examiners, provided that the requirements for such certificate of license or qualification certificate, or registration are of a standard not lower than those prescribed by this article.

Prior to January first, nineteen hundred thirty-seven, the board may exempt from all or any part of the examinations, a graduate of a college or school of engineering registered by the department as maintaining satisfactory standards. New York engineering colleges and schools and New York engineering students shall not be discriminated against by the registration of any college or school out of the state whose minimum graduation requirements are less than those fixed for New York engineering schools. Each complete year of study in such registered college or school of engineering may be accepted in lieu of one year of experience.

Subsequent to January first, nineteen hundred thirty-seven, before admission to examination, every applicant for a certificate of license as a professional engineer shall be required to submit,

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in meeting the educational requirement or such part thereof as the department may determine, evidence that he has graduated from a college or school of engineering registered by the department as maintaining satisfactory standards, and that prior to entrance to such school or college he has satisfied the prerequisites for admission thereto. In lieu of such graduation, an applicant may be admitted to the examinations upon presenting evidence of at least twelve years of practical experience in professional engineering work satisfactory to the board.

Upon recommendation of the board and the payment of a fee of twenty-five dollars, the department may issue a temporary permit to practice professional engineering to an engineer who is not a citizen of the United States and who has not declared his intention of becoming a citizen but who submits satisfactory evidence of established and recognized professional standing in his own country and who submits certification as to character and qualifications from at least two duly licensed professional engineers of this state. Such temporary permit shall entitle the holder to practice professional engineering in this state but only in connection with the specific field for which it is granted, and shall be subject to the same restrictions regarding expiration, renewal and revocation as a certificate of license issued as otherwise provided by this article. The annual roster shall include a separate list of the persons to whom such temporary permits have been granted.

The fee for a certificate of license as professional engineer shall be twenty-five dollars, and the fee for a certificate of license as land surveyor shall be ten dollars.

If an applicant fails to obtain a certificate of license as a result of his first application or examination he may make a second application and may be admitted to a second examination without the payment of an additional fee.

Present holder of certificate.

§ 2. Nothing herein contained shall be deemed to require the present holder of an unrevoked or unexpired certificate of license to practice professional engineering or land surveying, granted under article fifty-five of the education law, to obtain a new certificate of license. Such certificates of license heretofore issued and the holders thereof shall be subject to the provisions of such article as though the licenses were hereafter granted.

§ 3. This act shall take effect immediately.

CHAPTER 679

AN ACT to amend the judiciary law, in relation to the powers of official referees

Became a law April 23, 1931, 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:

§ 116 amended.

Section 1. Section one hundred and sixteen of chapter thirty-five of the laws of nineteen hundred nine, entitled "An act in relation

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to the administration of justice, constituting chapter thirty of the consolidated laws," as last amended by chapter forty-two of the laws of nineteen hundred thirty, is hereby amended to read as follows:

§ 116. **Compensation of official referees in the first, second, third and fourth judicial departments.** The county of New York in the case of official referees appointed by the appellate division of the supreme court in the first judicial department, shall pay annually to each of the official referees appointed pursuant to section one hundred and fifteen of this chapter a sum equal to two-thirds of the total annual compensation now or hereafter paid by the state of New York and the county of New York to each supreme court justice in such department, and the department of taxation and finance, in the case of official referees appointed by the appellate division of the supreme court in the second judicial department, shall pay annually to each of the official referees appointed pursuant to section one hundred and fifteen of this chapter a sum equal to the annual compensation now or hereafter paid to such official referee or referees appointed for the first judicial department, and to each official referee so appointed in the third and fourth judicial departments who formerly were supreme court justices, two-thirds of the amount now or hereafter paid to each supreme court justice in such department; and to each official referee so appointed in said third and fourth judicial departments, who was formerly county judge or surrogate, two-thirds of the amount now or hereafter paid to the county judge or surrogate, respectively, in the county where such appointee formerly served as county judge or surrogate. No official referee shall charge or receive from the parties to the action, matter or proceeding referred any fee or compensation for any service rendered as such referee, but may charge the said parties with any disbursements actually incurred by him in the performance of his duties as such referee, provided the same be allowed by the court. If the services of a stenographer should be required in the action, matter or proceeding so referred to such official referee, such stenographer shall be selected by said referee from the official stenographers of the supreme court, if one be available, but if no official stenographer of the supreme court be then available, said referee may select a stenographer of the county court or surrogate's court, of the county in which the action, matter or proceeding is tried and determined, and the parties to the action, matter or proceeding shall not be required to pay any of the fees of such stenographer for taking the testimony or furnishing one copy thereof to the referee. [1]As to all ex parte motions and motions, actions or proceedings submitted to said referee by stipulation of the parties appearing therein, or order of the court, except matrimonial actions, the same shall be deemed duly referred to said official referee and, in addition to all the powers now conferred by section four hundred and sixty-nine of the civil practice act, he shall proceed therein with the same power and authority as a justice presiding at a regular special

[1] **Following sentence new.**

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term of the supreme court and entertain and grant motions for a new trial, grant stays and orders to show cause; and similar jurisdiction and authority as to any other action or proceeding referred to him by order of the supreme court including matrimonial actions. [1]Every official referee shall have the power to administer oaths and take acknowledgments. [1]The violation of an order of said official referee may be punished as for a contempt of court by the court at special term. To provide the money necessary to pay the salaries of said official referees appointed by the appellate divisions of the supreme court in the second, third and fourth judicial departments, the department of taxation and finance shall annually apportion a sum equal to the total amount of said salaries among the counties composing the second, third and fourth judicial departments, respectively, and cause the same to be levied and collected on the real and personal property in said counties in the same manner in which state taxes are levied and collected.

§ 2. This act shall take effect immediately.

CHAPTER 680

AN ACT to amend the membership corporations law, in relation to designation of fiduciary corporation by directors or trustees of cemetery corporation to act as custodian of funds

Became a law April 23, 1931, 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:

§ 92a added.

Section 1. Chapter forty of the laws of nineteen hundred nine, entitled "An act relating to membership corporations, constituting chapter thirty-five of the consolidated laws," as amended throughout by chapter seven hundred and twenty-two of the laws of nineteen hundred twenty-six, is hereby amended by inserting therein a new section, to be section ninety-two-a, to read as follows:

§ 92-a. **Designation of fiduciary corporation by directors or trustees of cemetery corporation to act as custodian of funds.** Notwithstanding the provisions of any other law, the directors or trustees of cemetery corporations are hereby authorized to designate a bank or trust company to act as custodian and trustee of the funds of such cemetery corporation received by it for the perpetual care of lots in the cemetery thereof, and to expend and apply the income of the same to the perpetual care of the lots in such cemetery which are entitled thereto; and for which the funds so placed in trust were paid by the owners thereof. Such corporate trustee shall be designated by a resolution duly adopted by the board of directors or trustees and approved by a justice of the supreme court of the judiciary district in which the cemetery of said corporation is located; and the directors or trustees

[1] Following sentence new.

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of such cemetery corporation may, with the approval of the justice of the supreme court, revoke such trust, and either take over such trust fund or name another trustee to handle the same, but if not so revoked, such trust shall be perpetual. Any bank or trust company accepting such cemetery fund shall keep the same separate from all other funds, and shall apply the income thereof in the manner above provided.

§ 2. This act shall take effect immediately.

CHAPTER 681

AN ACT to amend the multiple dwelling law, in relation to lighting and ventilation of rooms and halls in old-law tenement houses

Became a law April 23, 1931, 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 thirteen of chapter seven hundred and thirteen of the laws of nineteen hundred twenty-nine, entitled "An act in relation to multiple dwellings, constituting chapter sixty-one-a of the consolidated laws," is hereby amended to read as follows: § 213 amended.

§ 213. **Rooms and halls, lighting and ventilation of.** 1. In every existing tenement house erected after April twelfth, nineteen hundred one, every stair hall, public hall and room, including at least one water-closet compartment and bathroom in each apartment, shall have at least one window opening directly upon the street or upon a yard or a court not less in any dimension than on the date when this chapter becomes effective. Such window shall be located as to properly light all portions of such room. In every such tenement house no apartment of three rooms or less shall extend in depth from the street or yard, as the case may be, for a greater distance than eighteen feet without the intervention of an inner or outer court of the dimensions existing on the date when this chapter becomes effective. When a room in such a tenement house opens upon an inner court less than ten feet wide measured from the lot line to the opposite wall of the building, such room shall be provided with a sash window communicating with another room in the same apartment, such window to contain not less than ten square feet of glazed surface and to be made so as to readily open. No existing tenement house shall be so altered or its lot diminished nor any room or public hall or stairs have its light or ventilation diminished in any way not approved by the department charged with the enforcement of this chapter.

2. Except as otherwise expressly provided in this section, no room in any old-law tenement house shall be occupied for living purposes unless it shall have a window opening directly upon the street, or upon a yard not less than four feet deep, or above the roof of

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an adjoining building, or upon a court or shaft of not less than twenty square feet in area, open to the sky without roof or skylight, unless such room is located on the top floor and is adequately lighted and ventilated by a skylight opening directly to the outer air. Every room which does not comply with the above provisions shall be provided with a sash window opening directly[1] into an immediately[2] adjoining room in the same apartment, which latter room[3] opens directly on the street or on a yard of the above dimensions.[4] Said sash window shall be a vertically sliding pulley-hung sash not less than three feet by five feet between stop-beads, both halves shall be made so as to readily open, and the lower half shall be glazed with translucent glass, or with wire glass, if the department charged with the enforcement of this chapter shall so require, and so far as possible such window shall be in line with windows in outer rooms opening on the street or yard, so as to afford a maximum of light and ventilation. When it is not possible to construct a window of this width, then such window may be of such size as may be prescribed by the department charged with the enforcement of this chapter. An alcove opening of no less dimensions than said sash window, in addition to the usual door openings, shall be deemed its equivalent. [5]3. Until January first, nineteen hundred thirty-six, but not thereafter, a room which does not comply with the provisions of subdivision two hereof may nevertheless be occupied for living purposes if it shall be provided with a sash window opening into an adjoining room in the same apartment, which latter room connects by a similar sash window or series of windows with an outer room which opens directly on the street or on a yard of the dimensions specified in subdivision two of this section. [6]Said sash window shall be of the dimensions and construction as provided in subdivision two of this section and an alcove opening as described therein shall be deemed its equivalent. In the case of rooms located in apartments that extend through from the street to the yard, thus ensuring through ventilation, when such rooms are already provided either with windows, window openings, glass sliding doors or alcove openings to adjoining rooms, but do not comply with all the provisions of subdivision two of[7] this section, the department charged with the enforcement of this chapter when satisfied that no material improvement in the light and ventilation of such rooms can be had that would warrant the providing of new windows of the size and kind specified, may permit the occupancy of such rooms for living purposes until January first, nineteen hundred thirty-six and not thereafter[8] in the following cases, provided such improve-

1 Word "directly" new.
2 Word "immediately" new.
3 Word "either" omitted.
4 Words ", or itself connects by a similar sash window or series of windows with such an outer room" omitted.
5 Figure "3" and following sentence new.
6 Following sentence new.
7 Words "subdivision two of" new.
8 Words "until January first, nineteen hundred thirty-six and not thereafter" new.

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ments or alterations as may, in the judgment of the said department, be practicable and as are required by said department are made by the owner:

(a) When there is an existing window or window opening from such interior room to an adjoining room and such window or opening is not less than ten square feet in area.

(b) When there is an existing glass sliding door or an alcove opening of a size which the said department shall deem sufficient from such interior room to an adjoining room.

(c) When rooms located on the top floor open upon an airshaft of less size than twenty square feet or closed at the top, but such rooms, in the judgment of said department, have sufficient light and ventilation.

(d) When owing to the size of partitions, arrangement of rooms, location of fixed closets or stairs or the interposition of airshafts, it is, in the judgment of said department, impracticable to provide a window of the required size, and a window as large as practicable is provided.

4.[9] In every existing tenement house the department charged with the enforcement of this chapter may require the walls and ceilings of every room that does not open directly on the street to be kalsomined white or painted with white paint when necessary to improve the lighting of such room and may require this to be renewed as often as said department may deem necessary.

§ 2. This act shall take effect immediately.

CHAPTER 682

AN ACT to amend section thirty-two of chapter four of the laws of eighteen hundred ninety-one, entitled "An act to provide for rapid transit railways in cities of over one million inhabitants," so as to provide for the acquisition of rapid transit railways and/or equipment

Became a law April 23, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Section thirty-two of chapter four of the laws of eighteen hundred ninety-one, entitled "An act to provide for rapid transit railways in cities of over one million inhabitants," as last amended by chapter five hundred and thirty-four of the laws of nineteen hundred fifteen, is hereby further amended to read as follows: § 32 amended.

§ 32. **Acquiring rapid transit railways [1]or interests therein.** 1. The board[2] of transportation,[3] successor of the rapid transit rail-

[9] Formerly "3."

[1] Remainder of section heading substituted for words "wholly or partly constructed."

[2] Word "board" substituted for words "public service commission."

[3] Word "transportation" substituted for words "the first district."

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road commissioners, may, with the approval of the board of estimate and apportionment, or other analogous local authority of such city, purchase for such price and upon such terms and conditions as may be agreed upon, and acquire by conveyance or grant to such city, to be delivered to said board of transportation,[4] any line or lines of railway and/or equipment therefor[5] already constructed or provided[6] or in process of construction or provision,[7] of the character which might be constructed or provided[6] as a rapid transit railway or railways and/or equipment[8] under the provisions of this act, and which in the opinion of the board of transportation[4] it is for the interest of the public and the city to acquire for rapid transit purposes. [9]The payment for such line or lines of railway and equipment may be made out of the proceeds of the sale of bonds as hereinafter provided, or by the application of revenues derived from the operation of such line or lines of railways alone or in conjunction with other rapid transit railways owned by such city, or the payment may be made partly by one method and partly by the other, as the board of transportation with the approval of the board of estimate or analogous authority of such city shall determine. The moneys necessary to be paid for any such railway or railways and equipment purchased,[10] together with all expenses necessarily incurred in connection therewith, except such part of the purchase price as may be payable through the application of revenues from operation as above provided,[11] shall be raised and paid out of the proceeds of bonds issued and sold as provided in section thirty-seven of this act. Any such railway or railways or equipment[12] so acquired shall be deemed to have been constructed or provided[6] for and at the expense of the city within the meaning of this act and the cost of acquiring the same shall be deemed and considered as the cost of such construction or provision,[13] in like manner as though said railway or railways or equipment[14] had been constructed or provided[6] pursuant to the provisions of this act.

2. Unless all the consents to the construction and operation of any such railway or railways so purchased required by article three, section eighteen, of the constitution shall have been obtained prior to such purchase, the board of transportation[4] shall proceed to secure such consents as required by section five of this act.

4 Words "of transportation" new.
5 Words "and/or equipment therefor" new.
6 Words "or provided" new.
7 Words "or provision," new.
8 Words "and/or equipment" new.
9 Following sentence new.
10 Words "and equipment purchased," new.
11 Words "except such part of the purchase price as may be payable through the application of revenues from operation as above provided," new.
12 Words "or equipment" new.
13 Words "or provision" new.
14 Words "or railways or equipment" new.

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As soon as such consents shall have been obtained, the said board for and on behalf of said city may, with the approval of the board of estimate and apportionment or other analogous local[15] authority of such city, enter into a contract with any person, firm or corporation for the equipment, in whole or in part,[16] at the cost and expense of such contracting person, firm or corporation, and for the maintenance and operation of any[17] such railway or railways purchased[18] as aforesaid, either alone or in conjunction with other rapid transit railways then owned or thereafter constructed or acquired by such city,[19] for a term of years to be specified in said contract not to exceed twenty-five years, with a covenant for one renewal of not to exceed twenty-five years, [20]unless the purchase price or some part thereof is to be paid out of the revenues as provided in the first subdivision of this section, in which event said contract may be for a longer period than twenty-five years but shall provide for its termination by such city, at its option, on one year's notice given at any time or after the expiration of any specified period not exceeding ten years, upon the payment by or for such city of the amount of any balance of such purchase price then remaining unpaid and the unamortized portion of the cost and expense of any equipment constructed or provided at the cost of such contracting person, firm or corporation after the date of such contract. [21]Any such contract providing for the payment of the purchase price of any such railway or railways or equipment wholly or in part out of the revenues shall provide for the application of revenues derived from the use or operation of the railways included therein and the order of priority of such application, and shall provide for the payment out of such revenues of current annual interest charges at a rate of not exceeding six per cent per annum, and current annual amortization charges at a rate or rates to be specified, on the amount of the balance of the purchase price remaining unpaid, of such railway or railways or equipment so purchased by such city, and on the actual cost of any equipment, constructed or provided by such contracting person, firm or corporation after the date of such contract. Every such contract shall contain such terms and conditions as to the rates of fare to be charged and the character of services to be furnished and the rental to be paid, or the terms upon which such railway or railways are to be operated, as the said board of transportation[22] shall deem to be best suited to the public interests and as the said board of estimate and apportionment or other analogous body shall

15 Word "local" new.

16 Words ", in whole or in part," substituted for words "of any railway purchased as aforesaid."

17 Word "any" new.

18 Word "purchased" new.

19 Words ", either alone or in conjunction with other rapid transit railways then owned or thereafter constructed or acquired by such city," new.

20 Remainder of sentence new.

21 Following sentence new.

22 Words "board of transportation" substituted for words "public service commission of the first district, successor of the board of rapid transit railroad commissioners,".

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approve. [23]Any contract made under the authority of this section, which would have the effect of superseding, terminating or modifying any existing contract or lease heretofore made for the equipment, maintenance and operation of any existing rapid transit railroads of the city, shall be subject to the approval of the transit commission. Any domestic railroad corporation owning any line or lines of railway which the city is authorized by this section to purchase and acquire as above provided, may with the consent of the holders of record of at least two-thirds of its outstanding shares of capital stock entitled to vote thereon, given as provided in section one hundred and forty-eight of the railroad law, transfer and convey to such city said line or lines of railway and equipment or any part thereof, and the appurtenances and franchises thereof or used in connection therewith, subject, however, to the rights of appraisal of the shares of any dissenting stockholder as provided in section one hundred and sixty-one of the railroad law.

3. If a contract has been made for equipment, in whole or in part,[24] maintenance and operation of a railroad constructed or to be constructed by the city and owned by the city upon any route or routes established and consented to as provided in this act, which contract provides for construction by the city and equipment, maintenance and operation by the contractor of branches and extensions of said railroad and additional lines also to be owned by the city upon terms and conditions as in said contract provided, the board of transportation[25] in lieu of constructing a branch or extension or an additional line may with the consent of the board of estimate and apportionment or other analogous local authority of such city acquire by conveyance or grant to such city to be delivered to said board[26] the right to connect said railroad with and to operate within said city over any track or tracks of a railroad already constructed or in process of construction and which right in the opinion of the board[26] it is for the interest of the public and the city to acquire for rapid transit purposes in lieu of constructing such branch, extension or such additional lines. The grant shall contain such terms and conditions as to the compensation to be paid for such right, the term during which the same shall be enjoyed, which with any renewal or renewals shall not be more than twenty-five years, and such other terms and conditions to effectuate the purpose of the grant, including the right of revocation upon terms and conditions to be specified in such grant, as the board of transportation[25] shall deem best suited to the public interest and the said board of estimate and apportionment[27] or other authority shall approve.

§ 3. This act shall take effect immediately.

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[23] Remainder of subdivision new.
[24] Words ", in whole or in part," new.
[25] Words "board of transportation" substituted for word "commission."
[26] Formerly "commission."
[27] Words "of estimate and apportionment" new.

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CHAPTER 683

AN ACT to amend the penal law, in relation to mufflers on gasoline motor boats on any of the lakes, rivers, streams, canals, or other waters of the state

Became a law April 23, 1931, 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 fifteen hundred-a of the penal law, as last amended by chapter two hundred and thirty-four of the laws of nineteen hundred thirty, is hereby amended to read as follows: § 1500a amended.

§ 1500-a. **Sound of exhaust on gasoline motor boat to be muffled.** A person who operates a boat, barge, vessel or other floating structure, on[1] any of the lakes, rivers,[2] streams, canals or other waters of the state, excepting Lake Erie and the Saint Lawrence river, and the waters of Lake Ontario outside of Great Sodus and Fair Haven bays,[3] propelled wholly or partly by an engine operated by the explosion of gas, gasoline, naphtha or other substance, without having the exhaust from the engine run through a muffler so constructed and used as to muffle the noise of the exhaust in a reasonable manner, shall be guilty of a misdemeanor; but the provisions of this section shall not apply to any boat, barge, vessel or floating structure while actually competing in a definite[4] race over a given course[5] held under the auspices of any bona fide[6] club or racing association,[2] between the hours of nine o'clock in the morning and sunset[7] provided due written notice of the date of such race or regatta has been given to the superintendent of public works at least fifteen days prior to such race, pursuant to the provisions of section thirty-six of the navigation law, and all the provisions of such section having been complied with.

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1 Words "Lake George, Lake Placid, Canada lake, Chautauqua lake, Silver lake, Wyoming county; Lake Flower, lower Saranc lake, Conesus, Cayuga, Cazenovia, Titus, Lake Mahopac, Otisco, Skaneateles, Mariaville, Saratoga and Seneca lake, Greenwood lake, Orange county; Lime lake, Cattaraugus county, or on the canal system of the state as constructed or improved under the provisions of chapter one hundred and forty-seven of the laws of nineteen hundred three and amendatory acts and chapter three hundred and ninety-one of the laws of nineteen hundred nine and amendatory acts, or upon" omitted.

2 Word "or" omitted.

3 Words ", canals or other waters of the state, excepting Lake Erie and the Saint Lawrence river and the waters of Lake Ontario outside of Great Sodus and Fair Haven bays," substituted for words "used in connection with said canal system."

4 Word "definite" new.

5 Words "over a given course" new.

6 Words "bona fide" new.

7 Remainder of paragraph substituted for words ", when practicing or being tested for such a race providing the date of holding such race has been set and published and such practicing and testing occurs not more than one week before such race date."

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Hydroaeroplanes, except those on the waters of Lake George which are engaged in the business of carrying passengers for hire or sight-seeing purposes to and fro over the waters of the lake, shall not be deemed boats or floating structures within the meaning of this section.

In effect June 1, 1931.

§ 2. This act shall take effect June first, nineteen hundred thirty-one.

CHAPTER 684

AN ACT to change the corporate name of Saint Joseph's Academy and Industrial Female School of Lockport and extending the corporate powers of such corporation

Became a law April 23, 1931, 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:

Name changed.

Section 1. The name of the Saint Joseph's Academy and Industrial Female School of Lockport, a domestic corporation, organized and existing under and by virtue of chapter sixty-five of the laws of eighteen hundred sixty-six, is hereby changed to The Sisters of Saint Mary of Namur, Incorporated, but such change of name shall not affect the title to any property owned or possessed by such corporation or any action or proceeding now pending by or against such corporation or any obligation incurred by such corporation, and any gift or bequest heretofore or hereafter made or given in any will, devise or other grant to or in the name of the Saint Joseph's Academy and Industrial School of Lockport shall enure to the benefit of and belong to The Sisters of Saint Mary of Namur, Incorporated, with the same force and effect as though such name had not been changed.

Title to property and pending actions.

Certain powers to cease.

§ 2. From and after this act takes effect, such corporation shall cease to exercise the powers conferred upon it by chapter sixty-five of the laws of eighteen hundred sixty-six "to establish, conduct and maintain in the city of Lockport a seminary of learning for the education of females and an industrial female school" and shall cease "to have, use, exercise and be subject to all the rights, powers and privileges and restrictions of corporations contained in or conferred by the seventh title of the eighteenth chapter and first part of the revised statutes" and from and after this act takes effect the purposes of such corporation shall be to establish, conduct and maintain, in the state of New York and elsewhere throughout the United States of America, schools for the education of girls and women and such corporation shall have, use and exercise all of the rights, powers and privileges and be subject to all the restrictions relating to similar corporations, which are contained in the general laws of this state, and from and after this act takes effect, the estate, property, effects and concerns of such corporation shall be managed by a board of seven trustees who shall

Purposes.

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be annually elected in such manner as shall be provided by the by-laws of such corporation.

§ 3. The trustees now in office shall continue to hold their office for one year and until their successors shall have been elected. Trustees.

§ 4. This act shall take effect immediately.

CHAPTER 685

AN ACT to amend the town law, in relation to the establishment of garbage, refuse, and ash removal districts

Became a law April 23, 1931, 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 nine, entitled "An act relating to towns, constituting chapter sixty-two of the consolidated laws," as amended by chapter four hundred and thirty-two of the laws of nineteen hundred eighteen, by chapter one hundred and forty-five of the laws of nineteen hundred twenty-one, by chapter four hundred and seventy-two of the laws of nineteen hundred twenty-five and by chapter three hundred and fifty-four of the laws of nineteen hundred twenty-nine, is hereby amended to read as follows: § 320 amended.

§ 320. **Collection and disposition of garbage, refuse[1] and ashes; [2]snow removal; establishment of districts.**

(1.)[3] Within any town having over five thousand inhabitants or within any town adjoining a city of the first class, or within that portion of any such town outside of incorporated villages or garbage district or districts heretofore established by the town board in which a plant for the disposal of garbage, refuse and ashes has already been constructed, 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

[1] Word "refuse" new.
[2] Remainder of section heading new.
[3] Figure "(1.)" new.

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also provide for the removal of snow from sidewalks and streets, or from either of them, and for the cleaning of snow from such sidewalks and streets, or either of them, or for the purchase, maintenance and operation of any appliances for the removal and cleaning 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 or plants that may be required for such purposes or either of them and may issue bonds therefor, as well as for the cost of any of the appliances, including vehicles, required for the collection and disposition of garbage and ashes or either of them. Such town board may also employ and at pleasure discharge such employees as may be necessary for the maintenance and operation of such plant or plants and fix the compensation of such employees. The supervisor of such town is hereby authorized to pay such compensation or salary without audit upon payrolls duly certified to him by the town superintendent of highways of such town. In case such a town acquires such a plant or plants, such town board may contract with any municipality which does not maintain such a plant, for the collection and disposal of its garbage and ashes or either of them. The contract price therefor shall be the fair and reasonable sum as fixed by the town board and the term of such contract shall be for a period not longer than two years, subject to renewal from time to time under such terms and price as the town board may direct.

[1](2.) Upon a petition as hereinafter provided, the town board of any town may establish or extend in said town, outside of any incorporated village or city, a refuse and garbage district. Such petition shall be signed by the owners of taxable real property situate in the proposed district or extension thereof, owning in aggregate at least sixty per centum of the assessed valuation of all the taxable real property of the proposed district or extension thereof, as shown upon the latest completed assessment-roll of said town; provided, however, the petition shall include the signatures of resident owners owning taxable real property aggregating at least sixty per centum of the assessed valuation of all the taxable real property of the proposed district owned by resident owners according to the latest completed assessment-roll. Such petition shall be signed by the petitioners and acknowledged or proved in the same manner as a deed to be recorded. Such petition shall be filed with the town clerk and the town board shall call a public hearing thereupon. Notice of such hearing shall be given, such hearing shall be held, a determination shall be made by the town board, and all other proceedings for the creation of such district shall be in the manner provided by the general district law as contained in chapter four hundred and seventy of the laws of nineteen hundred

[1] Remainder of section new.

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twenty-six. After such district shall have been so established, the town board shall have and may exercise therein the powers conferred upon town boards in subdivision one of this section.

§ 2. This act shall take effect immediately.

CHAPTER 686

AN ACT to amend the village law, in relation to cost of paving assessed to owners of lots fronting on more than one street

Became a law April 23, 1931, 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 one hundred and sixty-six of chapter sixty-four of the laws of nineteen hundred nine, entitled "An act relating to villages, constituting chapter sixty-four of the consolidated laws," as added by chapter six hundred and fifty of the laws of nineteen hundred twenty-seven and amended by chapter four hundred and nineteen of the laws of nineteen hundred twenty-eight, is hereby amended to read as follows: § 166 amended.

§ 166. **Pavements.** The board of trustees may cause a street in the village or a part thereof, to be graded and paved or repaved wholly at the expense of the village, or wholly at the expense of the owners of the adjoining land or partly at the expense of each. If the street or part thereof is wholly within the village, but the exterior line thereof constitutes the village boundary, such improvements may be made as to the part of such street within the village either wholly at the expense of the village or wholly at the expense of the owners of adjoining land within and without the village or partly at the expense of each. No street shall be so improved wholly at the expense of the owners of the adjoining land unless a petition therefor be presented to the board of trustees, signed by the owners of more than one-half of the frontage on the street or on the part thereof proposed to be improved, except that any street in any village in a county adjoining a city having a population of one million or more, and not longer than two blocks in length, shall be so improved throughout its entire length, at the expense of the owners of the property abutting thereon, whether or not such street has theretofore been dedicated to such village, provided the said street shall have been laid out for at least fifteen years prior thereto and be in actual use at the time of the filing of such petition, provided such petition shall be signed by the owners of at least a block front on one side of such street. If such petition be received the board of trustees shall give notice to all persons interested, by publication in the official newspaper that a hearing will be held not less than ten days after publication of such notice to consider such petition. The board shall meet at the time and place designated in such

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notice and shall hear all persons interested. The board shall then by resolution, determine whether or not the improvement shall be made. In a fourth class village the total amount expended for street paving in any fiscal year from the moneys raised during such year for street purposes, otherwise than in pursuance of a village election, shall not be more than one-half of the total raised for such purposes. Before any such street or portion thereof is graded or paved, partly at the expense of the owners of the adjoining land, a hearing shall be held and notice thereof given as hereinbefore[1] provided for.[2] No land owner shall be required to pay the expense of grading or paving any portion of the street not adjoining such land, nor beyond the center of the street except where a street is bounded on one side by a public waterway or public park and the owners of more than one-half of the frontage on the other side of such street petition for such improvement, in which case, each owner may be required to pay the expense thereof, and where a street or boulevard has two roadways separated in the center by a parking, the owners of more than one-half of the frontage on either roadway, may petition for such improvement wholly at the expense of the property benefited and each owner of property fronting on such roadway may thereupon be required to pay the expenses of grading and paving the entire width of the roadway in front of his property, as herein provided. The spaces within street intersections included within a street or portion of a street improved in accordance herewith must be improved at the expense of the village even though the petition shall set forth that such improvement be made wholly at the expense of the property benefited. Several streets or portions of streets may be included in one and the same petition so long as the owners of more than one-half of the frontage on each such street or portion of street join in signing such petition. The expense of such improvement may be raised in an entire amount or in installments as the board of trustees may determine. If any portion of such expense is to be borne by the village, bonds or certificates of indebtedness may be issued. If such expense, or any part thereof, is to be assessed upon adjoining land, the board of trustees may apportion it upon the lands and assess the same as a whole or by installments as provided in section one hundred and sixty-eight of this chapter. [3]Provided, however, where a street is so improved wholly at the expense of the owners of the adjoining land, the cost thereof shall be assessed in proportion, as nearly as may be, to the benefit which each lot or parcel will derive therefrom. No village election shall be required for the issuance of bonds or certificates of indebtedness as herein provided.

§ 2. This act shall take effect immediately.

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1 Word "hereinbefore" new.
2 Words "in the preceding paragraph" omitted.
3 Following sentence new.

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CHAPTER 687

AN ACT to amend the village law, in relation to registration of voters for village elections in the county of Nassau

Became a law April 23, 1931, 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 fifty-one-a of chapter sixty-four of the laws of nineteen hundred nine, entitled "An act relative to villages, constituting chapter sixty-four of the consolidated laws," as added by chapter four hundred and twenty-three of the laws of nineteen hundred ten and last amended by chapter six hundred and fifty of the laws of nineteen hundred twenty-seven, is hereby amended to read as follows: § 51a amended.

§ 51-a. **Registration of voters.** The board of trustees of any village of the first or second class may, by resolution adopted at a regular meeting, determine that thereafter personal registration shall be required for village elections in such village which action of the board of trustees shall be subject to a permissive referendum as hereinafter defined. If such resolution be adopted the inspectors of election of each election district of such village shall meet on the tenth day preceding each election in such village at the place in such election district where the election is to be held, and at such hours as the board of trustees or such members thereof as are in office, shall by resolution adopted at least twenty days before every registration day designate, which shall include at least four consecutive hours between sunrise and eight o'clock in the evening, for the purpose of preparing a register for such election, which shall, so far as practicable, be in the same form as the register of voters in such election district for the last preceding general election. Such inspectors shall, for the annual village election, prepare a register for their election district by copying from the town register the names of all persons qualified to vote at such election in such district which appear upon the register of voters for the last preceding general election in such election district, except the names of such voters as are proven to the satisfaction of such inspectors to have ceased to be voters in such districts since their names were placed upon such register, and shall add to such register the names of all persons known or proven to the satisfaction of such inspectors to be then or thereafter entitled to vote at the election for which such registration is made, [1]except in the county of Nassau when such inspectors shall add to such register the names of all persons whose names are not on such town register as residing within the village only if they apply in person for registration, and who are or will be at the election for which registration

[1] Remainder of sentence new.

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is made, qualified voters. Such inspectors shall in like manner prepare a register for each special election in such village, except that the register for the annual election in such village shall be used by them as the basis therefor. All the provisions of the election law in relation to the registration of voters shall, so far as practicable, apply to the registration provided for by this section. The village clerk shall furnish the necessary blank books and blanks at the expense of such village. Elections in such village shall be conducted in the manner provided by this chapter and the election law, except that no person shall be entitled to vote thereat whose name does not appear upon the register of the election district in which he claims to be entitled to vote.

§ 2. This act shall take effect immediately.

CHAPTER 688

AN ACT to amend chapter six hundred and three of the laws of nineteen hundred twenty-six, re-entitled by chapter eight hundred and fifty-seven of the laws of nineteen hundred twenty-eight "An act creating a commission to prepare and report preliminary plans, including estimates and proposed assessment areas, for sanitary trunk sewers and sanitary outlet sewers in the county of Westchester, providing for the payment of the expenses of such commission, authorizing the creation, enlargement, extension and modification of sanitary sewer districts within said county, providing for the construction, enlargement, extension, modification, improvement and maintenance of such sewers, authorizing the issuance of certificates of indebtedness and bonds therefor; directing the adoption of an annual estimate or budget for such districts, providing for assessments within and without such districts to pay the cost of maintaining such sewers and to reimburse said county for the payment of the principal and interest of bonds and certificates of indebtedness issued therefor," in relation to exemptions and the fixing, alteration or changing of sewer districts or assessment areas

Became a law April 23, 1931, 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:

§ 7 amended.

Section 1. Section seven of chapter six hundred and three of the laws of nineteen hundred twenty-six, re-entitled by chapter eight hundred and fifty-seven of the laws of nineteen hundred twenty-eight "An act creating a commission to prepare and report preliminary plans, including estimates and proposed assessment areas, for sanitary trunk sewers and sanitary outlet sewers in the county of Westchester, providing for the payment of the expenses of such commission, authorizing the creation, enlargement, extension and modification of sanitary sewer districts within said county, providing for the construction, enlargement, extension, modification, improvement and maintenance of such sewers, authorizing the issuance of certificates of indebtedness and bonds therefor; directing the adoption of an annual estimate or budget

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for such districts, providing for assessments within and without such districts to pay the cost of maintaining such sewers and to reimburse said county for payment of the principal and interest of bonds and certificates of indebtedness issued therefor," as last amended by chapter eight hundred and seventy-three of the laws of nineteen hundred thirty, is hereby amended to read as follows:

§ 7. **Fixing and determining assessment areas: Parcels benefited.** The board of supervisors, prior to the awarding by the commission of any construction contract or contracts shall fix and determine the area or district to be benefited thereby, unless such district has been heretofore duly created. Before fixing and determining any such area, a public hearing thereon shall be held by said board, after notice thereof is given by publication in such manner as said board shall direct. All lots or parcels of land within any such district or area when so fixed and determined are hereby declared to be benefited by the construction of any such sewer to be constructed and maintained under the provisions of this act and shall be subject to the assessments to be imposed as provided by this act to pay the cost of maintaining such sewers and to reimburse the county for the payment of principal and interest on bonds and certificates of indebtedness issued as provided by this act. Notwithstanding the provisions of any general, special or local law, specifically or otherwise to the contrary[1] no lots or parcels of land in any such district shall be exempt from the taxes and assessments to be imposed as provided by this act, except such as may belong to the United States, or used as a cemetery, [2]or are exempt from taxes and assessments under the provisions of chapter two hundred and ninety-two of the laws of nineteen hundred twenty-two as amended. The act of said board fixing and determining any such district or area shall describe the same.

§ 2. Such chapter is hereby amended by adding thereto a new section, to be section seven-a, to read as follows: § 7a added.

§ 7-a. **Alteration or change of sewer districts or assessment areas.** The board of supervisors of the county of Westchester are hereby authorized from time to time to alter, change, modify, reduce, enlarge, combine and/or consolidate any sewer district or districts heretofore or hereafter erected or established in and for any part or portion of Westchester county where established under this act, or under chapter six hundred and forty-six of the laws of nineteen hundred five and/or any acts amendatory thereof or supplemental thereto, after a public hearing thereon by said board, upon notice thereof given by publication in such manner and for such time as said board shall direct. All lots or parcels of land within any such district so altered, changed, modified, reduced, enlarged, combined or consolidated are hereby declared to be benefited thereby and chargeable as all other property in such district will be for the cost of construction, maintenance and operation

[1] Words "Notwithstanding the provisions of any general, special or local law, specifically or otherwise to the contrary" substituted for word "and."
[2] Remainder of sentence new.

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of any sewer constructed and/or maintained or operated therein or therefor under the provisions of this act, or of chapter six hundred and forty-six of the laws of nineteen hundred five and/or any acts amendatory or supplemental to this act, or to chapter six hundred and forty-six of the laws of nineteen hundred five and shall be subject to the taxes or assessments imposed or to be imposed by this act, or by said chapter six hundred and forty-six of the laws of nineteen hundred five, or any act amendatory or supplemental to either of said acts, to pay the cost of construction and/or maintaining or operating of any such sewers and to pay any indebtedness with interest thereon incurred therefor and to reimburse the county for the payment of principal and interest on bonds and/or certificates of indebtedness issued therefor.

§ 3. This act shall take effect immediately.

CHAPTER 689

AN ACT to amend the public service law, in relation to the plan of readjustment provided for in article seven thereof, to authorize the creation of the board of transit control and subsidiary corporations, to prescribe its and their duties and powers, to exempt its and their properties, income and securities from taxation and to make such securities legal investments, and to authorize the acquisition and operation of railroads and other transportation facilities, and otherwise[1]

Became a law April 23, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Art. 7 (§§ 122-129) amended.

Section 1. Article seven of chapter four hundred and eighty of the laws of nineteen hundred ten, re-entitled by chapter seven hundred and eighty-two of the laws of nineteen hundred thirty "An act relating to the public service of utility companies, constituting chapter forty-eight of the consolidated laws," such article having been added by chapter one hundred and thirty-four of the laws of nineteen hundred twenty-one and having been last amended by chapter seven hundred and ninety-two of the laws of nineteen hundred thirty, is hereby amended to read as follows:

ARTICLE 7

ADDITIONAL POWERS AND JURISDICTION OF METROPOLITAN DIVISION OF THE DEPARTMENT OF PUBLIC SERVICE

§ 122. Definitions. When used in this article, unless the context clearly indicates that another meaning is intended:

1. The words "rapid transit act," means chapter four of the laws of eighteen hundred ninety-one, as amended or supplemented;

[1] The amendments effected by this act are so numerous and extensive that it is impracticable to indicate the changes made.

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2. The word "commission," means the metropolitan division of the department of public service formerly known as the transit commission;

3. The word "board," means the board of transit control;

4. The word "street," shall include streets, avenues, waters, rivers, bridges, viaducts, parkways, highways and public places;

5. The words "city," "such city," and "the city," shall severally mean a city of the state having a population of over one million inhabitants according to the last preceding federal census or state enumeration;

6. The words "local authority," shall include the board of estimate and apportionment and any other analogous local authority in such city having control of streets or authority to make appropriations;

7. The words "contract," or "lease," shall include contract, agreement, grant, franchise, consent, certificate, authorization, authority, license, and any other form whereby rights are granted to use streets for railroads or to construct, equip, provide, maintain or operate railroads;

8. The words "railroad" and "railroads" shall include rapid transit railroads, street surface railroads and any railroad in such city used for local service jurisdiction whereof is vested in the transit commission whether such rapid transit railroads, street surface railroads or other railroads are now existing or hereafter constructed, and any portion or portions thereof and rights, leaseholds or other interests therein, together with the equipment thereof and power plants and other instrumentalities used or usable therefor or in connection therewith; and the words "railroad companies" shall mean the owners, lessees or operators thereof;

9. The word "bonds," shall include bonds, debentures, notes and other evidences of indebtedness maturing more than one year after their respective dates, secured or unsecured, and the word "bondholders" shall mean the owners of bonds;

10. The word "plan" shall mean a plan and agreement of unification and readjustment made in accordance with the provisions of this article;

11. The words "nominated director," shall mean a director of the board nominated by a railroad company or by holders of bonds issued by the board, as provided in the plan;

12. The word "recapture" or "recaptured" shall mean the exercise by the city of its right to retake a railroad or railroads of the city or any part or parts thereof leased to a railroad company under lease made pursuant to the provisions of the rapid transit act, by terminating the lease as to such railroad or railroads or any part or parts thereof pursuant to and in accordance with its terms and provisions;

13. The words street, contract, lease, railroad, bond, bondholder, plan, and other terms, as above defined or as used in this article, shall include the plural thereof and the plural shall include the singular thereof, as the case may be;

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14. The word "may" is always to be construed as permissive in character, and not mandatory or directory, as to any action or function to which it is related in the text;

15. The word "shall" is always to be construed as mandatory except when used as a synonym for the word "will" indicating a future tense.

§ 123. **Commission to prepare plan.** 1. The commission after making the necessary studies and investigation shall prepare a plan or plans for the relief of the emergency which is hereby declared to exist, and for the improvement of transit in such city. Such plan shall contain provisions, which in the judgment of the commission, will accomplish as nearly as may be the following purposes: (1) the combination, rehabilitation, improvement and extension of railroads, by purchase and direct conveyance or transfer, or by lease, recapture, assignment of leases, modification or extinguishment of existing contract or contracts, or by contracts for equipment, maintenance and operation or maintenance and operation, or partly by one of such methods and partly by one or more of the others, so that service thereon may be increased, extended and improved to the fullest extent possible, (2) the receipt as soon as practicable by the city of net revenues from the operation of the railroads which will be applicable to the payment of interest and amortization charges on corporate stock or bonds of the city after deduction of all expenses of maintenance and operation, reserves for depreciation and otherwise, interest and amortization charges and other deductions as may be provided in a plan or in any contract or lease made in pursuance of its provisions, and (3) the assuring to the people of the city the continued operation of the railroads at the present or lowest possible fares consistent with their safe and economical operation and the performance by the board of its obligations under any plan and under any lease or contract made in pursuance of its provisions. In case a plan or any amendment thereof or supplement thereto or separate plan adopted with the approval of the local authority of the city as provided in this article, shall include any street surface railroads, it may also include any stage coach or omnibus lines, together with the plant, property and equipment thereof, owned or operated in conjunction with, or as a part of the same system as, such street surface railroads.

2. The commission may also include in the plan appropriate provision for the protection of tort creditors and for the continuance in original or modified form of any existing plan or provision of railroad companies for employees' pension and sick benefit relief. Without limiting the authority and discretion of the commission, it may consider the incorporation in the plan of provisions whereby the title to such railroads as are not already owned by the city and whose ownership thereby is deemed by the commission to be desirable may be vested in the city and whereby rights under existing contracts for the construction,

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equipment and operation of rapid transit railroads already owned by the city may be acquired by the city. Such title and/or such rights may be vested in the city directly or may first pass through an intervening corporation and then to the city, either free and clear of liens and encumbrances or subject to specified liens and encumbrances, in return for a lease or leases by the city of such railroads and of any other railroads owned by it and such other or additional considerations as the commission may determine with the approval of the local authority. In the event of the incorporation of such provisions in the plan the commission shall outline an arrangement whereby outstanding securities of the railroad companies may be retired either by application of the amounts paid by the city for the railroads acquired or through the issue of bonds of the board, or in part by one method and in part by the other, and whereby such bonds or other securities may be amortized or otherwise paid. Any railroad company included in the plan may, with the consent of the holders of record of at least two-thirds of its outstanding shares of stock entitled to vote thereon given as provided in section one hundred and forty-eight of the railroad law, transfer and convey its property, appurtenances and franchises, or any part thereof, to the city and/or such intervening corporation as provided in the plan, subject, however, to the rights of appraisal of the shares of any dissenting stockholder as provided in section one hundred and sixty-one of the railroad law.

3. A plan or any amendment thereof or supplement thereto or separate plan adopted by the commission and any lease or leases entered into in pursuance of the provisions thereof, with the approval of the local authority as provided in this article, may fix the rate of fare to be charged for the transportation of persons upon the railroad or railroads embraced therein, with power in the board to establish or discontinue free or revenue transfer points or privileges from time to time as it may determine, and may prescribe the terms and conditions under which the board shall have power to change such rate of fare; provided, however, that adequate provision be made for the payment, when due, of interest and amortization charges payable by the board under such plan or under such lease or leases on bonds or obligations issued or assumed by the board or subject to which the railroad or railroads embraced therein were acquired.

4. Valuations. In connection with the preparation of any plan the commission shall cause a valuation or valuations to be made of the railroads, properties and interests therein, including leases and leasehold interests and outstanding contracts the assignment to or cancellation of which by the city may be deemed advisable but excluding franchises and going value, of the railroad company or railroad companies it proposes to include therein. Any such valuation including the value of contracts acquired may be in such detail and include such elements of cost or value and be made in such manner as the commission may from time to time determine

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and prescribe, with due regard to the past, present and estimated prospective earnings of such railroads, properties and interests at the rate or rates of fare that the railroad company or railroad companies prior to the taking effect of this act were entitled to charge under the provisions of the contracts or franchises under which such properties are operated or held or of any lawful order then in force fixing or regulating rates of fare, or under existing law, and in view of the competition of other lines and with due regard to all other pertinent facts and conditions; but such valuation shall not in any case exceed the fair reproduction cost of such properties less depreciation, and, in the case of leasehold interests and contracts to be assigned, acquired or cancelled, the fair value of any such leaseholds and contracts. Any such valuation as finally determined by the commission may be the basis for the inclusion of such railroads, properties, contracts and interests in the plan and for fixing the allowances and returns on account thereof under the plan and under any leases or contracts made in pursuance of its provisions.

5. Connecting railroads. In connection with the preparation of the plan the commission may include in the plan provision for railroads operating between a point or points within the city and a point or points without the city and for connecting railroads whose lines stop at or near the city line.

6. Board of transit control. There is hereby authorized, and in the plan the commission shall consider and may incorporate therein provision for a board to own and/or manage and operate, lease and maintain and/or to have supervision and control over the management, operation and maintenance of the railroads included in the plan and for representation on the board, of the city and of the railroad companies and of any other interest which the commission decides should also be represented thereon. The plan may also include, in addition to and in conjunction with the railroad or railroads of a railroad company or railroad companies included therein, a railroad or railroads owned by the city and/or a railroad or railroads leased or to be leased by the city or the board from the owner or owners or lessee of such railroad or railroads.

7. Certificate. The board shall be organized by filing in the office of the secretary of state and in the office of the clerk of the county in which it is to have its principal office a certificate of the commission signed by its chairman or acting chairman under its official seal attested by its secretary and entitled, with the blanks appropriately filled in, "certificate of incorporation of the city of board of transit control pursuant to article seven of the public service law as amended by chapter of the laws of nineteen hundred and thirty-one of the state of New York," which shall state: (a) that the corporation is formed as a body politic and corporate; (b) the name of the corporation, which shall be "board of transit control," with the name of the city prefixed thereto; (c) the purposes and objects for which the

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corporation is formed; (d) that the corporation is to be a corporation without shares of capital stock or share capital; (e) the city and county in which the principal office of the corporation is to be located; (f) that the duration of the corporation shall be perpetual or until, the purposes and objects for which it is formed having been attained and its debts and obligations having been paid or discharged in full, its dissolution shall be directed by law; (g) the number of its directors; and (h) the names and post-office addresses of the first directors, and if any such address shall be in a city, the street and number or other particular description thereof.

8. The certificate of incorporation of the board may be amended or supplemented from time to time, with the approval of the local authority, in any manner not contrary to law, by one or more supplemental or amendatory certificates executed by the chairman of the board under its corporate seal attested by its secretary and filed in the offices wherein its original certificate was filed.

9. Body politic and corporate. The board when organized by the commission, shall be a body politic and corporate organized as a governmental instrumentality for the purpose of engaging in an essential governmental function, without share capital, to be known and designated as and by the name of the board of transit control, with the name of the city as a prefix thereto, and such board shall be constituted and shall perform the duties and exercise the powers in this article provided and may sue and be sued in its corporate name. In order to aid and facilitate the plan the members of the commission may, in addition to their other duties, serve as directors of the board for a period not to exceed the first year of operation under the plan. Members of the commission and other public officials are hereby authorized to accept appointment and to perform the duties of directors of the board in addition to and as part of their other official duties. The delegation of any authority under this article to the holder of any public office, elective or appointive, shall be considered and construed as an extension of his or their then existing powers and duties and not as a new position or appointment.

10. Powers of board. The board, in addition to all other powers conferred by this article, shall have the power to make, execute, acquire and perform any and all contracts, leases, agreements, deeds, mortgages and other instruments or documents necessary or convenient to carry out and consummate any plan adopted by the commission and approved by the local authority as provided in this article, and to do and perform any and all acts necessary or convenient to carry out and consummate any such plan or to cancel, modify, supplement or amend any and all such contracts, leases, agreements, deeds, mortgages and other instruments or documents so made and executed by the board on such terms as it may deem advisable, including the power:

(a) To adopt and from time to time to amend by-laws; to adopt a seal and affix or cause the same to be affixed to any instruments or documents requiring a seal;

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(b) To acquire by conveyance or otherwise from the railroad company or railroad companies and others the ownership of their railroads, properties and other interests and obligations, including securities, leases and leasehold interest, contracts, or any portion or portions thereof, embraced in the plan, either subject in whole or in part to all or any bonds, liens or encumbrances existing thereon at the time of acquisition thereof, or free from all or any such bonds, liens or encumbrances, and to convey and transfer such railroads, properties, securities and leasehold and other interests, or portions thereof to the city at any time or from time to time either absolutely or in return for or subject to a lease or leases thereof from the city; to lease from the city the railroads of the city embraced in the plan, including all or any of the railroads of the city embraced in or covered by existing leases or contracts, subject to the terms and conditions of such leases or contracts until the expiration or earlier termination thereof as provided in the plan; and to operate and maintain, or cause to be operated and maintained by one or more subsidiary corporations or otherwise, any and all such railroads or any part or parts thereof;

(c) To acquire by purchase, lease or otherwise, to own, hold and use or operate, and to lease, mortgage or otherwise dispose of, real and personal property, securities and interests therein used or useful in or in connection with the railroads included in the plan, and to assume or take subject to any mortgage or lien on railroads or other property, real and personal, acquired by it and to acquire, own and hold bonds, stocks and securities of any railroad companies included in the plan whose railroads are acquired subject to mortgages securing such bonds;

(d) To borrow money for its corporate purposes and to issue its bonds, secured or unsecured, in series or otherwise, including bonds issued for the purpose of, (1) acquiring railroads and other property and leaseholds or other interests therein included in the plan and of paying or providing for the payment of the cost of construction or provision of additions to or betterments of or additional equipment for any such railroads or other property so acquired; (2) paying or providing for the payment of the cost of the recapture of railroads and leasehold contracts and other interests therein and of the construction and/or equipment of railroads to be constructed or provided and to be leased to the board or a subsidiary thereof under the provisions of the plan or of any lease made pursuant to the plan; (3) refunding or otherwise acquiring or retiring funded and other indebtedness of the board or of any subsidiary of the board or indebtedness existing upon railroads or other property or leasehold interests therein acquired by the board or by any such subsidiary; and for the purpose of securing all or any such bonds to issue, execute and deliver mortgages or liens upon all or any part of its railroads and property and other interests or to cause to be issued, executed and delivered bonds secured by mortgages or liens upon all or any part of the railroads or property, securities or other interests of any such subsidiary. The board or

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any such subsidiary may pledge a lease or leases or contracts from the city as security for all or any such bonds, but neither the board nor any such subsidiary shall have power to subject any property of the city to any mortgage or other lien of any kind, but this prohibition shall not apply to any mortgage or other lien on any property at the time of its acquisition by the city and subject to which the same may have been acquired.

(e) If under the plan the title to the railroads is to be vested in the city under contract provision to the effect, in substance, that title shall first pass, subject to specified liens, to an intervening corporation in exchange for bonds of such intervening corporation, and that the title to the railroads be transferred by such intervening corporation to the city in return for a lease or leases to such intervening corporation or to a subsidiary or subsidiaries thereof, the board shall constitute or be such intervening corporation, with full power and authority to perform and carry out the provisions of the plan in such respects.

(f) The commission or the board may cause to be organized and incorporated such subsidiary corporation or corporations as may be deemed by the commission or the board to be necessary or convenient for the purpose of owning, leasing, holding and/or maintaining and operating the whole or any part of the railroads provided for under the plan and over which the board shall hold and exercise full voting and other rights of ownership in respect of the stocks of all such subsidiary corporations. Any such subsidiary corporation may be organized by filing in the office of the secretary of state and in the office of the clerk of the county in which the board has its principal office an appropriate certificate of incorporation, executed by the chairman of the commission or of the board, under its seal and attested by its secretary, in which certificate shall be set forth the name of the corporation, the number of shares of its stock all of which shall be owned by the board, the amount of its capital, which may be nominal, the purposes and objects of the corporation, the names and addresses of the first directors and a general description of the railroads which the corporation is to own, lease, hold and/or maintain and operate. Said certificate may also contain authorization for the operation by such corporation of future-built extensions to such railroads. The commission or the board may provide in the certificate of incorporation of any such subsidiary corporation that the right to elect directors thereof shall be vested in others than the stockholders in accordance with the conditions and stipulations contained in the plan or in such certificate.

(g) The board also shall have and every subsidiary corporation of the board may be given all the powers conferred upon corporations by the general and stock corporation laws, being chapters twenty-three and fifty-nine of the consolidated laws, all of the powers of the railroad companies whose properties have been, as in this act authorized, vested in the city and/or the board and leased to the board or such subsidiary corporation, and all of the

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powers conferred upon corporations by the railroad law, being chapter forty-nine of the consolidated laws, and by the rapid transit act, together with all other powers necessary or convenient and incidental to the effective performance of its or their duties. The foregoing enumeration of specific powers is intended to be in enlargement of and shall not be in limitation of the general powers of the board or of any such subsidiary corporation.

(h) Instead of maintaining and operating the railroads or any portion or portions thereof directly or through one or more subsidiary corporations the board, with the approval of the local authority, may from time to time contract with a corporation or corporations for the management, maintenance and operation of such railroads or any portion or portions thereof for a term not exceeding ten years. The compensation to be paid to such corporation or corporations may be a specified sum or sums of money or a percentage of the revenue of the railroads, gross and/or net, or may be a combination of such specified sums and such percentage of revenue, as may be determined by the board with the approval of the local authority. Any such management contract shall be for a definite period, not exceeding ten (10) years, and shall be subject to termination at any time by the board, with the approval of the local authority, at any time, or after the expiration of any specified period which shall not exceed four years, upon terms and conditions and upon notice to be prescribed by such contract.

11. Board of directors; appointment, terms of office. The business and affairs of the board shall be managed and conducted by and under the authority and direction of a board of directors of nineteen members, of whom not less than ten nor more than thirteen shall be appointed by the mayor of the city, to represent the city, and may include any officer or officers of the city, elected or appointed, to serve ex-officio, not less than three nor more than six shall be appointed by the commission, to represent the general public, and not less than three nor more than six shall be appointed by the mayor of the city upon the nomination of the railroad company or railroad companies included in the plan, to represent such private interests on the board of directors. Successor directors shall be appointed in the same manner as herein provided for the original appointments, except that successors of the directors appointed upon the nomination of the railroad company or railroad companies included in the plan shall be appointed by the mayor upon the nomination of the holders of the outstanding bonds of the board. The directors shall be appointed to serve for such term or terms, not less than five nor more than ten years, as shall be provided in the plan, except that any officer of the city appointed to serve ex-officio as a director shall be appointed for the term of his city office and shall cease to be a director upon his ceasing to hold such city office. Any vacancy on the board of directors, due to the death, resignation, inability to serve or the removal of any director, shall be filled by the appointment of his

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successor for the remainder of his term in the same manner as herein provided for the original appointment, provided, however, that the remaining directors then in office may fill any such vacancy temporarily, pending the appointment of such successor. The directors, except any officer of the city serving ex-officio as a director, shall be subject to removal in such manner, for neglect of duty or misconduct in office, as shall be provided in the plan and in the certificate of incorporation of the board; provided, however, that no director shall be removed except after receiving a copy of the charges against him and an opportunity of being publicly heard in person or by counsel in his own defense, upon not less than ten days' notice; and provided, further, that any such removal may be reviewed on the law and the facts by writ of certiorari to the appellate division of the supreme court in the judicial department in which the board has its principal office, and by appeal from said appellate division to the court of appeals. The total number of directors may be increased at any time or from time to time in accordance with any amendment of the plan or supplement thereto or separate plan adopted by the commission with the approval of the local authority as provided in this article, or, as may be provided in the plan, such total number of directors may be reduced at any time or from time to time to correspond as nearly as may be to the retirement or amortization of outstanding bonds or obligations of the board.

A majority of all the directors shall be necessary to constitute a quorum for the transaction of business, and a quorum being present, the board of directors, shall act by majority vote. The board of directors shall select from among their number a chairman who shall preside at all meetings at which he is present and perform such other duties and functions as the board of directors may from time to time delegate to him. It shall have full and exclusive charge and control of the business and affairs of the board of transit control, except as otherwise provided by law, and shall have power to appoint a president or executive operating head, a secretary and one or more assistant secretaries, a treasurer and one or more assistant treasurers, and such other executive or operating officers, engineers, counsel, accountants and employees as it may from time to time determine to be necessary or desirable, who shall hold office during the pleasure of the board of directors, and to define their functions and duties and fix their salaries or compensation; and it may delegate to the chairman, the executive operating head or other officers the power of appointment, or removal of other subordinate officers or employees.

12. By-laws. The board of directors shall adopt by-laws not inconsistent with the provisions of this article, or with the plan or of any amendment thereof or supplement thereto or separate plan adopted with the approval of the local authority as provided in this article, for the regulation of its meetings and the conduct of its business, and it may by such by-laws or by resolution create from among its members an executive committee or a finance com-

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mittee, or both, and either from among its own members or others such other standing or special committees as it may from time to time deem necessary or advisable, and may define their functions or duties. The directors and members of standing or special committees of the board of directors, other than those serving ex-officio, may receive such fees or compensation for attendance at meetings as the board of directors may determine. The by-laws may be altered, amended or supplemented in any manner not inconsistent with the provisions of this article, or with the provisions of the plan or of any amendment thereof or supplement thereto or separate plan adopted with the approval of the local authority as provided in this article, at any meeting of the board of directors held upon notice to be given as provided by the by-laws, by the affirmative vote of a majority of all the directors, including those serving ex-officio.

§ 124. 1. **Procedure under plan.** Upon the completion of such plan, but before finally adopting the same, the commission shall hold a public hearing thereon at which citizens shall be entitled to appear and be heard and shall transmit a copy thereof to the local authority of the city and to each of the railroad companies which owns, leases or operates any of the railroads included therein, with a request for the statement of the views of such local authority and such railroad companies thereon. Such local authority and such railroad company or railroad companies may transmit such views and be heard thereon within a period of time to be prescribed by the commission. Thereafter the commission from time to time may make such changes in or modifications of such plan as the commission in its discretion may deem to be advisable. The commission shall then formally adopt the plan and call upon each of the railroad companies which owns, leases or operates any of the railroads included therein or whose leasehold, contract or other interests are to be acquired to inform it within a period of time to be fixed by the commission whether it accepts such plan. Any such plan as formally adopted by the commission may provide that the commission, with the approval of the local authority, shall determine from time to time whether and when a sufficient amount of the securities to be adjusted have been deposited under or have otherwise assented to the plan to render it advisable to declare the plan operative, and in such latter event the plan shall not be or become operative until so declared by the commission with the approval of the local authority. If the railroad companies or one or more of them 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, and if the local authority also approves the plan, and the plan is or is declared operative in accordance with its terms, the commission shall proceed with the preparation of deeds of conveyance, assignment or surrender of leasehold and contract or other interests or other instruments of transfer, leases, mortgage or mortgages, contracts and other docu-

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ments and shall take all such other action or actions as may be necessary or convenient to carry out the plan.

2. May be single or several plans. The plan may include all the railroads or systems of railroads and controlling or leasehold interests therein which the commission decides should be included thereunder or may in the first instance include one or more railroads or systems of railroads, or controlling or leasehold interests therein and may thereafter, with the approval of the local authority be amended or supplemented at any time or from time to time, either before or after the completion thereof, to include one or more additional railroads or systems of railroads, or controlling or leasehold interests therein as the commission may decide, or there may be several plans each comprising different railroads or systems of railroads. The commission may, if in its judgment such action is necessary, but only after a public hearing, and with the consent of the local authority and of the railroad company or companies whose railroads or interests therein are included therein, from time to time 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 with like authority.

3. Inclusion of contracts and leases. The grant of power herein conferred shall embrace, and the words "the railroad" as used herein shall be deemed to embrace, contracts and leases for the use and operation of railroads, including existing contracts and leases between the city and a railroad company or companies for the construction, equipment, maintenance and operation of rapid transit railroads under the rapid transit act; provided, however, that the acquisition by the board of any such contract so made by the city or its transfer by the board to the city shall not operate as a merger or cancellation of such contract, unless otherwise provided in the plan, but such contract may be held in trust by the board for the beneficiaries thereunder, including the city, as provided in the plan until such time as the obligations in respect thereto under the plan shall have been discharged.

4. Issuance of bonds and other securities. The plan may provide for the issuance by the board or otherwise to the railroad company or to holders of its securities adjusted thereunder, of bonds, or other forms of security of the board in the principal amounts and bearing interest or return or returns or rates of interest as shall be specified in the plan and for the pledge of any part of the revenues from operation by the board for the payment of any obligations created or provided by the plan. The plan may also provide for assuring the payment of interest and sinking fund charges and premiums, if any, on outstanding securities of the railroad companies adjusted under the plan or subject to which the railroads shall have been acquired, pending the retirement thereof.

5. Mortgages. The bonds or other securities of the board may be secured by a mortgage or mortgages or other form of pledge

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or lien upon all or any part of its property, including the lease or leases of railroads to it by the city, made to a trustee or trustees which shall be a national or state bank or banks, or trust company or companies, having its or their principal offices in the city in which the board has its principal office, each having capital, surplus and undivided profits aggregating not less than five million dollars. The board may from time to time make separate mortgages covering specified railroads and/or may make a general mortgage including properties owned by it at the time of making such mortgage, and providing for the inclusion therein of after acquired railroads and the serial issuance of bonds thereunder.

6. Acquisition subject to mortgages. Railroads and interests therein may be acquired by the board subject to all or any mortgages that may be existing thereon. In the event that in part or in whole railroads or interests therein are acquired subject to existing mortgages, all the obligations of any mortgage subject to which the railroads are acquired may in its discretion, and if required by the terms of such mortgage, shall be assumed by the board, provided, that any such acquisition and assumption by the board shall in no respect increase, diminish, alter or otherwise affect any rights vested in the trustee or the bondholders under any such mortgage.

7. Other provisions. The plan and any contract, lease or mortgage made in pursuance thereof may contain such other terms, conditions and covenants, not inconsistent with this article, as the commission or board shall deem to be necessary or advisable, including provision whereby elevated railroads or portions thereof acquired by the board may be removed under arrangements between the board and the mortgage trustees approved by the local authority.

8. Lease by city to board. Any and all railroads and leasehold interests therein acquired by the board and transferred or to be transferred by it to the city or acquired by the city may be leased by the city to the board or to one or more subsidiaries thereof. Such lease or leases may in the discretion of the local authority include or exclude any new or additional rapid transit railroads, or any portion or portions thereof, constructed or to be constructed by the city under the rapid transit act, or any such new or additional rapid transit railroads or any portion or portions thereof may be leased to the board or to one or more subsidiaries thereof under separate leases. Such lease or leases may be for an indeterminate period or periods or for a definite period or periods and shall provide for its or their termination at any time upon the city paying, refunding or retiring, or making proper provision for the payment, refunding or retirement of the balance remaining unpaid of the outstanding bonds and indebtedness of the board, including bonds issued or assumed in payment for the railroads or any portion or portions thereof acquired by it and bonds subject to which railroads or any portion or portions thereof are acquired, as may be provided in the plan.

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There may be constituted and maintained by the board as provided in the plan and in the lease or leases, for the period to be therein specified, an interest and amortization fund or funds, not exceeding in amount two years' interest and amortization requirements, for the protection of the annual interest and amortization payments on the bonds of the board at any time outstanding and on bonds, if any, secured by mortgages assumed by the board or subject to which railroads are acquired. Such fund may be created from the issue of bonds of the board or from income of the board. The lease or leases, and any mortgage or mortgages under which it or they are mortgaged or pledged, may contain provisions for the application of revenues derived from the use or operation of the railroads embraced therein and the order of priority of such application, for meeting interest and amortization payments of the board or of any such subsidiary corporation, for constituting interest and amortization fund or funds and restoring withdrawals therefrom, for the character and kind of service to be rendered on such railroads, any provisions authorized by the rapid transit act or other statute to be incorporated in contracts for the maintenance and operation of railroads, and such other appropriate provisions, not inconsistent with this article, as the commission with the approval of the local authority shall deem to be necessary or advisable in the public interest. In lieu of or in addition to the interest and amortization fund or funds above provided for there may be constituted, maintained and applied by the board as provided in the plan and in the lease or leases, for the period to be therein specified, a retirement and security fund to be created from revenues from operation under the lease or leases. Such fund may be used to pay off and retire, and/or to pay interest and sinking fund charges on, bonds issued or assumed by the board in payment for railroads included in the plan or bonds secured by mortgages subject to which such railroads were acquired.

9. Consummation of plan. After the approval of such plan, as provided in this section, the commission shall execute the plan for and on behalf of the city and cause the same to be executed by and between the board and the railroad company or railroad companies, and thereupon, if the plan is or is declared to be operative in accordance with its terms, the commission may consummate the transaction by the execution and delivery of the deeds of conveyance and instruments of transfer, lease or leases, mortgage or mortgages, contracts and all other instruments and documents, necessary or advisable for carrying the plan into effect.

10. Recaptured railroads. All the provisions of this article and all powers hereby granted with reference to railroads and properties and interests therein shall likewise apply with equal force and effect to recaptured railroads; provided, however, that nothing contained in this article with respect to recapture or recaptured railroads shall alter or affect any rights or remedies of the city or of any railroad company under any existing contract.

11. Future acquisitions of railroads. 1. The board may, under

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the powers conferred upon it by this article, from time to time after the consummation of the plan, and upon such terms and conditions not inconsistent with this article as it may deem proper, but only with the approval and the consent of the local authority, acquire other railroads or controlling interests therein by conveyance or otherwise. It may transfer such railroads, or any of them, to the city either absolutely or in return for a lease thereof to it by the city which may be a supplement to the lease or leases provided for in this section, or a separate lease upon substantially similar terms.

§ 125. 1. **Board not to pledge credit of city.** The board shall in no event and shall not have the power to pledge the property, faith or credit of the city nor shall it enter into any contracts for the acquisition of railroads or any interests therein nor shall it issue, sell or otherwise dispose of bonds without the approval of the local authority.

2. Reports. The board shall render, not later than the first day of January of each year, an annual report to the local authority of its transactions for the fiscal year ending the preceding thirtieth day of June, and interim reports from time to time as called for by the local authority.

3. Examination of books and accounts. The books, records and accounts of the board shall at all times be subject to examination by the commission, by the local authority and by the comptroller or chief fiscal officer of the city.

4. Issue of corporate stock. The local authority is authorized and empowered from time to time to authorize the issue of corporate stock or bonds of the city for the acquisition of railroads, or any portions thereof, including equipment thereof and/or power plants and other instrumentalities used or usable therefor or in connection therewith, which shall be included in the plan and the title to which shall be vested in the city as provided in this article; or for the purpose of refunding, in whole or in part, bonds issued or assumed by the board in payment for railroads or any portions thereof included in the plan or subject to which such railroads or any portions thereof were acquired, title to which railroads or any portions thereof or equipment or power plants or other instrumentalities shall have been or shall thereupon be vested in the city.

5. Expenses in formulating plan. The local authority is further empowered, upon requisition of the commission, to authorize the issuance and sale of revenue bonds or tax notes in anticipation of taxes and to use the proceeds thereof for the payment of expenses necessarily incurred by the city, the commission or the board in the preparation, adoption and execution of a plan, including the preparation of the mortgages, bonds and other documents and the securing of consents and approvals of security holders and otherwise, to be paid upon the certificate of the chairman or acting chairman of the commission. If and when a plan is consummated the board shall assume all such expenses, including the

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reimbursement of the city for any expenditures made by it under the provisions of this paragraph.

§ 126. **Additional powers and duties of commission.** 1. Subject to the provisions of article eight of this chapter, 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, 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 and by this article.

2. Modification of contracts. Subject to the provisions of article eight of this chapter, the commission from time to time, but only with the approval of the local authority, 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, and with like approval 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 or control thereof and to provide for the payment thereof through amortization or otherwise as the commission may determine.

3. 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.

§ 127. **Exemption from taxation.** 1. The bonds and securities issued by the board or by any of its subsidiary corporations and the income therefrom, and the property of the board and of its subsidiary corporations and the income derived therefrom or from the operation thereof, shall at all times be free from taxation or assessment by the state or by any subdivision thereof. The organization of the board, and of any subsidiary thereof, and the mortgaging of its or their property and rights are exempted from taxation under the organization tax imposed by section one hundred and eighty of the tax law, and the mortgage tax imposed by article eleven of the tax law.

2. Bonds to be legal investment. The bonds that may be issued by the board are hereby made securities in which all state and municipal officers, and bodies, all banks, bankers, trust companies, savings banks, saving and loan associations, investment companies

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and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees, and other fiduciaries, may properly and legally invest any funds belonging to them, or within their control, including capital.

§ 128. **Inconsistent laws inapplicable.** The provisions of any act or parts of acts, including the Greater New York charter and 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, which are inconsistent with this article, and in so far only as they are inconsistent with this article, shall have no application to the rights, powers and obligations conferred or created by and under authority of this article or to any proceedings taken thereunder. If any section or provision of this act shall be declared unconstitutional by a court of competent jurisdiction, none of the other sections or provisions hereof shall be thereby impaired or affected and all such other sections or provisions shall continue in full force and effect.

§ 129. **Approval of contracts to effectuate plans.** Anything contained in this article to the contrary notwithstanding, neither the commission nor the board shall execute and deliver any plan, or any lease or leases thereunder, without obtaining the consent and approval of the local authority of such city.

§ 2. This act shall take effect immediately.

CHAPTER 690

AN ACT conferring jurisdiction on the court of claims to hear, audit and determine certain claims against the state by contractors, subcontractors and others, growing out of alleged delays in the construction of the state office building at Albany, and to render a judgment or judgments therefor

Became a law April 23, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Kuntz Fireproofing Corporation, against the state for damages alleged to have been sustained by reason of breach of contract upon the part of the state, interference with claimants and delay caused by order of the state, its officers and agents in carrying out a contract dated December thirtieth, nineteen hundred twenty-eight, entered into with the state by Seglin Construction Company, Incorporated, pursuant to chapter four of the laws of nineteen hundred twenty-seven, being construction contract number nine thousand four hundred and twenty-eight for the completion of the state office building at Albany, New York.

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§ 2. The state hereby consents to have its liability determined and if the court find that such claimant was damaged by breach of contract upon the part of the state, or by interference with such claimant in the performance of the work or by delay in the work caused in any manner by the state or its officers, agents or other persons having apparent authority or jurisdiction in the premises, and that in right and justice or in law or equity any, or all of such claimants should be reimbursed for the damages sustained, the claim, or claims, of any such claimant, or claimants shall be legal and valid against the state and the state shall be deemed liable therefor, and the court may award to and render judgment for the claimant and against the state in such sum or sums as it shall find to be just and equitable, provided the claim, herein authorized shall be filed with the court of claims within six months after this act takes effect. The claim, herein authorized shall not be impaired on account of any lack of authority in the legislature to confide the work of such construction to the officers or body who or which were designated to perform such work.

Consent to have liability determined

Court may render judgment.

Claim to be filed.

§ 3. Nothing herein contained shall be construed as passing upon the merits of such claim and no award shall be made or judgment rendered against the state unless sustained by such evidence as would create a liability in a court of law or equity against an individual or corporation.

Saving clause.

Evidence.

§ 4. This act shall take effect immediately.

CHAPTER 691

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Arcade and Attica Railroad Corporation against the state for damages and expenses incurred by undermining a portion of its track, caused by the re-location by the state of a portion of Tonawanda creek in the town of Bennington, Wyoming county, and to render judgment therefor

Became a law April 23, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Arcade and Attica Railroad Corporation against the state for damages and expenses incurred by claimant by reason of the undermining of the track and fill of claimant in the town of Bennington, Wyoming county, alleged to have been sustained by reason of the negligence of the state, its officers and agents, in cutting a new channel and re-locating a portion of Tonawanda creek, so-called, in the town of Bennington, Wyoming county, as part of the project for the construction of state highway number ninety-eight; such new channel having been constructed at such depth that resulting therefrom

Jurisdiction conferred.

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and from the wash of such creek, the channel and the depth thereof were increased to such depth that the lands of the hill and premises adjoining on the west bounds of such creek at the point of re-location, lying between the channel of the creek and the tracks of claimant, were washed away by such creek, carrying with them the ground underneath claimant's track at the point of such re-location; and if the court shall find that the damages sustained and expenses incurred by the claimant were caused in the manner alleged and that the state, in right or justice or in law or equity, should pay therefor, damages therefor shall constitute a valid and legal claim against the state and the state shall be deemed to be liable therefor and the court may make an award and render judgment in favor of the claimant and against the state in such sum as it shall find to be just and equitable. Such claim, having been heretofore filed with the court of claims and being claim number twenty-one thousand, seven hundred and fifty-five, jurisdiction shall attach without the refiling of such claim.

Court may render judgment.

§ 2. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

Saving clause.

Evidence.

§ 3. This act shall take effect immediately.

CHAPTER 692

AN ACT to confer jurisdiction on the court of claims to hear, audit and determine certain claims against the state, by contractors, subcontractors and others, arising out of alleged delays, interferences and acts of the state in the construction of the state office building at Albany, and to render judgment or judgments therefor

Became a law April 23, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claims of Seglin Construction Company, Incorporated, contractor, and The Harrison Engineering and Construction Corporation, Charles E. Speich, A. E. Norton, Incorporated, Archer Stone Setting Company, Incorporated, Anchor Fireproofing Company, Richey, Browne and Donald, Incorporated, Roesch Corporation, The Carey Company, Hughes-Keenan Company, Incorporated, Shawnee Stone Company, Perry Brothers Granite Company, Joseph T. Ryerson and Son, Incorporated, Edward A. Tucker Company, General Bronze Corporation and Hallenbeck Inspection and Testing Laboratory, subcontractors, against the state, for work performed and materials furnished, and for damages alleged to have been sus-

Jurisdiction conferred.

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tained by reason of breach of contract upon the part of the state, failure of the state to furnish claimants with the site of the work to enable them to proceed with the construction and progress the same, and by reason of delays, interferences with and interruptions to said construction work caused by the state, its officers and agents, in carrying out a contract dated February first, nineteen hundred twenty-seven, entered into with the state by Seglin Construction Company, Incorporated, pursuant to chapter four of the laws of nineteen hundred twenty-seven, being construction contract number eight thousand five hundred and forty-five, for the construction of the foundations and exterior of the state office building at Albany, New York, claims for which damages have been asserted by said contractor and subcontractors against the state, including claims arising therefrom asserted by said subcontractors as a liability against said contractor, and the state consents to have the liability, if any, of said contractor to said subcontractors, and the liability of the state to all said claimants determined in one proceeding by said court, and if the court finds, by reason of such breach of contract on the part of the state, or by reason of delays, interferences with and interruptions to such construction work by the state, its officers and agents, or other persons having apparent authority and jurisdiction, that such claimants or any of them sustained damages, or have incurred a liability for damages arising therefrom, and that in right and justice or in law or equity any or all of such claimants should be compensated for the damages so sustained, or indemnified against liability therefor, the claims therefor shall be legal and valid claims against the state, although such liability for damages may not have been theretofore adjudicated and liquidated and payment thereof made, and the state shall be deemed liable therefor, and the court may award to and render judgment for the claimant, Seglin Construction Company, Incorporated, in such sum or sums as it shall find to be just and equitable, including therein such damages as shall have been found by the court to be a legal liability of Seglin Construction Company, Incorporated, to any or all of said subcontractors, claimants, who shall have a lien accordingly impressed upon said judgment for the damages so found to have been sustained by said subcontractors, provided the claim or claims herein authorized shall be filed with the court of claims within six months after this act takes effect.

Court may render judgment.

§ 2. The claim or claims herein authorized shall not be impaired on account of any lack of authority in the legislature to confide the work of such construction to the officers or body who or which were designated to perform such work.

Claims not impaired by lack of authority of legislature.

§ 3. Nothing herein contained shall be construed as passing upon the merits of the claims herein and no awards shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

Saving clause.

Evidence.

§ 4. This act shall take effect immediately.

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CHAPTER 693

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine claims against the state for damages, for or on account of the appropriation of property, and the use by the state of lands in connection with the improved canal and canal terminals

Became a law April 23, 1931, 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:

Jurisdiction conferred, notwithstanding lapse of time.

Section 1. A claim for damages heretofore suffered or caused as mentioned in section one of chapter six hundred and thirty of the laws of nineteen hundred twenty-one may, notwithstanding the lapse of time since the accruing of damages, be filed with the court of claims within one year from the passage of this act, and the court of claims shall have jurisdiction to hear, audit and determine any such claim and make an award for damages suffered, and render judgment thereon, in favor of any claimant for the just and equitable amount found to have been suffered by such claimant.

Saving clause.

§ 2. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or

Evidence.

judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

§ 3. This act shall take effect immediately.

CHAPTER 694

AN ACT conferring jurisdiction upon the court of claims to hear and determine the claim of Cascade Automatic Sprinkler Corporation against the state for the value of temporary heat furnished at the Manhattan State Hospital under contract in connection with the construction of two new buildings at such institution

Became a law April 23, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear and determine the claim of Cascade Automatic Sprinkler Corporation of New York City against the state for damages alleged to have been sustained by such claimant for material furnished and labor performed in supplying temporary heat in the new dining room building and continuous flow bath building at the Manhattan State Hospital under specification number five thousand thirty-two from December thirty-first, nineteen hundred twenty-eight to May first, nineteen hundred twenty-nine.

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§ 2. The state hereby consents to have its liability in respect to such claim determined, notwithstanding any omission, default or failure of the claimant to perform or do any act or thing in relation to filing or serving a notice of its intention to make such claim or to file or serve such claim within the time limited and prescribed by law, provided the claim herein is filed with the court of claims and copies thereof served on the attorney-general and superintendent of public works within six months after this act takes effect. Notwithstanding failure to file claim.

§ 3. If the court shall find that such claim is founded in right and justice or in law or equity against the state, and in right and justice payable thereby, the state shall be deemed to be liable therefor and it shall constitute a legal and valid claim against the state and the court may make such award and render such judgment for the claimant against the state as to it shall be just and equitable, but no award shall be made or judgment rendered pursuant to this act, except upon such legal evidence as would establish a liability against an individual or corporation. Court may render judgment. Evidence.

§ 4. This act shall take effect immediately.

CHAPTER 695

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Edward Clark against the state for personal injuries

Became a law April 23, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Edward Clark against the state for personal injuries alleged to have been sustained by him on the fifteenth day of August, nineteen hundred thirty, while an inmate of Elmira reformatory at Elmira, New York, while engaged in the performance of his duties under the direction of the guard in charge, in assisting in carrying a steel girder with thirteen or fourteen other prisoners, and which said injuries are alleged to have been caused by reason of the carelessness and negligence of the state, its officers, agents or employees, in failing to provide a proper and safe means to convey steel girders of the weight and size of the one in question, from one location in the prison yard to another, and also by reason of the carelessness and negligence of the state, its agents, servants or employees, who were assisting in the transfer of this steel girder from one place to another in the prison yard, in allowing the same to slip and fall, the falling of which girder resulted in the amputation of the index finger of the claimant's left hand at the first joint to and by reason also of the Jurisdiction conferred.

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improper medical care, and attention administered to him by the state, its officers, agents or employees in treating him for such injuries and in taking care of his hand after the same had been injured due to the falling of said girder. The state hereby consents to have its liability on such claim determined notwithstanding the absence of legal liability for the injuries therein alleged or the failure of the claimant to file a claim therefor or notice of the intention to file such claim, or to do any other act in relation to the presentation of such claim within the time limit prescribed by law, provided a claim for such injuries shall be filed with the court of claims within six months after this act takes effect. If the court shall find the injuries sustained by the claimant were caused in the manner alleged in the claim therefor and without any negligence on the part of the claimant contributing thereto, and that the state in right or justice or in law or equity should pay therefor, damages therefor shall constitute a valid and legal claim against the state and the state shall be deemed to have been liable therefor, and the court shall determine the extent of such injuries and may award to and render judgment for the claimant in such sum as it shall find to be just and equitable.

Notwithstanding failure to file claim.

Claim to be filed.

Court may render judgment.

§ 2. Nothing herein shall be construed as passing upon the merits of the claim and no award shall be made or judgment rendered unless sustained by such proof as would create a liability against an individual or corporation.

Saving clause.

Proof.

§ 3. This act shall take effect immediately.

CHAPTER 696

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Frank N. Decker against the state of New York for damages to real property alleged to have been sustained by reason of the negligence of the state, its officers, servants or employees in the construction and maintenance of a part of the Barge canal system known as the old Erie canal in the town of Manlius, and to render judgment therefor

Became a law April 23, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Frank N. Decker against the state of New York for damages to real property owned and possessed by him in the town of Manlius, Onondaga county, New York, since the fourteenth day of October, nineteen hundred fourteen, sustained by reason of the alleged negligence of the state of New York, its officers, servants or employees in the construction and maintenance of a part of the Barge canal system known as the

Jurisdiction conferred.

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old Erie canal in the town of Manlius, in such a manner that a leakage from such canal caused damage to such lands of Frank N. Decker and destruction to the forest and creation of a nuisance thereon.

Court may render judgment.

§ 2. If the court of claims shall find that the claimant sustained injuries as aforesaid to his real property since the fourteenth day of October, nineteen hundred fourteen, and that such injuries were caused by the negligence of the state of New York, its officers, servants or employees by reason of the alleged negligent construction and maintenance of such canal, or any nuisance created thereon the state shall be deemed to be liable for such negligence, and damages therefor shall constitute a legal and valid claim against the state, and the court of claims may make an award therefor and render judgment against the state of New York and in favor of the claimant for such sum as the court may determine to be just and equitable, and the state hereby consents to have its liability on such claim determined and the state hereby waives its immunity from liability therefor. The judgment, if any, may include any and all damages suffered therefrom by claimant from the fourteenth day of October, nineteen hundred fourteen, to the date this act shall take effect, except that any award made in a case commenced the nineteenth day of August, nineteen hundred thirty and now pending in the court of claims, which case is number nineteen thousand eight hundred and seventy-two, and entitled Frank N. Decker versus the state of New York, shall be deducted from such judgment or award made pursuant to this act. The lapse of time since the accrual of such claim and damages and the failure of the claimant to have filed such claim in writing and notice of intention to file such claim or do any act prescribed by law to be done in a specified time, shall not be a defense herein, provided that such claim is filed with the attorney-general and the court of claims within six months after this act takes effect. Notice of intention to file such claim is hereby waived and dispensed with.

Immunity waived.

Lapse of time not a defense.

Saving clause.

Evidence.

§ 3. Nothing contained herein shall be construed as passing upon the merits of such claim and no award shall be made or judgment rendered against the state unless sustained by such evidence as would create a liability in a court of law or equity against an individual or corporation.

§ 4. This act shall take effect immediately.

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CHAPTER 697

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Howard E. Fletcher against the state for damages for personal injuries alleged to have been sustained by him on or about the thirtieth day of July, nineteen hundred twenty-nine, while a passenger in an automobile proceeding along the state highway at or near Tupper Lake, New York, by reason of the alleged negligence of the state, its officers, agents or employees in allowing and permitting an automatic road signalling device to be so placed at said point on said highway as to be a dangerous obstruction to traffic and to constitute a nuisance, and to render judgment therefor

Became a law April 23, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Howard E. Fletcher against the state for damages for personal injuries alleged to have been sustained by him on or about the thirtieth day of July, nineteen hundred twenty-nine, while a passenger in an automobile being operated by one Charles Whittemore in a southerly direction upon state highway number five thousand, seven hundred and seven, near the Waverly House in Tupper Lake village, Franklin county, and which said injuries are alleged to have been caused by the negligence of the state, its officers, agents or employees in failing and neglecting to remove a certain flasher or automatic signalling device from said point on said highway and in permitting and allowing the same to remain in a dangerous and menacing position on said highway and in allowing the base of the same to be and remain wholly upon the right hand side of the center line of said highway for a long period of time, as a result of which the said automobile in which the claimant was riding at said time and place collided with said device and caused the injuries to the claimant as aforesaid. If the court shall find that such injuries were sustained by the claimant by reason of the negligence of the state, its officers, agents or employees as aforesaid, or in any other respect or particular, and without any contributory negligence on the part of the claimant causing or contributing to the same, damages therefor shall constitute a legal and valid claim against the state and the state shall be deemed liable therefor, and the court may award to and render judgment for the claimant against the state in such sum as may be just and equitable to compensate the claimant for the injuries sustained.

Court may render judgment.

Notwithstanding failure to file claim.

§ 2. The state hereby consents to have its liability on the claim herein which has previously been filed with the court of claims and with the department of public works, determined, notwithstanding the failure of the claimant to do any other act in relation to the presentation of such claim within the time limited or

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prescribed therefor by law, provided, however, that a copy of the claim herein be filed with the attorney-general within six months after this act takes effect. Claim to be filed.

§ 3. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity. Saving clause. Evidence.

§ 4. This act shall take effect immediately.

CHAPTER 698

AN ACT to confer jurisdiction on the court of claims to hear and determine a claim of the Delaware and Hudson Company against the state of New York for damages arising out of assessments and payments of taxes, illegally assessed and paid under protest, in the towns of Saranac, Schuyler Falls, Plattsburg and village of Dannemora, Clinton county, New York, and to render judgment thereon

Became a law April 23, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear and determine the claim of The Delaware and Hudson Company, for damages arising out of assessments and payments of taxes, illegally assessed and paid, under protest, in the years nineteen hundred thirteen to nineteen hundred twenty-three, inclusive; and if the court of claims shall find that the taxes were illegally assessed and paid under protest in the years nineteen hundred thirteen to nineteen hundred twenty-three, inclusive, in the towns of Saranac, Schuyler Falls, Plattsburg and village of Dannemora, Clinton county, New York, such claim shall constitute a legal and valid claim against the state of New York and in justice, equity and morals, the state should pay therefor, and the court of claims may award judgment upon such claim, in favor of the claimant and against the state for such sum as the said court shall deem just and equitable. Jurisdiction conferred. Court may render judgment.

§ 2. Jurisdiction of the court of claims shall attach to this claim notwithstanding the lapse of time since the accrual thereof, provided the claim herein is filed with the court of claims and the attorney general of the state of New York, within six months after this act shall take effect but such claim shall not be defeated, nor the jurisdiction of such court be impaired because of the failure on the part of the Delaware and Hudson Company to file such claim or notice of intention to file such claim, as provided by section fifteen of the court of claims act. Notwithstanding lapse of time.

§ 3. Notwithstanding the foregoing provisions of this act, no award shall be made or judgment rendered unless sustained by such proof as would create a liability against an individual or corporation. Saving clause.

§ 4. This act shall take effect immediately.

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CHAPTER 699

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of George E. Dunham against the state for damage suffered by reason of the diversion of Mud creek and clogging of channels and drainage ditches connected with Mud and Wood creeks, and to render judgment therefor

Became a law April 23, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the alleged claim of George E. Dunham, owner of agricultural lands situate in the town of Rome, Oneida county, against the state for damages incurred by reason of the conversion and diversion of the stream and channel of what was known as Mud creek and the clogging and filling of the channels and drainage ditches connected with Mud and Wood creeks, said creek having formerly run through the property of claimant, and by reason of the appropriation of April, nineteen hundred fourteen, and subsequent appropriations, both with and without notice to claimant, for Barge canal purposes, depriving claimant of the use of said creeks; also for damages for loss of crops for the year nineteen hundred fifteen by reason of the changing of the channel and flow of Mud creek without notice, and consequent flooding of claimant's lands; and if the court finds that the injuries were so sustained and that the state, in right or justice or in law or equity, should pay therefor, damages therefor shall constitute a legal and valid claim against the state and the court may make an award and render judgment for the claimant against the state in such sum as shall be just and equitable, provided the claim herein is filed with the court of claims within one year after this act takes effect.

Court may render judgment.

Claim to be filed.

Saving clause.

§ 2. Nothing herein contained shall be construed as passing upon the merits of such claim and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation.

Evidence.

§ 3. This act shall take effect immediately.

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CHAPTER 700

AN ACT to confer jurisdiction upon the court of claims to hear and determine the claim of Eastern Bridge & Structural Company, eighty-eight Crescent street, Worcester, Massachusetts, against the state for damages for breach of contract, and to render judgment therefor

Became a law April 23, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear and determine the claim of the Eastern Bridge & Structural Company, eighty-eight Crescent street, Worcester, Massachusetts, subcontractor, of the Feeney & Sheehan Building Company, against the state for damages alleged to have been sustained by said contractors in the performance of its work, labor and materials required and furnished for the completion of structural steel and iron, iron stairs and miscellaneous iron and steel for cell house, interlocking building, mess hall and kitchen building and central and lighting plant at Wingdale prison, Wingdale, New York, under state contract, dated January fourteenth, nineteen hundred eighteen, between the said contractors and the commission on new prisons, by reason of delay occasioned by the state, its agents, servants and contractors, amounting to breach of contract.

Notwithstanding failure to file claim.

§ 2. The state hereby consents to have its liability in respect to such claim determined, notwithstanding the want of legal liability or any omission, default or failure of the claimant to perform or do any act or thing in relation to filing or serving a notice of its intention to make such claim or to file or serve such claim within the time limited and prescribed by law, provided the claim herein is filed with the court of claims within six months after this act takes effect.

Claim to be filed.

Court may render judgment.

§ 3. If the court shall find that such claim is founded in right and justice or in law or equity against the state, and in right and justice payable thereby, the state shall be deemed to be liable therefor and it shall constitute a legal and valid claim against the state and the court may make such award and render such judgment for the claimant against the state as to it shall be just and equitable, but no award shall be made or judgment rendered pursuant to this act, except upon such legal evidence as would establish a liability against an individual or corporation.

§ 4. This act shall take effect immediately.

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CHAPTER 701

AN ACT to confer jurisdiction on the court of claims to hear, audit and determine certain claims against the state by certain contractors and subcontractors arising out of alleged delays, interferences and acts of the state, its officers, agents or employees in the construction of the superstructure of the state office building at New York city, and to render judgment or judgments therefor

Became a law April 23, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claims of Cauldwell-Wingate Company, contractor, and A. E. Norton, Inc., Grenci & Ellis, Inc., Dickson & Trumbul, Inc., Pietrowski & Knob Company, Cement-Finish Company, Inc., General Bronze Corporation, Stephan & Danner, Inc., Campbell Metal Window Corporation, subcontractors, against the state, for work performed and materials furnished, and for damages alleged to have been sustained by reason of breach of contract on the part of the state, by the failure of the state to furnish claimants with the site of and for the work to enable them properly to proceed with the construction and properly to progress the same, and by reason of certain alleged delays and interferences with and interruptions of said construction work caused by the state, its officers, agents and employees in carrying out a contract dated March first, nineteen hundred twenty-eight, entered into by the state, acting through the state office site and building commission, with Cauldwell-Wingate Company, one of the claimants herein, pursuant to chapter three hundred and forty-six of the laws of nineteen hundred twenty-seven, and chapter seventy-one of the laws of nineteen hundred twenty-eight, legalized, ratified and confirmed by chapter one of the laws of nineteen hundred thirty, for the construction of a public improvement known as construction-superstructure, state office building, New York city, specification number five thousand and fourteen, project number one thousand nine hundred and thirty-six, claims for which said damages have been asserted by said contractor against the state, including claims arising therefrom asserted by said subcontractors as a legal liability against said contractor, and the state hereby consents to have the liability, if any, to said contractor or of said contractor to said subcontractors, and the liability of the state to all said claimants determined in one proceeding by said court, and if the court finds, that by reason of such breach of contract on the part of the state, and by reason of delays, interferences with and interruptions to such construction work by the state, its officers, agents or employees, or other persons having apparent authority and jurisdiction, that such claimants or any of them have sus-

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tained damages, or have incurred a legal liability for damages arising therefrom, and that in right or justice or in law or equity any or all of such claimants should be compensated for the damages so sustained, or indemnified against legal liability therefor, the claims therefor shall be legal and valid claims against the state, although such liability for damages may not have been theretofore adjudicated and liquidated and payment thereof made, and the state shall be deemed liable therefor, and the court may make an award or awards to and render judgment or judgments for the claimant, Cauldwell-Wingate Company, in such sum or sums as it shall find to be just and equitable, including therein such damages as shall have been found by the court to be a legal liability of Cauldwell-Wingate Company to any or all of said subcontractors, claimants, who or which shall have a lien accordingly impressed upon said judgment or judgments for the damages so found to have been sustained by said subcontractors, provided the claim or claims herein authorized to be heard, audited and determined shall be filed with the court of claims within six months after this act takes effect. Claims to be filed.

§ 2. The claim or claims herein authorized shall not be impaired on account of any lack of authority in the legislature to confide the work of such construction to the officers or body who or which were designated to perform such work or on account of the failure of the claimants or either of them to file such claim or claims or notice of intention to file such claim or claims or to do any other act in relation to the presentation of such claims within the time limited or prescribed therefor by law. Claims not impaired by lack of authority of legislature to confide work.

§ 3. Nothing herein contained shall be construed as passing upon the merits of the claims herein and no awards shall be made or judgments rendered unless sustained by such legal evidence as would establish a liability against an individual or corporation in a court of law or equity. Saving clause. Evidence.

§ 4. This act shall take effect immediately.

CHAPTER 702

AN ACT making additional appropriations for reconstruction and permanent betterments in the state parks

Became a law April 24, 1931, 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. The following appropriations are hereby made to the various state park commissions for construction and permanent betterments, in addition to those made by chapter twenty-one of the laws of nineteen hundred thirty-one: Appropriations.

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ALLEGANY STATE PARK COMMISSION

* * * * * * * * * * * *

FINGER LAKES STATE PARK COMMISSION

* * * * * * * * * * * *

For water supply at point at Taughannock state park	13,000
For construction of entrance road at Stony Brook state park	8,000
For sewer and water system at Fairhaven state park.	12,000

CENTRAL NEW YORK STATE PARKS COMMISSION

For shore protection and comfort station at Selkirk Shores state park	5,000
Acquisition of land, Chenango Valley state park	10,000
For extension of bathing area and constructing comfort station at Chenango Valley state park	14,000
For fire tower at Gilbert Lake state park	1,000

* * * * * * * * * * * *

GENESEE STATE PARK COMMISSION

For road construction in addition to $40,000 made available in the budget bill	120,000

PALISADES INTERSTATE PARK COMMISSION

* * * * * * * * * * * *

Audit.

§ 2. The money hereby appropriated shall be paid by the department of taxation and finance on the audit of the comptroller in accordance with the provision of law.

§ 3. This act shall take effect immediately.

CHAPTER 703

AN ACT creating a temporary state commission, defining its powers and duties, to erect statues of Millard Fillmore in the city of Buffalo, and in the county of Cayuga at the place of his birth, and making appropriations therefor

Became a law April 24, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Temporary commission created; how constituted. Organization. Vacancies.

Section 1. There is hereby created a temporary state commission to consist of five members, of whom one member shall be appointed by the governor, two members by the temporary president of the senate and two members by the speaker of the assembly. The commission shall elect from its members a chairman and vice-chairman. Vacancies in the membership of the commission

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occurring from any cause shall be filled by the officer authorized to make the original appointment. The members of the commission shall serve without pay, but may be allowed their necessary expenses incurred in the performance of their duties. To serve without pay.

§ 2. Such commission shall co-operate with the Buffalo centennial celebration committee in the celebration of the one hundredth anniversary of the founding of the city of Buffalo, and may enter into a contract upon behalf of the state and cause to be erected and unveiled in such city a statue of the former president Millard Fillmore, a former resident of such city, as a part of such celebration. Duties of commission.

§ 3. Such commission may also enter into a contract upon behalf of the state and cause to be erected and unveiled in the county of Cayuga at the place of his birth, a statue in memory of the said former president. To contract for statue.

§ 4. Such commission shall make a report to the legislature on or before February fifteenth, nineteen hundred thirty-three, the result of its proceedings. Report.

§ 5. For the purpose of carrying the provisions of this act into effect, and to include the expenses of the commission, the following appropriations are hereby made: Appropriation.

For the statue in the city of Buffalo..... 25,000 00

* * * * * * * * * * *

The amounts hereby appropriated shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the chairman of the commission. Audit.

§ 6. This act shall take effect immediately.

CHAPTER 704

AN ACT on the application of the legislature of the state of New York petitioning the congress of the United States of America to submit a referendum to the citizens of the various states

Became a law April 24, 1931, 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. The legislature of the state of New York petitions the congress of the United States of America to enact by proper and appropriate legislation measures requesting the legislatures of the various states to submit to the voters of their respective states at the next general election in the form of referenda, the following questions: 1. Do you favor a repeal of the eighteenth (prohibition) amendment? Petition to congress.

2. Do you favor a modification of the Volstead law to permit light wines and beers?

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3. Do you favor a modification of the Volstead law so as to permit each state to define for itself what constitutes an intoxicating beverage?

4. Do you favor the continuance and strict enforcement of the eighteenth amendment and Volstead law?

Transmission of copies of act.

§ 2. On the passage of this act the governor of the state of New York shall forthwith cause to be transmitted to the president of the Senate of the United States and the speaker of the house of representatives of the United States and to each senator and member of congress elected from the state of New York, engrossed copies of this act.

§ 3. This act shall take effect immediately.

CHAPTER 705

AN ACT to amend the surrogate's* court act, in relation to proof of service of a subpoena, citation or other process

Became a law April 24, 1931, 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:

§ 61 amended.

Section 1. Section sixty-one of the surrogate's* court act is hereby amended to read as follows:

§ 61. **Proof of service of a subpoena, citation or other process.** Proof of service of a subpoena, citation or other process issued from a surrogate's court, must be made by the certificate of the sheriff, when served by him, and in any other case by the affidavit of the person so serving it authenticated as prescribed in section three hundred and fifty-nine of the civil practice act, if executed without the state;[1] or, where the person served is of full age and not incompetent, by a written admission signed by him, accompanied with proof, by acknowledgment, affidavit or otherwise, of the genuineness of his signature; provided, however, that where service of a citation or order to show cause is made upon a public officer by delivering a copy thereof to one of his duly constituted deputies, a written admission, signed by such deputy, accompanied with proof in like manner of the genuineness of such deputy's signature shall be sufficient.

Proof of the publication of the citation[2] must be made by the affidavit of the printer or publisher, or his foreman or principal clerk. Proof of deposit in a[3] postoffice, or in a postoffice box

* So in original.

1 Words "authenticated as prescribed in section three hundred and fifty-nine of the civil practice act, if executed without the state;" new.

2 Words "and subpoena" omitted.

3 Formerly "the."

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regularly maintained by the government of the United States,[4] must be made by the affidavit of the person who deposited[5] it.

§ 2. This act shall take effect September first, nineteen hundred thirty-one. In effect Sept. 1, 1931.

CHAPTER 706

AN ACT to amend the personal property law, in relation to income accruing during the administration of estates

Became a law April 24, 1931, 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 forty-five of the laws of nineteen hundred nine, entitled "An act relating to personal property, constituting chapter forty-one of the consolidated laws," is hereby amended by inserting after section seventeen-a a new section, to be section seventeen-b, to read as follows: § 17b added.

§ 17-b. **Distribution of income earned during period of administration.** Unless otherwise expressly provided by the will of a person dying after this act takes effect, all income from real and personal property earned during the period of administration of the estate of such testator and not payable to others or otherwise disposed of by the will shall be distributed pro rata as income among the beneficiaries of any trusts created out of the residuary estate of such testator and the other persons entitled to such residuary estate. None of such income shall, after such distribution, be added to the capital of the residuary estate the whole or any part of which is devised or bequeathed in trust or for life or for a term of years, but shall be paid ratably to the life beneficiary of a trust, or to the life tenant, or to the absolute residuary legatee, as the case may be. Unless otherwise directed in the will, income shall be payable to the life beneficiaries of trusts, or to life tenants from the date of testator's death. Nothing contained in this act shall affect the right of any person to income on any portion of the estate not part of the residuary estate of such testator.

§ 2. This act shall take effect immediately.

[4] Words ", or in a postoffice box regularly maintained by the government of the United States," new.

[5] Words "or delivered" omitted.

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CHAPTER 707

AN ACT to amend the surrogate's* court act, in relation to appeals from decrees entered upon the verdict of a jury, after a trial of controverted issues of fact in a court other than a surrogate's court, and from orders granting or denying a motion for a new trial of such controverted issues

Became a law April 24, 1931, 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:

§§ 288, 294 amended.

Section 1. Sections two hundred and eighty-eight and two hundred and ninety-four of the surrogate's* court act, are hereby amended to read as follows:

§ 288. **Appeal; when and to what court it may be taken.** An appeal to the appellate division of the supreme court may be taken from a decree of a surrogate's court, or from an order affecting a substantial right, made by a surrogate, or by a surrogate's court in a special proceeding, or from an order of the supreme or a county court or a justice or judge thereof, granting or denying a motion for a new trial after a trial of controverted issues of fact pursuant to an order of the surrogate directing specified questions of fact to be so tried,[1] by any party aggrieved thereby, except where the decree or order was rendered or made upon his default in appearing.

§ 294. **Appeal may be on the law or the facts; case to be made; reversal.** The appeal may be taken upon questions of law, or upon the facts, or upon both. If it is taken from a decree rendered upon the trial by the surrogate, or by the surrogate and a jury, of an issue of fact, it must be heard upon a case, to be made and settled by the surrogate, as prescribed by law, for the making and settling of a case upon an appeal in an action.

[2]An appeal taken from a decree entered upon the verdict of a jury after a trial of controverted issues of fact in the supreme court or in a county court, pursuant to an order of the surrogate directing specified questions of fact to be so tried, or from an order of the supreme court or of a county court, or a justice or judge thereof, granting or denying a motion for a new trial of such issues, or from both such decree and order, brings up for review questions of law or of fact or both, in accordance with the notice of appeal, and it must be heard upon a case to be made and settled by the judge before whom the issues of fact were tried, in the manner prescribed by law for the making and settling of a case upon an appeal in an action.

An[3] appeal taken as prescribed by this article[4] brings up

* So in original.

1 Words ", or from an order of the supreme or a county court . . . questions of fact to be so tried," new.

2 Following paragraph new.

3 Formerly "Such."

4 Words "taken as prescribed by this article" new.

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for review, by each court to which the appeal is carried, each decision, to which an exception is duly taken by the appellant, as prescribed in section seventy-two. But such a decree or order shall not be reversed for an error in admitting or rejecting evidence, unless it appears to the appellate court that the exceptant was necessarily prejudiced thereby.

§ 2. This act shall take effect September first, nineteen hundred thirty-one. In effect Sept. 1, 1931.

CHAPTER 708

AN ACT to amend the military law, in relation to relief of sick and disabled New York veterans, and making an appropriation therefor

Became a law April 24, 1931, 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 twenty-four-f of chapter forty-one of the laws of nineteen hundred nine, entitled "An act in relation to the militia, constituting chapter thirty-six of the consolidated laws," as added by chapter six hundred and five of the laws of nineteen hundred twenty-eight, is hereby amended to read as follows: § 24f amended.

§ 24-f. **Examination; determination; payments.** The veterans' relief commissioner shall examine without any delay each application filed with him and for that purpose may subpoena witnesses and compel their attendance. He may administer oaths and make such further investigation as to him may seem necessary, and upon the conclusion of his investigation he shall make such determination as justice requires. Each veteran whose claim is allowed by the veterans' relief commissioner, shall receive, in the case of a person without dependents, the sum of thirty dollars per month, and in the case of a person having dependents, the additional sum of ten dollars per month for a dependent wife or widowed mother and five dollars per month for each other dependent, the total amount allowed for dependency in no case to exceed thirty dollars per month, provided, however, that in any month that such applicant is receiving aid from the United States government aggregating thirty or more dollars per month in the case of a person without dependents, or aggregating the total amount allowed per month, in the case of a person having dependents, he shall receive nothing under this article, and that in any month that he is receiving from the United States government less than thirty dollars, in the case of a person without dependents, or aggregating less than the total amount, allowed herein per month, in the case of a person having dependents, the difference only between the amount paid by the United States government and the amount herein allowable per month, shall be paid to such applicant, and provided further, that the total payments under this article to any one such applicant shall not

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exceed in the aggregate the sum of two hundred and fifty dollars.[1] In the event that a veteran entitled to receive aid under this article shall be maintained at a hospital, other than at his own expense, his dependents shall receive the dependent allowance herein provided. Whenever in the opinion of the veterans' relief commissioner it is deemed best, the excess allowance for dependents may be paid directly to such dependents. For the purposes of this article, wives, children and widowed mothers with whom the veteran is living are presumed to be dependents; but the adjutant-general, with the approval of the governor, shall have the right to prescribe rules to determine dependency of others than those mentioned. After the audit of any such claim and before or after payments shall have begun, the veterans' relief commissioner, after a hearing upon notice to the veteran, may revoke such audit, on the ground that the application or any accompanying affidavit, contained a material false statement, and in case such revocation no further payments shall be made to the veteran affected thereby, and the state may recover the amount paid, if any, in an action brought by the attorney-general. An applicant whose claim is rejected by a commissioner, or who is not satisfied with the amount allowed, may appeal to the adjutant-general, who shall then have power, subject to the approval of the governor, to determine the matter and to fix the amount, if any, to be paid.

Appropriation.

§ 2. The sum of seventy-five thousand dollars ($75,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, for the payment of awards made under this chapter and shall be payable from the state treasury on the audit and warrant of the comptroller to the order of the adjutant-general.

§ 3. This act shall take effect immediately.

CHAPTER 709

AN ACT making an additional appropriation for removal and repair of bridges

Became a law April 24, 1931, 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. In addition to the amount appropriated by chapter twenty-one of the laws of nineteen hundred thirty-one, the sum of forty thousand dollars ($40,000) is hereby appropriated for the removal and repair of bridges, including those over the abandoned Black River canal on lands turned over for park purposes, such bridges to be designated by the conservation department.

§ 2. This act shall take effect immediately.

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[1] Words ", except in those cases deemed by the adjutant-general as especially needy and in those cases the aggregate to any one applicant, shall not exceed the sum of five hundred dollars" omitted.

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CHAPTER 710

AN ACT to amend the town law, in relation to the police force of certain towns

Became a law April 24, 1931, 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 four hundred and sixty-five of chapter sixty-three of the laws of nineteen hundred nine, entitled "An act relating to towns, constituting chapter sixty-two of the consolidated laws," as amended by chapter six hundred and forty-one of the laws of nineteen hundred twenty-seven, is hereby amended to read as follows: § 465 amended.

§ 465. **Meetings; public welfare officer;**[1] **constables.** The said board may fix a time and place for stated meetings, and may adjourn its meetings from time to time. It may determine whether the town shall have one or more town public welfare officers,[2] whether such welfare officer or officers[3] shall be elected, or appointed by the town board, whether such welfare officer or officers[3] shall be compensated by fees under the general laws of the state or by a salary, the amount thereof to be fixed by the board, not exceeding at and after the rate of twelve hundred dollars per annum; where there shall be in office in any of said towns more than one town welfare officer[4] and the said board shall decide to reduce the number of such welfare officers[5] of said town to one, no welfare officer[6] shall be appointed or elected in said town until the expiration of the term of office of all of them in office when such determination shall be made by the town board; if the town board determine that the office of town welfare officer[4] shall be appointive in its town, no welfare officer[6] shall thereafter be elected therein. The said board may appoint a chief constable and so many special constables as it may deem necessary; such chief constable and special constables shall have all the power and authority in civil and criminal matters conferred upon constables elected, or to be elected, within such town, by the general laws of the state, and the constables elected, and to be elected within such town, and such chief constable and special constables shall have such additional powers as shall be conferred upon them by the town board, pursuant to authority of any statute of this state; the chief constable, constables and special

1 Words "public welfare officer;" substituted for words "overseers of the poor."

2 Words "town public welfare officers" substituted for words "overseers of the poor."

3 Words "such welfare officer or officers" substituted for words "the overseer or overseers of the poor."

4 Words "town welfare officer" substituted for words "overseer of the poor."

5 Words "such welfare officers" substituted for words "overseers of the poor."

6 Words "welfare officer" substituted for words "overseer of the poor."

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constables shall be subject to the general authority and direction of the town board and subject to such orders and regulations for the government and discipline of said constables as the town board may prescribe; said constables and special constables, whether elected or appointed, shall be subject to the direction and supervision of the chief constable. [7]The chief constable, whether elected or appointed, may be reduced to the rank of constable or special constable by the board at its pleasure, but the town board shall not remove any such chief constable, constable or special constable, nor any peace officer of whatever rank, appointed in any such town pursuant to section one hundred and twenty-one-a of this act, from the police force except for incompetency or misconduct shown after a hearing upon due notice upon stated charges, and with the right of review by certiorari. [7]A copy of the charges and answers thereto together with the record of the proceedings and determination of the town board shall be filed in the office of the town clerk.[8] The board may adopt rules and regulations prescribing the duties and powers of such chief constable, constables and special constables, which rules must not be contrary to the general laws of the state; by said rules the town board may abolish the right of constables, whether elected or appointed, special constables and the chief constable, or of any of them, in such town, to receive compensation from such town by fees in criminal matters, and may provide for compensation per diem or by the week, month, or otherwise in its discretion, but not exceeding at the rate of one hundred and fifty dollars per month for any constable or special constable, and not exceeding at the rate of two hundred dollars per month for such chief constable, so appointed.[9] In any town in which the town board shall appoint a chief constable and constables or special constables to constitute the police force of said town, the town board may provide that thereafter no constable shall be elected in such town and that no constable who is not the chief constable, or one of the constables, or special constables, so appointed by said town board and acting pursuant to such appointment, shall be entitled to any fees from such town for services thereafter rendered in criminal matters arising in such town. And all fees in criminal matters earned by such chief constable or any such contable or special constable after his appointment by such board, where such fees are lawful charges against any county or* the state, shall belong to such town and shall be paid over to the supervisor of the town by which such chief constable,

* So in original.

[7] Following sentence new.

[8] Sentence omitted which read: "The town board may at pleasure remove any constable, whether elected or appointed, or special constable or chief constable, from office."

[9] Sentence omitted which read: "The board in making such appointments shall in the order of appointments specify the time for which the appointment of the chief constable, or special constables, shall continue, which term shall in no case extend beyond five days after the next biennial town election to be held in the town."

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constable or special constable is employed to be deposited in the general fund of such town. The town board may annually raise by taxation a sum of money not to exceed one-tenth of one per centum of the assessed valuation of the taxable property of the town for the purpose of defraying the expenses necessary for the preservation of the public peace of the town. The compensation for the services of such peace officers shall be paid by such board in monthly payments and bills for expenses and equipments of such officers may be audited and paid by said town board monthly. No person shall be appointed as a peace officer under this section who is not a citizen of the United States of America, or who has ever been convicted of a felony or who can not understand and read and write the English language. [10]In any such town to which the rules of the state civil service commission have been extended, no person shall be appointed a member of such police force unless he shall have passed an examination held by the state civil service department, and unless at the time of his appointment his name shall be on the eligible list of the state civil service department.

§ 2. This act shall take effect immediately.

CHAPTER 711

AN ACT to amend chapter six hundred and seventy-eight of the laws of nineteen hundred twenty-eight, entitled "An act to provide for elimination of highway-railroad crossing at grade, outside of the cities of New York, Buffalo and Syracuse," relating to the granting of permits by municipal corporations for the occupancy of certain lands owned by the municipality for grade crossing elimination purposes

Became a law April 24, 1931, 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 five of chapter six hundred and seventy-eight of the laws of nineteen hundred twenty-eight, entitled "An act to provide for elimination of highway-railroad crossings at grade, outside of the cities of New York, Buffalo and Syracuse," is hereby amended by adding thereto a new subdivision at the end thereof, to be known as subdivision eighteen and to read as follows: Subd. 18 added to § 5.

18. Notwithstanding any other provision of this chapter and the acts supplemental thereto and amendatory thereof or of any other statute general or special a municipal corporation may grant a permit to the department of public work* to occupy, for grade crossing elimination purposes, any of the lands set forth and described on the map prescribed by section five of this chapter which are owned by such municipal corporations, respectively.

* So in original.

[10] Following sentence new.

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Such permit may be for permanent or temporary occupancy as shall be determined by the department of public works, and the permit shall state the purposes for which the land is obtained together with the terms and conditions including payment, if any, which is to be made under the permit. The permit shall be in lieu of an appropriation of land as provided in this act. After approval by the public service commission such permit shall be in force and the lands may be utilized by the people of the state of New York, their officers and agents for grade crossing elimination purposes. Payment, if any, shall be made by the comptroller and paid out of the state treasury from moneys appropriated for such elimination from the proceeds of such state bonds, after the department of public works has filed a copy of the approved permit with the comptroller. The railroad corporation or corporations and the county or counties shall pay to the state their proportionate shares as prescribed by this act of the amount specified in the permit.

§ 2. This act shall take effect immediately.

CHAPTER 712

AN ACT providing for the construction of a retaining wall on Thather brook adjacent to the Johnson street bridge in the village of Gowanda, at the joint expense of the village and the town of Persia, in the county of Cattaraugus

Became a law April 24, 1931, 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. The board of trustees of the village of Gowanda, and the town board of the town of Persia, Cattaraugus county, may construct a retaining wall on Thather brook adjacent to the bridge on Johnson street in such village at the joint expense of the village and town at a cost not exceeding the sum of one thousand dollars. The portion of the expense to be borne by the town must be appropriated from surplus town funds available for general town purposes, but town moneys available for the repair and improvement of highways and bridges shall not be appropriated or expended for such purpose. The portion of the expense to be borne by the village may be appropriated from any village fund available. Such retaining wall may be constructed by village or town forces or by contract let in the manner provided by section one hundred and thirty of the highway law, so far as applicable, and when completed shall thereafter be repaired and maintained by the village and town.

§ 2. This act shall take effect immediately.

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CHAPTER 713

AN ACT to amend the real property law, in relation to the filing of maps as a condition precedent to the recording of conveyances

Became a law April 24, 1931, 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 fifty-two of the laws of nineteen hundred nine, entitled "An act relating to real property, constituting chapter fifty of the consolidated laws," is hereby amended by inserting therein a new section, to be section three hundred and thirty-three-a, to read as follows: § 333a added.

§ 333-a. **Same; maps to be filed.** No conveyance of real property executed on or after July first, nineteen hundred thirty-one, which contains a recital of or a reference to a map made on or after that date or which has thereunto attached such a map, shall be received for record or recorded by such recording officer unless and until a duplicate of such map, prepared in the same manner as prescribed for the preparation of maps in section three hundred and thirty-four of this chapter, shall be filed in the office of such recording officer. This section shall not apply to the counties of New York, Kings, Queens, Nassau, Suffolk, Bronx, Westchester, Onondaga, Erie, Monroe or Richmond.

§ 2. Section three hundred and thirty-three of such chapter, as added by chapter five hundred and seventy-four of the laws of nineteen hundred eleven, is hereby renumbered section three hundred and thirty-three-b. § 333 as added by L. 1911, ch. 574 renumbered § 333b.

§ 3. This act shall take effect immediately.

CHAPTER 714

AN ACT in relation to the issuance of notes or certificates of indebtedness by towns

Became a law April 24, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. In the event that there shall not be funds available for the payment of the principal or interest of any bond, note, certificate of indebtedness or other obligation issued by any town and constituting a town charge for the payment of which a tax or assessment is required by law to be levied upon only a portion of the property in said town the supervisor of such town, at any time prior to the first day of December, nineteen hundred thirty-one and not thereafter, but not earlier than two months prior to the Supervisor authorized to borrow to pay principal and interest of bonds.

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time when such principal or interest shall become due and payable, upon authorization of the town board, may borrow such sums as may be necessary to pay such principal and/or interest, upon the credit of the town, and, for the purpose of evidencing any loans so made, may issue negotiable notes of said town which shall mature in not exceeding six months from their date and which may be renewed after applying thereto the funds resulting from collected assessments which are properly applicable thereto, which funds shall be applied by the supervisor in payment of said loans or in reduction of the principal thereof; provided, however, that in any event such loans so made and any renewal or renewals thereof must be paid in full before the expiration of one year from the date of the making of the original loan. Any notes or renewals thereof issued pursuant to this act shall be a town charge and the town board shall present to the board of supervisors of the county in which such town is located at the next annual meeting of such board of supervisors, succeeding the taking effect of this act a statement showing the amount of the principal of all such outstanding notes then due or to become due during the ensuing calendar year, succeeding the taking effect of this act and the interest thereon, and said board of supervisors shall forthwith levy a tax upon all the taxable property in said town sufficient to pay the principal and interest shown by such statement.

Certificates of indebtedness.

Loans to be paid in one year.

Notes to be town charge.

Tax for payment.

In the event that said board of supervisors shall levy a tax upon all the taxable property in said town to pay either the principal or interest of said notes, or any portion thereof, any taxes or assessments theretofore levied upon only a portion of the property in said town for the payment of the principal or interest of any bond, note, certificate of indebtedness or other obligation, when collected, may be applied to the reduction of taxes subsequently levied for general town purposes, provided, however, that the notes issued under authority of this act have been fully paid.

Application of taxes heretofore levied.

Notes issued under authority of this act shall be signed in the name of the town by the supervisor, countersigned by the town clerk, and entered by the town clerk in a record to be provided for that purpose.

Execution of notes.

Nothing herein contained shall affect the lien of any assessment or deprive any town or county of any remedy provided by law for the enforcement thereof.

When the term "town board" is used in this act it shall include "the board of highway superintendents and the town board."

§ 2. Any town which shall issue negotiable notes under authority of this act, any general or special law to the contrary notwithstanding, shall have no power to issue bonds, notes, certificates of indebtedness or other obligations or to borrow money for any purposes whatsoever except under the provisions of this act, until all notes issued under authority of this act, including renewals thereof, are fully paid and discharged.

Town not to issue bonds.

§ 3. This act shall take effect immediately.

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CHAPTER 715

AN ACT to amend the public service law, in relation to the regulation and supervision of water supply companies and providing for annual reports of municipal water systems

Became a law April 24, 1931, with the approval of the Governor. Passed, on message of necessity, 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 four hundred and eighty of the laws of nineteen hundred ten, last re-entitled by chapter seven hundred and eighty-two of the laws of nineteen hundred thirty, "An act relating to the public service of utility companies, constituting chapter forty-eight of the consolidated laws," is hereby amended by adding two new subdivisions, to be subdivisions twenty-six and twenty-seven, to read as follows: Subds. 26, 27 added to § 2.

26. The term "water system" when used in this chapter includes all real estate, attachments, fixtures, impounded water, water-works, water plant, water rights and personal property, and all property either real, personal or mixed, owned, operated, used or to be used for or in connection with or to facilitate the distribution, sale or furnishing of water for domestic, commercial or public uses, but does not include property used solely for or in connection with the business of bottling or selling, distributing or furnishing bottled water.

27. The term "water-works corporation," when used in this chapter includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers, appointed by any court whatsoever, excepting such as have a property value of ten thousand dollars, or less, owning, operating or managing any water plant or water-works except where water is distributed solely on or through private property solely for the use of the distributor or its tenants and not for sale to others.

§ 2. Section five of such chapter as last amended by chapter one hundred and thirty-four of the laws of nineteen hundred twenty-one, is hereby amended by inserting therein a new subdivision, to be subdivision five-a, to read as follows: Subd. 5a added to § 5.

5-a. To the furnishing or distribution of water for domestic, commercial or public uses and to water systems and to the persons or corporations owning, leasing or operating the same.

§ 3. Such chapter is hereby amended by inserting therein a new article, to be article four-b thereof, to read as follows: Art. 4b (§§ 89a-89o) added.

ARTICLE 4-B

PROVISIONS RELATING TO WATER

Section 89-a. Application of article.
89-b. Safe and adequate service; just and reasonable charges; unjust discrimination; unreasonable preference.

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89-c. General powers of commission in respect to water supply.
89-d. Inspection of meters.*
89-e. Approval of incorporation and franchises; certificate.
89-f. Approval of issues of stock, bonds and other forms of indebtedness.
89-g. Reorganization.
89-h. Transfer of franchises or stocks.
89-i. Complaints as to price of water; investigation by commission; forms of complaints.
89-j. Notice and hearing; order fixing price of water or requiring improvement.
89-k. Forfeiture for noncompliance with order.
89-l. Municipal water systems.
89-m. Summary proceedings.
89-n. Defense in case of excessive charges for water.
89-o. Powers of local officers.

§ 89-a. **Application of article.** This article shall apply to the sale, furnishing and distribution of water for domestic, commercial and public purposes, not including bottled water.

§ 89-b. **Safe and adequate service; just and reasonable charges; unjust discrimination; unreasonable preference.** 1. Every water-works corporation shall furnish and provide such service, instrumentalities and facilities as shall be safe and adequate and in all respects just and reasonable. All charges made or demanded by any such water-works corporation for water, or for equipment furnished or for any service rendered or to be rendered shall be just and reasonable and not more than allowed by law or by order of the commission. Every unjust or unreasonable charge made or demanded for water or for equipment furnished or for any such service, or in connection therewith, or in excess of that allowed by law or by the order of the commission is prohibited.

2. No water-works corporation shall directly or indirectly, by any special rate, rebate, drawback or other device or method, charge, demand, collect or receive from any person or corporation a greater or less compensation for water, or for equipment or for any service rendered or to be rendered or in connection therewith, except as authorized in this article, than it charges, demands, collects or receives from any other person or corporation for doing a like and contemporaneous service with respect thereto under the same or substantially similar circumstances or conditions.

3. No water-works corporation shall make or grant any undue or unreasonable preference or advantage to any person, corporation or locality, or to any particular description of service in any respect whatsoever, or subject any particular person, corporation or locality or any particular description of service to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

* So in original. [Does not conform to section heading.]

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4. Nothing in this chapter shall be taken to prohibit a water-works corporation from establishing a sliding scale for a fixed period for the automatic adjustment of charges for water, or any service rendered or to be rendered and the dividends to be paid to stockholders of such corporation, provided the sliding scale shall first have been filed with and approved by the commission; but nothing in this subdivision shall operate to prevent the commission after the expiration of such fixed period from fixing proper, just and reasonable rates and charges to be made for service as authorized in this article.

5. Nothing in this chapter shall be taken to prohibit a water-works corporation from establishing classifications of service based upon the quantity of water used, times when used, purpose for which used, duration of use, or upon any other reasonable consideration, and providing schedules of just and reasonable graduated rates applicable thereto. No such classification, schedule, rate or charge shall be lawful unless it shall be filed with and approved by the commission, and every such classification, rate or charge shall be subject to change, alteration and modification by the commission.

§ 89-c. **General powers of commission in respect to water supply.** The commission: 1. Shall have general supervision of all water-works corporations, as hereinbefore defined, having authority under any general or special law or under any charter or franchise to lay down, construct or maintain pipes, conduits, ducts or other fixtures in, on or under the streets, highways and public places of any municipality, for the purpose of furnishing or distributing water for domestic, commercial or public uses, and all water systems owned, leased or operated by any such water-works corporation; provided, however, that nothing herein contained shall be construed to delegate the general powers of the state department of health or of the water power and control commission or any of the powers and functions of either as provided by law, nor shall anything herein contained be construed to impair nor to deprive such department or commission of its powers and functions as now provided by law.

2. Shall have power of its own motion to examine and investigate the methods employed by water-works corporations in delivering and supplying water and furnishing equipment, and shall have access through its members or through an officer or employee specially authorized by it to make such examinations and investigations to all parts of the systems owned, used or operated for the distribution of water by any such corporation. Any employee or agent of the commission who divulges any fact or information which may come to his knowledge during the course of any inspection or examination except in so far as he may be directed by the commission or by a court or judge thereof or authorized by law shall be guilty of a misdemeanor.

3. Shall have power, in its discretion, to prescribe uniform methods of keeping accounts, records and books to be observed by

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water-works corporations. It may also, in its discretion, prescribe by order forms of accounts, records and memoranda to be kept by such corporations. Notice of alterations by the commission in the required method or form of keeping a system of accounts shall be given to such corporations by the commission at least six months before the same shall take effect. Any other and additional forms of accounts, records and memoranda kept by such corporations shall be subject to examination by the commission.

4. Shall have power to examine all water-works corporations and keep informed as to the methods, practices, regulations and property employed by them in the transaction of their business. Whenever the commission shall be of the opinion, after a hearing had upon its own motion or upon complaint, that the rates, charges or classifications or the acts or regulations of any such corporation are unjust, unreasonable, unjustly discriminatory, or unduly preferential, or in any wise in violation of any provision of law, the commission shall determine and prescribe in the manner provided by and subject to the provisions of section eighty-nine-j of this chapter, the just and reasonable rates, charges and classifications thereafter to be enforced for the service to be rendered, notwithstanding that a different rate or charge has heretofore been prescribed by general or special statute, contract, grant, franchise, condition, consent or other agreement, and the just and reasonable acts and regulations to be done and observed; and whenever the commission shall be of opinion, after a hearing had upon its own motion or upon complaint, that the property, equipment or appliances of any such corporation are unsafe, inefficient or inadequate, the commission shall determine and prescribe the safe, efficient and adequate property, equipment and appliances thereafter to be used, maintained and operated for the security and accommodation of the public and in compliance with the provisions of law and of their franchises and charters; provided, however, that in its determination and prescription of safe, efficient and adequate property, equipment and appliances as herein provided any such property, equipment and appliances theretofore approved by the water power and control commission, or its predecessor, shall be deemed to have been adequate, safe and efficient at the time of such approval. Nothing herein contained shall be deemed to dispense with any approval of work by the water power and control commission required by the conservation law; and if such an approval pertains to work done pursuant to such determination or prescription of the public service commission, such approval shall be conclusive that the work was done in compliance with such determination or prescription.

5. Shall have power to require every water-works corporation, and it shall be the duty of every water-works corporation, as defined by this chapter, to file with the commission an annual report, verified by the oath of the president, vice-president, treasurer, secretary, manager, or receiver, if any, or by the person required to file the same. The verification shall be made by said

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official holding office at the time of filing said report, and if not made upon the knowledge of the person verifying the same, shall set forth the sources of his information and the grounds of his belief as to any matters not stated to be verified upon his knowledge. The report shall show in detail (a) the amount of its authorized capital stock and the amount thereof issued and outstanding; (b) the amount of its authorized bonded indebtedness and the amount of its bonds and other forms of evidence of indebtedness issued and outstanding; (c) its receipts and expenditures during the preceding year; (d) the amount paid as dividends upon its stock and as interest upon its bonds; (e) the names of its officers and the aggregate amount paid as salaries to them and the amount paid as wages to its employees; (f) the location of its plant or plants and system, with a full description of its property and franchises, stating in detail how each franchise stated to be owned was acquired; and (g) such other facts pertinent to the operation and maintenance of the plants and system, and the affairs of such person or corporation as may be required by the commission. Such reports shall be in the form, cover the period, and be filed at the time prescribed by the commission. The commission may, from time to time, make changes and additions in such forms. When any such report is defective or believed to be erroneous, the commission shall notify the corporation making such report to amend the same within a time prescribed by the commission. Any such corporation which shall neglect to make any such report or which shall fail to correct any such report within the time prescribed by the commission shall be liable to a penalty of one hundred dollars and an additional penalty of one hundred dollars for each day after the prescribed time for which it shall neglect to file or correct the same, to be sued for in the name of the people of the state of New York, if ordered by the commission. The amount recovered in any such action to be paid to the commission shall be paid into the state treasury and be credited to the general fund. The commission, for cause shown, may extend the time prescribed and, by compromise, may accept less than the amount of such a penalty, in settlement thereof.

6. Shall have power, either through its members or inspectors or employees duly authorized by it, to enter in or upon and to inspect the property, buildings, plants, pump houses, ducts, conduits and offices of any such water-works corporation.

7. Shall have power to examine the accounts, books, contracts, records, documents and papers of any water-works corporation, and have power, after a hearing, to prescribe by order the accounts in which particular outlays and receipts shall be entered, charged or credited. At any such hearing the burden of proof shall be on such corporation to establish the correctness of the accounts in which such outlays and receipts have been entered, and the commission may suspend a charge or credit pending submission of proof by such corporation.

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§[1] 8. Shall have power to compel, by subpoena duces tecum, the production of any accounts, books, contracts, records, documents, memoranda and papers. In lieu of requiring production of originals by subpoena duces tecum the commission or any commissioner may require sworn copies of any such books, records, contracts, documents and papers, or any parts thereof, to be filed with it. The commission may require of all such water-works corporations specific answers to questions upon which the commission may need information, and may also require such corporations to file periodic reports in the form, covering the period and filed at the time prescribed by the commission. If such corporation shall fail to make specific answer to any question or shall fail to make a periodic report when required by the commission as herein provided within the time and in the form prescribed by the commission for the making and filing of any such report or answer, such corporation shall forfeit to the state the sum of one hundred dollars for each and every day it shall continue to be in default with respect to such report or answer. Such forfeiture may be recovered in an action brought by the commission in the name of the people of the state of New York. The amount recovered in any such action, or paid to the commission, shall be paid into the state treasury and be credited to the general fund. The commission, for cause shown, may by compromise accept less than the amount of such forfeiture, in settlement thereof.

9. Shall have power in all parts of the state, either as a commission or through its members, or through an officer or employee specially authorized to conduct an investigation or hearing, to subpoena witnesses, take testimony and administer oaths to witnesses in any proceeding or examination instituted before it, or conducted by it in reference to any matter within its jurisdiction under this article.

10. Shall have power to require every water-works corporation to file with the commission and to print and keep open to public inspection schedules showing all rates and charges made, established or enforced or to be charged or enforced, all forms of contract or agreement and all rules and regulations relating to rates, charges or service used or to be used, and all general privileges and facilities granted or allowed by such corporation; but this subdivision shall not apply to state, municipal or federal contracts. Unless the commission otherwise orders, no change shall be made in any rate or charge, or in any form of contract or agreement or any rule or regulation relating to any rate, charge or service, or in any general privilege or facility, which shall have been filed by such a corporation, in compliance with an order of the commission, except after thirty days' notice to the commission and publication of a notice to the public of such proposed change once in each week for four successive weeks in a newspaper having general circulation in the county or counties containing territory affected by the proposed change, which notice shall plainly state

[1] So in original. Section symbol should be omitted.

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the changes proposed to be made in the schedule then in force and the time when the change will go into effect. The commission for good cause shown may allow changes without requiring the thirty days' notice under such conditions as it may prescribe. No such corporation shall charge, demand, collect or receive a greater or less or different compensation for any service rendered or to be rendered than the rates and charges applicable to such service as specified in its schedule filed and in effect at the time; nor shall any such corporation refund or remit in any manner or by any device any portion of the rates or charges so specified, nor extend to any person or corporation any form of contract or agreement, or any rule or regulation, or any privilege or facility, except such as are regularly and uniformly extended to all persons and corporations under like circumstances. The commission shall have power to prescribe the form of every such schedule and from time to time prescribe by order such changes in the form thereof as may be deemed wise. The commission shall also have power to establish such rules and regulations to carry into effect the provisions of this subdivision as it may deem necessary, and to modify or amend such rules or regulations from time to time. Whenever there shall be filed with the commission by any water-works corporation any schedule stating a new rate or charge, or any change in any form of contract or agreement or any rule or regulation relating to any rate, charge or service, or in any general privilege or facility, the commission shall have and it is hereby given authority, at any time within sixty days from the date when such schedule would or has become effective, either upon complaint or upon its own initiative without complaint at once, and, if it so orders, without answer or other formal pleading by the interested corporation, but upon reasonable notice, to enter upon a hearing concerning the propriety of such rate, schedule, form of contract or agreement, or rule or regulation relating to any rate, charge or service, or any general privilege or facility; and pending such a hearing and decision thereon, the commission, upon filing with such schedule and delivering to the corporation affected thereby a statement in writing of its reasons therefor, may suspend the operation of such schedule and defer the operations of such rate, charge, form of contract or agreement, rule, regulation, service, general privilege or facility, but not for a longer period than one hundred and twenty days beyond the time when such rate, charge, form of contract or agreement, rule, regulation, service, general privilege or facility would otherwise go into effect, and after a full hearing, whether completed before or after the rate, charge, form of contract or agreement, rule, regulation, service, general privilege or facility goes into effect, the commission may make such order in reference to such rate, charge, form of contract or agreement, rule, regulation, service, general privilege or facility as would be proper in a proceeding begun after the rate, charge, form of contract or agreement, rule, regulation, service, general privilege or facility had become effective. Provided that, if any such hear-

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ing cannot be concluded within the period of suspension as above stated, the commission may in its discretion extend the time of suspension for a further period not exceeding six months. The commission may, as authorized by section eighty-nine-j, establish temporary rates or charges for any period of suspension under this section. At any hearing involving a rate, the burden of proof to show that the change or proposed change if proposed by the corporation, or that the existing rate, if on motion of the commission, or in a complaint filed with the commission, it is proposed to reduce the rate, is just and reasonable shall be upon the corporation; and the commission may give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible. The schedule, rates, charges, form of contract or agreement, rule, regulation, service, general privilege or facility in force when the new schedule, rate, charge, form of contract, rule, regulation, service, general privilege or facility was filed shall continue in force during the period of the suspension provided for in this section unless the commission shall establish a temporary rate or charge as authorized by section eighty-nine-j of this chapter.

11. In case any water-works corporation is engaged in carrying on any business other than owning, operating or managing a water system, which other business is not otherwise subject to the jurisdiction of the commission, and is so conducted that its operations are to be substantially kept separate and apart from the owning, operating, managing or controlling of such water system, said corporation in respect of such other business shall not be subject to any of the provisions of this chapter and shall not be required to procure the assent or authorization of the commission to any act in such other business or to make any report in respect thereof. But this subdivision shall not restrict or limit the powers of the commission in respect to the owning, operating, managing or controlling by such corporation of such water system, and said powers shall include also the right to inquire as to, and prescribe the apportionment of, capitalization, earnings, debts and expenses fairly and justly to be awarded to or borne by the ownership, operation, management or control of such water system as distinguished from such other business. In any such case, if the owning, operating, managing or controlling of such water system by any such corporation is wholly subsidiary and incidental to the other business carried on by it and is inconsiderable in amount and not general in its character, the commission may by general rules exempt such corporation from making full reports and from keeping of accounts as to such subsidiary and incidental business.

12. The commission shall have power to require each water-works corporation to establish classifications of service based upon the quantity used, the time when used, the purpose for which used, the duration of use and upon any other reasonable consideration, and to establish in connection therewith just and reasonable graduated rates and charges; and it shall have power, either upon complaint

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or upon its own motion, to require such changes in such classifications, rates and charges as it shall determine to be just and reasonable.

13. The commission, of its own motion or upon complaint of any person or corporation aggrieved, may investigate and determine whether the property of any corporation or person actually used within the state in the business of the distribution, sale or furnishing of water for domestic, commerical or public uses, exclusive of property used solely for or in connection with the business of bottling, or selling, distributing or furnishing bottled water, is of a value exceeding ten thousand dollars. Where such value is ten thousand dollars or less, the commission may require such persons and corporations to file with the commission simplified annual reports, in a form and containing such matters as the commission shall prescribe, and may prescribe simplified forms of accounts to be kept by them.

§ 89-d. **Inspector of meters.** 1. The commission shall appoint inspectors of water meters whose duty it shall be, when required by the commission, to inspect, examine, prove and ascertain the accuracy of any and all water meters used or intended to be used for measuring or ascertaining the quantity of water furnished by any water-works corporation to or for the use of any person or corporation, and to inspect, examine and ascertain the accuracy of all apparatus for testing and proving the accuracy of water meters, and, when found to be or made to be correct, the inspector shall stamp or mark all such meters and apparatus with some suitable device, which device shall be recorded in the office of the secretary of state. No water-works corporation shall furnish, set or put in use any water meter the type of which shall not have been approved by the commission.

2. Every water-works corporation shall provide, repair and maintain such suitable premises and apparatus and facilities as may be required and approved by the commission for testing and proving the accuracy of water meters furnished for use by it, and by which apparatus every meter may be tested.

3. If any consumer to whom a meter has been furnished shall request the commission in writing to inspect such meter, the commission shall have the same inspected and tested; if the same on being so tested shall be found to be more than four per centum defective or incorrect to the prejudice of the consumer, the expense of such inspection and test shall be borne by the water-works corporation, if the same on being so tested shall be found to be correct within the limits of error prescribed by the provisions of this subdivision, the expense of such inspection and test shall be borne by the consumer.

4. The commission shall prescribe such rules and regulations to carry into effect the provisions of this section as it may deem necessary, and shall fix uniform reasonable charges for the inspection and testing of meters upon complaint.

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§ 89-e. **Approval of incorporation and franchises; certificate.** No water-works corporation shall begin construction of a water system or extension thereof or exercise any rights or privileges under any franchise hereafter granted, or under any franchise heretofore granted but not heretofore actually exercised, or the exercise of which shall have been suspended for more than one year, without first filing with the public service commission a certified copy of the order, required by law, of the water power and control commission or its predecessor approving the same. No main or conduit of an existing water supply company shall be paralleled or duplicated unless and until there shall have first been obtained a certificate of convenience and necessity from the commission.

§ 89-f. **Approval of issues of stock, bonds and other forms of indebtedness.** A water-works corporation organized or existing, or hereafter incorporated, under or by virtue of the laws of the state of New York, may issue stocks, bonds, notes or other evidences of indebtedness payable at periods of more than twelve months after the date thereof, or a receiver of such a corporation, if duly authorized by law, may issue receiver's certificates, when necessary for the acquisition of property, the construction, completion, extension or improvement of its water system, or for the improvement or maintenance of its service or for the discharge or lawful refunding of its obligations or for the reimbursement of moneys actually expended from income or from any other moneys in the treasury of the corporation not secured or obtained from the issue of stocks, bonds, notes or other evidences of indebtedness of such corporation, within five years next prior to the filing of an application with the commission for the required authorization, for any of the aforesaid purposes except maintenance of service and except replacements in cases where the applicant shall have kept its accounts and vouchers of such expenditure in such manner as to enable the commission to ascertain the amount of moneys so expended and the purposes for which such expenditure was made; provided and not otherwise that there shall have been secured from the commission an order authorizing such issue, and the amount thereof, and stating the purposes to which the issue or proceeds thereof are to be applied, and that, in the opinion of the commission, the money, property or labor to be procured or paid for by the issue of such stock, bonds, notes or other evidences of indebtedness is or has been reasonably required for the purposes specified in the order, and that except as otherwise permitted in the order in the case of bonds, notes and other evidences of indebtedness, such purposes are not in whole or in part reasonably chargeable to operating expenses or to income. The issue of stocks, bonds or other evidences of indebtedness, within the meaning of this section, shall include the sale hereafter by any such corporation of its stocks, bonds or other evidences of indebtedness previously issued and reacquired, whether originally issued at, before or after the time this section takes effect, provided, however, for good

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cause shown the commission may exempt from the restriction hereof stocks, bonds or other evidences of indebtedness. Nothing herein contained shall prohibit the commission from giving its consent to the issue of bonds, notes or other evidences of indebtedness for the reimbursement of moneys, heretofore actually expended from income for any of the aforesaid purposes, except maintenance of service and replacements, prior to five years next preceding the filing of an application therefor, if in the judgment of the commission such consent should be granted. For the purpose of enabling it to determine whether it should issue such an order, the commission shall make such inquiry or investigation, hold such hearings and examine such witnesses, books, papers, documents or contracts as it may deem of importance in enabling it to reach a determination. Such corporation shall not without the consent of the commission apply said issue or any proceeds thereof to any purpose not specified in such order. Such corporation may issue notes, for proper corporate purposes and not in violation of any provision of this or of any other act, payable at periods of not more than twelve months without such consent; but no such notes shall, in whole or in part, directly or indirectly be refunded by any issue of stock or bonds or by any evidences of indebtedness running for more than twelve months without the consent of the commission. Within ten days after the issuance by any such corporation of stocks, bonds, notes or other evidences of indebtedness, issued with or without the approval of the commission as herein provided, the corporation shall file with the commission a notice of such transaction in such form as the commission may prescribe. Provided, however, that the commission shall have no power to authorize the capitalization of any franchise to be a corporation nor to authorize the capitalization of any franchise or the right to own, operate or enjoy any franchise whatsoever in excess of the amount (exclusive of any tax or annual charge) actually paid to the state or to any political subdivision thereof as the consideration for the grant of such franchise or right, nor to authorize the issuance of any stocks or other securities in payment of dividends or for any purposes other than those enumerated in this section. Nor shall the capital stock of a corporation formed by the merger or consolidation of two or more other corporations, exceed the sum of the capital stock of the corporations, so consolidated, at the par value thereof, or such sum and any additional sum actually paid in cash; nor shall any contract for consolidation or lease be capitalized in the stock of any corporation whatever; nor shall any corporation hereafter issue any bonds against or as a lien upon any contract for consolidation or merger.

2. This section shall not prevent the issuance, with the consent of the public service commission on application made to it therefor within five years after this section takes effect, of stocks, bonds, notes or other evidences of indebtedness by a corporation, for the reimbursement of moneys actually expended before this section takes effect, and within ten years prior to filing application for

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such consent, from income or from any other moneys in the treasury of the corporation not secured or obtained from the issue of stocks, bonds, notes or other evidences of indebtedness of such corporation.

§ 89-g. **Reorganization.** 1. Reorganizations of water-works corporations pursuant to sections ninety-six and ninety-seven of the stock corporation law and such other statutes as may be enacted from time to time shall be subject to the supervision and control of the commission, and no such reorganization shall be had without the authorization of such commission.

2. Upon all such reorganizations the amount of capitalization, including therein all stocks and bonds and other evidences of indebtedness, shall be such as is authorized by the commission, which, in making its determination shall not exceed the fair value of the property involved, taking into consideration its original cost of construction, duplication cost, present condition, earning power at reasonable rates and all other relevant matters and any additional sum or sums as shall be actually paid in cash, provided, however, that the commission may make due allowance for discount of bonds. Any reorganization agreement before it becomes effective shall be amended so that the amount of capitalization shall conform to the amount authorized by the commission.

§ 89-h. **Transfer of franchises or stocks.** 1. No water-works corporation shall transfer or lease its franchise, works or system or any part of such franchise, works or system to any other person or corporation or contract for the operation of its works and system, without the written consent of the commission. The permission and approval of the commission to the assignment, transfer or lease of a franchise under this section shall not be construed to revive or validate any lapsed or invalid franchise or to enlarge or add to the powers and privileges contained in the grant of any franchise or to waive any forfeiture. No such corporation shall directly or indirectly acquire the stock or bonds of any other corporation incorporated for, or engaged in, the same or a similar business, or proposing to operate or operating under a franchise from the same or any other municipality, unless authorized so to do by the commission. Save where stock shall be transferred or held for the purpose of collateral security only with the consent of the commission empowered by this chapter to give such consent, no stock corporation of any description, domestic or foreign, other than a water-works corporation, shall purchase or acquire, take or hold, more than ten per centum of the voting capital stock issued by any water-works corporation organized or existing under or by virtue of the laws of this state, except that a corporation now lawfully holding a majority of the voting capital stock of any water-works corporation may with the consent of the commission acquire and hold the remainder of the voting capital stock of such water-works corporation or any portion thereof. Provided, that with the consent of such commission and upon and subject to such terms and conditions as such commission may fix and impose, any such stock cor-

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poration may acquire, take and hold more than ten per centum of the voting capital stock of any water-works corporation, organized or existing under or by virtue of the laws of this state.

2. No consent shall be given by the commission to the acquisition of any stock in accordance with this section unless it shall have been shown that such acquisition is in the public interest. Nothing contained in this section shall be construed to prevent the holding of any stock heretofore lawfully acquired, nor to prevent, upon the surrender or exchange of such stock pursuant to a reorganization plan, the purchase, acquisition, taking or holding of a proportionate amount of stock of any new corporation organized to take over, at foreclosure or other sale, the property of any corporation whose stock has been thus surrendered or exchanged; but the proportion of the voting capital stock of the new corporation held by a stock corporation and acquired by it by any such surrender or exchange of stock shall not without the consent of the commission exceed the proportion of the voting capital stock held by it in the former corporation. Every contract, assignment, transfer or agreement for transfer of any stock by or through any person or corporation to any corporation, in violation of any provision of this chapter shall be void and of no effect, and no such transfer or assignment shall be made upon the books of any such water-works corporation, or shall be recognized as effective for any purpose.

§ 89-i. **Complaints as to price of water; investigation by commission; forms of complaints.** Upon the complaint in writing of the mayor of a city, the trustees of a village or the town board of a town in which a person or corporation is authorized to supply or distribute water for domestic, commercial or public uses, or upon the complaint in writing of not less than twenty-five customers or purchasers of such water in such municipality or upon complaint of a water-works corporation supplying such water, as to the rates, charges or classifications of service for water sold and delivered in such municipality, or as to the methods employed in furnishing such service, the commission shall investigate as to the cause of such complaint. When such complaint is made, the commission may, by its agents, examiners and inspectors, inspect the works, system, plant, devices, appliances and methods used by such water-works corporation in supplying and distributing such water, and may examine or cause to be examined the books and papers of such water-works corporation pertaining to the supplying and distributing of such water. The form and contents of complaints made as provided in this section shall be prescribed by the commission. Such complaints shall be signed by the officers, or by the customers, purchasers or subscribers making them, who must add to their signatures their places of residence, by street and number, if any.

§ 89-j. **Notice and hearing; order fixing price of water or requiring improvement.** Before proceeding under a complaint presented as provided in section eighty-nine-i, the commission shall cause

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notice of such complaint, and the purpose thereof, to be served upon the person or corporation affected thereby. Such person or corporation shall have an opportunity to be heard in respect to the matters complained of at a time and place to be specified in such notice. An investigation may be instituted by the commission of its own motion as to any matter of which complaint may be made, as provided in section eighty-nine-i of this chapter, or to enable it to ascertain the facts requisite to the exercise of any power conferred upon it. After a hearing and after such an investigation as shall have been made by the commission or its officers, agents, examiners or inspectors, the commission may, by order, fix just and reasonable prices, rates or charges for water to be charged by such corporation or person, for the service to be furnished notwithstanding that a higher or lower price has been theretofore prescribed by general or special statute, contract, grant, franchise condition, consent or other agreement, and may order such improvement in the supply or distribution of water, or in the methods employed by such person or corporation, as will in its judgment be adequate, just and reasonable. Any such change in price shall be upon such terms, conditions or safeguards as the commission may prescribe. If it shall be made to appear to the satisfaction of the commission that the public interest requires a change in the price of water charged by any such person or corporation, or that such change is necessary for the purpose of providing adequate and efficient service, or for the preservation of the property, the commission, upon such terms, conditions or safeguards as it deems proper, may authorize an immediate, reasonable, temporary increase or decrease in such price pending a final determination of the price to be thereafter charged by such person or corporation. The terms, conditions or safeguards prescribed may include provisions for the purposes for which the additional revenue derived from any such temporary increase may be expended and for the impounding thereof until the same shall be applied to the purposes so specified. The price fixed by the commission under this section or under subdivision four of section eighty-nine-c shall be the maximum price to be charged by such person or corporation for water for the service to be furnished within the territory and for a period to be fixed by the commission in the order, not exceeding three years except in the case of a sliding scale, and thereafter until the commission shall, upon its own motion or upon the complaint of any corporation, person or municipality interested, fix a higher or lower maximum price of water to be thereafter charged. In determining the price to be charged for water the commission may consider all facts which in its judgment have any bearing upon a proper determination of the question although not set forth in the complaint and not within the allegations contained therein, with due regard among other things to a reasonable average return upon capital actually expended and to the necessity of making reservations out of income for surplus and contingencies. At any hearing involving a rate, the burden of proof to show that the change in rate or price if

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proposed by the person or corporation operating such utility, or that the existing rate or price, if on motion of the commission or in a complaint filed with the commission it is proposed to reduce the rate or price, is just and reasonable shall be upon the person or corporation operating such utility; and the commission may give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible.

§ 89-k. **Forfeiture for noncompliance with order.** Every water-works corporation and the officers, agents and employees thereof shall obey, observe and comply with every order made by the commission under authority of this chapter so long as the same be and remain in force. Any such person or corporation, or any officer, agent or employee thereof, who knowingly fails or neglects to obey or comply with such order, or any provision of this chapter, shall forfeit to the state of New York not to exceed the sum of one thousand dollars for each offense. Every distinct violation of any such order or of this chapter shall be a separate and distinct offense, and in case of a continuing violation each day shall be deemed a separate and distinct offense.

§ 89-l. **Municipal water systems.** 1. For the purposes of this section, and for the purposes of any jurisdiction conferred by it upon the public service commission, a municipality is one which owns, maintains or operates, or proposes to own, maintain or operate, a water system, or which sells, furnishes or distributes, or proposes to sell, furnish or distribute, water for domestic, commercial or public uses, whether provided by its own system or the system of a water-works corporation or another municipality. As so limited, the term "municipality" for the purposes of this section, means a city, town, village or public district; and a "public district," as here used, is a district or other territorial division, whether incorporated or not, whose affairs are managed by any officer or officers, person or persons, elected by voters or taxpayers or appointed by a public officer or officers, and includes, without excluding others, a water district, water supply district and a fire district. The other provisions of this chapter shall not apply to such a municipality, nor to its said business of owning, maintaining or operating a water system or of selling, furnishing or distributing water, except such provisions as are applied by this section by express reference. The jurisdiction of the public service commission, with respect to such a municipality or its said business, is that, and only that, provided for in this section.

2. Each such municipality shall file with the public service commission a copy of the annual report of its division, bureau or department of water.

§ 89-m. **Summary proceedings.** Whenever the commission shall be of opinion that a water-works corporation within its jurisdiction is failing or omitting or about to fail or omit to do anything required of it by law or by order of the commission or is doing anything or about to do anything or permitting anything or about to permit anything to be done, contrary to or in violation of law

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or of any order of the commission, it shall direct counsel to the commission to commence an action or proceeding in the supreme court of the state of New York in the name of the commission for the purpose of having such violations or threatened violations stopped and prevented either by mandamus or injunction. Counsel to the commission shall thereupon begin such action or proceeding by a petition to the supreme court alleging the violation complained of and praying for appropriate relief by way of mandamus or injunction. It shall thereupon be the duty of the court to specify the time not exceeding twenty days after service of a copy of the petition within which the water-works corporation complained of must answer the petition. In case of default in answer or after answer, the court shall immediately inquire into the facts and circumstances in such manner as the court shall direct without other or formal pleadings, and without respect to any technical requirement. Such other persons or corporations, as it shall seem to the court necessary or proper to join as parties in order to make its order, judgment or writs effective, may be joined as parties upon application of counsel to the commission. The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that a writ of mandamus or an injunction or both issue as prayed for in the petition or in such modified or other form as the court may determine will afford appropriate relief.

§ 89-n. **Defense in case of excessive charges for water.** If it be alleged and established in an action brought in any court for the collection of any charge for water that a price has been demanded in excess of that fixed by the commission or by statute in the municipality wherein the action arose, no recovery shall be had therein, but the fact that such excessive charges have been made shall be a complete defense to such action.

§ 89-o. **Powers of local officers.** If in any city having a population of fifty thousand or more there now exists or shall hereafter be created a board, body or officer having jurisdiction of matters pertaining to water supply such board, body or officer shall have and may exercise such power, jurisdiction and authority in enforcing the laws of the state and the orders, rules and regulations of the commission as may be prescribed by statute or by the commission.

Time of taking effect.

§ 4. This act shall take effect July first, nineteen hundred thirty-one, except that any authorizations required by this act pertaining to water systems or water-works corporations, operating or proposing to operate the same, to take effect on or after July first, nineteen hundred thirty-one, may be applied for and the applications heard and determined at any time after May fifteenth, nineteen hundred thirty-one.

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CHAPTER 716

AN ACT in relation to providing a method for the distribution of the assets of the Atlantic Insurance Company which were paid into the state treasury pursuant to chapter two hundred and twenty-five of the laws of nineteen hundred twenty-five, and to repeal inconsistent provisions of law

Became a law April 24, 1931, 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:

Jurisdiction conferred on court of claims.

Section 1. The court of claims is vested with continued jurisdiction over such assets of the Atlantic Insurance Company, incorporated under chapter fifty-nine of the laws of eighteen hundred twenty-four, as were transferred, pursuant to the provisions of chapter two hundred and twenty-five of the laws of nineteen hundred twenty-five, by the superintendent of insurance to the state comptroller and thereafter paid into the state treasury by such comptroller.

Claim to be filed.

§ 2. Any person entitled or claiming to be entitled to any part of said assets, and who failed to file a claim therefor with the court of claims pursuant to the authority of chapter two hundred and twenty-five of the laws of nineteen hundred twenty-five, may, not later than sixty days after this act takes effect, file in the clerk's office of the court of claims and with the attorney-general a petition, duly verified, which shall set forth the names and holdings of the stockholders of record of the Atlantic Insurance Company, as of the fourteenth day of June, eighteen hundred twenty-eight (being the date when proceedings to liquidate the said company were first authorized pursuant to chapter two hundred and twenty-three of the laws of eighteen hundred twenty-eight) and including the name of the stockholder from whom the petitioner claims a succession of interest.

Determination of persons entitled to share in assets.

§ 3. If the court of claims is satisfied from the facts alleged in said petition that the petitioner is or may be entitled to any part of said assets, the court shall proceed to ascertain the names and addresses of the persons who are or may be similarly entitled to share in said assets as the successors in interest of such stockholders of record and determine their proportionate interests therein or shall appoint a referee or refer the matter to an official referee to take proof of their respective rights of succession and interest therein and report the same to the court. The court of claims shall in said order of reference prescribe the procedure to be followed by the referee in ascertaining and locating the successors in interest of said stockholders of record and the notice be given to them of their respective interests in said assets. The court of claims shall also determine the extent of the services heretofore performed by the trustee of the Atlantic Insurance Company under the authority conferred upon him by the order of the supreme court entered in the office of the clerk of New York county

Procedure of reference.

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on October two, nineteen hundred twenty-four appointing him substitute trustee of the Atlantic Insurance Company and the reasonable value of such services, and the expenses, if any, which he lawfully incurred in connection with said trusteeship.

Referee's report.

§ 4. Within one year after the entry of the order of reference aforesaid, the referee shall file his report in the office of the clerk of the court of claims. Upon ascertaining the names and addresses of the persons entitled to share in the assets of the Atlantic Insurance Company, the court of claims shall make an order determining the amount of the assets of the Atlantic Insurance Company that were paid by the state comptroller into the state treasury pursuant to chapter two hundred and twenty-five of the laws of nineteen hundred twenty-five and that are now available for the declaration and payment of a final dividend on each share of the capital stock that remained outstanding on the fourteenth day of June, eighteen hundred twenty-eight, and after first providing in said order for the payment of such sums as may be allowed for the expenses of said reference and of such sums as the court may determine is equitably due to said trustee for services rendered and expenses incurred as aforesaid, the court shall direct the payment from the balance remaining of a final dividend to the persons adjudged to be entitled thereto.

Court order declaring final dividend.

Determination of court final.

§ 5. The determination of the court of claims and the final order of distribution shall, unless set aside or reversed on appeal, be final and conclusive upon all the stockholders or other parties in interest in the Atlantic Insurance Company.

Copies of order to be filed.

§ 6. Certified copies of the order of the court of claims shall be filed with the attorney-general, with the state comptroller and with the department of taxation and finance. Upon receipt of such certified copy by the comptroller and a certificate by the attorney-general that no appeal has been taken from said order and that the time to take such an appeal has expired or if an appeal has been taken therefrom, a certified copy of the final order of the appellate court affirming in whole or in part such order of the court of claims, the comptroller shall thereupon draw his warrant on the department of taxation and finance for the respective amounts ordered to be paid to the various persons named in such final order of the court of claims, without interest, and the commissioner of taxation and finance shall make payments to the respective persons aforesaid out of any moneys appropriated for the payment of judgments of the court of claims.

Inconsistent acts repealed.

§ 7. All provisions of law or parts thereof inconsistent herewith are hereby repealed.

§ 8. This act shall take effect immediately.

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CHAPTER 717

AN ACT to legalize and validate certain bonds issued by the village of Canaseraga, Allegany county, for the paving of streets in said village and village taxes issued therefor, and providing for the payment of the unpaid portion of such bonds

Became a law April 24, 1931, 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:

Bonds and proceedings legalized.

Section 1. The bonds of the village of Canaseraga, Allegany county, being an issue of face amount of ten thousand dollars, dated December seventh, nineteen hundred twenty-nine, and maturing in five equal annual installments of two thousand dollars each, beginning the fifteenth day of August, nineteen hundred thirty, and ending the fifteenth day of August, nineteen hundred thirty-four, heretofore issued by such village for the purpose of paying the cost of improving and paving streets in such village, of which bonds eight thousand dollars are now outstanding and unpaid, and all the acts and proceedings of the board of trustees of said village, or of its officers and agents, heretofore had and taken for the purpose of authorizing the issuance of said bonds, are hereby legalized, validated and confirmed and the unpaid portion of such bonds shall be legal and binding obligations of such village, notwithstanding any defect or irregularity or the omission of any lawful requirement in, or want of statutory authority for such bonds, acts or proceedings.

Tax for payment.

§ 2. The board of trustees of the village of Canaseraga shall cause such sums to be raised annually by tax as may be necessary to provide for the payment of the principal and interest on the unpaid portion of such bonds, as the same shall become due.

Taxes legalized.

§ 3. All taxes of such village levied in the year nineteen hundred thirty, or to be levied, to provide money to pay a portion of such bonds are hereby legalized, ratified and confirmed in so far as the legality of such taxes may be affected by the legality of such bonds and the force and effect of this act shall not be affected or impaired by reason of any action or proceeding now pending in any court to determine the validity of such taxes or of such bonds.

§ 4. This act shall take effect immediately.

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CHAPTER 718

AN ACT to amend the civil practice act, in relation to levy on earnings and income of judgment debtors

Became a law April 24, 1931, 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:

§ 684, subd. 1 amended.

Levy on earnings and income of judgment debtor.

Section 1. Subdivision one of section six hundred and eighty-four of the civil practice act is hereby amended to read as follows:

1. Where a judgment has been recovered and where an execution issued upon said judgment has been returned wholly or partly unsatisfied, and where any wages, debts, earnings, salary, income from trust funds or profits are due and owing to the judgment debtor or shall thereafter become due and owing to him, to the amount of twelve dollars or more per week, the judgment creditor may apply to the court in which said judgment was recovered or the court having jurisdiction of the same without notice to the judgment debtor, and upon satisfactory proof of such facts by affidavits or otherwise the court, if a court not of record, a judge or justice thereof, must issue, or if a court of record, a judge or justice, must grant an order directing that an execution issue against the wages, debts, earnings, salary, income from trust funds or profits of said judgment debtor but the county judge of any county, except Kings, Queens and Bronx, in which a supreme court judgment, or transcript thereof, has been docketed, may grant such order upon such supreme court judgment,[1] and on presentation of such execution by the officer to whom delivered for collection to the person or persons from whom such wages, debts, earnings, salary, income from trust funds or profits are due and owing or may thereafter become due and owing to the judgment debtor, said execution shall become a lien and a continuing levy upon the wages, earnings, debts, salary, income from trust funds or profits, due or to become due to said judgment debtor to the amount specified therein which shall not exceed ten per centum thereof, and said levy shall be a continuing levy until said execution and the expenses thereof are fully satisfied and paid or until modified as hereinafter provided, but only one execution against the wages, debts, earnings, salary, income from trust funds or profits of said judgment debtor shall be satisfied at one time, and where more than one execution has been issued or shall be issued pursuant to the provisions of this section against the same judgment debtor, they shall be satisfied in the order of priority in which said executions are presented to the person or persons from whom such wages, debts, earnings, salary, income from trust funds or profits are due and owing.

In effect Sept. 1, 1931.

§ 2. This act shall take effect September first, nineteen hundred thirty-one.

[1] Words "but the county judge of any county, except Kings, Queens and Bronx, in which a supreme court judgment, or transcript thereof, has been docketed, may grant such order upon such supreme court judgment," new.

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CHAPTER 719

AN ACT to amend the civil practice act, in relation to removal of employees and servants by summary proceedings

Became a law April 24, 1931, 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. Subdivision one of section fourteen hundred and ten of the civil practice act is hereby amended to read as follows: § 1410, subd. 1 amended.

1. When he holds over and continues in possession of the demised premises or any portion thereof after the expiration of his term without the permission of the landlord.[1] All the provisions of this article relative to tenants shall apply with full force and effect to a[2] person who has become or shall become[3] the occupant of the premises as a servant or employee and the relation of master and servant or employer and employee has been lawfully terminated or the time fixed for such occupancy by the agreement between the parties has expired; but if by such agreement the servant was to be permitted to occupy such premises for a period beyond the term of employment such removal shall not be had under this article[4] unless such period so permitted for occupancy has expired, provided, however, that in the city of New York, if the employer shall give the employee not less than three days' notice in writing by registered mail, of the termination of the employment, then the provisions of this section shall not apply;[5] but nothing in this subdivision shall be construed as preventing the removal of such occupant in any other lawful manner [6]elsewhere than in the city of New York.

§ 2. This act shall take effect September first, nineteen hundred thirty-one. In effect Sept. 1, 1931.

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[1] Words ", including, elsewhere than in the city of New York, a case where the" omitted.

[2] Sentence to here new.

[3] Words "who has become or shall become" substituted for words "to be removed became."

[4] Formerly "subdivision."

[5] Words "provided, however, that in the city of New York . . . then the provisions of this section shall not apply;" substituted for words "or the relation of master and servant or employer and employee was lawfully terminated before the expiration of such term of employment;".

[6] Remainder of sentence new.

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CHAPTER 720

AN ACT to amend the education law, in relation to the annexation of territory and change of boundaries of central school districts

Became a law April 24, 1931, 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:

§ 186a added to Art. 6b.

Section 1. Article six-b of chapter twenty-one of the laws of nineteen hundred nine, entitled "An act relating to education, constituting chapter sixteen of the consolidated laws," as amended by chapter one hundred and forty of the laws of nineteen hundred ten, such article having been added by chapter fifty-five of the laws of nineteen hundred fourteen, is hereby amended by adding at the end thereof a new section, to be section one hundred and eighty-six-a, and to read as follows:

§ 186-a. **Effect of annexation of territory and change of boundary.** In the event a district shall be dissolved and annexed to a central school district under the provisions of article five of this chapter, such annexed district, notwithstanding its dissolution, shall be deemed to be an existing district and shall have all the rights, privileges and obligations of an existing district under the foregoing provisions of this article, provided, however, that said annexed district shall be responsible for the payment of its share of all the indebtedness of the central district existing at the time of its annexation and thereafter. Provided, further, that the voters of the central district may at any meeting duly called, by a majority vote of the voters present and voting at such meeting, adopt a resolution to assume the bonded indebtedness of any such annexed district.

§ 2. This act shall take effect immediately.

CHAPTER 721

AN ACT to amend the election law, in relation to party nominations of candidates for town offices in certain counties

Became a law April 24, 1931, 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:

§ 131, subd. 5 amended.

Section 1. Subdivision five of section one hundred and thirty-one of chapter five hundred and eighty-eight of the laws of nineteen hundred twenty-two, entitled "An act in relation to the elections, constituting chapter seventeen of the consolidated laws," as amended by chapter three hundred and forty-two of the laws

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of nineteen hundred twenty-six, is hereby amended to read as follows:

5. Party nominations of candidates for town and village offices, in any county, shall be made in the manner prescribed by the rules of the county committee, heretofore or hereafter adopted, except that in any town in a county having a population of over six hundred and fifty thousand inhabitants the town board may, by resolution, provide that party nominations of candidates for town offices shall be made at the fall primary preceding the election, and[1] except that, in a town having a population of over twenty-five thousand inhabitants, the members of the county committee of a political party elected to such county committee from such town may meet and adopt, by a two-thirds vote, a rule providing that its party candidates for town offices shall be nominated at the fall primary preceding the election and except that party nominations for village offices, or for town offices to be filled at a time other than that of a general election, shall not be made at the primary elections. In the absence or until the adoption of such a rule, nominations for such offices may be made in accordance with the existing practice in the county. If a rule of the county committee or of the members of the county committee of a political party elected to such county committee from a town having a population of over twenty-five thousand inhabitants, adopted as herein prescribed, provide that party candidates for town offices, in any town or towns of the county, to be filled at the time of general election, shall be nominated at the fall primary preceding the election, such rule shall not apply to nor affect a fall primary occurring less than sixty days after a certified copy of the rule shall have been filed with the board of elections. After the filing of such a copy of a rule heretofore or hereafter adopted, the rule shall continue in force until a certified copy of a rule revoking the same shall have been filed with such board at least sixty days before a subsequent fall primary preceding an election for filling such offices. Party nominations in towns and villages.

§ 2. This act shall take effect immediately.

CHAPTER 722

AN ACT authorizing the conveyance by the state to the village of Penn Yan of certain lands bordering part of Keuka lake and its outlet in the town of Milo in the county of Yates for perpetual use as a free and public bathing beach

Became a law April 24, 1931, 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. The board of commissioners of the land office, in behalf of the state of New York, is hereby authorized and directed Conveyance directed.

[1] Words ", except that in any town in a county having a population of over . . . at the fall primary preceding the election, and" new.

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to grant and convey to the incorporated village of Penn Yan, and to execute a good and sufficient deed therefor, certain lands bordering part of Keuka lake and its outlet in the county of Yates, generally described as follows: All that tract or parcel of land situate, lying and being in the town of Milo in the county of Yates, bounded and described as follows: Beginning at a point on the breakwater at the water line on the northwest bank of the outlet of Keuka lake, formerly known as Crooked lake, and running thence northwesterly about four hundred and thirty feet along the lake shore following the water line, thence inland northeasterly about fifty feet, thence southeasterly to a point on the northwest bank of the outlet about one hundred and thirty-two feet from the southeast shore line of the outlet, thence northeasterly about three hundred and fifty feet to a point at the water's edge on the northwest bank of the outlet about one hundred and thirty-two feet from the southeasterly shore line of the outlet, thence along the shore following the water line to the place of beginning, reserving, however, unto the state the right to maintain or replace such breakwater, it being the intention to describe all the lands bordering Keuka lake and its outlet within the boundaries mentioned. For a more particular description of such lands reference is made to map number one, book of maps number one hundred and twenty-nine of Crooked lake canal, on file in the office of the chief engineer of the department of public works of the state.

Description of lands.

Such grant shall be made upon the condition that such lands be dedicated to the public use and that the village of Penn Yan will perpetually maintain such lands as a free public bathing beach, and such condition shall be the consideration running to the state for such grant.

Consideration.

§ 2. This act shall take effect immediately.

CHAPTER 723

AN ACT to amend the town law, in relation to water districts in Sullivan county

Became a law April 24, 1931, 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 eighty-five of chapter sixty-three of the laws of nineteen hundred nine, entitled "An act relating to towns, constituting chapter sixty-two of the consolidated laws," as last amended by chapter seven hundred and eleven of the laws of nineteen hundred twenty-six, is hereby amended to read as follows:

§ 285 amended.

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§ 285. **Action by town board. Election or appointment of commissioners.** 1. When the petition, map and plans heretofore referred to, are filed in the town clerk's office in any town except in the counties of Nassau,[1] Suffolk or Sullivan,[2] the town clerk shall cause notice of the filing of said petition and the object thereof to be published as hereinafter provided. Such petition shall not be granted or said proposed district established or any improvement made therein unless a public hearing be had thereon, upon notice thereof, to all persons owning taxable real property, as shown by the last preceding completed assessment-roll of said town, within said proposed district, as to all matters affecting their property, or the benefits thereto by such proposed improvement, or of any objections to the establishment of said proposed district or to the making of such proposed improvement therein. Such notice shall be in writing, shall specify all the purposes of such hearing and of the time and place thereof, and shall be served upon each owner by publishing such notice in a daily or weekly newspaper, published in such town, once a week for two successive weeks, or if there be no newspaper published in said town, then by publishing such notice once in each week for two successive weeks in a daily or weekly newspaper circulating in said town. Upon such hearing the town board shall first determine if said petition is in fact signed and acknowledged or proved in the same manner as a deed to be recorded and complies with the provisions of section two hundred and eighty-two of this chapter. If said town board shall determine that the petition is properly signed and proved or acknowledged in the manner above provided and that it otherwise complies with the provisions of said section two hundred and eighty-two hereof, they shall make a written order to that effect, which order shall be signed by the members of the town board present at such hearing and also entered in the minutes of said meeting. After the town board has made such order, they shall then publicly hear the allegations of all persons appearing upon said hearing as to all matters specified in such notice of hearing and upon any other matters affecting or relating to the establishment of said proposed district and the construction of said proposed improvement therein, as they may deem just and equitable, and shall thereupon make such order therein. Upon such hearing the said town board may also determine whether the taxable real property, situated in the proposed district, is or will be of sufficient value to pay for the cost of the construction of water supply system in said proposed district, and if so satisfied shall then make a written order establishing such district, authorizing the construction of said proposed improvement and appointing three taxpayers in said district as water commissioners thereof. Such order shall be filed in the office of the town clerk and entered in the minute book of the said board. Such commissioners first appointed shall hold office for terms of one, two and

[1] Word "or" omitted.
[2] Words "or Sullivan" new.

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three years, to be determined by the town board in making the appointments. The town board shall thereafter appoint each year one commissioner who shall hold office for the term of three years, and shall fill any vacancies that may occur. The town board shall have power to remove any or all of said commissioners for neglect of duty upon written charges and proper hearing. The validity of town bonds issued under this article shall not be dependent on or affected by the validity or regularity of the proceedings taken thereunder for the establishment or enlargement of any district or for the construction of the water system therein or in any extension thereof, unless the validity of such bonds be questioned in a suit, action or proceeding commenced prior to the issuance of the bonds. No other law shall limit or affect the powers and duties with respect to the issuance of such bonds hereby conferred or imposed upon the town board.

2. When the petition, map and plans heretofore referred to are filed in the town clerk's office in any town in either of the counties of Nassau,[3] Suffolk or Sullivan,[4] the town clerk shall cause notice of the filing of said petition and the object thereof to be published as hereinafter provided. Such petition shall not be granted or said proposed district established or any improvement made therein unless a public hearing be had thereon, upon notice thereof, to all persons owning taxable real property, as shown by the last preceding completed assessment-roll of said town, within said proposed district, as to all matters affecting their property, or the benefits thereto of such proposed improvement, or of any objections to the establishment of said proposed district or to the making of such proposed improvement therein. Such notice shall be in writing, shall specify all the purposes of such hearing and of the time and place thereof, and shall be served upon each owner by publishing such notice in a daily or weekly newspaper, published in such town, once a week for two successive weeks, or, if there be no newspaper published in said town, then by publishing such notice once in each week for two successive weeks in a daily newspaper circulating in said town. Upon such hearing the town board shall first determine if said petition is in fact signed and acknowledged or proved in the same manner as a deed to be recorded and complies with the provisions of section two hundred and eighty-two of this chapter. If said town board shall determine that the petition is properly signed and proved or acknowledged in the manner above provided and that it otherwise complies with the provisions of said section two hundred and eighty-two hereof, they shall make a written order to that effect, which order shall be signed by the members of the town board present at such hearing and also entered in the minutes of said meeting. After the town board has made such order, they shall then publicly hear the allegations of all persons appearing upon said hearing as to all matters specified in such notice of hearing and upon any other matters

[3] Word "or" omitted.
[4] Words "or Sullivan" new.

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affecting or relating to the establishment of said proposed district and the construction of said proposed improvement therein, as they may deem just and equitable, and shall thereupon make such order therein. If such order be made, the town board shall fix a time, and a place within such district, for the election of three water commissioners for such district, and the town clerk shall cause notice of such election to be given in the same manner as notice for a special town meeting. There shall be elected at such election three residents of such district as water commissioners thereof, who shall hold office for terms of one, two and three years, respectively, from the date of such election. The town board may designate two or more members of the board to conduct such election. The polls shall be open for a period of two hours, as prescribed in the notice of the election. Persons who are assessed for real property within the district shall be entitled to vote. Voting shall be by ballot. A person receiving the greatest number of the votes cast at such election for the office for which he is a candidate shall be elected thereto. The officers conducting such election shall file a certificate of the result in the office of the town clerk. The town board, in like manner, shall annually cause notice to be given of an election to be held in such district, at which voters, qualified as for such first election, shall elect a water commissioner for a full term of three years to succeed the water commissioner whose term has expired. Such election shall be annually held on the same date as the first election unless such day be Saturday or Sunday when it shall be held on the first succeeding secular day. If a vacancy occurs in the office of water commissioner of such district, the town board shall appoint a resident of the district to fill such vacancy until the next annual election, at which the vacancy shall be filled for the unexpired term. In a water district heretofore established in which the office of water commissioner, if appointive, the town board shall call an election, in the manner provided by this section, to be held within ten days prior to the expiration of the term of such a commissioner, at which his successor shall be elected, as provided by this section, for a term of three years, and annually thereafter, the town board shall in like manner call an election, at which the qualified electors of the district shall elect a water commissioner for a term of three years. A vacancy in the office of such an appointive commissioner, occurring otherwise than by expiration of term, shall be filled in the manner provided by this section for filling the vacancy in the office of an elective commissioner.

§ 2. This act shall take effect immediately.

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CHAPTER 724

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claims of Laura Grace Grimmell and Harry W. Grimmell, her husband, against the state for damages for or growing out of personal injuries sustained by said Laura Grace Grimmell, through the alleged negligence of the state, its officers, agents and employees, while an inmate of the Buffalo State Hospital, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claims of Laura Grace Grimmell and Harry W. Grimmell, her husband, against the state for damages for, or growing out of, personal injuries sustained by said Laura Grace Grimmell on or about June fifth, nineteen hundred twenty-eight, while an inmate of the Buffalo State Hospital at Buffalo, New York, which injuries are alleged to have been sustained by said Laura Grace Grimmell through an assault upon her by an inmate in said hospital, by reason of the carelessness and neglect of the state, its officers, agents and employees, and if the court finds that said injuries were caused or brought about by the negligence of the state or of its officers, agents or employees, or if subsequent to said injuries and while said Laura Grace Grimmell continued to be an inmate of said hospital, the state, its officers, agents or employees, failed to properly care for and treat her for said injuries, and that the said Laura Grace Grimmell was free from contributory negligence, damages suffered or sustained by said Laura Grace Grimmell and Harry W. Grimmell, her husband, by reason of said injuries, or growing out of the same, shall constitute legal and valid claims against the state and the state shall be deemed liable therefor, notwithstanding the lapse of time since said injuries occurred, and the state hereby waives its immunity from action and immunity from liability for the acts of its officers, agents and employees, and the court may award to and render judgment for each of said claimants in such sum as it finds to be just and equitable, provided the claims herein are filed with the court of claims within one year after this act takes effect.

Court may render judgment.

Claim to be filed.

Saving clause.

§ 2. Nothing in this act shall be construed as passing upon the merits of these claims and no award shall be made or judgment entered against the state unless sustained by such evidence as would create a liability in a court of law or equity against an individual or corporation.

Evidence.

§ 3. This act shall take effect immediately.

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CHAPTER 725

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of the county of Herkimer for reimbursement of moneys paid by such county for road construction alleged to have been chargeable to the state, and to render judgment therefor

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of the county of Herkimer against the state for moneys alleged to have been paid by such county for road construction in certain cases where it is alleged that the expense of such construction was chargeable to the state, and if the court finds that the county of Herkimer paid money for road construction which was properly chargeable to the state, it may make an award thereon and render judgment against the state in favor of the claimant for such sum as the court may determine to be justly due, notwithstanding the failure of such county to file notice of intention to file such claim, and notwithstanding the failure of such county to file such claim within the time prescribed by section twelve of the court of claims act, provided the claim herein is filed with the court of claims within six months after this act takes effect.

Jurisdiction conferred

Court may render judgment.

Notwithstanding failure to file notice.

§ 2. The state hereby consents to have its liability on such claim determined. Nothing herein contained shall be held as admitting the validity of such claim, or any part thereof, upon the part of the state, nor as waiving any defense of the state thereto, except that such claim shall not be impaired or defeated on account of the failure to file the notice of claim within the time prescribed by statute.

Saving clause.

§ 3. This act shall take effect immediately.

CHAPTER 726

AN ACT to authorize John A. Jacobsen to file a claim for compensation under the workmen's compensation law, for injuries sustained on or about the twenty-third day of April, nineteen hundred eighteen, notwithstanding the failure to file such claim within the time prescribed by law

Became a law April 24, 1931, 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. Notwithstanding the provisions of the workmen's compensation law, John A. Jacobsen, of Brooklyn, New York, is hereby authorized to serve a notice of injuries and file a claim for compensation under such law, within three months after this act takes effect, for injuries sustained on or about the twenty-third

Claim to be filed notwithstanding workmen's compensation law.

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day of April, nineteen hundred eighteen, while employed as a boatman inspecting pile driving, during the construction of a new pier at the foot of Columbia street, Gowanus Bay barge canal terminal, Brooklyn, as an employee of the state engineer and surveyor, at that time an executive department of the state government, failure to file such claim being due to lack of information and knowledge on claimant's part of the necessity for so doing within a specified period of time and of the failure of the engineer in charge of construction who had knowledge of the injury and its development finally resulting in total blindness, to report the same, or to advise or acquaint the said Jacobsen of his rights and duties with relation thereto until on or about the twenty-seventh day of December, nineteen hundred twenty-six, eight years and eight months after the injury, at which time notice of injury was filed by the employer, the state engineer and surveyor, followed on February seventeenth, nineteen hundred twenty-six by notice from claimant, which notices were filed with the workmen's compensation bureau, and which claim was disallowed under date of April seventh, nineteen hundred twenty-seven by the industrial commission for the reason that the state insurance fund, the insurance carrier, an agency of the state government, raised the technical objection that the claim had not been filed within the statutory period of one year. The industrial board is hereby authorized to hear such claim and to make such award thereon, as shall be lawful, notwithstanding the failure of the claimant, and of his employer, the state engineer and surveyor, to give notice of injury and file notice of claim, as required by the workmen's compensation law, provided such notice of injury and claim for compensation be filed by claimant as authorized by this act.

Board authorized to hear claim.

§ 2. This act shall take effect immediately.

CHAPTER 727

AN ACT to confer jurisdiction on the court of claims to hear, audit and determine the claims of Charles H. Jones, individually, and Charles H. Jones, Louis E. Jones, Rosalie G. Jones Dell and Edward R. Finch, as executors and trustees under the will of Mary E. Jones, deceased, against the state for the amount of compensation due for lands appropriated for the purposes of a public and state park by the commissioners of the Palisades Interstate Park, and to render judgment therefor

Became a law April 24, 1931, 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:

Preamble.

Section 1. The commissioners of the Palisades Interstate Park having duly appropriated for the purposes of a public and state park, pursuant to section fifty-nine of the conservation law, cer-

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tain real property in the town of Stony Point, Rockland county, described in a resolution passed by said commissioners on the twentieth day of March, nineteen hundred twenty-eight, a notice of such appropriation having been served in the year nineteen hundred twenty-eight on Charles H. Jones, individually and Charles H. Jones, Louis E. Jones, Rosalie G. Jones Dell and Edward R. Finch, as executors and trustees under the will of Mary E. Jones, deceased, pursuant to such section, and compensation for the appropriation thereof not having been fixed by agreement and no compensation having been made, and such above named persons not having filed with the court of claims any claim therefor within two years from the time such appropriation was completed, now, therefore, jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Charles H. Jones, individually and Charles H. Jones, Louis E. Jones, Rosalie G. Jones Dell and Edward R. Finch, as executors and trustees under the will of Mary E. Jones, deceased, against the state for the value of the land so taken and damages, if any, with the same force and effect as though such claims had been duly filed within two years from the time of such appropriation, pursuant to section fifty-nine of the conservation law, and notwithstanding the failure to file such claim within such time. The court of claims may award and render judgment for the claimants, or either, or all of them, against the state for such sum as it shall determine to be just compensation for the appropriation of such property. Such jurisdiction, however, shall not attach unless the claims hereunder be filed with the court of claims within six months after this act takes effect.

Jurisdiction conferred.

Court may render judgment.

Claim to be filed.

§ 2. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

Saving clause.

Evidence.

§ 3. This act shall take effect immediately.

CHAPTER 728

AN ACT to confer jurisdiction on the court of claims to hear, audit and determine the claim of William Kaufman against the state for personal injuries received while an inmate of Great Meadow prison at Comstock, New York

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of William Kaufman against the state for personal injuries alleged to have been sustained by him on the tenth day of October, nineteen hundred

Jurisdiction conferred.

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twenty-nine, while an inmate of Great Meadow prison at Comstock, New York, and while engaged in the performance of his duties under the direction of the guard in charge, in assisting in the operation of the chair shop at said prison, and which said injuries are alleged to have been caused by reason of the carelessness and negligence of the state, its officers, agents or employees, in failing to provide proper guides and tools, a proper and safe place to work, and proper workable machinery, and by the improper medical care and attention of such state, its officers, agents or employees in taking care of the thumb of said William Kaufman, after it had been severed at the first joint by an electrical saw upon which he was working. The state hereby consents to have its liability on such claim determined notwithstanding the absence of legal liability for the injuries therein alleged or the failure of the claimant to file a claim therefor or notice of intention to file such claim, or to do any other act in relation to the presentation of such claim within the time limit prescribed by law, provided a claim for such injuries shall be filed with the court of claims within six months after this act takes effect. If the court shall find the injuries sustained by the claimant were caused in the manner alleged in the claim therefor and without any negligence on the part of the claimant contributing thereto, and that the state in right or justice or in law or equity should pay therefor, damages therefor shall constitute a valid and legal claim against the state and the state shall be deemed to have been liable therefor, and the court shall determine the extent of such injuries and may award to and render judgment for the claimant in such sum as it shall find to be just and equitable.

Notwithstanding failure to file claim.

Claim to be filed.

Court may render judgment.

Saving clause.

§ 2. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of equity.

Evidence.

§ 3. This act shall take effect immediately.

CHAPTER 729

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Kasimir Krasowski against the state of New York for damages for personal injuries alleged to have been sustained on the twenty-first day of September, nineteen hundred twenty-six, on the state highway known as the Merrick road at or near East Islip, Long Island, New York, by reason of the negligence of and/or the maintenance of a nuisance by the state of New York, its officers, agents or servants, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Kasimir Krasow-

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ski against the state of New York for damages for personal injuries alleged to have been sustained by him on the twenty-first day of September, nineteen hundred twenty-six, on the state highway known as the Merrick road at or near East Islip, Long Island, New York, while the said Kasimir Krasowski was traveling upon and along the said highway in an automobile, which was then being operated by one Frank Augustine, which said injuries are alleged to have been sustained by reason of the negligence of the state of New York, its officers, agents or servants, and/or by reason of the maintenance of a nuisance by the state of New York, its officers, agents or servants, in that they permitted one or more holes to be within and upon said highway and failed and neglected to fill in or to cover said holes and failed or neglected by proper and effective means and methods to prevent motor vehicles from running into said holes or any of them and failed and neglected to close, lock or shut off said highway at said place to vehicular traffic and failed and neglected to place railings, fences or other devices around or near or above said holes and to caution approaching vehicles and the public generally of the existence of said holes and of the dangerous nature and character of the roadway or highway in the vicinity of said holes by means of red lights or other warning lights or other effective devices, and in that they failed and neglected to station upon said highway in the vicinity of said holes a person charged with the duty of cautioning approaching vehicles of the existence of said holes and of the dangerous character and nature of the roadway or highway in the vicinity of said holes, and in that they carelessly and negligenty permitted said holes to be in said highway and permitted said highway to be in a dangerous and defective condition and out of repair and in that condition open to vehicular traffic, by reason of all of which facts the automobile in which the claimant, Kasimir Krasowski, was then lawfully riding ran into one or more of said holes in said highway and then swerved and ran into a ditch, all of which happenings caused the plaintiff to sustain personal injuries. If the court of claims shall find that the claimant, Kasimir Krasowski, sustained personal injuries and damages resulting therefrom, and that the claimant was free from contributory negligence and that the state, its officers, agents or servants were guilty of negligence or of the maintenance of a nuisance in the premises, such claim shall constitute a legal and valid claim against the state and the court may award to and render judgment for the claimant in such amount as shall be just and equitable, notwithstanding the lapse of time since the accruing of said damages, provided the claim of said claimant shall be filed with the court of claims within six months after this act shall take effect, but notice of intention to file such claim shall not be necessary.

Court may render judgment.

Notwithstanding lapse of time.

§ 2. Nothing in this act shall be construed as passing upon the merits of the claim or as debarring the state from interposing any legal or equitable defense and no award shall be made or judgment

Saving clause.

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rendered against the state except upon such legal proof as would create a liability against an individual or corporation.

§ 3. This act shall take effect immediately.

CHAPTER 730

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Frank Kominarek against the state for personal injuries alleged to have been sustained while an inmate of Auburn prison, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Frank Kominarek against the state for personal injuries received while an inmate of Auburn prison and working in the performance of his duties on the grooving machine in the lower cabinet shop, alleged to have been sustained by reason of the negligence of the state, its officers and agents by failing and neglecting to provide against such injury, by failing to provide necessary and proper guards and otherwise by failing and neglecting to provide a safe place for claimant to work and proper workable machinery, and if the court finds that the injuries were received through any negligence upon the part of the state in any manner and at the time claimant was free from negligence contributing to the injury, damages therefor shall constitute a legal and valid claim against the state and the state shall be deemed liable therefor, and the court may make an award and render judgment in favor of the claimant against the state for such sum as in the opinion of the court will properly compensate claimant for the injury sustained.

Court may render judgment.

Notwithstanding failure to file claim.

§ 2. The state hereby consents to have its liability on such claim determined notwithstanding the absence of legal liability for the injuries therein alleged or the failure of claimant to file a claim therefor or notice of intention to file such claim within the time limit prescribed by law, provided a claim for such injuries shall be filed with the court of claims within six months after this act takes effect.

Proof.

§ 3. Notwithstanding the foregoing provisions of this act, no award shall be made or judgment rendered unless sustained by such proof as would create a liability against an individual or corporation.

§ 4. This act shall take effect immediately.

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CHAPTER 731

AN ACT to confer jurisdiction on the court of claims to hear and determine the alleged claim of Daniel E. Knowlton against the state for failure under a contract on the part of the state to construct a concrete dock wall on both sides of the Ohio basin slip from the basin to Miami street, in the city of Buffalo, and to deepen the slip to a depth of twenty feet, or to the surface of rock, and to leave the site at the completion of the contract in a neat and workmanlike condition, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear and determine the alleged claim of Daniel E. Knowlton against the state for damages by reason of breach of an alleged contract between the Laidlaw Lumber Company, a domestic corporation, and the state of New York through its superintendent of public works, W. W. Witherspoon, dated the sixteenth day of July, nineteen hundred seventeen, for the construction of a concrete dock-wall, similar to the wall provided for around the basin, on both sides of the Ohio basin slip from the basin to Miami street in the city of Buffalo, and the deepening of the slip to a depth of twenty feet or to the surface of rock, and the leaving of the site in a neat and workmanlike condition upon the completion of the work referred to in said contract, and if the court finds that such contract was made by W. W. Witherspoon, the then superintendent of public works of the state of New York, in behalf of the state, and that the covenants contained in said contract to be performed by the said Laidlaw Lumber Company and said Daniel E. Knowlton, as assignee of said claim, were by them fully performed, and that the state accepted and enjoyed the benefit of said contract but has neglected and omitted to perform its part of said contract and that the said Laidlaw Lumber Company duly assigned said claim for a valuable consideration to the said Daniel E. Knowlton, the state shall be deemed to have been liable in damages to the said Daniel E. Knowlton for such amount as will adequately and justly compensate him for damages sustained by him and his assignor by reason of the failure of the state to perform its part of said contract, and the amount of damages found to have been sustained shall constitute a legal and valid claim against the state, and the court shall award judgment for the claimant for such sum as shall be just and equitable, notwithstanding the lapse of time since such claim or any part thereof accrued, or the failure to do or the defective or untimely performance of any act in relation to the preservation, presentation and enforcement of such claim within the time prescribed by law, and notwithstanding the said superintendent of public works of the state of New York may not have had the authority by statute to make said contract; the judgment, if any, shall include

Court may render judgment notwithstanding lapse of time.

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any and all damages suffered by claimant and claimant's assignor from the breach of said contract by the state to the date this act takes effect, but no award shall be made or judgment rendered
Evidence. hereunder against the state, unless sustained by such legal evidence as would create a liability in a court of law or equity against
Claim to be filed. an individual or corporation, nor unless such claim shall be filed with the court of claims within six months after this act takes effect.

§ 2. This act shall take effect immediately.

CHAPTER 732

AN ACT conferring jurisdiction upon the court of claims to hear and determine the claim of Ludvig Lorenz against the state of New York for damages for injuries to person and property alleged to have been caused on or about the first day of January, nineteen hundred thirty-one, through the negligence of the state, its officers, agents and employees in permitting a dangerous condition to exist on state highway number six hundred and forty-one, in the town of Rotterdam, Schenectady county, and to make an award and render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred. Section 1. Jurisdiction is hereby conferred upon the court of claims to hear and determine the claim of Ludvig Lorenz against the state of New York for damages and injury to person and property alleged to have been caused by the negligence of the state, its officers, agents, and employees in the construction, repair and maintenance of that portion of the state highway, known as the Schenectady-Rotterdam Junction highway number six hundred and forty-one in the town of Rotterdam, county of Schenectady, and state of New York, lying immediately east of, and adjoining the concrete bridge over Potterskill creek where it crosses said highway. Said highway, at the point in question being, as alleged, in a defective, unsafe and dangerous condition for use by the traveling public and having been allowed to so remain for several years last past, after notice of such condition to the state, its officers, agents and servants. The defects complained of are alleged to be as follows: At the point in question, to one approaching said bridge from the east, there is a sharp turn or curve to the left or south in said highway just before entering upon said bridge; and on the right or north side of said highway, at said point, the shoulder of said highway consists of a hard, smooth, gravel surface, even with the concrete part thereof, and extending northwardly therefrom several feet and becoming slightly narrower as one approaches said bridge; but wide enough so that an automobile would, on account of said curve, be naturally carried straight ahead by the momentum of the car and off the right edge

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of the concrete, and moving upon said northerly shoulder, would head directly towards the end of the concrete wall erected along the northerly side of said bridge. There is no guard rail along the northerly margin of said highway, as one approaches said bridge, nor at the time of the accident hereinafter described was there any sign or other device of any kind to warn the operator of an automobile to keep to the left, in rounding said curve so as to enter the bridge and avoid collision with the unguarded end of said concrete wall. While said highway was in the condition above described and on or about the fourth day of January, nineteen hundred thirty-one, at about six o'clock postmeridian said claimant's car while he was driving the same in a westerly direction, and while exercising due care and supposing his car was proceeding upon the concrete part of said highway, suddenly collided with the projecting end of said wall or parapet, inflicting grave personal injuries upon said claimant and damaging his said automobile. If therefore, the court finds that such injuries and damages were so sustained and were caused by the negligence of the state of New York, its officers, agents, and employees in any manner, and without any negligence contributing thereto upon the part of claimant, damages therefor shall constitute a legal and valid claim against the state and the state shall be liable therefor, and the court may award to and render judgment for the claimant against the state for such sum as may be just and equitable, notwithstanding the failure of the claimant to file such claim or written notice of intention to file such claim within the time limited or prescribed by law, provided such claim is filed with the court of claims within six months after this act takes effect.

Court may render judgment.

Claim to be filed.

§ 2. Nothing herein contained shall be construed as passing upon the merits of such claim and no award should be made or judgment rendered unless sustained by such evidence as would create a liability in a court of law or equity against an individual or corporation.

Saving clause.

Evidence.

§ 3. This act shall take effect immediately.

CHAPTER 733

AN ACT to confer jurisdiction on the court of claims to hear, audit and determine the claim of Elmer M. MacDonald against the state for personal injuries while an inmate of Great Meadow prison at Comstock, New York

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Elmer M. MacDonald against the state for personal injuries alleged to have been sustained by him on the second day of May, nineteen hundred twenty-

Jurisdiction conferred.

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nine, while an inmate of Great Meadow prison at Comstock, New York, and while engaged in the performance of his duties under the direction of the guard in charge, in assisting in the operation of the chair shop at said prison, and which said injuries are alleged to have been caused by reason of the carelessness and negligence of the state, its officers, agents or employees, in failing to provide proper guides and tools, a proper and safe place to work, and proper workable machinery, and by the improper medical care and attention of such state, its officers, agents or employees in taking care of the thumb of said Elmer M. MacDonald, after it had been severed at the first joint by an electrical saw upon which he was working. The state hereby consents to have its liability on such claim determined, notwithstanding the absence of legal liability for the injuries therein alleged or the failure of the claimant to file a claim therefor or notice of intention to file such claim, or to do any other act in relation to the presentation of such claim within the time limit prescribed by law, provided a claim for such injuries shall be filed with the court of claims within six months after this act takes effect. If the court shall find the injuries sustained by the claimant were caused in the manner alleged in the claim therefor and without any negligence on the part of the claimant contributing thereto, and that the state in right or justice or in law or equity should pay therefor, damages therefor shall constitute a valid and legal claim against the state and the state shall be deemed to have been liable therefor, and the court shall determine the extent of such injuries and may award to and render judgment for the claimant in such sum as it shall find to be just and equitable.

Notwithstanding failure to file claim.

Court may render judgment.

Saving clause.

Evidence.

§ 2. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of equity.

§ 3. This act shall take effect immediately.

CHAPTER 734

AN ACT conferring jurisdiction on the court of claims to hear and determine the claim of Arthur McConville against the state for construction work performed by him under orders of an officer and agent of the state at Great Bend in Jefferson county, New York

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear and determine the claim of Arthur McConville against the state for construction work performed by him under

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orders of an officer and agent of the state at Great Bend in Jefferson county, New York.

§ 2. The state hereby consents to have its liability in respect to such claim determined, notwithstanding the want of legal liability of the state for the acts of the officer and agent of the state ordering such work and the want of legal authority in such officer and agent to order such work and notwithstanding any omission, default or failure of the claimant to do or perform any act or thing in respect to the filing of a notice of intention to make such claim or to file it within the time limited or prescribed by law. Notwithstanding want of liability.

§ 3. If the court finds that such claim is founded in right and justice, or in law or equity, against the state and is in right and justice presently payable thereby, the state shall be deemed to have been and to be liable therefor and it shall constitute a legal and valid claim against the state and the court may award and render such judgment against the state and for the claimant as shall be just and equitable, but no award shall be made or judgment rendered hereunder against the state unless such claim shall have been filed heretofore with the court of claims or shall be filed with such court within ninety days after this act takes effect. Court may render judgment. Claim to be filed.

§ 4. No award shall be made or judgment rendered pursuant to this act unless sustained by such evidence as would establish a liability against an individual or corporation. Evidence.

§ 5. This act shall take effect immediately.

CHAPTER 735

AN ACT to confer jurisdiction on the court of claims to hear, audit and determine the claim of James L. McDonald against the state for damages alleged to have been sustained by reason of the acts of the state arising out of the performance of a contract for the construction of the foundation of the state office building in New York city

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of James L. McDonald against the state for damages sustained by claimant arising out of the performance of a contract with the state of New York, entered into by the claimant and the state of New York through the office site and building commission, dated February seventh, nineteen hundred twenty-eight, under authority of chapter three hundred and forty-six of the laws of nineteen hundred twenty-seven and chapter four hundred and fifteen of the laws of nineteen hundred twenty-seven, which contract is designated number eight thousand nine hundred and twenty-six, project number one thousand eight hundred and forty-six, specification number Jurisdiction conferred.

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five thousand thirteen, for the construction of the foundation of the state office building in New York city, for alleged breach of said contract by the state, by reason of delay in affording claimant access to the site of the work, and requiring claimant to perform work and furnish materials not contemplated by the contract, and for work performed and materials furnished for which claimant alleges he has not been compensated, and if the court finds that claimant has sustained damages by reason of delay by the state in affording claimant access to the site of the work and requiring claimant to perform work and furnish materials not contemplated by the contract, and that claimant has not been compensated for work performed and materials furnished, and that in right or justice or in law or equity claimant should be compensated for the damages so sustained, such damages so sustained shall be deemed to be a valid and legal claim against the state and the state shall be deemed to be liable therefor to claimant and render judgment in such sum as it shall find to be just and equitable.

Court may render judgment.

§ 2. The claim herein authorized shall not be impaired on account of any lack of authority in the legislature to confide the work of such construction to the state office site and building commission, as created by chapter five of the laws of nineteen hundred twenty-six.

Notwithstanding lack of authority of legislature.

§ 3. Such claim having been heretofore filed with the clerk of the court of claims and with the attorney general as claim number nineteen thousand four hundred and sixty, jurisdiction of the court shall attach without the refiling of such claim.

Refiling claim.

§ 4. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

Saving clause.

Evidence.

§ 5. This act shall take effect immediately.

CHAPTER 736

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Louis Milvo against the state for damages to property alleged to have been sustained by him by reason of the negligence of the state, its officers, employees or agents, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Louis Milvo against the state for damages for injuries to property alleged to have been sustained by him on or about the thirty-first day of

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August, nineteen hundred twenty-nine, by reason of the careless and negligent use and display of fireworks by and under the direction of the state, its officers, employees or agents, in connection with a fireworks display on or about the thirty-first day of August, nineteen hundred twenty-nine, on the state fair grounds at Syracuse, such carelessness and negligence resulting in sparks or fire falling and coming in contact with claimant's tent, which was then in use on such state fair ground, setting it on fire and destroying it; and if the court of claims finds that the property damage sustained by the claimant was caused by any negligence of the state, its officers, employees or agents and that the claimant was free from contributory negligence, such damage shall constitute a valid and legal claim against the state, and the court shall determine the amount of moneys which should be paid claimant and make an award therefor to claimant, and render judgment in such sum as it shall find to be just and equitable.

Court may render judgment.

§ 2. Such claim having been heretofore filed with the clerk of the court of claims and with the attorney-general, as claim number twenty-one thousand six hundred and fifty-three, jurisdiction of the court shall attach without the refiling of such claim.

Refiling claim.

§ 3. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

Saving clause.

Evidence.

§ 4. This act shall take effect immediately.

CHAPTER 737

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of the county of Orleans for reimbursement of moneys paid by such county for road construction alleged to have been chargeable to the state, and to render judgment therefor

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of the county of Orleans against the state for moneys alleged to have been paid by such county for road construction in certain cases where it is alleged that the expense of such construction was chargeable to the state, and if the court finds that the county of Orleans paid money for road construction which was properly chargeable to the state, it may make an award thereon and render judgment against the state in favor of the claimant for such sum as the

Jurisdiction conferred.

Court may render judgment.

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Notwithstanding failure to file claim.

court may determine to be justly due, notwithstanding the failure of such county to file notice of intention to file such claim, and notwithstanding the failure of such county to file such claim within the time prescribed by section twelve of the court of claims act, provided the claim herein is filed with the court of claims within six months after this act takes effect.

Saving clause.

§ 2. The state hereby consents to have its liability on such claim determined. Nothing herein contained shall be held as admitting the validity of such claim, or any part thereof, upon the part of the state, nor as waiving any defense of the state thereto, except that such claim shall not be impaired or defeated on account of the failure to file the notice of claim within the time prescribed by statute.

§ 3. This act shall take effect immediately.

CHAPTER 738

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of James Papalardo against the state for personal injuries

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of James Papalardo against the state for personal injuries alleged to have been sustained by him during the period from January, nineteen hundred twenty-nine, until July, nineteen hundred thirty, while an inmate of Sing Sing prison at Ossining, New York, and while engaged in the performance of his duties under the direction of the guard in charge, in assisting in the operation of the brush shop in said prison, and which said injuries are alleged to have been caused by reason of the carelessness and negligence of the state, its officers, agents or employees, in failing to provide a proper guard and protection against injuries resulting from working over hot pitch, made in said brush shop, and used in plugging the blocks of wood in the making of the brushes, and in such way failing to provide a proper and safe place to work, and by reason also of the improper medical care and attention administered to him by the state, its officers, agents or employees in treating him for such injury, and not taking care of his eye after the same had been paralyzed and otherwise injured from working over the hot pitch above mentioned. The state hereby consents to have its liability on such claim determined notwithstanding the absence of legal liability for the injuries therein alleged or the failure of the claimant to file a claim therefor or notice of intention to file such claim, or to do any other act in relation to the presentation of

Notwithstanding failure to file claim.

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such claim within the time limit prescribed by law, provided a claim for such injuries shall be filed with the court of claims within six months after this act takes effect. If the court shall find the injuries sustained by the claimant were caused in the manner alleged in the claim therefor and without any negligence on the part of the claimant contributing thereto, and that the state in right or justice or in law or equity should pay therefor, damages therefor shall constitute a valid and legal claim against the state and the state shall be deemed to have been liable therefor, and the court shall determine the extent of such injuries and may award to and render judgment for the claimant in such sum at it shall find to be just and equitable. Court may render judgment.

§ 2. Nothing herein shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such proof as would create a liability against an individual or corporation. Saving clause.

§ 3. This act shall take effect immediately.

CHAPTER 739

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Vincent Padula against the state of New York for damages for personal injuries sustained through the alleged negligence of the state, its officers, agents and employees

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Vincent Padula for damages for personal injuries sustained by the said Vincent Padula on January seventh, nineteen hundred thirty, while he was confined as an inmate at Great Meadows Prison, Comstock, New York, under lawful sentence of a court of competent jurisdiction, by reason of the alleged negligence and carelessness of the state, its officers, agents and employees, it being alleged that in spite of his protest, the said Vincent Padula, under threat of punishment, was directed to hold a team of illtempered horses which were being shod and that in the course of the shoeing one of them pulled its leg causing a piece of calk to fly up and strike him in the eye, necessitating its removal. If the court shall find the facts to be in substance as so alleged by the claimant and that such injuries were sustained by reason of the negligence as aforesaid and without any negligence on the part of the claimant contributing thereto and that the state, in right and justice or in law and equity, should pay therefor, damages therefor shall constitute a valid and legal claim against the state, and the state Jurisdiction conferred. Court may render judgment.

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Notwithstanding failure to file claim.

shall be deemed to have been liable therefor. Notwithstanding the failure of the claimant to file such claim or notice of intention to file such claim or to do any other act in relation to the presentation of such claim within the time limited or prescribed by law, the court may make an award and render judgment in favor of the claimant and against the state in such sum as will reasonably compensate the claimant for the injuries sustained. Such jurisdiction shall not attach, however, unless such claim be filed within six months after this act takes effect.

Claim to be filed.

Saving clause.

§ 2. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

Evidence.

§ 3. This act shall take effect immediately.

CHAPTER 740

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of James Penner, as administrator of the estate of Edward Penner, for personal injuries resulting in the death of said Edward Penner, alleged to have been sustained in the state armory at Utica through the negligence of the state, its officers, agents and employees, in maintaining a dangrous condition and in failing to provide suitable protection for persons therein by guard-rails or otherwise in such armory, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of James Penner, as administrator of the estate of Edward Penner, for personal injuries resulting in the death of said Edward Penner, alleged to have been sustained on the twelfth day of May, nineteen hundred twenty-nine, after the said Edward Penner had been regularly accepted as a member of the national guard in the state armory at Utica and while the said Edward Penner was waiting for a vacancy and working in said armory at Utica, through the negligence of the state, its officers, agents and employees, in maintaining a dangerous condition and in failing to provide suitable protection for persons therein by guard-rails or otherwise in such armory and particularly in the tower thereof, and if the court finds that such injuries resulting in the death of said Edward Penner were received by reason of the negligence of the state, its officers, agents or employees in any manner and that at the time the said Edward Penner was free from negligence contributing to the injury, damages therefor shall constitute a legal and valid claim against the state and the state shall be deemed liable therefor and the

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court may award to and render judgment for the claimant against the state in such sum or sums as in its judgment will properly compensate the claimant for the injuries and death sustained. Such claim having been heretofore filed with the court of claims and the attorney-general, bearing court of claims number nineteen thousand and forty-eight, jurisdiction shall attach without the refiling of such claim. Court may render judgment.

§ 2. Nothing herein shall be construed as passing upon the merits of such claims and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation, and any evidence heretofore taken or proceedings had in said court or any hearing of such claim shall be considered by the court with the same force and effect as if taken subsequent to this act. Saving clause. Evidence.

§ 3. This act shall take effect immediately.

CHAPTER 741

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Philipsburgh Construction Company against the state of New York, and to render judgment therefor

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of the Philipsburgh Construction Company, a corporation, against the state of New York, to recover the amount of a certain certified check in the sum of fifty-six thousand dollars, issued by said corporation in connection with its proposal on contract number three, for the construction of two main piers for Mid-Hudson bridge spanning the Hudson river at Poughkeepsie, New York, and which said check was declared forfeited on or about the first day of May, nineteen hundred twenty-six, by the superintendent of public works who subsequently caused the same to be deposited in the state treasury to the credit of the state. If the court shall find that such claim is right and just and that the state in justice, right or equity should return to the claimant the amount of said check or any part thereof, the state shall be deemed liable for the amount of such claim so determined by the court and the court may make an award to and render judgment for the claimant against the state for the sum of fifty-six thousand dollars, or any part thereof, with interest on such sum from the first day of May, nineteen hundred twenty-six, in accordance with the claim of the claimant heretofore filed with the court of claims. Jurisdiction conferred. Court may render judgment.

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Notwithstanding failure of procedural step.

§ 2. The state hereby consents to have its liability on such claim determined notwithstanding the failure of the claimant to take any procedural step in the presentation or submission of such claim as provided for or within the time prescribed therefor by law and the court may make such award and render such judgment without requiring the refiling or the retrial of such claim if, in its discretion, the proceedings heretofore taken by the claimant and the trial heretofore had in the court upon such claim establish the liability of the state on such claim.

Saving clause.

§ 3. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made

Proof.

or judgment rendered against the state except on such legal proof or evidence given or to be given by the claimant as would establish a liability against an individual or corporation in a court of law or equity.

§ 4. This act shall take effect immediately.

CHAPTER 742

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Edward Robinson against the state for damages for personal injuries alleged to have been sustained by him on the fifth day of November, nineteen hundred twenty-six, while an inmate of Clinton prison, and alleged to have been caused by the negligence of the state, its officers, agents or employees in carelessly maintaining and operating a carding machine without the proper protective devices and safeguards, in Clinton prison factory, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Edward Robinson against the state for damages for personal injuries alleged to have been sustained by him on the fifth day of November, nineteen hundred twenty-six, while confined as an inmate of Clinton prison at Dannemora, New York, and alleged to have been caused by the negligence and carelessness of the state, its officers, agents or employees in carelessly maintaining and operating a carding machine without the proper protective devices and safeguards in the textile factory of said prison, thus causing the said Edward Robinson's left hand to be drawn into said carding machine through an unguarded place while cleaning said machine and to be torn with such violence that it had to be immediately amputated, rendering the claimant permanently disabled and incapacitated.

Court may render judgment.

If the court shall find that said accident did happen as aforesaid and that such injuries were so sustained by reason of the negligence as aforesaid and without any negligence of the claimant

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contributing thereto, damages therefor shall constitute a legal and valid claim against the state and the state shall be deemed liable therefor and the court may award to and render judgment for the claimant for such sum as may be just and equitable to compensate the claimant for the injuries sustained.

The state hereby consents to have its liability on such claim determined notwithstanding the failure of such claimant to file such claim or a notice of intention to file such claim, or to do any other act in relation to the presentation of such claim within the time limited or prescribed therefor by law; provided, however, that the claim herein is filed with the court within six months after this act takes effect. Notwithstanding failure to file claim. Claim to be filed.

§ 2. Nothing in this act shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such proof as would create a liability against an individual or corporation in a court of law or equity. Saving clause. Proof.

§ 3. This act shall take effect immediately.

CHAPTER 743

AN ACT conferring jurisdiction upon the court of claims to hear and determine the claim of Fannie B. Severne against the state for damages to property

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear and determine the claim of Fannie B. Severne against the state for damages to property, which claim was heretofore and is now filed with the court of claims as claim number nineteen thousand eight hundred and seventy. The state hereby consents to have its liability upon such claim determined notwithstanding the failure of the claimant to file and serve a claim therefor or notice of intention to file such claim or to do any act in relation to the presentation of such claim within the time limit prescribed by section twelve-a of the court of claims act or otherwise by law. Jurisdiction conferred. Notwithstanding failure to file claim.

§ 2. This act shall take effect immediately.

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CHAPTER 744

AN ACT conferring jurisdiction upon the court of claims to hear and determine the several claims of George Shaffer, individually and as administrator of the estate of Georgia V. Shaffer, deceased, and Mabel Shaffer and Howard Shaffer, infants, by George Shaffer, their guardian ad litem, against the state for personal injuries and death damages sustained on or about the twenty-fifth day of June, nineteen hundred twenty-nine, upon a state highway between the city of Fulton and the village of Phoenix, in the county of Oswego

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear and determine the several claims of George Shaffer, individually and as administrator of the estate of Georgia V. Shaffer, deceased, and Mabel Shaffer and Howard Shaffer, infants, by George Shaffer, their guardian ad litem, against the state for personal injuries and death damages sustained on or about the twenty-fifth day of June, nineteen hundred twenty-nine, upon a state highway between the city of Fulton and the village of Phoenix, in the county of Oswego, when an automobile was overturned by reason of coming in contact with a ridge and obstruction in such highway which the state, its officers and agents, had negligently and carelessly permitted to exist in such a manner as to render such highway dangerous and unsafe for travel. The state hereby consents to have its liability in respect to such claims determined, notwithstanding any omission, default or failure of such claimants severally to perform or do any act or thing in respect to filing a notice of intention to make such claims or to file such claims within the time limited or prescribed therefor by law, provided such claims are filed with the court of claims within six months after this act takes effect and copies thereof served on the attorney-general and superintendent of public works.

Notwithstanding failure to file claim.

Court may render judgment.

§ 2. If the court shall find that such claims are founded in right and justice or in law or equity against the state of New York and in right and justice payable thereby the state shall be deemed to be liable therefor and such claims shall constitute legal and valid claims against the state and the court may make such award and render such judgment for such claimants against the state as it shall deem just and equitable, but no award shall be made or judgment rendered pursuant to this act except upon such legal evidence as would establish a liability against an individual or corporation.

§ 3. This act shall take effect immediately.

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CHAPTER 745

AN ACT to confer jurisdiction upon the court of claims to hear and determine the claim of Walter T. Smith for damages for injuries to person and property alleged to have been sustained by him through the negligence of the state, its officers, agents and employees, in placing, parking and leaving a tar bucket or wagon on the shoulder of the state road leading from Sennett to Auburn in the county of Cayuga, and to make an award and render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear and determine the claim of Walter T. Smith for damages for injuries to person and property alleged to have been sustained by him on or about the twenty-ninth day of October, nineteen hundred twenty-eight, through the negligence of the state of New York, its officers, agents and employees, carelessly and negligently placing, parking and leaving a tar bucket or wagon on the shoulder of the state road leading from Sennett to Auburn in the county of Cayuga, approximately one-quarter of a mile southerly from Sennett Four Corners, and in failing to have proper warning signs, lights or danger signals on or near such tar bucket or wagon, by reason of which a collision occurred between an automobile owned and operated by such claimant and such tar bucket or wagon.

Notwithstanding failure to file claim.

§ 2. The state hereby consents to have its liability on such claim determined, notwithstanding the absence of legal liability for damages therein alleged, or the failure of the claimant to file a claim therefor, or notice of intention to file such claim, or to do any act in relation to the presentation of such claim within the time limit prescribed by law, provided a claim for such damages shall be filed with the court of claims within six months after this act takes effect.

Court may render judgment.

§ 3. If the court finds that the personal injuries or property damages suffered by such claimant were caused by any negligence of the state, its agents, officers or employees in the placing, parking or leaving of such tar bucket or wagon, in close proximity to the highway or in failing to have proper warning signs, lights, or danger signals on or near such tar bucket and that the claimant was free from contributory negligence and that the state in right or justice or in law or equity should pay therefor, damages therefor shall constitute a valid and legal claim against the state, and the state shall be deemed to have been and to be liable therefor, and the court may make such award and render such judgment for such claimant and against the state for such sum as it shall find to be just and equitable.

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Saving clause.

§ 4. Nothing herein contained shall be construed as passing upon the merits of any such claim, and no award shall be made or judgment rendered against the state unless sustained by such evidence as would create a liability in a court of law or equity against an individual or corporation.

Evidence.

§ 5. This act shall take effect immediately.

CHAPTER 746

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Sophia Shumak, of Deferiet, Jefferson county, as administratrix of the goods, chattels and credits of one Mike Shumak, deceased, against the state for damages for the death of the decedent alleged to have occurred on or about the seventeenth day of September, nineteen hundred twenty-nine, by reason of the alleged negligence of the state, its agents, officers and employees in failing to construct or reconstruct and maintain suitable and proper barriers near and approaches to a certain bridge on the state highway between Carthage and Watertown, near the village of Black River in the county of Jefferson, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Sophia Shumak, of Deferiet, Jefferson county, as administratrix of the goods, chattels and credits of one Mike Shumak, deceased, against the state for damages for the death of the decedent which is alleged to have occurred on or about the seventeenth day of September, nineteen hundred twenty-nine, by reason of the alleged negligence of the state, its agents, officers and employees in failing to construct or re-construct and to maintain suitable and proper barriers near and approaches to a certain bridge on the state highway between Carthage and Watertown, located at a point a short distance westerly from the village of Black River, as a result of which the claimant's intestate, who was operating an automobile along said highway on said day, was forced off the road at said point and fell into the power canal of the Northern New York Utilities, Inc., flowing underneath said bridge and was drowned, his body having been recovered from said canal some time subsequent to the day of the accident as aforesaid.

Notwithstanding failure to file claim.

The state hereby consents to have its liability on said claim determined notwithstanding the failure of the claimant to file a notice of intention to file such claim, or to file such claim, or to do any other act in relation to the presentation of such claim within the time limited or prescribed therefor by law.

Court may render judgment.

If the court shall find that the death of the claimant's intestate was caused by the negligence, carelessness or fault of the state, its agents, officers or

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employees as aforesaid, damages therefor shall constitute a valid and legal claim against the state, and the state shall be deemed to have been and to be liable therefor and the court may make an award and render judgment thereon to the claimant for such sum as it shall find to be just and equitable, provided that the claim herein be filed with the court of claims and with the superintendent of public works within six months after this act takes effect.

Saving clause.

§ 2. Nothing contained herein shall be construed as passing upon the merits of such claim and no award shall be made or judgment rendered against the state unless sustained by such evidence as would establish a liability in a court of law or equity against an individual or corporation.

Evidence.

§ 3. This act shall take effect immediately.

CHAPTER 747

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claims of James Thomas and his wife Alice Thomas for damages for injuries to their persons and property alleged to have been sustained by them through the negligence of the state, its officers, agents and employees in failing to properly maintain the highway between Bath and Savona, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claims of James Thomas and his wife, Alice Thomas of the village of Bath, New York, for damages for injuries to their persons and property alleged to have been sustained by them on or about the twentieth day of December, nineteen hundred thirty, through the negligence of the state of New York, its officers, agents and employees in failing to properly maintain and keep in good repair the state's highway between the villages of Bath and Savona in the county of Steuben and in permitting a dangerous condition to exist therein.

Notwithstanding failure to file claim.

The state hereby consents to have its liability on such claims determined, notwithstanding the absence of legal liability for the injuries therein alleged or the failure of the claimants to file claims therefor or notices of intention to file such claims, or to do any act in relation to the presentation of such claims within the time limit prescribed by law, provided claims for such injuries shall be filed with the court of claims within six months after this act takes effect.

Court may render judgment.

If the court shall find that the injuries alleged to have been sustained by the claimants were caused in the manner alleged in the claims therefor, and without any negligence contributing thereto upon the part of the claimants, and that the state in right or justice or in law or equity shall pay therefor, damages therefor shall con-

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stitute legal and valid claims against the state and the state shall be liable therefor, and the court may award to and render judgment for each of such claimants and against the state for such sums as it shall find to be just and equitable.

Saving clause.

§ 2. Nothing herein contained shall be construed as passing upon the merits of such claims and no awards shall be made or judgments rendered unless sustained by such proof as would create a liability against an individual or corporation.

§ 3. This act shall take effect immediately.

CHAPTER 748

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claims of Helen Timerson, Clifford Timerson, Leslie Johnson and Doris Johnson against the state for damages for personal injuries alleged to have been sustained on or about April sixth, nineteen hundred twenty-nine, on a county highway near the village of Baldwinsville and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred on the court of claims to hear, audit and determine the claims of Helen Timerson, Clifford Timerson, Leslie Johnson and Doris Johnson, against the state for damages for personal injuries alleged to have been sustained on or about the sixth day of April, nineteen hundred twenty-nine at or about three o'clock antemeridian of said day, while riding in an automobile driven in an easterly direction toward the village of Baldwinsville upon and along the public thoroughfare designated as "county highway" leading in a westerly direction from the village of Baldwinsville to Plainville in the county of Onondaga at a point upon said highway which is about three miles westerly from the village of Baldwinsville and near buildings on the farm known as Merrifield farm, and alleged to have been sustained by reason of the negligence of the state in constructing and maintaining said highway at said point and a culvert underneath the same in such a negligent and careless manner that as a result thereof said highway at said point had completely collapsed prior to the approach of claimants who were lawfully traveling thereon permitting the motor vehicle in which claimants were riding to be hurled into a deep pit in the middle of said highway occasioned by the collapse of said highway and by permitting said highway to be and remain in such dangerous and defective condition for a long period of time prior to said accident without lights and signals to warn the public of such dangerous condition whereby said Helen Timerson, Clifford Timerson, Leslie Johnson and Doris Johnson, while riding

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upon and along said highway with all due care and caution, were hurled into a deep pit in the middle of said highway as aforesaid thereby being greatly bruised and injured. If the court finds that the injuries were received by reason of the negligence of the state, its officers and agents in any manner and that at the time claimants were free from negligence contributing to the injuries, damages therefor shall constitute a legal and valid claim against the state and the state shall be deemed liable therefor and the court may award to and render judgment for the claimants against the state in such a sum as in its judgment will properly compensate the claimants for the damages sustained. The state hereby consents to have its liability on such claims determined notwithstanding the failure of any of such claimants to file such claims or notices of intention to file such claims or to do any other act in relation to the presentation of such claims within the time limited or prescribed by law provided the claims be filed with the court of claims within six months after this act takes effect.

Court may render judgment.

Notwithstanding failure to file claim.

§ 2. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

Saving clause.

§ 3. This act shall take effect immediately.

CHAPTER 749

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claims of Francis M. Turrentine and Alice H. Turrentine against the state for personal injury and property damage alleged to have been sustained on the ninth day of April, nineteen hundred thirty, by reason of the negligence of the state, its officers, agents and employees in constructing, causing and permitting a portion of the state highway known as route five, crossing Oneida creek and the railroad tracks within the village of Oneida Castle, to be and remain in a defective and dangerous condition, and to render judgment therefor

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claims of Francis M. Turrentine and Alice H. Turrentine against the state for personal injury and property damage alleged to have been sustained on or about the ninth day of April, nineteen hundred thirty, while riding in an automobile driven in a westerly direction by Francis M. Turrentine, one of the claimants, upon and along the state highway known as route five, between two and three o'clock in the afternoon of said day and at a point east of Oneida creek in the village of Oneida Castle and east of the intersection

Jurisdiction conferred.

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of route five with the New York, Ontario and Western Railroad tracks and west of where the new concrete pavement adjoins the old pavement and alleged to have been sustained by reason of the negligence of the state, its officers and agents, in failing and neglecting to construct and maintain such highway in a reasonably safe and suitable condition for such public travel in that the state, its officers and agents, permitted the said highway for a long period of time to become and remain in a defective condition, full of holes and bumps; in not providing and giving adequate warning of the condition thereof to travelers on the highway, and in failing to use ordinary care to avoid injuries to the users of such highway, whereby the said Francis M. Turrentine while driving upon and along said highway with all due care and caution struck these holes and bumps thereby losing control of his automobile which swerved from the said road and struck a tree wrecking the automobile and injuring the claimants. If the court finds that the damages and injuries were received by reason of the negligence of the state, its officers and agents, in any manner and that the claimants were free from negligence contributing to the injuries, damages therefor shall constitute a legal and valid claim against the state and the state shall be deemed liable therefor and the court may award to and render judgment for the claimants against the state in such sum as in its judgment will properly compensate the claimants for such damages sustained. The state hereby consents to have its liability on such claims determined, notwithstanding the failure of either of such claimants to file such claim, or notice of intention to file such claim or to do any other act in relation to the presentation of such claim within the time limited or prescribed by law and notwithstanding the fact that the accident happened between November first, nineteen hundred twenty-nine and May first, nineteen hundred thirty, the dates between which the so-called road patrol system is not operating in full force.

Court may render judgment.

Notwithstanding failure to file claim.

Claims to be filed.

§ 2. Notice of intention to file claims, or the claims shall be filed within six months from the passage of this act.

Saving clause.

§ 3. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

§ 4. This act shall take effect immediately.

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CHAPTER 750

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Louis Tortora against the state for damages for personal injuries alleged to have been sustained by him while confined in Sing Sing prison through the negligence of the state in the maintenance, care and usage of a stove, causing an explosion thereof, and to make an award and render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Louis Tortora against the state for damages for personal injuries alleged to have been sustained by him on or about the twenty-second day of September, nineteen hundred twenty-nine, while confined in Sing Sing prison at Ossining, alleged to have been sustained through the negligence of the state, its officers, agents and employees, in failing and neglecting to properly maintain, care for and use a stove within the confines of such prison, which stove is alleged to have exploded and caused such injuries; and if the court finds that such injuries were so sustained and were caused by the negligence of the state of New York, its officers, agents and employees, in any manner, and without any negligence contributing thereto upon the part of the claimant, damages therefor shall constitute a legal and valid claim against the state and the state shall be liable therefor, and the court may award to and render judgment for the claimant and against the state for such sum as may be just and equitable, notwithstanding the failure of the claimant to file such claim or written notice of intention to file such claim within the time limited or prescribed by law provided such claim is filed with the court of claims within one year after this act takes effect.

Court may render judgment.

Saving clause.

§ 2. Nothing herein contained shall be construed as passing upon the merits of such claim and no award shall be made or judgment rendered unless sustained by such evidence as would create a liability in a court of law or equity against an individual or corporation.

§ 3. This act shall take effect immediately.

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CHAPTER 751

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine claims against the state for damages, for or on account of the appropriation of certain property in the town of Van Buren, Onondaga county, New York, in connection with the construction of improved canals and canal terminals

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. The court of claims shall have jurisdiction over and may hear, audit and determine any claims for damages against the state, heretofore or hereafter sustained, for or on account of the appropriation, flooding or use by the state of certain lands in the town of Van Buren, Onondaga county, New York, described as follows: All that tract or parcel of land, situate in the town of Van Buren, county of Onondaga, and state of New York, and being part of the Harrison Lester farm on lot number fourteen in said town, and bounded and described as follows: Beginning at the intersection of the northerly line of the Delaware, Lackawanna and Western railroad spur with the easterly line of the Alvah L. Spaulding farm running thence northerly along said easterly line of said farm fifteen hundred and fifty-four feet to a stake; thence westerly along the south bank of Seneca river to Cunningham's northeast corner; thence south along the easterly line of said Cunningham's easterly line to the D. L. & W. R. R. property; thence easterly along said railroad property to the place of beginning, containing about thirty-one and four-tenths acres of land, more or less. Nine and five hundredths acres west side of road. Also all that tract or parcel of land, situate in the town of Van Buren, county of Onondaga and state of New York, and being part of the Harrison Lester farm on lot number fourteen, in said town, bounded and described as follows: Beginning at a point in the west line of said Lester farm three hundred and forty-five and fifty hundredths feet south of the south west corner of a parcel of land conveyed to Charles E. Shoudy by deed recorded in the Onondaga county clerk's office in book of deeds number four hundred and thirty at page five hundred and thirty-seven; running thence easterly at right angles to the east line of said farm seven hundred and five and forty hundredths feet to the center of a proposed road; thence southerly parallel with the east line of said farm and along the center of said road about five hundred and sixty-three and twenty hundredths feet to a point one hundred and ninety-two feet northerly from the south line of said farm; thence westerly parallel with the south line of said farm about six hundred and eighty-seven feet to the west line of said farm; thence northerly along the west line of said farm about five hundred and sixty-six feet to the place of beginning and containing

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about nine and five hundredths acres of land, as surveyed by Frank Schnauber, C. E. Also all that tract or parcel of land, situate in the town of Van Buren, county of Onondaga and state of New York, and being part of the Harrison Lester Farm on lot number fourteen in said town and bounded and described as follows: Beginning at a point in the center of Cooper street three hundred and fifty feet easterly from the southeast corner of Luce's land; thence northerly along the east side of Mahar east line to the Syracuse Lake Shore and Northern Electric R. R.; thence easterly along said railroad to the easterly line of Lester Farm; thence southerly along the easterly line of said Lester farm to the center of the highway; thence westerly along the center of the highway to the place of beginning, also all structures, rights or easements in connection therewith or other property thereon, in connection with the enlargement and improvement of Erie canal as provided by chapter one hundred and forty-nine of the laws of nineteen hundred three, and acts amendatory thereof and supplemental thereto, the Cayuga and Seneca canal, as provided by chapter three hundred and ninety-one of the laws of nineteen hundred nine, and acts amendatory thereof and supplemental thereto, and for the purpose of furnishing proper terminals and facilities for the barge canal traffic as provided by chapter seven hundred and forty-six of the laws of nineteen hundred eleven, and acts amendatory thereof and supplemental thereto.

Notwithstanding lapse of time.

§ 2. A claim for damages heretofore suffered or caused to the property mentioned in section one of this act may, notwithstanding the lapse of time since the accruing of damages, be filed with the court of claims within one year from the passage of this act, and such damages shall be deemed just and legal claims against the state.

Saving clause.

§ 3. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

§ 4. This act shall take effect immediately.

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CHAPTER 752

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Robert O. Weston and another, doing business as co-partners under the name of Westchester Construction Company, against the state for damages arising on account of unforeseen soil conditions affecting the prosecution of the work contemplated in contract for reconstruction of Peekskill-Fishkill highway in the county of Westchester, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Robert O. Weston and Charlotte Weston, administratrix, et cetera, of James G. Weston, deceased, doing business as co-partners under the name and style of Westchester Construction Company, for damages arising out of an unforeseen soil condition affecting the prosecution of the work comtemplated by contract executed by and between the people of the state of New York and said Westchester Construction Company, on May eleventh, nineteen hundred twenty-eight, for the reconstruction of a portion of the Peekskill-Fishkill part one highway, number five thousand one hundred and forty-seven, constituting reconstruction contract number one thousand seven hundred and ten. As alleged by claimants, such unforeseen condition consisted of the encountering of eighty-five per cent solid rock in excavating through a hillside in the elimination of curves on said highway, which condition was not apparent by examination and was unknown to the state, the county of Westchester and the Westchester Construction Company, at the time of the execution of said contract, and that all parties were mutually mistaken with respect thereto, and that said unforeseen condition resulted in greatly increased cost in the performance of the work under said contract, causing great damage to the said Robert O. Weston and Charlotte Weston, administratrix, et cetera, doing business as before stated. If the court finds that the facts are substantially as above set forth, and that claimants were damaged by reason thereof, and that in justice and equity the claimants should be reimbursed therefor by the state, the claim shall constitute a legal and valid claim against the state, and the state shall be liable therefor, and the court may make an award and render judgment for the claimants in such sum as it may determine will properly compensate the claimants for the damage sustained, provided the claim herein authorized be filed with the court of claims within six months after this act takes effect.

Court may render judgment.

Claim to be filed.

Saving clause.

§ 2. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

§ 3. This act shall take effect immediately.

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CHAPTER 753

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Paul Vellano against the state for increased cost and expense of work performed and materials furnished occasioned by the alleged acts, faults and omissions of the state of New York, its officers, agents and servants, in connection with contract dated March twenty-fifth, nineteen hundred thirty, for completing contract number ninety-three hundred and twenty-eight, sewers and water lines at State College of Agriculture, Ithaca, Tompkins county, New York

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Paul Vellano against the state, for damages for the increased cost and expense of work performed, and materials furnished, occasioned by the alleged acts, faults and omissions of the state of New York, its officers, agents and servants, in connection with the contract with the state, dated March twenty-five, nineteen hundred thirty, for completing contract number ninety-three hundred and twenty-eight, sewers and water lines at State College of Agriculture, Ithaca, Tompkins county, New York, and if the court finds that claimant has sustained damages by reason of the state requiring claimant to perform work and furnish materials not contemplated by the contract and that claimant has not been compensated for work performed and materials furnished and that in right or justice or in law or equity, claimant should be compensated for damages so sustained, such damages so sustained shall be deemed to be a valid and legal claim against the state and the state shall be deemed to be liable therefor to claimant and render judgment in such sum as it shall find to be just and equitable, notwithstanding the lapse of time since such claim accrued, or the failure, on the part of claimant, to do any act in relation to the presentation of such claim within the time prescribed or required by law, provided such claim shall be filed with the court of claims within six months after this act takes effect.

Court may render judgment.

Claim to be filed.

Saving clause.

§ 2. The state hereby consents to have its liability on such claim determined, but nothing herein contained shall be held as admitting the validity of such claim, or any part thereof, upon the part of the state, nor as waiving any defense of the state thereto, the object of this act being merely to excuse and waive the failure to file said claim within the time prescribed by statute.

§ 3. This act shall take effect immediately.

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CHAPTER 754

AN ACT conferring jurisdiction upon the court of claims to hear and determine the claim of Frank Winter against the state of New York for damages for injuries to person and property alleged to have been caused through the negligence of the state, its officers, agents and employees in permitting a dangerous condition to exist on the Camp road in the town of Hamburg in the county of Erie, and to make an award and render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear and determine the claim of Frank Winter against the state of New York for damages for injuries to person and property alleged to have been caused through the negligence of the state, its officers, agents and employees in maintaining and permitting a dangerous condition and a nuisance in the nature of a large, deep hole, to exist in the pavement of the Camp road, halfway between the so-called Southern boulevard and the Erie railroad tracks, in the town of Hamburg in the county of Erie, whereby, without proper safeguards or warning signs, as alleged, on or about September fifth, nineteen hundred twenty-nine, claimant's automobile which he was driving struck such hole and was thrown against a boulder on the shoulder of such road, occasioning injuries to claimant and damage to such automobile; and if the court finds that such injuries and damages were so sustained and were caused by the negligence of the state of New York, its officers, agents and employees in any manner, and without any negligence contributing thereto upon the part of claimant, damages therefor shall constitute a legal and valid claim against the state and the state shall be liable therefor, and the court may award to and render judgment for the claimant and against the state for such sum as may be just and equitable, notwithstanding the failure of the claimant to file such claim or written notice of intention to file such claim within the time limited or prescribed by law, provided such claim is filed with the court of claims within six months after this act takes effect.

Court may render judgment.

Claim to be filed.

Saving clause.

§ 2. Nothing herein contained shall be construed as passing upon the merits of such claim and no award should be made or judgment rendered unless sustained by such evidence as would create a liability in a court of law or equity against an individual or corporation.

§ 3. This act shall take effect immediately.

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CHAPTER 755

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Richard W. White against the state for damage to real property sustained by reason of the negligence of the state, its officers and agents on account of the pollution and appropriation for sewage purposes of Keshequa creek at or near Craig Colony, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Richard W. White against the state of New York, for permanent damages and loss of real property owned or possessed by him in the town of Groveland, Livingston county, New York, since November seventeenth, nineteen hundred seventeen, sustained by reason of the alleged negligence of the state, its officers, agents and employees on account of the continuous and continuing contamination and pollution and the appropriation for sewage purposes of Keshequa creek at or near Craig Colony, and the nuisance thereby created.

Court may render judgment.

§ 2. The state hereby consents to have its liability on such claim determined, and if the court find that the claimant sustained injuries as aforesaid to his real property since November seventeenth, nineteen hundred seventeen, and that such injuries were caused by the negligence of officers, agents and employees of the state on account of the continuous contamination and pollution and appropriation for sewage purposes of Keshequa creek, at or near Craig Colony, or any nuisance created thereby, and that in justice and equity the state should pay therefor, the state shall be deemed to be liable for such negligence, and damages therefor shall constitute a legal and valid claim against the state, and the court may make an award therefor and render judgment against the state and in favor of the claimant for such sum as the court may determine to be just and equitable. The judgment, if any, may include any and all damages over and above annual rental and crop damages heretofore recovered therefrom by claimant from November seventeenth, nineteen hundred seventeen, to the date this act takes effect. The lapse of time since the accrual of said claim and damages and the failure of the claimant to have filed such claim in writing and notice of intention to file such claim or to any act prescribed by law to be done in a specified time shall not be a defense herein, provided, however, that such claim is filed with the attorney general and the court of claims within six months after this act takes effect. Notice of intention to file such claim is hereby waived and dispensed with.

Lapse of time not a defense.

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Saving clause.

§ 3. Nothing herein contained shall be construed as passing upon the merits of the claim herein and no award shall be made or judgment rendered unless sustained by such legal evidence as would create a liability against an individual or corporation in a court of law or equity.

§ 4. This act shall take effect immediately.

CHAPTER 756

AN ACT conferring jurisdiction upon the court of claims to hear and determine the claim of Fred Zarpentine against the state for property damage sustained on or about June twentieth, nineteen hundred twenty-nine, by reason of the negligence of the state, its agents, officers and employees

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear and determine the claim of Fred Zarpentine against the state for property damage sustained on or about the twentieth day of June, nineteen hundred twenty-nine, by reason of the negligence of the state, its agents, officers or employees in depositing used paint cans containing quantitites of paint and lead on the lands of said claimant while engaged in painting fences along the Barge canal in the town of Greece, Monroe county, whereby such paint and lead were eaten by a valuable cow owned by the claimant and thereby causing the death of such cow from lead poisoning.

Notwithstanding failure to file claim.

§ 2. The state hereby consents to have its liability in respect to such claim determined, notwithstanding any omission, default or failure of such claimant to do or perform any act or thing in respect to filing of notice of intention to make such claim or to file it within the time limited or prescribed by law.

Court may render judgment.

§ 3. If the court shall find that the property damage suffered by such claimant was caused by any negligence of the state, its agents, officers or employees while engaged in the performance of their duties and that the state in right or justice or in law or equity should pay therefor, damages therefor shall constitute a valid and legal claim against the state and the state shall be deemed to have been and to be liable therefor and the court may make such award and render such judgment against the state in favor of such claimant as shall be just and equitable, but no award shall be made or judgment rendered hereunder against the state unless such claim shall have been filed heretofore with the court of claims or shall be filed with such court within ninety days after this act takes effect.

Claim to be filed.

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§ 4. Notwithstanding the foregoing provisions of this act, no award shall be made or judgment rendered unless sustained by such proof as would create a liability against an individual or corporation. Saving clause.

§ 5. This act shall take effect immediately.

CHAPTER 757

AN ACT conferring jurisdiction on the court of claims to hear, audit and determine the claim of Eugene G. Sackett Co., Inc., against the state for damages growing out of alleged delays in the construction of Wingdale prison, and to render a judgment therefor

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Eugene G. Sackett Co., Inc., seventy-five Exchange street, Rochester, New York, against the state for damages alleged to have been sustained by reason of breach of contract upon the part of the state with its general contractor and consequent interference with the claimant and delay caused by reason of certain acts and omissions of the state, its officers and agents, in carrying out the contract entered into by the state with Feeney & Sheehan Building Company, of Albany, New York, for the construction of certain buildings known as cell house, interlocking building, mess hall and kitchen and central heating and lighting plant at Wingdale, New York, said general contract having been entered into on or about the fourteenth day of January, nineteen hundred eighteen. Jurisdiction conferred.

§ 2. The state hereby consents to have its liability determined and if the court find that the claimant was damaged as a result of the breach by the state of its contract with the general contractor, or by interference with the claimant in the performance of the work or by delay in the work caused in any manner by the state, or its officers, agents or other persons having apparent authority or jurisdiction in the premises and that in right and justice or in law and equity, claimant should be reimbursed for the damages sustained, the claim of the said claimant shall be legal and valid against the state and the state shall be deemed liable therefor, and the court may award and render judgment for the claimant and against the state in such sum or sums as it shall find to be just and equitable, provided the claim herein authorized be filed with the court of claims within six months after this act takes effect. The claim herein authorized shall not be impaired on account of any lack of authority in the legislature to confide the work of such construction to the officers or body who were designated to perform such work. Court may render judgment.

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Saving clause.

§ 3. Nothing herein contained shall be construed as passing upon the merits of such claim and no award shall be made or judgment rendered against the state unless sustained by such evidence as would create a liability in a court of law or equity against an individual or corporation.

§ 4. This act shall take effect immediately.

CHAPTER 758

AN ACT to confer jurisdiction on the court of claims to hear, audit and determine the claim of Niewenhous Co. Inc. for damages sustained by said claimant in its attempted prosecution of the work under its contracts for general construction at the Rockland State Hospital, Orangeburg, Rockland county, New York, and to render judgment therefor

Became a law April 24, 1931, 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:

Jurisdiction conferred.

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Niewenhous Co. Inc., a domestic corporation having its principal office at fifty-one Madison avenue, in the city of New York, against the state for damages alleged to have been sustained by said corporation in connection with its attempted prosecution of the work contemplated under its contracts with the state of New York, through the department of mental hygiene, for general construction at Rockland State Hospital, Orangeburg, New York, said contracts bearing dates May ninth, nineteen hundred twenty-seven and November eleventh, nineteen hundred twenty-eight and numbered eight thousand six hundred and twenty-six and nine thousand three hundred and twenty-nine, respectively, said damages consisting in part of extra labor performed, materials furnished and general losses through delay in the progress of work under claimant's contracts because of unforeseen sub-soil conditions and failure on the part of the state to provide permanent sanitary work and sewers in connection with the various buildings included in said contracts; also because of radical and uncontemplated changes in design required and imposed by the state, and through the arbitrary and unlawful interpretation of the terms and conditions of said contracts and contract documents by the state through written or verbal direction of its officers and employees in apparent authority, together with cost of repairing breakage and general expense caused by occupation by the state of the unaccepted buildings.

Court may render judgment.

§ 2. The state hereby consents to have its liability with respect to such claims determined, and if the court finds that such claims or any of them, are founded in right and justice or in law or equity against the state of New York, the state shall be deemed to have been liable therefor, and they shall constitute legal and valid

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claims against the state, and the court may award to and render such judgment or judgments for the claimant as shall be just and equitable, provided that the claim be filed with the attorney-general and the court of claims within six months after this act takes effect. Claim to be filed.

§ 3. Nothing in this act shall be construed as passing upon the merits of such claim, and no award shall be made or judgment rendered against the state hereunder unless sustained by such legal evidence as would create a liability in a court of law or equity against an individual or corporation. Saving clause.

§ 4. This act shall take effect immediately.

CHAPTER 759

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the claim of Empire Decorating Company, Inc. against the state for extra work performed and materials furnished and for the increased cost and expense of work performed and materials furnished occasioned by the alleged acts, faults and omissions of the state of New York, its officers, agents and servants, in connection with contract dated October eleventh, nineteen hundred twenty-nine, for painting work, walls and ceilings, state office building, Albany, New York, and to render judgment therefor

Became a law April 24, 1931, 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. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of Empire Decorating Company, Inc. against the state, for extra work performed and materials furnished and for the increased cost and expense of work performed, and materials furnished, and for damages caused by delays and interferences, occasioned by the alleged acts, faults and omissions of the state of New York, its officers, agents and servants, in connection with the contract with the state, dated October eleventh, nineteen hundred twenty-nine, for painting work, walls and ceilings, state office building, Albany, New York, specification number five thousand six hundred and sixty-eight, and if the court finds that claimant has performed extra service and furnished extra materials and has sustained damages by reason of the acts, faults and omissions of the state of New York, its officers, agents and servants and that claimant has not been fully compensated for work performed and materials furnished and for the loss sustained by the claimant as aforesaid and that in right and justice or in law or equity, claimant should be compensated for damages so sustained, such damages so sustained shall be deemed to be a valid and legal claim against the state and the state shall be deemed to be liable therefor to claimant and the court may make an award to and render judgment for the claimant in such sum as it shall find to be just and equitable, notwith- Jurisdiction conferred. Court may render judgment.

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standing the failure of claimant to reserve its right to submit its claim to the court of claims upon the receipt for final payment, or the failure, on the part of claimant to file a notice of intention to file such claim or to file such claim or to do any other act in relation to the presentation of such claim within the time prescribed or required by law therefor, provided, however that the claim herein be filed with the court of claims within six months after this act takes effect.

Claim to be filed.

Saving clause.

§ 2. The state hereby consents to have its liability on such claim determined, but nothing herein contained shall be construed as passing upon the merits of such claim, and no award shall be made or judgment rendered against the state unless sustained by such evidence as would create a liability in a court of law or equity against an individual or corporation.

§ 3. This act shall take effect immediately.

CHAPTER 760

AN ACT to amend the Greater New York charter, in relation to average salary of certain persons

Became a law April 24, 1931, with the approval of the Governor. Passed on emergency message by a two-thirds vote

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

L. 1901, ch. 466, definition (18a) added to § 1092.

Section 1. Section ten hundred and ninety-two of the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred one, as such section was amended throughout by chapter three hundred and three of the laws of nineteen hundred seventeen, is hereby amended by adding a new definition, to be known as definition eighteen-a, and to read as follows:

(18-a) In case a contributor eligible for service retirement after forty-five years of city service, who is compelled to retire on account of having reached the age limit of seventy, shall be retired subsequent to the first day of January, nineteen hundred thirty-one, and prior to the first day of February, nineteen hundred thirty-four, average salary shall mean the average annual salary earnable by such contributor since the first day of February, nineteen hundred twenty-nine.

§ 2. This act shall take effect immediately.

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CHAPTER 761

AN ACT to amend the county law, in relation to the borrowing of money on temporary loans and to pay audited claims

Became a law April 25, 1931, 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 ten-a of the county law, as added by chapter one hundred and nineteen of the laws of nineteen hundred seventeen, and amended by chapter fifty-seven of the laws of nineteen hundred twenty-one, is hereby amended to read as follows: § 10a amended.

§ 10-a. **Quarterly meetings.** The board of supervisors in any county may, by resolution, determine to hold, in addition to the annual meeting, four regular quarterly meetings on the second Monday of the months of February, May, August and November, except that in the county of Livingston such quarterly meetings may be held on the first Monday in the months of January, April, July and October. If such resolution be adopted the board of supervisors may transact at any such meeting all business that may come before it, including the audit of accounts and charges against the county which have been presented to the board and which shall have then accrued. Whenever a board of supervisors of any county shall have audited any account, claim or demand against the county at a meeting other than the annual meeting of the board, it shall certify the aggregate of all sums so audited and allowed to the county treasurer of the county. The[1] board of supervisors of any county[2] may at any meeting[3] authorize the county treasurer or other fiscal officer[4] to borrow upon the faith and credit of the county a sum of money [5]determined by such board to be necessary and sufficient to pay claims against the county audited or to be audited during the year by the board or by any other authorized body or officer of the county. Such[6] loan shall be negotiated for a[7] period not longer[8] than twelve months [9]and may be evidenced by certificates of indebtedness. After January first, nineteen hundred thirty-two, no county shall borrow under this section in any calendar year an amount exceeding eighty per centum of the amount so borrowed in the preceding calendar year.

1 Word "The" substituted for words "Any such."
2 Words "of any county" new.
3 Words "at any meeting" substituted for words "concurrently with such certification or any time thereafter,".
4 Words "or other fiscal officer" new.
5 Remainder of sentence substituted for words "sufficient to pay the aggregate amount of the accounts so audited and allowed at any one or more of the meetings so held."
6 Word "Such" substituted for words "No such."
7 Word "longer" omitted.
8 Words "not longer" new.
9 Remainder of paragraph new.

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Any county having an outstanding indebtedness incurred under this section may at any time prior to December thirty-first, nineteen hundred thirty-one, elect to issue bonds in such amount as may by resolution of the board of supervisors be determined to be necessary and sufficient to pay all such indebtedness incurred by such county under this section including all claims audited or to be audited prior to such date and thereafter such county shall have no further power to borrow money under this section. Any such bonds shall mature in substantially equal amounts over a period not exceeding twenty years.

§ 41 amended.

§ 2. Section forty-one of the said chapter sixteen of the laws of nineteen hundred nine is hereby amended to read as follows:

§ 41. **Temporary loans; issue of obligations therefor.** Moneys may be[10] borrowed by a county or temporary loans, pursuant to a resolution duly adopted by the board of supervisors of such county, in anticipation of the collection of[11] taxes [12]contained or to be contained in the taxes for the year in which such money is borrowed or of taxes contained in the taxes for any of the three years preceding such year and not yet collected and received by such county, which borrowed moneys may be used for any purpose to which such taxes were applicable. Notes, certificates of indebtedness or other county obligations may be[13] issued for the moneys so borrowed, which shall be payable not more than six months after their date, shall bear interest at a rate not exceeding six per centum per annum until the date fixed for their payment, may be renewed only by the borrowing of moneys under this section and[14] shall be signed by the county treasurer and countersigned by the county clerk. [15]For the purpose of this section taxes shall be deemed to be collected and received by the county only when the cash for such taxes is paid to the county, or, where property has been sold for taxes and acquired by the county, when the county has realized the amount of such taxes by the sale of such property. The county clerk shall enter in a book in his office, the date of each such note, certificate of indebtedness or other county obligation, the amount for which it was issued, the time when payable, and a general statement as to the resolution of the board of supervisors authorizing the issue thereof.

§ 3. This act shall take effect immediately.

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10 Words "Moneys may be" substituted for words "Whenever moneys are."

11 Words "collection of" new.

12 Remainder of sentence substituted for words "of the current fiscal year and for the purposes for which such taxes are levied as provided by section five of the general municipal law, then."

13 Words "may be" new.

14 Words "which shall be payable not more than six months after their date, . . . may be renewed only by the borrowing of moneys under this section and" new.

15 Following sentence new.

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CHAPTER 762

AN ACT providing for the levy and collection of assessments and foreclosure of tax liens for local improvements in certain towns

Became a law April 25, 1931, 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:

Towns to which act applicable.

Section 1. The town board of a town adjoining a city having a population of five hundred thousand inhabitants or more, according to the last state enumeration, except a town adjoining a city of over one million inhabitants, by a three-fourths vote of its members may elect to make the provisions of this act applicable to the town.

Term "local improvements."

§ 2. The term "local improvements," as used in this act, shall be deemed to mean and include any town betterment, work or improvement authorized by article twenty-four of the town law or authorized by any general or special statute, now or hereafter applicable to the town, the cost of which is to be borne by local assessment on the property of a special district or other subdivision of the town outside an incorporated village, and not by general assessment upon the property of the whole town. The term "local assessment," as used in this act, shall be deemed to mean and include an assessment for local improvement.

Annual statement, contents.

§ 3. The town board shall annually on or before the first day of June, make an itemized statement separately stated, containing the estimated expenditures of the town for the next succeeding year beginning January first, for each local improvement in the town, including the amount, if any, necessary to pay interest and principal payable during such year on any town bonds or certificates of indebtedness issued to provide moneys to pay for the improvement. Such statement shall also include an estimate of the expense of maintaining each such improvement. Upon the completion of such annual estimate it shall be entered in full in the minutes of the town and a certified copy delivered to the assessors of the town. Notwithstanding any inconsistent general or special statute, no part of such estimated expenditures shall be included in the general tax levy to be levied and assessed by the board of supervisors, or be included in the annual budget, if any, of the town.

Assessment-roll.

§ 4. The assessors of each such town, subsequent to the first day of June and on or before the first day of July in each year, shall prepare an assessment-roll of the persons and property liable to local assessment on account of local improvements in the town, as shown by the annual estimate of expenditures of the town board. The assessment-roll shall be so classified and arranged with respect to number of parts and number of columns in each part and with such entries and descriptions as shall be sufficient to

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identify each separately assessed parcel or portion of property in the town liable for local improvements in the town. Each local improvement shall be stated in a separate column in the assessment-roll. When the assessors shall have completed the assessment-roll, they shall severally make, subscribe and attach to such roll, an oath in substantially the same form as is required of town assessors by the tax law. The roll as so completed and verified shall be filed with the town clerk of the town on or before the first day of July.

Notice of completion of roll.

§ 5. It shall be the duty of the town board to cause notice to be published in the official paper that the said assessment-roll has been completed, and that at a time and place specified therein, not less than ten days nor more than twenty days from the date of the publication, the town board will meet and hear and consider any objections which may be made to the roll. At the time and place specified the town board shall meet and hear and consider any objections to the assessment-roll, and may change or amend the same if they deem it necessary or just to do so, and may affirm and adopt the same as originally proposed or as amended or changed.

Meeting to hear objections.

Roll to be filed. Lien of assessment.

§ 6. When the assessment-roll shall have been adopted by the town board the town clerk shall file the same in his office. Each local assessment shall become a lien at and from the time that the same becomes payable upon the parcel of real estate upon which the same shall be assessed, prior and superior to all other claims, estates or interests therein.

Review by certiorari.

§ 7. Any person interested who shall have appeared before the board and made his objections at any hearing provided by this article, who shall consider himself aggrieved by the action of the board, may review such action by certiorari at any time within twenty days after the filing of the roll in the manner provided by the tax law for the review of assessments.

Delivery of roll to receiver of taxes.

§ 8. Upon the completion and filing of assessment-roll, and on or before the first day of September, the clerk shall deliver to the receiver of taxes and assessments, a duplicate certified copy of the assessment-roll with a warrant thereto annexed, signed by the supervisor and attested by the clerk, containing a summary statement, separately stated, of the purposes for which the assessment is made and the total amount for all purposes, and commanding the receiver of taxes and assessments to collect the local assessments therein levied. The receiver shall give a receipt to the clerk for the warrant and assessment-roll delivered to him and shall collect the taxes and return the roll on or before the first day of November, except that if the time of completion of the roll be stayed by order of the court in a proceeding to review an assessment, such roll shall be delivered and local assessments collected as may be ordered by the court.

Notice by receiver.

§ 9. Upon receiving the assessment-roll and warrant, and on or before the tenth day of September, the receiver of taxes and assessments shall cause a notice to be published in the official paper

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of the town and posted in five conspicuous places in the town, that such assessment-roll and warrant have been left with him for collection of the assessments therein levied and designating one or more convenient places in the town where he will receive local assessments from September fifteenth to October fifteenth, from nine o'clock in the morning until four in the afternoon, excepting Saturdays, Sundays and holidays and that for said period of time, such local assessments may be paid without additional charge and that on all such taxes remaining unpaid after October fifteenth, two-thirds of one per centum thereof will be added for each month and fraction thereof until paid. The receiver shall attend at the time and place and receive such assessments. All fees and interest collected shall belong to the town and be applied to the purpose or purposes for which the assessment was made. A person or corporation who is the owner of or liable to assessment for any interest in real property situated and liable to assessment in a town in which he is not a resident, may file with the receiver a notice stating his name, residence and post-office address, or in case of a corporation, its principal place of business, and a description of the premises sufficient to identify the same. Such person or corporation shall pay to the receiver a fee of one dollar at the time of filing such notice. The receiver shall within five days after the delivery of the warrant mail to each person or corporation filing such notice at the post-office address given, a statement of the tax rate and the amount of the assessment due.

Fees.

Notice by owner of residence and property assessed.

§ 10. If any local assessment or assessments shall be unpaid at the time the receiver is required by this act to return his warrant and assessment-roll, the receiver shall deliver to the town board an account, duly verified, of the assessments unpaid, and shall thereupon be credited with the amount thereof.

Account of unpaid assessments.

§ 11. The town board shall compare the return of the receiver with the original assessment-roll. If they find the statement to be true, they shall add thereto their certificate that they have compared it with the original assessment-roll and find it to be correct and file such return in the office of the town clerk. The return of unpaid local assessments by the receiver or a copy thereof or of any part thereof, certified by the clerk, shall be presumptive evidence of the facts as stated therein. An assessment-roll filed with the clerk, or a copy of the same, or any part thereof, certified by the clerk, shall be presumptive evidence of the contents thereof, of the regularity of the assessment, and of the right to levy such assessment. Upon filing the return of the receiver as herein provided, the town board may borrow all or any part of the amount of unpaid local assessments as shown by the return by temporary certificates of indebtedness, but not in excess of the amount of the return, excluding fees and interest.

Return of receiver and assessment-roll to be compared.

§ 12. After the lapse of thirty days from the filing of the return of the receiver, an action may be maintained by the town, as upon a contract, to recover the amount of an unpaid assessment,

Action to recover unpaid assessment.

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together with fees, interest and charges thereon until paid. A warrant of attachment against the property of the defendant may be granted upon application of the plaintiff as provided by and under articles fifty-four to fifty-nine, inclusive, of the civil practice act, regardless of the amount of such assessment. A judgment in such action, when docketed in the office of the county clerk shall be a lien upon the real property of the defendant, having the same priority as such lien, as the assessment upon which the recovery was had in the action, and an execution may be issued and enforced against such real property regardless of the amount of the judgment. Supplementary proceedings may also be taken for such assessment in accordance with the provisions of the tax law. The town board may adjust disputed claims for unpaid local assessments and rebate to the owner such portion of the assessment as may appear to have been erroneously levied.

Determination of portion of unpaid assessment to be collected.

§ 13. 1. The town board, after receiving such account of unpaid local assessments from the receiver and not later than the succeeding first day of February, unless a different time be specified by the court after review of an assessment, shall determine by resolution what portion of such unpaid local assessments shall be collected in accordance with the provisions of section twelve of this act, and what portion thereof shall be collected by the sale of the real estate and the issuance of local assessment certificates as provided in this section. If the board shall determine that any such local assessments shall be collected by the sale of the real estate and the issuance of local assessment certificates, the proceedings thereunder shall be as provided in this section and a copy of the resolution certified by the clerk shall be transmitted to the receiver of taxes and assessments of the town with the account, affidavit and certificate of such unpaid local assessments so determined to be collected.

Notice of sale of property for unpaid assessment.

2. The receiver of taxes and assessments, upon receiving such account of unpaid local assessments and resolution as provided in this section and on or before the first day of March, shall cause to be published in the official newspaper of the town, once each week for three successive weeks, a list or statement of the real estate upon which local assessments are unpaid, as shown in said local assessment list, with the amount of each local assessment, together with fees, interest and charges thereon, and also a notice that the said real estate will on a day subsequent to the expiration of the said three weeks, to be specified in such notice and the succeeding days, be sold at public auction at a designated place in said town, and local assessment certificates issued to the purchaser, to discharge the local assessments, fees, interest and charges aforesaid, which may be due thereon at the time of such sale. Such sale shall commence and be completed previous to the first day of May in the year in which said notice is published.

Proof of publication.

Proof of due publication of such list and notice shall, within three days after the last publication thereof, be made and filed by the

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newspaper publishing the same in the office of the clerk of said town, which shall cause the same to be properly indexed and numbered. No error in any list so made or published shall render any such sale void, or in any manner affect the validity thereof, except as to the particular parcel of property in respect to which such error occurred.

Sale.

3. On the day of the sale specified in said notice the receiver of taxes and assessments shall commence the sale of said real estate and he shall continue the same from day to day until so much of each parcel shall be sold as will be sufficient to pay the local assessment, fees, interest and charges which may be due thereon at the time of such sale. In all cases where no bid shall be made on a lot or parcel of land so offered for sale for an amount sufficient to pay the said local assessment, fees, interest and charges, said premises shall be deemed to have been sold to and purchased by the town. The receiver of taxes and assessments shall within ten days after the close of the sale, file with the town clerk an itemized statement of all property sold, including parcels bid in by the town, together with the amount payable on each parcel. The supervisors shall make certificates of sale of all lands so bid in by, or sold to the town, describing the lands purchased and file the same in the office of the town clerk, and such certificates shall be subject to the same right of redemption as those purchased by individuals and if the lands so sold shall not be redeemed as provided in this section the town shall have the same rights as to foreclosure proceedings as an individual purchasing at such sale. The town board may authorize the supervisor to sell and assign any certificate of sale of land bid in by, or sold to, the town at any time before the expiration of the period of redemption, if deemed for the best interests of the town, upon receiving payment of the amount necessary to reimburse the town, and the purchaser or assignee thereof shall have all the rights and assume all the liabilities of the original purchaser.

Statement of property sold.

Sale by supervisor of certificate of sale.

4. The purchaser or purchasers at such sale shall pay the amount of their respective bids to the supervisor within ten days after the sale and upon such payment the supervisor shall give to the purchaser or purchasers a certificate in writing describing the real estate purchased and the sum paid therefor. Each such certificate shall be presumptive evidence that the sale and all proceedings prior thereto, including the assessment of the land and the levying of the local assessment were regular and according to the provisions of this act.

Amount to be paid by purchaser.

Certificate presumptive evidence of regularity.

5. If any purchaser at any sale of lands for unpaid local assessments hereafter to be made pursuant to the provisions of this section, shall neglect or refuse to pay the amount of his bid, or bids, within the time prescribed, the supervisor may state an account against such purchaser and may recover the same with costs from such purchaser by an action brought in the name of the town or such supervisor may cancel such sale to such purchaser

Neglect of purchaser amount of bid to pay

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and the parcel so sold shall be deemed to have been purchased by the town.

Redemption of property sold.

6. The owner of, the occupant of, or any persons having an interest in, any real estate sold for local assessments to any individual party, may redeem the same at any time within three years after the last day of said sale by paying to the supervisor for the use of the purchaser, his heirs, or assigns, the sum mentioned in his certificate and the interest thereon at the rate of twelve per centum per annum to be calculated from the date of sale for which such certificate was given, together with the charges accrued at the time of such redemption and the amount of any local assessments levied upon such real estate, which have been paid by such individual party subsequent to such sale, with interest on such amount at the rate of six per centum per annum from the date of such payment, and if bid in by, or sold to, the town, as herein provided, the said owner, occupant, or person interested in such real estate may redeem same within said three years by paying to the supervisor the amount of such certificate with such interest, together with expenses accrued at the time of such redemption, as if a certificate for such sale had been issued to an individual.

Moneys received by supervisor.

7. The moneys received by the supervisor upon every such sale of real estate for local assessments, fees, interest and charges, except for the redemption of land sold to individual purchasers, together with all other moneys received by such supervisor for local assessments, fees, interest and charges, shall belong to the town and be applied to the local improvements for which the assessment was levied, or in reduction of town indebtedness issued for such local improvements.

Foreclosure of lien of local assessment.

8. Whenever any local assessment certificate issued to the town pursuant to this section, shall have remained unpaid for three years, the town clerk upon request of the town board shall make a transcript of the same together with all other local assessments returned unpaid by the receiver, remaining unpaid or unredeemed on the same parcel of land, and he shall certify to the correctness of the transcript and deliver it to the town board. Upon receipt of the said transcript and certificate, the town board may cause an action to be brought in the county court or in the supreme court in the name of the town as plaintiff, for the foreclosure of the lien of the said local assessments described in said certificate and for a sale of lands affected thereby. Whenever a local assessment certificate issued on any sale shall be outstanding and unredeemed on any piece or parcel of land and shall remain unpaid and unredeemed for three years after the issuance thereof, the holder of such local assessment certificate may bring an action in the supreme court or in the county court in the county in which the land is situated, as plaintiff, for the foreclosure of the lien of the said local assessment and for the sale of the land affected thereby. In any action to foreclose a local assessment lien as herein provided any person shall be a proper party who has or may have, or any person that the plaintiff has reason to believe has or may have, an interest

Proper parties to action.

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in, or claim upon the real property affected by the said local assessment lien. The people of the state of New York may be made a party to such action to foreclose a local assessment lien in the same manner as a natural person. Except as otherwise provided herein, such an action to foreclose a local assessment lien shall be regulated by the provisions of the civil practice act and by all other provisions of law and rules of practice applicable to foreclosure of a mortgage on real property and the remedy to foreclose herein provided shall be in addition to all other remedies allowed by law for the collection of any local assessment lien and shall not be dependent upon them or any of them.

Claims of plaintiff.

§[1] 9. The plaintiff in such action shall include therein all claims which he or it holds at the time of the commencement thereof for all local assessment liens and for all local assessment certificates relating to the same real property in whole or in part. He may also include in one action, all such certificates relating to several and different parcels of real property owned by the same person, or in which the same person has an interest. A defendant in any such action who is the holder of a local assessment certificate or local assessment lien may make and file an answer alleging his claim and recover from the proceeds of the sale the amount thereof against said real estate covered by such local assessment certificate or lien, with all interest and expenses allowed by law as the same shall be made or decreed by the court in such action, unless the plaintiff shall set forth in his complaint a copy or the substance of such certificate or lien, in which event it shall not be necessary for a defendant holder of any such certificate or lien to serve an answer unless the validity, amount or priority of his certificate or lien is contested by the plaintiff or another defendant.

Answer.

Certificate presumptive evidence of validity of lien.

10. Whenever under this section a cause of action, defense or counterclaim is for the foreclosure of any such local assessment lien or local assessment certificate or is in any manner founded upon such local assessment certificate or lien, the same shall be presumptive evidence that the local assessment lien purported to be transferred by such instrument was a valid and enforceable lien and that it had been duly assigned to the purchaser and it shall not be necessary to plead or prove any action, proceeding, notice or action preceding the delivery of such local assessment certificate, nor to establish the validity of the local assessment lien transferred by such local assessment certificate. If a party or person interested in any such action or proceeding shall claim that any local assessment lien or local assessment certificate is irregular or invalid, or that there is any defect therein, or that any transfer or issuance of any local assessment certificate or lien is irregular or invalid, such invalidity, irregularity or defect must be specifically pleaded or set forth and must be established by the party, or person pleading or setting forth the same and in any such action or proceeding, transcript of the receiver of taxes and assessments and his certificate thereof, shall be presumptive evidence of the legality of the local assessment therein described and of the regu-

[1] So in original. Section symbol should be omitted.

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larity of all proceedings required by law to be taken before the delivery of the certificate as herein provided.

Disbursements and costs.

11. The plaintiff in any such action shall be entitled to recover the necessary actual disbursements made in such action and the same costs and allowances as are provided by the civil practice act in the case of foreclosure of mortgages on real property by action, except there shall be no allowances by statute or by the court unless the amount of recovery, exclusive of costs and disbursements, is in excess of five hundred dollars.

Costs when town plaintiff.

12. When the action is brought by the town as plaintiff, the town attorney, if not paid a stated annual salary, and the town board so directs, shall be entitled to the costs so recovered. If the attorney be paid an annual salary any such costs shall belong to the town. Whenever a judgment of foreclosure and sale shall be ordered in such an action it shall direct the receiver of taxes and assessments to act as the officer to make the sale, but he shall not

Deed.

be entitled to any fees for such services. Upon the confirmation of such sale by the court and the payment of the amount bid thereon, the receiver of taxes and assessments shall execute and deliver a deed of the lands so sold to the purchaser, his heirs, or assigns. Said deed shall contain a proper reference to the proceedings and shall be acknowledged in due form by the receiver so as to entitle

Fee for preparation of deed.

it to be recorded. The purchaser shall pay to the receiver of taxes and assessments a fee of three dollars for the preparation and execution of said deed which shall be the property of the town

Power of court.

and be paid to the supervisor. The court shall have full power to determine and enforce in all respects the rights and equities of the several parties to the action, including the rights and equities of the defendants, as between themselves, to direct the sale of such real estate and the distribution or other disposition of the proceeds

Who may be purchasers.

of such sale. The town, any party to the action, or any other person may become a purchaser on any such sale.

Title vested in purchaser.

13. A conveyance made pursuant to a judgment in any action brought as herein provided shall vest in the purchaser all right, title, interest, claim, lien and equity of redemption of all the parties to the action and of all persons claiming under them, or any, or either of them subsequent to the filing of the notice of the pendency of the action, or whose conveyance or encumbrance is subsequent or subsequently recorded, except subsequent taxes and local assessments and sales on account thereof; and all such parties and persons shall be forever barred and foreclosed by the judgment in said action of all right, title, interest, claim, lien and equity of redemption in and to the premises sold, or any part thereof, except as aforesaid. The judgment in any such action may direct the cancellation or satisfaction of record of any local assessment lien of any kind or nature whatever of any of the parties to the action.

Foreclosure of tax lien other than town local assessment.

14. If in accordance with the provisions of any general or local statute an action is brought to foreclose a lien for any tax other than a town local assessment and the holder of a town local assessment certificate is made a party to such action, the holder of such

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town local assessment certificate may, by answer or counterclaim allege his claim against such property and collect the same in such action. Upon the completion of any such foreclosure action the plaintiff, or his attorney, shall notify the supervisor of all town local assessment liens foreclosed in such action, or in lieu of such notice, shall serve a copy of the final order of the court upon such supervisor within ten days after entry of such order. In any action brought under the provisions of this section the plaintiff shall name as defendants all persons, including the county, who have or claim to have tax sale certificates against the property, which are unpaid and which are a lien against the property so far as may come to the knowledge of the plaintiff, whether said tax liens were originally issued for county or other taxes. Any such person who has been made a party to the action may allege his claim on account of such local assessment certificates by answer or otherwise and may recover from the proceeds of the sale the amount of his claim against the said real estate covered by his local assessment lien or liens, together with the interest, additions and expenses as allowed by law as the same shall be determined by the court in such action.

§ 14. This act shall not affect an action or proceeding now pending in any court. Pending actions.

§ 15. This act shall take effect immediately.

CHAPTER 763

AN ACT to amend the county law, in relation to the issuance of bonds and the issuance of notes or certificates of indebtedness in anticipation of the authorization or issuance of county bonds

Became a law April 25, 1931, 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 of chapter sixteen of the laws of nineteen hundred nine, entitled "An act in relation to counties, constituting chapter eleven of the consolidated laws," as last amended by chapter eight hundred and fifty-four of the laws of nineteen hundred thirty, is hereby amended to read as follows: § 14 amended.

§ 14. **Resolutions authorizing issue of obligations.** Every resolution of any such board, authorizing the issue of such obligations, shall state the purpose, which may be either a specified object or a general purpose, including a purpose to provide a fund to be used to pay the county's share of the cost of highway and bridge improvements or any other defined class of objects authorized by law. Such resolution shall also specify[1] the place of payment and shall prescribe with reasonable certainty the maturity or maturities thereof, in annual installments or otherwise, within a

[1] Words "the form of such obligation, and" omitted.

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period not exceeding thirty years from the date of such obligation, and the rate or maximum rate of interest to be paid thereon, not exceeding the legal rate; and no such obligation shall be sold for less than par. Such resolution shall also contain a provision requiring adequate security to be given by the officer or board of officers authorized to issue such obligations, for the faithful performance of his or their duty in issuing the same, and the lawful application of the funds arising therefrom, and of the funds which may be raised by tax for the payment thereof, which may come into their hands; [2]unless such board shall in its discretion determine in said resolution that the security theretofore given by such officer or board of officers is adequate for such purposes. If the resolution authorizes county obligations, the resolution may authorize the county treasurer or other fiscal officer, to sell such obligations at one time or from time to time as the money may be needed.[3] [4]Whenever any resolution has been or may hereafter be adopted by such board authorizing any county project of a permanent nature and/or the acquisition of property, such board may, by resolution, in anticipation of the authorization or issuance of county bonds, and for the purposes for which such bonds are to be authorized or issued, authorize the county treasurer or other fiscal officer to borrow temporarily on notes or certificates of indebtedness which shall mature not more than one year from date of issue and may be renewed from time to time for periods not exceeding one year, provided that all such notes or certificates of indebtedness and renewals thereof shall mature not more than three years from the original date of issue. [4]Such notes or certificates of indebtedness shall be general obligations of the county and may be paid from the proceeds of the sale of the bonds in anticipation of which they are issued or may be paid by general tax. This section shall not apply to temporary loans authorized by any other section or act, nor shall any other section or act apply to temporary loans authorized by this section.

§ 2. This act shall take effect immediately.

CHAPTER 764

AN ACT to amend the civil practice act, in relation to the annual examination of accounts and inventories filed by committees of the person and property of incompetents in the second judicial district

Became a law April 25, 1931, 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:

§ 1379 amended.

Section 1. Section thirteen hundred and seventy-nine of the civil practice act is hereby amended to read as follows:

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[2] Remainder of sentence new.

[3] Words ", and to borrow temporarily on notes or certificates of indebtedness pending the sale and delivery thereof" omitted.

[4] Following sentence new.

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§ 1379. **Annual examination of accounts and inventories.** In the month of February of each year, or thereafter, in counties outside the first and second judicial districts the presiding judge of the court by which the committee of the property was appointed, or if he was appointed by the supreme court, the county judge of the county where the order appointing him is entered, and in the first[1] judicial district, the presiding justice of the appellate division, must examine, or cause to be examined under his direction by persons designated by him as referees, all accounts and inventories filed by committees of the person and property since the first day of February of the preceding year. [2]In the second judicial district, the presiding justice of the appellate division, or a justice of the supreme court or an official referee designated by the justices of the appellate division, or a majority of them, at the request of the presiding justice, must examine, or cause to be examined under his direction by persons designated by the presiding justice of the appellate division as referees, all such accounts and inventories. The examination of accounts and inventories filed in the first judicial district pursuant to the provisions of the preceding section as amended shall be examined by or under the direction of the presiding justice of the appellate division of the first judicial department, and the examination of accounts and inventories filed in the second judicial district pursuant to such section shall be examined by or under the direction of the presiding justice of the appellate division of the second judicial department, [3]or a justice of the supreme court or an official referee designated by the justices of the appellate division, or a majority of them, as aforesaid. If it appears upon the examination that a committee appointed as prescribed in this article has omitted to file his annual inventory or accounting, or the affidavit relating thereto, as prescribed in the last section, or if the judge is of the opinion that the interests of the person with respect to whom the committee was appointed requires that he should render a more full or satisfactory inventory or account, the judge must make an order requiring the committee to supply the deficiency, and also in his discretion, personally to pay the expense of serving the order upon him. An order so made may be entered and enforced, and the failure to obey it may be punished, as if it were made by the supreme court. Where the examination of the accounts and inventories of committees of incompetent persons provided for herein is made pursuant to the order or direction of a county judge, or the said presiding justice, or the said justice of the supreme court or the said official referee designated as aforesaid,[4] the expense of such examination, including disbursements, costs and fees, as allowed by the county judge, or the[5] said presid-

1 Words "or second" omitted.
2 Following sentence new.
3 Remainder of sentence new.
4 Words ", or the said justice of the supreme court or the said official referee designated as aforesaid," new.
5 Word "the" new.

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ing justice, or the said justice of the supreme court or the said official referee designated as aforesaid,[6] directing the examination, shall be payable out of the estate examined, if such estate shall amount to five thousand dollars or more, but if such estate be less than five thousand dollars, then in that event such expense shall be payable by the county treasurer of the county out of any court funds in his hands, upon the order of the county judge, or the[7] said presiding justice, or the said justice of the supreme court or the said official referee designated as aforesaid,[6] directing such examination, and within the city of New York, by the comptroller of the city of New York out of any court funds in his hands upon the order of the said presiding justice, or the said justice of the supreme court or the said official referee designated as aforesaid,[6] directing such examination.

In effect Sept. 1, 1931.

§ 2. This act shall take effect September first, nineteen hundred thirty-one.

CHAPTER 765

AN ACT to amend the multiple dwelling law, in relation to height and bulk of multiple dwellings hereafter erected

Became a law April 25, 1931, 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:

§ 26, subd. 1, subd. (h) amended.

Section 1. Subdivision (h) of subdivision one of section twenty-six of chapter seven hundred and thirteen of the laws of nineteen hundred twenty-nine, entitled "An act in relation to multiple dwellings, constituting chapter sixty-one-a of the consolidated laws," as amended by chapter eight hundred and forty-five of the laws of nineteen hundred thirty, is hereby amended to read as follows:

Height and bulk of buildings hereafter erected.

(h) Any fireproof class B multiple dwelling in which six or more power passenger elevators are maintained and operated, hereafter erected in any city having a local zoning ordinance or resolution restricting districts in such city to residential uses, may be erected in accordance with the provisions of such zoning ordinance or resolution, if[1] such class B multiple dwelling is erected in a block no part of which is restricted by such zoning ordinance or resolution[2] to residential uses, or if the plot, upon which such class B multiple dwelling is erected, is not restricted by such zoning ordinance or resolution to residence uses and fronts on not less than three streets and not less than fifty per centum of the area

[6] Words ", or the said justice of the supreme court or the said official referee designated as aforesaid," new.

[7] Word "the" new.

[1] Formerly "provided."

[2] Words "by such zoning ordinance or resolution" new.

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of such plot is entirely within a district in which the street wall of any fireproof building is permitted by such zoning ordinance or resolution to extend upward from the curb level to a height equal to or greater than two times the width of the street upon which such building faces without any requirement that such wall be set back from the street building line and if such class B multiple dwelling is equipped with not less than four power passenger elevators[3]; [4]provided, however,[5] that every such class B multiple[6] dwelling shall be erected and maintained in accordance with all of the provisions of this chapter, except that the height and bulk of every such dwelling and the size of courts, yards and other unoccupied spaces thereof shall be lawful if in accordance with the provisions of such local zoning[7] ordinance or resolution. Any class B multiple dwelling in which one or more power passenger elevators are maintained and operated may be hereafter erected in any such block in any such city in accordance with the provisions of the preceding sentence if and so long as such multiple dwelling is a dormitory in a building owned by a corporation organized for and engaged exclusively in promoting religious, educational or philanthropic purposes, without profit to any member, officer or employee other than usual reasonable compensation to such officer or employee for services actually rendered and such building is used exclusively for such purposes. Any fireproof class B multiple dwelling hereafter erected in any block zoned in whole or part for residence purposes in any such city, for use and used as a dormitory for students attending a college or university, may be erected to a height and with yards and courts in accordance with the provisions of such local zoning resolution or ordinance, if such multiple dwelling is built upon a lot or plot not less than sixty thousand square feet in area all of which is owned by such college or university and used exclusively for the purposes thereof and also if not less than forty-five per centum of the total area of such lot or plot is left open and unoccupied above a level not in excess of thirty feet above the curb level or, if such lot or plot faces on more than one street, above the average of the curb levels at the center of each front.

§ 2. This act shall take effect immediately.

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[3] Words ", or if the plot, upon which such class B . . . is equipped with not less than four power passenger elevators;" new.

[4] Word "and" omitted.

[5] Word ", however," substituted for word "further."

[6] Words "class B multiple" new.

[7] Word "zoning" new.

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CHAPTER 766

AN ACT to amend the personal property law, in relation to liens upon merchandise and the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances upon the security of said merchandise

Became a law April 25, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

§ 45 amended.

Section 1. Section forty-five of chapter forty-five of the laws of nineteen hundred nine, entitled "An act relating to personal property, constituting chapter forty-one of the consolidated laws," as added by chapter three hundred and twenty-six of the laws of nineteen hundred eleven, is hereby amended to read as follows:

§ 45. **Notice of liens upon merchandise or the proceeds thereof to secure loans or advances.** If so provided by any written agreement with their principals, consignors or employers (hereinafter called the person creating the lien), all factors, consignees and commission merchants shall have a continuing general lien upon all goods and merchandise from time to time consigned to or pledged with them, whether in their constructive, actual or exclusive occupancy or possession or not and upon any accounts receivable or other proceeds resulting from the sale or other disposition of such goods and merchandise, for all their loans and advances to or for the account of the person creating the lien, together with interest thereon, and also for the commissions, charges and expenses properly chargeable against or due from said person creating the lien and for the amount due upon any notes or other obligations given to or received by them for or upon account of any such loans or advances, interest, commissions, charges and expenses and such lien shall be valid from the time of filing the notice hereinafter referred to, and[1] whether such merchandise shall be in existence at the time of the agreement creating[2] the lien or at the time of filing such notice[3] or shall come into existence subsequently thereto or shall subsequently thereto be acquired by the person creating the lien, provided there shall be placed and maintained in a conspicuous place at the main[4] entrance of the store, loft or other premises[5] in or at which such merchandise, or any part thereof, shall be located, kept or stored,

1 Section to here substituted for words "Liens upon merchandise on the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances made or to be made upon the security of said merchandise and the payment of commissions or other charges provided for by such agreement, shall not be void or presumed to be fraudulent or void as against creditors or otherwise, by reason of want of delivery to or possession on the part of the lienor,".

2 Words "agreement creating" substituted for words "creation of."

3 Words "or at the time of filing such notice" new.

4 Word "main" new.

5 Words "the store, loft or other premises" substituted for words "every building or place."

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a sign on which is printed in legible English, the name of the lienor and a designation of said lienor as lienor, factor or consignee, and provided further that a notice of the lien is filed, stating:

1. The name of the lienor, the name under which the lienor does business, if an assumed name; the principal place of business of the lienor within the state; and if the lienor is a partnership or association the names of the partners, and if a corporation the state under whose laws it was organized.

2. The name of the person creating the lien, and the interest of such person in the merchandise, as far as known to the lienor.

3. The general character of merchandise subject to the lien, or which may become subject thereto, and the period of time during which such loans or advances may be made under the terms of the agreement providing for such loan or advances and for such[6] lien.

Such notice must be verified by the lienor or his agent, to the effect that the statements therein contained are true to his knowledge. It must be filed with the officer designated in section two hundred and thirty-two of the lien law, in every town or city where the merchandise subject to the lien, or any part thereof, is or at any time shall be located, kept or stored, and also in the town or city where the principal office or place of business of the lienor within the state is or at any time shall be located. Such officers shall file every such notice presented to them for that purpose and shall endorse thereon its number and the time of its receipt. They shall enter in a book provided for that purpose, in separate columns, the names of the parties named in each notice so filed under the head of "owners" and "lienors," the number of such notice and the date of the filing thereof, and the general character of the merchandise as therein stated. The names of the persons creating the liens, as stated in the notice, shall be arranged in alphabetical order under the head of "owners." Such officers at the time of filing such notice shall upon request issue to the person filing the same a receipt in writing, containing the substance of the entries made or to be made as hereinabove provided. Such officers shall be entitled to receive for their services hereunder, fees at the same rates as provided in section two hundred and thirty-four of the lien law.

Such notice may be filed at any time after the making of the agreement, and shall be effectual from the time of the filing thereof as against all claims of creditors in or against such merchandise[7] thereafter arising. Upon the payment or satisfaction of indebtedness secured by any lien specified in this section, the lienor or his legal representative, upon the request of any person interested in the said merchandise, must sign and acknowledge a certificate setting forth such payment or satisfaction. The officer or officers with whom the notice of lien is filed must, on receipt of such

[6] Words "providing for such loan or advances and for such" substituted for words "creating the."

[7] Words "claims of creditors in or against such merchandise" substituted for words "rights of third parties."

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certificate or a copy thereof certified as required by law, file the same in his office and write the word "discharged" in the book where the notice of lien is entered opposite the entry thereof, and the lien is thereby discharged.

If any[8] agreement provides for[9] a right to or lien upon accounts receivable or other proceeds[10] resulting from or which may result from a sale or sales of[11] merchandise whether or not such merchandise or a part thereof is[12] subject to the lien,[13] such right or lien upon such accounts receivable or the proceeds[14] shall not be void or ineffectual as against creditors or otherwise,[15] by reason of failure to make or deliver a further assignment of any such account, provided a bill, invoice, statement or notice shall be mailed, sent or delivered to the person owing such account receivable, stating in substance[16] that the account is payable to the lienor, and such mailing, sending or delivery of such bill, invoice, statement or notice shall have the same effect as a formal assignment of such account to the lienor named therein. [17] Provided, moreover, that the making and delivery of any such further or formal assignment, shall, in and of itself, give to the assignee, a right to or lien upon the account receivable assigned and to the proceeds thereof, effectual as against all claims of creditors of the assignor, irrespective of whether or not such bill, invoice, statement, or notice shall be mailed, sent, or delivered to the person owing such account receivable, stating in substance that the account is payable to the lienor or assignee.

All notices of liens heretofore filed pursuant to section forty-five of the personal property law and not satisfied by filing a certificate setting forth payment or satisfaction thereof shall be deemed to be and remain in full force and effect under this act without further or other filing.

The terms "factor" and "factors" wherever used in this section include any consignee or consignees, pledgee or pledgees, who advance money on goods consigned to, and/or pledged with, them, whether or not such consignees or pledgees are employed to sell such goods and their successors in interest.

This section to be construed liberally to secure the beneficial interests and purposes thereof. A substantial compliance with its several provisions shall be sufficient for the validity of a lien and to give jurisdiction to the courts to enforce the same. Nothing in this section shall be construed as an abrogation of the lien of a factor at common law.

§ 2. This act shall take effect immediately.

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8 Formerly "the."

9 Words "provides for" substituted for words "creating such lien shall also give the lienor."

10 Words "or other proceeds" new.

11 Word "the" omitted.

12 Words "whether or not such merchandise or a part thereof is" new.

13 Words "or a part of such merchandise," omitted.

14 Words "upon such accounts receivable or the proceeds" new.

15 Words "by reason of want of possession of any such account on the part of the lienor or" omitted.

16 Words "in substance" substituted for words "or indicating,".

17 Remainder of section new.

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CHAPTER 767

AN ACT to provide for the election of two additional city court justices in the county of Queens, and fixing their term of office and compensation

Became a law April 27, 1931, 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. At the general election to be held in the year nineteen hundred thirty-one, there shall be elected by the electors in the county of Queens two additional justices of the city court of the city of New York for terms of ten years each from and including the first day of January, nineteen hundred thirty-two. Each such additional justice shall receive as compensation for his services the same annual salary as other justices of such court, payable by the city of New York in the manner provided by law. Successors of such additional justices shall be elected by the electors within such county at the general election to be held in the year at the end of which the term of such additional justices or any of their successors shall expire.

§ 2. The comptroller of the city of New York shall issue certificates of indebtedness for the purpose of carrying out the provisions of this act.

§ 3. This act shall take effect immediately.

CHAPTER 768

AN ACT to amend the county law, in relation to an additional county judge in the county of Queens

Became a law April 27, 1931, 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 sixteen of the laws of nineteen hundred nine, entitled "An act in relation to counties, constituting chapter eleven of the consolidated laws," is hereby amended by inserting therein a new section, to follow section two hundred and thirty-b, as added by chapter four hundred and ninety-nine of the laws of nineteen hundred twenty-five, to be section two hundred and thirty-c, to read as follows: § 230c added.

§ 230-c. **Additional county judge in Queens county.** There shall be an additional county judge in the county of Queens whose salary shall be the same as the present county judge of such county, whose term of office shall be fourteen years, and the office of such additional county judge is hereby created. The powers,

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duties and jurisdiction of such additional county judge shall be co-ordinate and coequal with those of the county judge now in office in such county. Such additional county judge shall be elected at the general election in the year nineteen hundred thirty-one.

§ 230b added by L. 1925, ch. 505 renumbered § 230d.

§ 2. Section two hundred and thirty-b of such chapter as added by chapter five hundred and five of the laws of nineteen hundred twenty-five and amended by chapters five hundred and fifty-eight and six hundred and fifty-two of the laws of nineteen hundred twenty-six, is hereby renumbered section two hundred and thirty-d.

§ 3. This act shall take effect immediately.

CHAPTER 769

AN ACT to increase the number of justices of the supreme court in the second judicial district, and to provide for twelve additional justices therein, and making an appropriation to pay the salaries of such additional justices

Became a law April 27, 1931, 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:

Additional justices after Jan. 1, 1932.

Section 1. From and after the first day of January, nineteen hundred thirty-two, there shall be twelve additional justices of the supreme court in the second judicial district of the state of New York, and the number of justices now existing for such district is hereby increased accordingly.

Election.

§ 2. The twelve additional justices herein provided for shall first be elected at the general election held in the month of November, nineteen hundred thirty-one, and shall take office on the first day of January, nineteen hundred thirty-two.

Vacancies.

§ 3. All vacancies in such office, whether by death, resignation or expiration of term shall be filled in the same manner and at the same time as in the case of any justices of the supreme court.

Appropriation.

§ 4. The sum of ninety thousand dollars ($90,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated toward the salaries of the additional justices of the supreme court provided for by this act from January first, nineteen hundred thirty-two, to June thirtieth, nineteen hundred thirty-two, inclusive. The moneys hereby appropriated shall be payable from the state treasury on the audit and warrant of the comptroller in the manner provided by law.

§ 5. This act shall take effect immediately.

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CHAPTER 770

AN ACT to amend the New York city municipal court code, in relation to the creation of a new municipal court district in the borough of Queens and providing for the election of two justices in such borough

Became a law April 27, 1931, 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. Subdivision d of section five of chapter two hundred and seventy-nine of the laws of nineteen hundred fifteen, entitled "An act in relation to the municipal court of the city of New York, and repealing certain statutes affecting such court, its justices and officers," as last amended by chapter seven hundred and sixty-five of the laws of nineteen hundred twenty-three, is hereby amended to read as follows: L. 1915, ch. 279, § 5, subd. d. amended.

d. In the borough of Queens there shall be six[1] districts, as follows: Borough of Queens, six districts.

1. The first district embraces the territory bounded by and within the canal, Rapelye avenue, Jackson avenue, Old Bowery bay road, Bowery bay, East river and Newtown creek; in which district there shall be one justice. First district.

2. The second district embraces the territory bounded by and within Maspeth avenue, Maurice avenue, Calamus road, Long Island railroad, Woodhaven boulevard,[2] Metropolitan avenue, Continental avenue, One Hundred and eighth street, Sixty-ninth avenue, Flushing river, Flushing bay,[3] East river, Bowery bay, Old Bowery bay road, Jackson avenue, Rapelye avenue, the canal and Newtown creek; in which district there shall be one justice. Second district.

3. The third district embraces the territory bounded by and within Maspeth avenue, Maurice avenue, Calamus road, Long Island railroad, Woodhaven boulevard,[2] Metropolitan avenue, Park lane, Park lane south, Seventy-ninth street, Jamaica avenue, Eightieth street, Atlantic avenue, One Hundred and twenty-ninth street, Rockaway boulevard,[4] boundary line between Queens and Nassau counties, Grassy bay channel, boundary line between Third district.

[1] Formerly "five."

[2] Words "Woodhaven boulevard," substituted for words "Trotting-course lane,".

[3] Words "Continental avenue, . . . Flushing bay," substituted for words "boundary line between the second and fourth wards, boundary line between the second and third wards, Flushing creek, Ireland Mill road, Lawrence avenue, Bradford avenue, Main street, Lincoln street, Union street, Broadway, Parson's avenue, Lincoln street, Percy street, Sanford avenue, Murray line, Bayside avenue, Little Bayside road, Little Neck bay;".

[4] Words "Park lane . . . Rockaway boulevard," substituted for words "boundary line between the second and fourth wards, Vanderveer avenue, Jamaica avenue, Shaw avenue, Atlantic avenue, Morris avenue, Rockaway road;".

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Queens and Kings counties and Newtown creek; in which district there shall be one justice.

Fourth district.

4. The fourth district embraces the territory bounded by and within Continental avenue, One Hundred and eighth street, Sixty-ninth avenue, One Hundred and thirtieth street, Union turnpike, Grand Central parkway, One Hundred and sixty-eighth street, Union turnpike, Motor parkway, to the boundary line between Queens and Nassau counties, Rockaway boulevard, One Hundred and twenty-ninth street, Atlantic avenue, Eightieth street, Jamaica avenue, Seventy-ninth street, Park lane south, Park lane, Metropolitan avenue and Continental avenue;[5] in which district there shall be two justices.[6]

Fifth district.

5. The fifth district embraces the territory bounded by and within the boundary line between Queens and Nassau counties, Atlantic ocean, Rockaway inlet, boundary line between Queens and Kings counties and Grassy bay channel, in which district there shall be one justice.

Sixth district.

[7]6. The sixth district embraces the territory bounded by and within Flushing river, Flushing bay, East river, Little Neck bay, boundary line between Queens and Nassau counties, Motor parkway, Union turnpike, One Hundred and sixty-eighth street, Grand Central parkway, Union turnpike, One Hundred and thirtieth street and Flushing river; in which district there shall be one justice.

Certificates of indebtedness by city.

§ 2. The comptroller of the city of New York shall issue certificates of indebtedness for the purpose of carrying out the provisions of this act.

Election of additional justices.

§ 3. The additional justices provided for in paragraphs four and six of subdivision d as amended by this act shall be elected at the general election in nineteen hundred thirty-one, for a term of ten years beginning January first, nineteen hundred thirty-two, and said justices, and any other justices of the municipal court of the city of New York elected at said general election in nineteen hundred thirty-one and thereafter in the borough of Queens shall be elected in the districts as constituted by this act.

§ 4. This act shall take effect immediately.

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[5] Words "Continental avenue, . . . Metropolitan avenue and Continental avenue;" substituted for words "the boundary line between the second and fourth wards, the boundary line between the second and third wards, Flushing creek, Ireland Mill road, Lawrence avenue, Bradford avenue, Main street, Lincoln street, Union street, Broadway, Parson's avenue, Lincoln street, Percy street, Sanford avenue, Murray lane, Bayside avenue, Little Bayside road, Little Neck bay, boundary line between Queens and Nassau counties, Rockaway road, Morris avenue, Atlantic avenue, Shaw avenue, Jamaica avenue, and Vanderveer avenue."

[6] Words "two justices" substituted for words "one justice."

[7] Following subdivision new.

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CHAPTER 771

AN ACT to provide for the election of an additional city court justice in the county of Richmond, and fixing his term of office and compensation

Became a law April 27, 1931, 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. At the general election to be held in the year nineteen hundred thirty-one, there shall be elected by the electors in the county of Richmond one additional justice of the city court of the city of New York for a term of ten years from and including the first day of January, nineteen hundred thirty-two. Such additional justice shall receive as compensation for his services the same annual salary as other justices of such court, payable by the city of New York in the manner provided by law. A successor of such additional justice shall be elected by the electors within such county at the general election to be held in the year at the end of which the term of such additional justice shall expire.

§ 2. The comptroller of the city of New York shall issue certificates of indebtedness for the purpose of carrying out the provisions of this act.

§ 3. This act shall take effect immediately.

CHAPTER 772

AN ACT to declare the policy of the state of New York in respect to the use of the Saint Lawrence river for the improvement and furtherance of commerce and navigation and the protection and development of the water power resources thereof, and providing for the creation of "the Power Authority of the State of New York" to effectuate the same, and making an appropriation for the purposes of the act

Became a law April 27, 1931, 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:

Control of natural resources of St. Lawrence to always vest in people.

Section 1. That part of the Saint Lawrence river within the boundaries of the state of New York is hereby declared to be a natural resource of the state for the use and development of commerce and navigation in the interest of the people of this state and of the United States, and for the creation and development of hydro-electric power in the interest of the people of this state, and such natural resources, including the bed and waters of the river as instrumentalities of commerce and navigation, and the bed, waters, power and power sites in, upon or adjacent to or within the watershed of the said river, owned or controlled by the

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people of the state, or which may hereafter be recovered by or come within their ownership, possession and control, shall always remain inalienable to, and ownership, possession and control thereof shall always be vested in, the people of the state.

Power authority of State of New York created.

§ 2. For the purpose of effectuating the policy declared in section one and of improving the Saint Lawrence river as an instrumentality of commerce and navigation and developing the hydro-electric power resources thereof, there is hereby created a corporate municipal instrumentality of the state to be known as "The Power Authority of the State of New York," hereinafter referred to as the power authority, which shall be a body corporate and politic, a political subdivision of the state, exercising governmental and public powers, perpetual in duration, capable of suing and being sued, and having a seal, and which shall have the powers and duties hereinafter enumerated, together with such others as may hereafter be conferred upon it by law.

Authority; how constituted.

§ 3. Such power authority shall consist of five trustees, who shall serve respectively for terms of one, two, three, four and five years, to be appointed by the governor, by and with the advice and consent of the senate. Each trustee shall hold office until his successor has been appointed and qualified. At the expiration of the term of each trustee and of each succeeding trustee the governor shall, by and with the advice and consent of the senate, appoint a successor, who shall hold office for a term of five years, or until his successor has been appointed and qualified. In the event of a vacancy occurring in the office of a trustee by death, resignation or otherwise, the governor shall, by and with the advice and consent of the senate, appoint his successor, who shall hold office for the unexpired term. Three trustees shall constitute a quorum for the purpose of organizing the power authority and conducting the business thereof.

Chairman. Employees.

§ 4. The trustees shall choose from among their own number a chairman and vice-chairman. They shall take over such part of the staff of the Saint Lawrence power development commission, organized under chapter two hundred and seven of the laws of nineteen hundred thirty, as they deem necessary and convenient, and from time to time shall select such employees, including engineering, marketing and legal skill, as they may require for the performance of their duties and shall prescribe the duties and compensation of each officer and employee. They shall adopt by-laws and rules and regulations suitable to the purposes of the act. As long as and to the extent that the power authority is dependent upon appropriations for the payment of its expenses, it shall incur no obligations for salary, office or other expenses prior to the making of appropriations adequate to meet the same. It shall report annually to the governor and the legislature upon its operations and transactions.

By-laws.

Report.

Improvement of international rapids section.

§ 5. Forthwith upon the appointment and organization of the trustees and subject to the conditions and limitations in this act contained, the power authority, in cooperation with the proper Canadian authorities and those of the United States as hereinafter

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directed, shall proceed with the improvement and development of the international rapids section of the Saint Lawrence river (which is defined as that part of the said river from Ogdensburg to the point where it leaves the territory of this state) for the aid and benefit of commerce and navigation and for the development of the hydro-electric power inherent therein, generally in accordance with the report and plan submitted under date of January fifteenth, nineteen hundred thirty-one, by the majority of the Saint Lawrence power development commission, appointed under chapter two hundred and seven of the laws of nineteen hundred thirty, and in accordance with the provisions of this act.

The power authority is authorized and directed:

Powers and duties of Authority; cooperate with federal officials.

1. To cooperate with the appropriate agencies and officials of the United States government to the end that any project undertaken under the authority of this act shall be consistent with and in aid of the plans of the United States for the improvement of commerce and navigation along the Saint Lawrence river, and shall be so planned and constructed as to be adaptable to the plans of the United States therefor, so that the necessary channels, locks, canals, and other navigational facilities may be constructed and installed by the United States in, through, and as part of the said project.

Negotiate with Canadian authorities.

2. To negotiate with the appropriate Canadian authorities and agencies respecting the improvement and development of the international rapids section of the Saint Lawrence river for the aid and benefit of commerce and navigation and the development of hydro-electric power therefrom, and to plan and agree with them upon cooperative action to that end including any shifting of international boundary lines between Canada and the United States and upon the use, control and disposition of the facilities to be created and the hydro-electric power to be developed by the project. Such negotiations and agreements shall be conducted and concluded with due regard to the position of the United States in respect to international agreements, and any such agreements as may be reached with Canadian authorities or agencies may be submitted by the power authority to congress for its approval, if it be advised that such approval is necessary or desirable.

Apply to federal government for licenses, etc.

3. To apply to the appropriate agencies and officials of the United States government and/or of the Dominion of Canada or its provinces, including the international joint commission, for such licenses, permits or approval of its plans or projects as it may deem necessary or advisable, provided that neither the said power authority nor any trustee, officer or agent thereof shall have any power to waive or surrender for any purpose whatsoever any right of the state of New York, whether sovereign or proprietary in character, in and to the Saint Lawrence river, its waters, power, channel, bed or uses, or the right of the said state to assert such rights at any future time, and provided further that if for any reason the power authority shall fail to secure any such license, permit or approval as it may deem necessary or advisable, or shall

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decide not to make application therefor, it is authorized to institute suit, or to apply to congress for legislation, or take such other action in the premises as it may deem necessary or advisable, in the furtherance of the project and for the protection of its rights and those of the state.

Study means of attracting industry.

4. To study the desirability and means of attracting industry to the state of New York, consistent with and in effectuation of the policy declared in sub-paragraph five immediately following.

Operate project to give effect to declared policy.

5. To develop, maintain, manage and operate that part of the project owned or controlled by it in such manner as to give effect to the policy hereby declared (and all plans and acts, and all contracts for the use, sale, transmission and distribution of the power generated by the project, shall be made in the light of, consistent with and subject to this policy), namely, that the said project shall be in all respects for the aid, improvement, and benefit of commerce and navigation in, through, along and past the Saint Lawrence river and the international rapids section thereof, and that in the development of hydro-electric power therefrom the said project shall be considered primarily as for the benefit of the people of the state as a whole and particularly the domestic and rural consumers to whom the power can economically be made available, and accordingly that sale to and use by industry shall be a secondary purpose, to be utilized principally to secure a sufficiently high load factor and revenue returns which will permit domestic and rural use at the lowest possible rates and in such manner as to encourage increased domestic and rural use of electricity. In furtherance of this policy and to secure a wider distribution of the said power and use of the greatest value to the general public of the state, the power authority shall in addition to other methods which it may find advantageous make provision so that municipalities and other political subdivisions of the state now or hereafter authorized by law to engage in the distribution of electrical current may secure a reasonable share of the power generated at the project, and shall sell the same or cause the same to be sold to such municipalities and political subdivisions at prices representing cost of generation, plus capital and operating charges, plus a fair cost of transmission, all as determined by the trustees, and subject to conditions which shall assure the resale of such power to domestic and rural consumers at the lowest possible price. To that end, the power authority may provide in any contract or contracts which it may make for the sale, transmission and distribution of the said power that the purchaser, transmitter or distributer shall construct, maintain and operate, on such terms as the power authority may deem proper, such connecting lines as may be necessary for transmission of the power from main transmission lines to such municipalities or political subdivisions.

Negotiate for distribution of power; contents of contract.

6. To negotiate in the manner hereinafter provided a contract or contracts for the sale, transmission and distribution of the power generated under the project, which by the terms thereof will provide:

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a. Payment of all operating and maintenance expenses of the project.

b. Interest on and amortization and reserve charges sufficient within fifty years of the date of issuance to retire the bonds of the power authority issued for the project.

c. Continuous control and operation of the project by the power authority.

d. The effectuation of the policy declared in sub-paragraph five above.

e. Full and complete disclosure to the power authority of all factors of cost in the transmission and distribution of power, so that rates to consumers may be fixed initially in the contract and may be adjusted from time to time on the basis of true cost data, provided that in fixing such cost of transmission and distribution no account shall be given to any franchise value, going value or good-will based upon the existence of the contract and the availability of the power for sale by the transmitting or distributing company or any company associated therewith.

f. Periodic revisions of the service and rates to consumers on the basis of accurate cost data obtained by such accounting methods and systems as shall be approved by the trustees and in furtherance and effectuation of the policy declared in sub-paragraph five above.

g. That the rates, services and practices of the purchasing, transmitting and/or distributing companies in respect to the power generated by this project shall be governed by the provisions and principles established in the contract, and not by regulations of the public service commission or by general principles of public service law regulating rates, services and practices.

h. The rate structures agreed upon in the said contract may provide different rates for different localities, classes of consumers, and amounts of current consumed, and for changes in the rates resulting from variation in operating costs and fixed charges.

i. For the cancellation and termination of any such contract upon violation of the terms thereof by the purchasing, transmitting or distributing company or any subsidiary or associate thereof.

j. For such security for performance as the power authority may deem practicable and advisable, including provisions assuring the continuance of service by the purchasing, transmitting and/or distributing companies, and/or the use of their facilities for such service and/or the continuance of an outlet and adequate market for the power generated under the project.

k. Such other terms not inconsistent with the provisions and policy of this act as the power authority may deem advisable.

Proceed with physical construction of project.

7. Upon the completion of the necessary contract or contracts as provided for in sub-paragraph six immediately preceding, to proceed with the physical construction of the project authorized by this act, including the erection of the necessary dams, power houses and other facilities, instrumentalities and things necessary or convenient to that end, and including also the erection of

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transmission lines designed to conduct electricity to industrial and other users located at or near the site; and thereafter to maintain and operate the said project in accordance with the provisions and policy of this act. The power authority shall follow the plan reported by the majority of the Saint Lawrence power development commission above mentioned, but it shall have power to make such changes in the engineering plans as shall be necessary for agreement with the proper Canadian and United States authorities, or as it may itself find desirable upon further study. The power authority is specifically authorized to undertake the construction of the said project in one or more steps as it may find economically desirable or advantageous, and as it may agree with the appropriate Canadian and United States authorities. Whenever in this act reference is made to the "project," it shall be understood to refer to such part of the entire project as may from time to time be in existence or immediately projected.

Exercise all necessary powers.

8. To exercise all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this act; and as incidental thereto to own, lease, build, operate, maintain and dispose of real and personal property of every kind and character, to acquire real property and any or every interest therein for its lawful purposes by purchase, or by condemnation as hereinafter provided, to borrow money and secure the same by bonds or liens upon revenue from any property or contracts held or to be held by it, to sell water or electric power, and generally to do any and every thing necessary or convenient to carry out the purposes of this act, provided that the power authority shall have no power at any time to pledge the credit of the state nor shall any of its obligations or securities be deemed to be obligations of the state nor shall the power authority have the power to lease or sell any dam, or power house at the site.

To prosecute investigations and surveys.

9. Notwithstanding any limitations hereinbefore expressed, the power authority is authorized and directed forthwith or from time to time as it shall deem advisable and within the limitations of the appropriations made available for it to initiate and prosecute all inquiries, investigations, surveys and studies which it may deem necessary or desirable as preliminary to the effectuation of the other powers and duties conferred upon it by this act.

Consent to use state property.

§ 6. The state of New York hereby consents to the occupation and use by the power authority of any and all property of the state of whatever kind or character within the international rapids section of the Saint Lawrence river, and hereby vests the power authority with and delegates to it the right to exercise any and every right and power of the state in connection therewith, whether proprietary or sovereign in character, which the state itself might exercise, provided that such consent and delegation of power shall not permit the impairment or limit or prevent the future improvement of the navigability of the international rapids section of the said river, consistent with the maintenance of this

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project, but on the contrary the project shall be such as will improve and benefit commerce and navigation therein and provided further that the power authority shall have no power to limit, waive or surrender any right or interest of the state of New York in the said river or the use thereof. The state of New York does hereby pledge to and agree with those subscribing to the obligations to be issued by the power authority for the construction of such project, and with those parties who may enter into contracts with the power authority pursuant to the provisions in sub-paragraph six above, that the state will not limit or alter the rights hereby vested in the power authority until the said obligations together with the interest thereon are fully met and discharged and/or the said contracts are fully performed on the part of the power authority, provided that nothing herein contained shall preclude such limitation or alteration if and when adequate provision shall be made by law for the protection of those advancing money on such obligations of the power authority or those entering into such contracts with the power authority. The power authority as agent for the state is authorized to include this pledge and undertaking for the state in such obligations or contracts.

State not to alter rights of Authority.

§ 7. It is hereby found and declared that the project authorized by this act is for the aid and improvement of commerce and navigation, and that such aid and improvement of commerce and navigation and the development, sale and distribution of hydro-electric power is in all respects for the benefit of the people of the state of New York, for the improvement of their health and welfare and material prosperity, and is a public purpose, and the power authority shall be regarded as performing a governmental function in undertaking the said project and in carrying out the provisions of this statute, and shall be required to pay no taxes or assessments upon any of the property acquired by it for this project or upon its activities in the operation and maintenance thereof. The securities and other obligations issued by the power authority, their transfer and the income therefrom shall, at all times, be free from taxation within this state. It is furthermore declared that the object and purpose of this statute is that the said project should be in all respects self-supporting.

Project a public purpose; power authority performing governmental function.

Securities free from taxation.

§ 8. No bonds or other obligations of the power authority shall be issued until firm contracts for the sale of power shall have been made by it sufficient to insure payment of all operating and maintenance expenses of the project, and interest on, and amortization and reserve charges sufficient to retire, the bonds of the power authority issued for the project in not more than fifty years from the date of issue thereof.

Firm contracts to be made prior to issuance of bonds.

§ 9. Contracts negotiated by the power authority as provided in sub-paragraph six of section five of this act, shall be entered into and executed as follows:

Execution of contracts

1. After agreement upon the terms of any such contracts shall have been reached by the power authority and its co-party or co-parties, the power authority shall hold a public hearing or

Public hearing.

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hearings upon the terms thereof. At least thirty days' notice of such hearing shall be given by publication once in each week during such period in each of six newspapers within the state to be selected by the power authority. Copies of the proposed contracts shall be available for public inspection during such period of thirty days at the office or offices of the power authority and at such other places throughout the state as it may designate.

Negotiation of changes.

2. Following such public hearing, the power authority shall reconsider the terms of the proposed contract or contracts and shall negotiate such changes and modifications in the contract or contracts as it then deems necessary or advisable.

Report to governor.

3. When such contract or contracts are finally agreed upon in terms satisfactory to the power authority and its co-party or co-parties, and which the power authority believes to be in the public interest, the power authority shall thereupon report the proposed contract or contracts, together with its recommendations and the record of the public hearings thereon to the governor of the state who shall within sixty days thereafter, indicate his approval or disapproval thereof and give his reasons therefor.

Appropriation for governor's investigation.

For the purpose of supplementary investigation of such contract by the governor, twenty-five thousand dollars ($25,000) is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to be expended by him for such investigation and the retention of such expert assistance thereof as he may desire.

Audit.

The said twenty-five thousand dollars ($25,000) so appropriated shall be paid out of the state treasury on the audit and warrant of the comptroller upon vouchers signed by the governor.

Execution after approval by governor.

4. If the governor shall approve such contract, then the same shall be executed by the chairman and secretary of the power authority and it shall thereupon come into full force and effect and be binding upon the power authority and all other parties thereto in accordance with its terms.

Report to governor and legislature on inability to agree.

§ 10. In the event that the power authority shall be unable to agree upon the terms of a contract or contracts in accordance with the provisions of sub-paragraph six of section five above, it shall report to the governor and legislature the circumstances and the reasons for such inability to agree. It shall also report a plan or plans for the disposal of the power through some other method or methods, which in its judgment will effectuate the policy and purposes of this act, including the building of transmission lines, steam plants and/or distributing systems by it, if it finds the same practicable, together with estimates of the cost of such additional facilities, and the revenues to be derived therefrom. In the event of such inability to agree upon the terms of a contract or contracts as herein provided, or upon the governor's disapproval of the proposed contracts, none of the powers herein granted by section five, sub-paragraph seven, to own, build, operate and maintain dams, power houses and other instrumentalities and things incidental to or connected with the development and sale of hydro-electric power shall be exercised until the legislature and the

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governor shall have approved the plan or plans reported by the power authority.

Power to compel attendance of witnesses.

§ 11. For the purpose of exercising its powers and performing its duties hereunder and of securing such information as it may deem necessary hereunder, the power authority shall have the power to compel the attendance of witnesses and the production of documents in the manner provided for in the civil practice act for the subpoenaing of witnesses and production of documents before a referee or special master, and if a person subpoenaed to attend before it shall fail to obey the command of such subpoena without reasonable cause, or refuse to be sworn or examined, or to answer a pertinent question or produce a pertinent book or paper, the power authority may apply to the supreme court or any judge thereof for an order requiring such person to show cause why he should not comply with the subpoena or direction of the power authority. The court, or a justice before whom such order shall be returnable, shall examine such person, determine whether or not the testimony or evidence is relevant or pertinent, and if it be so determined, shall order such person to comply accordingly forthwith, and in the event of refusal may commit the offender to jail, there to remain until he submits to the order of the court or such justice, or is discharged according to law. The power hereby conferred upon the power authority may be exercised by any one or more of the trustees if he or they are authorized so to act on behalf of the power authority by resolution or by law.

Acquisition of property.

§ 12. If, for any of the purposes hereunder, including temporary construction purposes and the making of additions or improvements, the power authority shall find it necessary or convenient for it to acquire any real property as herein defined, whether for immediate or future use, then the power authority may find and determine that such property is required for a public use, and upon such due determination, the said property shall be and shall be deemed to be required for such public use until otherwise determined by the power authority and with the exceptions hereinafter specifically noted the said determination of fact shall not be affected by the fact that such property has theretofore been taken for, or is then devoted to, a public use; but the public use in the hands or under the control of the power authority shall be deemed superior to the public use in the hands of any other person, association or corporation. If the power authority is unable to agree for the acquirement of any such property, or if the owner thereof shall be incapable of disposing of the same, or if, after diligent search and inquiry, the name and residence of any such owner cannot be ascertained, or if any such property has been acquired or attempted to be acquired and title or other rights therein have been found to be invalid or defective, the power authority may acquire such property by condemnation under and pursuant to the provisions of this act.

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Survey.

1. When any real property within this state is sought to be acquired by condemnation, the power authority shall cause a survey and map to be made thereof, and shall cause such survey and map to be filed in its office. There shall be annexed to such survey and map a certificate executed by the chief engineer of the power authority, or by such other officer or employee as may be designated by the trustees, stating that the property or interest therein described in such survey and map are necessary for its purposes.

Petition for condemnation.

2. Upon filing such survey and map the power authority shall petition a special term of the supreme court held in the judicial district in which the property is located, or the county court of any county where such property is located, for the condemnation of such property or interest therein, as have not been otherwise acquired. The said petition shall be generally in the form prescribed by section four of the condemnation law, so far as consistent herewith. Such petition, together with a notice of pendency of the proceeding, shall be filed in the office of the county clerk of the said county and shall be indexed and recorded as provided by law. A copy of the said petition together with a notice of the presentation thereof to such special term of the supreme court or to the county court shall be served upon the owners as provided in sections five and six of the condemnation law. The power authority may cause a duplicate original affidavit of the service thereof to be recorded in the books used for recording deeds in the office of the county clerk of the county wherein the said property described in such notice is situated, and the recording of such affidavit shall be prima facie evidence of due service thereof.

Use of property after deposit of sum.

3. At any time after the recording of the petition and notice as above provided the power authority may enter upon and use and occupy all the parcels of real estate described in the proceedings for the condemnation thereof, provided that it shall first deposit with the court a sum equal to the assessed valuation of such real property, or in the event that the assessed valuation thereof cannot readily be ascertained, such sum as in its judgment shall be sufficient as compensation for the real property acquired. The sum so deposited shall be applied as provided in section twenty-four of the condemnation law. Upon the recording of the petition and notice and the making of the deposit, the owner or person in possession of such real property shall deliver possession thereof to the power authority upon demand, and in case possession is not delivered when demanded, or demand is not convenient because of absence of the owner or inability to locate or determine the owner, the power authority may apply to the court without notice for an order requiring the sheriff to put it into possession of such real property. Such an order must be executed as if it were an execution for the delivery of the possession of the property.

Condemnation law applicable thereafter.

4. The proceedings thereafter shall be in the manner prescribed by the condemnation law so far as consistent herewith.

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Report of commissioners.

5. The commissioners appointed to ascertain and determine the compensation which ought justly to be made to the owners of property or interests therein appraised by them as provided in section thirteen of the condemnation law shall make their report of the value thereof to the supreme court within one hundred days from the date of their qualification.

Payment of awarded compensation.

6. The persons or corporations whose property shall have been taken by condemnation and who shall have agreed upon the compensation to be paid therefor in settlement of the proceeding, or to whom an award of compensation shall have been made by the court, shall be entitled to payment of the agreed or awarded compensation within three calendar months after the date of the agreement upon the amount of the compensation or of the entry of the order confirming the report of the commissioners of appraisal, together with interest upon the amount of such compensation from the time of the entry and appropriation thereof by the power authority, to the date of payment of such compensation; but such interest shall cease upon the service by the power authority, upon the person or corporation entitled thereto, of a fifteen days' notice that the power authority is ready and willing to pay the amount of such compensation upon the presentation of proper proofs and vouchers. Such notice shall be served personally or by registered mail and publication thereof at least once a week for three successive weeks in a daily newspaper, having a general circulation in the county where such property or any part thereof is located.

May acquire under condemnation law.

7. The power authority may, at its option, acquire such real property within the state of New York, under the general condemnation law.

May enter any property for survey.

8. The power authority and its duly authorized agents and employees may enter upon any real property for the purpose of making the surveys or maps mentioned in this section, or for such other surveys or examinations of real property as may be necessary or convenient for the purposes of this act.

Real property defined.

9. The term "real property" as used in this act is defined to include lands, structures, franchises and interests in land, including lands under water and riparian rights, and any and all other things and rights usually included within the said term, and includes also any and all interests in such property less than full title, such as easements, rights of way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms for years and liens thereon by way of judgments, mortgages or otherwise, and also all claims for damages for such real estate.

To take over St. Lawrence power development commission.

§ 13. Forthwith upon their organization the trustees shall receive and take over the furniture, fixtures, books, maps, plans, records, reports and other papers and property of whatsoever kind pertaining or belonging to or in the custody of the members of the Saint Lawrence power development commission, appointed under and pursuant to chapter two hundred and

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seven of the laws of New York for nineteen hundred thirty, or in their possession or under their control as such commissioners, or held by them or for which they are responsible in their official capacity, together with such members of their administrative, engineering, marketing and legal staffs as the trustees shall deem necessary or convenient for them to carry out and perform their duties. They shall take up, study and consider the majority report of the said Saint Lawrence power development commission and more especially the policies and recommendations therein contained. Immediately upon the organization of the power authority after appointment and qualification of a quorum of the trustees thereof, and upon completing the transfer above prescribed, the members of the Saint Lawrence power development commission shall be discharged from the performance of all further duties; except that the chairman or in his absence the vice-chairman shall be authorized to sign all vouchers for payment of obligations theretofore incurred until all such obligations are paid.

Trustees to receive no salary.

§ 14. The trustees shall receive no salary, but each trustee shall be paid his reasonable expenses in the performance of his duties hereunder, together with a per diem allowance of one hundred dollars when traveling or rendering services as trustee, provided that the aggregate of such per diem allowances to any one trustee in any one year shall not exceed the sum of ten thousand dollars.

Appropriation.

§ 15. Three hundred thousand dollars ($300,000) is hereby appropriated out of any moneys in the state treasury not otherwise appropriated for the expenses of the power authority. The said sum so appropriated shall be paid out of the state treasury on the warrant of the comptroller upon vouchers signed by the chairman of the said power authority.

Appropriations to be repaid to state.

§ 16. All appropriations made by the state to the power authority shall be treated as advances by the state to the said power authority, and shall be repaid to it without interest either out of the proceeds of securities, or other obligations issued by the power authority for the construction of the project pursuant to the provisions of this act, or out of excess revenues from such project.

Unconstitutional provisions.

§ 17. If any term or provision of this act shall be declared unconstitutional or ineffective in whole or in part by a court of competent jurisdiction, then to the extent that it is not unconstitutional or ineffective such term or provision shall be enforced and effectuated, nor shall such determination be deemed to invalidate the remaining terms or provisions hereof.

Public service law not applicable.

§ 18. The rates, services and practices relating to the generation, transmission, distribution and sale of power to be generated from the project authorized by this act shall not be subject to the provisions of the public service law nor to regulation by, nor the jurisdiction of the department of public service, but shall be regulated and determined under the provisions of the contracts entered into by the power authority as provided in sub-paragraph six of section five of this act. The provisions of the public

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service law and of the conservation law and every other law relating to the department of public service or the public service commission or to the conservation department or commission or to the functions, powers or duties assigned to the division of water power and control by chapter six hundred and nineteen, of the laws of nineteen hundred twenty-six, shall so far as is necessary to make this act effective in accordance with its terms and purposes be deemed to be superseded, and wherever any provision of law shall be found in conflict with the provisions of this act or inconsistent with the purposes thereof, it shall be deemed to be superseded, modified or repealed as the case may require. Sections six, seven, eight and nine of chapter two hundred and seven of the laws of nineteen hundred thirty are hereby repealed. L. 1930, ch. 207, §§ 6-9 repealed.

§ 19. This act shall take effect immediately.

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APPENDIX

[1659]

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CONCURRENT RESOLUTIONS

OF THE

SENATE AND ASSEMBLY

CONCURRENT RESOLUTION of the Senate and Assembly proposing an amendment to section four of article two of the constitution, in relation to registration without personal application of voters who are inmates of a soldiers' and sailors' home or of a United States veterans' bureau hospital[1]

Proposed amendment to art. 2, § 4.

Section 1. Resolved (if the Senate concur), That section four of article two of the constitution be amended to read as follows:

Registration of voters.

§ 4. Laws shall be made for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage hereby established, and for the registration of voters; which registration shall be completed at least ten days before each election. Such registration shall not be required for town and village elections except by express provision of law. In cities and villages having five thousand inhabitants or more, according to the last preceding state enumeration of inhabitants, voters shall be registered upon personal application only,[2] except that the legislature, by general law, may provide that voters, residing in such cities or villages, who are actual inmates of a soldiers' and sailors' home or of a United States veterans' bureau hospital, within the state, at the time of a regular meeting for the registration of voters, shall be entitled to be registered at such meeting without applying in person therefor, provision being made for proof, by affidavit or otherwise, that the person whose registration is applied for is such inmate and a qualified voter of the election district. Voters[3] not residing in such cities or villages shall not be required to apply in person for registration at the first meeting of the officers having charge of the registry of voters.

Referred to legislature chosen at next election of senators.

§ 2. Resolved (if the Senate concur), That the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and in conformity with section one of article fourteen of the constitution be published for three months previous to the time of such election.

STATE OF NEW YORK
IN ASSEMBLY, *March* 10, 1931

The foregoing resolution was duly passed, a majority of all the members elected to the Assembly voting in favor thereof.

By order of the Assembly,
J. A. McGINNIES,
Speaker.

STATE OF NEW YORK
IN SENATE, *March* 11, 1931

The foregoing resolution was duly passed, a majority of all the Senators elected voting in favor thereof.

By order of the Senate.
HERBERT H. LEHMAN,
President.

[1] Art. 2, § 4 is further amended by the following concurrent resolution which does not contain changes made there.

[2] Remainder of sentence substituted for words "; but voters."

[3] Word "Voters" new.

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Concurrent Resolutions

Proposed amendments to art. 2, § 4 and art. 3, §§ 4, 5.

CONCURRENT RESOLUTION of the Senate and Assembly proposing amendments to section four of article two and sections four and five of article three of the constitution, in relation to using the federal census as the population basis, when practicable, in the apportionment of members of assembly, and readjustment or alteration of senate and assembly districts, and for other purposes [1]

Section 1. Resolved (if the Assembly concur), That section four of article two of the constitution be amended to read as follows:

Laws to be passed for registration of voters.

§ 4. Laws shall be made for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage hereby established, and for the registration of voters; which registration shall be completed at least ten days before each election. Such registration shall not be required for town and village elections except by express provision of law. In cities and villages having five thousand inhabitants or more,[2] voters shall be registered upon personal application only; but voters not residing in such cities or villages shall not be required to apply in person for registration at the first meeting of the officers having charge of the registry of voters. [3]The number of such inhabitants shall be determined according to the latest census or enumeration, federal or state, showing the population of the city or village, except that the federal census shall be controlling unless such state enumeration, if any, shall have been taken and returned two or more years after the return of the preceding federal census.

§ 2. Resolved (if the Assembly concur), That sections four and five of article three of the constitution be amended to read as follows:

Enumerations and reapportionments.

§ 4. Except as herein otherwise provided, the federal census taken in the year nineteen hundred thirty and each federal census taken decennially thereafter shall be controlling as to the number of inhabitants in the state or any part thereof for the purposes of the apportionment of members of assembly and readjustment or alteration of senate and assembly districts next occurring, in so far as such census and the tabulation thereof purport to give the information necessary therefor. The legislature, by law, shall provide for the making and tabulation by state authorities of an enumeration of the inhabitants of the entire state to be used for such purposes, instead of a federal census, if the taking of a federal census in any tenth year from the year nineteen hundred thirty be omitted or if the federal census fails to show the number of aliens or Indians not taxed. If a federal census, though giving the requisite information as to the state at large, fails to give the infor-

Failure of federal census to give required information.

[1] Art. 2, § 4 was also amended by preceding concurrent resolution which changes are not contained here.

[2] Words "according to the last preceding state enumeration of inhabitants," omitted.

[3] Following sentence new.

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mation as to any civil or territorial divisions which is required to be known for such purposes, the legislature, by law, shall provide for such an enumeration of the inhabitants of such parts of the state only as may be necessary, which shall supersede in part the federal census and be used in connection therewith for such purposes. The legislature, by law, may provide in its discretion for an enumeration by state authorities of the inhabitants of the state, to be used for such purposes, in place of a federal census, when the return of a decennial federal census is delayed so that it is not available at the beginning of the regular session of the legislature in the second year after the year nineteen hundred thirty or after any tenth year therefrom, of if an apportionment of members of assembly and redjustment or alteration of senate districts is not made at or before such a session. At the regular session in the year nineteen hundred thirty-two, and at the first regular session after the year nineteen hundred forty and after each tenth year therefrom the senate districts shall be readjusted or altered, but if, any decade, counting from and including that which begins with the year nineteen hundred thirty-one, such a readjustment or alteration is not made at the time above prescribed, it shall be made at a subsequent session occurring not later than the sixth year of such decade, meaning not later than nineteen hundred thirty-six, nineteen hundred forty-six, nineteen hundred fifty-six, and so on; provided, however, that if such districts shall have been readjusted or altered by law in either of the years nineteen hundred thirty or nineteen hundred thirty-one, they shall remain unaltered until the first regular session after the year nineteen hundred forty. Such districts shall be so readjusted or altered[4] that each senate district shall contain as nearly as may be an equal number of inhabitants, excluding aliens, and be in as compact form as practicable, and shall remain unaltered until the first year of the next decade as above defined,[5] and shall at all times consist of contiguous territory, and no county shall be divided in the formation of a senate district except to make two or more senate districts wholly in such county. No town, and no block in a city inclosed by streets or public ways, shall be divided in the formation of senate districts; nor shall any district contain a greater excess in population over an adjoining district in the same county, than the population of a town or block therein adjoining such district. Counties, towns or blocks which, from their location, may be included in either of two districts, shall be so

Delay of federal census.

Readjustment of senate districts.

Formation of districts.

[4] Section to here substituted for words "An enumeration of the inhabitants of the state shall be taken under the direction of the secretary of state, during the months of May and June, in the year one thousand nine hundred and five, and in the same months every tenth year thereafter; and the said districts shall be so altered by the legislature at the first regular session after the return of every enumeration,".

[5] Words "first year of the next decade as above defined," substituted for words "return of another enumeration."

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placed as to make said districts most nearly equal in number of inhabitants, excluding aliens.

Maximum numbers of senators per county.

No county shall have four or more senators unless it shall have a full ratio for each senator. No county shall have more than one-third of all the senators; and no two counties or the territory thereof as now organized, which are adjoining counties, or which are separated only by public waters, shall have more than one-half of all the senators.

Ratio for apportioning senators.

The ratio for apportioning senators shall always be obtained by dividing the number of inhabitants, excluding aliens, by fifty, and the senate shall always be composed of fifty members, except that if any county having three or more senators at the time of any apportionment shall be entitled on such ratio to an additional senator or senators, such additional senator or senators shall be given to such county in addition to the fifty senators, and the whole number of senators shall be increased to that extent.

Existing senate districts.

[6]The senate districts, including the present ones, as existing immediately before the enactment of a law readjusting or altering the senate districts, shall continue to be the senate districts of the state until the expirations of the terms of the senators then in office, except for the purpose of an election of senators for full terms beginning at such expirations, and for the formation of assembly districts.

Apportionment of assemblymen; creation of districts.

§ 5. The numbers of the assembly shall be chosen by single districts and shall be apportioned by the legislature at each[7] regular session at which the senate districts are readjusted or altered, and by the same law[8], among the several counties of the state, as nearly as may be according to the number of their respective inhabitants, excluding aliens. Every county heretofore established and separately organized, except the county of Hamilton, shall always be entitled to one member of assembly, and no county shall hereafter be erected unless its population shall entitle it to a member. The county of Hamilton shall elect with the county of Fulton, until the population of the county of Hamilton shall, according to the ratio, entitle it to a member. But the legislature may abolish the said county of Hamilton and annex the territory thereof to some other county or counties.

Ratio for apportionment.

The quotient obtained by dividing the whole number of inhabitants of the state, excluding aliens, by the number of members of assembly, shall be the ratio for apportionment, which shall be made as follows: One member of assembly shall be apportioned to every county, including Fulton and Hamilton as one county, containing less than the ratio and one-half over. Two members shall be apportioned to every other county. The remaining members of assembly shall be apportioned to the counties having more than two ratios

[6] Following paragraph new.

[7] Word "each" substituted for words "the first."

[8] Words "at which the senate districts are readjusted or altered, and by the same law," substituted for words "after the return of every enumeration."

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according to the number of inhabitants, excluding aliens. Members apportioned on remainders shall be apportioned to the counties having the highest remainders in the order thereof respectively. No county shall have more members of assembly than a county having a greater number of inhabitants, excluding aliens.

Existing assembly districts.

[9]The assembly districts, including the present ones, as existing immediately before the enactment of a law making an apportionment of members of assembly among the counties, shall continue to be the assembly districts of the state until the expiration of the terms of members then in office, except for the purpose of an election of members of assembly for full terms beginning at such expirations.

Where county is entitled to more than one member.

In any county entitled to more than one member, the board of supervisors, and in any city embracing an entire county and having no board of supervisors, the common council, or if there be none, the body exercising the powers of a common council, shall assemble[10] at such times as the legislature making an apportionment shall prescribe, and divide such counties into assembly districts as nearly equal in number of inhabitants, excluding aliens, as may be, of convenient and contiguous territory in as compact form as practicable, each of which shall be wholly within a senate district formed under the same apportionment, equal to the number of members of assembly to which such county shall be entitled, and shall cause to be filed in the office of the secretary of state and of the clerk of such county, a description of such districts, specifying the number of each district and of the inhabitants thereof, excluding aliens, according to the census or[11] enumeration used as the population basis for the formation of such districts[12] and such apportionment and districts shall remain unaltered until [13]after the next reapportionment of members of assembly. In counties having more than one senate district, the same number of assembly districts shall be put in each senate district, unless the assembly districts cannot be evenly divided among the senate districts of any county, in which case one more assembly district shall be put in the senate district in such county having the largest, or one less assembly district shall be put in the senate district in such county having the smallest number of inhabitants, excluding aliens, as the case

[9] Following paragraph substituted for paragraph which is too long to quote here.

[10] Words "on the second Tuesday of June, one thousand eight hundred and ninety-five, and," omitted.

[11] Words "census or" substituted for words "last preceding."

[12] Words "used as the population basis for the formation of such districts;" new.

[13] Remainder of sentence substituted for words "another enumeration shall be made as herein provided; but said division of the city of Brooklyn and the county of Kings to be made on the second Tuesday of June, one thousand eight hundred and ninety-five, shall be made by the common council of the said city and the board of supervisors of said county, assembled in joint session."

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Formation of districts.

may require. No town, and no block in a city inclosed by streets or public ways, shall be divided in the formation of assembly districts, nor shall any districts contain a greater excess in population over an adjoining district in the same senate district, than the population of a town or block therein adjoining such assembly district. Towns or blocks which, from their location may be included in either of two districts, shall be so placed as to make said districts most nearly equal in number of inhabitants, excluding aliens.[14] Nothing in this section shall prevent the division, at any time, of counties and towns and the erection of new towns by the legislature.

Apportionment subject to review by court.

An apportionment by the legislature, or other body, shall be subject to review by the supreme court, at the suit of any citizen, under such reasonable regulations as the legislature may prescribe; and any court before which a cause may be pending involving an apportionment, shall give precedence thereto over all other causes and proceedings, and if said court be not in session it shall convene promptly for the disposition of the same.

Submission to people in 1931.

§ 3. Resolved (if the Assembly concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year nineteen hundred thirty-one, in accordance with the provisions of the election law.

STATE OF NEW YORK
IN SENATE, *Feb.* 23, 1931
The foregoing resolution was duly passed, a majority of all the Senators elected voting in favor thereof.
By order of the Senate.
HERBERT H. LEHMAN,
President.

STATE OF NEW YORK
IN ASSEMBLY, *March* 3, 1931
The foregoing resolution was duly passed, a majority of all the members elected to the Assembly voting in favor thereof.
By order of the Assembly,
J. A. McGINNIES,
Speaker.

Proposed amendment to art. 3, § 7.

CONCURRENT RESOLUTION of the Senate and Assembly proposing an amendment to section seven of article three of the constitution, in relation to enabling members of the legislature to accept civil appointments and providing for the vacation of their seats upon acceptance thereof

Section 1. Resolved (if the Senate concur), That section seven of article three of the constitution be amended to read as follows:

Civil appointments of members of legislature.

§ 7. A [1]member of the legislature may[2] receive any civil appointment within this state,[3] from the governor, the governor and senate, or from the legislature, or from any city government, during the

[14] Words "; but in the division of cities under the first apportionment, regard shall be had to the number of inhabitants, excluding aliens, of the election districts according to the state enumeration of one thousand eight hundred and ninety-two, so far as may be, instead of blocks," omitted.

[1] Formerly "No."

[2] Formerly "shall."

[3] Words "or the senate of the United States," omitted.

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time for which he shall have been elected; and [4]upon his acceptance thereof, his seat shall be deemed vacated.

§ 2. Resolved (if the Senate concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year nineteen hundred thirty-one, in accordance with the provisions of the election law. Submission to people, 1931.

STATE OF NEW YORK
IN ASSEMBLY, *March* 10, 1931
The foregoing resolution was duly passed, a majority of all the members elected to the Assembly voting in favor thereof.
By order of the Assembly,
J. A. McGINNIES,
Speaker.

STATE OF NEW YORK
IN SENATE, *April* 10, 1931
The foregoing resolution was duly passed, a majority of all the Senators elected voting in favor thereof.
By order of the Senate.
HERBERT H. LEHMAN,
President.

CONCURRENT RESOLUTION of the Senate and Assembly proposing an amendment to section twenty-seven of article three of the constitution, in relation to the assessment for taxation of property, whether real or personal, within the county of Westchester

Proposed amendment to art. 3, § 27.

Section 1. Resolved (if the Assembly concur), That section twenty-seven of article three of the constitution be amended to read as follows:

§ 27. The legislature shall, by general laws, confer upon the boards of supervisors, or other governing elective bodies, of the several counties of the State such further powers of local legislation and administration as the legislature may, from time to time, deem expedient. In counties which now have, or hereafter have, county auditors or other fiscal officers, authorized to audit bills, accounts, charges, claims or demands against the county, the legislature may confer such powers upon such auditors, or fiscal officers, as the legislature may, from time to time, deem expedient. [1]In the county of Westchester the legislature may by separate enactment or as part of a form of government to be adopted pursuant to section twenty-six of this article, confer upon officers of the county to be elected by the electors of the county or appointed by the board of supervisors or other county authorities as the legislature shall direct, such powers and duties in relation to the assessment for taxation of property, whether real or personal, within the county as the legislature may, from time to time, deem expedient, any provision of section two of article ten of this constitution to the contrary notwithstanding. Assessments so authorized may, in the cases and to the extent directed by the legislature, be substituted in place of assessments heretofore made by local officers or other authorities on any assessment rolls or other lists of tax-

Local legislative powers.

Westchester county.

[4] Remainder of sentence substituted for words "all such appointments and all votes given for any such member for any such office or appointment shall be void."

[1] Remainder of section new.

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able property for the purpose of taxation or assessment or for any other purpose, in any tax district or other area or unit for taxation or assessment within the county.

This section shall not be deemed to confer on the legislature any power to authorize county officers of Westchester county to determine that property, real or personal, within such county, is taxable, which property is exempt from taxation under any general or special law.

Submission to people, 1931.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be submitted to the people at the general election in the year nineteen hundred thirty-one in accordance with the provisions of the election law.

STATE OF NEW YORK
IN SENATE, *Feb.* 25, 1931
The foregoing resolution was duly passed, a majority of all the Senators elected voting in favor thereof.
By order of the Senate.
HERBERT H. LEHMAN,
President.

STATE OF NEW YORK
IN ASSEMBLY, *March* 16, 1931
The foregoing resolution was duly passed, a majority of all the members elected to the Assembly voting in favor thereof.
By order of the Assembly,
J. A. McGINNIES,
Speaker.

Proposed amendments to art. 5, § 2 and art. 8, §§ 11, 14, 15

CONCURRENT RESOLUTION of the Senate and Assembly proposing amendments to section two of article five and sections eleven, fourteen and fifteen of article eight of the constitution, in relation to changing the names of the state department of charities and the state board of charities to conform to their new designations as provided in the state charities law, and eliminating reference to the state commission in lunacy, now abolished

Section 1. Resolved (if the Senate concur), That section two of article five of the constitution be amended to read as follows:

Departments of state government.

§ 2. There shall be the following civil departments in the state government: First, executive; second, audit and control; third, taxation and finance; fourth, law; fifth, state; sixth, public works; seventh, architecture; eighth, conservation; ninth, agriculture and markets; tenth, labor; eleventh, education; twelfth, health; thirteenth, mental hygiene; fourteenth, social welfare[1]; fifteenth, correction; sixteenth, public service; seventeenth, banking; eighteenth, insurance; nineteenth, civil service; twentieth, military and naval affairs.

§ 2. Resolved (if the Senate concur), That sections eleven, fourteenth and fifteen of article eight of the constitution be amended to read as follows:

Board of social welfare.

§ 11. The legislature shall provide for a state board of social welfare[1], which shall visit and inspect all institutions, whether state, county, municipal, incorporated or not incorporated, which are of a charitable, eleemosynary, correctional or reformatory character, excepting state institutions for the education and

[1] Words "social welfare" substituted for word "charities."

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support of the blind and the deaf and dumb, and excepting also such institutions as are hereby made subject to the visitation and inspection of either of the authorities hereinafter mentioned, but including all reformatories for juveniles. The head of the department of mental hygiene shall visit and inspect all institutions, either public or private, used for the care and treatment of the insane, epileptics, idiots, feeble-minded or mental defectives. There shall be a state commission of correction, of which the head of the department of correction shall be the chairman, which shall visit and inspect all institutions used for the detention of sane adults charged with or convicted of crime, or detained as witnesses or debtors.

Department of mental hygiene.

Correction commission.

§ 14. Nothing in this constitution contained shall prevent the legislature from making such provision for the education and support of the blind, the deaf and dumb, and juvenile delinquents, as to it may seem proper; or prevent any county, city, town or village from providing for the care, support, maintenance and secular education, of inmates of orphan asylums, homes for dependent children or correctional institutions, whether under public or private control. Payments by counties, cities, towns and villages to charitable, eleemosynary, correctional and reformatory institutions, wholly or partly under private control, for care, support and maintenance, may be authorized, but shall not be required by the legislature. No such payments shall be made for any inmate of such institutions who is not received and retained therein pursuant to rules established by the state board of social welfare[2]. Such rules shall be subject to the control of the legislature by general laws.

Maintenance and support of inmates of charitable institutions.

§ 15. Commissioners of the state board of charities,[3] now holding office, shall be continued in office as members of the state board of social welfare[4] for the term for which they were appointed, respectively, unless the legislature shall otherwise provide. The legislature may confer upon the state board of social welfare[5] any additional powers that are not inconsistent with other provisions of the constitution.

Commissioners continued in office.

§ 3. Resolved (if the Senate concur), That the foregoing amendments be submitted to the people at the general election in the year nineteen hundred thirty-one in accordance with the provisions of the election law.

Submission to people, 1931.

STATE OF NEW YORK
IN ASSEMBLY, *March* 24, 1931

The foregoing resolution was duly passed, a majority of all the members elected to the Assembly voting in favor thereof.

By order of the Assembly,
J. A. McGINNIES,
Speaker.

STATE OF NEW YORK
IN SENATE, *March* 25, 1931

The foregoing resolution was duly passed, a majority of all the Senators elected voting in favor thereof.

By order of the Senate.
HERBERT H. LEHMAN,
President.

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2 Words "social welfare" substituted for word "charities."

3 Words "and commissioners of the state commission in lunacy" omitted.

4 Words "as members of the state board of social welfare" new.

5 Words "state board of social welfare" substituted for words "commission and upon the board mentioned in the foregoing sections."

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Concurrent Resolutions

Proposed amendment to art. 6, § 1.

CONCURRENT RESOLUTION of the Senate and Assembly proposing an amendment to section one of article six of the constitution, in relation to the erection from the second judicial district of another judicial district and the number of the justices of the supreme court in such districts.

Section 1. Resolved (if the Assembly concur), That section one of article six of the constitution be amended to read as follows:

Supreme court jurisdiction.

§ 1. The supreme court is continued with general jurisdiction in law and equity, subject to such appellate jurisdiction of the court of appeals as now is or hereafter may be prescribed by law not inconsistent with this article. The existing judicial districts of the state are continued until changed as hereinafter provided.

Districts.

Justices.

The supreme court shall consist of the justices now in office and their successors, together with such additional justices as may be authorized by law. The successors of said justices shall be chosen by the electors of their respective judicial districts. The legislature may alter the judicial districts once after every federal census or state enumeration, each district being bounded by county lines, and thereupon re-apportion the justices to be thereafter elected in the districts so altered. The legislature may from time to time increase the number of justices in any judicial district, except the number of justices in any district shall not be increased to exceed one justice for each sixty thousand, or fraction over thirty-five thousand, of the population thereof as shown by the last federal census or state enumeration. [1]The legislature may erect out of the second judicial district as now constituted, another judicial district and apportion the justices in office between the districts, and provide for the election of additional justices in the new district not exceeding the limit herein provded. Any justice of the supreme court, except as otherwise provided in this article, may perform the duties of his office or hold court in any county.

Increase in number of justices.

Erection of new district

Submission to people, 1931.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year nineteen hundred thirty-one, in accordance with the provisions of the election law.

STATE OF NEW YORK
IN SENATE, *March* 18, 1931
The foregoing resolution was duly passed, a majority of all the Senators elected voting in favor thereof.
By order of the Senate.
HERBERT H. LEHMAN,
President.

STATE OF NEW YORK
IN ASSEMBLY, *March* 30, 1931
The foregoing resolution was duly passed, a majority of all the members elected to the Assembly voting in favor thereof.
By order of the Assembly,
J. A. McGINNIES.
Speaker.

[1] Following sentence new.

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Concurrent Resolutions

CONCURRENT RESOLUTION of the Senate and Assembly proposing an amendment to section seven of article seven of the constitution, in relation to the use of the forest preserve for recreation purposes

Proposed amendment to art. 7, § 7.

Section 1. Resolved (if the Senate concur), That section seven of article seven of the constitution be amended to read as follows:

§ 7. The lands of the state, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed. Nothing contained in this section shall prevent the state from constructing a state highway from Saranac lake in Franklin county to Long lake in Hamilton county and thence to Old Forge in Herkimer county by way of Blue Mountain lake and Racquette lake, and nothing shall prevent the state from constructing a state highway in Essex county from Wilmington to the top of Whiteface mountain.

Forest preserve.

Highway construction.

The legislature may by general laws provide for the use of not exceeding three percentum of such lands for the construction and maintenance of reservoirs for municipal water supply, for the canals of the state and to regulate the flow of streams. Such reservoirs shall be constructed, owned and controlled by the state, but such work shall not be undertaken until after the boundaries and high flow lines thereof shall have been accurately surveyed and fixed, and after public notice, hearing and determination that such lands are required for such public use. The expense of any such improvements shall be apportioned on the public and private property and municipalities benefited to the extent of the benefits received. Any such reservoir shall always be operated by the state and the legislature shall provide for a charge upon the property and municipalities benefited for a reasonable return to the state upon the value of the rights and property of the state used and the services of the state rendered, which shall be fixed for terms of not exceeding ten years and be readjustable at the end of any term.

Reservoirs for water supply.

Expense of improvements.

[1]Nothing contained in this section shall be construed to prevent the enactment by the legislature of separate laws, each applying to a single project, providing, at the expense of the state, for the construction within the forest preserve of such recreational facilities as are not inconsistent with the general wild forest character of the forest preserve, and the making of necessary clearings of timber therefor. Such facilities shall be maintained for the benefit of all the people, without discrimination, and by a public authority and not by a lessee, or contractor, and with the public moneys of the state, a county or a town, or of two or more of them; but the latter restriction shall not prevent the collection of reasonable

Recreational facilities.

[1] Following paragraph new.

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Concurrent Resolutions

charges for the facilities afforded, to be applied solely to operating expenses, maintenance and repairs. Nor shall anything contained in this section be construed to prevent any measures necessary to protect the forest preserve against fire, nor to prohibit the making and maintenance of paths, trails, camp-sites and camping facilities designed to render the forest preserve more accessible and useful to the public, including the necessary clearings of timber therefor, nor to prevent the widening, straightening or improvement of existing public roads in the forest preserve.

Unsanitary conditions shall not be created or continued by any such public works.

Restraint of any violation of section.

A violation of any of the provisions of this section may be restrained at the suit of the people or, with the consent of the supreme court in appellate division, on notice to the attorney-general at the suit of any citizen.

Submission to people, 1932.

§ 2. Resolved (if the Senate concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year nineteen hundred thirty-two, in accordance with the provisions of the election law.

STATE OF NEW YORK
IN ASSEMBLY, *March* 31, 1931

The foregoing resolution was duly passed, a majority of all the members elected to the Assembly voting in favor thereof.

By order of the Assembly.
J. A. MCGINNIES,
Speaker.

STATE OF NEW YORK
IN SENATE, *April* 8, 1931

The foregoing resolution was duly passed, a majority of all the Senators elected voting in favor thereof.

By order of the Senate.
HERBERT H. LEHMAN,
President.

Proposed amendment to art. 7 by adding § 16.

CONCURRENT RESOLUTION of the Senate and Assembly proposing an amendment to article seven of the constitution, in relation to the forest preserve, to provide for the acquisition and reforestation of land, the management of forests thereon, and the establishment of forest tree nurseries therefor

Section 1. Resolved (if the Assembly concur), That article seven of the constitution be amended by adding at the end thereof a new section, to be section sixteen, to read as follows:

Acquisition of land for reforestation.

§ 16. The legislature in each of the eleven calendar years immediately following the adoption of this amendment shall appropriate out of any funds in the treasury not otherwise appropriated moneys for the acquisition by the state of land, outside the Adirondack and Catskill parks, as now fixed by law, best suited for reforestation, for the reforesting of the same and the protection and management of forests thereon; for the acquisition of land for forest tree nurseries, and for the establishment and maintenance of such nurseries, such appropriations to begin in the first year with the sum of one million dollars ($1,000,000) and increasing annually by the sum of two hundred thousand dollars ($200,000) to and including the sixth year and in each of the five years immediately following, a sum equal to that appropriated

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Concurrent Resolutions

for the sixth year. All such appropriations to be available until expended. A law enacted pursuant to this section shall take effect without submission to the people.

Wild forest lands.

The lands of the state, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed. Nothing contained in this section nor in the prohibitions of section seven of this article shall prevent the state from cutting, selling or removing the trees, timber, forest products and other materials on any lands hereafter acquired with the moneys herein authorized within the forest preserve counties but outside of the Adirondack and Catskill parks as now fixed or hereafter extended by law.

Not to be sold; exception.

Submission to people, 1931.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year nineteen hundred thirty-one, in accordance with the provisions of the election law.

STATE OF NEW YORK
IN SENATE, *March* 9, 1931
The foregoing resolution was duly passed, a majority of all the Senators elected voting in favor thereof.
By order of the Senate.
HERBERT H. LEHMAN,
President.

STATE OF NEW YORK
IN ASSEMBLY, *March* 30, 1931
The foregoing resolution was duly passed, a majority of all the members elected to the Assembly voting in favor thereof.
By order of the Assembly.
J. A. McGINNIES,
Speaker.

Proposed amendment to art. 8, §§ 10, 10a

CONCURRENT RESOLUTION of the Senate and Assembly proposing an amendment to sections ten and ten-a of article eight of the constitution, in relation to the limitation of indebtedness of cities

Section 1. Resolved (if the Assembly concur), That sections ten and ten-a of article eight of the constitution be amended to read, respectively, as follows:

Counties, cities, towns not to loan money.

§ 10. No county, city, town or village shall hereafter give any money or property, or loan its money or credit to or in aid of any individual, association or corporation, or become directly or indirectly the owner of stock in, or bonds of, any association or corporation; nor shall any such county, city, town or village be allowed to incur any indebtedness except for county, city, town or village purposes. This section shall not prevent such county, city, town or village from making such provision for the aid or support of its poor as may be authorized by law. No county or city shall be allowed to become indebted for any purpose or in any manner to an amount which including existing indebtedness, shall exceed ten per centum of the assessed valuation of the real estate of such county or city subject to taxation, as it appeared by the assessment-rolls of said county or city on the last assessment for state or county taxes prior to the incurring of such indebtedness; and all indebtedness in excess of such limitation, except such as now may exist, shall be absolutely void, except as

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Limit of indebtedness.

herein otherwise provided. No county or city whose present indebtedness exceeds ten per centum of the assessed valuation of its real estate subject to taxation, shall be allowed to become indebted in any further amount until such indebtedness shall be reduced within such limit. This section shall not be construed to prevent the issuing of certificates of indebtedness or revenue bonds issued in anticipation of the collection of taxes for amounts actually contained or to be contained in the taxes for the year when such certificates or revenue bonds are issued and payable out of such taxes; nor to prevent any[1] city[2] from issuing bonds or other obligations[3] to be redeemed out of the tax levy for the year next succeeding the year of their issue, provided that the amount of such bonds or other obligations[3] which may be issued in any one year in excess of the limitations herein contained shall not exceed one-tenth of one per centum of the assessed valuation of the real estate of said city subject to taxation. All certificates of indebtedness or revenue bonds or other obligations[3] issued in anticipation of the collection of taxes or to be redeemed out of taxes,[4] which are not retired within five years after their date of issue, and any debt hereafter incurred by any portion or part of a city, if there shall be any such debt, shall be included in ascertaining the power of the city to become otherwise indebted; except that debts heretofore or hereafter incurred by any city to provide for the supply of water, shall not be so included; and except that obligations not exceeding in the aggregate two per centum of the assessed valuation of the real estate subject to taxation heretofore or hereafter issued by any city except New York and resting on only part or portion of a city or issued for the sole purpose of paying or financing so much of the cost of local improvements as is or may be required[5] to be raised by assessment or tax[6] upon local property or territory, shall not be so included.[7] The legislature may authorize or require the proper

1 Formerly "the."
2 Words "of New York" omitted.
3 Words "or other obligations" new.
4 Words "or to be redeemed out of taxes," new.
5 Words "obligations not exceeding in the aggregate . . . local improvements as is or may be required" substituted for words "debts not exceeding in the aggregate the sum of ten million dollars, heretofore or hereafter incurred by any city with a population of not less than two hundred and fifty thousand and not more than one million, and except that debts not exceeding in the aggregate the sum of five million dollars heretofore or hereafter incurred by any city with a population of not less than one hundred and seventy-five thousand and not more than two hundred and fifty thousand, for so much of the cost and expense of any public improvement as may be required by the ordinance or other local legislative law therein assessing the same."
6 Words "or tax" new.
7 Following two sentences substituted for passage which is too long to quote here.

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financial officer of any city to prepare and file from time to time in the office of the state comptroller a statement under oath of the indebtedness of the city under this section, in such detail as the legislature may require. Such statement filed by such officer and approved as to form and sufficiency by the state comptroller may be made by the legislature conclusive with respect to the facts stated in any action or proceeding affecting the validity of any bond or other obligation issued in reliance thereon. No indebtedness of a city valid at the time of its inception shall thereafter become invalid by reason of the operation of any of the provisions of this section. Whenever the boundaries of any city are the same as those of a county, or when any city shall include within its boundaries more than one county, the power of any county wholly included within such city to become indebted shall cease, but the debt of the county, heretofore existing, shall not, for the purposes of this section, be reckoned as a part of the city debt. The amount hereafter to be raised by tax for county or city purposes, in any county containing a city of over one hundred thousand inhabitants, or in any such city of this state, in addition to providing for the principal and interest of the county or city debt, shall not in the aggregate exceed in any one year two per centum of the assessed valuation of the real and personal estate of such county or city, to be ascertained as prescribed in this section in respect to county or city debt.

Statement of city in debtedness.

§ 10-a. Any debt incurred after January first, nineteen hundred ten by the city of New York for a public improvement owned or to be owned by the city, which yields to the city current net revenue, after making any necessary allowance for repairs and maintenance for which the city is liable, in excess of the interest on said debt and of the annual installments necessary for its amortization may be excluded in ascertaining the power of said city to become otherwise indebted under the preceding section, provided that a sinking fund for its amortization shall have been established and maintained and that the indebtedness shall not be so excluded during any period of time when the revenue aforesaid shall not be sufficient to equal the said interest and amortization installments. Any indebtedness incurred prior to January first, nineteen hundred ten, by the city of New York for any rapid transit or dock investment may be so excluded proportionately to the extent to which the current net revenue received by said city therefrom shall meet the interest and amortization installments thereof, provided that any increase in the debt incurring power of the city of New York which shall result from the exclusion of such debt so incurred shall be available only for the acquision or construction of properties to be used for rapid transit or dock purposes. Any indebtedness heretofore or hereafter incurred by the city of New York for rapid transit construction or acquisition may be so excluded proportionately to

Exclusion of certain debts in ascertaining borrowing power of New York City.

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the extent to which the current net revenue received by said city therefrom shall meet the interest and amortization installments thereof, provided that any increase in the debt incurring power of the city of New York which shall result from the exclusion of such debt shall be used only for the acquisition or construction of properties to be used for rapid transit purposes. The legislature shall prescribe the method by which and the terms and conditions under which the amount of any debt incurred by the city of New York for a revenue producing improvement to be so excluded shall be determined, and no such debt shall be excluded except in accordance with the determination so prescribed. The legislature may in its discretion confer appropriate jurisdiction on the appellate division of the supreme court in the first judicial department for the purpose of determining the amount of any debt to be so excluded.[8] Notwithstanding any of the limitations prescribed by the preceding section or by this section,[9] debts may be incurred by the city of New York after January first, nineteen hundred and twenty-eight, for the construction or equipment, or both, of new rapid transit railroads not exceeding the sum of three hundred million dollars, and such debts shall not be included in computing the debt limit of such city for the purpose of ascertaining the power of such city to become otherwise indebted.

Debts for new rapid transit railroads.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and in conformity with section one of article fourteen of the constitution be published for three months previous to the time of making such choice.

Referred to legislature chosen at next election of senators.

STATE OF NEW YORK
IN SENATE, *March* 30, 1931

The foregoing resolution was duly passed, a majority of all the Senators elected voting in favor thereof.

By order of the Senate.

HERBERT H. LEHMAN,
President.

STATE OF NEW YORK
IN ASSEMBLY, *April* 9, 1931

The foregoing resolution was duly passed, a majority of all the members elected to the Assembly voting in favor thereof.

By order of the Assembly.

J. A. MCGINNIES,
Speaker.

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[8] Section to here new.

[9] Words "or by this section" new.

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DEED

CEDING TO THE UNITED STATES JURISDICTION OF LANDS IN NEW YORK COUNTY

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, the State of New York has consented to the purchase by the Government of the United States, and under the authority of the same, of any tract, piece or parcel of land from any individual or individuals, bodies politic or corporate within the boundaries of the State, for the purpose of parade or maneuver grounds, aviation fields, navy yards and naval stations, or for the purpose of erecting thereon lighthouses, beacons, lighthouse keepers' dwellings, hospitals, sanatoriums, works for improving navigation, postoffices, custom houses, fortifications or buildings and structures for the storage, manufacture or production of supplies, ordnance, apparatus or equipment of any kind whatsoever for use of the army and navy, and any other needful buildings and structures; (Laws of 1909, chapter 59, article 4, section 50, being the State Law, constituting chapter 57 of the consolidated laws of the State of New York, as amended) and

WHEREAS, Section 52 of the said law provides that:

Whenever the United States, by any agent authorized under the hand and seal of any head of an executive department of the Government of the United States, shall cause to be filed and recorded in the office of the Secretary of State of the State of New York certified copies of the record or transfer to the United States of any tracts or parcels of land within the State, which have been acquired by the United States for any of the purposes aforesaid, together with maps or plats and descriptions of such lands by metes and bounds and a certificate of the Attorney-General of the United States that the United States is in possession of such lands and premises for either of the works or purposes aforesaid, under a clear and complete title, the Governor of the State is authorized, if he deems it proper, to execute, in duplicate, in the name of the State and under its great seal, a deed or release of the State ceding to the United States the jurisdiction of said tracts or parcels of land.

AND WHEREAS, The United States of America has caused to be filed and recorded in the office of the Secretary of State of the State of New York, by Frank Lochner, Deputy United States Marshal for the Northern District of New York, at Albany, New York, an agent duly authorized under the hand of the Assistant Attorney General, United States Department of Justice, and the seal of the said Department of Justice, a certified copy of the deed from James J. Riordan, widower, residing at 21 West 12th Street,

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Deed

Borough of Manhattan, City of New York, dated April 3, 1929, and recorded in the Office of the Register for the County of New York April 3, 1929, in Liber 3699, page 233, of conveyances and indexed under Block numbered 638, conveying to the United States the following described lands:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Manhattan, of the City of New York in the County and State of New York, bounded and described as follows: Beginning at a point in the northerly side of West Eleventh Street distant one hundred and ninety-six (196) feet westerly from the corner formed by the intersection of the northerly side of West Eleventh Street with the westerly side of Washington Street; running thence northerly at right angles to the northerly side of West Eleventh Street ninety-three (93) feet two (2) inches; thence westerly parallel with the northerly side of West Eleventh Street sixty-eight (68) feet; thence southerly along a line drawn at right angles to the northerly side of West Eleventh Street nineteen (19) feet five (5) inches to a line drawn parallel with the northerly side of West Eleventh Street distant seventy-three (73) feet nine (9) inches northerly therefrom; thence westerly along said last mentioned line about ninety-five (95) feet one-quarter (¼) of an inch to the easterly side of West Street; thence southerly along the easterly side of West Street seventy-six (76) feet to the corner formed by the intersection of the easterly side of West Street with the northerly side of West Eleventh Street and thence easterly along the northerly side of West Eleventh Street about one hundred and eighty-one (181) feet five and one-quarter (5¼) inches to the point or place of beginning.

AND WHEREAS, The said United States has also caused to be filed and recorded in said office of the Secretary of State, by said agent, map and description of said lands by metes and bounds, and a certificate of the Attorney-General of the United States that the United States is in possession of said lands and premises for purposes of a Federal House of Detention site, in the City, County and State of New York, under a clear and complete title.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, Governor of the State of New York, by the authority vested in me by said Act, do hereby, in the name and on behalf of the State of New York, cede, grant and release to the United States of America the jurisdiction of the State of New York on and over said parcel of land above described, the United States to hold, possess and exercise such jurisdiction subject to the condition that the State of New York shall retain a concurrent jurisdiction with the United States on and over the property and premises so conveyed, so far as that all civil and criminal process which may issue under the laws or authority of the State of New York may be executed thereon in the same way and manner as if such jurisdiction had not been ceded, except so far as such process may affect the real or per-

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Deed

sonal property of the United States and subject also to the other terms and conditions of said Act of the Legislature of the State of New York.

IN WITNESS WHEREOF, I, FRANKLIN D. ROOSEVELT, Governor of the State of New York, have subscribed my name and have caused to be affixed the [GREAT SEAL] Great Seal of the State of New York to this deed, in duplicate, this 6th day of November, in the year of our Lord one thousand nine hundred thirty.

FRANKLIN D. ROOSEVELT.

By the Governor, Attest:
EDWARD J. FLYNN,
Secretary of State.
O. K. M. F. O'C.

Approved as to form:
HAMILTON WARD,
Attorney-General.

By CHARLES E. CONDON,
Assistant.

STATE OF NEW YORK, DEPARTMENT OF STATE. } *ss:*

I, EDWARD J. FLYNN, Secretary of State of the State of New York, do hereby certify that the duplicate of this deed has been filed and recorded in the office of the Department of State of the State of New York, Capitol, Albany, New York.

[SEAL] EDWARD J. FLYNN,
Secretary of State.

Examined and compared with the original.
GRACE A. REAVY,
Deputy Secretary of State.

DEED

CEDING TO THE UNITED STATES JURISDICTION OF LAND IN NEW YORK COUNTY.

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, The State of New York has consented to the purchase by the Government of the United States, and under the authority of the same, of any tract, piece or parcel of land from any individual or individuals, bodies politic or corporate within the boundaries of the State, for the purpose of parade or maneuver grounds, aviation fields, navy yards and naval stations, or for the purpose of erecting thereon lighthouses, beacons, lighthouse keepers' dwellings, hospitals, sanatoriums, works for improving navigation, post-

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Deed

offices, custom houses, fortifications or buildings and structures for the storage, manufacture or production of supplies, ordnance, apparatus or equipment of any kind whatsoever for use of the army and navy, and any other needful buildings and structures; (Laws of 1909, chapter 59, article 4, section 50, being the State Law, constituting chapter 57 of the consolidated laws of the State of New York, as amended) and

WHEREAS, Section 52 of the said law provides that:

Whenever the United States, by any agent authorized under the hand and seal of any head of an executive department of the Government of the United States, shall cause to be filed and recorded in the office of the Secretary of State of the State of New York certified copies of the record or transfer to the United States of any tracts or parcels of land within the State, which have been acquired by the United States for any of the purposes aforesaid, together with maps or plats and descriptions of such lands by metes and bounds and a certificate of the Attorney-General of the United States that the United States is in possession of such lands and premises for either of the works or purposes aforesaid, under a clear and complete title, the Governor of the State is authorized, if he deems it proper, to execute, in duplicate, in the name of the State and under its great seal, a deed or release of the State ceding to the United States the jurisdiction of said tracts or parcels of land.

AND WHEREAS, The United States of America has caused to be filed and recorded in the office of the Secretary of State of the State of New York, by Cyrus Durey, United States Collector of Internal Revenue for the 14th District of New York, Albany, New York, an agent duly authorized under the hand of the Secretary of the Treasury of the United States, and the seal of the Treasury Department, a certified copy of the deed from the LOUIS ADLER REALTY CORPORATION, a corporation organized and existing under the laws of the State of New York, having its place of business at No. 550 Seventh Avenue, Borough of Manhattan, City of New York, dated November 16, 1928, and recorded in the office of the Register of the County of New York, November 16, 1928, in Liber 3677, page 309 of conveyances and indexed under Block numbered 581, conveying to the United States the following parcel of land described as:

ALL that lot, piece or parcel of land, together with the buildings and improvements thereon, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northerly side of King Street with the westerly side of Varick Street, and running thence northerly, along the westerly side of Varick Street, two hundred (200) feet seven and one-quarter (7¼) inches to the corner formed by the intersection of the westerly side of Varick Street with the southerly side of West Hou[illegible]n

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Deed

Street; thence westerly, along the southerly side of West Houston Street, four hundred (400) feet nine (9) inches to the corner formed by the intersection of the southerly side of West Houston Street with the easterly side of Hudson Street; thence southerly, along the easterly side of Hudson Street, two hundred (200) feet two and one-half (2½) inches to the corner formed by the intersection of the easterly side of Hudson Street with the northerly side of King Street, and thence easterly, along the northerly side of King Street, four hundred (400) feet nine and one-half (9½) inches to the point or place of beginning.

AND WHEREAS, The said United States has also caused to be filed and recorded in said office of the Secretary of State, by said agent, map and description of said land by metes and bounds, and a certificate of the Attorney-General of the United States that the United States is in possession of said lands and premises for purposes of an Appraisers Stores Building site in the City, County and State of New York, under a clear and complete title.

NOW, THEREFORE, I FRANKLIN D. ROOSEVELT, Governor of the State of New York, by the authority vested in me by said Act, do hereby, in the name and on behalf of the State of New York, cede, grant and release to the United States of America the jurisdiction of the State of New York on and over said parcel of land above described, the United States to hold, possess and exercise such jurisdiction subject to the condition that the State of New York shall retain a concurrent jurisdiction with the United States on and over the property and premises so conveyed, so far as that all civil and criminal process which may issue under the laws or authority of the State of New York may be executed thereon in the same way and manner as if such jurisdiction had not been ceded, except so far as such process may affect the real or personal property of the United States and subject also to the other terms and conditions of said Act of the Legislature of the State of New York.

IN WITNESS WHEREOF, I, FRANKLIN D. ROOSEVELT, Governor of the State of New York, have subscribed my name and have caused to be affixed the [GREAT SEAL] Great Seal of the State of New York to this deed, in duplicate, this 6th day of November, in the year of our Lord one thousand nine hundred thirty.

FRANKLIN D. ROOSEVELT.

By the Governor, Attest:
EDWARD J. FLYNN,
Secretary of State.

O. K. M. F. O'C.

Approved as to form:
HAMILTON WARD,
Attorney-General.

By CHARLES E. CONDON,
Assistant.

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STATE OF NEW YORK, DEPARTMENT OF STATE. } *ss:*

I, EDWARD J. FLYNN, Secretary of State of the State of New York, do hereby certify that the duplicate of this deed has been filed and recorded in the office of the Department of State, Capitol, Albany, New York.

[SEAL] EDWARD J. FLYNN,
Secretary of State.

Examined and compared with the original.

GRACE A. REAVY,
Deputy Secretary of State.

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DEED

CEDING TO THE UNITED STATES JURISDICTION OF LANDS IN SUFFOLK COUNTY

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, The State of New York has consented to the purchase by the Government of the United States, and under the authority of the same, of any tract, piece or parcel of land from any individual or individuals, bodies politic or corporate within the boundaries of the state, for the purpose of parade or maneuver grounds, aviation fields, navy yards and naval stations, or for the purpose of erecting thereon light-houses, beacons, lighthouse keepers' dwellings, hospitals, sanatoriums, works for improving navigation, post offices, custom houses, fortifications or buildings and structures for the storage, manufacture or production of supplies, ordnance, apparatus or equipment of any kind whatsoever for use of the Army and Navy and any other needful buildings and structures (Sec. 50 of Art. 4 of the "State Law," Laws of 1909, Ch. 59, of the State of New York, as amended; and,

WHEREAS, Sections 52 and 53 of the said Law provide that:—

52. "Whenever the United States, by any agent authorized under the hand and seal of any head of an executive department of the Government of the United States, shall cause to be filed and recorded in the office of the Secretary of State of the State of New York certified copies of the record or transfer to the United States of any tracts or parcels of land within the State, which have been acquired by the United States for any of the purposes aforesaid, together with maps or plats and descriptions of such lands by metes and bounds and a certificate of the Attorney-General of the United States that the United States is in possession of said lands and premises for either of the works or purposes aforesaid, under clear and complete title, the Governor of this State is authorized, if he deems it proper, to execute in duplicate, in the name of the State and under its great seal, a deed or release of the State ceding to the United States the jurisdiction of said tracts or parcels of land as hereinafter provided;" and,

53. "The said jurisdiction so ceded shall be upon the express condition that the State of New York shall retain a concurrent jurisdiction with the United States on and over the property and premises so conveyed, so far as that all civil and criminal process, which may issue under the laws or authority of the State of New York, may be executed thereon in the same way and manner as if such jurisdiction had not been ceded, except so far as such process may affect the real or personal property of the United States," and,

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WHEREAS, the United States of America has caused to be filed and recorded in the office of the Secretary of State of the State of New York, by Lieutenant Colonel Edmund C. Abbott, J.A.G.D., United States Army, an agent duly authorized under the hand of the Secretary of War and the seal of the War Department.

(1). A certified copy of the deed from Abram S. Hewitt and Sarah A. Hewitt, his wife, dated June 24, 1901, and recorded in the office of the County Clerk of Suffolk County, New York, in Liber 508, of Deeds at page 52, conveying to the said United States the following tract of land, situated on Plum Island, Suffolk County, New York, bounded and described as follows:

Northerly by the waters of Long Island Sound and lands now belonging to the United States of America; Easterly by the said lands of the United States of America and by the waters of Gardiner's Bay; Southerly by the waters of Gardiner's Bay and the strait or channel connecting the waters of Gardiner's Bay and Long Island Sound, and known as Plum Gut, and by lands now belonging to the United States of America, and used for light-house purposes; Westerly by the waters of the said Gardiner's Bay and of the said Plum Gut and of the said Long Island Sound and by the said lands of the United States of America, now used for light-house purposes, as aforesaid; the said lands and premises being all that portion of the said Plum Island the title to which has not heretofore been acquired by the said United States of America.

TOGETHER with the appurtenances and all the estate and rights of the parties of the first part in and to said premises;

TO HAVE AND TO HOLD the above granted premises unto the said party of the second part, its successors and assigns forever; and,

WHEREAS, The United States of America in an application for the ceding of jurisdiction by the State of New York, in the year 1897, has heretofore caused to be filed and recorded in the office of the Secretary of State of the State of New York by Major Smith S. Leach, Corps of Engineers, United States Army, and agent duly authorized under the hand of the Secretary of War and the seal of the War Department, a certified copy of the deed from Abram S. Hewitt and Sarah A. Hewitt, his wife, dated February 24, 1897, and recorded in Liber 456, page 81 of conveyances in the Office of the County Clerk of Suffolk County, New York, conveying to the United States the following tract of land situated on Plum Island, Suffolk County, New York, bounded and described as follows:

"All that portion of Plum or Plumb Island, in the County of Suffolk, State of New York, which lies north and east of the following described line to wit: —

"Beginning at high water mark on the north shore of said Island at a point distant fifteen hundred and twenty (1520) feet

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southwest from the intersection of the north shore of the Island and the old line wall dividing the former estates of Jerome and Clark; thence south fifty-three (53) degrees, fifty-five (55) minutes east, fifteen hundred and twenty (1520) feet to a hole drilled near the north-west corner of a large flat granite rock, standing alone near the center of a meadow field, (the said stone being south forty-four (44) degrees, forty (40) minutes west, six hundred and eighty (680) feet from the intersection of the said line wall, and a wall or fence running about four hundred (400) feet westerly from near its middle point); thence south eighty-five (85) degrees, thirty (30) minutes east, six hundred and fifty (650) feet to a point on the said line or dividing wall five hundred and thirty (530) feet south from the aforesaid angle of the said fences; thence continuing in the same direction five hundred and eighty (580) feet to a point on the south shore of said Island which point is five hundred and fifty (550) feet northeast from the point of intersection of the south shore of said Island with the south end of said line fence dividing the former estates of Jerome and Clark, the whole of the said tract so described and bounded containing one hundred and fifty (150) acres, be the same more or less."

TOGETHER with the appurtenances and all the estates and rights of the parties of the first part in and to said premises;

TO HAVE AND TO HOLD the above granted premises unto the said party of the second part, its successors and assigns forever; and,

WHEREAS, The Governor of the State of New York, thereupon pursuant to statute, did, by deed of cession, dated September 14, 1897, now on file and recorded in the office of the Secretary of State of the State of New York, cede, grant, and release to the United States of America, jurisdiction of the State of New York on and over the land so described; and,

WHEREAS, The Legislature of the State of New York by an Act passed April 13, 1827, Chap. 229, Laws of 1827, p. 238, and by the further Act of said Legislature set forth in Part I, Chap. 1, Title III, Sec. 27 of the Revised Statutes of the State of New York, (1st Ed.) did heretofore consent to the purchase by, and cede to, the United States the jurisdiction of the State of New York on and over a tract of land containing three acres, on the south side of the west end of Plum Island, in the County of Suffolk, and described as follows:—

"Beginning at low water mark, opposite a rock on the edge of the upland, marked U. S. 1826, and running thence north four degrees east, six chains and three links to a stake on the hill; thence running south seventy-nine degrees west, over a rock at the bottom of the bank marked U. S. to the west point of said Island to low water mark; thence south-eastwardly along the

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shore at low water mark to the place of beginning, opposite to the first mentioned rock." and,

WHEREAS, The said United States has caused to be filed and recorded in said office of the Secretary of State of the State of New York, by Lieutenant Colonel Edmund C. Abbott, also,

(2) a map or plat and description by metes and bounds of the said tract, piece, or parcel of land conveyed by the deed dated June 24, 1901, as aforesaid, and

(3) a certificate of The Attorney General of the United States that the United States is in possession of said last mentioned land and premises, under a clear and complete title, for the purpose of "parade or maneuver grounds, aviation fields, navy yards and naval stations, or for the purpose of erecting thereon light-houses, beacons, light-house keepers' dwellings, hospitals, sanatoriums, works for improving navigation, post offices, custom houses, fortifications, or buildings and structures for the storage, manufacture or production of supplies, ordnance, apparatus or equipment of any kind whatsoever, for the use of the army or navy, and any other needful buildings and structures," as set forth in Section 50, of Article 4 of the "State Law" (Laws of 1909, c. 59) of the State of New York, as amended.

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, governor of the State of New York, by the authority vested in me by Section 52 of the said laws, do hereby, in the name and on behalf of the State of New York, cede, grant and release to the United States of America the jurisdiction of the State of New York on and over the said tract, piece or parcel of land, bounded and described as follows: —

All that certain Island known as Plum Island lying at or near the easterly end of Long Island and being in Suffolk County, State of New York, excepting, however, such parts as have heretofore been granted or conveyed to the United States in the aforesaid deed of cession by the Governor of the State of New York, dated September 14, 1897, and by the aforesaid Act of the Legislature, Chapter 229, Laws of 1827, and by the further Act of the Legislature set forth, as aforesaid, in Part I, Chapter 1, Title III, Section 27 of the Revised Statutes (1st Ed.), the United States to hold, possess and exercise such jurisdiction, subject to the terms and conditions of the "State Law" (Laws of 1909, Ch. 59, as amended) of the State of New York aforesaid, and with the express condition that the State of New York shall retain a concurrent jurisdiction with the United States on and over the property and premises herein conveyed, so far as that all civil and criminal process, which may issue under the laws or authority of the State of New York, may be executed thereon in the same way and manner as if such jurisdiction had not been ceded, except

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so far as such process may affect the real or personal property of the United States.

IN WITNESS WHEREFORE, I, FRANKLIN D. ROOSEVELT, Governor of the State of New York, have subscribed my name and have caused to be affixed the Great Seal of the State of New York to this deed in duplicate, this 17th day of November, 1930.

[GREAT SEAL]

FRANKLIN D. ROOSEVELT,
Governor of New York.

By the Governor, attest:

EDWARD J. FLYNN,
Secretary of State.

STATE OF NEW YORK,
OFFICE SECRETARY OF STATE, } ss.:

I, EDWARD J. FLYNN, Secretary of State of the State of New York, do hereby certify that the duplicate of this deed has been filed and recorded in the office of the Secretary of State of the State of New York.

(SEAL)

EDWARD J. FLYNN,
Secretary of State.

STATE OF NEW YORK
DEPARTMENT OF STATE

Filed and recorded December 30, 1930.

EDWARD J. FLYNN,
Secretary of State.

Examined and compared with the original.

GRACE A. REAVY,
Deputy Secretary of State.

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AMENDMENTS TO RULES OF THE COURT OF APPEALS RELATING TO ADMMISSION OF ATTORNEYS

STATE OF NEW YORK.

IN COURT OF APPEALS

At a Court of Appeals for the State of New York, held at Court of Appeals Hall in the City of Albany, on the thirteenth day of February A. D. 1931.

Present, HON. BENJAMIN N. CARDOZO, Chief Judge, Presiding.

In the Matter

of

The Amendment of Subdivisions 4 and 6 of Rule V of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law.

ORDERED, That Subdivision 4 of Rule V of the Rules of the Court of Appeals for the admission of attorneys and counselors at law be and the same hereby is amended by adding thereto the following:

In the discretion of the court the following substitutes for clerkship may be accepted as sufficient: service as law assistant in the office of a clerk of the Supreme Court or of a Surrogate's Court, or as law secretary to a judge of any court of record, or service in a position of like nature, or service for not less than a year as a graduate student for research in law under the supervision of a professor in an approved law school, or service for a like period as instructor in such a school.

And it is further

ORDERED, That Subdivision 6 of Rule V be and the same hereby is amended by inserting before the present subdivision the words "Except as above indicated."

(A copy)
[SEAL]

JOHN LUDDEN,
Deputy Clerk.

Endorsed: Filed Feb. 14, 1931.
EDWARD J. FLYNN,
Secretary of State.

[1688]

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TABLES OF LAWS AMENDED OR REPEALED

STATEMENT OF OPTIONAL CITY CHARTERS ADOPTED

TABLE OF LEGALIZING ACTS

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TABLES
OF
LAWS AMENDED OR REPEALED

I. Changes in the Consolidated Laws, 1921–1931.[1]

(Sections, etc., are amended unless it is otherwise indicated.)[2]

Section	SUBJECT	Year	Chapter	Page
	AGRICULTURAL LAW: (L. 1909, ch. 9, constituting cons. laws, ch. 1.)			
98	Physical examination of cattle	1921	262	965
106	Payments for animals killed	1921	262	965
107, subd. 6	Compensation of owners	1921	262	966
107, subd. 7, repealed	Compensation of owners	1921	262	967
132	Licensing of dogs	1921	628	1953
139d	Licensing of dogs	1921	628	1954
139h	Licensing of dogs	1921	628	1957
139n, added	Licensing of dogs; enforcement by village authorities	1921	628	1958
160, 163	Concentrated commercial feeding stuffs	1921	15	19
262, subd. 2d	Adulterated apples	1921	349	1131
300a	Bees; assessors to report owners; transportation regulated	1921	278	992
322, added	Certificates of registry, pure-bred domestic animals	1921	44	127
All repealed		1922	48	209
	AGRICULTURE AND MARKETS LAW: (L. 1922, ch. 48, constituting cons. laws, ch. 69, superseding L. 1917, ch. 802. For amendments to act of 1917, by L. 1921 and 1922, see L. 1923, pp. 1805, 1806. Former farms and markets law with title thus changed by L. 1927, ch. 207.)			
Title and heading to opening schedule	Agriculture and markets law	1927	207	603
1	Short title	1927	207	603
2, subds. 1–3	Definitions	1927	207	603
2, subd. 4	Definitions	1929	207	471
Art. 2, schedule heading	Department of agriculture and markets	1927	207	603
4	Department of agriculture and markets	1927	207	603
5	Council of agriculture and markets; appointment	1927	207	603
10	Expenses of members of council	1927	207	604
11	Commissioner of agriculture and markets	1927	207	604
12	Assistant commissioners	1927	207	604
17	Officers and employees	1927	207	605
19	Commissioner and officers; salaries; expenses	1927	207	605

[1] For changes in consolidated laws, 1909–1920, see Supplement to the statutory record of the consolidated laws, 1920.

[2] The formal statement of amendments, etc., in many acts does not show the exact amendments, repeals, etc., that have been effected. In such cases the changes indicated in the legislative bills have been inserted in these tables to insure a more complete history.

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921-1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	AGRICULTURE AND MARKETS LAW — (*Contd.*).			
22, subd. 25	General power and duties	1922	367	776
22, subd. 25	Inspection of farm products	1924	454	840
22, subd. 27, added	Powers and duties of department	1924	57	91
22, subd. 28, added	State fair advisory board	1927	207	605
22, subd. 29, added	General powers and duties	1927	207	632
23	Delegation of powers by commissioner	1927	207	606
24, subd. 4	Rules of department	1922	367	776
25	Publication of rules	1927	207	606
25	Publication of rules	1930	346	750
26a, added	Interference with employees by threats, etc	1931	320	738
31	Transfer of property, records and appropriations from divisions of agriculture and foods and markets	1922	362	769
31, repealed	Transfer of property, records and appropriations from divisions of agriculture and foods and markets	1927	207	606
Art. 2A (§§ 31, 31a-31l), added	Division of the state fair	1927	207	606
31b	State fair	1928	52	50
31c	State fair; receipts and disbursements	1927	433	1091
37, repealed	Review by court	1931	269	656
37, added	Review by court	1931	269	656
41	Violation of chapter or rule	1926	55	213
46	Definitions	1922	365	771
46	Definitions	1922	368	776
46	Definitions	1924	78	115
46	Definitions	1928	196	402
50	Adulterated and imitation milk and cream	1922	364	770
50	Adulterated and imitation milk and cream	1924	77	113
50	Adulterated and imitation milk and cream	1928	196	403
50a, added	Certified milk	1923	726	1291
51, repealed	Dairy products; inspection	1923	720	1287
51, added	Milk inspection	1923	720	1287
51	Milk inspection	1931	275	674
53, repealed	Certified milk	1922	364	771
55	Skim milk, whey, buttermilk or separator slop	1922	378	798
56	Purchase of milk and cream on milk fat basis	1924	406	753
56	Purchase of milk and cream on milk fat basis	1927	207	610
56a	Determination of number of bacteria in milk or cream	1923	725	1290
56a	Determination of bacteria in milk or cream	1927	207	612
57, repealed	Licensing of persons in charge of milk gathering stations and making butter-fat tests	1925	127	149
57, added	Licensing of persons making milk-fat tests	1925	127	149
57	Licensing of persons in charge of milk-gathering stations, etc., and making milk-fat tests	1927	216	642
57a, added	Licensing of persons making bacterial counts of milk and cream	1926	103	258
58	Evaporated or condensed milk	1924	456	855
59	Imitation butter; manufacture and sale prohibited	1922	368	778
59	Imitation butter, manufacture and sale prohibited	1931	333	749
60	Animal fats mixed with milk, cream or butter prohibited	1922	368	779

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921-1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	AGRICULTURE AND MARKETS LAW — (*Contd.*).			
62	Coloring matter, dairy terms, size of package, labeling	1922	368	780
62	Sale of oleaginous substance in place of butter	1924	95	138
63	Manufacture and sale, imitation cheese and skim-cheese	1922	365	773
64	Skimmed milk and products manufactured therefrom; regulations	1922	365	773
68	Cheddar cheese	1924	408	757
70	Branded containers	1928	51	49
70	Branded containers	1931	340	760
74, subd. 3	Domestic animals; importation	1927	207	613
76	Quarantine on animals or premises	1924	267	524
76	Quarantine on animals or premises	1926	84	242
76	Quarantine on animals or premises	1927	214	641
78	Examination of cattle	1922	255	610
78	Examination of cattle	1927	213	640
79, subds. 4, 5	Diseases of domestic animals; examination	1922	255	611
79, subd. 6	Diseases of domestic animals; retesting accredited herds	1929	174	430
81	Sale of animals affected with tuberculosis	1922	255	611
81	Sale of animals affected with tuberculosis	1926	54	212
83	Appraisal of diseased animals	1927	432	1091
83	Appraisal of diseased animals	1930	325	718
84, repealed	Certificate of appraisal	1930	325	719
86	Post-mortem examination of animals	1923	728	1293
87	Payments for animals killed	1923	721	1287
87	Payments for animals killed	1927	207	613
88, repealed	Animals killed or appropriated by state; compensation	1925	362	663
88, added	Animals killed by the state; compensation	1925	362	663
88	Animals killed by the state; compensation	1928	70	69
88, subd. 1	Animals killed or appropriated by state; compensation	1922	255	611
88, subd. 1	Animals killed or appropriated by state; compensation	1924	409	758
88, subd. 6	Animals killed or appropriated by state; compensation	1922	255	612
88, subd. 6	Animals killed or appropriated by state; compensation	1927	215	642
88, subd. 7	Animals killed or appropriated by state; compensation	1924	409	758
90, repealed	Rabies quarantines	1926	185	347
93	Diseases of domestic animals; assistance of local officers	1927	207	613
95	Breeding pure bred stock	1925	38	58
95	Breeding pure bred stock	1930	311	701
98–104	Licensing of stallions and breeding of horses	1922	610	1562
105a, added	Enrollment of scrub stallions	1922	610	1564
105b, added	List of enrolled stallions	1922	610	1564
Art. 7 (§§ 106–127)	Licensing dogs	1924	455	840
Art. 7 (§§ 106–127), repealed	Licensing dogs	1929	173	417
Art. 7 (§§ 106–127), added	Licensing dogs	1929	173	417
106	Licensing dogs; definitions	1924	455	840
106	Licensing dogs; definitions	1927	434	1092
106, repealed	Licensing dogs; definitions	1929	173	417

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	AGRICULTURE AND MARKETS LAW — (*Contd.*).			
106, added	Licensing dogs; territorial application of art. 7	1929	173	418
107	Licensing dogs; fees	1924	455	841
107, repealed	Licensing dogs; fees	1929	173	417
107, added	Licensing dogs; definitions	1929	173	418
108	Licensing dogs; kennel licenses	1924	455	842
108, repealed	Licensing dogs; kennel licenses	1929	173	417
108, added	Licensing dogs; lists of owners	1929	173	418
109	Licensing dogs; lists of owners	1924	455	843
109, repealed	Licensing dogs; lists of owners	1929	173	417
109, added	Licensing dogs	1929	173	419
109a, added	Licensing dogs; lists of owners, Nassau county	1927	311	760
109a, added	Licensing dogs; lists of owners, Suffolk county	1927	664	1682
109a	Licensing dogs; lists of owners, Suffolk county	1928	453	1006
109a, repealed	Licensing dogs; lists of owners, Suffolk county	1929	173	417
110	Licensing dogs; issuance of license; penalty	1924	455	844
110, repealed	Licensing dogs; issuance of license; penalty	1929	173	417
110, added	Licensing dogs; kennel licenses	1929	173	420
111	Licensing dogs; tags, how attached	1924	455	844
111, repealed	Licensing dogs; tags, how attached	1929	173	417
111, added	Licensing dogs; registry of license	1929	173	420
112	Licensing dogs; registry of licenses	1924	455	844
112	Licensing dogs; registry of licenses	1927	207	614
112, repealed	Licensing dogs; registry of licenses	1929	173	417
112, added	Licensing dogs; tags, how attached; replacement	1929	173	420
113	Licensing dogs; tags and blanks	1924	455	844
113	Licensing dogs; tags and blanks	1927	207	614
113, repealed	Licensing dogs; tags and blanks	1929	173	417
113, added	Licensing dogs; clerk's failure to procure license	1929	173	421
113	Licensing dogs; clerk's failure to procure license	1931	190	540
114	Licensing dogs; killing unlicensed dog	1924	455	845
114, repealed	Licensing dogs; killing unlicensed dog	1929	173	417
114, added	Licensing dogs; seizure of unlicensed dogs	1929	173	422
115	Licensing dogs; when dogs to be killed	1924	455	845
115, repealed	Licensing dogs; when dogs to be killed	1929	173	417
115, added	Licensing dogs; night quarantine	1929	173	422
116	Licensing dogs; confinement at night	1924	455	845
116	Licensing dogs; confinement at night	1927	218	645
116, repealed	Licensing dogs; confinement at night	1929	173	417
116, added	Licensing dogs; killing of dangerous dog	1929	173	423
117	Licensing dogs; dogs killed or confined	1924	455	847
117	Licensing dogs; dogs killed or confined	1926	158	313
117	Licensing dogs; dogs killed or confined	1927	207	614
117, repealed	Licensing dogs; dogs killed or confined	1929	173	417
117, added	Licensing dogs; bounties for destruction of dogs	1929	173	423
118	Licensing dogs; failure to pay; penalties; fees	1922	361	766
118	Licensing dogs; failure to pay; penalties; fees	1924	455	848
118, repealed	Licensing dogs; failure to pay; penalties; fees	1929	173	417
118, added	Licensing dogs; indemnification for damage done by dogs	1929	173	423
119	Licensing dogs; damages for injuries caused by dogs	1924	455	849
119, repealed	Licensing dogs; damages for injuries caused by dogs	1929	173	417
119, added	Licensing dogs; pounds and dog wardens	1929	173	425
120	Damages paid by county for cattle, etc.; killed by dogs	1922	361	767

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	AGRICULTURE AND MARKETS LAW — (*Contd.*).			
120	Damages paid by county for cattle, etc.; killed by dogs	1924	455	849
120	Licensing dogs; damages payable by county	1927	207	615
120	Licensing dogs; damages payable by county	1928	221	449
120, repealed	Licensing dogs; damages payable by county	1929	173	417
120, added	Licensing dogs; contract for seizing and impounding	1929	173	425
121	Licensing dogs; report as to dog killed	1924	455	851
121, repealed	Licensing dogs; report as to dog killed	1929	173	417
121, added	Licensing dogs; disposition of fees and penalties	1929	173	426
122	Licensing dogs; disposition of fees, penalties and damages	1924	455	851
122	Licensing dogs; disposition of fees, penalties and damages	1927	207	617
122	Licensing dogs; disposition of fees, penalties and damages	1927	217	643
122, repealed	Licensing dogs; disposition of fees, penalties and damages	1929	173	417
122, added	Licensing dogs; apportionment of surplus money	1929	173	427
123	Licensing dogs; recovery of penalties	1924	455	853
123, repealed	Licensing dogs; recovery of penalties	1929	173	417
123, added	Licensing dogs; fees of officers, etc.	1929	173	427
124	Licensing dogs; apportionment of surplus money	1924	455	853
124, repealed	Licensing dogs; apportionment of surplus money	1929	173	417
124, added	Licensing dogs; amount and recovery of penalties	1929	173	428
125	Licensing dogs; pounds and dog catchers	1924	455	853
125, repealed	Licensing dogs; pounds and dog catchers	1929	173	417
125, added	Licensing dogs; enforcement of art. 7	1929	173	429
126	Licensing dogs; application of act; saving clause	1924	455	854
126, repealed	Licensing dogs; application of act; saving clause	1929	173	417
126, added	Licensing dogs; additional restrictions by municipality	1929	173	429
127	Licensing dogs; enforcement of art. 7	1922	369	781
127	Licensing dogs; enforcement of art. 7	1924	455	854
127	Licensing dogs; enforcement of art. 7	1927	207	619
127, repealed	Licensing dogs; enforcement of art. 7	1929	173	417
127, added	Licensing dogs; application of art. 7; saving clause	1929	173	429
127	Licensing dogs; application of art. 7; saving clause	1930	79	114
Art. 8, schedule of sections	Concentrated commercial feeding stuffs	1928	195	399
128	Concentrated commercial feeding stuffs	1922	366	774
131, subd. 4	Concentrated commercial feeding stuffs; statements attached to packages	1922	366	774
131, subd. 4, ¶ f	Concentrated commercial feeding stuffs; brand names	1928	195	400
132	Concentrated commercial feeding stuffs; application for license	1928	195	400
133	Concentrated commercial feeding stuffs; license fee	1924	411	761
133	Concentrated commercial feeding stuffs; license fee	1925	63	82
133	Concentrated commercial feeding stuffs; license fee	1927	207	619
133	Concentrated commercial feeding stuffs; license fee	1928	195	400
133	Concentrated commercial feeding stuffs; license fee	1930	501	976
133a, added	Concentrated commercial feeding stuffs; misrepresentations prohibited	1928	195	401

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	AGRICULTURE AND MARKETS LAW — (*Contd.*).			
Art. 9 (§§136–142,142a)	Inspection and sale of seeds	1925	171	218
136	Inspection and sale of seeds	1928	803	1681
137	Inspection and sale of seeds	1928	803	1681
138	Inspection and sale of seeds	1928	803	1682
142	Inspection and sale of seeds	1928	803	1682
143	Commercial fertilizers	1922	386	811
143	Commercial fertilizers	1928	193	397
144	Commercial fertilizers	1923	722	1288
145	Commercial fertilizers	1925	62	81
145	Commercial fertilizers	1927	207	620
147	Commercial fertilizers	1925	131	152
Art. 10a (§§ 147a–147i) added	Soil and plant innoculants	1930	318	712
Art. 12a (§§156c–156f), added	Grading of farm products	1931	94	418
157, subds. 4th, 5th made subd. 4th, and amended	Apples	1924	410	758
157, subd. (a)	Apples	1923	724	1290
Art. 13 (§§ 157–160), repealed	Apples; peaches; evaporated apples	1927	676	1705
Art. 13 (§§ 157–160), added	Apples	1927	676	1706
158	Apples; adoption of grades; branding	1930	347	751
Art. 13a (§§ 160a–160g), added	Eggs; grades and standards	1927	409	943
160c	Eggs; grades and standards; retail sale	1929	157	400
160e	Eggs; grades and standards; invoices	1929	157	400
160f, 160g, repealed	Eggs; grades and standards	1929	157	401
Art. 13b (§§ 160h–160k), added	Grapes; grading and sale	1928	429	956
Art. 14 (§§ 161–172), repealed	Sale of fruit-bearing trees; prevention of disease in trees and plants; insect pests	1927	212	636
Art. 14 (§§ 161–168), added	Prevention and control of disease in trees and plants	1927	212	636
167	Disease in trees and plants; payment where destroyed	1927	207	621
171a, added	Control of "orange" or "cedar rust"	1923	854	1514
171a, subds. 1, 4	Control of "orange" or "cedar rust"	1925	360	661
171a, subds. 1–4	Control of "orange" or "cedar rust"	1927	207	622
Art. 15 (§§ 173–175), repealed	Prevention of disease among bees	1925	166	214
Art. 15 (§§ 173–175, 175a), added	Bee diseases	1925	166	214
173	Bees; prevention of disease	1922	191	511
173	Bees; prevention of disease	1924	407	755
173, repealed	Bees; prevention of disease	1925	166	214
173, added	Bee diseases	1925	166	214
174	Bees; transportation	1922	191	512
174	Bees; transportation	1924	407	755
174, repealed	Bees; transportation	1925	166	214

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	AGRICULTURE AND MARKETS LAW—(*Contd*).			
174, added	Bee diseases	1925	166	215
175	Bees; duties of commissioner	1924	407	756
175, repealed	Bees; duties of commissioner	1925	166	214
175, added	Bee diseases	1925	166	215
175a, added	Bee diseases; lists of owners	1925	166	216
175a	Bee diseases; lists of owners	1927	311	760
180	Weights and measures; duties of commissioner	1925	60	78
182	County sealers of weights and measures	1928	452	1005
182	County Sealer; duty of supervisors	1931	395	847
184	Sealing of approved weights and measures	1929	318	776
184	Sealing of approved weights and measures	1931	268	654
184a, added	Gasoline pumps to be inspected and sealed	1929	316	775
185	Sealing of false weights and measures	1931	268	655
186	False weights and measures	1927	207	623
186	Condemnation and seizure of false weights and measures	1931	268	655
187	Keeping false weights and measures	1931	268	655
188	False weights and measures	1922	360	765
191	Bottles or jars for milk and cream	1927	219	646
192a, added	Standard containers; vegetables	1926	248	448
192a	Standard containers; vegetables	1927	207	623
192a, subd. 2	Celery containers	1928	347	861
193a, added	Sale of bread	1924	622	1154
193a	Sale of bread	1927	207	624
193b, added	Sale of fuel wood	1926	321	579
193c, added	Standard log rule	1930	177	524
194	Containers; net contents indicated on outside	1922	360	765
195	Containers; exceptions	1924	622	1155
196	Guaranty by wholesaler	1931	287	697
199, subd. 8, added	Adulteration of food	1925	612	1022
207	Vinegars and adulterated vinegars; definitions	1922	136	443
207	Vinegars and adulterated vinegars; definitions	1929	203	465
209	Vinegars; branding of packages	1929	203	466
212	Branding oyster kegs and cans	1925	172	223
212	Branding oyster kegs and cans	1929	156	399
214a, added	Samples of food products	1922	363	769
214a	Samples of food products	1925	359	660
219	Hay or straw; weight to be marked on bale	1929	317	775
225	Coal, coke and charcoal	1923	727	1292
229	Marking thread	1923	723	1289
229	Marking thread	1927	207	625
Art. 19 (§§ 230–243), repealed	Cold storage	1929	328	790
Art. 19 (§§ 230–243), added	Cold storage	1929	328	790
230, 231, repealed	Cold storage	1929	328	790
230, 231, added	Cold storage	1929	328	790
232	Cold storage warehouse; license	1927	207	626
232, repealed	Cold storage warehouse; license	1929	328	790
232, added	Cold storage; license	1929	328	792
233	Cold storage warehouse; reports of holdings	1927	207	627
233, repealed	Cold storage warehouse; reports of holdings	1929	328	790
233, added	Cold storage; financial statements	1929	328	792

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234	Cold storage warehouse; food to be marked	1925	363	664
234, repealed	Cold storage warehouse; food to be marked	1929	328	790
234, added	Cold storage; records to be kept	1929	328	792
235	Cold storage warehouse; leased rooms	1927	207	627
235, repealed	Cold storage warehouse; leased rooms	1929	328	790
235, added	Cold storage; food to be marked	1929	328	792
236, 237, repealed	Cold storage warehouse	1929	328	790
236, 237, added	Cold storage	1929	328	792
238	Cold storage warehouse; time foods may be kept	1925	363	665
238, repealed	Cold storage warehouse; time foods may be kept	1929	328	790
238, added	Cold storage; invoices	1929	328	792
239, repealed	Cold storage warehouse	1929	328	790
239, added	Cold storage; food to be condemned	1929	328	793
240	Cold storage warehouse; removal of marks	1925	363	666
240, repealed	Cold storage warehouse; removal of marks	1929	328	790
240, added	Cold storage; time food may be kept	1929	328	793
241, repealed	Cold storage warehouse	1929	328	790
241, added	Cold storage; transfer of food	1929	328	793
242	Cold storage warehouse; food stored for export	1927	207	627
242, repealed	Cold storage warehouse; food stored for export	1929	328	790
242, added	Cold storage; power of commissioner to investigate	1929	328	793
243, repealed	Cold storage warehouse	1929	328	790
243, added	Cold storage; rules and regulations	1929	328	793
244, subd. 2	Sale of farm produce on commission	1927	411	949
247	Sale of farm produce on commission	1925	39	58
247	Sale of farm produce on commission	1928	454	1007
250	Sale of farm produce on commission	1928	454	1008
Art. 21 (§§ 252–258)	Licensing of operators of milk gathering stations, manufactories and plants	1927	416	964
253, first paragraph	Licensing of operators of milk gathering stations, manufactories and plants	1928	194	399
260a, added	Public markets in cities; supervisors	1922	633	1682
261, subd. 3	Departments of markets in cities; jurisdiction	1927	207	628
268, subds. (1)–(3), (7), (8)	Public markets; state aid	1927	207	628
268, subd. (9)	Public markets; state aid	1925	361	662
268, subd. (9)	Public markets; state aid	1927	207	629
268, subd. (10)	Public markets; state aid	1927	207	628
269, subd. 5	Departments of markets in cities; rules	1927	207	630
270	Departments of markets in cities; rules; violations	1927	207	630
280–283, repealed	Experiment stations	1923	852	1508
284	State institutions; examination of food; farms	1927	207	631
Art. 24, title and schedule of sections	Promotion of agriculture and domestic arts; agricultural societies	1928	336	844
286, repealed	Moneys for promotion of agriculture	1928	336	845
286, added	Moneys for promotion of agriculture and domestic arts; agricultural societies; annual reports	1928	336	845
287, repealed	Distribution of moneys for agricultural societies	1928	336	846

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	AGRICULTURE AND MARKETS LAW — (*Contd*)			
287, added	Agricultural fairs; supervision	1928	336	846
288	Annual report of agricultural society	1925	40	59
288, repealed	Annual report of agricultural society	1928	336	846
288, added	Agricultural fairs; gambling; obscene shows	1928	336	846
293	Existing rules and regulations	1927	207	631
294	Pending actions or proceedings	1927	207	631
	ARBITRATION LAW: (L. 1920, ch. 275, constituting cons. laws, ch. 72.)			
2	Validity of arbitration agreements	1921	14	18
4a, added	Enforceability of awards in certain cases	1927	352	806
6a, added	Arbitration deemed special proceeding	1923	341	582
8	Application of code of civil procedure and civil practice act	1921	14	19
	BANKING LAW: (L. 1914, ch. 369, constituting cons. laws, ch. 2, superseding L. 1909, ch. 10.)			
Art. 1, title	Short title; definitions; miscellaneous provisions	1922	620	1666
2	Definitions	1930	678	1210
3, added	Information to be given poor authorities	1922	620	1666
3	Information to be given poor authorities and hospital commission	1924	71	109
3	Definitions	1930	678	1211
3, renumbered 43a, and amended	Information to be given poor authorities and department of mental hygiene	1927	178	553
10	Department; superintendent	1927	178	548
11	Official seal; sealed instruments as evidence	1927	178	549
12	Offices and furniture	1927	178	549
13	Deputies and employees	1925	45	64
13	Deputies and employees	1927	178	549
13	Deputies and employees	1930	678	1211
13	Deputies and employees	1931	215	568
14	Bond of deputy acting as superintendent	1927	178	550
14	Bond of deputy acting as superintendent	1930	678	1211
15	Deputies and employees; restrictions	1930	678	1212
15	Deputies and employees; restrictions	1931	103	433
16, repealed	Retirement of deputies, clerks and examiners	1921	568	1711
17	Department expenses	1927	178	550
17	Department expenses	1930	678	1213
18	Fees for copies and certifications	1927	178	551
18	Fees for copies and certifications	1930	678	1213
19	Moneys received to be paid to state	1930	678	1213
19	Unclaimed deposits; moneys received to be paid to state	1931	110	442
24	Authorization certificate	1927	178	551
24a	Fiduciary powers	1926	331	590

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	BANKING LAW — (*Continued*).			
24a	Fiduciary powers	1927	178	552
26	Revocation of private banker's affidavit	1930	678	1213
27	Foreign corporations; licenses; renewal	1927	178	552
27a, added	Change of location; foreign corporation	1931	216	569
29	Authorization certificate or license; revocation	1927	178	553
30	Assessments for encroachments on reserves	1930	678	1214
31	Proceedings for violation of chapter	1930	678	1214
32	Assessment penalties and forfeitures entitled to priority	1930	678	1214
33	Securities deposited with superintendent	1930	678	1214
35	Exchange of securities; withdrawal of excess	1930	678	1214
36	Examination and comparison of securities	1930	678	1214
38	Reserve depositaries	1927	44	66
38	Designation of reserve depositaries	1930	678	1217
39	Examination of corporations	1930	678	1217
39a	National bank acting in fiduciary capacity	1921	38	106
41	Examiners' reports confidential	1930	678	1221
42	Reports from corporations	1930	678	1221
43	Publication of summary of reports of banks	1930	678	1221
44	Power of superintendent as trustee for creditors	1930	678	1221
45	Unclaimed deposits, dividends	1930	678	1221
46, repealed	Unclaimed deposits, dividends; publication of lists	1930	678	1223
47	Unclaimed deposits, etc.; index of persons entitled	1930	678	1223
49	Extensions of time by superintendent	1930	678	1223
50	Change of location of bank; approval	1927	178	554
50	Change of location of bank; approval	1930	678	1224
51	Branch offices; approval or refusal	1927	178	554
52	Savings banks; list of legal investments	1928	448	982
52	Savings banks; list of legal investments	1931	246	628
56	Orders of superintendent	1930	678	1224
57	Possession of delinquent corporation by superintendent	1930	664	1196
57	Possession of delinquent corporation by superintendent	1930	678	1224
57a, added	Possession of foreign banking corporation by superintendent	1930	664	1196
58	Termination of possession by superintendent	1930	678	1224
62	Special deputies; assistants; counsel	1930	678	1224
63	Expenses of liquidation; payment by superintendent	1930	678	1224
64	Procedure to obtain pleadings; attorneys' liens	1930	678	1224
65	Claim against banks taken over by superintendent	1923	286	493
65	Notice to creditors of banks taken over by superintendent	1930	678	1228
66	Inventory of assets	1930	678	1228
67	Disposition of property held by delinquent as bailee	1930	678	1228
68	Notice to remove; effect upon bailment contract	1930	678	1228
69	Liquidation and conservation of assets	1930	678	1228
71	Power of superintendent to sue, etc., for delinquent	1930	678	1229
72	Claims; notice to creditors	1930	664	1197
72	Claims; notice to creditors	1931	310	724
73	List of claims presented	1930	678	1229
73	List of claims presented	1931	191	541
74	Objections to claims presented	1930	678	1229

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74	Objections to claims presented	1931	191	542
75	Acceptance or rejection of claims	1930	678	1229
76	Effect of acceptance or rejection of claims	1930	678	1229
76	Effect of acceptance or rejection of claims	1931	310	725
77	Judgments after possession as liens	1930	678	1229
78	Dividends to creditors; unclaimed dividends	1930	678	1229
82	Official acts and details of department business to be made public	1930	678	1232
83, subds. 1–3	Annual report of superintendent	1930	678	1233
84, added	Keeping of records	1930	678	1234
85, added	Superintendent to notify directors of official communications	1930	678	1234
100, subd. 6	Directors of banks and trust companies	1923	9	7
103	When corporate existence begins	1930	282	665
104, subd. 2	National banks converting to state banks	1923	7	6
104, subd. 4, last paragraph, made subds. 5, 6, and amended	Property of national bank vested in state bank	1921	20	83
104, subd. 4	Corporate existence of converted national bank	1931	163	501
106, subd. 5	Powers of banks	1921	242	928
106, subd. 8	Powers of banks	1926	331	591
108, subd. 1, subd. (b)	Restrictions on loans	1927	44	67
108, subd. 4, subd. (b)	Restrictions on loans	1927	44	67
108, subd. 4, subd. (d)	Restrictions on loans	1922	410	857
108, subd. 1, subd. (d)	Restrictions on loans	1929	237	530
112, subds. 1, 2	Reserves	1927	44	68
112a, added	Withdrawal of time deposits; notice; penalties	1930	678	1234
114	Rate of interest; effect of usury	1922	623	1668
119	Change of location	1930	281	662
123	Directors of banks and trust companies	1923	9	7
123	Directors of banks and trust companies	1926	331	592
123	Directors of banks	1929	236	527
123	Directors	1930	678	1234
127	Change of number of directors	1924	91	135
127	Directors; vacancies	1930	243	612
129	Directors; meetings	1930	678	1235
134	Reports of unclaimed deposits, etc	1927	63	225
137	Change to or consolidation with national bank	1930	407	876
138, subd. 2	Conversion of state bank to trust company	1931	163	501
138, subd. 4, last paragraph made subds. 5, 6, and amended	State bank converted to trust company	1923	10	9
138, subd. 4	Conversion of state bank to trust company	1931	163	501
141	Unauthorized use of sign or words indicating bank	1930	678	1236
142	Bills payable otherwise than in money prohibited	1930	678	1236
143, repealed	Preservation of rights of individual bankers	1930	678	1237

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146a, added	Change of location; foreign corporation	1931	216	569
149a, added	Repayment of deposits of decedents in banks	1928	531	1157
149b, added	Adverse claims to bank deposit	1930	665	1198
149b	Adverse claims to bank deposit	1931	142	476
150	Private bankers; scope of article	1930	679	1241
150a, added	Private banker; authorization certificate; exception	1930	679	1242
151	Private bankers; certificate	1930	679	1243
151, subd. 3	Private bankers; capital	1924	423	777
152	Private bankers; conditions precedent to transacting business	1930	679	1244
156	Private bankers; insolvency; depositors preference	1930	679	1244
157	Private bankers; reports of unclaimed deposits	1927	63	226
157, repealed	Private bankers; reports of unclaimed deposits	1930	679	1244
157, added	Private bankers; reserves against deposits	1930	679	1244
158	Private bankers; revocation of authorization	1930	679	1245
159	Private bankers; change of location	1930	679	1245
160	Private bankers; exemptions	1930	679	1245
161, repealed	Private bankers; deposit of securities	1930	679	1246
161, added	Private bankers; return of securities by superintendent	1930	679	1246
166, repealed	Private bankers; reserves against deposits	1930	679	1246
166, added	Private bankers; annual report of unclaimed deposits	1930	679	1246
167	Private bankers; transmission of money	1921	351	1132
168	Private bankers; receipt for money received	1921	351	1133
168	Private bankers; receipt for money received	1923	703	1254
170	Private bankers; reports required by superintendent	1927	63	227
172	Private bankers; violations	1921	350	1131
172, repealed	Private bankers; violations	1930	679	1247
172, added	Private bankers; official communications	1930	679	1247
174, added	Encroachments by individuals as trustees, etc., on powers of banks, etc	1923	895	1722
175, added	Private bankers; continuation and liquidation after death	1930	679	1248
183	Trust companies; conditions precedent to commencing business	1927	62	224
188, subd. 2	Trust companies; fiduciary capacity	1923	700	1248
190, subd. 1, subd. (b)	Trust companies; restrictions on loans	1927	44	68
190, subd. 1, subd. (d)	Trust companies; restrictions on loans	1929	237	529
190, subd. 9	Trust companies; power to invest	1926	259	462
193	Trust companies; restrictions on investments of capital	1922	621	1666
193	Trust companies; restrictions on investments of capital	1928	386	900
194b, added	Adverse claims to bank deposit	1930	665	1198
197, subds. 1, 2	Trust companies; reserves	1927	44	68
197a, added	Trust companies; notice on withdrawal of time deposits; penalties	1930	678	1237
205	Trust companies; change of location	1930	281	663
208	Directors of banks and trust companies	1923	9	8
208	Directors of trust companies	1929	236	528
208	Directors of trust companies	1930	678	1237
210	Directors of trust companies; qualifications	1930	678	1238
210	Directors of trust companies; qualifications	1931	217	570

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212	Directors; vacancies	1930	243	612
214	Directors of trust companies; meetings	1930	678	1238
219	Trust companies; reports of unclaimed deposits, etc.	1927	63	228
223	Foreign corporation acting as executor or trustee in New York	1923	23	21
224, added	Repayment of deposits in trust companies	1928	531	1158
225, added	National bank may become trust company; procedure	1930	407	877
225, subd. 4	Conversion of national bank to trust company	1931	163	502
226, added	Change from state trust company to or consolidation with national bank	1930	407	877
238, subd. 10, added	Savings banks; power to receive money for transmission	1921	177	741
238, subd. 11, added	Savings banks; safe deposit boxes for depositors	1923	669	1211
238, subd. 11	Savings banks; safe deposit boxes for depositors	1926	631	1128
238, subd. 12, added	Savings banks, safe deposit boxes for depositors	1931	104	434
239, subd. 3	Savings banks; investments in bonds of other states	1923	222	285
239, subd. 4	Savings banks; investments	1928	446	979
239, subd. 5	Savings banks; investments	1928	446	979
239, subd. 5, subsection (b)	Savings banks; investments	1924	505	924
239, subd. 5, subsection (b)	Savings banks; investments	1927	227	659
239, subd. 5, ¶ (c), added	Savings banks; investments	1927	227	660
239, subd. 6	Savings banks; authorized investments	1923	350	594
239, subd. 6	Savings banks; authorized investments	1927	323	780
239, subd. 7	Savings banks; investments	1928	449	988
239, subd. 7, repealed	Savings banks; investment in railroad obligations	1929	322	782
239, subd. 7, added	Savings banks; investment in railroad obligations	1929	322	782
239, subd. 7, ¶ (i)	Savings banks; investment in railroad obligations	1923	52	53
239, subd. 8, ¶ (a)	Savings banks; investments	1928	447	982
239, subd. 8 ¶ (c)	Savings banks, investments; promissory notes	1931	246	629
239, subd. 8, ¶ (d)	Savings banks; loans on passbooks	1922	154	468
239, subd. 9, ¶ (c)	Savings banks; investments	1931	246	629
239, subd. 10a, added	Savings banks; investments	1922	621	1667
239, subd. 11	Savings banks; investments	1923	107	133
239, subds. 12, 13, added	Savings banks; investments	1928	448	983
243, subd. 1	Savings banks; restrictions on borrowing money	1930	678	1239
245	Savings banks; place of business, branch offices	1923	248	443
247, subd. 1	Savings banks; deposits	1925	82	104
247, subd. 1	Savings banks; deposits	1926	278	492
247, subd. 2	Savings banks; deposits	1926	278	493
248, title	Savings banks; repayment of deposits	1930	678	1239
248, subd. 1	Savings banks; repayment of deposits	1930	678	1239

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	BANKING LAW—(*Continued*).			
250, subd. 5, added	Savings banks; notice of adverse claim to deposits	1931	246	629
256, subd. 4, ¶ (c)	Savings banks; declaration of dividends	1922	130	430
260, subd. 4, added	Savings banks; trustees; eligibility	1929	320	780
261, subd. 2	Savings banks; oath of trustees	1925	66	87
266	Savings banks; directors; vacancies	1930	243	612
267, subd. 1, ¶ (a)	Savings banks; powers of trustees	1922	216	539
267, subd. 1, ¶ (c), added	Savings banks; powers of trustees	1929	320	780
268, subd. 3, ¶ (c)	Savings banks; disqualification of trustees	1929	320	780
271a, added	Savings banks; group insurance for employees	1926	636	1153
273, subd. 2, first paragraph	Savings banks; report to superintendent	1931	246	630
279, subd. 2	School deposits	1923	22	20
290, repealed	Investment companies; incorporation	1931	490	1172
290, added	Industrial banking companies; incorporation	1931	490	1172
290, subd. 4	Investment companies; capital stock	1924	362	697
290, subd. 4	Investment companies; capital stock	1926	51	210
291	Industrial banking companies; corporate existence begins	1931	490	1173
292, repealed	Investment companies; deposit of securities	1931	490	1174
292, added	Industrial banking companies; general powers	1931	490	1174
293, repealed	Investment companies; powers	1931	490	1175
293, subd. 1	Investment companies; powers	1929	327	790
293, subd. 1a	Investment companies; powers	1921	49	131
293, subd. 7, added	Investment companies; powers	1922	622	1668
293, subd. 7	Investment companies; powers	1926	596	1065
293, subd. 7	Investment companies; powers	1929	465	992
293a, added	Investment companies; collateral securities	1925	384	694
293a, renumbered 293, and amended	Industrial banking companies; collateral security	1931	490	1175
294, repealed	Investment companies; restrictions	1931	490	1176
294, added	Industrial banking companies; restrictions	1931	490	1176
295	Industrial banking companies; restrictions as to entries	1931	490	1177
296	Investment company; change of location	1930	281	663
296	Industrial banking companies; change of location	1931	490	1178
297	Industrial banking companies; communications from department	1931	490	1178
298	Industrial banking companies; reports to superintendent	1931	490	1179
299	Industrial banking; liability for assessments	1931	490	1179
300	Industrial banking; preservation of records	1931	490	1180
301	Investment companies; directors, vacancies	1930	243	612
301	Industrial banking; restrictions on officers	1931	490	1180
302	Investment companies; encroachment on powers by foreign corporation	1929	75	132
302	Industrial banking; encroachment on powers	1931	490	1181
303, repealed	Investment companies; foreign corporation; license	1931	490	1181
303, added	Industrial banking; directors	1931	490	1181

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	BANKING LAW—(*Continued*).			
304, repealed	Investment companies; foreign corporations	1931	490	1182
304, added	Industrial banking; oath of directors	1931	490	1182
305, repealed	Investment companies; foreign corporations	1931	490	1182
305, added	Industrial banking; stockholders rights and liabilities	1931	490	1182
306, repealed	Investment companies; foreign corporations	1931	490	1183
306, added	Industrial banking; assessment of stockholders	1931	490	1183
307, repealed	Investment companies; foreign corporations	1931	490	1184
307, added	Industrial banking; annual meeting	1931	490	1184
308, repealed	Investment companies; foreign corporation	1931	490	1184
308, added	Industrial banking; reserves	1931	490	1184
309, repealed	Investment companies; reincorporation	1931	490	1185
310, added	Investment companies; disposition of net earnings	1926	50	209
310, renumbered 309, and amended	Industrial banking; net earnings; dividends	1931	490	1185
315	Safe deposit companies	1923	77	81
318	Safe deposit companies; powers	1928	349	862
321	Safe deposit companies; change of location	1930	281	664
325	Safe deposit companies; directors; vacancies	1930	243	613
352	Personal loan company; change of location	1930	281	665
357	Savings and loan associations; directors	1930	243	613
368	Savings and loan associations	1928	365	880
378, subd. 5	Savings and loan associations	1923	34	36
383, subd. 7, added	Savings and loan associations; club savings shares	1930	252	621
384, subd. 1, ¶ (b)	Savings and loan associations; loans to members	1930	246	615
384, subd. 4, ¶ e, added	Savings and loan associations; shares of other such associations	1928	256	738
386, subd. 1	Savings and loan associations; mortgages	1929	330	794
387	Savings and loan associations; real estate holdings	1924	116	203
387	Savings and loan associations; real estate holdings	1925	125	146
388	Savings and loan associations; power to borrow	1922	357	759
395, new paragraph, added	Savings and loan associations; dividends	1921	75	273
397	Savings and loan associations; shares of minors	1924	242	477
397	Savings and loan associations; withdrawal of free shares	1929	68	123
397, new paragraph, added	Savings and loan associations; withdrawal of unpledged shares	1921	76	274
402	Savings and loan associations; repayment of loans; pledged shares	1927	324	781
403	Savings and loan associations; change of location	1921	352	1134
403	Savings and loan associations; change of location	1929	321	781
405	Savings and loan associations; officers and directors	1924	243	479
409a, added	Savings and loan associations; pensions	1921	78	276
410	Savings and loan associations; by-laws	1925	61	80
424, subd. 4	Land bank of New York state	1924	117	204
451	Credit unions; proposed by-laws	1931	341	760
451, subd. 2	Credit unions; qualifications for membership	1929	325	788
453	Credit unions; general powers	1931	341	762
453, subd. 5	Credit unions; general powers	1923	701	1249

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	BANKING LAW — (*Continued*).			
453, subd. 5	Credit unions; general powers	1930	198	546
454	Credit unions; limitations on powers	1923	701	1250
454	Credit unions; limitation upon powers	1931	341	763
454, subd. 1	Credit unions; compensation to committee members, etc.	1929	323	786
454, subd. 1	Credit unions; compensation to committee members, etc	1930	247	615
454, subd. 4	Credit unions; loans to officers, etc	1929	324	787
454, subd. 4	Credit unions; loans to officers, etc	1930	360	763
454a, added	Credit unions; restriction as to shares, loans and deposits	1923	701	1251
454a	Credit unions; restrictions as to shares, loans, deposits.	1931	341	765
456	Credit unions; deposit of funds	1923	701	1252
457	Credit unions; guaranty fund	1925	383	693
457	Credit unions; guaranty fund	1931	341	766
457a, added	Credit union; reserve for bad debts	1931	341	767
458	Credit unions; calculations to determine dividends	1931	341	767
459	Credit unions, dividends	1931	341	768
464	Credit unions; meetings of shareholders	1923	701	1252
464, subd. 3 added	Credit unions; meetings	1931	341	768
465	Credit unions; qualifications; directors and committee members	1929	324	787
465	Credit unions; directors, qualifications	1931	341	768
466	Credit unions; oaths of directors, etc	1929	324	788
467	Credit unions; tenure of office	1923	701	1252
467	Credit unions; directors, tenure, vacancies	1931	341	769
468	Credit unions; directors, powers and duties, compensation	1931	341	769
469	Credit unions; special duties of directors	1923	701	1253
469	Credit unions; directors, special duties	1931	341	769
470	Credit unions; credit committee; duties	1929	323	786
470	Credit unions; credit committee, duties	1931	341	770
471	Credit unions; supervisory committee, duties	1931	341	770
471, subd. 4, last paragraph	Credit unions; membership of credit committee	1929	323	786
473	Credit unions; amendment of by-laws	1922	304	688
480, added	Credit unions; maintenance of records	1930	195	544
486a, added	Forfeiture of charter by nonuser	1930	233	593
487	Merger; when authorized	1926	81	240
487, subd. 1	Merger; when authorized	1923	8	6
490	Merger agreement; submission to stockholders or shareholders	1928	298	779
Art. 12a (§§505–526), added	Investment companies	1931	494	1190
	BENEVOLENT ORDERS LAW: (L. 1909, ch. 11, constituting cons. laws, ch. 3.)			
2, subd. 23	Catholic Daughters of America	1923	255	449

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	BENEVOLENT ORDERS LAW — (*Continued*).			
2, subds. 27, 28, added	Knights of Malta and Dames of Malta	1922	60	227
2, subd. 29, added	Degree of Pocahontas of Improved Order of Red Men	1923	349	586
2, subd. 30, added	American Legion	1924	245	481
2, subd. 30, added	American Legion	1924	604	1116
2, subd. 30	American Legion	1928	457	1010
2, subd. 31, added	State Camp of New York of Patriotic Order Sons of America	1924	604	1116
2, subd. 32, added	Eastern Star	1925	382	689
2, subd. 33, added	Independent Order Brith Abraham	1925	382	689
2, subd. 34, added	La Societe des 40 Hommes et 8 Chevaux	1927	196	592
2, subd. 34	La Societe des Quarante Hommes et Huit Chevaux	1928	457	1011
2, subd. 35, added	Order of the Amaranth	1929	120	344
2, last paragraph	Organization	1923	349	587
3	Powers	1923	349	587
4	Terms of trustees	1923	349	588
4	Terms of trustees	1924	604	1116
5	Powers of trustees	1923	349	589
5	Powers of trustees	1924	604	1117
7	Joint corporations	1922	60	227
7	Joint corporations	1923	349	590
7	Joint corporations	1924	245	481
7	Joint corporations	1924	604	1118
7	Joint corporations	1925	382	689
7, subd. 1	Joint corporations	1928	125	270
7, subd. 1	Joint corporations	1929	120	344
7, subd. 3	Joint corporations	1926	123	276
7a, added	Consolidation of certain orders and similar bodies	1927	675	1705
8	Joint corporations; trustees	1921	690	2442
8	Joint corporations; trustees	1923	349	592
10	Mortgaging property	1925	199	426
	BUSINESS CORPORATIONS LAW: (L. 1909, ch. 12, constituting cons. laws, ch. 4.)			
26	Cooperative associations; incorporation	1921	359	1146
30	Cooperative associations; stock and stockholders	1921	359	1146
32	Cooperative associations; stock in other corporations	1921	359	1146
34	Cooperative associations; earnings and dividends	1921	359	1147
All, except §§ 12–16, repealed		1923	787	1421
12–14, repealed	District steam corporations	1926	762	1433
	CANAL LAW: (L. 1909, ch. 13, constituting cons. laws, ch. 5.)			
15, subd. 10, repealed	Powers of canal board	1921	579	1755

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CANAL LAW — (*Continued*).			
15, subd. 10, repealed	Powers of canal board	1922	532	1220
16, in part, repealed	Erections for commercial or manufacturing purposes	1921	579	1755
19, renumbered 17, and amended	Investigation of frauds	1927	584	1503
30, repealed	Superintendent of public works; salary, expenses, undertaking	1923	867	1686
30, repealed	Superintendent of public works; salary, expenses, undertaking	1927	512	1222
31, repealed	Assistant superintendents of public works	1923	867	1686
31, repealed	Assistant superintendents of public works	1927	512	1222
32, repealed	Deputy superintendent of public works	1923	867	1686
32, repealed	Deputy superintendent of public works	1927	512	1222
33, subd. 14a, repealed	Duty of superintendent of public works	1931	315	735
33, subd. 14c, added	Use of dry docks	1928	129	273
34, renumbered 20, and amended	Superintendent of public works; accounts	1927	583	1502
46, renumbered 27, and amended	Audit of claims	1927	582	1502
47	Claims for damages	1930	485	954
120	Alteration of roads	1921	235	909
121a, added	Maintenance of certain bridges	1926	678	1224
183	Seizure of obstructions	1928	203	428
193, added	Damages caused by termination of canal navigation	1927	665	1682
	CITY HOME RULE LAW: (L. 1924, ch. 363, constituting cons. laws, ch. 76.)			
10	Local legislative body	1928	671	1447
11	Power of cities to adopt and amend local laws	1928	670	1446
11, subd. 1	Power of cities to adopt and amend local laws	1929	646	1517
11, subd. 2, ¶ c, added	Power of cities to adopt and amend local laws	1928	668	1444
12	Effect of local law on acts of legislature	1925	397	717
12, subd. 1	Effect of local law on acts of legislature	1928	674	1450
13, 14	Action by local legislative body	1928	672	1448
15	Mandatory referendum	1925	397	718
15, subd. 8, repealed	Mandatory referendum; alienation or leasing of city property	1928	667	1444
16	Referendum on petition	1925	397	719
16	Referendum on petition	1928	669	1445
17	Local laws subject to referendum	1925	397	719
17, subd. 7, added	Local laws subject to referendum; alienation or leasing of city property	1928	667	1444
17, subd. 8, added	Local laws subject to referendum; salary of elective officers	1929	74	131
18	Propositions for submission of local laws	1925	397	720

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CITY HOME RULE LAW—(*Continued*).			
20, subd. 3	Adoption of new charter	1925	397	720
20, subd. 3	Adoption of new charter	1927	501	1207
22	Filing and publication of local laws	1928	673	1450
22	Filing and publication of local laws	1929	37	37
	CITY LOCAL OPTION LAW: (L. 1917, ch. 624, constituting cons. laws, ch. 68.)			
All repealed		1921	155	512
	CIVIL RIGHTS LAW: (L. 1909, ch. 14, constituting cons. laws, ch. 6.)			
8	Right of search and seizure	1923	80	85
16, added	Recovery of damages for illegal sale of intoxicating liquor	1921	157	521
51	Exhibition of photographs	1921	501	1550
Art. 5a (§§ 53–56), added	Activities of certain membership corporations and unincorporated associations	1923	664	1110
53, added	Activities of certain membership corporations and unincorporated associations	1923	664	1110
53	Activities of certain membership corporations and unincorporated associations	1925	251	501
54–56, added	Activities of certain membership corporations and unincorporated associations	1923	664	1111
	CIVIL SERVICE LAW: (L. 1909, ch. 15, constituting cons. laws, ch. 7.)			
3	State civil service commission	1926	547	961
3	Department of civil service	1927	440	1097
4	Officers and employees of commission	1926	685	1236
5	Department offices and accommodations	1927	440	1097
6	Commission; powers and duties	1927	440	1098
7	Commission; attendance of witnesses	1927	440	1099
9	Unclassified service; classified service	1927	440	1099
11	Classified city service	1921	653	2023
11	Classified city service	1922	440	926
11	Classified city service	1923	177	222
13	Exempt class	1927	440	1099
13, subd. 3	Exempt class; deputy clerk to supreme court justice	1924	644	1195
14a, added	Experience ratings for disabled veterans of world war	1924	634	1174
15, subd. 4, added	Appointment of employees to positions formerly held by them	1922	493	1115
16	Promotion; transfer; reinstatement; reduction	1922	131	431

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CIVIL SERVICE LAW — (*Continued*).			
16	Promotion; transfer; reinstatement; reduction	1923	876	1696
16	Promotion; transfer; reinstatement; reduction	1926	685	1236
16a, added	Eligibility of candidate not affected by unsustained charge	1923	180	227
16b, added	Honorable service in army or navy rated as merit	1924	632	1172
21	Preference allowed veterans	1930	374	795
21a	Civil war veterans; retirement; pensions	1921	54	234
21a	Civil war veterans; retirement; pensions	1923	368	609
21b, added	Civil war veterans; retirement; pensions	1921	159	523
21b, added	Preference to veterans	1921	702	2483
21b (as added by L. 1921, ch. 702), repealed	Preference to veterans	1926	685	1237
22	Removal of employees in competitive class	1924	612	1129
22, subd. 1	Removal of veterans and volunteer firemen	1930	214	570
22a	Eligibility for future employment	1923	875	1694
22a	Separate eligible list for persons in military or naval service	1924	633	1173
22a (as added by L. 1920, ch. 836), repealed	Eligibility for future employment	1926	685	1237
22b	Reinstatement of persons in federal, military, naval or marine service	1921	652	2021
22b, repealed	Reinstatement of persons in federal, military, naval or marine service	1926	685	1237
22c, renumbered 22b	Continuity of service of persons in federal, military, naval or marine service	1926	685	1237
22d, added	Civil service status of soldiers, sailors and marines	1921	654	2026
23	Compensation of veterans reinstated by court order	1929	511	1032
30a	Inspectors of masonry construction	1927	440	1100
31	Employees separated from service preferred for certification	1926	685	1237
31	Employees separated from service preferred for certification	1927	319	766
31	Employees separated from service preferred for certification	1927	441	1104
31	Employees separated from service preferred for certification	1929	512	1033
42	Classification of state employees; salaries	1926	686	1238
50, subd. 8	State retirement system; definitions	1921	365	1160
50, subd. 8	State retirement system; definitions	1922	592	1511
50, subd. 8	State retirement system; definitions	1923	705	1255
50, subd. 8	State retirement system; definitions	1925	669	1107
50, subd. 8	State retirement svstem; definitions	1927	578	1495
50, subd. 8	State retirement svstem; definitions	1929	421	936
50, subd. 8	State retirement system; definitions	1930	713	1308
50, subd. 9	State retirement system; definitions	1928	294	774
50, subd. 9	State retirement system; definitions	1930	713	1309
50, subd. 10	State retirement system; definitions	1928	294	774
52, subd. 1	State retirement system; membership	1924	618	1145
52, subd. 1, ¶ (a)	State retirement system; membership	1928	557	1252

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CIVIL SERVICE LAW — (*Continued*).			
52, subd. 1, ¶ c, added	State retirement system; membership	1924	620	1153
52, subd. 1, ¶ (c)	State retirement system; membership	1925	594	988
52, subd. 1, ¶ (c)	State retirement system; membership	1926	684	1229
52, subd. 1, ¶ (c)	State retirement system; membership	1927	440	1100
52, subd. 1, ¶ (c)	State retirement system; membership	1927	578	1496
52, subd. 1, ¶ (c)	State retirement system; membership	1928	301	781
52, subd. 1, ¶ (d), added	State retirement system; membership	1926	280	498
52, subd. 1, ¶ (d)	State retirement system; membership	1927	171	535
52, subd. 1, ¶ (d)	State retirement system; membership	1928	301	782
52, subd. 1, ¶ (e), added	State retirement system; membership	1928	556	1251
52, subd. 1, ¶ (e)	State retirement system; membership	1930	734	1331
52, subd. 1, ¶ (f), added	State retirement system; membership	1930	141	476
52. subd. 1, ¶ (f)	State retirement system; membership	1931	393	843
52, subd. 2	State retirement system; membership	1927	578	1497
52, subd. 9	State retirement system; membership	1929	421	937
52a, added	State retirement system; employees transferred to federal government	1923	592	892
52a	State retirement system; employees transferred to federal government	1929	421	937
52b, added	State retirement system; membership	1928	222	452
52c, added	State retirement system; membership	1928	713	1548
52c	State retirement system; membership	1930	713	1309
52c	State retirement system; membership	1930	714	1310
52c	State retirement system; membership	1931	334	750
52c	State retirement system; membership	1931	483	1163
53, subd. 5	State retirement system; allowances	1921	365	1161
53, subd. 5	State retirement system; allowances	1923	705	1256
53, subd. 5	State retirement system; allowances	1924	618	1145
53, subd. 5	State retirement system; allowances	1925	669	1108
53, subd. 5	State retirement system; allowances	1926	318	577
53, subd. 5	State retirement system; allowances	1927	174	539
53, subd. 5	State retirement system; allowances	1928	301	782
53, subd. 5	State retirement system; allowances	1929	421	937
53, subd. 5	State retirement system; allowances	1929	422	940
53, subd. 5	State retirement system; allowances	1930	139	471
53, subd. 5	State retirement system; allowances	1931	131	465
53, subd. 8	State retirement system; allowances	1925	669	1109
53, subd. 8	State retirement system; allowances	1927	440	1101
55	State retirement system; medical board	1929	421	938
57, subd. 3	State retirement system; funds	1927	440	1101
57, subd. 3	State retirement system; funds	1928	555	1248
57, subd. 3	State retirement system; funds	1929	14	18
57, subd. 3	State retirement system; funds	1931	334	751
58, subd. 1	State retirement system; funds	1922	592	1511
58, subd. 1	State retirement system; funds	1923	705	1257
58, subd. 3	State retirement system; funds	1924	619	1149
58, subd. 3	State retirement system; funds	1926	684	1230
58, subd. 4	State retirement system; funds	1924	619	1151
59	State retirement system; guaranty	1924	618	1146
60, subd. 1	State retirement system; annual appropriation	1923	705	1259

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CIVIL SERVICE LAW—(*Continued*).			
60, subd. 1	State retirement system; annual appropriation	1927	440	1101
60, subd. 3	State retirement system; appropriation for administration	1924	618	1146
61, subd. 1	State retirement system; refunds	1928	537	1252
61, subd. 2	State retirement system; refunds	1923	705	1259
61, subd. 3, added	State retirement system; refunds	1921	365	1161
61, subd. 3	State retirement system; discontinuance from service after twenty years	1924	618	1147
61, subd. 3	State retirement system; discontinuance from service after twenty years	1925	669	1109
61, subd. 3	State retirement system; discontinuance from service after twenty years	1926	634	1232
61, subd. 3	State retirement system; discontinuance from service after twenty years	1931	130	464
61, subd. 4, added	State retirement system; restoration to active service.	1922	592	1513
61, subd. 4	State retirement system; restoration to active service.	1925	669	1109
61, subd. 4	State retirement system; restoration to active service.	1926	684	1232
61, subd. 5, added	State retirement system; return to service	1924	618	1147
61, subd. 6, added	State retirement system; borrowing	1928	534	1160
62	State retirement system; superannuation retirement.	1921	207	852
62, subd. 1	State retirement system; superannuation retirement.	1923	705	1259
62, subd. 1	State retirement system; superannuation retirement.	1927	578	1497
62, subd. 1	State retirement system; superannuation retirement.	1929	421	938
62, subd. 2	State retirement system; superannuation retirement.	1922	592	1513
62, subd. 2	State retirement system; superannuation retirement.	1924	618	1147
62, subd. 2	State retirement system; superannuation retirement.	1925	669	1110
62, subd. 2	State retirement system; superannuation retirement.	1926	634	1233
62, subd. 2	State retirement system; superannuation retirement.	1928	326	818
62, subd. 2	State retirement system; superannuation retirement.	1930	138	470
62, subd. 2	State retirement system; superannuation retirement.	1931	334	752
63	State retirement system; allowance on superannuation retirement	1926	684	1233
63, subd. 1	State retirement system; superannuation retirement.	1931	239	619
63, subd. 1, ¶ (d), added	State retirement system; superannuation retirement.	1925	671	1115
63, subd. 2	State retirement system; superannuation retirement.	1923	705	1259
63, subd. 2	State retirement system; beneficiary receiving compensation for public service	1924	618	1148
63, subd. 2	State retirement system; beneficiary receiving compensation for public service	1925	669	1110
63, subd. 2	State retirement system; beneficiary receiving compensation for public service	1929	421	939
63, subd. 2	State retirement system; beneficiary receiving compensation for public service	1930	137	469
63, subd. 3, added	State retirement system; beneficiary restored to active service	1930	137	470
63a, added	State retirement system; death after notice and before retirement	1931	400	851
64	State retirement system; disability	1921	365	1161
64	State retirement system; disability	1924	619	1151
65	State retirement system; accident disability retirement	1924	619	1152

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
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65	State retirement system; accident disability retirement	1925	669	1111
65a, added	State retirement system; accidental death benefit	1924	619	1152
65a	State retirement system; accidental death benefit	1925	669	1112
65b, added	State retirement system; ordinary death benefit	1926	684	1234
65b	State retirement system; ordinary death benefit	1927	578	1497
65b	State retirement system; ordinary death benefit	1931	334	753
66, subd. 2	State retirement system; restoration of disability beneficiary	1925	669	1112
66, subd. 3	State retirement system; restoration of disability beneficiary	1925	669	1113
67	State retirement system; pensions offset by compensation benefits	1925	669	1113
67	State retirement system; pensions offset by compensation benefits	1927	578	1498
67	State retirement system; pension offset by other benefits	1929	421	939
67	State retirement system; pension offset by other benefits	1931	389	840
68	State retirement system; options	1922	592	1514
68	State retirement system; options	1923	705	1260
68a, added	State retirement system; optional retirement before sixty	1931	193	543
70	State retirement system; exemption from execution	1927	578	1498
71a, added	State retirement system; eligibility of beneficiary for office	1921	207	852
71a	State retirement system; effect of election or appointment of beneficiaries to certain offices	1924	618	1148
72	State retirement system; limitation of other statutes	1929	421	939
73, added	State retirement system; transfer of members between systems	1922	592	1514
73	State retirement system; transfer of members between systems	1926	684	1234
73	State retirement system; transfer of members between systems	1931	299	711
Art. 5 (§§ 75–80), added	Retirement of officers and employees in county and city service	1922	591	1509
Art. 5 (§§ 75–80)	Retirement system; county, city, town and village	1924	48	77
75, added	Retirement system; county, city, town and village	1922	591	1509
75	Retirement system; county, city, town and village	1923	708	1271
75	Retirement system; county, city, town and village	1924	48	77
76, added	Retirement system; county, city, town and village	1922	591	1509
76	Retirement system; county, city, town and village	1923	708	1271
76	Retirement system; county, city, town and village	1924	48	78
76	Retirement system; county, city, town and village	1926	476	826
76	Retirement system; county, city, town and village	1927	578	1498
76	Retirement system; county, city, town and village	1930	140	473
76	Retirement system; county, city, town and village	1931	334	753
76	Retirement system; county, city, town and village	1931	424	1020
77, added	Retirement system; county, city, town and village	1922	591	1510
77	Retirement system; county, city, town and village	1923	708	1272
77	Retirement system; county, city, town and village. (*See foot note, L.* 1924, *p* 79.)	1924	48	79

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78, added	Retirement system; county, city, town and village...	1922	591	1510
78	Retirement system; county, city, town and village...	1923	708	1272
78	Retirement system; county, city, town and village...	1924	48	80
78	Retirement system; county, city, town and village...	1926	476	828
78	Retirement system; county, city, town and village...	1927	440	1102
78	Retirement system; county, city, town and village...	1928	555	1249
78	Retirement system; county, city, town and village...	1930	140	475
79, added	Retirement system; county, city, town and village...	1922	591	1510
79	Retirement system; county, city, town and village...	1923	708	1273
79	Retirement system; county, city, town and village. (*See foot note, L.* 1924, *p.* 81.).....	1924	48	81
80, added	Retirement system; county, city, town and village...	1922	591	1510
80	Retirement system; county, city, town and village...	1923	708	1273
80	Retirement system; county, city, town and village. (*See foot note, L.* 1924, *p.* 81.).....	1924	48	81
Art. 5, renumbered art. 6	Laws repealed; when to take effect.....	1922	591	1509
	CONDEMNATION LAW: (L. 1920, ch. 923, constituting cons. laws, ch. 73; former ch. 71 thus renumbered by L. 1921, ch. 150.)			
4, section heading and opening paragraph	Jurisdiction of county court.....	1926	612	1092
5	Jurisdiction of county court.....	1926	612	1092
6	Service of petition and notice.....	1923	245	437
14	Duties and powers of commissioners.....	1922	221	543
14	Duties and powers of commissioners.....	1926	612	1093
15, 1st sentence	Report of commissioners.....	1926	612	1093
24	Temporary possession pending proceedings.....	1923	246	437
	CONSERVATION LAW: (L. 1911, ch. 647, constituting cons. laws, ch. 65, superseding forest, fish and game law, L. 1909, ch. 24, constituting cons. laws, ch. 19.)			
Schedule of articles	Conservation department; divisions.....	1928	242	485
Art. 1, title and schedule of sections	Short title; definitions.....	1928	242	486
Art. 2, schedule of sections	Conservation department.....	1928	242	486
2	Conservation department; office and official force....	1921	499	1521
2, renumbered 3, and amended	Commissioner.....	1928	242	486
2, added	Definitions.....	1928	242	486
2, subd. 2	Conservation department; office and official force....	1922	413	860
3	Conservation department; office and official force....	1921	499	1523
3, renumbered 6, and amended	Conservation department; office and official force....	1928	242	487
4	Conservation department; divisions.....	1921	499	1523
4	Conservation department; organization.....	1928	242	486

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	CONSERVATION LAW — (*Continued*).			
5, renumbered 7, and amended	Conservation department; eligibility to certain offices	1928	242	488
5, added	Conservation department; functions, powers and duties	1928	242	487
6, renumbered 8, and amended	Conservation department; investigations	1928	242	488
7, repealed	Conservation department; duties of certain officers	1928	242	489
9	Suits and prosecutions	1928	242	489
10, repealed	Pending actions and proceedings	1928	242	489
11, repealed	Conservation department; employees to continue	1928	242	489
12, renumbered 10, and amended	Conservation department; reports	1928	242	490
13, repealed	Conservation department; rules and regulations continued	1928	242	490
14, renumbered 8, subd. 2, and amended	Conservation department; power of officers to administer oaths	1928	242	488
Art. 3, renumbered art. 17, and amended	Miscellaneous provisions	1928	242	490, 714
Art. 3, caption	Miscellaneous provisions	1928	242	714
Art. 3, schedule of sections	Miscellaneous provisions	1928	242	714
20, renumbered 400, subd. 1, and amended	General water control jurisdiction; investigations	1928	242	585
21, repealed	Systematic plan	1921	499	1524
21, added	Systematic plan	1921	499	1524
21, renumbered 400, subd. 2, and amended	General water control jurisdiction; investigations	1928	242	585
22	Structures for impounding water; inspection of docks; penalties	1921	499	1524
22	Structures for impounding water; inspection of docks; penalties	1923	82	86
22, renumbered 948, and amended	Structures for impounding water; inspection of docks penalties	1928	242	714
23	Actions to recover penalties	1921	499	1525
23, renumbered 949, and amended	Actions to recover penalties	1928	242	715
23a, added	Power to sue	1926	294	539
23a, combined with 9, and amended	Suits and prosecutions	1928	242	489
23a, renumbered 402	Power to sue	1928	242	586
24, renumbered 8, subd. 3, and amended	Conservation department; investigations	1928	242	488
25, renumbered 8, subd. 4, and amended	Conservation department; investigations	1928	242	489

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26, renumbered 950, and amended	Actions for penalties generally	1928	242	716
27	Costs in actions by the people	1926	356	628
27, renumbered 951, and amended	Costs in actions by the people	1928	242	716
28	Judgments; how enforced	1926	647	1196
28, renumbered 952	Judgments; how enforced	1928	242	716
29	Proceeds of actions and fines	1923	179	226
29, renumbered 160, and amended	Proceeds of actions under art. 4	1928	242	520
30, repealed	Proceeds of actions under art. 4	1928	242	716
31, renumbered 953, and amended	Jurisdiction of courts in criminal cases	1928	242	716
32, renumbered 954, and amended	Punishment for misdemeanor	1928	242	716
33, in part, combined with 50, subd. 3	Rules and regulations; violations	1928	242	491
33, in part, combined with 63	Rules and regulations; violations	1928	242	514
33, in part, renumbered 65, subd. 2	Penalties	1928	242	514
34	Search warrants; when issued	1922	381	803
34	Search warrants; when issued	1925	349	643
34, renumbered 184, and amended	Search warrants; when issued	1928	242	528
35, renumbered 955, and amended	Witnesses not excused from testifying	1928	242	717
36	Compromise of civil penalty before magistrate	1921	328	1075
36	Compromise of civil penalty before magistrate	1922	381	803
36	Compromise of civil penalty	1923	79	83
36, renumbered 956, and amended	Compromise of civil penalty	1928	242	717
37	Certificate by court or justice	1922	381	804
37, renumbered 957, and amended	Certificate by court or justice	1928	242	718
Art. 4, renumbered art. 3, and amended	Division of lands and forests	1928	242	490
Art. 4, title and schedule of sections	Division of lands and forests	1928	242	490
50, opening paragraph	Division of lands and forests; powers and duties	1928	242	490
50, subd. 2, renumbered 3, and amended	Division of lands and forests; powers and duties	1928	242	491
50, subd. 2, added	Division of lands and forests; powers and duties	1928	242	491
50, subd. 3, renumbered 4, and amended	Division of lands and forests; powers and duties	1928	242	491

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	CONSERVATION LAW — (*Continued*).			
50, subd. 4, renumbered 5, and added to 5	Division of lands and forests; powers and duties.....	1928	242	491
50, subd. 9	Division of lands and forests; powers and duties.....	1928	242	491
50, subd. 15, repealed	Powers of commission to survey, map and determine boundaries of state lands.....	1921	499	1526
50, subd. 16, renumbered 15, and amended	Division of lands and forests; powers and duties.....	1928	242	492
50, subd. 17, renumbered 16	Division of lands and forests; powers and duties.....	1928	242	492
50, subd. 18, renumbered 17	Division of lands and forests; powers and duties.....	1928	242	492
50, subd. 19, renumbered 18	Division of lands and forests; powers and duties.....	1928	242	492
50, subd. 20, renumbered 19	Division of lands and forests; powers and duties.....	1928	242	492
50, subd. 21, renumbered 20	Division of lands and forests; powers and duties.....	1928	242	492
50, subd. 22, renumbered 21	Division of lands and forests; powers and duties.....	1928	242	492
50, subd. 23	Powers and duties of commission.....	1923	257	450
50, subd. 23, renumbered 22, and amended	Division of lands and forests; powers and duties.....	1928	242	492
50, subd. 24, renumbered 23, and amended	Division of lands and forests; powers and duties.....	1928	242	493
50, subd. 25, renumbered 24	Division of lands and forests; powers and duties.....	1928	242	493
50, subd. 26, renumbered 25	Division of lands and forests; powers and duties.....	1928	242	493
50, subd. 27, renumbered 26	Division of lands and forests; powers and duties.....	1928	242	493
50, subd. 28, renumbered 27	Division of lands and forests; powers and duties.....	1928	242	493
50, subd. 29, renumbered 28	Division of lands and forests; powers and duties.....	1928	242	493
50, subd. 30, renumbered 29, and amended	Division of lands and forests; powers and duties.....	1928	242	493
50, subd. 31, renumbered 30, and amended	Division of lands and forests; powers and duties.....	1928	242	493
50, subd. 32	Cuba reservation.....	1922	82	254
50, subd. 32, repealed	Cuba reservation.....	1926	325	583
50, subd. 33, renumbered 31	Division of lands and forests; powers and duties.....	1928	242	493
50, subd. 33, added	Division of lands and forests; powers and duties.....	1930	762	1376

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50, subd. 34, added	Federal co-operation in fire protection	1922	42	60
50, subd. 34	Federal co-operation in fire protection and practice of forestry	1925	87	107
50, subd. 34, renumbered 32, and amended	Division of lands and forests; powers and duties	1928	242	493
51, section heading	Division of lands and forests; personnel and duties	1928	242	493
51, opening paragraph	Division of lands and forests; personnel and duties	1928	242	493
51, subd. 1	Division of lands and forests; personnel and duties	1928	242	494
51, subd. 1	Division of lands and forests; personnel and duties	1928	585	1311
51, subd. 2	Division of lands and forests; personnel and duties	1928	242	494
51, subd. 7	Division of lands and forests; personnel and duties	1928	242	494
51, subd. 9	Division of lands and forests; personnel and duties	1928	242	494
51, subd. 10	Forest rangers; compensation	1927	438	1095
51, subd. 10	Division of lands and forests; personnel and duties	1928	242	495
51, subd. 11	Forest rangers; compensation	1923	38	38
51, subd. 11	Forest rangers; compensation	1927	439	1096
51, subd. 11	Division of lands and forests; personnel and duties	1928	242	495
51, subd. 12	Division of lands and forests; personnel and duties	1928	242	495
51, subd. 13	Fire fighters; compensation	1922	157	470
51, subd. 13	Fire wardens	1924	511	930
51, subd. 13	Division of lands and forests; personnel and duties	1928	242	495
51, subd. 14	Fire fighters; compensation	1922	157	470
51, subd. 14	Division of lands and forests; personnel and duties	1928	242	495
51, subd. 16	Division of lands and forests; personnel and duties	1928	242	496
52, subd. 1	Fire districts	1922	35	35
52, subd. 1	Fire districts	1928	242	496
52, subd. 2	Fire districts	1923	38	39
52, subd. 2	Fire districts	1925	10	8
52, subd. 2	Fire districts	1928	242	496
52, subd. 3	Fire wardens; towns generally	1923	38	39
52, subd. 3	Fire districts; towns generally	1928	242	496
52, subd. 4, added	Fire protection; Suffolk county	1931	484	1164
53, subd. 1	Fire moneys and accounts; temporary loan	1928	242	497
53, subd. 2	Payment of fire bills	1923	38	39
53, subd. 2	Payment of fire bills	1928	242	497
53, subd. 3	Fire moneys and accounts	1922	35	36
53, subd. 3	Fire moneys and accounts	1923	38	40
53, subd. 3	Fire moneys and accounts	1928	242	497
53, subd. 4	Expenses for fighting forest fires	1923	38	40
53, subd. 4	Expenses for fighting forest fires	1928	242	497
53, subd. 7	Fire moneys and accounts; advances by comptroller	1928	242	498
54, subd. 1	Forest fire prevention; closing forests by governor	1925	355	658
54, subd. 2	Forest fire prevention	1928	242	498
54, subd. 5	Fires to clear land	1928	242	498
54, subd. 6	Fire protection on steam plants	1928	242	498
54, subd. 7	Protection of forest from fire	1923	36	37
54, subd. 8	Inflammable material on highways	1923	36	37
55, subds. 1–5	Railroads in forest lands	1928	242	499
56a, added	Malicious injury and destruction of certain trees	1926	638	1155

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56a, renumbered 57, and amended	Removal of certain trees	1928	242	500
57, repealed	Exemption of reforested lands from taxation	1926	610	1091
57a	Control of white pine blister and currant rust	1926	34	195
57a	Control of white pine blister and currant rust	1929	123	347
57a	Control of white pine blister rust and currant rust	1930	23	37
57a, subd. 1	Black currant declared a nuisance	1925	356	658
57a, subd. 1	Black currant declared a nuisance	1928	242	500
57a, subd. 2	Fruiting currant districts defined	1928	242	500
57a, subds. 4, 5, 7	Control of white pine blister rust and currant rust	1928	242	501
57b, added	Gipsy moth; control and prevention	1923	54	60
57b, renumbered 58, and amended	Gipsy moth; control and prevention	1928	242	502
58, repealed	Report of forest products	1928	242	502
59, subds. 1–5	Appropriation of real property	1928	242	503
59, subd. 6	Appropriation of real property	1921	206	850
59, subd. 6	Appropriation of real property	1928	242	505
59, subd. 7	Appropriation of real property	1921	206	851
59, subd. 7	Appropriation of real property	1928	242	505
59, subds. 9–14	Appropriation of real property	1928	242	505
59, subd. 16	Appropriation of real property	1928	242	508
59, subds. 18, 19	Appropriation of real property	1928	242	508
60, opening paragraph subds. 1, 2	Communal forests	1928	242	508
60a, added	Acquisition of lands, outside forest preserve, for reforestation	1929	195	456
61, subds. 2, 6, 8	Use of forest preserve restricted	1928	242	509
61a, added	Signs in Adirondack park; restricted	1924	512	931
61a, renumbered 62, and amended	Use of signs and billboards restricted	1928	242	509
62, renumbered 63, and amended	Definitions	1928	242	510
62, opening paragraph	Definitions	1928	242	510
62, subd. 6, repealed	Definitions; Cuba reservation	1928	242	512
62, subd. 7, renumbered 63, subd. 6	Definitions; person	1928	242	513
62, subd. 8, renumbered 63, subd. 7	Definitions; forest land	1928	242	513
62, subd. 9	Definitions; fire towns	1927	455	1136
62, subd. 9, renumbered 63, subd. 8	Definitions; forest fire	1928	242	513
62, subd. 10, renumbered 63, subd. 9	Definitions; fire towns	1928	242	513
62, subd. 11, renumbered 63, subd. 10	Definitions; right of way	1928	242	513

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62, subd. 12, renumbered 63, subd. 11	Definitions; fire patrolman	1928	242	513
62, subd. 13, renumbered 63, subd. 12	Definitions; railroad or railroad company	1928	242	513
62a, added	Acceptance of lands for parks	1925	357	659
62a, renumbered 64, and amended	Acceptance of lands for parks	1928	242	513
63, renumbered 65, and amended	Penalties	1928	242	514
63, subd. 2, renumbered 65, subd. 3	Penalties	1928	242	514
63, subd. 2	Definitions: Adirondack park	1931	95	420
63, subd. 3, renumbered 65, subd. 4	Penalties	1928	242	515
63, subd. 4, renumbered 65, subd. 5	Penalties	1928	242	515
63, subd. 5	Penalties for removing trees from forest preserve	1923	109	140
63, subd. 5, renumbered 65, subd. 6	Penalties	1928	242	515
63, subd. 6, renumbered 65, subd. 7	Penalties	1928	242	515
64, repealed	Saving clause	1928	242	514
65, repealed	Laws repealed	1928	242	514
65, subd. 2, added	Penalties	1928	242	514
65, subd. 2	Penalties	1929	113	337
66, repealed	When act takes effect	1928	242	514
Schedule of laws repealed, repealed		1928	242	514
Art. 4A (§§ 130–137), added	State council of parks	1924	189	412
Art. 4A (§§ 130–138), repealed	State council of parks	1928	242	720
130, added	State council of parks	1924	189	412
130	State council of parks	1925	198	419
130, repealed	State council of parks	1928	242	720
130, in part, renumbered 665, in part	Council of parks	1928	242	657
130, in part, renumbered 666, in part	Council of parks	1928	242	657
130, in part, renumbered 667, in part	Council of parks	1928	242	657
131, added	State council of parks	1924	189	413
131, repealed	State council of parks	1928	242	720

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131, in part, renumbered 667, in part	Council of parks	1928	242	657
132, added	State council of parks	1924	189	413
132, repealed	State council of parks	1926	619	1111
133, added	State council of parks	1924	189	413
133, repealed	State council of parks	1926	619	1111
134, added	State council of parks	1924	189	414
134, repealed	State council of parks	1928	242	720
135, added	State council of parks	1924	189	414
135, repealed	State council of parks	1928	242	720
135, renumbered 668	Council of parks	1928	242	657
136, added	State council of parks	1924	189	414
136, repealed	State council of parks	1928	242	720
137, added	State council of parks	1924	189	414
137, repealed	State council of parks	1928	242	720
137, renumbered 669	Council of parks	1928	242	657
138, added	State council of parks	1925	198	420
138, repealed	State council of parks	1928	242	720
138, subd. 1, renumbered 717, subd. 4, and amended	Council of parks	1928	242	672
138, subd. 2, renumbered 682, subd. 2, and amended	Council of parks	1928	242	662
138, subd. 6, renumbered 786, in part	Council of parks	1928	242	697
Art. 5, renumbered art. 4, and amended	Division of fish and game	1928	242	515
Art. 5, section headings	Division of fish and game	1928	242	515
Art. 5, part 1, title and section headings	Division of fish and game; powers and duties	1928	242	516
150	General powers and duties of commission	1925	350	650
150	Division of fish and game; powers and duties	1928	242	516
150	Division of fish and game; powers and duties	1929	160	402
150	Division of fish and game; powers and duties	1931	257	642
151, repealed	Fish culturist	1921	328	1076
152, renumbered 151, and amended	Additional or other protection for fish	1928	242	516
152	Fish and game closes	1929	272	699
152	Fish and game closes	1930	77	112
153	Fish and game closes	1926	255	459
153	Fish and game closes	1927	120	439
153, renumbered 152	Fish and game closes	1928	242	517
154	Seizures; power of commission	1926	43	203

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154, renumbered 153, and amended	Seizures; power of division of fish and game	1928	242	518
155, renumbered 154, and amended	Power to take fish and shellfish	1928	242	518
156, renumbered 155, and amended	Power to purchase fish eggs	1928	242	518
157, renumbered 156, and amended	Power to acquire beaver, deer, moose or elk	1928	242	518
157	Power to take birds and quadrupeds	1929	26	29
158	Power to take birds and quadrupeds	1926	282	500
158, renumbered 157, and amended	Power to take birds and quadrupeds	1928	242	519
158, subd. 2	License to collect or possess for propagation, scientific or exhibition purposes	1931	257	643
159, renumbered 158, and amended	License to collect or possess for propagation, scientific or exhibition purposes	1928	242	519
159, subd. 2	Fish and game; sale and possession	1925	9	7
159, subd. 2	Fish and game; sale and possession	1926	38	200
160	Publication of laws relating to fish and game	1921	668	2051
160, renumbered 159, and amended	Publication of laws relating to fish and game	1928	242	520
160	Proceeds of actions for penalties	1930	201	549
Art. 5, part 2, title and section headings	Division of fish and game; organization; personnel	1928	242	520
165	Game protectors; number and designation	1921	328	1076
165	Game protectors; number and designation	1923	288	495
165	Division of fish and game; organization	1928	242	520
166	Game protectors; rating	1928	242	521
167	Game protectors; bonds	1928	242	521
168	Game protectors; compensation	1927	518	1234
168	Game protectors; compensation	1928	242	521
169	Game protectors; powers	1921	328	1077
169	Game protectors and state police; powers	1928	242	522
170	Records and reports	1921	328	1078
170	Records and reports	1928	242	522
170	Records and reports	1931	327	743
171	Special game protectors	1928	242	523
172	Powers of sheriffs and constables	1921	328	1078
Art. 5, part 3, section headings	Division of fish and game; general provisions	1928	242	523
176	Fish and game; restrictions	1922	381	805
176	Fish and game; restrictions	1928	242	524
176, subds. 2, 3, renumbered 187	Hunting, trapping and fishing licenses for unnaturalized foreign born persons	1928	242	524
176, subd. 2	Aliens forbidden to hunt	1923	110	140
176, subd. 2	Aliens forbidden to hunt	1926	327	586
176, subd. 3, added	Aliens forbidden to fish except under special license	1926	327	586
176, subd. 3	Aliens forbidden to fish except under special license	1927	205	601
177	Manner of taking fish and game	1928	242	524

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177, subd. 1	Manner of taking game	1929	201	463
177, subd. 3	Wild fowl	1922	311	694
177, subd. 3	Wild water fowl	1929	271	698
177, subd. 4, added	Fish from Kayutah lake in Schuyler county	1926	116	268
177a, added	Otter trawls or beam trawls prohibited	1921	254	954
177a, renumbered 334	Otter or beam trawls prohibited	1928	242	572
178, subds. 1–3	Transportation and exportation of fish and game	1928	242	524
178, subd. 4	Importation of fish and game not lawfully salable	1923	254	448
178, subd. 4	Importation of fish and game not lawfully salable	1928	242	525
178, subd. 4	Importation of fish and game not lawfully salable	1929	104	330
178, subds. 5, 6	Fish and game; shipping permits; prohibition; limitations	1928	242	525
178, subd. 6	Transportation of fish and game	1928	585	1311
179	Wild animals; transportation and sale	1926	42	202
180, section heading	Sale of certain dead birds prohibited	1928	242	526
181	Possession; presumptive evidence of unlawful taking	1922	381	805
181	Possession of game presumptive evidence	1923	110	141
181	Possession; presumptive evidence of unlawful taking	1928	242	526
182, subd. 1	Penalties	1925	350	649
182, subd. 1	Penalties	1928	242	527
182, subd. 2	Penalties	1928	242	527
182, subd. 3	Penalties	1928	242	527
182, subd. 4	Penalties	1928	242	527
182, subd. 5	Penalties	1921	466	1362
182, subd. 5	Penalties	1924	257	515
182, subd. 5	Penalties	1928	242	527
182, subd. 5	Penalties	1931	249	633
182, subd. 6	Penalties	1925	350	649
182, subd. 6	Penalties	1928	242	528
182, subd. 7, added	Penalties	1928	242	528
183	Damage to fences on private lands	1921	466	1363
184, added	Forfeiture of firearms	1922	381	806
184	Forfeiture of firearms	1923	110	141
184, renumbered 182, subd. 7	Forfeiture of firearms	1928	242	528
Art. 5, part 4, title and section headings	Licenses; hunting, trapping and fishing	1928	242	528
185, subd. 1	Licenses; hunting and trapping. (*See foot note, L. 1922, p. 806.*)	1922	381	806
185, subd. 1	Licenses; hunting, trapping and fishing	1925	353	654
185, subd. 2	Licenses; hunting and trapping; application; penalties	1922	381	806
185, subd. 2	Licenses; hunting and trapping; application; penalties	1923	110	141
185, subd. 2	Licenses; hunting and trapping; application; penalties	1925	11	8
185, subd. 2	Licenses; hunting and trapping; application; penalties	1926	295	540
185, subd. 2	Licenses; hunting, trapping and fishing; application	1928	242	529
185, subd. 2	Licenses; hunting and trapping; application	1928	586	1315
185, subd. 2	Licenses; hunting and trapping; application	1931	241	623

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185, subd. 3	Licenses; hunting and trapping; fees	1922	381	807
185, subd. 3	Licenses; hunting and trapping; fees	1925	11	9
185, subd. 3	Licenses; hunting and trapping; fees	1926	327	583
185, subd. 3	Licenses; hunting, trapping and fishing; fees	1928	242	529
185, subd. 3	Licenses; hunting, trapping and fishing; fees	1928	586	1316
185, subd. 3	Licenses; hunting and trapping; fees	1930	364	770
185, subd. 4	Licenses; hunting and trapping; fees of county clerks	1922	36	36
185, subd. 4	Licenses; hunting and trapping; fees of county clerks	1923	178	225
185, subd. 4	Licenses; hunting and trapping; fees of county clerks	1925	11	9
185, subd. 4	Licenses; hunting, trapping and fishing; fees	1928	242	530
185, subd. 4	Licenses; hunting and trapping; fees	1928	586	1316
185, subd. 4	Licenses; hunting and trapping; fees of county clerk	1930	364	771
185, subd. 5	Licenses; hunting and trapping; contents; power under	1922	381	807
185, subd. 5	Licenses; hunting and trapping; contents; power under	1923	110	142
185, subd. 5	Licenses; hunting and trapping; contents; power under	1925	11	10
185, subd. 5	Licenses; hunting, trapping and fishing	1925	353	654
185, subd. 5	Licenses; hunting, trapping and fishing	1926	327	584
185, subd. 5	Licenses; hunting, trapping and fishing	1928	242	530
185, subd. 5	Licenses; hunting, trapping and fishing	1928	586	1317
185, subd. 6	Licenses; hunting and trapping; carrying and exhibiting	1922	37	37
185, subd. 6	Licenses; hunting and trapping; carrying and exhibiting	1923	81	85
185, subd. 6	Licenses; hunting, trapping and fishing	1925	353	654
185, subd. 6	Licenses; hunting, trapping and fishing	1926	327	585
185, subd. 6	Licenses; hunting, trapping and fishing	1927	106	417
185, subd. 6	Licenses; hunting, trapping and fishing	1928	586	1317
185, subd. 6	Licenses; hunting, trapping and fishing	1929	275	701
185, subd. 8	Licenses; hunting, trapping and fishing	1925	353	654
185, subd. 10	Licenses; hunting, trapping and fishing	1928	242	532
185, subd. 11, repealed	Proceeds of actions	1923	179	227
185, subd. 12, renumbered subd. 11, and amended	Licenses; hunting, trapping and fishing	1928	242	532
185, subd. 12	Licenses; hunting, trapping and fishing	1928	586	1318
185, subd. 13, renumbered subd. 12, and amended	Licenses; hunting, fishing and trapping	1928	242	532
185, subd. 13	Licenses; hunting, trapping and fishing	1928	586	1318
185, subd. 14	Licenses; hunting and trapping; clerk's reports	1923	178	226
185, subd. 14, renumbered subd. 13, and amended	Licenses; hunting, fishing and trapping	1928	242	532
185, subd. 14, added	Licenses; Lake Champlain	1930	44	60
185, subd. 15, repealed	Licenses; hunting and trapping; county clerks reimbursed for expenses	1922	36	37
185, subd. 15, added	Licenses; Indian Lake	1931	15	20
185a, added	Hunting licenses; issued by village clerks	1924	645	1195
185a	Licenses; hunting, trapping and fishing	1925	353	656
185a	Licenses; hunting, trapping and fishing	1926	327	585

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185a, renumbered 186	Licenses; hunting, fishing and trapping	1928	242	532
186	Guides, licenses	1923	78	82
186	Guides, licenses	1924	75	112
186	Guides, licenses	1926	128	281
186, renumbered 188, and amended	Guides; licenses	1928	242	533
186a, added	Guides; shooting game; carrying firearms	1923	84	88
186a	Guides; shooting game; carrying firearms	1926	326	583
186a, renumbered 188, last paragraph	Guides; shooting game; carrying firearms	1928	242	533
188, repealed	Nonresident fishing license	1926	327	587
189, subd. 1	Deer; open season	1930	165	502
189, subd. 1	Deer; open season	1931	281	688
189, subd. 2	Deer; open season	1931	59	378
189, subd. 3	Deer; open season	1928	640	1394
189, subd. 3	Deer; open season, Dutchess county	1929	30	31
189, subd. 5	Deer; manner of taking	1931	59	378
189, subd. 6	Deer; transportation	1929	161	404
189, subd. 6	Deer; transportation	1931	251	634
Art. 5, part 5, section headings	Division of fish and game; quadrupeds	1928	242	534
190, renumbered 189, and amended	Deer; open season, etc.	1928	242	534
190	Special deer license	1928	642	1395
190	Special deer license	1929	161	403
190	Special deer license	1930	28	44
190, subd. 2	Deer; open season, etc.	1921	77	275
190, subd. 2	Deer; open season, etc.	1924	259	517
190, subd. 5	Deer; manner of taking	1924	258	516
190a, added	Special deer license	1926	474	824
190a, renumbered 190, and amended	Special deer license	1928	242	535
191	Possession of wild deer or venison	1928	242	536
191	Possession of wild deer or venison	1931	281	688
192, added	Use of high-powered rifles on Long Island forbidden	1926	105	260
192a, added	Deer; open season; Washington county	1921	632	1962
192a, renumbered 189, subd. 1, part	Deer; open season; Washington county	1928	242	534
193	Licensing of dogs	1924	92	136
193	Licensing of dogs	1925	7	5
193	Licensing of dogs	1928	242	537
193a	Training of dogs	1922	158	471
193a	Training of dogs	1924	255	514
193a, renumbered 208, and amended	Training of dogs	1928	242	541
193b, renumbered 194, and amended	Cats hunting or killing birds	1928	242	537
193c, added	Bear; open season	1923	376	615
193c	Bear; open season	1926	362	634
193c, renumbered 195, and amended	Bear; open season	1928	242	537
194, renumbered 196	Wild moose; elk; caribou; antelope	1928	242	538

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195, renumbered 197	Squirrels; open season	1928	242	538
195	Bear; open season	1929	90	307
195	Bear; open season	1931	281	689
195, subd. 1	Squirrels; open season	1921	212	860
195, subd. 1	Squirrels; open season	1922	120	415
195, subd. 1	Squirrels; open season	1923	37	38
195, subd. 1	Squirrels; open season	1923	251	446
195, subd. 1	Squirrels; open season	1923	373	613
195, subd. 1	Squirrels; open season	1924	126	211
195, subd. 1	Squirrels; open season	1925	176	227
195, subd. 1	Squirrels; open season	1926	35	197
195, subd. 1	Squirrels; open season	1927	204	600
196, renumbered 198	Hares and rabbits; open season	1928	242	538
196, subd. 1	Hares and rabbits; open season	1921	496	1517
196, subd. 1	Hares and rabbits; open season	1923	289	496
196, subd. 1	Hares and rabbits; open season	1925	351	653
196, subd. 1	Hares and rabbits; open season	1926	140	294
196, subd. 1	Hares and rabbits; open season	1928	242	538
196, subd. 4	Hares and rabbits; open season	1928	242	539
196, subd. 5, added	Ferret licenses	1924	120	206
196, subd. 5	Ferret licenses	1925	346	641
196, subd. 5	Ferret licenses	1926	254	458
196, subd. 5	Ferret licenses	1928	242	539
196, subd. 6, added	Hares and rabbits; open season	1928	242	539
197	Beaver; closed season; power to grant open season	1923	308	525
197, renumbered 199, and amended	Beaver; closed season; power to grant open season	1928	242	539
197, subd. 1	Squirrels; open season	1930	556	1038
197, subd. 1	Squirrels; open season; limit	1931	281	689
198	Mink; raccoon; sable; open season	1922	116	411
198	Mink; raccoon; sable; open season	1923	388	627
198	Mink; raccoon; sable; open season	1925	344	639
198, renumbered 200	Mink; raccoon; sable; open season	1928	242	540
198, subd. 1	Hares and rabbits; open season	1928	641	1394
198, subd. 1	Hares and rabbits; open season	1930	366	772
198, subd. 1	Hares and rabbits; open season; limit; breeding	1931	281	690
198, subd. 5	Ferret licenses	1930	280	661
199, renumbered 201	Skunk	1928	242	540
200	Propagation and sale of fur-bearing animals	1926	39	200
200	Propagation of fur-bearing animals	1926	477	829
200, renumbered 202, and amended	Propagation of fur-bearing animals	1928	242	540
200a, added	Use of chemicals, gas or other poisonous substances in taking fur-bearing animals, prohibited	1924	76	113
200a, renumbered 203	Use of chemicals, gas or other poisonous substances in taking fur-bearing animals, prohibited	1928	242	540

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201	Muskrat; open season	1921	258	960
201	Muskrat; open season	1922	525	1197
201	Muskrat; open season	1923	160	198
201	Muskrat; open season	1926	213	386
201, renumbered 204	Muskrat; open season	1928	242	541
202, renumbered 205	Land turtles	1928	242	541
202a, added	Belgian hares; Texan hares and jack rabbits	1923	364	606
202a, renumbered 198, subd. 6	Belgian hares; Texan hares and jack rabbits	1928	242	539
203, added	Traps to be stamped with name of owner	1926	473	823
203, renumbered 207, first paragraph, and amended	Traps to be stamped with name of owner	1928	242	541
203, added	Possession and importation of wolf and coyote	1926	682	1227
203, renumbered 206, and amended	Possession and importation of wolf and coyote	1928	242	541
203a, added	Traps to be visited every twenty-four hours	1926	473	823
203a, renumbered 207, last paragraph	Traps to be stamped with name of owner	1928	242	541
205	Land turtles	1931	140	474
207	Traps	1930	593	1095
208	Training of dogs	1930	504	981
Art. 5, part 6, section headings	Division of fish and game; birds	1928	242	542
210	Game birds defined	1928	242	542
211, subd. 1	Water fowl; open season	1922	380	802
211, subd. 1	Water fowl; open season	1924	118	204
211, subd. 3	Water fowl; taking	1922	101	277
211, subd. 3	Water fowl; taking	1925	18	18
211, subd. 3	Water fowl; taking	1926	41	202
211, subd. 3	Water fowl; taking	1929	274	700
212, subd. 2	Water fowl; manner of taking	1921	185	751
212, subd. 2	Water fowl; manner of taking	1921	548	1675
212, subd. 2	Water fowl; manner of taking	1922	101	277
212, subd. 2	Water fowl; manner of taking	1924	261	518
212, subd. 2	Water fowl; manner of taking	1925	491	823
212, subd. 2	Water fowl; taking	1928	242	543
212, subd. 2	Water fowl; manner of taking	1931	534	1312
212, subd. 3, added	Water fowl; use of decoys	1921	282	996
212, subd. 3	Water fowl; use of decoys	1922	310	694
213, subd. 1	Coots and gallinules	1925	6	5
213, subd. 1	Coots and gallinules	1926	363	635
213, subd. 2	Coots and gallinules	1926	363	636
214, subd. 1	Quail	1926	172	329
214, subd. 2	Grouse or partridge; open season; limit	1922	439	925
214, subd. 2	Grouse or partridge; open season; limit	1926	172	330
214, subd. 2	Grouse or partridge; open season; limit	1929	108	333
214, subd. 2	Grouse or partridge; open season; limit	1931	281	690

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214, subd. 3	Wild pheasants; open season, etc	1921	498	1520
214, subd. 3	Wild pheasants; open season, etc	1922	492	1114
214, subd. 3	Wild pheasants; open season, etc	1926	293	538
214, subd. 3	Wild pheasants; open season, etc	1930	365	772
214, subd. 3	Wild pheasants; open season, etc	1931	281	690
214, subd. 5, added	Reeves pheasants; no open season	1930	203	550
215	Upland game birds; open season; limit; special	1929	108	333
215a, added	Upland game birds; open season	1922	308	692
215a	Upland game birds; open season	1923	232	427
215a	Upland game birds; open season	1924	404	750
215a, repealed	Upland game birds; open season	1926	172	330
215b, added	Hungarian partridge; close season; Essex county	1926	658	1205
215b, repealed	Hungarian partridge; close season; Essex county	1928	242	544
216, subd. 1	Woodcock; open season	1921	228	901
216, subd. 1	Woodcock; open season	1923	363	605
216, subd. 2	Greater and lesser yellow-legs	1926	454	801
216, subd. 3	Wilson snipe or jacksnipe	1925	8	6
216, subd. 3	Wilson snipe or jacksnipe	1926	454	801
217a, added	Pigeons in cities	1931	250	633
218, renumbered 217	Antwerp or homing pigeons	1928	242	545
219	Wild birds protected	1925	151	189
219	Wild birds protected	1926	40	201
219, renumbered 218, and amended	Wild birds protected	1928	242	545
220, renumbered 219, and amended	Destroying or robbing nests	1928	242	545
221, renumbered 220	Snares, nets or traps	1928	242	545
222	Birds and quadrupeds not to be taken on certain public lands	1925	348	642
222, renumbered 221	Birds and quadrupeds not to be taken on certain public lands	1928	242	545
222a, renumbered 222	Game not to be taken from an automobile	1928	242	546
222b, added	Taking of water fowl on Great South bay	1926	602	1070
222b, renumbered 212, subd. 2, in part	Waterfowl; manner of taking	1928	242	543
Art. 5, part 7, section headings	Division of fish and game; fish	1928	242	546
230	Sale of minnows for bait	1928	242	546
230	Sale of minnows for bait	1930	414	888
231	Bass; open season; limit	1923	204	264
231, subd. 1	Bass; open season; limit	1925	352	653
232, subd. 1	Trout; taking in Essex county	1924	107	153
232, subd. 1	Trout; open season	1930	376	797
232, subd. 2	Trout; size of catch	1929	231	522
233, subd. 5, added	Lake trout and whitefish	1928	242	547

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234, renumbered 233, and amended	Lake trout and whitefish	1928	242	547
234	White perch; limit of catch	1931	67	387
234, subd. 1	Lake trout and whitefish	1924	65	102
234, subd. 1	Lake trout and whitefish	1926	170	328
234, added	White perch; limit of catch	1929	269	680
235, renumbered 233, subd. 5, and amended	Lake trout and whitefish	1928	242	547
235, subd. 1	Pike perch; open season; size limit and sale	1929	277	703
236, renumbered 235	Pike perch; open season	1928	242	548
236, subd. 1	Pike perch; open season; size limit, sale	1921	553	1681
236, subd. 2	Saugers; open season; size; sale	1925	5	4
236a	Yellow perch; open season; sale	1924	123	208
236a, renumbered 236	Yellow perch; open season	1928	242	548
237	Pickerel and pike; open season; size limit; sale	1921	631	1961
237	Pickerel and pike; open season; size limit; sale	1923	57	63
237	Pickerel and pike; open season; size limit; sale	1924	35	54
237	Pickerel and pike; open season; size limit; sale	1928	242	548
237, subd. 1	Pickerel and pike; open season	1923	203	263
237, subd. 1	Pickerel and pike; open season	1925	345	640
237, subd. 1	Pickerel and pike; open season	1926	143	297
237, subd. 1	Pickerel and pike; open season	1931	164	502
237a, added	Great northern pike in Lake Champlain and Lake George	1921	279	993
237a, in part, renumbered 237, subd. 1, in part	Great northern pike in Lake Champlain	1928	242	548
237a, in part, renumbered 242, subd. 3	Great northern pike in Lake George	1928	242	550
238	Shortnosed sturgeon; lake and sea sturgeon; open season; size limit; sale	1928	242	549
239	Muskalonge; open season; size limit; sale	1921	500	1549
239	Muskalonge; open season; size limit; sale	1924	256	515
239	Muskalonge; open season; size limit; sale	1925	341	637
239, subd. 1	Muskalonge; open season and size limit	1930	618	1126
239, subd. 1	Maskalonge; open season and size limit	1931	328	743
240	Striped bass; size limit; sale	1927	230	667
240, subd. 1, added	Certain fish; size limit	1926	167	327
241a	Lake George, open seasons, special	1921	279	993
241a	Lake George, open seasons, special	1925	340	637
241a	Lake George, open seasons, special	1926	171	329
241a, renumbered 242, and amended	Lake George; open seasons, special	1928	242	550
242a, renumbered 243, and amended	Stocking private waters, prohibited	1928	242	550
242a, added	Bullheads; Warren county	1930	359	762
243, renumbered 244, and amended	Disturbing bass, trout and lake trout while spawning, prohibited	1928	242	550

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244, renumbered 245, and section heading amended	Thumping prohibited	1928	242	550
245, renumbered 246, and section heading amended	Explosives prohibited	1928	242	550
246, renumbered 247, and amended	Obstructing or polluting streams	1928	242	551
247, renumbered 247, subd. 2	Polluting streams	1928	242	551
247, subd. 3, added	Obstructing or polluting streams, flumes or raceways	1931	535	1313
248	Polluting of waters used by state fish hatcheries	1928	242	551
249	Drawing off water for fishing	1928	242	551
250	Placing of fish in certain waters	1928	242	551
251	Fishing near fishways or dams	1928	242	552
252	Taking fish through ice in certain waters	1928	242	552
253	Tip-ups	1923	375	614
253	Tip-ups	1926	489	845
253	Tip-ups	1928	242	552
253	Tip-ups	1930	202	550
254	Set and trap lines	1928	242	552
255, renumbered 255, subd. 3, and amended	Spears; snatch hooks	1928	242	552
255a	Taking certain non-game fish	1922	147	454
255a	Taking certain non-game fish	1925	343	639
255a, renumbered 255, subd. 2, and amended	Spears; snatch hooks	1928	242	552
255b, renumbered 255, subd. 1, and amended	Spearing in Niagara river	1928	242	552
255b, subd. 2, repealed	Spearing in Niagara river	1926	675	1221
256	Eel weirs and eel pots	1922	252	608
256	Eel weirs and eel pots	1928	242	553
257	Frogs	1923	290	497
258, added	Fish preserves in Chautauqua lake	1922	510	1150
258	Fish preserves in Chautauqua lake	1928	242	553
258	Fish preserves in Chautauqua lake	1930	618	1126
269, added	Application	1928	242	554
Art. 5, part 8, section headings	Division of fish and game; nets and netting	1928	242	554
270	Nets to be licensed	1924	119	205
270	Nets to be licensed	1926	146	299
270	Nets to be licensed	1928	242	554
271	Fish taken with nets	1922	293	677
271	Fish taken with nets	1928	242	554
272, subds. 3, 4, added	Nets and netting	1922	159	471
273	Hauling of nets regulated	1928	242	555
274	Nets to be tagged and buoyed	1928	242	555
275	Use of nets in certain waters prohibited	1928	242	555

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	CONSERVATION LAW — (*Continued*).			
276, repealed	Nets in Lakes Erie and Ontario	1921	281	995
276, added	Nets in Lakes Erie and Ontario	1921	281	996
276	Nets in Lakes Erie and Ontario	1925	342	638
276	Nets in Lakes Erie and Ontario	1926	146	299
276	Nets in Lakes Erie and Ontario	1928	242	555
277	Nets in Niagara river	1924	34	53
277	Nets in Niagara river	1928	242	555
278	Nets in Chaumont bay and adjacent waters	1924	260	517
278, repealed	Nets in Chaumont bay and adjacent waters	1926	146	298
278, added	Nets in Chaumont bay and adjacent waters	1926	146	298
278	Nets in Chaumont bay and adjacent waters	1928	242	555
279	Nets in Hudson and Delaware rivers	1922	159	472
279	Nets in Hudson and Delaware rivers	1924	74	111
279	Nets in Hudson and Delaware rivers	1925	3	2
279	Nets in Hudson and Delaware rivers	1930	502	978
279a, added	Fishing in Spring lake	1924	252	491
279a, renumbered 280	Fishing in Spring lake	1928	242	556
280, renumbered 269	Application of article	1928	242	554
281	Vessels to carry employees of department	1928	242	556
282	Illegal nets; destruction	1922	146	453
282	Illegal nets; destruction	1923	83	87
282	Illegal nets; destruction	1924	119	205
282	Illegal nets; destruction	1925	4	3
282	Illegal nets; destruction	1928	242	556
290	Fishways	1921	499	1526
290, repealed	Fishways	1923	82	87
291	Fishways	1921	499	1526
291, repealed	Fishways	1923	82	87
Art. 5, part 10, renumbered part 9	Department of fish and game; marine fisheries	1928	242	557
Art. 5, part 10, section headings	Department of fish and game; marine fisheries	1928	242	557
300	Marine district described	1925	350	643
301, repealed	Bureau of marine fisheries	1925	350	644
302, repealed	Marine fisheries; office and clerical force	1925	350	644
302, added	Bureau of marine fisheries	1925	350	644
302	Bureau of marine fisheries	1926	36	198
302, renumbered 301, and amended	Bureau of marine fisheries	1928	242	558
302a, added	Laboratory	1925	350	651
302a, renumbered 302, and amended	Laboratory	1928	242	558
303	Reports relating to shellfish	1925	350	645
303	Reports relating to shellfish	1928	242	559
304	Leases for cultivation of shellfish	1928	242	559
305	Collection of rents	1928	242	560
306	Shellfish leases	1928	242	561
307	Taxation; statement of property; penalty; assessment	1928	242	561
308	Taxation; levy; payment	1928	242	562
308, subd. 2	Shellfish grounds; tax; notice of grievance	1925	350	645

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
309	Collection of tax	1928	242	563
310	Shellfish grounds; sanitary inspection	1928	242	563
310, subd. 1	Shellfish grounds; sanitary inspection	1925	350	645
311, repealed	Marine fisheries; state commissioner of health	1925	350	646
312, renumbered 311	Public shellfish grounds; inspection	1928	242	564
312, subd. 1	Public shellfish grounds; inspection	1925	350	646
312, subd. 2	Public shellfish grounds; inspection	1926	269	473
312, subd. 3	Public shellfish grounds; inspection	1926	370	656
312, subd. 3	Public shellfish grounds; inspection	1927	230	667
312, subd. 6	Public shellfish grounds; inspection	1925	350	646
312a, added	Shellfish; taking oysters from noncertified waters	1925	350	651
312a	Shellfish; taking oysters from noncertified waters	1926	76	229
312a, renumbered 312, and amended	Shellfish; taking oysters from noncertified waters	1928	242	565
312b, added	Shellfish; patrol of waters and grounds	1925	350	651
312b, renumbered 313, and amended	Patrol of waters and shellfish grounds	1928	242	565
312c, added	Shellfish; transplanting permits	1926	76	230
312c, renumbered 314, and amended	Shellfish; transplanting permits	1928	242	566
313, renumbered 315, and amended	Shellfish; certification of sanitary condition of grounds	1928	242	566
313, subd. 1	Shellfish; certification of sanitary condition of grounds	1925	350	647
313, subd. 1	Shellfish; certification of sanitary condition of grounds	1926	269	473
313, subd. 1a, added	Shellfish; transportation and sale from without state	1925	350	647
313, subd. 1a, renumbered subd. 2, and amended	Shellfish; certification of sanitary condition of grounds	1928	242	566
313, subd. 2, renumbered subd. 3, and amended	Shellfish; certification of sanitary condition of grounds	1928	242	566
313a, added	Shellfish; drinking and floating regulated	1925	350	651
313a	Shellfish; drinking and floating regulated	1926	297	542
313a, renumbered 316, and amended	Shellfish; drinking and floating regulated	1928	242	566
313b, added	Shellfish; sanitation, etc	1925	350	652
313b, renumbered 317	Shellfish; sanitation, etc	1928	242	567
313c, added	Shellfish; sanitation, etc	1925	350	652
313c, renumbered 318, and amended	Shellfish; sanitation, etc	1928	242	567
314	South bay oysters	1926	269	474
314, renumbered 319	South bay oysters	1928	242	567
315, renumbered 320	Blue point oysters	1928	242	567
315, subd. 1	Shellfish; certification of sanitary condition of grounds	1930	230	589
315, subd. 1	Shellfish; certification of sanitary condition of grounds	1931	33	321
316, renumbered 321	Shellfish beds protected	1928	242	567

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
317, renumbered 322	Dredging and raking for shellfish	1928	242	567
318	Scallops and oysters; open season; size limit	1925	350	647
318	Scallops and oysters; open season; size limit	1926	76	230
318	Scallops and oysters; open season; size limit	1926	296	541
318	Scallops and oysters; open season; size limit	1927	230	667
318, renumbered 323	Scallops and oysters; open season; size limit	1928	242	567
319, renumbered 324	Residents only to take shellfish	1928	242	568
320, renumbered 325	Starfish to be destroyed	1928	242	568
321	Lobsters; taking regulated	1925	350	648
321, renumbered 326, and amended	Lobsters; taking regulated	1928	242	568
321a, renumbered 327	Taking of crabs restricted	1928	242	569
322	Lobster traps; size of openings	1925	350	648
322	Lobster traps; size of openings	1926	168	327
322, renumbered 326, in part	Lobster traps; size of openings	1928	242	568
322	Dredging and raking for shellfish	1929	273	700
322	Dredging and raking for shellfish	1930	229	589
323, renumbered 328, and amended	Residents and nonresidents; licenses	1928	242	569
324	Licenses for vessels; nonresidents; unlawful use of food fish	1925	350	649
324, renumbered 329, and amended	Licenses for vessels; nonresidents; unlawful use of food fish	1928	242	569
324, subd. 1a, added	Nonresidents; fishing in marine district	1926	292	538
324, subd. 1a, renumbered 329, subd. 2	Nonresidents; fishing in marine district	1928	242	569
324, subd. 2, renumbered 329, subd. 3, and amended	Nonresidents; fishing in marine district	1928	242	570
324, subd. 2a, added	Nonresidents; fishing in marine district	1926	292	538
324, subd. 2a, renumbered 329, subd. 4, and amended	Nonresidents; fishing in marine district	1928	242	570
324, subd. 3, renumbered 329, subd. 5	Unlawful use of food fish	1928	242	570
325	Polluting waters	1922	552	1279
325, renumbered 330	Polluting waters	1928	242	570
326	Refuse not to be thrown in certain waters	1925	350	649
326, renumbered 331	Refuse not to be thrown in certain waters	1928	242	570

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
327, renumbered 332, and amended	Use of nets in certain waters prohibited	1928	242	570
328, renumbered 332, subd. 2	Use of nets in certain waters prohibited	1928	242	570
329, renumbered 332, subd. 3	Use of nets in certain waters prohibited	1928	242	570
330	Jamaica bay and adjacent waters; netting	1923	256	449
330, renumbered 332, subd. 4	Use of nets in certain waters prohibited	1928	242	570
331, renumbered 332, subd. 5	Use of nets in certain waters prohibited	1928	242	571
332, renumbered 332, subd. 6	Use of nets in certain waters prohibited	1928	242	571
332, subd. 3	Use of nets in certain waters prohibited	1931	226	578
332, subd. 4	Use of nets in certain waters prohibited	1931	226	578
334, repealed	Marine fisheries; supervisors of Nassau and Suffolk counties	1925	350	649
334, added	Use of otter trawls or beam trawls prohibited	1928	242	572
Art. 5, part 11, renumbered part 10	Division of fish and game; private parks	1928	242	572
Art. 5, part 11, section headings	Division of fish and game; private parks	1928	242	572
360	Laying out private parks	1928	242	572
361	Private parks; notices	1921	466	1364
361	Private parks; notices	1922	309	693
361	Private parks; notices	1924	49	81
361	Private parks; notices	1931	75	398
362	Private lands not parks; protection	1921	466	1364
362	Private lands not parks; protection	1924	49	82
362	Private lands not parks; protection	1930	796	1440
362	Private lands not parks; protection	1931	249	632
363, added	Private lands; trespass	1921	79	277
363, added	Private lands; forms of consent to hunt and fish	1921	466	1364
363, repealed	Private lands; forms of consent to hunt and fish	1927	268	703
363	Private lands; trespass	1931	75	398
365	Private lands; fish and game protected	1921	466	1365
365	Private parks and lands; fish and game protected	1931	249	632
366	State game refuges	1922	99	275
366	State game refuges	1925	354	656
366	State game refuges	1928	242	574
366	State game refuges	1931	467	1083
366a, renumbered 367, and amended	Game refuge at Sherburne	1928	242	575
367, added	Private lands; forms of consent to hunt and fish	1927	268	703
367, renumbered 369	Private lands; forms of consent to hunt and fish	1928	242	575
368, added	Curtis game preserve	1928	242	575
369a, added	Acquisition by United States of land for migratory bird reservations	1929	276	702
Art. 5, part 12, renumbered part 11	Breeding, importation and sale of fish and game	1928	242	576

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
Art. 5, part 12, section headings	Breeding, importation and sale of fish and game	1928	242	576
370	Lake trout and other fish; transportation; sale	1928	242	576
371	Sale of trout raised in private hatcheries	1928	242	576
372, section heading and subd. 1	Breeding of game	1923	390	628
372, subd. 1	Breeding of game	1925	20	19
372, subd. 1	Breeding of game	1928	242	577
372, subd. 2	Breeding of game	1923	390	629
372, subd. 2	Breeding of game	1928	242	577
372, subd. 3	Breeding of game	1925	12	11
372, subd. 3	Breeding of game	1926	37	199
372, subd. 3	Breeding of game	1928	242	577
372, subd. 4	Breeding of game	1928	242	578
372, subd. 5	Breeding of game	1928	242	578
372, subd. 6	Breeding of game	1923	390	629
372, subd. 6	Breeding of game	1928	242	578
372, subd. 7	Breeding of game	1928	242	579
372, subd. 8	Breeding of game	1928	242	579
372, subd. 9, added	Protection of licensed game farms	1924	162	374
373	Importation of game	1922	119	414
373	Importation of game	1923	181	228
373	Importation of game	1924	253	492
373	Importation of game	1928	242	579
374	Fees for tag or seal	1928	242	580
375	Storage of fish	1928	242	580
375	Storage of fish	1930	220	575
377, renumbered 376, and amended	Importation of game and birds	1928	242	580
Art. 5, part 13, renumbered part 12	Division of fish and game; definitions and construction	1928	242	581
Art. 5, part 13, section headings	Division of fish and game; definitions and construction	1928	242	581
380, subd. 1	Definition of department and commissioner	1928	242	581
380, subd. 19	Definition; pheasants	1930	45	60
380, subd. 20	Definition of angling	1923	300	507
380. subd. 20	Definition of angling	1926	355	627
381, section heading	Application of art. 5	1928	242	583
382	Construction of art. 5	1925	347	641
382	Construction of art. 5	1928	242	583
383, repealed	Repeal of laws enumerated	1928	242	583
384, repealed	Time of taking effect	1928	242	583
Art. 5 (§§ 396–402), added	Division of water power and control; organization; general provisions	1928	242	583
Art. 6 (§§ 400, 401), repealed	Hydraulic development	1921	499	1527
400, in part, repealed	Hydraulic development	1921	579	1755
400, in part, repealed	Hydraulic development	1922	532	1220

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
Art. 7, renumbered art. 6 and caption amended	Division of water power and control; river improvement	1928	242	586
407	River improvement; petition	1928	242	586
409	River improvement; proceedings on approval of petition	1928	242	587
410	River improvement; creation of improvement districts	1928	242	588
412a, renumbered 413	River improvement; lands in forest preserve	1928	242	590
413, renumbered 414, and amended	River improvement; compensation of owners	1928	242	591
414, renumbered 415, and amended	River improvement; compensation of owners	1928	242	591
415, renumbered 416, and amended	River improvement; compensation of owners	1928	242	591
416, renumbered 417, and amended	River improvement; compensation of owners	1928	242	593
417, renumbered 418, and amended	River improvement; assessment and collection of cost	1928	242	594
418, renumbered 419	River improvement; operation, maintenance and expenses	1928	242	590
419, renumbered 420	River improvement; collectors and other officers	1928	242	590
420, renumbered 421	River improvement; ratification of proceedings	1928	242	590
421, renumbered 422	River improvement; at private expense	1928	242	590
422, renumbered 423	River improvement; refund of expenses in certain cases	1928	242	590
Art. 7A, renumbered 7, and caption amended	Division of water power and control; storage reservoirs	1928	242	596
430, subd. 5	Storage reservoirs; definition of commission	1928	242	596
438	Storage reservoirs; river regulating district	1928	242	596
441	Storage reservoirs; river regulation by	1921	672	2166
446	Storage reservoirs; acquisition of real estate	1922	665	1824
446	Storage reservoirs; acquisition of real estate	1927	442	1105
446	Storage reservoirs; acquisition of real estate	1928	242	597
446a, added	Storage reservoirs; taxation of real estate	1925	390	713
446a, added	Storage reservoirs; discontinuance or relocation of highways	1926	683	1228
446a (as added by L. 1925, ch. 390), renumbered 448	Storage reservoirs; taxation of real estate	1928	242	596
446a (as added by L. 1926, ch. 683), renumbered 447	Storage reservoirs; discontinuance or relocation of highways	1928	242	596
447	Storage reservoirs; acquisition of cemeteries	1927	442	1106
447, renumbered 449	Storage reservoirs; acquisition of cemeteries	1928	242	596
447, subd. 2	Storage reservoirs; acquisition of cemeteries	1928	231	463

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
448, renumbered 450	Storage reservoirs	1928	242	596
448	Storage reservoirs; tax on real estate	1930	558	1040
449, renumbered 451	Storage reservoirs	1928	242	596
449, subd. 2	Storage reservoirs; removal of remains from cemeteries	1929	315	772
450, renumbered 452, and amended	Storage reservoirs; preliminary plans	1928	242	598
451, renumbered 453, and amended	Storage reservoirs; hearing	1928	242	599
452, renumbered 454, and amended	Storage reservoirs; review by certiorari	1928	242	600
453, renumbered 455, and amended	Storage reservoirs; alterations in plans	1928	242	600
454, renumbered 456	Storage reservoirs; state's share of expense	1928	242	596
455	Storage reservoirs; payment for real estate	1922	665	1825
455, renumbered 457	Storage reservoirs; payment for real estate	1928	242	596
456	Storage reservoirs; construction work	1921	672	2167
456	Storage reservoirs; construction work	1922	665	1826
456	Storage reservoirs; construction work	1923	377	615
456, renumbered 458	Storage reservoirs; construction work	1928	242	596, 600
458	Storage reservoirs; apportionment of cost	1927	442	1110
458, renumbered 460, and amended	Storage reservoirs; apportionment of cost	1928	242	596, 602
459	Storage reservoirs; assessments	1927	229	662
459, renumbered 461, and amended	River regulating district; assessments	1928	242	596, 604
460	Storage reservoirs; operation and maintenance charges	1921	672	2169
460, renumbered 462, and amended	Storage reservoirs; operation and maintenance charges	1928	242	596, 606
464	Storage reservoirs; bonds	1921	672	2170
464	Storage reservoirs; bonds	1927	229	664
465	Storage reservoirs; funds of board	1921	672	2171
465	Storage reservoirs; funds of board	1922	551	1278
465	Storage reservoirs; funds of board	1927	229	665
466	Storage reservoirs; temporary financing	1921	672	2172
466	Storage reservoirs; temporary financing	1927	229	666
466	Storage reservoirs; temporary financing	1931	38	342
468	Storage reservoirs; control of water in reservoirs	1922	665	1827
Art. 8, caption	Division of water power and control; drainage	1928	242	607
Art. 8 (§§ 480–494), repealed	Division of water power and control; drainage	1929	270	680
Art. 8 (§§ 480–494, 494a–494n), added	Division of water power and control; drainage	1929	270	680
480, repealed	Drainage	1929	270	680

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	CONSERVATION LAW—(*Continued*).			
480, added	Drainage; powers and duties of commission	1929	270	681
481, repealed	Drainage	1929	270	680
481, added	Drainage; general provisions and definitions	1929	270	682
482	Drainage; petition for improvement	1928	242	607
482, repealed	Drainage; petition for improvement	1929	270	680
482, added	Drainage; improvement districts	1929	270	683
483	Drainage; petition for improvement	1921	499	1527
483, repealed	Drainage; petition for improvement	1929	270	680
483, added	Drainage; petition for formation of improvement district	1929	270	683
484	Drainage; petition for improvement	1921	499	1527
484	Drainage; petition for improvement	1928	242	607
484, repealed	Drainage; petition for improvement	1929	270	680
484, added	Drainage; proceedings for authorization of survey	1929	270	684
485	Drainage; apportionment of benefits	1921	499	1530
485	Drainage; apportionment of benefits	1928	242	609
485, repealed	Drainage; apportionment of benefits	1929	270	680
485, added	Drainage; surveys and investigations	1929	270	684
486	Drainage; improvement bonds	1928	242	611
486, repealed	Drainage; improvement bonds	1929	270	680
486, added	Drainage; assessment of cost of surveys	1929	270	685
487, repealed	Drainage	1929	270	680
487, added	Drainage; proceedings for formation of district	1929	270	686
488	Drainage; contracts	1921	499	1532
488	Drainage; contracts	1928	242	612
488, repealed	Drainage; contracts	1929	270	680
488, added	Drainage; changes in district boundaries	1929	270	686
489, repealed	Drainage	1929	270	680
489, added	Drainage; formation of districts already improved	1929	270	686
490	Drainage; compensation of owners	1928	242	614
490, repealed	Drainage; compensation of owners	1929	270	680
490, added	Drainage; drainage improvement association	1929	270	687
491	Drainage; warrant for payment of owners	1921	499	1534
491	Drainage; warrant for payment of owners	1928	242	614
491, repealed	Drainage; warrant for payment of owner	1929	270	680
491, added	Drainage; procedure for authorization of construction	1929	270	687
492	Drainage; cost of improvements	1928	242	614
492, repealed	Drainage; cost of improvements	1929	270	680
492, added	Drainage; assessment of benefits and apportionment of costs	1929	270	688
493, repealed	Drainage	1929	270	680
493, added	Drainage; bonds for improvement	1929	270	689
494, renumbered 501, and amended	Drainage; maintenance of improvements	1921	497	1518
494, repealed	Drainage; maintenance of improvements	1929	270	680
494, added	Drainage; certificates of indebtedness	1929	270	690
494a–494n, added	Drainage; construction	1929	270	691
Art. 8A, renumbered 9, and caption amended	Division of water power and control; drainage of agricultural lands	1928	242	616

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498	Drainage; hearing; assessment of damages	1921	499	1534
499	Drainage; court review of decision of commission	1928	242	616
500	Drainage; payment of damages; entry	1922	527	1200
501, renumbered 494, and amended	Drainage; maintenance of improvements	1922	527	1199
Art. 8B (§§ 501–503), added	Ditches under former drainage law; maintenance and enlargement	1922	527	1200
Art. 8B, renumbered 10, and caption amended	Division of water power and control; ditches	1928	242	616
502	Ditches; repair or enlargement	1928	242	616
Art. 9, renumbered 11, and caption amended	Division of water power and control; water supply	1928	242	618
521	Water supply; maps and plans	1921	499	1535
521	Water supply; maps and plans	1922	413	861
521	Water supply; maps and plans	1928	242	618
521a, added	Water supply; new franchises	1926	648	1196
521a, renumbered 522	Water supply; new franchises	1928	242	618
522	Water supply; petition for approval of plans	1921	499	1536
522	Water supply; petition for approval of plans	1922	413	862
522, renumbered 523	Water supply; petition for approval of plans	1928	242	618
523, renumbered 524	Water supply; approval of work	1928	242	618
524	Water supply; to be used in other states	1922	413	864
524, renumbered 525, and amended	Water supply; to be used in other states	1928	242	619
525, repealed	Sewage disposal as affecting potable waters	1921	499	1538
526–529, added	Water supply of city of Rochester	1928	587	1319
526–529, added	Water supply of city of Rochester	1928	862	1859
Art. 9A, renumbered 12, and caption amended	Division of water power and control; union water districts	1928	242	619
Art 9A (§§ 530–539)	Union water districts	1922	413	864
530	Union water districts	1922	243	594
530	Union water districts; formation	1922	413	864
530	Union water districts; formation	1928	242	619
531	Union water districts; petition; hearing	1921	499	1538
531	Union water districts; petition; hearing	1922	413	865
532	Union water districts; submission of proposition	1921	499	1540
532	Union water districts; submission of proposition	1922	413	867
533	Union water districts; acquiring lands	1921	499	1542
533	Union water districts; acquiring lands	1922	413	868
533	Union water districts; acquiring lands	1928	242	620
534	Union water districts; contracts; construction work	1921	499	1546
534	Union water districts; contracts; construction work	1922	413	871
534	Union water districts; contracts; construction work	1928	242	624

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535	Union water districts; maintenance and operation of works	1922	413	872
536	Union water districts; cost and expenses	1922	413	873
537	Union water districts; other municipalities participating	1921	499	1547
537	Union water districts; other municipalities participating	1922	413	874
538	Union water districts; sale of water by commission	1922	413	875
539	Union water districts; definitions	1922	413	875
539	Union water districts; definitions	1928	242	625
Art. 9B, renumbered 13, and caption amended	Division of water power and control; reservoirs on forest preserve lands	1928	242	625
541	Water supply reservoirs in forest preserve lands	1922	413	875
541	Water supply reservoirs in forest preserve lands	1928	242	625
542	Water supply reservoirs in forest preserve lands	1922	413	875
542	Water supply reservoirs in forest preserve lands	1928	242	625
543	Water supply reservoirs in forest preserve lands	1928	242	626
545	Water supply reservoirs in forest preserve lands	1922	413	876
545	Water supply reservoirs in forest preserve lands	1928	242	627
547	Water supply reservoirs in forest preserve lands; repair	1922	413	877
Art. 10, renumbered 15	Division of Saratoga Springs reservation	1928	242	648
Art. 10, caption	Division of Saratoga Springs reservation	1928	242	648
Art. 10 (§§ 501–503), repealed	Division of waterpower and control; ditches	1929	270	698
Art. 10, section headings	Division of Saratoga Springs reservation	1928	242	648
600, renumbered 651, and amended	Saratoga Springs reservation; lands and rights to be acquired	1928	242	649
601, renumbered 652, and amended	Saratoga Springs reservation; payment for lands or rights taken	1928	242	650
602, renumbered 653, and amended	Saratoga Springs reservation; purpose	1928	242	650
603, renumbered 654, and amended	Saratoga Springs reservation; duties of department in relation to	1928	242	650
604, renumbered 655, and amended	Saratoga Springs reservation; protection of waters	1928	242	651
605, renumbered 656, and amended	Saratoga Springs reservation; capital fund	1928	242	652
606, renumbered 657, and amended	Saratoga Springs reservation; machinery and materials; how purchased	1928	242	653
Art. 10A (§§ 610–636), added	Water power	1921	579	1734
Art. 10A, renumbered 14, and caption amended	Division of water power and control; water power	1928	242	627

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW—(*Continued*).			
Art. 10A, section headings	Division of water power and control; water power	1928	242	627
610, added	Water power; definitions	1921	579	1734
610, renumbered 613, and amended	Water power; definitions	1928	242	628
610, subd. 5	Water power; definitions	1922	242	580
610, subd. 7, in part, repealed	Water power; definitions	1922	532	1220
610, subd. 7, in part, reenacted	Water power; definitions (*See foot note, L.* 1925, *p.* 822.)	1925	488	822
610, subd. 10	Water power; definitions	1922	242	580
610, subds. 11, 12, added	Water power; definitions	1922	242	580
611, added	Water power commission; officers and employees	1921	579	1736
611, repealed	Water power commission; officers and employees	1928	242	628
612, added	Water power commission; officers and employees	1921	579	1736
612, repealed	Assignment or transfer of departmental officers or employees	1928	242	628
613, added	Water power commission; powers and duties	1921	579	1737
613, renumbered 614, and amended	Water power commission; powers and duties	1928	242	629
613, in part, repealed	Water power commission; powers and duties	1922	532	1220
613, in part, reenacted	Water power commission; powers and duties. (*See foot note, L.* 1925, *p.* 822.)	1925	488	822
613, subd. 6	Water power commission; powers and duties	1922	242	581
613, subds. 13–15, renumbered subds. 14–16	Water power commission; powers and duties	1922	242	581
613, subd. 13, added	Rental for diversion of water of Niagara river	1922	242	581
614, added	Water power commission; hearings, etc	1921	579	1738
614, repealed	Water power commission; hearings, etc	1928	242	629
615, added	Water power commission; licenses	1921	579	1739
615	Water power commission; licenses	1922	242	582
615	Water power commission; licenses; approval by governor	1928	242	631
615, in part, repealed	Water power commission; licenses	1922	532	1220
615, in part, reenacted	Water power commission; licenses. (*See foot note, L.* 1925, *p.* 822.)	1925	488	822
616, added	Water power commission; application for license	1921	579	1740
616, in part, repealed	Water power commission; application for license	1922	532	1220
616, in part, reenacted	Water power commission; application for license. (*See foot note, L.* 1925, *p.* 822.)	1925	488	822
616, subds. 1, 2	Water power commission; application for license	1922	242	583
616, subd. 6	Water power commission; application for license	1928	242	634
617, added	Water power commission; preliminary permits	1921	579	1742
617	Water power commission; preliminary permits	1922	242	583
618, added	Water power commission; licenses	1921	579	1743

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
618, in part, repealed	Water power commission; licenses	1922	532	1220
618, in part, reenacted	Water power commission; licenses. (*See foot note, L.* 1925, *p.* 822.)	1925	488	822
618, subd. 9, added	Water power commission; licenses	1922	242	584
619, added	Water power commission; protection of navigation	1921	579	1745
620, added	Water power commission; rent for licenses	1921	579	1745
620	Water power commission; rent for licenses	1922	242	584
620	Water power commission; rent for licenses	1928	242	636
621, added	Water power commission; regulation of licensee and project	1921	579	1746
621	Water power commission; regulation of licensee and project	1922	242	585
621	Water power commission; reservations in license; state control of rates, etc	1924	617	1144
621	Water power commission; reservations in license; state control of rates, etc	1928	242	637
622, added	Water power commission; prosecution of project works	1921	579	1746
622	Water power commission; prosecution of project works	1922	242	586
623, added	Water power commission; maintenance of project works	1921	579	1746
623	Water power commission; maintenance of project works	1928	242	638
624, added	Water power commission; eminent domain	1921	579	1747
624, subd. 3	Water power commission; eminent domain	1922	242	587
624, subds. 4–7, added	Water power commission; eminent domain	1922	242	589
624, subd. 7	Water power commission; eminent domain	1928	242	641
624a, added	Water power commission; use of lands occupied by highway	1922	242	590
624a, renumbered 625, and amended	Water power commission; use of lands occupied by highway	1928	242	642
625, added	Water power commission; eminent domain	1921	579	1749
625, renumbered 626, and amended	Water power commission; eminent domain	1928	242	642
626, added	Water power commission; headwater improvement	1921	579	1750
626, renumbered 627, and amended	Water power commission; headwater improvement	1928	242	643
627, added	Water power commission; contracts beyond license period	1921	579	1750
627, renumbered 628	Water power commission; contracts beyond license period	1928	242	643
628, added	Water power commission; transfer of license restricted	1921	579	1750
628, renumbered 629	Water power commission; transfer of license restricted	1928	242	643
629, added	Water power commission; revocation of license	1921	579	1751
629	Water power commission; revocation of license	1922	242	591
629, renumbered 630	Water power commission; revocation of license	1928	242	643
630, added	Water power commission; revocation of license	1921	579	1752

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
630, renumbered 631	Water power commission; revocation of license	1928	242	644
631, added	Water power commission; re-entry when license expires	1921	579	1753
631	Water power commission; re-entry when license expires	1922	242	592
631, renumbered 632	Water power commission; re-entry when license expires	1928	242	645
632, added	Water power commission; renewal and extension of licenses	1921	579	1753
632, renumbered 633	Water power commission; renewal and extension of licenses	1928	242	646
633, added	Water power commission; prohibited diversions	1921	579	1754
633, renumbered 634	Water power commission; prohibited diversions	1928	242	646
634, added	Water power commission; false entries, statements or reports	1921	579	1754
634, renumbered 635	Water power commission; false entries, statements or reports	1928	242	647
635, added	Water power commission; service of notice, order or direction	1921	579	1754
635	Water power commission; service of notice, order or direction	1922	242	592
635, renumbered 636, and amended	Water power commission; service of notice, order or direction	1928	242	647
635a, added	Water power commission; review by certiorari	1922	242	593
635a, renumbered 637, and amended	Water power commission; review by certiorari	1928	242	647
636, added	Water power commission; right to amend or repeal article reserved	1921	579	1755
636, renumbered 638	Water power commission; right to amend or repeal article reserved	1928	242	648
637, added	Water power commission; previous grantees	1922	242	593
637, renumbered 639	Water power commission; previous grantees	1928	242	648
650, added	Division of Saratoga Springs reservation; organization	1928	242	649
Art. 16, added	Division of parks	1928	242	654
Art. 16, part 1 (§§ 660–662), added	Division of parks; organization	1928	242	655
Art. 16, part 2 (§§ 665–674), added	Council of parks; park regions	1928	242	657
665	Council of parks	1930	527	1005
672	Park regions and regional park commissions	1930	527	1005
Art. 16, part 3 (§§ 680–688), added	Commissioners of the state reservation at Niagara	1928	242	661

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
Art. 16, part 4 (§§ 690–697), added	Allegany state park; commissioner	1928	242	664
692	Allegany state park; commission; general powers	1931	466	1079
697	Cuba reservation	1928	533	1159
Art. 11 (§§ 700–702), renumbered art. 18 (§§ 971–973)	Laws repealed; when to take effect; saving clause	1928	242	719
Art. 16, part 5 (§§ 700–702), added	Letchworth park committee of the American Scenic and Historic Preservation Society	1928	242	671
700	Parks in counties of third park region	1930	527	1005
701, repealed	Letchworth park	1930	527	1005
702, renumbered 701, and amended	Genesee state park commission; gifts and devises	1930	527	1005
702	Letchworth park; powers, duties and functions of commission	1931	466	1079
Art. 16, part 6 (§§ 715–721), added	Finger Lakes state parks commission	1928	242	672
717	Finger Lakes state park; powers and duties of board	1931	466	1079
718	Finger Lakes commission; purposes of parks	1930	527	1005
719, renumbered 718	Finger Lakes commission; gifts of property	1930	527	1005
720, renumbered 719	Finger Lakes commission; quarterly accounts	1930	527	1005
721, renumbered 720	Finger Lakes commission; payment of moneys appropriated	1930	527	1005
Art. 16, part 7 (§§ 725–731), added	Central New York state parks commission	1928	242	675
727	Central New York state parks; powers and duties of commission	1931	466	1079
728	Central New York commission; purposes of parks	1930	527	1005
729, renumbered 728	Central New York commission; gifts of property	1930	527	1005
730, renumbered 729	Central New York commission; quarterly accounts	1930	527	1005
731, renumbered 730	Central New York commission; payment of moneys appropriated	1930	527	1005
Art. 16, part 8 (§§ 735–741), added	Taconic state parks commission	1928	242	677
737	Taconic state park; powers and duties of commission	1931	466	1079
738	Taconic commission; purposes of parks	1930	527	1005
Art. 16, part 9 (§§ 745–761), added	Palisades interstate park; commissioners	1928	242	679

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW—(*Continued*).			
Art. 16, part 10 (§§ 765, 766), added	Westchester county park commission as agent for the state	1928	242	688
Art. 16, part 11 (§§ 770–781), added	Long Island state park commission	1928	242	688
775	Long Island state park; rules, ordinances, violations	1931	98	425
780	Long Island state park commission; consents to public utilities	1931	243	625
Art. 16, part 12 (§§ 785, 786), added	Erie county park commission	1928	242	696
Art. 16, part 13 (§ 790), added	Battle Island park	1928	242	697
Art. 16, part 14 (§§ 792–794), added	Bennington battlefield	1928	242	697
792	Bennington battlefield	1928	585	1312
793	Bennington battlefield	1928	585	1312
Art. 16, part 15 (§ 796), added	Clinton house	1928	242	698
Art. 16, part 16 (§ 798), added	Crown Point reservation	1928	242	698
Art. 16, part 17 (§ 800), added	Fort Brewerton	1928	242	699
Art. 16, part 18 (§§ 802–804), added	Fort Cralo	1928	242	699
Art. 16, part 19 (§§ 806–809), added	Grant cottage	1928	242	700
809	Grant cottage	1928	585	1312
Art. 16, part 20 (§§ 811–814), added	Guy Park house and grounds	1928	242	701
812	Guy Park house and grounds	1928	585	1313
Art. 16, part 21 (§§ 815–818), added	Herkimer home	1928	242	703
816, subd. 1	Herkimer home	1928	585	1314
Art. 16, part 22 (§ 820), added	John Boyd Thacher park	1928	242	705
Art. 16, part 23 (§§ 822, 823), added	Lake George battlefield	1928	242	705
Art. 16, part 24 (§§ 825–827), added	Montcalm park	1928	242	705
825	Montcalm park	1928	585	1314
827	Montcalm park	1928	585	1314
Art. 16, part 25 (§§ 829–835), added	Newtown battlefield reservation	1928	242	706

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CONSERVATION LAW — (*Continued*).			
Art. 16, part 26 (§ 836), added	Philipse manor house	1928	242	708
Art. 16, part 27 (§§ 838, 839), added	Saratoga battle monument	1928	242	708
Art. 16, part 28 (§§ 841–844), added	Schuyler mansion	1928	242	709
Art. 16, part 29 (§§ 846–848), added	Senate house at Kingston	1928	242	710
Art. 16, part 30 (§ 850), added	Sir William Johnson mansion	1928	242	711
Art. 16, part 31 (§ 852), added	Spy island	1928	242	711
Art. 16, part 32 (§ 854), added	Stony Point peninsula	1928	242	711
Art. 16, part 33 (§§ 855–859), added	Washington's headquarters; Knox headquarters; Temple hill monument	1928	242	712
Art. 16, part 34 (§ 862), added	Miscellaneous, scientific and historical places	1928	242	714
	CO-OPERATIVE CORPORATIONS LAW: (L. 1926, ch. 231, constituting cons. laws, ch. 77.)			
2	Classification of corporations	1930	204	553
19, ¶ (a)	Powers	1929	214	480
19, ¶ (k)	Powers	1926	607	1085
20, 21, added	Spreading false reports; breach of contract	1930	821	1497
22, added	Voluntary dissolution	1931	350	787
23, added	Dissolution; jurisdiction of supreme court	1931	350	787
30	Purpose for which corporations formed	1926	607	1085
36	Contracts and agreements	1928	84	234
37	By-laws and remedies for breach of contract	1928	832	1763
67, opening paragraph	First meeting; adoption of by-laws	1928	84	234
69	Liability of members	1926	607	1086
75	Auditing committee	1927	11	11
76, repealed	Non-stock corporations; voluntary dissolution	1931	350	1786
89	Stocks and stockholders	1928	863	1861
94, repealed	Producers' and consumers' stock corporations; dissolution	1931	350	786
95	Annual report	1928	84	235
116	Stock; voting; transfer	1931	286	695
122	Annual reports	1927	11	12
Art. 8a (§§ 131–136) added	Co-operative agency corporations	1930	204	551

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CORRECTION LAW: (L. 1909, ch. 47, constituting cons. laws, ch. 43. Former prison law with title thus changed by L. 1929, ch. 243.)			
Schedule of articles	Correction law	1929	243	535
Art. 1	Short title; definitions	1929	243	535
1	Short title; correction law	1929	243	535
2, added	Definitions	1929	243	535
Art. 2 (§§ 10–32), renumbered art. 22 (§§ 600–623), and amended	Miscellaneous provisions	1929	243	629
Art. 2 (§§ 5–20), added	Department of correction	1929	243	536
7	Department of correction; organization	1930	824	1500
13, repealed	Department of correction; division of parole	1930	824	1500
14	Department of correction; division of probation	1930	283	666
17, repealed	Department of correction	1930	824	1500
21, repealed	Bertillon and finger print system	1926	702	1260
21, renumbered 611, and amended	Births to inmates of correctional institutions	1929	243	632
21, added	Department of correction; acquisition of real property	1930	250	617
22	Births to inmates of penal institutions	1922	645	1780
22, renumbered 21	Births to inmates of penal institutions	1926	702	1260
25–32, added	Central bureau of criminal identification; records, etc	1926	702	1260
25–32, renumbered 615–622, and amended	Miscellaneous provisions	1929	243	633
Art. 3	Correction commission	1929	243	542
40–45	Correction commission	1929	243	543
46	Prison commission; powers and duties	1925	454	780
46	Prison commission; powers and duties	1927	285	720
46	Correction commission; powers and duties	1929	243	544
46, subds. 2, 3, 7, repealed	Prison commission; powers and duties	1924	601	1109
46, subd. 8	Prison commission; powers and duties	1924	298	564
47–50	Correction commission	1929	243	545
51, repealed	Prison commission; estimates to be furnished	1924	601	1109
52, renumbered 51, and amended	Correction commission; enforcement of powers	1929	243	546
53, renumbered 52	Correction commission; violations of art. 3	1929	243	547
Art. 4	State prisons for men	1929	243	547
70	State prisons for men; names and locations	1929	243	547
71, repealed	Clinton prison water works	1929	243	548
72, renumbered 71, and amended	Lands retained for use of Clinton prison	1929	243	548
73, renumbered 72	Clinton prison; southern boundary	1929	243	548
74, repealed	Sing Sing prison farm	1929	243	548

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CORRECTION LAW—(*Continued*).			
75, renumbered 73, and amended	Lease of lands for farms and other purposes	1929	243	548
Art. 5	State prison for women	1929	243	548
90	State prison for women; name and location	1929	243	549
90	State prison for women; name and location	1931	434	1030
91	State prison for women; warden	1929	243	549
91	State prison for women; superintendent	1931	434	1030
92–96, repealed	State prison for women	1929	243	549
92	State prison for women; commitment	1931	434	1030
93, repealed	State prison for women; children of prisoners	1930	242	611
93	State prison for women; branch of reformatory for women	1931	434	1030
94	State prison for women; separate accounts	1931	434	1030
97, renumbered 92, and amended	State prison for women; commitments	1929	243	549
98, renumbered 93, and amended	State prison for women; children of prisoners	1929	243	549
99, renumbered 94, and amended	State prison for women; branch of Auburn prison	1929	243	550
100, renumbered 95	State prison for women; separate accounts and records	1929	243	550
Art. 6	State prisons; management	1929	243	550
110	State prisons; comptroller's clerks	1929	243	551
110a, added	Advisory medical staffs	1923	486	770
110a, repealed	State prisons; advisory medical staffs	1929	243	551
111, repealed	State prisons; salary and expenses of superintendent	1929	243	551
111	State prisons; salary and expenses of wardens and other officers	1930	549	1032
112	Wardens and superintendents; salary and expenses	1927	347	801
112, renumbered 111, and amended	State prisons; salary and expenses of wardens and other officers	1929	243	551
113, repealed	State prisons; salaries of physicians, clerks, chaplains	1929	243	551
114	Compensation of guards	1923	584	882
114	Compensation of guards	1926	788	1380
114	State prisons; compensation of other officers	1929	243	553
114	State prisons; compensation of other officers	1930	173	514
114	State prisons; compensation of other officers	1930	549	1033
115–117, repealed	State prisons	1929	243	551
117	State prisons; estimates of expenses	1931	309	723
118, repealed	State prisons	1929	243	551
119	Bonds of certain officers	1925	170	217
119, repealed	State prisons; bonds of certain officers	1929	243	551
120, renumbered 112, and amended	State prisons; commissioner of correction; powers and duties	1929	243	551
121, repealed	State prisons; report of superintendent	1929	243	552
122, repealed	State prisons; powers and duties of warden	1929	243	552
122	Fiscal transactions and dealings in state prisons	1931	262	648
122a, renumbered 113, and amended	State prisons; absence of prisoner for certain purposes	1929	243	552

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CORRECTION LAW—(*Continued*).			
123, renumbered 114, and amended	State prisons; daily record	1929	243	553
124, renumbered 115, and amended	State prisons; account books	1929	243	553
125, renumbered 116, and amended	State prisons; deposit of prisoners' funds	1929	243	554
125	State prisons; prisoners' property; what to be furnished on release	1930	273	650
126, renumbered 117, and amended	State prisons; estimate of expenses	1929	243	554
127, renumbered 118, and amended	State prisons; monthly financial statement of warden	1929	243	555
128, renumbered 119, and amended	State prisons; daily report concerning inmates	1929	243	556
129, renumbered 120, and amended	State prisons; annual report	1929	243	556
130, renumbered 121, and amended	State prisons; annual inventory	1929	243	556
131, renumbered 122, and amended	State prisons; control of fiscal transactions and recovery of debts	1929	243	556
132, renumbered 123, and amended	State prisons; purchase of supplies	1929	243	557
133	Bills and receipts for supplies and services	1926	703	1263
133, renumbered 124, and amended	State prisons; bills and receipts	1929	243	557
134, paragraph, added	Property of deceased and escaped convicts	1922	278	652
134, renumbered 125, and amended	State prisons; prisoners' property; what to be furnished on release	1929	243	558
135, renumbered 126, and amended	State prisons; neglect of duty by warden	1929	243	559
136, renumbered 127, and amended	State prisons; general duties of comptroller's clerks	1929	243	559
137	State prisons; duties of assistant clerk	1924	601	1098
137, renumbered 128, and amended	State prisons; duties of assistant comptroller's clerk	1929	243	559
138–142, repealed	State prisons	1929	243	559
143, renumbered 129, and amended	State prisons; notes, drafts, etc., not to be given	1929	243	559
144, renumbered 130, and amended	State prisons; imprisonment of prisoner sentenced to death and commuted by governor	1929	243	560
145	Transfer from one prison to another	1924	601	1098
145, renumbered 131, and amended	State prisons; transfer from one prison to another	1929	243	560
146, renumbered 132, and amended	State prisons; escaped prisoners	1929	243	560
147, renumbered 133, and amended	State prisons; report when prisoner believed insane when crime committed	1929	243	561
148, renumbered				

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CORRECTION LAW—(*Continued*).			
134, and amended	State prisons; prisoners, how graded	1920	243	561
148, added	Psychiatric and diagnostic clinic; establishment	1929	242	533
149, renumbered				
135, and amended	State prisons; promotions and reductions in grade	1929	243	561
149, added	Psychiatric and diagnostic clinic; work	1929	242	534
150	Prison instruction	1924	601	1099
150	Prison instruction	1925	455	782
150, renumbered				
136, and amended	State prisons; prison instruction	1929	243	561
151, renumbered				
137, and amended	State prisons; single cells	1929	243	562
152, renumbered				
138, and amended	State prisons; clothing, bedding and food	1929	243	562
153, renumbered				
139, and amended	State prisons; prison punishment	1929	243	562
154, renumbered				
140, and amended	State prisons; solitary confinement on short rations	1929	243	562
155, renumbered				
141, and amended	State prisons; contagious diseases	1929	243	562
156, renumbered				
142, and amended	State prisons; fire in prison	1929	243	562
157, renumbered				
143, and amended	State prisons; United States prisoners	1929	243	563
158, renumbered				
144, and amended	State prisons; United States prisoners	1929	243	563
159, renumbered				
145, and amended	State prisons; United States prisoners	1929	243	563
160, renumbered				
146, and amended	State prisons; persons authorized to visit	1929	243	563
161, added	Alien convicts of state prisons	1922	644	1780
161	Alien convicts of state prisons	1923	492	776
161, renumbered				
147, and amended	State prisons; alien prisoners	1929	243	564
Art. 7	Labor in correctional institutions	1929	243	564
170	Labor in institutions; contracts prohibited	1929	243	565
170a, added	Superintendent of prison industries	1924	601	1099
170a, repealed	Labor in institutions; superintendent of prison industries	1929	243	565
171	Labor in institutions; prisoners to be employed; products of labor	1929	243	565
172–174, repealed	Labor in institutions; grades	1929	243	565
175	Prisoners employed for use of state and divisions thereof	1924	601	1099
175	Labor in institutions; employment for state and political divisions	1929	243	565
176	Labor in institutions; no printing or photo-engraving for state	1929	243	565
177	Labor of prisoners	1924	601	1100
177	Labor in institutions; to what devoted	1929	243	566
178	Labor in institutions; conduct in certain institutions	1929	243	567
179	Labor in institutions; employment on highways	1929	243	567
179a, renumbered				
180, and amended	Labor in institutions; employment on highways	1929	243	568

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	CORRECTION LAW—(*Continued*).			
180, renumbered 181, and amended	Labor in institutions; employment on highways	1929	243	569
180a, renumbered 182, and amended	Labor in institutions; transfer to prison farms	1929	243	570
181	Classification of industries; report	1924	601	1101
181, renumbered 183, and amended	Labor in institutions; classification of industries; report	1929	243	570
182	Articles manufactured furnished to state or divisions thereof	1924	601	1102
182	Articles manufactured furnished to state or divisions thereof	1925	457	783
182, renumbered 184, and amended	Labor in institutions; articles manufactured to be furnished to state or political divisions	1929	243	571
183	Estimates of articles required to be furnished	1924	601	1102
183, renumbered 185, and amended	Labor in institutions; estimates of articles required	1929	243	571
184	Prison industries board; prices to be fixed	1924	601	1102
184, renumbered 186, and amended	Labor in institutions; prices of labor and articles	1929	243	571
185	Compensation of prisoners in state prisons	1922	177	493
185, repealed	Compensation of prisoners in state prisons	1924	601	1103
185, added	Earnings of prisoners	1924	601	1103
185, renumbered 187, and amended	Labor in institutions; earnings of prisoners	1929	243	572
186, renumbered 188, and amended	Labor in institutions; disposition of fines	1929	243	573
187, renumbered 189, and amended	Labor in institutions; moneys paid to prisoners	1929	243	573
187	Labor in institutions; earnings of prisoners	1930	503	979
188, renumbered 190, and amended	Labor in institutions; receipts and expenditures	1929	243	574
189	Statement of machinery and materials required	1924	601	1104
189, renumbered 191, and amended	Labor in institutions; machinery and materials required	1929	243	574
189	Labor in institutions; moneys paid to prisoners	1930	503	980
190	Machinery and materials for prison industries	1924	601	1105
190, renumbered 192, and amended	Labor in institutions; machinery and materials	1929	243	574
191	Disposition of machinery on discontinuance of industry	1924	601	1105
191, renumbered 193, and amended	Labor in institutions; disposition of machinery	1929	243	574
192, renumbered 194, and amended	Labor in institutions; purchases included in estimates	1929	243	575
193	Deposits by agent and warden in banks	1924	601	1106
193, renumbered 195, and amended	Labor in institutions; deposits in banks	1929	243	575
194, renumbered 196, and amended	Labor in institutions; violations of labor regulations	1929	243	576
Art. 7a (§§ 200–202), added	Prison industries board	1924	601	1107

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	CORRECTION LAW—(*Continued*).			
Art. 7a (§§ 200–202), repealed	Prison industries board	1929	243	577
Art. 8 (§§ 210, 211, 211a, 212–219), repealed	Paroles	1928	485	1059
Art. 8 (§§ 210–223), added	Parole	1928	485	1059
Art. 8 (§§ 210–223)	Parole	1929	243	577
210	Board of parole for state prisons; parole officers	1924	601	1108
210	Board of parole; powers and duties	1929	243	577
211a	Parole of certain indeterminates	1926	737	1379
211b, repealed	Life sentences	1926	494	850
214	Parole of mentally defective convicts	1922	297	681
214	Parole of mentally defective convicts	1926	736	1376
217	Retaking of a violator of parole	1929	243	580
219	Felony committed while on parole	1931	426	1052
220	Discharge from parole	1931	304	717
223	Parole; application of art. 8	1929	243	582
Art. 9 (§§ 230–249)	Commutations	1929	243	582
230	Commutations; definite and indefinite sentences; compensation	1929	243	582
230, subd. 3	Compensation and parole	1923	508	798
230, subd. 4, renumbered subd. 5	Commutations; time earned	1926	736	1377
230, subd. 4, added	Commutations; time served	1926	736	1377
230, subd. 4	Compensation for good conduct	1931	348	784
230, subd. 5	Compensation for good conduct; accounts	1931	348	784
232	Commutations; commencement of imprisonment	1929	243	584
233	Warden's monthly report	1926	736	1377
233	Commutations; monthly report of warden to governor	1929	243	584
234	Release on holidays and Sundays	1926	736	1378
235	Commutation and compensation; rules for allowance	1929	243	585
236	Commutation and compensation	1923	508	799
236	Commutation and compensation; determination	1929	243	585
237	Commutations; review by governor	1929	243	586
238	Forfeiture of commutation and compensation for escapes	1926	736	1378
238	Commutation and compensation; escapes, forfeiture of	1929	243	586
239	Commutations; determination of forfeiture	1929	243	586
240	Commutations; persons subject to forfeiture	1929	243	587
241	Commutations; reports to governor	1929	243	587
242	Power of governor to grant compensation or commutation	1921	567	1708
242	Power of governor to grant compensation or commutation	1926	736	1378
242	Compensation or commutation; power of governor to grant	1929	243	587
243	Governor to annex condition to discharge	1921	567	1709
243	Commutations; governor to annex condition to discharge	1929	243	587

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	CORRECTION LAW—(*Continued*).			
243	Governor to annex condition to discharge	1931	458	1073
244	Commutations; certificate as evidence	1929	243	588
245	Commutations; prisoners to be informed of art. 9	1929	243	588
246	Commutations; proceedings upon discharge	1929	243	588
247	Commutations; application to Dannemora and Matteawan	1929	243	588
248	Application of art. 9	1922	297	682
248	Commutations; application to reformatories or institutions for mental defectives	1929	243	588
249	Commutations; meaning of certain terms; article not applicable to certain institutions	1929	243	589
Art. 9a (§§ 250-254), renumbered art. 10, and amended	Commutation of sentences to county jails or jail farms.	1929	243	589
260, repealed	Application for a pardon, commutation or reprieve; furnishing statement of facts	1926	621	1113
Art. 10 (§§ 261-266), renumbered art. 11, and amended	Executive clemency	1929	243	590
Art. 11, renumbered art. 12	Reformatories	1929	243	591
280, 281	New York state reformatory	1921	483	1484
Art. 12 (§§ 280-287, 287a, 288-307, 307a, 307c, 308), repealed	Reformatories	1931	455	1054
Art. 12 (§§ 270-306), added	Reformatories	1931	455	1054
282, repealed	Eastern New York reformatory at Napanoch	1921	483	1484
283	State reformatory at Elmira	1921	483	1484
284	New York state reformatory; board of managers	1921	483	1485
285, repealed	Transfer of prisoners from reformatories	1921	483	1485
286, 287	New York state reformatory; superintendent	1921	483	1486
287a, added	Prisoner allowed to attend funeral and last illness of near relative	1921	213	861
288, repealed	Napanoch reformatory; officers and employees	1921	483	1486
289	New York state reformatory; compensation of officers and employees	1921	483	1486
289	New York state reformatory; compensation of officers and employees	1923	584	883
290, repealed	Board of managers, state reformatories	1921	483	1487
292	General duties of chaplains	1921	483	1487
293	General duties of physicians	1921	483	1487
294	Powers and duties of treasurer	1921	483	1488
295	Transportation of convicts to reformatory	1921	483	1489
296	Transfer of prisoners to state prisons	1921	483	1489
296	Transfer of prisoners to state prisons	1931	302	715
297	Transfer of convicts from state prisons to reformatory	1921	483	1490
298	Control and discipline of prisoners at reformatory	1921	483	1490
299	Register of prisoners at reformatory	1921	483	1490

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	CORRECTION LAW — (*Continued*).			
300	Parole of prisoners at reformatory	1921	483	1491
301	Retaking of paroled prisoners of reformatory	1921	483	1491
302	Rules of reformatory	1921	483	1491
303	Marks for good conduct at reformatory	1921	483	1492
304	Absolute release from imprisonment from reformatory	1921	483	1492
305	Sentences for definite periods to reformatory	1921	483	1492
306	Supervision of prisoners paroled from reformatory	1921	483	1493
307	Sentence to reformatory	1921	483	1493
307a–307c	Commitment to reformatory	1921	483	1493
308	Expenses of trial of convict committing crime in reformatory	1921	483	1494
Art. 12 (§§ 320–325), renumbered art. 19 (§§ 480–485), and amended	Penitentiaries	1929	243	617
Art. 13 (§§ 340–364, 364a, 365–369, 369a–369e), renumbered art. 20 (§§ 501–528), and amended	Jails	1929	243	619
355	Removal of sick prisoners from jail	1925	456	782
357	Jail liberties, Westchester county	1921	296	1018
364a, added	Jail liberties; release of former bail	1927	630	1550
Art. 13a (§§ 369f–369o), renumbered art. 21 (§§ 550–559)	Action upon undertaking for jail liberties	1929	243	627
Art. 14 (§§ 370–375), renumbered art. 13 (§§ 320–325), and amended	Care of property of person confined for life	1929	243	591
Art. 15 (§§ 390–401), renumbered art. 14 (§§ 350–361)	Care of property of person confined for less than life	1929	243	593
Art. 16 (§§ 410, 411), renumbered art. 18 (§§ 470–473), and amended	Department of correction; and retirement of employees	1929	243	615
412, added	Guards and other employees; death or disability benefits	1928	481	1057
436	Compensation of certain employees	1931	457	1072
438	Napanoch; persons who may be committed	1931	459	1074
442	Discharge of inmates, Napanoch	1931	280	687
Art. 17 (§§ 450, 451), renumbered art. 20 (§§ 500, 501)	Laws repealed; when to take effect	1927	426	1063

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Section	SUBJECT	Year	Chapter	Page
	CORRECTION LAW — (*Continued*).			
Art. 17 (§§ 420–433), added	Dannemora State Hospital	1927	426	1064
Art. 17 (§§ 420–433), renumbered art. 15 (§§ 375–388), and amended	Dannemora State Hospital	1929	243	595
Art. 17a (§§ 450, 451), added	Institution for mentally defective delinquent women at Albion	1931	456	1071
Art. 18 (§§ 434–447), added	Matteawan State Hospital	1927	426	1069
Art. 18 (§§ 434–447), renumbered art. 16 (§§ 400–413), and amended	Matteawan State Hospital	1929	243	601
Art. 19 (§§ 460–476), added	State Institution for Defective Delinquents at Napanoch	1927	426	1075
Art. 19 (§§ 460–476), renumbered art. 17 (§§ 430–447), and amended	Institution for defective delinquents at Napanoch	1929	243	607
472, subd. 3, added	Department of correction; disability benefits to guards	1930	192	542
472, subd. 3	Department of correction; disability benefits to guards	1931	460	1075
Art. 20 (§§ 500, 501), renumbered art. 25 (§§ 800, 801)	Laws repealed; when to take effect	1929	243	637
606	Expenses of trial for crimes in correctional institution	1930	231	590
611	Births to inmates of correctional institutions	1930	242	609
	COUNTY LAW: (L. 1909, ch. 16, constituting cons. laws, ch. 11.)			
6a, added	Presentation of claims for injury to person or property	1931	220	572
10	Boards of supervisors; meeting and organization	1930	187	536
10a	Boards of supervisors; quarterly meetings	1921	57	242
10a	Boards of supervisors; quarterly meetings	1931	761	1623
10b	Boards of supervisors; meetings, certain counties	1927	114	434
10b	Boards of supervisors; meetings, certain counties	1928	300	780
10b	Boards of supervisors; meetings, certain counties	1929	42	42
10b	Boards of supervisors; meetings, certain counties	1929	579	1231
10b	Boards of supervisors; meetings; certain counties	1930	12	23
10b	Boards of supervisors; meetings, certain counties	1930	188	537
10b	Boards of supervisors; meetings, certain counties	1930	426	900
10b	Boards of supervisors, meetings; certain counties	1931	63	384
10b	Boards of supervisors; meetings; certain counties	1931	114	448
12, subd. 8	Propagation of game and fish at county institutions	1922	34	35

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921-1931 — (*Continued*).

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12, subd. 8	Propagation of game and fish at county institutions..	1926	589	1056
12, subd. 16a, added	Game propagation, certain counties.....	1931	537	1315
12, subd. 17	Board of supervisors; powers; Chautauqua county...	1930	97	411
12, subd. 28, added	Reforestation by county.....	1929	194	454
12, subd. 28a	Agricultural conditions, raising money to improve....	1922	282	656
12, subd. 28a	Agricultural conditions, raising money to improve....	1924	248	487
12, subd. 28a	Agricultural conditions; raising money to improve...	1930	769	1381
12, subd. 28b, added	Support of agricultural societies.....	1928	461	1017
12, subd. 28b	Support of agricultural societies.....	1929	329	794
12, subd. 28b	Support of agricultural societies.....	1930	164	502
12, subd. 28c, added	Eradication of bovine tuberculosis.....	1930	219	575
12, subd. 30a, added	Support of child welfare or social welfare; Monroe county.....	1931	324	740
12, subd. 35	Boards of supervisors; appointment of commission of taxpayers.....	1922	254	609
12, subd. 36	District superintendents; expenses.....	1922	494	1116
12, subd. 36	District superintendents; expenses.....	1926	503	863
12, subd. 36	District superintendents; expenses.....	1928	201	426
12, subds. 39a-39d, added	Acquiring real property described in subds. 38, 39...	1925	687	1138
12, subd. 39d	Acquiring real property described in subds. 38, 39...	1926	181	340
12, subds. 39e-39k, added	Acquiring real property described in subds. 38, 39...	1925	687	1139
12, subd. 39k	Acquiring real property described in subds. 38, 39...	1926	181	340
12, subds. 39l-39n, added	Acquiring real property described in subds. 38, 39...	1925	687	1140
12, subd. 39n	Acquiring real property described in subds. 38, 39..	1926	181	341
12, subd. 39o, added	Acquiring real property described in subds. 38, 39..	1925	687	1141
12, subd. 41a, added	Acquisition of law library equipment; Ontario county	1929	36	36
12, subd. 43	Relief and education of indigent blind.....	1930	596	1098
12, subd. 44, added	Public health nurses.....	1921	130	372
12, subd. 44, added	Relief and education of poor persons.....	1921	366	1162
12, subd. 44	Public health nurses.....	1924	67	103
12, subd. 44, renumbered subd. 44a, and amended	Public health nurses.....	1925	503	838
12, subd. 44a	Public health employees.....	1930	123	455
12, subd. 44b, added	Dairy and sanitary inspectors.....	1928	432	960
12, subd. 45, added	Tuberculosis clinics.....	1921	263	967
12, subd. 46, added	Boards of supervisors; appropriations for support of pedagogical departments.....	1922	307	692

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12, subd. 47, added	Essex county; Junior Achievement Foundation	1925	24	43
12, subd. 47, added	Board of supervisors; Orleans county	1925	501	836
12, subd. 48, added	Appropriations for disabled veterans	1925	506	840
12, subd. 49, added	Information for boards of assessors	1926	166	326
12, subd. 49 (as added by L. 1926, ch. 166)	Information for boards of assessors	1928	81	231
12, subd. 49, added	Essex County Social Service Committee, Inc	1926	337	601
12, subd. 49, added	Onondaga county; Memorial day appropriation	1926	338	602
12, subd. 50, added	Onondaga county; traffic signals	1926	230	403
12, subd. 50, added	County parks and park commissions	1926	676	1221
12, subd. 51, added	Suffolk county; employment of extra clerks by supervisors	1927	561	1339
12, subd. 51a, added	Dredging bays; Nassau and Suffolk counties	1931	401	852
12, subd. 52, added	Comfort of persons at flying field	1930	56	83
12, subd. 52, added	Purchase of land for burial of poor	1930	69	99
12, subd. 52, added	Niagara frontier bridge commission	1930	828	1515
12, subd. 52, as added by L. 1930, ch. 828, renumbered subd. 51a and amended	Niagara frontier bridge commission	1931	536	1314
12, subd. 56, added	Rewards in criminal prosecutions	1931	648	1443
12a added	Expenses of special elections	1931	194	544
13	Limitation of credit	1924	163	375
14	Resolutions authorizing issue of obligations	1930	854	1588
14	Resolutions authorizing issue of obligations	1931	763	1633
19a, added	Publication of resolutions of supervisors, Erie county	1930	145	485
20	Elimination of publication of session laws in newspapers	1921	467	1365
21, repealed	Compensation for publication of local laws	1921	467	1366
23, subd. 1a, added	Compensation of supervisors; Putnam county	1927	134	451
23, subd. 3	Compensation of supervisors; Clinton county	1928	178	320
23, subd. 4	Compensation of supervisors; certain counties	1921	107	327
23, subd. 4	Compensation of supervisors; certain counties	1927	559	1338
23, subd. 4	Compensation of supervisors; certain counties	1928	19	18
23, subd. 4	Compensation of supervisors; certain counties	1929	78	134
23, subd. 4	Compensation of supervisors; certain counties	1931	138	472

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	COUNTY LAW—(*Continued*).			
23, subd. 4b, repealed	Compensation of supervisors; Rockland county	1923	287	494
23, subd. 4b, added	Compensation of supervisors; Rockland county	1923	287	494
23, subd. 4c, added	Compensation of supervisors; Saratoga county	1931	138	473
23, subd. 5	Compensation of supervisors; Dutchess and Orange counties	1925	59	78
23, subd. 6a, added	Compensation of supervisors; Niagara county	1929	78	135
23, subd. 7	Compensation of supervisors; Ulster county	1927	358	810
23, subd. 7b	Compensation of supervisors; Columbia county	1926	414	732
23, subd. 7c, added	Compensation of supervisors; Wayne county	1926	26	186
23, subd. 7d, added	Compensation of supervisors; Cayuga county	1927	203	600
23, subd. 7e, added	Compensation of supervisors; Tioga county	1928	26	25
23, subd. 8	Compensation of supervisors; certain counties	1926	201	376
23, subd. 8	Compensation of supervisors; certain counties	1928	178	320
23, subd. 8 added	Compensation of supervisors; certain counties	1931	138	472
23, subds. 10, 11	Supervisors' compensation	1926	201	376
23, subd. 14	Compensation of supervisors; Ontario county	1921	129	372
23, subd. 15, added	Supervisors, expenses while on special committee work	1923	380	619
23, subd. 15	Supervisors, expenses while on special committee work	1924	93	137
23a	Compensation of supervisors; certain counties	1925	504	839
31	Location of county buildings	1928	666	1443
38, subd. 1	Fire districts outside villages	1928	37	36
38, subd. 2	Fire districts outside villages	1926	83	241
38, subd. 2	Fire districts outside villages	1928	434	961
38, subd. 3	Fire districts outside villages	1925	495	829
38, subd. 3	Fire districts outside villages	1928	434	962
38, subd. 4	Fire districts outside villages	1925	495	829
38, subd. 4	Fire districts outside villages	1927	598	1517
38, subd. 4	Fire districts outside villages	1928	434	963
38, subd. 4	Fire districts outside villages	1929	630	1490
38, subd. 5	Fire districts outside villages	1924	521	940
38, subd. 5	Fire districts outside villages	1925	495	831
38, subd. 5	Fire districts outside villages	1927	247	687
38, subd. 5	Fire districts outside villages	1928	434	964
38, subd. 5	Fire districts outside villages	1929	630	1490
38, subd. 6	Fire districts outside villages	1928	434	965
38, subd. 7	Fire districts outside villages	1928	434	965
38, subd. 8a, added	Fire districts outside villages	1929	602	1413
38, subd. 12, added	Fire districts outside villages	1921	29	98
38, subd. 13, added	Fire districts outside villages	1922	118	412
38, subd. 14, added	Fire districts outside villages	1926	388	704

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38, subd. 15, added	Fire districts outside villages	1929	186	447
38, subd. 15, added	Fire districts outside villages	1929	603	1414
38, subd. 16, added	Fire districts outside villages	1930	557	1039
40	Soldiers' memorials	1921	283	997
40	Soldiers' memorials	1924	523	942
40a, added	Soldiers' burial plots; Dutchess county	1929	24	27
40a, added	Soldiers' burial plots; Niagara county	1929	631	1492
40a, added by L. 1929, ch. 631, renumbered 40b	Soldiers' burial plots, Niagara county	1931	139	474
40c, added	Dumping grounds for motor vehicles	1931	139	474
41	Temporary loans; issue of obligations therefor	1931	761	1624
45, subd. 2	County hospitals for tuberculosis; establishment	1921	510	1586
45, subd. 2	County hospitals for tuberculosis; establishment	1928	712	1547
47, subd. 7	County hospitals for tuberculosis; reports	1927	137	453
47, subd. 9	County hospitals for tuberculosis; nurses	1921	130	373
47, subd. 9	County hospitals for tuberculosis; nurses	1927	137	453
48a, added	Chaplains in Rensselaer county	1923	366	607
49c	County tuberculosis hospitals; patients from other counties	1929	12	15
62	Location and construction of bridges	1928	130	274
81, added	County planning and development commissions, certain counties; development of highways	1929	580	1231
92	Custody and control of prisoners	1930	242	611
93	Food and labor for prisoners	1925	496	831
94a, added	Chaplains in Nassau county jail	1922	222	544
94a	Chaplains in Nassau county jail	1923	362	605
96	Commitment of prisoners by United States courts	1926	216	389
141	Deputy county treasurer, certain counties	1922	100	276
142, subd. 3	County treasurers; reports	1921	158	522
142, subd. 6	County treasurers; powers and duties	1925	500	836
145	Depository to give undertaking	1931	419	1011
152	Trusts for maintenance of cemetery lots	1922	253	608
161a	Recording certificates of honorable discharge	1922	283	658
161a	Recording certificates of honorable discharge	1924	522	941
162	Deputy clerks	1926	24	184
167, in part, repealed	Register of deeds, New York county	1921	227	900
167, in part, repealed	Register of deeds, Bronx county	1925	600	1009
172, subd. 5, repealed	New York county; card index supplemental to judgment docket books	1924	569	1035
172, subd. 6, renumbered subd. 5	New York county; judgment docket	1924	569	1035
174, subds. 1, 2, 11, 13, 14, 23	Fees of county clerks generally	1926	413	729
177, in part, repealed	Register of deeds, Bronx county	1925	600	1009

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177	Fees of recording officers in New York city	1929	423	941
180, subd. 1	Coroners	1931	305	718
180, subd. 1a, added	Coroners	1931	305	719
185a, subd. 3	Sheriff's fees	1930	404	872
192	Fees of coroners	1931	52	366
201a, added	District attorney prohibited from practicing, Rockland county	1931	528	1292
202	Assistant district attorneys	1921	34	102
203	District attorneys	1923	601	904
210	County attorneys; appointment, etc.	1931	485	1165
215	County auditors and deputies; appointment	1927	64	229
Art. 12b (§§ 218, 219, 219a, 219b), added	Purchasing department or agency	1921	243	929
218	Purchasing department or agency	1925	502	837
230b, added	Additional county judge; Monroe county	1925	499	835
230b, added	Special county judge; Erie county	1925	505	840
230b	Special county judge; Erie county	1926	558	992
230b	Special county judge; Erie county	1926	652	1202
230b	Special county judge; Erie county	1931	212	565
230b, as added by L. 1925, ch. 499, renumbered 230c	Additional county judge; Monroe county	1931	528	1292
230b as added by L. 1925, ch. 505, renumbered 230d	Special county judge; Erie county	1931	768	1642
230c, added	Special county judge; Queens county	1931	768	1641
230d, added	County judge prohibited from practicing law; Rockland county	1931	528	1292
231a, added	Salary of county judge; Bronx county	1924	663	1215
231a, repealed	Salary of county judge; Bronx county	1926	402	715
231a, added	Salary of county judges; Bronx county	1926	402	715
231b, added	Compensation of county judges; Kings county	1926	564	995
231c, added	Compensation of county judge; Queens county	1926	816	1480
231d, added	Salary of county judge Richmond county	1926	815	1480
232, subd. 1	Salaries of county judge and surrogate; Albany county	1926	521	903
232, subd. 2	Salary of county judge; Allegany county	1926	567	997
232, subd. 3	Salary of county judge; Broome county	1926	587	1045
232, subd. 3	Salary of county judge and surrogate; Broome county	1930	288	672
232, subd. 4	Salaries of county judge and surrogate; Cattaraugus county	1923	206	265
232, subd. 4	Salaries of county judge and surrogate; Cattaraugus county	1926	399	713
232, subd. 5	Salaries of county judge and surrogate; Cayuga county	1924	432	787
232, subd. 5	Salaries of county judge and surrogate; Cayuga county	1926	400	714
232, subd. 6	Salaries of county judge and surrogate; Chautauqua county	1927	291	727

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	COUNTY LAW — (*Continued*).			
232, subd. 7	Salary of county judge; Chemung county	1927	184	560
232, subd. 8	Salary of county judge; Chenango county	1924	430	784
232, subd. 9	Salaries of county judge and surrogate; Clinton county	1926	562	994
232, subd. 10	Salaries of county judge and surrogate; Columbia county	1926	653	1202
232, subd. 11	Salary of county judge; Cortland county	1926	560	993
232, subd. 12	Salary of county judge; Delaware county	1924	365	707
232, subd. 13	Salaries of county judge and surrogate; Dutchess county	1924	428	783
232, subd. 14	Salaries of county judge and surrogate; Erie county	1926	652	1202
232, subd. 16	Salaries of county judge and surrogate; Franklin county	1925	68	88
232, subd. 17	Salaries of county judge and surrogate; Fulton county	1926	655	1203
232, subd. 19	Salary of county judge; Greene county	1926	654	1203
232, subd. 20	Salary of county judge; Hamilton county	1926	613	1094
232, subd. 21	Salary of county judge; Herkimer county	1924	520	939
232, subd. 21	Salary of county judge; Herkimer county	1928	536	1163
232, subd. 22	Salary of county judge; Jefferson county	1926	397	712
232, subd. 24	Salary of county judge; Lewis county	1921	33	101
232, subd. 24	Salary of county judge; Lewis county	1926	656	1204
232, subd. 25	Salary of county judge; Livingston county	1926	567	997
232, subd. 26	Salary of county judge; Madison county	1926	657	1204
232, subd. 27	Salaries of county judge and of surrogate; Monroe county	1925	499	835
232, subd. 27	Salaries of county judges and surrogate; Monroe county	1926	585	1044
232, subd. 27	Salaries of county judges and surrogate; Monroe county	1929	190	450
232, subd. 28	Salaries of county judge and surrogate; Montgomery county	1926	540	935
232, subd. 29	Salaries of county judge and surrogate; Nassau county	1927	71	240
232, subd. 31	Salaries of county judge and surrogate; Oneida county	1927	183	560
232, subd. 32	Salaries of county judge and surrogate; Onondaga county	1926	403	715
232, subd. 32	Salaries of county judge and surrogate; Onondaga county	1927	202	599
232, subd. 33	Salary of county judge; Ontario county	1922	88	262
232, subd. 33	Salaries of county judge and surrogate; Ontario county	1926	630	1127
232, subd. 34	Salaries of county judge and surrogate; Orange county	1924	429	783
232, subd. 34	Salaries of county judge and surrogate; Orange county	1931	50	363
232, subd. 35	Salary of county judge; Orleans county	1926	563	994
232, subd. 36	Salaries of county judge and surrogate; Oswego county	1926	398	713
232, subd. 37	Salary of county judge; Otsego county	1924	250	490
232, subd. 38	Salary of county judge; Putnam county	1926	593	1062
232, subd. 40	Salary of surrogate; Rensselaer county	1925	497	833
232, subd. 42	Salary of county judge; Rockland county	1923	252	447

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	COUNTY LAW—(*Continued*).			
232, subd. 43	Salary of county judge; St. Lawrence county	1922	223	544
232, subd. 43	Salary of county judge; St. Lawrence county	1923	389	627
232, subd. 43	Salaries of county judge and surrogate; St. Lawrence county	1926	396	712
232, subd. 44	Salaries of county judge and surrogate; Saratoga county	1926	382	700
232, subd. 45	Salary of county judge; Schenectady county	1927	108	428
232, subd. 45	Salary of surrogate; Schenectady county	1927	560	1338
232, subd. 46	Salary of county judge; Schoharie county	1927	110	430
232, subd. 47	Salary of county judge; Schuyler county	1923	371	612
232, subd. 49	Salaries of county judge and surrogate; Steuben county	1926	393	710
232, subd. 50	Salaries of county judge and surrogate; Suffolk county	1927	339	795
232, subd. 51	Salary of county judge; Sullivan county	1928	21	21
232, subd. 52	Salary of county judge; Tioga county	1928	10	9
232, subd. 53	Salary of coun y judge; Tompkins county	1926	404	716
232, subd. 54	Salaries of county judge and surrogate; Ulster county	1926	401	714
232, subd. 56	Salaries of county judge and surrogate; Washington county	1926	395	711
232, subd. 57	Salary of surrogate; Wayne county	1925	89	109
232, subd. 57	Salaries of county judge and surrogate; Wayne county	1927	124	443
232, subd. 58	Salaries of county judge and surrogate; Westchester county	1924	251	491
232, subd. 58	Salary of surrogate; Westchester county	1927	267	703
232, subd. 59	Salary of county judge; Wyoming county	1926	567	997
232, subd. 60	Salary of county judge; Yates county	1928	350	863
232, subd. 73, added	Salary of county judge; Herkimer county	1924	520	939
232, subd. 73, repealed	Salary of county judge; Herkimer county	1928	536	1163
232, subd. 73, added	Salary of county judge; Herkimer county	1928	536	1163
232, subd. 74, added	Salaries of county judge and surrogate; Chautauqua county	1927	291	727
233	Salaries and expenses of county judges	1921	141	467
233	Salaries and expenses of county judges	1923	379	618
233	Salaries and expenses of county judges	1924	249	490
233	Salaries of county judges, how paid	1931	294	705
233	Salaries of county judges, how paid	1931	303	717
234	County comptroller; term	1921	633	1963
234	County comptroller; term	1924	403	749
234a, added	Deputy comptroller, Nassau county	1931	278	681
234a, added	Deputy comptroller; Nassau county	1931	342	771
234b, added	Deputy comptroller; Nassau county	1931	278	681
234b, added	Duties of deputy comptroller	1931	342	771
240, subd. 9	Publication of day calendars, courts of record	1923	878	1700
240, subd. 16	County charges	1922	384	809
240a, added	Deputy sheriffs; compensation for injuries	1923	378	617
241a	Compensation of supervisors and assessors attending tax meetings	1928	128	273

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	COUNTY LAW — (*Continued*).			
Art. 15a (§§ 251, 251a–251h, 252, 252a–252m, 253, 253a, 253b, 254, 254a, 254b, 255–257, 257a–257f), added	Register of New York county	1921	227	880
251, added	Nassau county, width of street for real property development	1922	76	248
257, added	Register of New York county	1921	227	894
257a, added	Register of New York county	1921	227	894
257a	Register of New York county	1928	831	1762
257a, subds. 3, 6, 12	Register of New York county	1926	274	489
257b–257f, added	Register of New York county	1921	227	896
Art. 15B (§§ 258, 258a–258s, 259, 259a–259n), added	Register of Bronx county	1925	600	995
Art. 16 (§§ 260, 261), renumbered art. 17 (§§ 280, 281)	Laws repealed; when to take effect	1929	536	1107
Art. 16 (§§ 260–272), added	Drainage of land	1929	536	1101
320b, subd. 12, repealed	State aid to counties for highways	1930	770	1388
320b, subd. 12, added	State aid to counties for highways	1930	770	1388
320b, subds. 13–15	State aid to counties for highways	1930	770	1389
	DEBTOR AND CREDITOR LAW: (L. 1909, ch. 17, constituting cons. laws, ch. 12.)			
150	Discharge of bankrupt from judgment	1922	77	249
Art. 6a (§ 151), added	Right of set off against unmatured debts	1927	697	1741
194a, added	Contingent or unliquidated liabilities	1922	160	472
Art. 8 (§§ 230–233), repealed	Compositions by joint debtors	1928	833	1764
Art. 8 (§§ 231–240), added	Discharge of joint obligors	1928	833	1765
Art 10 (§§ 280, 281), renumbered art. 11 (§§ 290, 291)	Laws repealed; when to take effect	1925	254	507
Art. 10 (§§ 270–281), added	Fraudulent conveyances	1925	254	505

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	DECEDENT ESTATE LAW: (L. 1909, ch. 18, constituting cons. laws, ch. 13.)			
13, added	Power of representative as to realty in absence of power in will	1929	229	499
15	Who may make wills of personal estate	1923	233	427
17	Devise or bequest to certain institutions, etc.	1923	301	508
17	Devise or bequest to certain institutions, etc.	1927	502	1208
17	Devise or bequest to certain institutions, etc.	1929	229	500
18, added	Election by surviving spouse against or in absence of testamentary provision	1929	229	500
18, subd. 1, subparagraphs (a), (g)	Election by surviving spouse against or in absence of testamentary provision	1931	562	1358
18, subd. 9	Election by surviving spouse against or in absence of testamentary provision; waiver	1930	174	516
19, added	Compromise between claimants where interests of infants, etc., involved	1929	229	502
25	Application of certain provisions to wills previously made	1924	128	212
28	Action by certain persons against legatees	1931	562	1359
30	Affidavit by subscribing witness to wills	1923	712	1275
30, in part, repealed	Register of deeds, city and county of New York	1921	227	900
30, in part, repealed	Register of deeds, Bronx county	1925	600	1009
35	Revocation by marriage	1931	562	1359
44	Recording foreign will	1921	293	1015
44	Recording foreign will	1922	135	442
44	Recording foreign will	1925	605	1015
44	Recording foreign will	1926	218	391
44	Recording foreign will	1929	230	520
45	Authorization of certain papers	1925	605	1016
45	Authorization of certain papers	1926	218	392
45	Authorization of certain papers	1929	230	521
45	Authentication of certain papers	1931	165	503
46	Validity of purchase notwithstanding devise	1931	562	1359
47a, added	Issue to take per stirpes	1921	379	1189
48	Application of certain sections of art. 2	1924	164	376
Art. 3	Descent and distribution	1929	229	504
80	Descent and distribution; definitions; effect of art. 3	1929	229	504
81	General rule of descent	1923	393	631
81	Descent and distribution to same persons and in same shares	1929	229	504
81	Descent and distribution to same persons and in same shares	1930	174	516
82	Provisions in lieu of dower	1929	229	505
83	Descent and distribution; general rule	1929	229	505
83, subd. 6	Descent and distribution; general rule	1930	599	1102
83, subd. 15	Descent and distribution; general rule	1930	174	517
84	When one parent inherits	1923	393	632
84	Descent, sole or in common	1929	229	507
85	When both parents may inherit	1923	393	632
85	Advancements	1929	229	504

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	DECEDENT ESTATE LAW—(*Continued*).			
86	Advancements; how adjusted	1929	229	507
87	Effect of divorce on rights to distributive share	1929	229	507
88	Application of certain sections of art. 3	1929	229	507
91	Descent and distribution	1929	518	1071
91, repealed	Descent and distribution	1930	174	519
92	Course of descent in certain cases	1923	234	428
92	Course of descent in certain cases	1925	606	1017
98, subds. 6, 7	Distribution of personal property	1921	126	367
98, subd. 7a, added	Distribution of personal property	1921	126	367
98, subd. 8, repealed	Distribution of personal property	1921	316	1054
98, subd. 16	Distribution of personal property	1929	518	1072
98, subd. 16	Distribution of personal property	1930	174	519
103a, added	Payment of wages due deceased employee	1930	175	522
104	Application of certain sections	1924	105	152
111	Investment of trust funds	1922	593	1516
111	Investment of trust funds	1925	604	1013
111	Investment of trust funds	1926	307	558
111	Investment of trust funds	1928	362	876
123, added	Power of administrator over real property	1929	229	500
124, added	Apportionment of federal and state estate taxes	1930	709	1283
133	Distribution of damages recovered in action for causing death of decedent	1929	229	508
160	Foreign executor or administrator may sue or be sued	1925	253	504
160	Foreign executor or administrator may sue or be sued	1925	603	1012
160, repealed	Foreign executor or administrator may sue or be sued	1926	660	1207
	DOMESTIC RELATIONS LAW: (L. 1909, ch. 19, constituting cons. laws, ch. 14.)			
6, subd. 3	Void marriages	1922	279	653
7	Voidable marriages	1924	165	376
7, subd. 1	Voidable marriages; nonage	1922	313	695
7, subd. 5, repealed	Voidable marriages; five years' absence	1922	279	653
7, subd. 5, added	Annulment of marriage on ground of incurable insanity	1928	589	1322
7, subd. 5	Annulment of marriage on ground of incurable insanity	1929	537	1107
7a, added	Dissolution of marriage on ground of absence	1922	279	653
11, subd. 1	Solemnization of marriage	1929	606	1417
11, subd. 2	Solemnization of marriage	1922	326	711
11, subd. 3	Solemnization of marriage	1926	144	297
11, subd. 4	Written contract of marriage	1926	635	1147
11, subd. 5, added	Marriage of minors	1926	590	1056
11, subd. 5	Marriage of minors	1927	547	1325
11, subd. 5	Marriage of minors	1930	423	898

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	DOMESTIC RELATIONS LAW — (*Continued*).			
11a	Solemnization of marriage	1922	326	711
13	Marriage licenses; where obtained	1929	125	350
14	Marriage licenses; form	1926	635	1147
14	Marriage licenses; form	1929	247	641
15	Marriage licenses; duty of town and city clerks	1921	317	1055
15	Marriage licenses; duty of town and city clerks	1926	635	1149
15	Marriage licenses; duty of town and city clerks	1927	547	1325
15	Marriage licenses; duty of town and city clerks	1929	633	1494
15	Marriage licenses; duty of town and city clerks	1931	511	1264
15a, added	Child marriages	1926	590	1057
15a	Wrongful issuance of marriage license; punishment	1927	547	1328
15a	Child marriages	1928	43	42
19	Marriage licenses; records kept by town and city clerks	1921	32	100
19	Marriage licenses; records kept by town and city clerks	1926	635	1150
19	Marriage licenses; records kept by town and city clerks	1927	231	668
20	Marriage licenses; records kept by county clerks	1921	317	1057
20	Marriage licenses; records kept by state department of health	1926	635	1151
20a, added	Transcript of marriage record furnished by state commissioner of health	1926	635	1152
21	Marriage licenses; certificates and registration; forms and books	1926	635	1152
22	Marriage licenses; penalty for violation by town or city clerk	1926	635	1152
23, repealed	Solemnization of marriage; presumptive evidence	1926	635	1152
23, added	Marriage records; supervision and inspection by state commissioner of health	1926	635	1152
61, added	Married woman's domicile	1929	455	984
70	Habeas corpus for child detained by parent	1923	235	428
80	Guardians in socage	1924	439	810
80	Guardians in socage	1925	44	63
81	Appointment of guardians by parent	1925	67	87
86–88, repealed	Guardians; poor children	1923	706	1270
110	Adoption; definitions	1924	323	591
110	Adoption; definitions	1925	608	1019
110	Adoption; definitions	1929	314	771
111	Adoption; consent necessary	1924	323	592
111, subd. 3	Adoption	1921	655	2027
111, subd. 3	Adoption	1922	628	1676
112	Adoption; requisites of voluntary	1924	323	593
112, subd. 2	Adoption; requisites of voluntary	1925	607	1014
113	Adoption; order	1924	323	598
114	Adoption; effect	1925	608	1020
114	Adoption; effect	1931	562	1363
115	Adoption from charitable institution or authorized agency	1924	323	594
117	Adoption; abrogation	1924	323	595
118	Adoption; abrogation	1924	323	596
Art. 8 (§§ 119–139), added	Children born out of wedlock	1925	255	508
119–122, added	Children born out of wedlock	1925	255	508

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	DOMESTIC RELATIONS LAW—(*Continued*).			
122, subd. 3	Children born out of wedlock	1926	386	703
122, subd. 3	Children born out of wedlock	1931	219	571
123–128, added	Children born out of wedlock	1925	255	510
129, added	Children born out of wedlock	1925	255	512
129	Children born out of wedlock	1928	834	1766
130–135, added	Children born out of wedlock	1925	255	512
136, added	Children born out of wedlock	1925	255	513
136	Children born out of wedlock	1928	834	1768
137–139, added	Children born out of wedlock	1925	255	514
Art. 8 (§§ 120–127), repealed	Apprentices and servants	1923	306	524
	DRAINAGE LAW: (L. 1909, ch. 20, constituting cons. laws, ch. 15.)			
All repealed		1921	497	1519
75, added	Drains and ditches in certain drainage districts	1923	672	1215
	EDUCATION LAW: (L. 1910, ch. 140, constituting cons. laws, ch. 16, generally amending L. 1909, ch. 21.)			
2, subd. 15, added	Definition; school year	1931	468	1085
20	Education department; regents of the university	1927	153	476
21	Education department; divisions	1927	153	477
25	University and education department; joint seal	1927	153	478
27	State education building	1927	153	478
46	Regents; legislative power	1927	153	478
51	Supervision of professions	1925	666	1104
51	Supervision of professions	1928	537	1163
51	Supervision of professions	1929	265	676
51	Supervision of professions	1930	693	1265
59a, added	County educational system	1930	724	1323
67	Unlawful acts in connection with examinations	1921	178	741
68, subd. 7	Libraries; officers and employees	1921	385	1200
69, subd. 1	Incorporated college; water-works	1931	126	460
73, subd. 4	State scholarships	1923	61	67
75	State scholarships	1923	714	1278
77	State scholarships	1923	714	1279
77	State scholarships	1924	130	213
78	State scholarships	1930	690	1261
79, added	Licensing schools; supervision	1921	667	2049
79, repealed	Licensing schools; supervision	1923	799	1441
80, added	State board of geographic names; transfer of powers	1923	302	508
80, added	Correspondence schools	1923	593	893
80 (as added by L. 1923, ch. 302), renumbered 79	State board of geographic names; transfer of powers	1929	212	479

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	EDUCATION LAW — (*Continued*).			
80, subd. 4, added	State board of geographic names; vote required for certain names	1929	212	479
90	Commissioner of education; powers and duties	1927	153	478
93	Commissioner of education; salary	1927	153	479
94, subd. 8a, added	Lists of alien children of school age	1921	21	85
94, subd. 11b, repealed	Education of illiterates and foreigners	1921	327	1072
94, subd. 11d	Instruction for foreign born and native adults	1921	327	1072
94, subd. 11d	Instruction for foreign born and native adults	1930	487	957
94a, repealed	New York State school for blind; transfer of powers from state board of charities to commissioner of education	1927	153	491
95, subd. 1	Removal of school officers	1931	330	747
100, added	Indian affairs	1924	266	523
100	Indian affairs	1926	264	469
100	Indian affairs	1927	153	479
128, repealed	Common school districts; dissolution by consent	1930	206	555
128, added	Dissolution, re-formation and construction of districts	1930	206	555
129, repealed	Dissolution, re-formation and consolidation of districts	1930	206	555
134	Consolidated school districts; quotas	1923	716	1282
134	Consolidated school districts; quotas	1924	192	416
134	Consolidated school districts; quotas	1925	674	1119
153b, repealed	Central registration for 1928	1930	390	823
153c, repealed	Central registration for 1928	1930	390	823
182, subd. 1	Central rural school districts; proceedings at meetings	1927	95	406
183	Central rural school districts; boards of education	1925	673	1116
183	Central rural school districts; boards of education	1927	95	406
183	Central rural school districts; boards of education	1931	468	1085
184	Central rural school districts; powers and limitations	1927	95	407
185	Central rural school districts; state aid	1925	673	1118
185	Central rural school districts; state aid	1926	299	543
186a, added	Central rural schools; effect of annexation	1931	720	1578
187	Central high school districts; formation	1924	451	837
187	Central high school districts; formation	1925	664	1103
189i	Central high school districts; apportionment	1931	468	1086
189k	Central high school districts; state aid	1925	664	1103
189m, added	Central high school districts; other districts may join	1924	451	838
193, subd. 2	Union free school districts; annual meetings	1923	150	186
193, subd. 3, added	Fees of printers for publishing notices and reports	1921	284	998
203, subd. 3, ¶ a	Qualifications of voters at district meetings	1924	452	838
206, subd. 3	Adjournment of district meetings	1928	675	1451
206, subd. 18	Contracts for transportation of school children	1929	256	653
206, subd. 18	Contracts for transportation of school children	1930	104	418
207a, added	Use of voting machines at school meetings	1927	75	245
207a	Use of voting machines at school meetings	1929	260	661
209	Annual school election; certain cities	1929	127	352
210	Qualifications of voters at school elections	1921	384	1198
210, subd. 3, opening paragraph	Qualifications of voters at school elections	1926	332	592
210, subd. 3, ¶ a	Qualifications of voters at school elections	1926	332	593

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Section	SUBJECT	Year	Chapter	Page
	EDUCATION LAW — (*Continued*).			
213, caption, and subd. 1	School elections; poll lists	1921	384	1199
213, subd. 9, added	School elections; qualifications of voters	1921	384	1199
214	Inspectors of election; organization	1925	610	1021
223	Oath of office of public library trustees	1928	261	742
224, subd. 4	School district officers; terms	1931	468	1087
251, subd. 4	Bond of school district treasurer	1930	344	748
252, subd. 1	Collector of school district; bond	1923	149	185
253	Teachers' fund; disbursement by collector	1923	149	186
253, subd. 1	Teachers' fund; disbursement by collector	1930	487	957
254, subd. 1	Union free school districts; clerks of boards of education	1923	151	187
254, subd. 4	Union free school districts; collector of taxes	1922	314	696
254, subd. 4	Union free school districts; clerk, treasurer and collector	1922	328	716
254, subd. 4	Union free school districts; treasurer and collector	1925	86	107
254, subd. 4	Union free school districts; treasurer and collector	1926	498	852
255, subd. 1	Payments and reports by collector	1930	487	958
275, subds. 11, 12	Trustees of school district; powers and duties	1930	487	958
275, subd. 20, added	Trustees of school district; powers and duties	1925	227	463
275, subd. 21, added	Trustees of school district; powers to borrow money	1927	360	811
275, subd. 21	Trustees of school district; powers to borrow money	1930	124	456
276	Trustees' annual report	1931	468	1087
301, subd. 1	Board of education in district not joining city or village	1931	468	1088
303, subd. 3	School election; place and time	1926	332	593
303, subd. 3	School election; place and time	1930	40	56
303a, added	School elections in union free school districts	1924	449	830
303a	School elections in union free school districts	1926	332	593
303a	School elections in union free school districts	1927	485	1184
303b–303f, added	School elections in union free school districts	1924	449	832
303f, subd. 1	School elections in union free school districts	1926	332	595
303g, 303h, added	School elections in union free school districts	1924	449	835
310, subd. 19	Boards of education; powers to borrow money	1927	360	812
310, subd. 19	Boards of education; powers to borrow money	1929	259	660
310, subd. 19	Boards of education; powers to borrow money	1930	124	456
310, subd. 20	Boards of education; powers to raise money by tax	1930	487	958
310, subd. 22, added	Providing accommodations for teachers	1922	344	735
310, subd. 22	Providing accommodations for teachers and cafeteria service	1930	401	870
310, subd. 23, added	Boards of education; powers and duties	1925	227	464
311	Kindergartens; night schools	1928	646	1414
312	Appointment of superintendent of schools	1930	487	958
315, subd. 1	Custodians of school moneys	1926	243	443
322, subd. 2	Boards of education; report to commissioner	1931	468	1088
360, subd. 1	Duties of supervisors	1930	487	959
360, subds. 12, 14	Sale of town school lots	1929	85	303
365	Report by supervisors to district superintendent	1930	487	959
366, added	Penalties of certain bonds	1921	480	1481
382, subd. 1	School directors; terms; election; qualifications	1929	255	653

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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383, subds. 1, 2	Meetings of school directors and election of district superintendents	1923	394	632
384, subd. 2	District superintendent of schools; qualifications	1927	491	1191
389, subd. 1	District superintendent of schools; salary	1924	391	729
389, subd. 1	District superintendent of schools; salary	1927	491	1192
395, subd. 14	District superintendent; powers and duties	1931	468	1088
410	Assessment of school taxes	1923	403	641
410	Assessment of school taxes	1924	36	55
414	Equalization of school tax within joint districts	1921	585	1813
414	Equalization of school tax within joint districts	1924	367	710
414	Equalization of school tax within joint districts	1925	431	748
414	Equalization of school tax within joint districts	1927	486	1185
425, subd. 4	School taxes against public service corporations	1923	406	644
427	School taxes against public service corporations; notice	1923	406	645
428	School taxes against public service corporations; payment	1923	406	645
430	School taxes against public service corporations; payment by county treasurer to school collector	1923	406	645
440, subd. 2	School tax on state lands	1921	63	253
440, subd. 2	School tax on state lands	1924	450	836
440, subd. 2	School tax on state lands	1928	263	744
440, subd. 2	School tax on state lands	1930	622	1130
440, subd. 3, repealed	School tax on state lands	1928	703	1538
441, added	Refund of school taxes	1923	117	148
442, added	Assessment of property omitted from preceding tax list	1923	117	149
453	Fire escapes and drills	1923	402	640
455, subd. 4	Use of schoolhouses out of school hours	1921	82	280
455, subd. 4	Use of schoolhouses out of school hours	1929	91	308
464, subd. 5	School buildings and sites	1924	3	3
464, subd. 5	School buildings and sites	1926	322	580
464, subd. 5	School buildings and sites	1927	91	403
467, subd. 1	School taxes and bonds	1925	102	119
467, subd. 1	School taxes and bonds	1926	115	266
467, subd. 2	School taxes	1926	754	1400
467, subd. 3	Notice of special meeting	1923	116	147
467, subd. 3	Notice of special meeting	1926	115	267
467, subd. 3	Notice of special meeting	1930	61	90
480, subd. 1	Bonded indebtedness of school districts	1921	318	1058
480, subd. 1	Bonded indebtedness of school districts	1922	124	419
480, subd. 1	Bonded indebtedness of school districts	1923	400	637
480, subd. 1	Bonded indebtedness of school districts	1925	102	120
480, subd. 1	Bonded indebtedness of school districts	1926	115	268
480, subd. 1	Bonded indebtedness of school districts	1930	61	90
480, subd. 5	Common school district bonds	1925	661	1101
490	Apportionment of school moneys	1930	171	507
490	School moneys; when apportioned	1931	468	1088
491, repealed	Apportionment of school moneys	1930	171	507
491, subd. 4	Apportionment of school moneys	1929	257	655
491, subd. 8	Apportionment of school moneys	1929	257	655
491, subd. 12, added	Apportionment of school moneys in a district where a state institution	1924	195	420

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	EDUCATION LAW — (*Continued*).			
491a	Apportionment of school moneys	1925	675	1121
491a, renumbered 492, and amended	Apportionment of school moneys	1930	171	510
491a, subd. 1, ¶ (b)	Apportionment of school moneys	1926	298	542
491a, subd. 1, ¶ (e)	Apportionment of school moneys	1921	584	1812
491a, subd. 1, ¶ (e)	Apportionment of school moneys	1927	572	1404
491a, subd. 1, ¶ (f)	Apportionment of school moneys	1921	584	1813
491a, subd. 1, ¶ (f)	Apportionment of school moneys	1926	751	1397
491a, subd. 1, ¶ (f)	Apportionment of school moneys	1927	572	1405
491a, subd. 1, ¶ (g)	Apportionment of school moneys	1921	584	1813
491a, subd. 1, ¶ (g)	Apportionment of school moneys	1926	751	1397
491a, subd. 1, ¶ (h)	Apportionment of school moneys	1921	584	1813
491a, subd. 1, ¶ (h)	Apportionment of school moneys	1927	572	1405
491a, subd. 3	Apportionment of school moneys	1922	20	17
491b, added	Apportionment of school moneys	1925	675	1123
491b	Apportionment of school moneys	1927	572	1405
491b	Apportionment of school moneys	1928	591	1325
491b	Apportionment of school moneys	1929	358	823
491b, renumbered 491, and amended	Apportionment of school moneys	1930	171	507
491b, subd. 1	State tuition for academic instruction	1926	752	1397
491b, subd. 3, added	Apportionment of school moneys	1929	357	822
492, repealed	Apportionment of school moneys	1930	171	507
492, subd. 2	Apportionment of school moneys	1929	257	655
492, subd. 3	Apportionment of school moneys	1926	753	1399
492, subd. 3	Apportionment of school moneys	1929	257	655
493	Apportionment of funds for nonresident pupils	1930	171	511
493, subd. 6	Apportionment of funds for nonresident pupils	1921	383	1196
493, subd. 6	Apportionment of funds for nonresident pupils	1926	752	1398
493, subd. 6	Apportionment of funds for nonresident pupils	1927	37	58
493, subd. 6	Apportionment of funds for nonresident pupils	1929	257	656
493, subd. 6, added	Apportionment of funds for nonresident pupils	1930	263	636
493, subd. 6b, added	Apportionment of funds for nonresidents pupils	1929	263	674
493, subd. 7	Apportionment of academic funds	1921	208	853
497	Moneys apportioned, when and how payable	1930	487	960
497	School moneys; moneys apportioned, when and how payable	1931	468	1089

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498	Apportionment of school moneys by district superintendents	1930	487	960
498	School moneys; apportionment by district superintendent	1931	468	1089
502	Teachers' training classes; apportionment for support	1923	162	201
502	Teachers' training classes; apportionment for support	1925	152	189
550	Qualifications of teachers	1922	315	697
555a, added	Additional qualifications of teachers	1921	666	2047
555a, repealed	Additional qualifications of teachers	1923	798	1441
557	Unqualified teachers not to be paid from school moneys	1930	487	961
567, subd. 4, added	Nonresident pupils	1923	395	637
567, subd. 4	Nonresident pupils	1924	526	947
567, subd. 4	Nonresident pupils	1927	483	1182
567, subd. 4	Nonresident pupils	1930	176	522
567, subd. 5, added	Nonresident pupils	1930	176	523
569, added	Discriminations based on sex, in employment of public school teachers, prohibited	1924	614	1131
570	Medical inspection	1925	665	1104
571	Medical inspectors	1926	479	831
571	Medical inspectors	1931	133	467
571a, added	Medical inspection; apportionment of public moneys	1924	265	523
571a	Medical inspection; apportionment of public moneys	1926	479	832
571a, repealed	Medical inspection; apportionment of public moneys	1930	487	961
572	Pupils' health certificates	1926	479	833
573	Examinations by medical inspection	1925	227	464
575	Contagious diseases; return after illness	1926	479	833
577a, added	State specialist for eyes and ears	1924	188	411
577b, added	School hygiene districts	1924	194	418
557b, subds. (2), (4)	School hygiene districts	1929	126	351
577c, added	Medical inspection; determination of manner of treatment	1926	479	834
578	Children with retarded mental development	1929	258	659
579a, added	State aid for teaching children with retarded mental development	1923	395	633
579a	Apportionment for support of special classes	1929	258	659
579a, repealed	State aid for teaching children with retarded mental development	1930	487	961
580	Contract with school district or city in adjoining state	1927	250	690
585	Apportionment to contracting district	1921	387	1223
585	Apportionment to contracting district	1930	600	1102
Art. 21A (§§ 589–592), added	Vocational education and extension boards in counties.	1926	505	865
590, subd. 8, added	County vocational, educational and extension boards; limitations	1929	264	675
591	Vocational education and extension boards in counties	1929	264	675
592	Vocational education and extension boards in counties	1929	264	675
592	Vocational education and extension boards in counties	1930	487	961
593, added	Vocational education and extension boards in counties	1929	264	676

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Art. 21b (§§ 594–599, 599a), added	Commission for special education, Westchester county	1931	677	1490
601	Part-time or continuation schools	1924	524	943
601, subd. c, repealed	Part-time or continuation schools	1928	646	1415
601, subd. h	Part-time or continuation schools	1921	386	1221
601, subd. h, repealed	Part-time or continuation schools	1928	646	1415
601, subd. i, repealed	Part-time or continuation schools	1928	646	1415
601, ¶ m, repealed	Part-time or continuation schools	1929	407	918
602	Courses in agriculture, mechanic arts and homemaking	1927	487	1187
605	State aid for certain schools	1929	257	657
605, repealed	State aid for certain schools	1930	487	962
606, repealed	State aid for certain schools; application of money	1930	487	962
607, repealed	State aid for certain schools; annual estimate and appropriations	1930	487	962
608, repealed	Courses in schools of agriculture for training of teachers.	1930	487	962
609, added	Vocational and educational guidance for minors	1929	407	917
609	Vocational and educational guidance; employment of teachers	1930	487	962
610, added	Vocational and educational guidance for minors	1929	407	917
Art. 23 (§§ 620–638), repealed	Compulsory education	1928	646	1399
Art. 23 (§§ 620–643), added	Compulsory education	1928	646	1400
620	Compulsory education; instruction required	1921	386	1211
620, subd. D, ¶ 1	Length of school sessions	1929	257	658
621	Required attendance upon instruction	1921	386	1211
624	Duties of persons in parental relation to children	1921	386	1212
626	Unlawful employment of children and minors	1921	386	1213
627	Employment certificate for minor	1921	386	1214
627	Employment certificate for minor	1922	464	986
628	Unlawful employment of children	1921	386	1214
628	Unlawful employment of children	1922	464	986
628, subd. e	Commitment and parole of a school delinquent	1930	351	755
630	School record certificate	1921	386	1215
631	Employment certificates; newsboy permit badges	1921	386	1217
631	Employment certificates; newsboy permit badges	1922	464	987
635, subds. 1, 2	Truant schools	1921	386	1221
Art. 22a (§§ 640–648), added	Employment of children in street trades	1921	21	85
Art. 22a (§§ 640–648), repealed	Employment of children in street trades	1922	464	991
650, opening paragraph and subd. 4	School census, certain cities	1925	227	465
652	School census, school districts	1925	227	466
653	School census, penalties	1925	227	466
691, subd. 8	Physiology and hygiene; enforcement of section	1930	487	962
695	Instruction in physical training	1921	211	858
695	Instruction in physical training	1921	389	1226

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695	Instruction in physical training and kindred subjects	1925	662	1101
696	Physical training; rules of regents	1921	211	859
696	Discipline and physical training	1921	389	1226
Art. 26d (§§ 707, 708), added	Instruction in United States constitution	1924	64	101
712, subd. 1	Instruction in use and display of the flag	1924	525	947
730	Fire drills	1923	402	641
Art. 18A (§§ 735, 736), added	Fire prevention	1923	397	635
794	Teachers' training schools	1931	311	727
810	Normal schools continued	1927	153	479
810	Normal schools continued	1928	303	784
811	Normal schools; boards of visitors	1927	153	479
812	Normal schools; department of education, powers	1927	153	480
813	Normal schools; principals	1927	153	480
814, repealed	Normal schools; salary of secretary and treasurer	1927	153	480
815	Normal schools; management of property	1925	663	1102
815	Normal schools; management of property	1927	153	480
816a, added	Geneseo Normal School; extension teacher training	1922	38	38
816a	Geneseo Normal School; extension teacher training	1927	153	400
817	Normal schools; teachers' salaries	1925	685	1134
817	Normal schools; teachers' salaries	1927	153	481
817, subds. 1, 2, 4, 5	Normal schools; teachers' salaries	1928	262	742
817, subds. 5, 6	Normal schools; teachers' salaries	1923	719	1285
817, subd. 6, ¶ a	Normal schools; teachers' salaries	1926	320	579
817, subd. 7	Normal schools; teachers' salaries	1928	165	303
817, subd. 8, added	Normal schools; teachers' salaries	1929	267	678
817, subd. 9, added	Normal schools; teachers' salaries	1929	267	678
818, repealed	Normal schools; defaulting local board	1927	153	484
819	Normal schools; diplomas	1927	153	484
820	Normal schools; admission; privileges and duties of pupils	1927	153	484
820	Normal schools; requisites for admission	1931	427	1024
821. repealed	Fredonia Normal School; practice departments	1927	153	484
822	Normal schools; special policemen	1927	153	484
825	Normal schools; deposit of insurance money	1927	153	485
826	Normal schools; acceptance of grants and bequests	1927	153	485
827	Normal schools; education of Indian youth	1927	153	485
828	Normal schools; selection of Indian youth	1927	153	485
830	Normal schools; guardians of Indian youth	1927	153	485
Art. 32, title	State College for Teachers	1921	276	989
832	State College for Teachers	1921	276	989
832	State College for Teachers	1927	153	486
832	State College for Teachers	1928	303	785
832, subd. 2	State College for Teachers	1923	63	68
833	State College for Teachers	1921	276	990
833	State College for Teachers	1927	153	486
833	State College for Teachers	1928	303	785
835	Industrial teachers' scholarships	1921	388	1225
835	Industrial teachers' scholarships	1925	667	1105

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Art. 32a (§§ 840, 841), added	New York State Nautical School	1923	398	636
Art. 32a (§§ 840–843)	New York State Merchant Marine Academy	1929	6	7
840, added	New York State Nautical School	1923	398	636
840	New York State Nautical School	1927	153	486
840	New York Sate Merchant Marine Academy; purposes	1929	6	7
840	New York State Merchant Marine Academy; purposes	1931	295	706
841, added	New York State Nautical School	1923	398	636
841	New York State Nautical School	1927	153	487
841	New York State Merchant Marine Academy; board of visitors	1929	6	8
842, added	New York State Nautical School; superintendent	1927	153	487
842	New York State Merchant Marine Academy; superintendent	1929	6	9
843, added	New York State Nautical School; instructors and employees	1927	153	488
843	New York State Merchant Marine Academy; instructors and employees	1929	6	9
866, subd. 4b, added	Boards of education, cities of third class	1922	343	734
866, subd. 4b	Boards of education, cities of third class	1923	86	89
868, subd. 1	Insurance of school property in certain cities	1928	450	995
868, subd. 2a, added	City board of education; powers and duties	1926	749	1394
868, subd. 11, added	City board of education; powers and duties	1925	227	464
871	Board of examiners	1931	538	1316
871	Board of examiners	1931	539	1317
871a	Bureau of compulsory education, school census and child welfare	1924	605	1120
872, subd. 2a, added	City boards of education; employees	1923	594	893
872a	City boards of education; retirement of employees	1921	713	2502
872a	City boards of education; retirement of employees	1926	750	1394
875, subd. 7	Disposal of school property no longer needed	1923	404	642
876	Purchase and sale of real property; certain districts	1929	128	353
877, subd. 2	Bonds for school purposes, certain cities	1922	346	739
877, subd. 2c, added	Niagara Falls, separate school budget	1922	539	1230
877, subd. 12, added	Publication by city of annual estimate and budget for school purposes	1928	594	1329
877, subd. 13, added	School tax collected separately and not subject to change by city administration	1928	592	1328
877, subd. 13	School tax collected separately and not subject to change by city administration	1929	2	2
877, subd. 14, added	School budget, if subject to change by city authority	1928	593	1328
877a, added	Annual financial reports of boards of education of cities	1928	595	1330
878, subd. 1	Tax election	1922	346	740

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879, subd. 5	School bonds, city of Jamestown	1922	224	545
879, subd. 5	School bonds, city of Jamestown	1923	118	149
879, subd. 5	School bonds, city of Oneida	1926	117	239
883, schedule A5	Salaries of certain principals	1923	872	1691
883, schedule A5	Salaries of certain principals	1930	531	1014
883, schedule A6, added	Salaries of certain principals	1930	531	1014
883, schedule A6, renumbered 883, schedule A7	Salaries of certain principals	1930	531	1014
883, schedules AA1–AA3, added	Salaries of certain assistant principals, teachers and clerks	1931	401	1076
883, schedule B3	Salaries in certain first class cities	1923	718	1284
883, schedule B11, added	Salaries in certain first class cities	1923	717	1283
883, subd. C, added	Teachers' salaries in colleges	1921	120	348
883, subd. C	Teachers' salaries in colleges	1928	524	1141
885, 886, 886b	Teachers' salaries	1923	851	1505
889	Teachers' salaries; schedules to be filed	1930	530	1013
889	Teachers' salaries; schedules to be filed	1931	540	1318
900	Schools of orphan asylums	1930	487	962
955, added	Indian children; tuition, maintenance, transportation	1930	623	1131
962, renumbered 1012, and amended	New York state school for blind; sewers through lands	1927	153	490
971	Deaf-mutes; state aid for instruction	1922	327	712
973	Deaf-mutes; state pupils; support and term of instruction	1922	327	712
977	Deaf-mute children; indigent	1922	327	714
978	Deaf-mute children; improper care	1922	327	714
979	Deaf-mute children; maintenance	1921	382	1195
979	Deaf-mute children; maintenance	1922	327	715
979, subd. 3	Blind children; appointment to institutions at state expense	1929	569	1200
Art. 38 (§§ 970–980), repealed	Instruction of deaf-mutes and of blind	1923	163	202
Art. 38 (§§ 970–983), added	Instruction of deaf and of blind	1923	163	202
983, subd. 1	Aid for blind and deaf pupils	1930	178	524
990	New York state school for blind	1927	153	488
991	New York state school for blind; admission	1927	153	488
992	New York state school for blind; applicants from without state	1927	153	488
993	New York state school for blind; applications for admission	1927	153	488
995	New York state school for blind; board of visitors	1927	153	488
996	New York state school for blind; board of visitors, vacancies	1927	153	489

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997	New York state school for blind; board of visitors; mileage; pecuniary disability	1927	153	489
997	New York state school for blind; board of visitors; mileage; pecuniary disability	1928	292	772
998	New York state school for blind; board of visitors, powers	1927	153	489
999, repealed	New York state school for blind; board of trustees; officers, committees, seal	1927	153	491
1000, repealed	New York state school for blind; board of trustees; secretary	1927	153	491
1001, repealed	New York state school for blind; treasurer	1927	153	491
1002	New York state school for blind; superintendent, instructors and assistants	1927	153	489
1003	New York state school for blind; equipment	1927	153	489
1004	New York state school for blind; clothing and traveling expenses	1927	153	489
1005	New York state school for blind; charges against county	1927	153	490
1006	New York state school for blind; accounts against counties	1927	153	490
1009, repealed	New York state school for blind; records and reports	1927	153	491
1010, repealed	New York state school for blind; payments by state treasurer	1927	153	490
1011	New York state school for blind; drafts on state treasury	1927	153	490
Art. 39a, title	Home teaching and special classes	1925	227	469
Art. 39a (§§ 1019–1020)	Physically handicapped children	1931	297	707
1020, title	Physically handicapped children	1925	227	469
1020, subd. 2	Physically defective children	1925	227	466
1020, subd. 3	Physically defective children	1925	227	467
1020, subd. 4, added	Physically defective children	1924	193	417
1020, subd. 4, repealed	Physically defective children	1930	487	963
1037, opening paragraph	Cornell University; state scholarships	1927	484	1183
1037	Cornell University; state scholarships	1931	329	744
1038	New York State Veterinary College	1927	153	491
1039	New York State College of Agriculture	1927	153	492
1039, subd. 6, added	New York State College of Agriculture	1928	623	1381
1039a, added	New York State Agricultural Experiment Station	1923	852	1507
1039a	New York State Agricultural Experiment Station	1927	153	493
1039b, added	New York State College of Home Economics	1925	43	62
1039b	New York State College of Home Economics	1927	153	495
Art. 40a (§§ 1040, 1041), repealed	Agricultural schools	1923	853	1509
Art. 40a (§§ 1040–1046), added	Agricultural schools	1923	853	1509
1040, added	Agricultural schools continued	1923	853	1509
1040	Agricultural schools continued	1927	153	496

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1041, added	Agricultural schools; boards of trustees	1923	853	1510
1041	Agricultural schools; boards of visitors	1927	153	497
1042, added	Agricultural schools; trustees	1923	853	1511
1042	Agricultural schools; powers and duties of department of education	1927	153	497
1043, added	Agricultural schools; objects and purposes	1923	853	1511
1044, added	Agricultural schools; courses of study	1923	853	1512
1044	Agricultural schools; courses of study	1927	153	498
1045, added	Agricultural schools; salaries	1923	853	1512
1045	Agricultural schools; faculty, teachers, employees	1927	153	498
1045, 2d subd. a	Agricultural schools; salary of directors	1927	488	1188
1046, added	Agricultural schools; maintenance	1923	853	1513
1046	Agricultural schools; maintenance	1927	153	499
Art. 41 (§§ 1050–1053), repealed	State School of Agriculture at Saint Lawrence University	1923	853	1514
Art. 41 (§§ 1050–1056), added	State College of Forestry at Syracuse University	1927	153	500
Art. 41a (§§ 1055–1060), repealed	Agricultural and Domestic Science School at Delhi	1923	853	1514
1056	Agricultural and Domestic Science School at Delhi	1922	347	714
Art. 42 (§§ 1070–1072), repealed	State School of Agriculture at Alfred University	1923	853	1514
Art. 42 (§§ 1065–1067), added	State School of Clay-Working and Ceramics at Alfred University	1927	153	503
Art. 42a (§§ 1075–1078), repealed	State School of Agriculture at Cobleskill	1923	853	1514
Art. 43 (§§ 1090–1094), repealed	State School of Agriculture at Morrisville	1923	853	1514
Art. 43 (§§ 1080–1092), added	Motion picture division	1927	153	503
1085	Motion pictures; permits revocable	1928	462	1018
Art. 43a (§§ 1095–1099), repealed	Retirement fund for teachers in state institutions	1921	568	1711
1100, subd. (5)	Teachers' retirement	1923	47	47
1100, subd. (5)	Teachers' retirement	1924	111	156
1100, subd. (11)	Teachers' retirement	1923	48	48
1100, subd. (19), added	Teachers' retirement	1927	704	1747
1102, subds. (3), (4)	Teachers' retirement	1927	704	1747
1104	Teachers' retirement	1927	704	1748
1105, subd. (3)	Teachers' retirement	1927	704	1748
1105, subd. (4)	Teachers' retirement	1928	105	253
1106, subd. (3)	Teachers' retirement	1927	704	1749
1106, subd. (3)	Teachers' retirement	1928	383	897
1106, subds. (4), (5)	Teachers' retirement	1927	704	1749
1107, subd. (1)	Teachers' retirement	1927	704	1749

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1109, subd. 1	Teachers' retirement	1921	294	1016
1109, subd. 1, ¶ (a)	Teachers' retirement	1923	48	48
1109, subd. (1), ¶ (a)	Teachers' retirement	1927	706	1752
1109, subd. (1), ¶ (b)	Teachers' retirement	1927	704	1750
1109a, subd. 1	Teachers' retirement	1923	48	49
1109a, subd. 1	Teachers' retirement	1927	704	1750
1109c	Teachers' retirement	1927	698	1742
1109f, subd. 3	Teachers' retirement	1923	48	49
1109g, subd. 2, ¶¶ (a), (c)	Teachers' retirement	1923	292	498
1109k, subd. (1)	Teachers' retirement	1928	105	254
1109k, subd. (2), ¶ (b)	Teachers' retirement	1923	292	499
1109k, subd. (2), ¶ ¶ (c), (d)	Teachers' retirement	1928	105	254
1109l, repealed	Teachers' retirement	1927	704	1750
1109m	Teachers' retirement	1931	299	710
1109q, added	Teachers' retirement	1923	161	199
1113	State library	1921	385	1201
1117	Public and association libraries and museums	1921	385	1201
1117	Public and association libraries and museums	1922	345	735
1117, subd. 3, reinserted	Public and association libraries	1923	154	191
1118	Establishment of public library	1921	385	1202
1118a, added	Contract for library	1921	385	1202
1118b, added	County libraries	1921	385	1203
1118b	County libraries	1922	345	736
1118c, added	Rural traveling library system	1924	214	435
1119	Public libraries; acceptance of conditional gifts	1921	385	1204
1120, repealed	Libraries; subsidies	1921	385	1204
1122	Library taxes	1921	385	1205
1123	Public libraries; trustees	1921	385	1205
1123, subd. 1	Public libraries; trustees	1922	113	406
1123, subd. 1	Public libraries; trustees	1922	345	737
1124	Public libraries; incorporation	1921	385	1206
1125	Public libraries; use	1921	385	1206
1126	Museum or library; reports	1921	385	1206
1129	Transfer of libraries	1921	385	1207
1129	Transfer of libraries	1922	345	738
1130	Libraries; local neglect	1921	385	1207
1131	Library extension service	1921	385	1207
1132, repealed	Advice and instruction from state library officers	1921	385	1208
1133	Apportionment of money for grants to libraries	1921	385	1208
1133	Apportionment of money for grants to libraries	1922	345	738
1134	Public libraries; abolition	1921	385	1208
1135	School libraries; use and care	1921	385	1209
1135a	School libraries; librarians	1921	385	1209
1136	Public school libraries; existing rules	1921	385	1210
1138	School libraries; transfer of property to free library	1921	385	1210
1139, repealed	Transfer of property not in charge of librarian	1921	385	1210

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1140, repealed	Provisions for change to free public library	1921	385	1210
Art. 44A (§§ 1142–1144), added	Board of higher education in cities of over one million	1926	407	720
1143a, added	Boards of higher education in cities of over one million	1930	649	1156
1145, added	Boards of higher education in cities of over one million	1929	266	677
1160, subd. 2	Court of appeals library at Syracuse	1928	255	737
1163a, added	Appellate division library, third department	1922	114	407
1163a	Appellate division library, third department	1929	710	1659
1164	Appellate division library, fourth department	1924	384	724
1164	Appellate division library, fourth department	1928	455	1008
1166	Supreme court library at New York	1128	560	1254
1166	Supreme court library at New York	1929	424	944
1170	Supreme court library at Kingston	1923	62	68
1172	Supreme court library at Utica	1921	486	1504
1172	Supreme court library at Utica	1929	162	405
1173	Supreme court library at Binghamton	1924	390	728
1174	Supreme court library at Delhi	1925	235	478
1175	Supreme court library at Elmira	1921	140	465
1179	Supreme court library at Troy	1921	195	761
1180	City court of New York library	1921	709	2497
1180	City court of New York library	1928	243	721
1180b	Law library, Bronx county	1921	635	1966
1181	Supreme court library at Watertown	1921	35	103
1184	Plattsburgh supreme court library	1922	68	236
1184b, added	Emory A. Chase Memorial Library at Catskill	1922	629	1677
1184c, added	Supreme court library at Auburn	1923	396	634
1184c, added	Supreme court library at Glens Falls	1923	401	638
Art. 45a (§§ 1185–1187), repealed	State School of Agriculture on Long Island	1923	853	1514
1198	Local historian	1921	381	1194
1198	Local historian	1921	634	1965
Art. 47, title	Physically handicapped persons	1925	227	469
1200	Rehabilitation; art. 12, short title	1925	227	467
1201, subds. 1, 4	Rehabilitation; definitions	1925	227	467
1202	Rehabilitation; limitation of article	1925	227	467
1203	Rehabilitation; advisory commission	1925	227	468
1203a, added	Rehabilitation; advisory commission; purpose	1925	227	468
1204, opening paragraph	Rehabilitation; power of commission	1925	227	468
1204, subds. 7, 8, added	Rehabilitation; power of commission	1925	227	468
1206, subd. 4, added	Rehabilitation; duty of department of health	1925	227	468
1206, subd. 5, added	Rehabilitation; duty of department of health	1925	227	468
1206, subd. 5	Rehabilitation; duty of department of health	1926	817	1481
1206, subd. 5	Rehabilitation; duty of department of health	1927	492	1192
1206, subd. 5	Rehabilitation; duty of department of health	1928	835	1768
1206, subd. 5	Rehabilitation; duty of department of health	1929	571	1202
1208, subd. 11, added	Rehabilitation; duty of department of education	1925	227	469

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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1208, subd. 11	Rehabilitation; duty of department of education...	1926	817	1481
1208, subd. 11	Rehabilitation; duty of department of education....	1927	492	1193
1208, subd. 11	Rehabilitation; duty of department of education....	1929	571	1202
1208a, added	Rehabilitation; duty of state board of charities.....	1925	227	469
1211, added	Rehabilitation; cost of education and surgical treatment.....	1926	817	1482
1211	Rehabilitation; cost of education and surgical treatment.....	1927	492	1193
1211	Rehabilitation; cost of education and surgical treatment.....	1929	571	1203
1212, added	Rehabilitation; state aid.....	1926	817	1482
1212	Rehabilitation; state aid.....	1927	492	1193
1212	Rehabilitation; state aid.....	1929	571	1203
1213, added	Rehabilitation; money advanced by state.....	1926	817	1483
1213	Rehabilitation; money advanced by state.....	1927	492	1194
1213	Rehabilitation; money advanced by state.....	1929	571	1204
Art. 48 (§§ 1250–1252), renumbered art. 70 (§§ 1600–1602)	Laws repealed; saving clause; when to take effect....	1927	85	347
Art. 48 (§§ 1250–1266), added	Practice of medicine.....	1927	85	263
1256, subds. 4, 6	Practice of medicine; examination for license.....	1930	157	496
1259	Practice of medicine; licenses.....	1929	262	673
1262	Practice of medicine; construction of art. 48.....	1927	490	1189
Art. 49 (§§ 1300–1314), added	Dental societies and practice of dentistry.....	1927	85	279
1301–1303	Dental societies and practice of dentistry.....	1929	215	481
1305	State board of dental examiners.....	1930	151	489
1308, subd. 2	Dental societies and practice of dentistry.....	1929	215	483
Art. 49a (§§ 1315–1324, 1324a–1324f), added	Master dental technicians.....	1929	416	925
Art. 49a (§§ 1315–1324, 1324a–1324f), repealed	Master dental technicians.....	1930	152	491
Art. 50 (§§ 1325–1341), added	Veterinary medicine and surgery.....	1927	85	291
1331	Veterinary medicine and surgery; admission to examination.....	1927	489	1188
Art. 51 (§§ 1350–1365), added	Pharmacy.....	1927	85	299
1353	Pharmacy; licenses; examinations.....	1930	835	1523
1354	Pharmacy; drug store; store.....	1930	835	1523
1355	Pharmacy; unauthorized use of terms.....	1930	835	1523
1358, repealed	Pharmacy; working hours.....	1930	835	1529
1360	Pharmacy; poison schedules; register.....	1930	835	1529
1361	Pharmacy; construction of article.....	1930	835	1529
1362	Pharmacy; revocation of license; penalties.....	1930	835	1530

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1362, subd. 12, part preceding final paragraph	Unlawful practice of pharmacology	1928	719	1558
Art. 52 (§§ 1374–1384), added	Registration of nurses and trained attendants	1927	85	313
Art. 53 (§§ 1400–1416), added	Chiropody	1927	85	319
Art. 54 (§§ 1425–1435), added	Optometry	1927	85	326
1431	Fees paid by optometrists	1931	298	709
1432a, added	Sales of eyeglasses, spectacles and lenses at retail	1928	379	890
1432a	Sales of eyeglasses, spectacles and lenses at retail	1931	375	811
1434	Optometry; construction of art. 54	1928	379	891
1436, added	Validity of art. 54 relating to optometry	1928	391	904
Art. 55 (§§ 1449–1468), added	Engineers and surveyors	1927	85	333
1457, repealed	Engineers and surveyors; issuance of certificates	1931	678	1494
1457 added	Engineers and surveyors; qualifications, examinations, fees for license	1931	678	1494
Art. 56 (§§ 1475–1484), added	Registered architects	1927	85	340
Art. 56 (§§ 1475–1484), repealed	Registered architects	1929	572	1204
Art. 56 (§§ 1475–1484), added	Registered architects	1929	572	1204
1478	Architects; qualification; examination; fees	1931	384	827
1479, subd. 4	Architects; certificates	1931	384	829
Art. 57 (§§ 1489–1493), added	Public accountants	1927	85	345
Art. 57 (§§ 1489–1493), repealed	Public accountants	1929	261	662
Art. 57 (§§ 1489, 1490, 1490a–1490d, 1491, 1492, 1492a, 1493, 1494, 1494a, 1494b, 1495, 1495a–1495i, 1496, 1496a, 1496b, 1497, 1498, 1498a, 1499), added	Certified public accountants	1929	261	662
1495b	Certified public accountants; proceedings before committee	1930	337	741
Art. 58 (§§ 1500–1505), added	Certified shorthand reporters	1927	85	346
	ELECTION LAW: (L. 1922, ch. 588, constituting cons. laws, ch. 17, superseding L. 1909, ch. 22. For amendments to act of 1909, by L. 1921 and 1922, see L. 1923, pp. 1803, 1804.)			

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11	State committee	1925	510	844
11	State committee	1929	542	1115
17, subd. 2	State committee	1925	510	845
21	Delegates to national party conventions	1927	362	814
30	Boards of election; commissioners	1927	573	1408
30, subd. 3	Boards of election; commissioners	1928	777	1648
31	Commissioners of elections; appointment	1928	777	1648
33	Commissioners of elections; salaries	1923	216	279
35	Boards of elections, New York city	1924	264	522
39	Boards of elections, certain counties	1927	662	1680
61	Hotel reports before general election	1931	469	1090
66, subd. 6	Polling places	1923	808	1449
67	Delivery of election laws to clerks, boards and election officers	1923	807	1448
67	Delivery of election laws to clerks, boards and election officers	1930	746	1343
76	Challenge affidavits and identification statements	1923	804	1445
77	Envelopes for enrollment blanks, New York city	1923	810	1454
84	Lists of nominations; publication	1923	813	1472
85, ¶ 2	Ballot boxes, primary elections, New York city	1928	778	1649
88	Registers; number	1929	544	1116
90	Distribution of ballots and supplies	1923	809	1449
91	Transcripts of enrollment	1926	535	914
91	Transcripts of enrollment	1927	237	674
117	Absentee voting; application for ballots	1924	446	825
117	Absentee voting; application for ballots	1925	509	843
117	Absentee voting; application for ballots	1929	96	316
117	Absentee voting; application for ballots	1930	266	640
118, subds. 1–3	Absentee voting; application for ballots; delivery of ballots	1924	446	826
120	Envelopes for absentee voters' ballots	1924	446	827
120	Envelopes for absentee voters' ballots	1931	386	832
123	Ballots; preservation, examination	1924	20	19
124	Preservation and disposal of books, records and papers	1923	806	1447
131, subd. 5	Candidates for town officers	1926	342	605
131, subd. 5	Party nominations for town and village offices	1931	721	1578
131, subd. 9	Certificates of nomination	1924	444	822
132, subd. 3	Procedure at state conventions	1926	632	1128
135	Form of designating petition	1923	597	896
137, subd. 3	Names and emblems of independent bodies	1927	118	438
138	Declination of designation or nomination	1924	30	30
138	Declination of designation or nomination	1929	712	1662
140, subd. 10	Independent nomination; declination; vacancy; how filled	1929	543	1115
150	Qualifications of voters	1923	809	1451
152	Persons excluded from suffrage	1931	386	833
153	Registration; annual meetings	1929	541	1110
153a, added	Central registration	1928	815	1717
153a	Central registration	1929	541	1111
153a	Central registration	1930	390	820
153a, subds. 1, 4	Central registration	1931	272	659
153b, added	Central registration	1928	815	1720
153b, added	Veterans' absentee registration	1931	272	660

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153c, added	Central registration of certain Spanish war veterans	1928	814	1716
154	Registration in cities and villages of five thousand or more	1928	815	1720
154	Registration in cities or villages of five thousand or more	1931	272	664
155	Registration in rural districts	1923	809	1451
156	Additional meetings for registration	1928	815	1721
157	Registration for other than general elections	1928	815	1721
161	Watchers	1928	815	1723
161	Watchers	1931	272	664
162	Register of voters	1928	815	1724
162	Register of voters; no registration required for certain elections	1928	816	1732
162	Register of voters; no registration required for certain elections	1931	272	664
163	Personal registration; identification of illiterates	1923	809	1451
164	Statement of voter's age on registration	1923	715	1279
164	Form and contents of register in city of over one million inhabitants	1924	445	822
164	Registers; form and contents of register in city of over one million inhabitants	1929	544	1116
165, subd. 2	Statement of age of voter on registration	1925	159	194
165, subd. 3	Registers; additional columns; certain cities	1929	544	1119
166	Proof of literacy	1923	809	1452
166	Proof of literacy	1928	815	1724
166	Proof of literacy and regulations	1931	272	664
166, subd. 3, added	Test or proof of literacy	1923	803	1444
166, subd. 3, repealed	Test or proof of literacy	1931	397	849
167	Illiterate and disabled voters	1928	815	1725
167	Illiterate and disabled voters	1931	272	664
168	Production of naturalization papers	1928	815	1726
168	Production of naturalization papers	1931	272	664
169	Challenging applicants for registration	1928	815	1726
169	Challenging applicants for registration	1931	272	664
170	Challenge affidavits	1931	386	833
171	Enrollment by voters	1923	810	1456
175	Correction of register, certain cases	1928	815	1727
175	Correction of register, certain cases	1931	272	664
176	Card lists of registered voters	1928	815	1728
176	Card lists of registered voters	1931	272	664
177	Daily certificate of register	1928	815	1729
177	Daily certificate of register	1931	272	664
178	Challenge affidavits	1928	815	1730
178	Challenge affidavits	1931	272	664
179	Registers; completion and certification	1928	815	1730
179	Registers; completion and certification	1931	272	664
183	Opening of enrollment box and completion of enrollment	1928	815	1731
183	Opening of enrollment box and completion of enrollment	1931	272	664

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184, subd. 2	Transfer of enrollment	1923	596	895
184, subd. 2	Transfer of enrollment	1925	511	845
184, subd. 3	Transfer of enrollment	1928	779	1650
184, subd. 3	Transfer of enrollment	1931	244	626
184, subd. 4	Transfer of enrollment	1925	511	845
202	Registers; proof of identity; certain cities	1929	544	1120
205, subd. 4	Challenges at elections other than a primary election	1931	386	836
207	Delivery of ballot to voter	1923	809	1453
221	Statement of canvass to be delivered to police in city	1923	805	1446
240, repealed	Voting machine commissioners	1924	442	818
241	Examination of voting machines by secretary of state	1924	442	818
242	Requirements of voting machine	1924	442	819
242	Requirements of voting machine	1928	813	1714
243	Adoption of voting machine	1924	442	819
249	Form of ballots on voting machines	1924	443	820
249	Form of ballots on voting machines	1928	813	1714
249	Form of ballots on voting machines	1931	270	656
249	Form of ballots on voting machines	1931	382	822
251	Voting machine; preparation	1922	631	1678
251	Voting machine; preparation	1925	512	847
251	Voting machine; preparation	1929	545	1121
268, subd. 2	Ballot defined	1927	119	439
268, subd. 2	Ballot defined	1928	776	1647
276	Transmission of statements of canvassing boards to secretary of state	1927	526	1247
277	Canvass of general and special elections by state boards	1927	526	1248
278	Proceedings by boards of canvassers to effect court order	1927	526	1249
304	Official envelopes for war ballots	1931	386	837
330	Summary jurisdiction of supreme court	1924	405	751
330, subd. 3	Summary jurisdiction of supreme court	1927	118	438
330, subd. 4	Summary jurisdiction of supreme court	1926	237	439
330, subd. 5	Summary jurisdiction of supreme court	1928	363	877
331	Proceedings as to registration and voting	1928	815	1732
331, subd. 1	Proceedings as to registration and voting	1931	272	673
	EMPLOYERS' LIABILITY LAW: (L. 1921, ch. 121, constituting cons. laws. ch. 74.) *Not amended by L. 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930.*			
	EXECUTIVE LAW: (L. 1909, ch. 23, constituting cons. laws, ch. 18.)			
8	Examinations and inspections by governor	1928	131	275
Art. 2A (§§ 12–17), added	Executive department	1928	676	1452
Art. 3, title and schedule of sections	Department of state	1927	525	1245
13	Executive department; divisions	1930	824	1500

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18, added	Executive department, division of parole	1930	824	1501
20	Department of state; secretary of state	1927	525	1246
21	Secretary of state; deputies	1927	525	1247
26	Department of state; fees	1931	655	1451
26, subd. 10	Secretary of state; fees	1921	131	379
26, subd. 10	Secretary of state; fees	1923	408	647
26, subd. 10	Secretary of state; fees	1929	163	406
34, added	Life-saving medals	1928	559	1253
Art. 4, title	Department of audit and control	1928	590	1323
40	Comptroller; salary and expenses	1927	14	14
40	Department of audit and control; comptroller	1928	590	1323
41	Comptroller; deputies	1925	358	660
41	Comptroller; deputies	1927	14	15
41	Department of audit and control; deputies; assistants	1928	590	1323
41	Comptroller; deputies	1931	322	739
41a, added	Comptroller; deputies' and employees' undertakings	1925	358	660
41a	Comptroller; deputies' and employees' undertakings	1927	14	15
41a, renumbered 41b, and amended	Comptroller; deputies' and employees' undertakings	1928	590	1324
41a, added	Records and data in aid of audit	1928	590	1324
42	Fees	1928	132	275
44, repealed	Comptroller to provide life-saving medals	1928	559	1254
45	Posting of bulletins of appointments and designations	1928	590	1324
52	Deputy treasurer; duties	1923	91	93
52	Signing of state checks	1924	166	377
Art. 6, title and schedule of sections	Department of law	1927	8	6
Art. 6, title and schedule of sections	Department of law	1927	145	466
60	Department of law	1927	8	7
61	Attorney-general; assistants	1927	145	466
62, subd. 3	Attorney-general; duties	1921	592	1886
62, subd. 3	Attorney-general; duties	1927	8	7
62, subd. 5	Attorney-general; duties	1927	8	7
65	Attorney-general; additional counsel	1927	8	7
66a, added	Attorney-general; enforcement of election law	1922	632	1680
66a	Attorney-general; enforcement of election law	1927	8	7
67	Attorney-general; duties	1925	126	147
Art. 7 (§§ 70–76), repealed	State engineer	1927	512	1222
80	Special reports to legislature	1927	15	15
81	Quarterly account of fees	1927	15	16
82	State paper	1921	636	1967
82	State paper	1922	348	742
82	State paper	1926	462	810
82	State paper	1928	650	1422
82, subd. 2	Publication of notices in state advertising bulletin	1929	546	1123
84	Gratuitous searches, filing, etc	1927	15	16
Art. 9 (§§ 90, 91), repealed	State historian	1927	13	14

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92	State police	1921	328	1073
92	State police	1927	78	249
92	State police	1928	676	1454
93	State police; deputy and employees	1927	78	249
93	State police; deputy; inspector; other employees	1928	351	863
93	State police; employees	1930	333	728
94	State police; organization, etc	1921	328	1074
94	State police; organization, etc	1924	227	452
94	State police; organization, etc	1924	229	456
94, repealed	State police; organization, etc	1927	78	249
94, added	State police; organization, etc	1927	78	249
94	State police; organization, etc	1927	361	812
94	State police; organization, etc	1928	351	864
94	State police; organization, etc	1929	676	1609
94	State police; organization, etc	1930	333	729
95a–95d, added	State police; communication system	1931	633	1428
96	State police; acquisition of lands; training school; superintendent	1930	505	981
97	State police; duties and powers	1924	426	781
97	State police; powers and duties of superintendent and members	1930	505	982
98, added	State police; enforcement of conservation law	1921	328	1075
98	State police; enforcement of conservation law	1930	505	982
99, added	State police; in towns, villages and police districts	1922	401	844
99	State police; in towns, villages and police districts	1927	78	250
99a, added	State police; death or disability benefits	1923	407	646
99a	State police; death or disability benefits	1927	78	251
100, repealed	State superintendent of weights and measures	1927	207	632
101	Notaries public; appointment and number	1927	144	464
102	Notaries public, acting in more than one county	1929	547	1124
103	Notaries, notice of appointment and fees payable by	1927	162	517
103, last paragraph	Notaries, notice of appointment and fees payable by	1922	423	905
104	Fees paid by notaries public	1921	504	1553
104	Fees paid by notaries public	1923	64	69
104	Fees paid by notaries public	1925	679	1129
104	Fees paid by notaries public	1927	341	796
104	Fees paid by notaries public	1931	373	808
105, subd. 2	Notaries public; powers and duties	1926	659	1205
105a	Powers of notaries public, etc	1926	127	280
107	Commissioners of deeds in other states, etc	1931	643	1436
110, repealed	Board of geographic names	1923	302	509
Art. 11 (§§ 115–119), added	Board of parole	1930	824	1501
117	Board of parole; executive director; employees; salaries; qualifications	1931	649	1444
Art. 11 (§§ 120, 121), renumbered art. 12 (§§ 150–151)	Laws repealed; when to take effect	1930	824	1501

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	FARMS AND MARKETS LAW: (L. 1922, ch. 48, constituting cons. laws, ch. 69, superseding L. 1917, ch. 802. For amendments to act of 1917, by L. 1921 and 1922, see L. 1923, pp. 1805, 1806. Title changed by L. 1927, ch. 207 to agriculture and markets law, which see.)			
	GENERAL ASSOCIATIONS LAW: (L. 1909, ch. 34, constituting cons. laws, ch. 29, formerly joint-stock association law.)			
4	Filing of certificate	1921	131	378
	GENERAL BUSINESS LAW: (L. 1909, ch. 25, constituting cons. laws, ch. 20.)			
Art. 2 (§§ 2–18a), repealed	Weights and measures	1922	48	209
Art. 2a (§§ 20–20i), repealed	Department of foods and markets	1922	48	209
23	Auctioneers; bonds and appointment	1927	65	230
24	Auctioneers; agents of department of state	1927	65	231
32	Hawkers and peddlers; licenses	1922	264	622
32	Hawkers and peddlers; licenses	1927	480	1174
32	Hawkers and peddlers; licenses	1930	107	421
32	Hawkers and peddlers; licenses	1930	384	808
35	Hawkers and peddlers; municipal regulations	1921	494	1514
35	Hawkers and peddlers	1923	35	36
Art. 4a (§§ 37–39, 39a–39o)	Engineers and surveyors; licensing	1921	581	1801
Art. 4a (§§ 37–39, 39a–39o), repealed	Engineers and surveyors; licensing	1927	85	348
37	Engineers and surveyors; licensing	1921	581	1801
37	Engineers and surveyors; licensing	1923	330	569
37, repealed	Engineers and surveyors; licensing	1927	85	348
38	Engineers and surveyors; board, appointment	1921	581	1802
38, repealed	Engineers and surveyors; board, appointment	1927	85	348
39	Engineers and surveyors; board qualifications and expenses	1921	581	1802
39, repealed	Engineers and surveyors; board, qualifications and expenses	1927	85	348
39a–39j	Engineers and surveyors; licensing	1921	581	1801
39a–39j, repealed	Engineers and surveyors; licensing	1927	85	348
39k	Engineers and surveyors; exemptions	1921	581	1808
39k, repealed	Engineers and surveyors; exemptions	1927	85	348
39k, subd. 7, added	Engineers and surveyors; exemptions	1922	548	1276
39k, subd. 8, added	Engineers and surveyors; exemptions	1923	418	655
39l	Engineers and surveyors; public work	1921	581	1809
39l	Engineers and surveyors; public work	1922	548	1267

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921-1931 — (*Continued*)

Section	SUBJECT	Year	Chapter	Page
	GENERAL BUSINESS LAW — (*Continued*).			
39l, repealed	Engineers and surveyors; public work	1927	85	348
39m-39o	Engineers and surveyors; licensing	1921	581	1809
39m-39o, repealed	Engineers and surveyors; licensing	1927	85	348
Art. 6A (§§ 67, 68), added	Convict made goods	1928	805	1684
67, 68 repealed	Convict made goods	1930	136	469
69, added	Convict made goods from other states	1930	136	469
Art. 7	Private detectives; licenses	1927	79	252
70	Private detectives; licenses	1921	680	2423
70	Private detectives; licenses	1927	79	252
71	Private detectives; application for license	1927	79	253
71, subd. 1	Private detectives; application for license	1921	680	2423
72	Private detectives; examination of witnesses	1927	79	255
73	Private detectives; licenses, fee, bond	1921	680	2425
73	Private detectives; licenses, fee, bond	1927	79	255
73a	Private detectives; posting license certificate	1927	79	256
73b	Private detectives; certificate lost or destroyed	1927	79	256
73c	Private detectives; removal of bureau, agency or office	1927	79	257
74	Private detectives; icense certificate, shields or badges	1927	79	257
74a	Private detectives; employees	1927	79	258
74b	Private detectives; employees not to divulge information	1927	79	258
75	Private detectives; application of art. 7; violations	1926	591	1057
75	Private detectives; application of art. 7; violations	1927	79	258
76	Private detectives; department of state to employ agents	1927	79	259
Art. 7a (§§ 77-79e)	Registered architects	1922	461	978
79	Registered architects; qualifications for examination	1924	244	479
Art. 7a (§§ 77, 77a, 78, 79, 79a-79e), repealed	Registered architects	1927	85	348
Art. 8 (§§ 80-82), repealed	Public accountants	1927	85	348
Art. 8a (§§ 85-89, 89a), repealed	Certified shorthand reporters	1927	85	348
106	Warehouseman; liability for non-existence or misdescription of goods	1924	215	435
124	Warehouse receipts; who may negotiate	1924	215	436
131	Warehouse receipts; when negotation not impaired by fraud, mistake or duress	1924	215	436
Art. 10a (§§ 160-166), added	Transmission of money to foreign countries	1921	354	1140
Art. 10b (§§ 167-174), added	Theatre tickets	1922	590	1506
167, added	Theatre tickets	1922	590	1507
168, added	Theatre tickets	1922	590	1507
168	Theatre tickets	1928	600	1340
169, added	Theatre tickets	1922	590	1507
169	Theatre tickets	1928	600	1340

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL BUSINESS LAW — (*Continued*).			
169d–169h, added	Theatre tickets	1928	600	1342
170, added	Theatre tickets	1922	590	1508
170, renumbered 169a, and amended	Theatre tickets	1928	600	1341
170	Employment agencies; application of art. 11	1927	320	767
170	Employment agencies; application of art. 11	1929	164	406
171, added	Theatre tickets	1922	590	1508
171, renumbered 169b, and amended	Theatre tickets	1928	600	1341
171, subds. 3–7, renumbered subds. 4–8	Employment agencies; definitions	1927	320	768
171, subd. 3, added	Employment agencies; definitions	1927	320	768
172, added	Theatre tickets	1922	590	1508
172	Theatre tickets	1925	379	687
172, renumbered 169c, and amended	Theatre tickets	1928	600	1341
173, added	Theatre tickets	1922	590	1508
173, renumbered 169i	Theatre tickets	1928	600	1343
174, added	Theatre tickets	1922	590	1508
174, renumbered 169j	Theatre tickets	1928	600	1343
181a, added	Employment agencies; nurses' registries	1927	320	768
200	Liability of hotelkeepers	1923	417	654
201	Liability of hotelkeepers	1923	415	653
201, repealed	Liability of hotelkeepers	1924	506	925
201, added	Liability of hotelkeepers	1924	506	925
201	Liability of hotelkeepers	1925	400	723
209a, 209b, added	Registration of name of hotel	1923	419	656
209c, added	Registration of name of hotel	1923	419	657
209c	Registration of name of hotel	1924	47	76
209d, added	Registration of name of hotel	1923	419	657
209d, added	Registration of name of hotel	1928	562	1256
209e, added	Registration of name of hotel	1923	419	658
209e, added	Registration of name of hotel	1928	562	1256
Art. 13 (§§ 220–229), repealed	Flour and meal	1922	48	209
Art. 14 (§§ 240–242), repealed	Beef and pork	1922	48	209
Art. 14 (§§ 240–244), added	Aircraft	1928	233	467
242	Aircraft; possession of license	1931	101	430
243	Aircraft; construction; federal registration	1931	101	430
244	Aircraft; penalties for violation	1930	289	673
245, added	Air traffic rules	1930	289	673
245, subd. 6	Air traffic rules; overtaking	1931	99	427
245, subd. 7	Air traffic rules; height over congested areas	1931	99	427
245, subd. 13a	Air traffic rules; liquor and drugs	1931	99	427

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL BUSINESS LAW — (*Continued*).			
245, subd. 13b, added	Air traffic rules; towing	1931	99	428
245, subd. 13c, added	Air traffic rules; parachute jumping	1931	99	428
245, subd. 14	Air traffic rules; taking off and landing	1931	99	428
245, subd. 20	Air traffic rules; lights	1931	99	428
245, subd. 23	Air traffic rules; lights when stationary	1931	99	428
245, subd. 28	Air traffic rules; deviation from rules	1931	99	428
246, added	Violation of air traffic rules	1930	289	673
Art. 15 (§§ 250–255), repealed	Hops, hay and straw	1922	48	209
264, added	Taking ice in Mohawk basin at Green Island	1923	845	1501
271	Milk cans	1922	228	548
304	Standard and storage of illuminating oils	1929	245	639
Art. 20a (§§ 324–328, 328a), added	Sale of gasoline	1929	130	355
340	Contracts for monopoly illegal and void	1921	712	2501
Art. 23a (§§ 352–359, 359a), added	Fraudulent practices in respect to securities	1921	649	1989
352, added	Fraudulent practices in respect to securities	1921	649	1989
352	Fraudulent practices in respect to securities	1923	600	899
352	Fraudulent practices in respect to securities	1925	239	485
352	Fraudulent practices in respect to securities	1926	617	1098
352	Fraudulent practices in respect to securities	1927	365	819
352a, added	Fraudulent practices in respect to securities	1923	600	901
352a	Fraudulent practices in respect to securities	1926	617	1100
352a	Fraudulent practices in respect to securities	1930	232	591
353, added	Fraudulent practices in respect to securities	1921	649	1990
353	Fraudulent practices in respect to securities	1923	600	902
353	Fraudulent practices in respect to securities	1925	239	486
353	Fraudulent practices in respect to securities	1926	617	1101
353a, added	Fraudulent practices in respect to securities	1925	239	487
353a	Fraudulent practices in respect to securities	1926	617	1101
354, added	Fraudulent practices in respect to securities	1921	649	1991
354	Fraudulent practices in respect to securities	1923	600	902
354	Fraudulent practices in respect to securities	1925	239	487
354	Fraudulent practices in respect to securities	1926	617	1102
355, added	Fraudulent practices in respect to securities	1921	649	1992
356, added	Fraudulent practices in respect to securities	1921	649	1992
356	Fraudulent practices in respect to securities	1923	600	903
357, added	Fraudulent practices in respect to securities	1921	649	1992
357, renumbered 359g, and amended	Fraudulent practices in respect to securities	1925	239	493
357, added	Fraudulent practices in respect to securities	1926	617	1104
358, added	Fraudulent practices in respect to securities	1921	649	1993
359, added	Fraudulent practices in respect to securities	1921	649	1993
359	Fraudulent practices in respect to securities	1923	600	903
359	Fraudulent practices in respect to securities	1925	239	488
359	Fraudulent practices in respect to securities	1926	617	1103
359a, added	Fraudulent practices in respect to securities	1921	649	1994
359b, added	Fraudulent practices in respect to securities	1923	600	903
359c, added	Fraudulent practices in respect to securities	1925	239	489

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL BUSINESS LAW — (*Continued*).			
359c, repealed	Fraudulent practices in respect to securities	1928	710	1543
359c, added	Fraudulent practices in respect to securities	1928	710	1544
359c, subd. 2	Fraudulent practices in respect to securities	1929	669	1600
359d, added	Fraudulent practices in respect to securities	1925	239	489
359d, repealed	Fraudulent practices in respect to securities	1928	710	1544
359e, added	Fraudulent practices in respect to securities	1925	239	489
359e, subd. 1	Fraudulent practices in respect to securities	1928	710	1544
359e, subd. 2	Fraudulent practices in respect to securities	1928	710	1544
359e, subd. 2	Fraudulent practices in respect to securities	1929	669	1601
359e, subd. 3	Fraudulent practices in respect to securities	1928	710	1545
359f, added	Fraudulent practices in respect to securities	1925	239	492
359f, ¶ (b)	Fraudulent practices in respect to securities	1926	617	1103
359f, ¶ (n), added	Fraudulent practices in respect to securities	1926	617	1104
360	Trade-marks on containers	1921	353	1135
360	Trade-marks on containers	1925	388	708
362	Trade-marks on containers	1921	353	1136
362, subd. 1	Trade-marks on containers	1925	388	709
363	Trade-marks on containers	1921	353	1138
363, subd. 1	Trade-marks on containers	1925	388	710
364	Trade-marks on containers	1921	353	1139
364, subd. 1	Trade-marks on containers	1925	388	710
367	Trade-marks	1924	46	73
368, 369, added	Trade-marks	1928	563	1256
Art. 25a (§§ 383-389a), repealed	Sale of coal, coke and charcoal	1922	48	209
Art. 25b, schedule of sections	Mattresses, upholstered box-springs and metal bed springs	1921	273	984
389p, 389r	Mattresses; tags	1921	273	984
389t	Mattresses; enforcement of provisions	1921	273	985
389v	Mattresses; complaints for violations	1921	273	986
390, repealed	Marking canned goods	1922	48	209
390, added	Substitution of spurious oils for internal combustion engines	1926	412	728
392, repealed	Repacking fruit and farm produce	1922	48	209
393, repealed	Marking ginseng	1922	48	209
393, added	Lime; standard barrels	1923	599	899
394, repealed	Marking thread	1922	48	209
395, repealed	Marking oyster kegs and cans	1922	48	209
397, repealed	Sale of agricultural products on commission	1922	48	209
	GENERAL CITY LAW: (L. 1909, ch. 26, constituting cons. laws, ch. 21.)			
10	Licenses to adult blind persons	1925	393	714
12	Memorial day, cities of third class	1921	326	1071
12	Money for Memorial day in cities	1929	346	810
13	Money for Memorial day, how expended	1931	56	373
14b, added	Leaves of absence from police force	1924	420	773
14b, added	Police pensions	1924	509	929
15a, added	Promotions in police force	1924	643	1194
16b, added	Computation of pensions in certain retirement funds	1925	686	1137

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL CITY LAW — (*Continued*).			
20, subd. 2	Powers as to property	1929	105	331
20, subd. 2	Grant of power to acquire lands for purposes of flood control	1929	597	1402
20, subd. 7	Grant of power to acquire water supply system	1923	291	497
20, subd. 7	Grant of power to acquire water supply system	1927	221	648
20, subd. 24	Regulation of building and density of population	1925	394	715
20, subd. 26, repealed	Regulation of buildings and zoning, first class cities	1928	810	1703
20, subd. 26, added	Sewer rents	1929	678	1612
20a, added	Creation of purchasing department or agency	1921	230	902
Art. 2b (§ 25), added	Prohibition of certain expenditures	1921	502	1551
25	Prohibition of certain expenditures	1923	604	911
Art. 3 (§§ 26–38), added	Official maps and planning boards	1926	690	1242
27	Planning boards; creation and appointment	1929	605	1415
28	Planning boards; officers, employees and expenses	1929	605	1416
Art. 3 (§§ 30–35), repealed	Hearings on city bills	1924	363	706
33	Planning boards; approval of plats; requisites	1929	605	1417
40	Examining boards of plumbers	1926	447	786
42	Examining boards of plumbers; compensation	1930	506	983
44, subd. 3	Examining boards of plumbers	1926	447	787
44, subd. 4	Examining boards of plumbers; fees	1930	126	458
45a	Corporations conducting plumbing business	1926	447	787
45a	Corporations conducting plumbing business	1928	95	243
45b	Plumbing business; further requirements	1926	447	787
45b, subd. 2	Licensed plumbers' signs, New York city	1923	324	555
46	Plumbing business; registration; when required	1926	447	789
47	Plumbing business; cancellation of registration; notice	1926	447	789
48	Plumbing inspectors; qualifications; notice	1926	447	789
49	Plumbing inspectors; duties; reports	1926	447	790
51	Plumbing inspectors; rules and regulations	1926	447	790
52	Plumbing inspectors; rules and regulations; violations	1926	447	790
53	Plumbing inspectors; rules and regulations; violations	1926	447	791
53	Plumbing inspectors; rules; violation	1929	677	1611
70	Proposition to borrow money	1925	391	713
81, subd. 1	Zoning ordinances	1928	106	255
83	Zoning ordinances; amendments	1927	504	1210
83	Zoning ordinances; amendments	1931	331	747
Art. 7 (§§ 110–115), added	Bonds; issuance and validation	1929	598	1403
111	Bonds; ordinance provisions	1930	377	798
112	Bonds; ordinance provisions; publication	1930	377	798
141	Selection of sites for hospitals for treatment of pulmonary tuberculosis	1928	285	768
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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL CONSTRUCTION LAW: (L. 1909, ch. 27, constituting cons. laws, ch. 22.)			
43	Seal of court, public officer or corporation	1928	109	258
52	Standard time	1921	70	266
59, added	Bastard or illegitimate child, defined	1925	515	851
	GENERAL CORPORATION LAW: (L. 1929, ch. 650, constituting cons. laws, ch. 23; generally amending all after title and superseding L. 1909, ch. 28. For amendments to act of 1909, ch. 28, by L. 1921–1928, see L. 1928, p. 1971.)			
2	Classification of corporations	1929	650	1522
3	Definitions	1929	650	1522
4, renumbered 7, and amended	Qualifications of incorporators	1929	650	1524
5, renumbered 8, and amended	Filing and recording certificates	1929	650	1524
6	Corporate names	1929	651	1567
6, renumbered 9, and amended	Corporate names	1929	650	1525
6, repealed	Corporate names	1930	798	1443
7, renumbered 10, and amended	Correction of informal certificates	1929	650	1525
8, renumbered 11, and amended	Lost or destroyed certificates	1929	650	1526
8	Filing certificates	1931	655	1450
9, renumbered 12, and amended	Certificate and other papers as evidence	1929	650	1526
9	Corporate names	1930	798	1442
9	Corporate names	1931	167	505
10, renumbered 13, and amended	Limitation of powers; provisions of certificates	1929	650	1527
11, renumbered 14, and amended	Grant of general powers	1929	650	1527
12, renumbered 15	Enlargement of limitations; property of non-stock corporation	1929	650	1527
13, renumbered 16, and amended	Acquisition of additional real property	1929	650	1528
14, renumbered 17, and amended	Acquisition, etc., of property without state	1929	650	1528
15, renumbered 210	Foreign corporations; authorization to do business in state	1929	650	1559
16, renumbered 211, and amended	Foreign corporations; restrictions	1929	650	1560
16a, renumbered 212, and amended	Foreign corporations; certificate of authority	1929	650	1560
16b, renumbered 213, and amended	Foreign corporations; existing authority continued	1929	650	1560

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL CORPORATION LAW — (*Continued*).			
16c, renumbered 214, and amended	Foreign corporations; amended statement and designation	1929	650	1561
16d, renumbered 215, and amended	Foreign corporations; change of name	1929	650	1561
16e, renumbered 216, and amended	Foreign corporations; surrender of authority	1929	650	1562
16f, renumbered 217, and amended	Foreign corporations; service of process	1929	650	1563
16g, renumbered 218	Foreign corporations; contracts when not enforcible	1929	650	1563
16h, renumbered 219	Foreign corporations; violations	1929	650	1563
16i, renumbered 220, and amended	Foreign corporations; definition of business	1929	650	1563
17–19, repealed	Foreign corporations; reincorporation	1929	650	1563
20, 21, renumbered 221 and amended	Foreign corporations; acquisition of real property	1929	650	1563
22, renumbered 18, and amended	Prohibition of banking powers	1929	650	1528
23, repealed	Qualification of members as voters	1929	650	1528
26, renumbered 19, and amended	Proxies at elections	1929	650	1528
27, renumbered 20, and amended	Challenges at elections	1929	650	1529
28, renumbered 21, and amended	Effect of failure to elect directors	1929	650	1529
29, renumbered 22, and amended	Calling special election of directors	1929	650	1529
30, renumbered 23, and amended	Conducting special election of directors	1929	650	1530
31, renumbered 24, and amended	Qualification of voters and canvass; special election	1929	650	1530
32, renumbered 25, and amended	Powers of supreme court respecting elections	1929	650	1530
33, repealed	Stay of proceedings; actions collusively brought	1929	650	1530
33, added	Power to cooperate for betterment of social and economic conditions	1931	76	399
34, renumbered 27, and amended	Directors; qualifications; powers of majority	1929	650	1530
35, renumbered 29, and amended	Directors as trustees in case of dissolution	1929	650	1531
36, renumbered 30, and amended	Dissolution for nonuser	1929	650	1531
37, renumbered 45, and amended	Extension of corporate existence	1929	650	1534
38, renumbered 46, and amended	Revival of corporate existence	1929	650	1536
39, renumbered 47	Approval of certificates of extension or revival	1929	650	1536

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL CORPORATION LAW—(*Continued*).			
40, repealed	Reinstatement when dissolved by proclamation	1929	650	1536
40, subd. 3, subds. b, e	Change of name	1929	599	1405
41, renumbered 48, and amended	Effect of extension	1929	650	1536
42, renumbered 31, and amended	When notice or lapse of time unnecessary	1929	650	1531
43, in part, renumbered 28, and amended	Acts of directors	1929	650	1531
43, last sentence, renumbered 26	Special meetings	1929	650	1530
44, repealed	Political contributions prohibited; penalty	1929	650	1531
45 (as added by L. 1920, ch. 916), renumbered 223, and amended	Foreign corporations; actions by	1929	650	1564
45 (as added by L. 1923, ch. 190), repealed	Expenditures for social and economic betterment	1929	650	1531
46, renumbered 224	Foreign corporations; actions against	1929	650	1564
47, renumbered 225	Foreign corporations; action against by nonresident	1929	650	1564
60, renumbered 40, and amended	Change of name	1929	650	1532
64, renumbered 41, and amended	Proceedings heretofore had	1929	650	1534
65, renumbered 42, and amended	Substituting new name in pending action	1929	650	1534
Art. 4, renumbered art. 5	Corporate real property	1929	650	1536
70, 71, renumbered 50, and amended	Corporate real property; sale, etc.	1929	650	1536
72, renumbered 51, and amended	Corporate real property; sale, etc.	1929	650	1537
73, renumbered 52, and amended	Corporate real property; sale, etc.	1929	650	1537
74, renumbered 53, and amended	Corporate real property; sale, etc.	1929	650	1537
75, repealed	Corporate real property; sale, etc.	1929	650	1537
76, repealed	Corporate real property; sale, etc.	1929	650	1537
Art. 5, renumbered art. 6	Judicial supervision	1929	650	1538
90, renumbered 60, and amended	Action against officers for misconduct	1929	650	1538
91, renumbered 61, and amended	Who may bring such action	1929	650	1538
91a, repealed	Action against officers by corporation, etc	1929	650	1538
92, renumbered 62, and amended	Visitorial power over corporation not affected	1929	650	1538

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL CORPORATION LAW—(*Continued*).			
Art. 6, renumbered art. 7	Actions	1929	650	1539
100, renumbered 70, and amended	Action by judgment creditor for sequestration	1929	650	1539
100	Voluntary dissolution; application of article	1931	476	1105
101, renumbered 71, and amended	Action to dissolve corporation	1929	650	1539
102, renumbered 72, and amended	Action to dissolve; who may bring	1929	650	1539
103, renumbered 73, and amended	Temporary injunction in actions prescribed	1929	650	1540
104, renumbered 74, and amended	Receiver in action	1929	650	1540
104, 105, renumbered 162, and amended	Receivers; temporary	1929	650	1553
106, renumbered 163, and amended	Receivers; permanent	1929	650	1553
107, renumbered 172, in part, and amended	Receivers; duties and liabilities	1929	650	1555
108, renumbered 151, and amended	Receivers; application for appointment or removal	1929	650	1550
109, 110, renumbered 75, and amended	Action by creditor; stockholder, etc., as parties	1929	650	1540
111, renumbered 76, and amended	Action by creditor; proceedings	1929	650	1540
112, renumbered 77, and amended	Distribution of property under judgment	1929	650	1540
113, renumbered 78, and amended	Recovery of stock subscriptions	1929	650	1541
114, renumbered 79, and amended	Liability of stockholders, directors and officers	1929	650	1541
115, renumbered 81, and amended	Effect of art. 7	1929	650	1541
116, renumbered 80, and amended	Entry of judgment	1929	650	1541
Art. 7, renumbered art. 8	Action to annul corporation	1929	650	1541
130, renumbered 90, and amended	Action to annul; by attorney-general, when legislature directs	1929	650	1541
131, renumbered 91, and amended	Action to annul; by attorney-general, by leave of court	1929	650	1542
132, renumbered 92, and amended	Action to annul; notice of application for leave of court	1929	650	1542
132a, renumbered 93, and amended	Action to annul; receiver	1929	650	1542
133, renumbered 94, and amended	Action to annul; jury trial	1929	650	1542
134, renumbered 96, and amended	Action to annul; final judgment	1929	650	1543

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL CORPORATION LAW—(*Continued*).			
135, renumbered 95, and amended	Action to annul; temporary injunction	1929	650	1542
136, renumbered 97, and amended	Action to annul; filing and publishing judgment	1929	650	1543
136	Provisions applicable to two or more actions; suspension or removal of officer	1930	217	573
Art. 8 (§§ 150–161), repealed	Action to dissolve moneyed corporation	1929	650	1543
170, renumbered 101, in part, and amended	Voluntary dissolution; petition	1929	650	1544
171, renumbered 102, and amended	Voluntary dissolution; stockholders may require directors to petition	1929	650	1544
172, renumbered 103, and amended	Voluntary dissolution; petition in case of deadlock	1929	650	1544
173, renumbered 100, in part, and amended	Voluntary dissolution; application of art. 9	1929	650	1543
174, renumbered 104, and amended	Voluntary dissolution; contents of petition, etc.	1929	650	1544
175, renumbered 105, and amended	Voluntary dissolution; affidavit annexed to schedule	1929	650	1545
176, renumbered 101, in part, and amended	Voluntary dissolution; petition	1929	650	1544
177, repealed	Voluntary dissolution; corporations without stockholders	1929	650	1545
178, renumbered 106, and amended	Voluntary dissolution; action by court on petition	1929	650	1545
179, renumbered 107, and amended	Voluntary dissolution; publication of show cause order	1929	650	1545
180, renumbered 108, and amended	Voluntary dissolution; service of show cause order	1929	650	1545
181, renumbered 109, and amended	Voluntary dissolution; entering and filing order, etc.	1929	650	1545
182, renumbered 110, and amended	Voluntary dissolution; temporary receiver	1929	650	1545
183, renumbered 115, in part, and amended	Receivers; application for appointment	1929	650	1550
184, renumbered 111, and amended	Voluntary dissolution; injunction	1929	650	1545
185, renumbered 112, and amended	Voluntary dissolution; referee	1929	650	1546
186, renumbered 113	Voluntary dissolution; hearing	1929	650	1546
187, renumbered 114, and amended	Voluntary dissolution; decision	1929	650	1546
188, repealed	Voluntary dissolution; use of original papers	1929	650	1546
189, renumbered 115, and amended	Voluntary dissolution; amending papers	1929	650	1546
190, renumbered 116, and amended	Voluntary dissolution; application for order	1929	650	1546

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL CORPORATION LAW—(*Continued*).			
191, renumbered 117, and amended	Voluntary dissolution; final order	1929	650	1546
192, renumbered 118 and amended	Voluntary dissolution; appointment of director, etc., as receiver	1929	650	1546
193, renumbered 119, and amended	Voluntary dissolution; certain sales, etc., void	1929	650	1547
194, renumbered 173, and amended	Receivers; omission or default	1929	650	1556
195, renumbered 100, in part, and amended	Voluntary dissolution; application of art. 9	1929	650	1543
Art. 9a, renumbered art. 14	Forfeiture for maintaining nuisance	1929	650	1565
200, renumbered 230, and amended	Forfeiture for maintaining nuisance	1929	650	1565
201, renumbered 231, and amended	Forfeiture for maintaining nuisance; reinstatement	1929	650	1566
202, renumbered 232	Forfeiture for maintaining nuisance; application of art. 14	1929	650	1567
225, renumbered 153, and amended	Receivers; security	1929	650	1551
226, renumbered 154, and amended	Receivers; removal or new bond	1929	650	1551
227, renumbered 155, and amended	Receivers; notice to sureties on accounting	1929	650	1551
Art. 11, renumbered art. 12	Receivers; powers, duties, liabilities	1929	650	1552
230, renumbered 160, and amended	Receivers; application of art. 12	1929	650	1553
231, 232, renumbered 168, and amended	Receivers' title to property	1929	650	1554
233, repealed	Receivers; transfer of assets	1929	650	1553
234, repealed	Receivers; security	1929	650	1553
235, renumbered 165, and amended	Receivers; authority of single receiver	1929	650	1553
236, renumbered 166, and amended	Receivers; powers and rights of several	1929	650	1554
237, renumbered 167, and amended	Receivers; surviving receivers	1929	650	1554
238, renumbered 164, and amended	Receivers; oath	1929	650	1553
239, renumbered 169, and amended	Receivers; general powers	1929	650	1554
240, renumbered 170, and amended	Receivers; power to institute proceedings	1929	650	1554
241, repealed	Receivers; powers in settlement of controversies	1929	650	1554
242, renumbered 269, in part, and amended	Receivers; power to employ counsel	1929	650	1554
243, 244, repealed	Receivers; powers	1929	650	1555
245, renumbered 171, and amended	Receivers; to convert assets into money	1929	650	1555

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL CORPORATION LAW—(*Continued*).			
246, renumbered 169, in part, and amended	Receivers; duties as to private sales	1929	650	1554
247, renumbered 172, and amended	Receivers; duty as to accounts	1929	650	1555
248, 249, repealed	Receivers; duties as to reports	1929	650	1555
250, renumbered 174, and amended	Receivers; duty to give notice to creditors	1929	650	1556
251, renumbered 175, and amended	Receivers; delivery of property to	1929	650	1556
252, renumbered 176, and amended	Receivers; penalty for concealing property from	1929	650	1556
253, in part, renumbered 177, and amended	Receivers; duty to call creditors' meeting	1929	650	1556
253, in part, renumbered 183, and amended	Receivers; final dividend	1929	650	1557
254, renumbered 178, and amended	Receivers; statement of assets at creditors' meeting	1929	650	1556
255–258, repealed	Receivers	1929	650	1556
259, renumbered 179, and amended	Receivers; allowance of set-offs	1929	650	1557
260, repealed	Receivers; penalties recovered by	1929	650	1557
261, renumbered 181, and amended	Receivers; order of payment by	1929	650	1557
261a, renumbered 180, and amended	Receivers; payment of wages by	1929	650	1557
262, renumbered 182, and amended	Receivers; failure to file claim before first dividend	1929	650	1557
264, renumbered 185, and amended	Receivers; surplus to stockholders	1929	650	1558
265, renumbered 184, and amended	Receivers; disposition of moneys retained	1929	650	1557
266, renumbered 186, and amended	Receivers; duties as to unclaimed dividend	1929	650	1558
267, renumbered 187, and amended	Receivers; failure to file claim before final dividend	1929	650	1558
268, renumbered 188, and amended	Receivers; final accounting	1929	650	1558
269, renumbered 189, and amended	Receivers; final accounting; notice	1929	650	1558
270, 271, renumbered 190, and amended	Receivers; final accounting; hearing	1929	650	1558
272, 273, repealed	Receivers	1929	650	1558
274, renumbered 157, and amended	Receivers; vacancy	1929	650	1551
275, renumbered 158, and amended	Receivers; resignation	1929	650	1551
276, renumbered 161, and amended	Receivers; control by court	1929	650	1553
277, renumbered 191, and amended	Receivers; commissions in voluntary dissolution	1929	650	1558

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL CORPORATION LAW—(*Continued*).			
278, renumbered 192, and amended	Receivers; commissions, except voluntary dissolution.	1929	650	1559
Art. 12, renumbered art. 10	Provisions applicable to two or more actions	1929	650	1547
300, renumbered 130, and amended	Provisions applicable to two or more such actions.	1929	650	1547
301, renumbered 131, and amended	Provisions applicable to two or more such actions.	1928	650	1547
302, renumbered 132, and amended	Provisions applicable to two or more such actions	1929	650	1548
303, renumbered 133, and amended	Provisions applicable to two or more such actions.	1929	650	1548
304, renumbered 134, and amended	Provisions applicable to two or more such actions.	1929	650	1548
305, renumbered 135, and amended	Provisions applicable to two or more such actions.	1929	650	1548
306, renumbered 150, and amended	Receivers; appointment	1929	650	1550
307, renumbered 136, and amended	Provisions applicable to two or more such actions.	1929	650	1549
308, in part, renumbered 222, and amended	Foreign corporations; application of certain sections.	1929	650	1564
309, 310, repealed	Provisions applicable to two or more such actions	1929	650	1549
311, renumbered 156, and amended	Receivers; application by attorney-general for removal	1929	650	1551
312, renumbered 137, and amended	Provisions, applicable to two or more such actions	1929	650	1549
313, renumbered 152, and amended	Receivers; designation of depositories by court	1929	650	1550
314, renumbered 138, and amended	Provisions applicable to two or more such actions	1929	650	1549
315, renumbered 139, and amended	Provisions applicable to two or more such actions	1929	650	1549
316, renumbered 140, and amended	Provisions applicable to two or more such actions	1929	650	1549
320, renumbered 5	Alteration and repeal of charter	1929	650	1524
321, renumbered 6, and amended	Conflicting corporate laws	1929	650	1524
	GENERAL HIGHWAY TRAFFIC LAW: (L. 1917, ch. 655, constituting cons. laws, ch. 70.)			
All repealed		1929	54	108
11, subd. 6	Stopping, turning, passing and waiting of vehicles.	1926	513	881
12, subd. 4	Right of way and operation of vehicles	1926	513	881
12, subd. 15, added	Right of way and operation of vehicles	1928	680	1499
13, subd. 1	Signals	1927	500	1206
13, subd. 2	Signals	1926	513	882

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL HIGHWAY TRAFFIC LAW—(*Continued*).			
14, subd. 3, repealed	Speed regulations; signs	1926	513	882
15, subd. 7	Parking; safety zones and cab stands	1926	513	882
17, subd. 1	Vehicles	1926	513	882
22, subds. 1, 3	Powers of local authorities	1926	513	882
22, subd. 1a, added	Designation of certain streets as main arteries of travel.	1926	508	871
31	Publication and distribution of regulations	1922	400	843
31	Publication and distribution of regulations	1927	18	21
	GENERAL MUNICIPAL LAW: (L. 1909, ch. 29, constituting cons. laws, ch. 24.)			
5	Temporary loans	1929	244	638
10a, 10b, added	Municipal bonds, registry, etc	1926	139	293
13	Municipal taxes of railroads	1927	614	1533
25a, added	Definition of taxpayer	1925	433	750
30	Reports of financial condition	1925	542	886
72b	Acquisition of lands and erection of memorial buildings	1924	286	546
72b	Acquisition of lands and erection of memorial buildings	1931	169	507
72c, added	Lands for parkway purposes, Nassau county	1928	135	277
72c, added	Expenses of members of police department in attending police training school	1928	538	1165
72c	Lands for parkway purposes; Nassau and Suffolk counties	1930	532	1015
72c	Lands for parkway purposes; Nassau and Suffolk counties	1931	347	782
72c	Lands for parkway purposes; Nassau and Suffolk counties	1931	541	1319
72d, added	Acquisition and dedication of lands for parks in town of Babylon	1929	213	480
72e, added	Acquisition of lands for parks; Broome county	1930	402	871
72e	Acquisition of lands for parks; Broome and Erie counties	1931	168	506
76	Water rights in Westchester and Putnam counties	1925	543	887
77	Leases of public buildings to certain veterans posts	1930	267	642
77	Leases of public buildings to veterans and firemen	1930	800	1445
77a	Construction of soldiers' memorial by county and city	1921	421	1284
77b	Convention expenses of municipal officers and employees	1923	293	499
79a, added	Maintenance or employment of band by city or village.	1923	602	906
81	Peddling and hawking farm produce	1924	380	722
85a	Taxation on transient merchants	1931	520	1283
86b	Contracts; withdrawal of retained percentages	1921	394	1232
86b	Contracts; retained percentages	1922	193	513
86d, added	Claims against contractors; undertakings thereof	1924	269	526
88, added	Contracts; separate specifications for certain work	1921	469	1376
91, added	Standard time; modification	1921	70	266
91	Standard time; modification	1921	260	961
120t, added	Joint village and town water district	1924	459	858
121a, added	Village and town police department	1925	541	884

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	GENERAL MUNICIPAL LAW — (*Continued*).			
122a, added	Posting signs to indicate floor in apartment houses	1930	838	1535
126–131	Public general hospitals	1922	265	623
132	Public general hospitals	1922	265	628
132	Public general hospitals	1928	134	277
133–135	Public general hospitals	1922	265	628
135b, added	Prenatal and maternity care	1921	420	1283
135b, renumbered 135c	Prenatal and maternity care	1922	161	473
135b, added	Departments of occupational therapy	1922	161	473
140	Trusts for public parks, playgrounds and libraries	1928	435	966
144	Parks, playgrounds and libraries to be free	1928	435	966
153, subd. 1	Child welfare boards; allowances	1923	731	1295
153, subd. 1	Child welfare boards; residence and citizenship of grantees	1923	733	1304
153, subd. 1	Child welfare boards; allowances	1924	458	856
153, subd. 1	Child welfare boards; allowances	1927	527	1251
153, subd. 1	Child welfare boards; allowances	1927	684	1724
153, subd. 1	Child welfare boards; allowances	1929	347	810
153, subd. 1	Child welfare boards; allowances	1930	799	1443
153, subd. 9, added	Child welfare boards; allowances	1923	730	1294
153, subd. 9	Child welfare boards; allowances	1930	41	57
Art. 7B (§§ 156–159, 159a), added	Boards of child welfare; certain counties	1922	546	1252
156, 157, added	Boards of child welfare; certain counties	1922	546	1252
157, subd. 2, subd. a	Boards of child welfare; certain counties	1923	733	1304
157, subd. 2, subd. a	Boards of child welfare; certain counties	1924	458	857
157, subd. 2, subd. a	Boards of child welfare; certain counties	1927	527	1252
157, subd. 2, subd. a	Boards of child welfare; certain counties	1927	684	1725
157, subd. 4, added	Boards of child welfare; certain counties	1923	730	1295
158, 159, 159a, added	Boards of child welfare; certain counties	1922	546	1252
205	Payments to injured volunteer fireman or representatives	1921	190	756
205	Payments to injured volunteer fireman or representatives	1925	540	881
205, subd. 1st	Payments to injured volunteer fireman or representatives	1930	412	886
205, subd. 1st, subd. c	Payments to injured volunteer fireman or representatives	1922	639	1749
205, subd. 3d	Payments to injured volunteer fireman or representatives	1926	220	393
205, subd. 3d	Payments to injured volunteer fireman or representatives	1927	613	1531
205, subd. 3d	Payments to injured volunteer firemen or representatives	1930	412	887

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	GENERAL MUNICIPAL LAW — (*Continued*).			
205, subd. 3d	Payments to injured volunteer firemen or representatives	1931	371	806
205, subd. 4th	Payments to injured volunteer fireman or representatives	1922	639	1749
205, subd. 4th	Payments to injured volunteer fireman or representatives	1923	122	153
205, subd. 4th	Payments to injured volunteer fireman or representatives	1926	220	394
205, subd. 4th	Payments to injured volunteer fireman or representatives	1927	613	1532
205, subd. 4th	Payments to injured volunteer firemen or representatives	1929	22	25
208, added	Police; one day rest in seven	1929	701	1651
209, added	Outside service by local fire departments	1931	332	748
Art. 12B (§§ 239b–239d), added	Regional planning boards	1925	539	880
239d	Regional planning boards; powers	1927	314	762
239e, 239f, added	County planning associations or federations	1929	615	1448
240–242	Playgrounds and neighborhood recreation centers	1922	391	820
243	Recreation commissions	1921	186	752
243	Recreation commissions	1922	391	821
244a	Recreation commissions; acceptance of donations	1922	391	822
244b, added	Joint playgrounds or neighborhood recreation centers	1922	391	823
244c, added	Recreation system; establishment and maintenance	1924	219	440
245, 246	Playgrounds and neighborhood recreation centers; expenses; annual appropriation	1922	391	823
Art. 14, renumbered art. 15	Laws repealed; when to take effect	1928	169	307
Art. 14 (§§ 350–354), added	Airports and landing fields	1928	169	308
350	Airports; location	1928	647	1415
350	Airports; location	1929	31	32
350	Airports; location	1930	488	963
351	Airports; acquisition of real property	1928	647	1416
351	Airports; acquisition of real property	1929	31	33
352	Airports; equipment, maintenance and operation	1928	647	1416
352	Airports; equipment, maintenance and operation	1929	31	33
353	Airports; approval of board of estimate	1928	647	1417
353a, added	Airports; joint	1929	16	20
354	Airports; annual appropriation	1928	647	1417
354	Airports; annual appropriation	1929	31	33
	HIGHWAY LAW: (L. 1909, ch. 30, constituting cons. laws, ch. 25.)			
2	Definitions	1927	88	357
2, subd. 5	Definitions	1921	196	763
2, subd. 5	Construction and repair of bridges by state	1924	276	532
3	Classification of highways	1929	362	828
Art. 2, title	General provisions	1927	88	357
10, repealed	Department of highways; established	1927	88	357

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	HIGHWAY LAW — (*Continued*).			
10, repealed	Department of highways; established	1927	512	1222
11, repealed	State commission; commissioner	1927	88	357
11, repealed	State commission; commissioner	1927	512	1222
12, repealed	Commissioner; oath, undertaking	1927	88	357
12, repealed	Commissioner; oath of office; undertaking	1927	512	1222
13, repealed	Commission; principal office, seal, stationery	1927	88	357
13, repealed	Commission; principal office, seal, stationery	1927	512	1222
14, repealed	Deputy commissioners, secretary, chief auditor	1927	88	357
14, repealed	Deputy commissioners, secretary, chief auditor	1927	512	1222
15, repealed	Commissioner of highways; powers and duties	1927	88	358
15, added	Superintendent of public works; highways	1927	88	358
15, subd. 5	Commissioner of highways; powers and duties	1923	431	680
16	Division engineers	1926	324	581
16, repealed	Division engineers	1927	88	359
16, repealed	Division engineers	1927	512	1222
17, repealed	Division engineers; duties	1927	88	360
18, repealed	Department of highways; salaries and expenses	1927	88	360
18, repealed	Department of highways; salaries and expenses	1927	512	1222
18a, added	Qualifications of certain employees	1927	88	360
19, repealed	Highways department; officers and employees	1927	88	360
19, repealed	Highway department; officers and employees	1927	293	729
19, repealed	Highway department; officers and employees	1927	512	1222
19, added	Condemnation of bridges not on state and county system	1927	293	729
19, repealed	Condemnation of bridges not on state and county system	1928	466	1037
19, added	Condemnation of bridges not on state and county system	1928	466	1037
19, subd. 1	Condemnation of bridges not on state and county system	1930	836	1533
19, subd. 3	Condemnation of bridges not on state and county system	1930	212	568
19, subd. 6	Condemnation of bridges not on state and county system	1930	836	1533
19, subd. 10, added	Condemnation and construction of bridges on county and town roads	1930	836	1532
19a, added	Bridges on state and county system	1927	293	729
19a, subds. 1, 3–6	Bridges on state and county system	1928	598	1335
19a, subds. 1–6	Bridges on state and county system	1930	478	943
19a, subd. 7, repealed	Bridges on state and county system	1928	598	1338
19a, subd. 7, added	Bridges on state and county system	1928	598	1338
19a, subd. 7	Bridges on state and county system	1930	478	945
19a, subd. 8	Bridges on state and county system	1928	598	1335
19a, subd. 8	Bridges on state and county system	1930	478	946
19a, subds. 9, 10, 14	Bridges on state and county system	1930	478	946
19a, subds. 15, 16, added	Bridges on state and county system	1928	598	1339
19a, subds. 15, 16	Bridges on state and county system	1930	478	947
19a, subds. 17, 18, added	Bridges on state and county system	1929	610	1421

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Section	SUBJECT	Year	Chapter	Page
	HIGHWAY LAW — (*Continued*).			
19a, subd. 18	Bridges on state and county system	1930	478	947
20	Blank forms and town accounts	1926	249	449
20, renumbered 17	Blank forms and town accounts	1927	88	360
21	Examinations of accounts and records	1926	249	450
21, renumbered 18	Examination of accounts and records	1927	88	360
22	Condemnation of bridges	1922	371	783
22	Condemnation of bridges	1924	276	532
22	Condemnation of bridges	1926	8	140
22, renumbered 19, and amended	Condemnation of bridges	1927	88	360
23, renumbered 20, and amended	State and county highways; inspection	1927	88	361
24	State and county highways; rules and regulations	1922	371	783
24, renumbered 21, and amended	State and county highways; rules and regulations	1927	88	362
24a, added	Temporary closing of highways	1922	371	783
24a	Temporary closing of highways	1923	426	662
24a, renumbered 22, and amended	Temporary closing of highways	1927	88	362
25, renumbered 23, and amended	Patented material or articles	1927	88	363
30	County superintendents	1923	428	671
33, subd. 10	Noxious weeds to be cut	1926	491	846
33, subd. 10	Noxious weeds to be cut	1931	438	1036
41b, added	Town superintendents; certain counties	1921	231	904
45b, added	Rockland county; compensation of town superintendents	1923	85	89
45c, added	Town superintendent of highways; Suffolk county	1925	519	855
46	Removal of town superintendent	1921	404	1248
46	Removal of town superintendent	1922	371	784
47, subd. 7	Town superintendents; powers and duties	1923	426	663
47, subd. 7	Town superintendents; powers and duties	1926	491	846
47, subd. 7	Town superintendents; powers and duties	1930	306	696
49	Machinery, tools and implements	1921	402	1244
49	Machinery, tools and implements	1922	294	678
49	Machinery, tools and implements	1926	130	283
49	Machinery, tools, equipment and implements	1931	343	772
50	Town superintendents may hire machinery	1922	167	485
50	Town superintendents may hire machinery	1923	426	664
50	Town superintendents may hire machinery	1928	101	249
50	Town superintendents may hire machinery	1929	306	760
50	Town superintendents may hire machinery	1931	343	775
51a, added	Purchase of gravel pits	1924	274	531
51a	Purchase of gravel pits	1929	38	37
53a, renumbered 53b	Temporary obstruction of highways	1922	110	405
53a, added	Snow removal	1922	110	405
53a	Snow removal and cutting of weeds	1926	491	847
53a	Snow removal and cutting of weeds	1929	49	47
53c, added	State aid for snow removal	1930	772	1394
54	Removal of weeds, brush and snow	1923	426	664
54, repealed	Removal of weeds, brush and snow	1926	491	846
55	Costs against owners and occupants	1926	491	848
62	Expenditures for sidewalks	1921	637	1968

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921-1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	HIGHWAY LAW — (*Continued*).			
64	Custody of shade trees	1931	105	437
77	Closing highways	1924	460	859
77	Closing highways	1927	88	363
77a, added	Detour signs on temporary routes	1930	102	416
90, subd. 3	Estimate of expenditures for highways and bridges	1931	82	407
90, subd. 4	Estimates of expenditures for highways and bridges	1922	371	785
91	Estimates; levy of taxes	1926	249	450
92	Removal of obstructions caused by snow	1926	317	576
94, subd. 2	Limitations of amounts to be raised	1921	232	905
94, subd. 2	Limitations of amounts to be raised	1928	136	278
94, subd. 3	Purchase or repair of highway machinery	1921	406	1250
94, subd. 3	Purchase or repair of highway machinery	1925	337	635
94, subd. 3	Purchase or repair of highway machinery	1926	247	448
94, subd. 3	Purchase or repair of highway machinery	1928	17	16
94, subd. 3	Purchase or repair of highway machinery	1931	343	775
94, subd. 4	Limitations of amounts to be raised	1921	232	905
94, subd. 4	Limitations of amounts to be raised	1923	735	1306
96, subd. 1	Removal of obstructions caused by snow	1926	317	577
96, subd. 5, added	Borrowing money in anticipation of taxes	1922	371	785
97	Borrowing money for bridge and highway purposes	1927	88	364
97	Borrowing money for bridge and highway purposes	1931	343	776
97, subd. 4, renumbered subd. 5	Borrowing money for highway purposes	1926	253	458
97, subd. 4, added	Borrowing money for highway purposes	1926	253	458
97a	Borrowing money for highway purposes; towns in Adirondack park	1927	88	365
99	Assessment of village property	1925	518	855
99	Assessment of village property	1928	307	789
100	State aid to towns for town highways	1930	771	1390
101, repealed	Amount of state aid to towns	1930	771	1391
101, added	Amount of state aid to towns	1930	771	1391
101a, added	Additional amount of state aid	1931	674	1487
102	Mileage and assessed valuation	1928	179	321
102	Mileage and actual valuation	1930	771	1391
103, repealed	Apportionment and payment of state money	1930	771	1392
103, added	Apportionment and payment of state money	1930	771	1392
103, subd. 4	Apportionment and payment of state money	1931	437	1035
104	Custody of highway moneys; undertaking of supervisor	1923	426	665
104	Custody of highway moneys; undertaking of supervisor	1926	249	450
104	Custody of highway moneys	1930	771	1392
104	Custody of highway moneys; undertaking of supervisor	1931	437	1035
105	Expenditures for repair and improvement of highways	1930	771	1393
107	Reports of supervisor as to highway moneys	1924	421	774
107	Reports of supervisor as to highway moneys	1926	249	451
108	Highway accounts, forms and blanks	1926	249	452
109	Duty of town clerk	1926	249	453
110	Compensation of supervisor and town clerk	1922	28	27
110	Compensation of supervisor and town clerk	1923	422	660
120	State highways	1921	18	42

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	HIGHWAY LAW — (*Continued*).			
120, opening paragraph	State highways	1929	362	829
120, subd. 2	State highway, route 2	1922	388	815
120, subd. 2a, added	State highway, route 2a	1925	339	636
120, subd. 2a	State highway, route 2a	1931	465	1079
120, subd. 3	State highway, route 3	1922	388	816
120, subd. 3b, added	State highway, route 3b	1927	295	736
120, subd. 6a, added	State highway, route 6a	1925	122	143
120, subd. 6a	State highway, route 6a	1926	700	1257
120, subd. 7	State highway, route 7	1925	122	139
120, subd. 10	State highway, route 10	1922	388	817
120, subd. 16	State highway, route 16	1922	388	817
120, subd. 24a, added	State highway, route 24a	1925	122	140
120, subd. 30	State highway, route 30	1925	122	140
120, subd. 35	State highway, route 35	1925	122	142
120, subd. 38	State highway, route 38	1925	330	614
120, subd. 50	State highway, route 50	1924	277	533
120, subd. 50	State highway, route 50	1925	122	142
120, last paragraph, repealed	State highways	1929	362	829
121	Apportionment and source of funds	1921	18	73
121	Apportionment and source of funds	1924	460	861
121	Apportionment and source of funds	1925	193	411
121	Apportionment and source of sunds	1929	362	829
122	County highways	1921	18	74
122	County highways	1925	330	614
122, heading and opening paragraph	County highways	1929	362	830
122, subd. 1	County highways; Albany county	1930	670	1201
122, subd. 2	County highways; Allegany county	1927	294	734
122, subd. 3	County highways; Broome county	1926	726	1353
122, subd. 4	County highways; Cattaraugus county	1924	80	118
122, subd. 4	County highways; Cattaraugus county	1925	122	143
122, subd. 4	County highways; Cattaraugus county	1930	681	1249
122, subd. 4	County highways; Cattaraugus county	1931	441	1038
122, subd. 5	County highways; Cayuga county	1925	122	143
122, subd. 6	County highways; Chautauqua county	1926	700	1258
122, subd. 6	County highways; Chautauqua county	1926	726	1353
122, subd. 6	County highways; Chautauqua county	1927	210	634
122, subd. 6	County highways; Chautauqua county	1927	210	635
122, subd. 6	County highways; Chautauqua county	1927	298	739
122, subd. 6	County highways; Chautauqua county	1927	298	739
122, subd. 6	County highways; Chautauqua county	1928	180	321
122, subd. 7	County highways; Chemung county	1927	368	824
122, subd. 7	County highways; Chemung county	1929	221	490
122, subd. 8	County highways; Chenango county	1923	421	679
122, subd. 10	County highways; Columbia county	1924	80	119
122, subd. 10	County highways; Columbia county	1930	313	703
122, subd. 10	County highways; Columbia county	1931	376	812
122, subd. 11	County highways; Cortland county	1925	122	143

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921-1931 — (*Continued*).

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122, subd. 11	County highways; Cortland county	1929	609	1420
122, subd. 12	County highways; Delaware county	1929	178	435
122, subd. 13	County highways; Dutchess county	1922	388	818
122, subd. 13	County highways; Dutchess county	1927	294	735
122, subd. 13	County highways; Dutchess county	1929	307	760
122, subd. 13	County highways; Dutchess county	1931	439	1037
122, subd. 14	County highways; Erie county	1926	700	1258
122, subd. 14	County highways; Erie county	1926	726	1354
122, subd. 14	County highways; Erie county	1931	441	1039
122, subd. 15	County highways; Essex county	1925	122	143
122, subd. 15	County highways; Essex county	1926	726	1354
122, subd. 15	County highways; Essex county	1930	673	1204
122, subd. 17	County highways; Fulton county	1930	671	1202
122, subd. 17	County highways; Fulton county	1931	227	579
122, subd. 19	County highways; Greene county	1930	666	1199
122, subd. 21	County highways; Herkimer county	1931	440	1037
122, subd. 22	County highways; Jefferson county	1922	388	818
122, subd. 22	County highways; Jefferson county	1929	309	762
122, subd. 26	County highways; Madison county	1928	181	322
122, subd. 27	County highways; Monroe county	1928	596	1330
122, subd. 27	County highways; Monroe county	1928	599	1339
122, subd. 28	County highways; Montgomery county	1927	66	231
122, subd. 29	County highways; Nassau county	1925	122	144
122, subd. 29	County highways; Nassau county	1926	726	1354
122, subd. 29	County highways; Nassau county	1927	209	633
122, subd. 29	County highways; Nassau county	1928	282	766
122, subd. 29	County highways; Nassau county	1929	220	489
122, subd. 30	County highways; Niagara county	1926	726	1354
122, subd. 30	County highways; Niagara county	1929	15	19
122, subd. 32	County highways; Onondaga county	1922	388	818
122, subd. 35	County highways; Orleans county	1931	442	1040
122, subd. 36	County highways; Oswego county	1926	726	1355
122, subd. 36	County highways; Oswego county	1929	309	762
122, subd. 38	County highways; Putnam county	1927	369	825
122, subd. 41	County highways; Rockland county	1929	311	767
122, subd. 41	County highways; Rockland county	1931	316	735
122, subd. 43	County highways; Saratoga county	1930	307	697
122, subd. 43	County highways; Saratoga county	1931	122	456
122, subd. 44	County highways; Schenectady county	1929	312	768
122, subd. 44	County highways; Schenectady county	1931	122	457
122, subd. 46	County highways; Schuyler county	1927	294	736
122, subd. 46	County highways; Schuyler county	1930	30	46
122, subd. 46	County highways; Schuyler county	1930	31	47
122, subd. 46	County highways; Schuyler county	1930	370	787
122, subd. 47	County highways; Seneca county	1927	663	1681
122, subd. 47	County highways; Seneca county	1929	180	437
122, subd. 48	County highways; Steuben county	1927	294	736
122, subd. 48	County highways; Steuben county	1929	221	490
122, subd. 49	County highways; Suffolk county	1925	122	144
122, subd. 49	County highways; Suffolk county	1926	726	1355
122, subd. 49	County highways; Suffolk county	1929	220	489
122, subd. 49	County highways; Suffolk county	1930	383	807
122, subd. 52	County highways; Tompkins county	1930	533	1016
122, subd. 54	County highways; Warren county	1924	80	119

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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122, subd. 55	County highways; Washington county	1925	122	144
122, subd. 55	County highways, Washington county	1928	16	16
122, subd. 56	County highways; Wayne county	1929	180	438
122, subd. 57	County highways; Westchester county	1922	388	818
122, subd. 57	County highways; Westchester county	1926	699	1256
122, subd. 57	County highways; Westchester county	1928	781	1652
122 subd. 57	County highways; Westchester county	1929	165	407
122, subd. 58	County highways; Wyoming county	1924	80	119
122, subd. 58	County highways; Wyoming county	1926	726	1355
122, subd. 59	County highways; Yates county	1930	31	48
122a, added	Approval of map	1921	18	80
122a	Approval of map	1925	330	626
122a	Approval of map	1926	729	1359
122a	Approval of map	1927	176	546
122a	Approval of map	1928	681	1499
122b, added	Construction of preceding sections	1921	18	80
122c, added	Modification of maps	1922	388	818
123	Preliminary resolution of board of supervisors	1924	460	861
125	Maps, plans, specifications and estimates	1927	88	365
130	Contracts for construction or improvement	1928	648	1417
130, subd. 4	Contracts for construction or improvement	1929	362	830
130, subds. 7, 8	Contracts for construction or improvement	1923	429	672
130, subd. 8	Contracts for construction and improvement	1930	534	1017
130, subd. 9	Contracts for construction or improvement	1929	362	830
131	Award of contracts to supervisor or town board	1927	88	366
132	Completion of canceled contracts	1924	412	763
132a, added	Maintenance of highways pending construction of permanent pavement	1927	450	1129
133	Completed state and county highways; acceptance	1929	362	830
134, repealed	County highway; acceptance	1929	362	831
136	Damages for entry	1922	371	785
136, repealed	Damages for entry	1924	460	862
137b, added	Improvement of highways in first class villages	1929	581	1235
138	Connecting highways in villages	1929	362	831
138b	Improvement; expense	1921	196	763
138b	Improvement; expense	1924	460	862
138b	Improvement; expense	1929	362	832
141	County highways; statement of cost	1929	362	833
142a	Pavement about rails of street surface railroads	1921	196	764
145	Railroad grade crossings; abolition	1927	447	1126
145, repealed	Railroad grade crossings; abolition	1929	634	1496
145, added	Railway grade crossing; work under railroad law and crossing elimination act	1929	634	1496
145a, renumbered 145b, and amended	Grade crossings; repair of highways at	1927	447	1126
145a, added	Grade crossing elimination; payment for additional facilities or betterments	1927	447	1126
145a, repealed	Grade crossing elimination; payment for additional facilities or betterments	1928	464	1035
145a, added	Grade crossing eliminations; payment for construction	1928	464	1035
145a	Grade crossing eliminations; payment for construction	1929	362	833

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	HIGHWAY LAW—(*Continued*).			
146	Railroads and other works and structures on highways	1922	371	785
146	Railroads and other structures on highways	1925	338	635
146	Railroads and other works and structures on highways	1927	88	368
146a, added	Railroad and other works and structures on county system	1930	667	1199
148	Acquisition of lands for right of way and other purposes	1924	460	863
148	Acquisition of lands for right of way and other purposes	1925	336	634
148	Acquisition of lands for right of way and other purposes	1927	43	65
148	Acquisition of lands for right of way and other purposes	1930	189	537
149	Purchase of lands	1924	133	216
149	Purchase of lands	1924	460	863
149a, repealed	Purchase of lands	1925	262	525
150	Petition to acquire lands	1922	23	20
150	Petition to acquire lands	1922	371	786
150	Petition to acquire lands	1927	88	369
151	Commissioners of appraisal	1927	88	369
152	Commissioners of appraisal; duties	1927	88	369
153	County treasurer to pay awards	1927	88	371
154	Compensation of condemnation commissioners	1924	461	866
154	Compensation of condemnation commissioners	1927	88	371
155a	Apportionment of cost of lands acquired for right of way	1928	602	1345
155a	Apportionment of cost of lands acquired for right of way	1929	548	1125
155b, added	Widening and straightening certain highways	1928	601	1343
155c, added	Improving certain highways before construction; Suffolk county	1929	39	38
155d, added	Altering roads; Montgomery county	1930	489	964
157	Highways and bridges on Indian reservations	1925	333	631
158, repealed	Reservation superintendent; appointment and duties	1924	460	863
159	Custody of moneys, et cetera	1924	460	863
159	Highways and bridges on Indian reservations	1925	333	631
159	Highways and bridges on Indian reservations	1926	49	208
160	Maintenance of detours during construction	1923	429	673
160a, added	Jericho turnpike a county highway	1928	565	1260
160b, added	Sidewalks along improved state and county highways	1930	330	724
161	Commissioner to improve or construct roads	1921	18	81
161	Commissioner to improve or construct roads	1921	196	765
161	Commissioner to improve or construct roads	1926	10	142
162	Preliminary surveys, etc	1926	10	143
163	Federal aid	1922	371	786
163	Federal aid	1925	193	411
163	Letting to contract of highways on recommendation	1931	13	16
164	Advertisements, contracts, etc	1921	196	766
164	Advertisements, contracts, etc	1926	10	143
164	Advertisements, contracts, etc	1928	306	787
165	Acceptance of constructed or improved highway	1926	10	145

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165	Acceptance of constructed or improved highway	1928	306	789
166	Acquisition of lands for right of way	1926	10	145
167	Improvement with federal aid	1921	196	768
167	Improvement with federal aid	1923	429	673
167	Improvement with federal aid	1924	460	864
167	Improvement with federal aid	1926	10	146
167	Improvement with federal aid	1929	362	834
167a, added	State routes, constructed partly at county expense	1921	53	232
167b, added	Elimination of grade crossings; highways through Indian reservations	1921	196	769
167b	Elimination of grade crossing; federal aid	1922	371	787
167b	Grade crossing eliminations; federal aid	1929	362	835
168	Improvement with federal aid	1926	10	148
170	State and county highways; maintenance and repair	1922	371	787
170	State and county highways; maintenance and repair	1926	184	345
170	State and county highways; maintenance and repair	1927	73	242
170	State and county highways; maintenance and repair	1929	459	987
170	State and county highways; maintenance and repair	1931	41	345
170c	Maintenance by state of canal bridge approaches	1922	371	788
170d, added	Maintenance of certain highways by a county	1928	597	1331
171	Maintenance of state and county highways; appropriations by state	1929	611	1423
172	Maintenance of state and county highways; cost to town	1922	371	789
172, repealed	Maintenance of state and county highways; cost to town	1929	459	988
172a, repealed	Saving clause; temporary provisions	1922	371	790
173	State and county highways; disbursement of funds	1929	459	988
176	Liability of state for damages	1922	371	790
177	State and county highways; repair contracts	1922	371	790
177	State and county highways; repair contracts	1927	449	1129
180	Repair contracts; payment of county portion	1924	460	866
181	Improvement of alignment and of dangerous conditions on repair work	1923	429	674
181	Improvement of alignment and of dangerous conditions on repair work	1925	335	633
181	Improvement of alignment and of dangerous conditions on repair work	1926	316	575
181a, added	Grade crossing elimination; discontinuance of part of highway	1927	447	1127
182, added	Maintenance of county roads	1921	180	744
183, added	Sale of useless equipment	1923	429	675
184, added	Removal of noxious weeds and brush	1926	491	847
185, added	Warning signs at intersection of state or county highways and other roads	1928	234	468
186, added	Directional signs in cities	1930	105	419
191	Highways by dedication	1921	84	282
191	Highways by dedication	1922	266	629
193	Condemnation commissioners; application for	1924	169	380
193	Condemnation commissioners; application for	1927	88	371
193	Condemnation commissioners; application for	1927	448	1127
194	Condemnation commissioners; appointment and duties	1927	88	373

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195	Condemnation commissioners; notice of meeting	1927	88	373
196	Condemnation commissioners; decision in favor of application	1927	88	374
198	Condemnation commissioners; decision denying application	1927	88	374
199	Condemnation commissioners; motion to confirm, vacate or modify decision of	1927	88	374
200	Laying out highways	1921	10	11
200	Laying out highways	1922	18	14
200	Laying out highways	1927	88	374
202	Assessment of damages; costs	1927	88	375
203	Assessment of damages; costs to be audited	1927	88	376
204	Town officers disagreeing about highway	1927	88	376
205	Difference about improvements	1927	88	377
206	Highway in two or more towns	1927	88	378
207	Highway upon town line	1926	534	912
207	Highway on or adjacent to town line	1931	195	545
208	Condemnation commissioners; final determination	1927	88	378
215	Private roads; jury to determine necessity	1921	403	1246
216, repealed	Private roads; juries; names struck off	1921	403	1247
216, added	Private roads; juries; venire	1921	403	1247
217, repealed	Private roads; juries; place of meeting	1921	403	1247
218	Private roads; jury to assess damages	1921	403	1247
223	Private roads; juries; fees	1921	403	1248
229	Widening roads; petition	1927	88	379
230	Condemnation commissioners; powers and duties	1927	88	379
231	Condemnation commissioners; notice of decision to supervisors	1927	88	380
238	Damages caused by discontinuance	1927	88	380
240	Costs of motion on report of commissioners of appraisal	1927	88	380
241	Change in location of highways on state lands	1924	141	357
241	Change in location of highways on state lands	1927	88	381
Art. 8A (§§ 242, 242a–242d), added	Improvement of highways in certain towns	1925	332	629
242	Improvement of highways in certain towns	1928	467	1039
242	Improvement of highways in certain towns	1928	603	1347
242	Improvement of highways in certain towns	1929	608	1418
242a	Improvement of highways in certain towns	1928	467	1040
242b	Improvement of highways in certain towns	1928	603	1348
242c	Improvement of highways in certain towns	1928	603	1348
242c	Improvement of highways in certain towns	1929	608	1419
242d	Improvement of highways in certain towns	1928	603	1348
250a, added	Bridges on state and county highways	1924	276	533
250a	Bridges on state and county highways	1926	9	141
250a	Bridges on improved highways	1927	293	733
250b, added	Bridges on Indian reservations	1925	333	632
256	Bridges; construction or repair by towns jointly liable	1922	329	716
258	Bridges; duty of town superintendents	1922	371	791
258	Bridges; duty of town superintendents	1923	431	680

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265	Acquisition of toll bridges at expense of state	1927	88	381
269	Acquisition of toll bridges at expense of state	1921	205	845
269, subd. 1	Acquisition of toll bridges at expense of state	1925	334	632
269, subd. 1	Acquisition of toll bridges at expense of state	1926	701	1259
269, subd. 5	Acquisition of toll bridges at expense of state	1927	88	382
269j	County line bridges	1921	558	1694
Art. 11 (§§ 280, 280a, 281, 282, 282a, 282b, 282e, 282f, 283, 283a, 284, 284a, 285, 285a, 285b, 286, 286b, 287, 287a, 287b, 288, 288a, 289, 290, 290a, 290b, 291–299, 299a–299c), repealed	Motor vehicles	1929	54	108
280, repealed	Motor vehicles	1924	360	656
280, added	Motor vehicles; commissioner and bureau	1924	360	656
280, repealed	Motor vehicles; commissioner and bureau	1927	458	1139
280, added	Motor vehicles; bureau, commissioner	1927	458	1139
280, repealed	Motor vehicles; bureau, commissioner	1929	54	108
280a, added	Commissioner of motor vehicles; custody of records	1928	288	770
280a, repealed	Commissioner of motor vehicles; custody of records	1929	54	108
281	Motor vehicles; definitions	1921	580	1756
281	Motor vehicles; definitions	1922	316	697
281	Motor vehicles; application of article; definitions	1924	360	657
281	Motor vehicles; definitions	1925	317	585
281	Motor vehicles; definitions	1926	728	1357
281, repealed	Motor vehicles; definitions	1929	54	108
281, subd. 2	Motor vehicles; definitions	1928	468	1040
281, subd. 3, added	Motor vehicles; definitions	1928	305	786
282	Motor vehicles; registration	1921	580	1757
282, repealed	Motor vehicles; registration	1929	54	108
282, subd. 1	Motor vehicles; registration by owners	1924	360	658
282, subd. 1	Motor vehicles; registration by owners	1926	514	883
282, subd. 2	Motor vehicles; restriction on operation	1923	738	1308
282, subd. 2	Motor vehicles; restriction on operation	1924	360	659
282, subd. 2, repealed	Motor vehicles; restriction on operation	1928	867	1868
282, subd. 3	Motor vehicles; registration books	1924	360	660
282, subd. 4	Motor vehicles; certificates of registration	1924	360	660
282, subd. 4a, added	Motor vehicles; carrying certificate of registration	1924	360	661
282, subd. 4a	Motor vehicles; carrying certificate of registration	1926	515	885
282, subd. 5	Motor vehicles; registration	1925	33	54
282, subd. 5	Motor vehicles; registration	1927	460	1140
282, subd. 6	Motor vehicles; registration fees	1922	535	1226
282, subd. 6	Motor vehicles; registration fees	1924	360	661
282, subd. 6	Motor vehicles; registration fees	1927	371	827
282, subd. 6a	Motor vehicles; schedule for auto trucks and omnibuses	1927	461	1141

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	HIGHWAY LAW—(*Continued*).			
282, subd. 6a, in part	Motor vehicles; schedule for auto trucks	1922	536	1227
282, subd. 6a, in part	Motor vehicles; schedule for auto trucks	1924	360	662
282, subd. 6a, in part	Motor vehicles; schedule for omnibuses	1925	64	83
282, subd. 6b	Motor vehicles; registration fees for trailers	1924	360	663
282, subd. 6b	Motor vehicles; registration fees for trailers	1927	274	709
282, subd. 6c, added	Snowmobiles; registration	1926	511	878
282, subd. 6d, added	Motor vehicles; correction of registration	1927	277	712
282, subd. 8	Motor vehicles; transfer of used	1921	81	278
282, subd. 8	Motor vehicles; transfer of used	1922	372	792
282, subd. 8	Motor vehicles; sale and registration by vendee	1924	360	663
282, subd. 8	Motor vehicles; sale and registration by vendee	1925	517	853
282, subd. 8a, added	Motor vehicles; taken in trade or purchased by dealers	1925	517	854
282a	Motor vehicles; auto trucks and trailers	1921	638	1969
282a	Motor vehicles; auto trucks and trailers	1922	534	1222
282a	Motor vehicles; auto trucks and trailers	1923	429	675
282a	Motor vehicles; motor trucks and trailers	1924	462	867
282a	Motor vehicles; motor trucks and trailers	1926	361	633
282a, repealed	Motor vehicles; motor trucks and trailers	1929	54	108
282b, added	Motor vehicles; indemnity bonds or insurance policies in first class cities	1922	612	1566
282b	Motor vehicles; indemnity bonds or insurance policies in first class cities	1924	360	664
282b	Motor vehicles; indemnity bonds or insurance policies	1924	413	764
282b	Motor vehicles; indemnity bonds or insurance policies	1927	278	712
282b, repealed	Motor vehicles; indemnity bonds or insurance policies	1929	54	108
282b, subd. 1	Motor vehicles; indemnity bonds or insurance policies	1925	315	583
282b, subds. 3, 4	Motor vehicles; carrying passengers for hire	1927	271	705
282e, added	Motor vehicles; negligence of operator attributable to owner	1924	534	955
282e	Motor vehicles; negligence of operator attributable to owner	1925	167	216
282e	Motor vehicles; negligence of operator attributable to owner	1926	730	1360
282e	Motor vehicles; negligence of operator attributable to owner	1928	508	1092
282e, repealed	Motor vehicles; negligence of operator attributable to owner	1929	54	108
282f, added	Motor vehicles; deposit of stock or bonds of municipality in lieu of indemnity bonds or insurance policies	1927	457	1138
282f, repealed	Motor vehicles; deposit of stock or bonds of municipality in lieu of indemnity bonds or insurance policies	1929	54	108
282g, added	Motor vehicles; municipal liability for negligent operation	1929	466	993
283	Motor vehicles; number plates	1921	580	1765

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	HIGHWAY LAW — (*Continued*).			
283	Motor vehicles; distinctive number; number plates; trailers	1924	360	665
283, repealed	Motor vehicles; distinctive number; number plates; trailers	1929	54	108
283, subd. 1	Motor vehicles; number plates	1925	311	578
283, subd. 1	Motor vehicles; number plates	1927	272	706
283, subd. 3	Motor vehicles; number plates	1923	736	1307
283, subd. 4	Motor vehicles; trailers	1923	123	154
283, subd. 4, added	Motor vehicles; number plates	1925	312	579
283a, added	Motor vehicles; issuance of plates by county clerks	1921	580	1766
283a	Motor vehicles; issuance of plates	1924	360	666
283a	Motor vehicles; issuance of plates	1925	314	582
283a	Motor vehicles; issuance of plates	1928	865	1863
283a, repealed	Motor vehicles; issuance of plates	1929	54	108
284	Motor vehicles; manufacturers' and dealers' registration and plates	1921	580	1766
284	Motor vehicles; manufacturers' and dealers' registration and plates	1924	360	667
284	Motor vehicles; manufacturers' and dealers' registration and plates	1925	313	579
284, repealed	Motor vehicles; manufacturers' and dealers' registration and plates	1929	54	108
284, subd. 1	Motor vehicles; dealers' number plates	1922	317	698
284, subd. 1	Motor vehicles; number plates	1925	184	388
284, subd. 1	Motor vehicles; number plates	1926	238	440
284, subd. 3	Motor vehicles; registration	1925	33	54
284, subd. 3	Motor vehicles; registration	1927	270	704
284, subd. 4, renumbered subd. 5	Motor vehicles; registration by manufacturers and dealers	1921	593	1887
284, subd. 4, added	Motor vehicles; registration by manufacturers and dealers	1921	593	1887
284, subd. 6, added	Motor vehicles; registration by manufacturers and dealers	1927	459	1140
284a	Motor vehicles; use of dealer's number plates by vendee	1921	580	1768
284a	Motor vehicles; use of dealer's number plates by vendee	1921	593	1887
284a	Motor vehicles; use of dealer's number plates by vendee	1924	360	668
284a	Motor vehicles; use of dealer's number plates by vendee	1925	313	581
284a, repealed	Motor vehicles; use of dealer's number plates by vendee	1929	54	108
285	Motor vehicles; exemption of nonresident owners	1928	866	1864
285, repealed	Motor vehicles; exemption of nonresident owners	1929	54	108
285a, added	Motor vehicles; service of summons on nonresidents	1928	465	1036
285a	Motor vehicles; service of summons on nonresidents	1929	10	14
285a, repealed	Motor vehicles; service of summons on nonresidents	1929	54	108

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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285b, added	Motor vehicles; action against nonresident; security for costs	1928	465	1037
285b, repealed	Motor vehicles; action against nonresident; security for costs	1929	54	108
286	Motor vehicles; equipment, rules of road	1921	580	1769
286, repealed	Motor vehicles; equipment, rules of road	1929	54	108
286, section heading and subd. 1	Motor vehicles; equipment, rules of road	1921	85	283
286, subd. 1	Motor vehicles; equipment	1925	310	577
286, subd. 2	Motor vehicles; lights	1922	537	1227
286, subd. 2	Motor vehicles; lights	1924	360	669
286, subd. 2	Motor vehicles; lights	1926	507	867
286, subd. 2	Motor vehicles; lights	1928	682	1501
286, subd. 3	Motor vehicles; lights	1922	537	1227
286, subd. 3	Motor vehicles; lights	1924	360	669
286, subd. 3	Motor vehicles; lights	1926	507	868
286, subd. 4, repealed	Motor vehicles; front lights on trucks	1922	537	1229
286, subd. 4, added	Motor vehicles; headlights	1922	537	1229
286, subd. 4	Motor vehicles; headlights	1924	360	670
286, subd. 4	Motor vehicles; lights	1926	507	869
286, subd. 4a, added	Motor vehicles; headlight testing agencies	1924	360	671
286, subd. 4a	Motor vehicles; headlight testing agencies	1926	507	869
286, subd. 5	Motor vehicles; lights on parked cars	1925	32	53
286, subd. 5	Motor vehicles; lights on parked cars	1926	507	870
286, subd. 6	Motor vehicles; devices controlling headlights	1924	360	672
286, subd. 6	Motor vehicles; devices controlling headlights	1926	507	870
286, subd. 6a, added	Motor vehicles; headlighting devices	1924	360	672
286, subd. 6a	Motor vehicles; headlighting devices	1926	507	870
286, subd. 7	Motor vehicles; headlights	1926	507	871
286, subd. 10, repealed	Motor vehicles; mirrors or other reflecting devices	1924	360	673
286, subd. 11, added	Motor vehicles; fire extinguishers on omnibuses	1921	405	1250
286, subd. 11	Motor vehicles; fire extinguishers on omnibuses	1924	360	673
286, subd. 12, added	Motor vehicles; reflecting device	1922	534	1223
286a	Motor vehicles; transparently illuminated rear plates	1921	580	1773
286a, repealed	Motor vehicles; transparently illuminated rear plates	1925	261	525
286b, added	Motor vehicles; weights and capacity to be displayed	1922	534	1223
286b, repealed	Motor vehicles; weights and capacity to be displayed	1929	54	108
287	Motor vehicles; speed permitted	1922	534	1224
287, repealed	Motor vehicles; speed permitted	1929	54	108
287a, repealed	Speed on grounds of state institutions	1929	54	108
287b, added	Motor vehicles; reckless driving	1924	360	673
287b, repealed	Motor vehicles; reckless driving	1929	54	108
288	Motor vehicles; local ordinances prohibited	1921	132	380
288	Motor vehicles; local ordinances prohibited	1921	580	1774

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288	Motor vehicles; local ordinances prohibited	1924	360	673
288	Motor vehicles; local ordinances prohibited	1925	317	587
288	Motor vehicles; local ordinances prohibited	1926	358	629
288	Motor vehicles; local ordinances prohibited	1927	367	822
288, repealed	Motor vehicles; local ordinances prohibited	1929	54	108
288a, added	Motor vehicles; scope of local ordinance	1921	132	382
288a, repealed	Motor vehicles; scope of local ordinance	1929	54	108
288b, added	Motor vehicles; use of local ordinances as evidence	1925	316	585
288b, repealed	Motor vehicles; use of local ordinances as evidence	1927	367	824
289	Motor vehicles; license of operators or chauffeurs	1921	580	1776
289	Motor vehicles; license of operators or chauffeurs	1928	867	1865
289, repealed	Motor vehicles; license of operators or chauffeurs	1929	54	108
289, subd. 1	Motor vehicles; license of operators or chauffeurs	1924	360	675
289, subd. 1	Motor vehicles; license of operators or chauffeurs	1925	319	589
289, subd. 2	Motor vehicles; license of operators or chauffeurs	1924	360	675
289, subd. 4	Motor vehicles; unlicensed operators or chauffeurs	1924	360	677
289, subd. 5	Motor vehicles; license of operators or chauffeurs	1922	17	13
289, subd. 5	Motor vehicles; licenses; renewal	1924	360	674
289a, added	Motor vehicles; revocation and reissuance of licenses	1921	580	1778
289a, repealed	Motor vehicles; revocation and reissuance of licenses	1924	360	678
290	Motor vehicles; punishment for violations	1921	580	1779
290, repealed	Motor vehicles; punishment for violations	1929	54	108
290, subd. 1	Motor vehicles; punishment for violations	1921	85	284
290, subd. 1	Motor vehicles; punishment for violations	1922	534	1224
290, subd. 1a, added	Motor vehicles; punishment for violations	1922	534	1225
290, subd. 2	Motor vehicles; punishment for violations	1921	85	284
290, subd. 3	Motor vehicles; punishment for operating while intoxicated	1921	85	285
290, subd. 3	Motor vehicles; punishment for operating while intoxicated	1922	389	819
290 subd. 3	Motor vehicles; operating while intoxicated, etc	1924	360	678
290, subd. 3	Motor vehicles; operating while intoxicated, etc	1925	318	588
290, subd. 3	Motor vehicles; operating while intoxicated, etc	1926	732	1369
290, subd. 5	Motor vehicles; operating while certificate suspended or revoked	1927	296	737
290, subd. 6, repealed	Motor vehicles; punishment for violations	1924	360	679
290, subd. 7a, added	Motor vehicles; offenses relative to stolen	1924	360	679
290, subd. 9, repealed	Motor vehicles; certifying convictions	1924	360	679
290, subd. 9, added	Motor vehicles; certifying convictions	1926	250	456
290, subd. 10	Motor vehicles; violations, release from custody	1921	85	286
290, subd. 10	Motor vehicles; violations, release from custody	1922	349	742
290, subd. 10	Motor vehicles; violations, release from custody	1927	276	710
290, subd. 11	Motor vehicles; violations	1921	85	287
290, subd. 11	Motor vehicles; violations	1923	737	1307
290a	Motor vehicles; suspension and revocation of license	1921	85	288
290a	Motor vehicles; suspension and revocation of license	1921	580	1782
290a, repealed	Motor vehicles; suspension and revocation of license of operator or chauffeur	1924	360	679

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	HIGHWAY LAW — (*Continued*).			
290a, added	Motor vehicles; suspension, revocation and reissuance of licenses and certificates of registration	1924	360	679
290a	Motor vehicles; suspension, revocation and reissuance of licenses and certificates of registration	1925	440	756
290a	Motor vehicles; supervision, revocation and reissuance of licenses and certificates of registration	1926	512	879
290a, repealed	Motor vehicles; supervision, revocation and reissuance of licenses and certificates of registration	1929	54	108
290b	Motor vehicles; suspension and revocation of license	1921	85	289
290b	Motor vehicles; certificate by magistrate	1921	580	1784
290b	Motor vehicles; certificate by magistrate	1924	360	681
290b, repealed	Motor vehicles; certificate by magistrate	1929	54	108
291	Motor vehicles; disposition of registration fees	1921	580	1784
291, repealed	Motor vehicles; disposition of registration fees; fines and penalties	1929	54	108
291, subd. 1	Motor vehicles; disposition of penalties	1924	360	681
291, subd. 1	Motor vehicles; disposition of penalties	1927	366	820
291, subd. 2	Motor vehicles; disposition of registration fees	1924	360	681
291, subd. 2	Motor vehicles; disposition of fees	1925	103	120
291, subd. 3	Motor vehicles; disposition of fees	1925	103	121
291, subd. 3	Motor vehicles; disposition of fees	1927	275	710
291, subd. 4	Motor vehicles; disposition of registration fees	1921	657	2030
291, subd. 4	Motor vehicles; disposition of registration fees	1923	426	665
291, subd. 4	Motor vehicles; disposition of registration fees	1926	249	453
291, subd. 4	Motor vehicles; disposition of registration fees	1928	245	723
292, repealed	Motor vehicles; rates of toll	1929	54	108
293, repealed	Motor vehicles; acts repealed	1929	54	108
294, added	Motor vehicles; delegation of powers to director of motor vehicle bureau	1921	580	1787
294	Motor vehicles; delegation of powers to director of motor vehicle bureau	1922	534	1225
294, repealed	Motor vehicles; delegation of powers to director of motor vehicle bureau	1924	360	683
295, added	Motor vehicles; inspection	1922	534	1225
295	Motor vehicles; inspection	1923	429	676
295, renumbered 294, and amended	Motor vehicles; inspection	1924	360	683
295, added	Motor vehicles; sale with changed or special engine number or substituted engine	1924	360	683
295	Motor vehicles; sale with changed or special engine number or substituted engine	1927	273	707
295, repealed	Motor vehicles; sale with changed or special engine number or substituted engine	1929	54	108
296, added	Motor vehicles; wrongful possession with changed engine number	1924	360	685
296	Motor vehicles; wrongful possession with changed engine number	1927	273	708
296, repealed	Motor vehicles; wrongful possession with changed engine number	1929	54	108
297, added	Motor vehicles; peace officers and their duties	1924	360	685
297, repealed	Motor vehicles; peace officers and their duties	1929	54	108
298, added	Motor vehicles; stolen and unclaimed vehicles	1924	360	686
298	Motor vehicles; stolen and unclaimed vehicles	1926	727	1356

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298	Motor vehicles; stolen and unclaimed vehicles	1927	456	1137
298, repealed	Motor vehicles; stolen and unclaimed vehicles	1929	54	108
299, added	Motor vehicles; deputization of officers of motor clubs	1924	36	686
299, repealed	Motor vehicles; deputization of officers of motor clubs	1929	54	108
299a, added	Motor vehicles; reports of accidents	1924	360	686
299a, repealed	Motor vehicles; reports of accidents	1929	54	108
299b, added	Motor vehicles; reports of accidents	1924	360	686
299b, repealed	Motor vehicles; reports of accidents	1924	54	108
299c, added	Motor vehicles; reports, form, etc	1924	360	687
299c, repealed	Motor vehicles; reports, form, etc	1929	54	108
Art. 11a (§§ 300–307, 307a, 307b, 308, 309)	Motor cycles	1921	580	1787
Art. 11a (§§ 300–303, 303a, 304–307, 307a, 307b, 308, 309), repealed	Motor cycles	1929	54	108
300	Motor cycles; application of article	1921	580	1787
300	Motor cycles; application of article	1926	731	1361
300, repealed	Motor cycles; application of article	1929	54	108
301	Motor cycles; definitions	1921	580	1788
301	Motor cycles; definitions	1924	360	687
301	Motor cycles; definitions	1926	731	1361
301, repealed	Motor cycles; definitions	1929	54	108
302	Motor cycles; registration	1921	580	1788
302, repealed	Motor cycles; registration	1929	54	108
302, subd. 1	Motor cycles; registration	1924	360	687
302, subd. 1	Motor cycles; registration	1926	731	1362
302, subd. 2	Motor cycles; registration	1924	360	688
302, subd. 2	Motor cycles; registration	1926	731	1362
302, subd. 3	Motor cycles; registration	1924	360	688
302, subd. 4	Motor cycles; registration	1922	533	1221
302, subd. 4	Motor cycles; registration	1924	360	688
302, subd. 4	Motor cycles; registration	1926	731	1362
302, subd. 5	Motor cycles; registration	1926	731	1363
302, subd. 6	Motor cycles; registration	1922	533	1221
302, subd. 6	Motor cycles; registration	1924	360	689
302, subd. 6	Motor cycles; registration	1926	731	1363
302, subd. 8	Motor cycles; sale and registration by vendee	1924	360	689
302, subd. 8	Motor cycles; sale and registration by vendee	1926	731	1364
303	Motor cycles; distinctive number; form of number plates	1921	580	1790
303	Motor cycles; distinctive number; number plates	1924	360	689
303, repealed	Motor cycles; distinctive number; number plates	1929	54	108
303a	Motor cycles; issuance of plates; fee	1921	580	1790
303a	Motor cycles; issuance of plates; fee	1924	360	690
303a, repealed	Motor cycles; issuance of plates; fee	1929	54	108
304	Motor cycles; exemption of nonresident owners	1921	580	1791
304, repealed	Motor cycles; exemption of nonresident owners	1929	54	108
305	Motor cycles; signals; rules of road	1921	580	1791
305, repealed	Motor cycles; signals; rules of road	1929	54	108
306	Motor cycles; speed permitted	1921	580	1793

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306	Motor cycles; speed permitted	1926	731	1364
306, repealed	Motor cycles; speed permitted	1929	54	108
307	Motor cycles; local ordinances prohibited	1921	580	1793
307	Motor cycles; local ordinances prohibited	1924	360	690
307	Motor vehicles; local ordinances prohibited	1926	731	1364
307	Motor cycles; local ordinances prohibited	1927	46	69
307, repealed	Motor cycles; local ordinances prohibited	1929	54	108
307a	Motor cycles; local ordinance; reports of violations	1921	580	1794
307a, repealed	Motor cycles; local ordinance; reports of violations	1929	54	108
307b	Motor cycles; revocation and reissuance of licenses	1921	580	1796
307b	Motor cycles; revocation and reissuance of registration	1924	360	692
307b	Motor cycles; revocation and reissuance of registration	1926	731	1366
307b, repealed	Motor cycles; revocation and reissuance of registration	1929	54	108
308	Motor cycles; punishment for violation	1921	580	1796
308, repealed	Motor cycles; punishment for violation	1929	54	108
308, subd. 2, repealed	Motor cycles; punishment for violation	1926	731	1366
308, subd. 3	Motor cycles; operating while intoxicated, etc	1924	360	692
308, subd. 3	Motor cycles; operating while intoxicated, etc	1926	731	1366
308, subd. 3a, added	Motor cycles; operating without license	1926	731	1367
308, subd. 4	Motor cycles; operating without certificate of registration	1926	731	1367
308, subd. 5	Motor cycles; false statement in registration	1926	731	1367
308, subd. 6	Motor cycles; punishment for violation	1924	360	692
308, subd. 6, repealed	Motor cycles; punishment for violation	1926	731	1367
308, subd. 8	Motor cycles; certifying conviction to commissioner	1924	360	693
308, subd. 8	Motor cycles; certifying conviction to commissioner	1926	731	1367
308, subd. 9	Motor cycles; arrest for violation	1926	731	1368
309	Motor cycles; fees, fines, penalties	1921	580	1799
309, repealed	Motor cycles; fees, fines, penalties	1929	54	108
309, subd. 1	Motor cycles; deposit of registration fees	1924	360	693
309, subd. 1	Motor cycles; deposit of registration fees	1923	731	1368
309, subd. 2	Motor cycles; disposition of fines and penalties	1923	731	1369
309, subd. 3	Motor cycles; registration fees	1923	429	676
309, subd. 4, repealed	Motor cycles; disposition of fines and penalties	1924	360	693
309, subd. 4, added	Motor cycles; disposition of penalties or forfeitures	1924	360	693
309a, added	Motor vehicles; powers of inspection	1922	78	250
309a, repealed	Motor vehicles; powers of inspection	1926	731	1369
320	Construction of highways by county and town	1929	362	835
320a	County aid for town highways	1923	426	667
320a	County aid for town highways	1923	430	676
320a, subd. 1	County aid for town highways	1929	362	839
320a, subd. 3	Employment of convict labor on roads	1928	167	305
320a, subd. 7	County aid for town highways	1923	249	454
320a, subd. 7	County aid for town highways	1927	452	1131
320a, subd. 8, repealed	County aid for town highways	1926	249	454
320b	State aid to counties for highways	1922	162	475

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320b, repealed	State aid to counties for highways	1929	362	839
320b, added	State aid to counties for highways	1929	362	839
320b, subds. 1, 2, 4–11	State aid to counties for highways	1930	770	1384
320c, added	County aid, connecting highways	1922	51	211
320c	County aid, connecting highways	1927	451	1130
320d, added	Construction of county roads in third class cities	1921	125	366
320d	Construction of county roads in certain third class cities	1924	372	714
320d	Construction of county roads in third class cities	1930	728	1327
320e, added	County aid for connecting highways through villages	1922	416	881
320e	County aid for connecting highways through villages	1927	370	825
320f, added	County aid, highways in Cattaraugus county	1922	229	549
320f	County aid, highways in Cattaraugus county	1924	51	84
320g, added	County aid for highway in North Tonawanda	1923	739	1309
320h, added	County aid for highway between Wendelville and Lockport	1924	422	775
320i, added	County aid for certain highway	1925	329	612
320j, added	Acquisition of lands for county aid highways	1925	331	627
320k, added	Extension of highway in North Tonawanda	1927	150	472
320l, added	Highways in Niagara county	1927	30	36
320m, added	County aid, highways through cities, Niagara county	1927	297	738
320n, added	Cortland county; county roads in certain cities	1928	352	865
320o, added	County aid, connecting highway, Niagara county	1929	179	436
320o, added	Construction of roads at joint expense of county and towns	1929	308	761
320p, added	Construction county highway; Niagara	1930	541	1027
320q, added	County aid for connecting highway; Sherrill	1931	60	379
321	Condemnation commissioners; not acting	1927	88	382
327	Free use of highways	1927	88	383
329a	Lights on vehicles	1923	427	670
333	Trees; ownership	1922	371	791
333a, added	Planting trees along state and county highways	1930	78	113
337	Penalties; how recovered	1922	371	791
345, added	Lighting of public highways or bridges	1922	634	1682
355, repealed	County highway maps preserved	1921	18	82
	INDIAN LAW: (L. 1909, ch. 31, constituting cons. laws, ch. 26.)			
5a, added	Justices of the peace for reservations	1923	605	912
13	Powers of departments of charities and education	1927	16	17
14	Trust funds for Indians	1927	16	17
20	Onondaga Indians, agents	1927	16	18
21	Onondaga Indians; agents, duties	1927	16	18
74	Seneca nation; attorney	1927	16	19
81	Tonawanda nation; attorney	1927	16	19
86	Tonawanda nation; payment of annuity	1927	16	20
100	Saint Regis Indians; attorney	1927	16	20
101, subds. 1, 6	Saint Regis Indians; attorney	1927	16	20

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	INSURANCE LAW: (L. 1909, ch. 33, constituting cons. laws, ch. 28.)			
2	Insurance department; superintendent	1927	164	520
3	Officers for insurance department	1927	164	520
4	Seal and certificate, when evidence	1927	164	521
7	Expenses of examinations	1926	245	445
9	Certificate of authorization	1923	152	187
9	Certificate of authorization	1925	525	863
9	Certificate of authorization	1927	164	521
12	Minimum capital stock	1930	332	727
13	Deposit of securities	1921	128	370
13	Deposit of securities	1923	124	155
15	Transfer of securities; how countersigned	1927	164	521
16	Investment of capital and surplus	1921	255	955
16	Investment of capital and surplus	1923	606	913
16, subd. 3a, added	Investment of capital and surplus	1930	717	1312
16, subd. 4	Investment of capital and surplus	1925	202	429
16, subd. 10	Investment of capital and surplus	1925	202	429
16, subd. 12	Investment of capital and surplus	1930	717	1313
20a, added	Powers as to real property during certain emergencies.	1922	658	1802
20a	Powers as to real property during certain emergencies.	1924	284	544
22	Reinsurance	1921	707	2494
22	Reinsurance	1922	419	892
22	Reinsurance	1926	246	446
22	Reinsurance	1930	320	715
28	Life casualty and surety corporations organized outside United States; funds and capital within United States	1930	362	764
31	Filing and publication of statements	1923	125	156
33	Reciprocal requirements	1924	547	988
34	Taxation of foreign corporations	1921	127	367
34	Taxation of foreign corporations	1927	463	1145
34	Taxation of foreign corporations and foreign insurers	1928	683	1502
36	Pecuniary interest of officers and directors in transactions	1930	257	626
39	Examiners and examinations	1923	443	703
39	Examiners and examinations	1931	477	1106
40	Examination into affairs of company	1923	443	704
44	Reports of corporations	1923	443	704
45	Forms of reports	1923	443	705
45	Forms of reports	1926	221	395
45	Forms of reports	1928	470	1044
45a, added	Insurance department; destruction of records and papers	1929	287	715
48	Contents of advertisements	1931	475	1104
49	Agents	1923	740	1311
50	Agents of nonadmitted insurers	1923	43	44
50	Agents of nonadmitted insurers	1925	526	864
52	Reorganization of existing corporations; amendment of certificates	1924	546	986
52, subd. 2	Amendment of charters and certificates	1929	171	414
52, subd. 3	Reorganization of existing corporations; life insurance.	1927	164	522
54	Insurance business conducted by persons not incorporated	1923	152	188

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	INSURANCE LAW — (*Continued*).			
55	Insurance without consent of insured prohibited	1922	108	402
55	Insurance on lives of minors	1923	33	34
55	Insurance without consent of insured prohibited	1929	292	742
55	Insurance without consent of insured prohibited	1930	601	1104
55a, added	Life insurance; rights of creditors and beneficiaries under policies	1927	468	1155
56	Foreign insurance companies	1923	42	43
60	Estimates and misrepresentations prohibited	1923	439	697
63, subd. 1	Delinquent insurance corporations	1922	69	237
63, subd. 1	Delinquent insurance corporations	1930	196	545
63, subd. 11	Delinquent insurance corporations	1922	69	238
66	Promotion of insurance corporations; sale of securities	1930	363	767
66a, added	Dissolution for non-user	1930	194	544
67	Approval of premium rates	1926	545	950
67a, added	Motor vehicles; approval of premium rates	1927	465	1151
68, added	Conversion of mutual into stock insurance corporation	1922	662	1850
69, added	Reinsurance corporations	1925	121	138
70	Incorporation	1921	408	1253
70, subd. 2	Casualty insurance corporations; powers	1929	289	722
70, subd. 3	Casualty insurance companies; powers	1922	287	661
70, subd. 3	Casualty insurance companies; powers	1926	480	834
70, subd. 4	Indemnity corporations	1927	462	1144
70, subd. 4a	Indemnity corporations	1930	332	728
70, subd. 5	Mutual life, health and casualty corporations	1923	814	1473
70, subd. 5	Mutual life, health and casualty corporations	1925	201	428
70, subd. 9	Mutual life, health and casualty corporations	1923	814	1474
70, subd. 9	Mutual life, health and casualty corporations	1930	395	848
70, subd. 11	Mutual life, health and casualty corporations	1922	659	1803
70, subd. 11	Mutual life, health and casualty corporations	1923	814	1474
71	Mutual life, health and casualty corporations	1921	408	1257
71	Mutual life, health and casualty corporations	1922	659	1804
71	Mutual life, health and casualty corporations	1923	814	1475
71a, added	Mutual life, health and casualty corporations	1922	659	1805
71a, subds. 1, 3, 5, 7, 12	Mutual life, health and casualty corporations	1927	471	1158
71a, subd. 14, added	Mutual life, health and casualty corporations	1927	464	1149
74	Registered policies and annuity bonds; annual report	1927	164	522
80a, added	Casualty insurance companies; merger or consolidation	1929	286	713
80a	Casualty insurance companies; merger or consolidation	1930	719	1317
80a	Casualty insurance companies; merger or consolidation	1931	279	681
83	Life insurance; distribution of surplus to policyholders	1927	467	1153
83a, added	Industrial life insurance; definition	1927	472	1161
84	Valuation of life insurance policies	1923	209	267
84, subd. 2	Valuation of life insurance policies	1929	291	728
84, subd. 5	Valuation of life insurance policies	1930	716	1312
84, subd. 6	Valuation of life insurance policies	1927	472	1126
84, subd. 6	Valuation of life insurance policies	1929	291	729
84, subd. 7	Valuation of life insurance policies	1929	291	729
85	Valuation of life insurance policies	1929	291	730
86, subd. 2	Casualty or surety insurance corporations	1924	540	972

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	INSURANCE LAW — (*Continued*).			
86, subd. 2, subd. C, ¶ (4)	Casualty or surety insurance corporations	1925	142	165
88	Valuation of life insurance policies	1929	291	730
89	Discriminations prohibited	1923	152	189
89	Discriminations prohibited	1927	472	1162
91	Agents' certificate of authority	1923	260	453
91	Agents' certificate of authority	1925	138	159
91, subd. 3	Agents' certificate of authority	1927	472	1163
91a	Agents for health or accident insurance	1925	528	867
92a, added	Examination of insured under certain policies	1929	284	710
96	Life insurance company; limitation of new business	1927	472	1163
96, repealed	Life insurance company; limitation of new business	1929	291	732
96, added	Life insurance company; limitation of new business	1929	291	732
96a	Life insurance company; limitation of new business	1923	432	681
96a, repealed	Life insurance company; limitation of new business	1929	291	732
97	Life insurance company; limitation of expenses	1921	287	1000
97	Life insurance company; limitation of expenses	1923	209	269
97, subd. 1	Life insurance company; limitation of expenses	1929	291	733
97, subd. 2	Life insurance company; limitation of expenses	1924	541	975
97, subd. 2	Life insurance company; limitation of expenses	1929	291	735
97, subds. 3, 5	Life insurance company; limitation of expenses	1929	291	736
97, subd. 8, repealed	Life insurance company; limitation of expenses	1929	291	737
97, subd. 8, added	Life insurance companies; limitation of expenses	1929	291	737
97, subd. 9, repealed	Life insurance company; limitation of expenses	1929	291	737
97, subd. 10	Life insurance company; limitation of expenses	1925	128	149
97, subd. 10, renumbered 9, and amended	Life insurance company; limitation of expenses	1929	291	737
97, subds. 10, 11, added	Life insurance company; limitation of expenses	1929	291	737
98	Domestic life insurance companies; pensions for officers and employees	1926	359	631
100	Domestic life insurance companies; investments	1921	488	1506
100	Domestic life insurance companies; investments	1926	582	1036
100	Domestic life insurance companies; investments	1928	539	1165
101	Standard forms of life insurance policies	1921	407	1251
101	Standard forms of life insurance policies	1922	275	641
101	Standard forms of life insurance policies	1923	28	28
101, opening paragraph	Standard forms of life insurance policies	1927	472	1164
101½, added	Standard provisions for annuities and pure endowment contracts	1923	261	455
101a	Group life insurance	1924	549	992
101a	Group life insurance	1925	523	861
101a	Group life insurance	1926	129	282
101a, subds. (1), (2)	Group life insurance	1929	292	738
101a, subd. (3), added	Group life insurance	1926	92	248
101b	Group life insurance; standard policies	1922	275	644

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	INSURANCE LAW — (*Continued*).			
101b	Group life insurance; standard policies	1929	292	740
103	Life insurance companies; annual reports	1924	543	981
103	Life insurance companies; annual reports	1930	428	901
106	Mutual life insurance corporations; election of directors	1927	469	1156
107, subd. (k), subd. (1)	Group health and accident policies	1922	286	660
107, subd. (k), subd. (1)	Group health and accident policies	1929	280	705
109	Liability policies; standard provisions	1923	434	684
109	Liability policies; standard provisions	1924	639	1187
110	Fire insurance corporations; powers	1921	237	913
110	Insurance for losses from certain causes	1929	281	706
110	Insurance for losses from certain causes	1930	391	823
111, repealed	Mutual fire insurance corporations	1921	237	915
111, added	Mutual fire insurance corporations	1921	237	915
111a, added	Incorporation of certain mutual or assessment associations	1923	802	1443
112	Subscriptions to capital	1921	237	920
113	Capital stock notes and deposit notes	1921	237	920
114, repealed	Cash capital united as additional security	1921	237	921
115	Deposit notes and cash payments	1921	237	921
116	Mutual corporations; assessments	1921	237	922
117	Estimation of surplus	1923	435	685
117	Estimation of surplus	1931	428	1025
121, subd. 3d	Standard fire insurance policy	1923	438	696
121, subd. 8th	Standard fire insurance policies	1931	353	790
121, subd. 10th	Standard fire insurance policy	1922	268	631
121a, added	Examination of insured under certain policies	1930	561	1045
124, repealed	Joint-stock corporations; extension	1931	355	791
125, repealed	Conversion of mutual into stock corporation	1922	662	1819
126	Mutual corporations; extension of term of charter	1921	237	923
126	Mutual corporations; extension of term of charter	1922	61	229
126, repealed	Mutual corporations; extension of term of charter	1931	354	791
128, repealed	Duration fire insurance corporation	1930	249	617
128, added	Duration fire insurance corporation	1930	249	617
129	Fire or marine insurance companies; merger or consolidation	1923	433	682
129	Fire or marine insurance companies; merger or consolidation	1929	285	711
129	Fire or marine insurance companies; merger or consolidation	1931	279	684
133	Payment of tax by agents of foreign fire insurance corporations to fire departments	1928	684	1504
138, repealed	Licenses to persons, partnerships, associations and corporations in excepted cases	1925	140	163
138a	Public adjusters; certificate of authority	1924	537	963
141	Rate making associations	1922	660	1810
141	Rate making associations	1923	436	686
141a, added	Regulation of rates for fire risks	1922	660	1813
141a	Regulation of rates for fire risks	1923	436	689
141b, added	Regulation of other insurance rates; exceptions	1922	660	1815
141b	Regulation of other insurance rates; exceptions	1923	436	691
142	Agents' certificate of authority	1922	330	717

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	INSURANCE LAW—(*Continued*).			
142	Agents' certificate of authority	1925	522	858
143	Broker's certificate of authority	1923	444	706
143, subd. 4	Broker's certificate of authority	1928	637	1391
143, subd. 4	Broker's certificate of authority	1929	283	709
143, subd. 7	Broker's certificate of authority	1928	637	1392
143, subds. 10–13	Broker's certificate of authority	1929	282	707
143, subd. 14	Broker's certificate of authority	1928	637	1392
144, repealed	Fire insurance; fees not to be included in sum charged for policy	1922	660	1816
144, added	Licensing broker without written examination	1930	427	900
145, repealed	Fire insurance; report of consideration to company	1922	660	1816
146, repealed	Fire insurance; fees and charges to be indorsed on policy	1922	660	1816
147, repealed	Fire insurance; penalty for violation by company	1922	660	1816
148, repealed	Fire insurance; penalties for violation by officers and agents	1922	660	1816
149, subd. (c)	Mutual fire insurance; premiums	1926	183	342
149a	Mutual fire insurance; premium or assessment tax	1926	183	342
149c	Mutual fire insurance; distribution of tax	1926	183	344
150	Marine insurance corporations; incorporation	1921	236	910
150	Marine insurance corporations; definitions	1923	437	693
150, subd. 1, ¶ (b)	Marine insurance corporations; definitions	1925	203	430
150, subd. 1, ¶ (c), added	Marine insurance corporations; definitions	1925	203	430
159, repealed	Marine corporations; conversion of mutual into stock	1922	662	1819
161	Agencies beyond United States	1923	437	695
169a, added	Taxation; reports	1927	463	1147
170	Title and credit guaranty corporations	1929	290	722
171, repealed	Title and credit guaranty corporations	1929	290	724
171, added	Title and credit guaranty corporations	1929	290	724
171	Title and credit guaranty corporations; completion of organization	1930	856	1590
172, repealed	Title and credit guaranty corporations	1929	290	724
172, added	Title and credit guaranty corporations	1929	290	724
172	Title and credit guaranty corporations	1930	305	696
173, repealed	Title and credit guaranty corporations	1929	290	724
173, added	Title and credit guaranty corporations	1929	290	724
174, repealed	Title and credit guaranty corporations	1929	290	724
175	Title and credit guaranty corporations	1926	91	248
175, repealed	Title and credit guaranty corporations	1929	290	724
176–178, repealed	Title and credit guaranty corporations	1929	290	724
179, renumbered 174, and amended	Title and credit guaranty corporations; merger	1929	290	725
180, repealed	Title guarantee companies; additional powers	1923	07	72
181, 182, made 109a, and amended	Title and credit guaranty corporations; powers and duties	1924	544	983
182a, renumbered 175	Title and credit guaranty corporations	1929	290	728
183, repealed	Title and credit guaranty corporations	1929	290	728
185	Mutual employers' liability and workmen's compensation insurance corporations	1921	409	1260

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	INSURANCE LAW — (*Continued*).			
185	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1465
186	Mutual employers' liability and workmen's compensation insurance corporations	1921	409	1263
186, repealed	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1467
186, added	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1467
186, subd. 1, ¶ (a)	Mutual employers' liability and workmen's compensation insurance corporations	1929	295	746
187	Mutual employers' liability and workmen's compensation insurance corporations	1922	267	631
187	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1469
188	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1469
189	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1469
190	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1470
190	Mutual employers' liability and workmen's compensation insurance corporations	1927	470	1156
192	Mutual employers' liability and workmen's compensation insurance companies	1930	715	1311
194	Mutual employers' liability and workmen's compensation insurance corporations	1921	409	1264
194	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1471
195, repealed	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1472
197, added	Mutual employers' liability and workmen's compensation insurance corporations	1923	812	1472
197	Mutual employers' liability and workmen's compensation insurance corporations	1925	532	875
200	Life or casualty insurance companies; incorporation	1929	288	716
204	Life or casualty insurance companies; foreign corporations	1929	288	717
207	Visitation and inspection by superintendent	1929	288	718
208, repealed	Hearing upon application by superintendent	1929	288	720
209	Corporations subject to provisions of article; annual meetings	1929	288	720
210	Co-operative or assessment life or casualty corporations	1925	520	856
210a, added	Co-operative or assessment life or casualty corporations	1925	527	865
214	Co-operative or assessment life or casualty corporations	1927	466	1152
214	Co-operative or assessment life or casualty corporations	1928	309	791
214	Exemption of certain societies	1929	288	721
Art. 6a (§§ 221–228), added	Employees' mutual benefit association	1924	548	989

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	INSURANCE LAW — (*Continued*).			
Art. 6B (§ 229), added	Retirement systems and pensions	1926	501	860
231, subd. 1, ¶ (b)	Fraternal benefit societies	1923	24	23
231, subd. 1, ¶ (b)	Fraternal benefit societies	1924	545	985
231, subd. 2	Fraternal benefit societies	1924	536	962
231, subd. 2	Fraternal benefit societies	1925	521	857
231, subd. 4	Fraternal benefit societies; powers	1923	440	698
231, subd. 4	Fraternal benefit societies; powers	1925	531	872
231, subd. 4	Fraternal benefit societies; powers	1928	469	1042
231, subd. 4, opening paragraph	Fraternal benefit societies; powers	1926	268	472
236, subd. 1	Fraternal benefit societies; mergers and contracts	1929	279	704
247	Fraternal benefit societies; penalties; injunction	1926	661	1207
248	Application of other sections of chapter	1923	439	698
262	Co-operative fire insurance corporations	1921	410	1265
262, subd. 1	Co-operative fire insurance corporations	1924	538	966
262, subd. 1	Co-operative fire insurance corporations	1930	718	1313
262, subd. 1	Co-operative fire insurance corporations	1931	474	1100
262, subd. 4	Co-operative fire insurance corporations	1930	718	1315
263	Co-operative fire insurance corporations	1921	410	1268
264, subd. 3	Co-operative fire insurance corporations	1931	474	1101
265	Co-operative fire insurance corporations	1924	538	967
265	Co-operative fire insurance corporations	1930	718	1315
266	Co-operative fire insurance corporations	1921	410	1269
266, subd. 1	Co-operative fire insurance corporations	1922	121	415
266, subd. 1	Co-operative fire insurance corporations	1930	718	1316
266, subd. 3	Co-operative fire insurance corporations	1925	524	862
266, subd. 4	Co-operative fire insurance corporations	1922	121	416
266, subd. 5, added	Co-operative fire insurance corporations	1922	121	416
267	Co-operative fire insurance corporations	1924	539	968
267, subd. 1	Co-operative fire insurance corporations	1930	718	1316
267, subd. 3	Co-operative fire insurance corporations	1931	474	1102
267, subd. 4	Co-operative fire insurance corporations	1931	474	1102
267, subd. 6	Co-operative fire insurance corporations	1926	302	552
321	Mutual automobile fire insurance companies	1922	417	882
321	Mutual automobile fire insurance companies	1924	542	976
322	Mutual automobile fire insurance companies	1924	542	978
323	Mutual automobile fire insurance companies	1924	542	979
324	Mutual automobile fire insurance companies	1922	417	884
324	Mutual automobile fire insurance companies	1924	542	979
324	Mutual automobile fire insurance companies	1925	529	869
325	Mutual automobile fire insurance companies	1922	417	885
326	Mutual automobile fire insurance companies	1922	417	885
326	Mutual automobile fire insurance companies	1924	542	980
327	Mutual automobile fire insurance companies	1922	417	886
328	Mutual automobile fire insurance companies	1924	542	981
329, added	Mutual automobile fire insurance companies	1922	418	891
329, repealed	Mutual automobile fire insurance companies	1924	542	981
341	Mutual automobile casualty insurance companies	1922	417	886
341	Mutual automobile casualty insurance companies	1923	811	1457
341	Mutual automobile casualty insurance companies	1926	303	553

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	INSURANCE LAW — (*Continued*).			
341a, added	Mutual automobile casualty insurance companies....	1923	811	1458
341a, subd. 1	Mutual automobile casualty insurance companies....	1930	877	1657
342	Mutual automobile casualty insurance companies....	1923	811	1460
343	Mutual automobile casualty insurance companies....	1923	811	1461
344	Mutual automobile casualty insurance companies....	1922	417	888
344	Mutual automobile casualty insurance companies....	1923	811	1461
344, subd. (2)	Mutual automobile casualty insurance companies....	1925	530	871
344, subd. (3), added	Mutual automobile casualty insurance companies....	1926	114	265
345	Mutual automobile casualty insurance companies....	1922	417	889
345	Mutual automobile casualty insurance companies....	1923	811	1463
345	Mutual automobile casualty insurance companies....	1927	470	1157
346	Mutual automobile casualty insurance companies....	1922	417	890
346	Mutual automobile casualty insurance companies....	1923	811	1463
347	Mutual automobile casualty insurance companies....	1922	417	890
348	Mutual automobile casualty insurance companies....	1923	811	1464
350, added	Mutual automobile casualty insurance companies....	1922	418	891
350, repealed	Mutual automobile casualty insurance companies....	1923	811	1464
	JOINT-STOCK ASSOCIATION LAW: (L. 1909, ch. 34, constituting cons. laws, ch. 29, title changed to general associations law by L. 1920, ch. 915.)			
	JUDICIARY LAW: (L. 1909, ch. 35, constituting cons. laws, ch. 30.)			
2	Courts of record....	1925	619	1034
2	Courts of record....	1926	236	438
3	Courts not of record....	1925	619	1034
3	Courts not of record....	1926	236	439
5	Courts not to sit on Sunday; exceptions....	1930	602	1105
6	Adjournment of court on non-appearance of judge...	1921	123	362
25a, added	Retirement of incapacitated supreme court judges..	1926	426	743
26	Kings, Bronx, Queens and Richmond counties; additional compensation to judges for attending drawing of jurors....	1922	560	1291
26	Justices of city court of New York; compensation...	1926	467	816
32	Expense of certain criminal prosecutions to be borne by state....	1928	86	235
50	Court of appeals judges; compensation....	1926	94	250
56	State board of law examiners....	1922	63	232
74, repealed	Expenses of certain supreme court judges....	1926	155	311
76	Supreme court justices; additional compensation....	1929	614	1438
82	Rules of practice....	1924	172	384
83	Power of appellate division as to calendars, etc....	1922	390	820
88, subd. 1	Attorneys; admission to and removal from practice..	1922	339	726
88, subd. 1	Attorneys; admission to and removal from practice..	1925	236	479
88, subd. 5	Attorneys; expenses of professional misconduct proceedings....	1921	295	1017

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	JUDICIARY LAW— (*Continued*).			
93	Convention to establish rules of civil practice	1921	302	1026
93, repealed	Convention to establish rules of civil practice	1924	172	385
94	Convention to establish rules of civil practice	1921	302	1027
94, repealed	Rules convention; membership and government	1924	172	385
95	Convention to establish rules of civil practice	1921	302	1028
97	Publication of calendars and notices	1923	210	272
101, subd. 2, repealed	Appellate division, first department; deputy clerk and assistant clerks	1928	724	1574
101, subd. 3	Appellate division, second department; employees	1924	653	1202
101, subd. 3, repealed	Appellate division, second department; employees	1928	723	1573
101a, added	Appellate division, first department; clerical and other assistants	1928	724	1574
102, repealed	Appellate division, second department; confidential clerks	1928	723	1573
102a, added	Appellate division, second department; clerical and other assistants	1928	723	1573
104	Appellate division, first department; confidential clerk, appellate term	1928	817	1734
104a	Appellate term, second department; clerks, stenographers and attendants	1923	296	502
104a	Appellate term, second department; clerks, stenographers and attendants	1927	685	1727
104a	Appellate term, second department; clerks, stenographers and attendants	1930	694	1267
105, repealed	Appellate division, second department; case and consultation clerk	1928	723	1573
107	Appellate division, first department; special deputy clerks, supreme court, first judicial district	1928	817	1734
109	Appellate division, first department; stenographers or confidential clerks	1928	724	1574
109a	Appellate division, fourth department; confidential stenographer	1927	521	1238
109a	Appellate division; third and fourth department; confidential stenographer and assistant deputy clerk	1930	167	504
109b, added	Appellate division, third department; confidential stenographer and assistant deputy clerk	1927	454	1135
109b	Appellate division; third and fourth department; confidential stenographer and assistant deputy clerk	1930	167	504
110	Appellate division, first and second departments; typewriters	1924	653	1203
110, subd. 1	Appellate division, first department; typists	1928	724	1575
110, subd. 2, repealed	Appellate division, second department; typewriter operators	1928	723	1573
111, subds. 2, 3, repealed	Appellate division, second department; attendants	1928	723	1573
112, repealed	Appellate division, first department; crier and assistant crier	1928	724	1574
115	Official referees; appointment	1923	448	713
115	Official referees; appointment	1924	285	545
115	Official referees; appointment	1926	425	742

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	JUDICIARY LAW— (*Continued*).			
115	Official referees; appointment	1927	154	507
115	Official referees; appointment	1928	98	245
116	Official referees; compensation	1923	861	1532
116	Official referees; compensation	1926	757	1401
116	Official referees; compensation	1927	603	1523
116	Official referees; compensation	1928	295	774
116	Official referees; compensation	1928	338	848
116	Official referees; compensation	1929	614	1439
116	Official referees; compensation	1930	42	57
116	Official referees; compensation	1931	679	1496
116a, added	Official referees; expenses; ninth district	1931	496	1202
117, repealed	Appellate division, second department; retirement of employees	1921	568	1711
117a, added	Official referees; ex-judges of court of claims	1927	668	1686
118	Appellate division, third and fourth departments; retirement of employees	1921	416	1277
118, repealed	Appellate division, third and fourth departments; retirement of employees	1921	568	1711
142, repealed	Supreme court justices; compensation	1926	155	311
142, added	Supreme court justices; compensation	1926	155	311
142	Supreme court justices; compensation	1928	804	1683
142	Supreme court justices; compensation	1928	819	1735
142	Supreme court justices; compensation	1929	464	991
142a, added	Supreme court justices, third and fourth departments; expenses	1926	756	1401
143	Justices in New York city; additional compensation	1928	818	1734
145	Supreme court justices; additional compensation; manner of payment in certain districts	1929	614	1440
146, repealed	Supreme court justices; compensation	1926	155	311
147, repealed	Supreme court justices; compensation	1926	155	311
148	Special and trial terms of supreme court	1921	123	362
149	Trial term may be held in parts	1931	160	495
154a, added	Publishing calendars in certain counties	1923	883	1708
160, subd. 1	Clerks to justices, supreme court, first district	1924	82	120
160, subd. 4	Confidential and deputy clerks, fifth district	1924	652	120
160, subd. 4	Confidential and deputy clerks, fifth district	1928	289	770
160, subd. 6, added	Confidential clerk, seventh judicial district	1931	16	21
160, subd. 7, renumbered subd. 5, and amended	Confidential clerk; sixth judicial district	1931	16	21
161, subd. 1	Stenographers, fourth and sixth judicial districts	1921	658	2032
161, subd. 3	Stenographers, certain counties	1921	674	2182
161, subd. 3a	Second department; typewriter operators	1923	262	459
161, subd. 4	Stenographers, third judicial district	1926	851	1577
161, subd. 4	Stenographers, third judicial district	1928	45	44
161, subd. 6	Stenographers, fifth judicial district	1927	667	1685
161, subd. 6	Stenographers, fifth judicial district	1928	4	3
161, subd. 6a, added	Stenographers, seventh judicial district	1927	667	1685
161, subd. 6a	Stenographers, seventh judicial district	1931	283	692

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	JUDICIARY LAW — (*Continued*).			
161, subd. 7	Stenographers, eighth judicial district	1923	87	90
161, subd. 9, added	Stenographers, fourth and sixth judicial districts	1921	658	2032
162	Appointment of temporary stenographer	1921	415	1276
163	Temporary stenographer; salary; how paid	1929	614	1441
165	Salaries and expenses of stenographers, third and fourth districts	1929	614	1441
168	Appointment of court officers, Richmond county	1921	246	934
170a, added	Confidential court attendants, third judicial district, Albany county	1928	784	1654
170a	Confidential court attendants, third judicial district, Albany and Rensselaer counties	1929	672	1606
171, added	Classification of confidential attendants	1921	461	1358
172, added	Certain attendants to justices of supreme court	1922	170	487
173, added	Justices of city court of New York; salaries	1926	467	817
173, added	Emergency stenographers in criminal cases	1927	340	795
192	Publishing terms of county court	1921	417	1279
192	Publishing terms of county court	1923	446	712
195a, added	Bronx county court; chief clerk for each part	1927	605	1524
196	Confidential clerks to certain county judges; appointment	1927	309	757
197, subd. 6, added	Stenographers, certain county courts	1921	4	4
197, subd. 7, added	Emergency stenographers in criminal cases	1927	340	796
234, subd. 3, added	Kings county court; retirement system	1929	426	945
251a, added	Confidential clerks to justices of supreme court not to be appointed referees, receivers or commissioners	1927	186	561
262	Clerks to judges of court of appeals; compensation	1929	614	1441
265, repealed	Appellate division, second department; duty of confidential clerks	1928	723	1573
266, repealed	Appellate division, second department; case and confidential clerk	1928	723	1573
271	Appellate divisions; salaries of clerks	1929	614	1442
271, subd. 1	Appellate division, first department; salary of clerk	1928	724	1575
271, subd. 2	Appellate division, second department; salary of clerk	1931	597	1400
271, subd. 3	Appellate division, third and fourth departments; compensation of clerks	1926	772	1446
271, subd. 4	Appellate division, first department; salary of confidential clerk	1922	558	1290
271, subd. 4, repealed	Appellate division, first department; salary of confidential clerk	1928	724	1574
271, subd. 5	Appellate division, second department; salary of confidential opinion clerks	1922	559	1291
271, subd. 5	Appellate division; second department; employees' salaries	1924	653	1202
271, subd. 5, repealed	Appellate division, second department; employees' salaries	1928	723	1573
271, subd. 6	Appellate division, third department; salary of deputy clerk	1923	741	1312

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	JUDICIARY LAW — (*Continued*).			
271, subd. 6	Appellate division, third department; salary of deputy clerk	1928	629	1386
271, subd. 8, repealed	Appellate division, second department; salary of case and consultation clerk	1928	723	1573
271, subd. 9	Appellate division, fourth department; salary of consultation clerk	1924	386	725
271, subd. 9	Appellate division, fourth department; salary of consultation clerk	1926	772	1446
271, subd. 12	Appellate division, third department; salary of consultation clerk	1923	741	1312
271, subd. 12	Appellate division, third department; salary of consultation clerk	1926	755	1400
271, subd. 12	Appellate division, third department; salary of consultation clerk	1929	709	1659
272, repealed	Appellate division, second department; salary of confidential clerks	1928	723	1573
273, repealed	Appellate division, first department; salary of confidential clerk, appellate term	1928	817	1733
274	Appellate division, first and second departments; clerks to justices; salary	1929	614	1443
275, repealed	Appellate division, first department; salary of special deputy clerks	1928	817	1734
279	Salary of clerks to justices of supreme court	1929	614	1444
279, subd. 4	Fifth district; confidential clerks	1921	414	1275
279, subd. 4	Fifth district; confidential clerks	1924	652	1201
279, subd. 4	Fifth district; confidential clerks	1928	456	1009
279, subd. 5	Sixth judicial district; salaries of confidential clerks	1928	199	407
279, subd. 6	Clerks; salary; seventh district	1931	16	21
279, subd. 7	Seventh judicial district; salaries of confidential clerks	1928	235	469
279, subd. 7	Eighth judicial district; salary of clerks	1930	626	1134
279, subd. 9	Ninth judicial district; salaries of confidential clerks	1922	557	1289
279, subd. 9	Ninth judicial district; salaries of confidential clerks	1928	290	771
285	Confidential clerks, certain county judges; salaries	1927	309	758
285	Confidential clerks, certain county judges; salaries	1928	783	1653
307	Appellate division; stenographers and confidential clerks, compensation	1921	481	1482
307	Appellate division; stenographers and confidential clerks, compensation	1928	381	894
307	Appellate division; stenographers and confidential clerks; compensation	1929	614	1446
307, subd. 1	Appellate division; stenographers and confidential clerks; compensation	1930	625	1133
308, subd. 2	Appellate division, second department; salaries of typewriter and telephone operators	1924	653	1203
308, subd. 2, repealed	Appellate division, second department; salaries of typewriter and telephone operators	1928	723	1573
313	Stenographers, certain judicial districts	1927	667	1686
313	Stenographers, certain judicial districts	1928	137	279
313	Stenographers, certain judicial districts	1929	711	1661
315	Stenographers before official referees; fees and expenses	1922	194	514

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	JUDICIARY LAW—(*Continued*).			
315	Supreme court reporter; fees and expenses	1923	861	1533
316	Supreme court, second judicial district; stenographers	1929	614	1446
316, subd. 1	Supreme court, second judicial district; stenographers	1928	821	1737
316, subd. 2	Supreme court; second judicial district; stenographers	1930	389	819
317	Third and fourth districts; salaries of stenographers	1923	66	71
317	Third and fourth districts; salaries of stenographers	1929	614	1447
317	Third and fourth districts; salaries of stenographers	1930	635	1147
319, subd. 2	Albany county court; stenographer's compensation	1926	662	1209
319, subd. 5	Monroe county; salaries of court stenographers	1931	488	1171
319, subd. 6	Niagara county; compensation of county court stenographer	1924	553	1012
319, subd. 6	Niagara county; stenographer's fees	1925	621	1035
319, subd. 6	Niagara county; compensation of county court stenographers	1929	77	133
319, subd. 7	Oneida county; salary of stenographer	1923	449	714
319, subd. 8	Jefferson county; stenographer of county court	1925	135	156
344–346, repealed	Appellate division, second department; attendants and messengers	1928	723	1573
347	Appellate division, third and fourth departments; salaries of attendants	1923	741	1312
347	Appellate division; third and fourth departments; salaries of attendants	1926	773	1447
347	Appellate division; third and fourth departments; salaries of attendants	1928	630	1386
347	Appellate division; third and fourth departments; salaries of attendants	1929	614	1447
347	Appellate division; third and fourth departments; salaries of attendants	1930	837	1535
348	Appellate division, first department; salary of court attendants	1928	820	1736
348	Appellate division; first department; salary of court attendants	1930	507	983
352	Salary of librarian of Kings county court	1928	685	1506
355, added	Third judicial district; confidential court attendants, Albany county; salaries	1928	784	1654
355	Third judicial district; confidential court attendants, Albany and Rensselaer counties; salaries	1929	672	1606
362, repealed	Appellate division, first department; salary of crier	1928	724	1574
363, repealed	Appellate division, first department; salary of assistant crier	1928	724	1574
367	Court of general sessions, New York county	1923	743	1314
380	Salary of interpreters, first district	1924	666	1218
380a, added	Supreme court, first district; salary of interpreters	1924	666	1219
380a	Supreme court, first district; salary of interpreters	1930	508	984
388	Temporary appointment of interpreters	1921	482	1483
390, added	Salary of interpreters of county court, Bronx county	1921	639	1970
390	Salary of interpreters of county court; Bronx and Kings counties	1931	542	1320
391, added	Westchester county; additional interpreter	1922	169	487
411, added	Onondaga county; court attendants	1923	263	459
411	Onondaga county; court attendants	1924	552	1012
413, added	Oneida county; court attendants	1925	620	1035
430	Reporters	1923	212	274

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921-1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
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437–441	Supreme court reporter	1924	173	385
443	Supreme court reporter; salary and expenses	1924	173	386
444, repealed	Miscellaneous reporter	1924	173	386
445	Miscellaneous reporter	1923	211	274
445, repealed	Miscellaneous reporter	1924	173	386
446–450, repealed	Miscellaneous reporter	1924	173	386
451	State department reports	1924	173	387
451	State department reports	1928	566	1261
460	Examination and admission of attorneys	1930	802	1447
461	State board of law examiners	1921	187	753
473	Certain persons prohibited from practicing law	1923	882	1707
476	Suspension of attorney on notice	1921	295	1017
500	Trial jurors	1923	166	210
503	Public officers disqualified to serve as trial jurors	1928	138	280
506	Trial jurors	1923	166	211
513	Drawing jurors	1925	485	817
513	Drawing jurors	1926	581	1034
524	Drawing jurors	1923	165	209
524	Drawing jurors; Madison county	1924	81	119
526	Drawing jurors	1923	165	209
531	Drawing jurors	1923	165	209
536	Notification to jurors by sheriff	1921	123	363
536	Notification to jurors by sheriff	1923	452	736
543	Trial jurors; certain counties	1925	79	99
543	Trial jurors; certain counties	1926	581	1035
544a, added	Excusing juror until subsequent day or term	1921	123	363
546, subd. 4	Qualifications of jurors	1921	703	2485
553	Fine of trial juror for non-attendance when not personally notified	1923	452	736
618	Mode of drawing jurors	1929	425	945
635, subd. 2	Exemption from jury duty	1921	703	2485
681a, added	Who may administer oaths	1931	83	407
700	Certain officers notified to attend drawing	1931	233	614
720, subd. 2	Exemption from jury duty	1921	703	2485
745	Talesmen	1923	165	209
749h, subd. 1	Fees and mileage of trial jurors	1921	413	1274
749h, subd. 1	Fees and mileage of trial jurors	1924	62	98
749h, subd. 1	Fees and mileage of trial jurors	1928	171	310
749h, subd. 2, ¶ a	Fees and mileage of trial jurors	1924	62	98
749h, subd. 2, ¶ b	Fees and mileage of trial jurors	1926	88	245
	LABOR LAW: (L. 1921, ch. 50, constituting cons. laws, ch. 31, superseding L. 1909, ch. 36.) [Note.—*L. 1909, ch. 36 was repealed by L. 1921, ch. 50; §§ 200–202, 202a, 203–212 thereof were also repealed by L. 1921, ch. 121; and §§ 215–219, 219a–219g thereof were also repealed by L. 1922, ch. 615.*]			
2, subd. 9	Definitions	1921	489	1508
2, subd. 10	Definitions	1930	857	1591

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	LABOR LAW — (*Continued*).			
2, subd. 12, added	Definitions	1922	405	849
2, subd. 12	Definitions	1923	745	1316
2, subd. 13, added	Definitions	1930	605	1109
10	Industrial commissioner	1927	166	525
10a, added	Industrial council	1924	464	869
10a	Industrial council	1927	166	525
10a, ¶ 4	Industrial council	1926	284	503
12	Industrial board	1927	166	526
13	Oaths of office	1927	166	526
14	Officers of department	1927	166	527
16	Vacancies and removals	1927	166	527
17	Salaries and expenses	1927	166	527
17	Salaries and expenses	1930	585	1075
18	Officers and employees	1921	642	1974
18	Officers and employees	1930	323	717
18a, added	Factory and mercantile inspectors; salaries and grades	1923	884	1708
18a	Factory and mercantile inspectors; salaries and grades	1929	399	905
19	Referees	1921	642	1975
20a, added	Bureau of women in industry	1923	607	916
21, subd. 2	Powers of industrial commissioner	1924	59	94
21, subd. 10, added	Investigation of condition of aliens	1921	642	1975
21a, added	Study of employment problems	1930	425	899
27	General powers and duties of industrial board	1921	642	1975
27	General powers and duties of industrial board	1927	166	527
28, subd. 1, paragraph A	Rules of industrial board	1930	603	1106
29	Industrial code; procedure	1927	166	528
30	Variation from requirements for construction of buildings, etc	1927	166	529
31	Duty to furnish information and facilitate inspections	1927	166	529
33	Service of notice	1927	166	529
110, subds. 1, 2	Petition for review of rule or order	1921	642	1976
111, subd. 3	Review by court	1927	166	530
130	Employment of children under fourteen prohibited	1928	725	1575
130, subds. 2, 3, repealed	Employment of children under fourteen prohibited	1921	386	1222
131	Employment of children between fourteen and sixteen	1921	386	1222
131	Employment of children between fourteen and sixteen	1928	725	1576
132, repealed	Employment certificates	1921	386	1222
132, added	Duties of employers in relation to child labor	1928	725	1576
133, repealed	Employment certificates	1921	386	1222
133, added	Employment of children sixteen to seventeen years of age under physical disability	1928	725	1577
134–141, repealed	Employment certificates	1921	386	1222
142	Children found illegally employed	1928	725	1577
143, repealed	Registers of children employed	1921	386	1222
144	Employment of children under seventeen	1928	725	1577
144, subd. 1	Employment of children under sixteen	1921	386	1222
145	Physical examination of minor	1928	725	1578
145, subd. 2	Physical examination of minor	1921	386	1223
146, subd. 8	Employment of males under eighteen and females	1921	642	1977

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	LABOR LAW—(*Continued*).			
161, opening paragraph	Day of rest	1930	748	1345
161, subd. 2, ¶ e, added	Day of rest; employees in hotels	1921	671	2166
162, subd. 1a, added	Time allowed for meals	1926	304	555
170	Hours of labor; children under sixteen	1925	622	1036
171	Hours of labor; males between sixteen and eighteen	1924	375	717
172	Hours of labor; females over sixteen	1927	453	1133
172	Hours of labor; females over sixteen	1930	868	1625
180	Hours of labor; children under sixteen	1925	622	1036
180a, added	Hours of labor; males between sixteen and eighteen	1924	375	717
181	Hours of labor; females over sixteen	1927	453	1134
181	Hours of labor; females over sixteen	1928	567	1262
181	Hours of labor; females over sixteen	1930	867	1623
181	Hours of labor; females over sixteen	1931	509	1261
195	Cash payment of wages	1921	642	1977
202, added	Protection of persons engaged at window cleaning	1930	605	1109
203a, added	Elevator seats; relief of operator	1930	604	1108
203a	Elevator seats; relief of operator	1931	497	1203
204, subd. 5	Inspection of boilers	1927	166	530
208	Labels used by labor organizations	1927	166	530
220, subd. 4	Public work; hours and wages	1921	642	1977
220, subd. 4	Public work; hours and wages	1927	166	530
220, subd. 5, repealed	Public work; hours and wages	1927	563	1340
220, subd. 5, added	Public work; definitions	1927	563	1340
220, subds. 6–9, added	Public work; hours and wages	1927	563	1341
222	Preference in employment upon public works	1930	689	1260
Art. 8a (§§ 225–227), added	Grade crossing elimination work; hours and wages	1930	804	1448
Art. 10, schedule of sections	Building construction, demolition and repair work	1930	603	1106
240, subd. 1	Use of safe scaffolding	1930	603	1106
241	Building construction; protection of employees	1930	603	1107
241, subd. 6	Building construction	1922	1	1
263	Fireproof partition	1928	726	1578
264	Fireproof building	1930	293	682
264, subds. 1, 2	Walls, floors and roofs	1928	726	1579
265, subd. 1	Fire wall	1921	642	1978
265, subd. 1	Fire wall	1928	726	1579
270	Roofs and partitions	1930	858	1591
270, subd. 2	Roofs and walls	1928	726	1579
270, subd. 6	Partitions	1929	296	747
276	Inspection of buildings and approval of plans	1930	309	699
284, added	Reports on fires	1931	335	755
290	Cleanliness and safety of rooms	1927	495	1198
291	Cleanliness and safety of buildings	1927	495	1198
337, subd. 3	Sanitary certificates	1923	454	738
351	Manufacture in tenement houses; exceptions	1921	642	1978
360	Unlawfully manufactured articles	1925	623	1037
375	Cleanliness and safety of rooms	1924	466	870

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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376	Cleanliness and safety of buildings	1924	466	871
377	Drinking water	1924	466	871
378	Washrooms	1924	466	871
379	Dressing rooms	1924	466	871
381	Waterclosets	1924	466	871
382	Ventilation, temperature and humidity	1924	466	872
383	Employment of children and females in basements	1924	466	872
391, subd. 3	Jurisdiction over mercantile and other establishments	1921	642	1978
430	Work under compressed air	1925	123	144
Art. 16 (§§ 450–463)	Explosives	1922	421	898
450, subd. 2	Explosives; application of article	1930	512	990
452	Explosives; encasement	1930	512	990
453	Explosives; storage	1930	512	990
454	Explosives; construction of magazines	1930	512	991
458, subd. 1	Explosives; license for storage	1930	512	991
460	Explosives; records of sales or gifts	1930	512	991
Art. 17 (§§ 470–475), renumbered art. 18 (§§ 500–505)	Miscellaneous provisions; laws repealed; when to take effect	1922	405	849
473	Reappropriation of unexpended balances	1921	642	1978
Art. 17 (§§ 470–474), added	Public safety	1922	405	850
470, added	Public safety	1922	405	850
471, added	Public safety; rules; state standard building code	1922	405	850
472, added	Public safety; enforcement and investigations	1922	405	850
472	Public safety; enforcement and investigations	1923	745	1316
473, added	Public safety; certificate of compliance	1922	405	851
474, added	Public safety; revocation of certificate of compliance	1922	405	851
474a, added	Places of public assembly; New York city excepted	1923	885	1709
474a	State standard building code; application	1924	465	870
	LEGISLATIVE LAW: (L. 1909, ch. 37, constituting cons. laws, ch. 32.)			
5	Members of legislature; salaries	1928	5	3
6	Officers and employees of senate	1930	490	966
7	Officers and employees of assembly	1930	490	966
8	Appointments to be filed with comptroller	1930	490	967
10	Compensation of officers and employees	1930	490	967
12	Attendance of employees at opening of session	1930	490	968
13	Employees remaining after adjournment	1930	490	968
14	Undertaking of financial clerks of each house	1927	50	84
26, repealed	Statement of appropriations	1921	336	1105
27	Secretaries of finance and ways and means committees; appointment	1927	131	448
28	Secretaries of finance and ways and means committees; compensation, expenses, employees	1927	131	449
29	Finance and ways and means committees; sub-committees	1927	131	449

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	LEGISLATIVE LAW—(*Continued*).			
30	Finance and ways and means committees, and secretaries; duties	1927	131	449
30, subd. 7	Budget secretaries of finance and ways and means committees	1926	758	1403
31, repealed	Annual budget	1926	758	1403
31, repealed	Appropriation bill; consideration by legislature	1929	5	6
31, added	Appearances in respect to budget	1929	5	6
32	Appropriation bill; consideration by legislature	1926	758	1403
32, renumbered 31	Appropriation bill; consideration by legislature	1927	131	450
32, added	Representation of legislative committees during revision of budget	1929	5	6
33, added	Exercise of powers of temporary president of senate and speaker of assembly during vacancy	1931	573	1382
40	Concurrent resolutions; certificate of presiding officer	1921	13	16
40	Concurrent resolutions; certificate of presiding officer	1929	45	43
41	Evidence of when bill becomes a law	1929	65	118
42	Deposit of laws and resolutions	1921	13	17
42	Deposit of laws and resolutions	1929	65	118
44	Statement in session laws as to passage of law	1925	625	1039
44	Statement in session laws as to passage of law	1929	65	119
45	Publication of session laws	1921	13	17
45	Publication of session laws	1929	13	17
46, subd. 2	Officers and offices entitled to receive session laws	1929	134	362
46, subd. 3	Officers and institutions entitled to receive session laws	1924	218	439
48, repealed	Publication of session laws and concurrent resolutions	1921	467	1367
48, added	Publication of concurrent resolutions	1921	467	1367
48	Publication of concurrent resolutions	1923	877	1697
49, added	Distribution of session law slips to judges and district attorneys	1927	343	798
49	Distribution of session law slips to judges and district attorneys	1929	166	408
	LIEN LAW: (L. 1909, ch. 38, constituting cons. laws, ch. 33.)			
Art. 1	Short title; definitions	1929	515	1037
2	Definitions	1929	515	1037
2	Definitions	1930	859	1592
Art. 2	Mechanics' liens	1929	515	1039
3	Mechanics' lien on real property	1929	515	1040
3	Mechanics' lien on real property	1930	859	1593
4, title	Mechanics' lien; extent; payments on contract	1930	859	1593
4	Mechanics' liens; extent; payments on contract	1929	515	1041
4a, added	Mechanics' liens; insurance proceeds liable for demands	1930	859	1593
7	Mechanics' liens; liability for advancements, collusive mortgage and incumbrances	1929	515	1042
8	Mechanics' liens; terms of contract may be demanded	1929	515	1042
11	Mechanics' liens; service of copy of notice	1929	515	1043
13	Mechanics' liens; priority	1929	515	1045
13, subds. 2, 3	Mechanics' liens; priority	1930	859	1594

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	LIEN LAW — (*Continued*).			
15	Mechanics' liens; assignments of contracts and orders.	1925	624	1038
15	Mechanics' liens; assignments of contracts and orders.	1929	515	1046
16	Mechanics' liens; assignments of contracts and orders.	1925	624	1038
16	Mechanics' liens; assignments of contracts and orders.	1929	515	1046
16	Mechanics' liens; assignments of contracts and orders.	1930	859	1595
18	Duration of lien under public improvement contract..	1928	236	470
19, title	Mechanics' liens; discharge for private improvement.	1930	859	1596
19	Mechanics' liens; discharge	1929	515	1048
19, subd. 1	Mechanics' liens; discharge for private improvement.	1930	859	1596
19, subd. 6, added	Mechanics' liens; discharge for private improvement.	1930	859	1596
20	Discharge of lien by payment into court	1924	556	1015
20	Mechanics' liens; discharge	1929	515	1049
21	Mechanics' liens; discharge for public improvement..	1930	859	1596
21a, added	Mechanics' liens; vacating for public improvement...	1930	859	1599
22	Mechanics' liens; building loan contract	1929	515	1051
22	Building loan contract	1930	859	1599
25	Mechanics' liens; parity of liens	1929	515	1052
25	Priority and parity of liens	1930	859	1600
26, 27	Mechanics' liens; subordination agreements	1929	515	1052
28	Mechanics' liens; lien of certain judgments postponed.	1929	515	1054
29	Mechanics' liens; subordination to subsequent mortgage	1929	515	1054
29	Subordination to subsequent mortgage	1930	859	1601
31	Mechanics' liens; discharge on sale of realty	1929	515	1055
32	Mechanics' liens; liens and claims not affected	1929	515	1057
34, added	Mechanics' liens; waiver	1929	515	1057
35, added	Mechanics' liens; arbitration	1929	515	1057
36, added	Mechanics' liens; owner may not divert funds	1929	515	1057
36	Owner may not divert funds	1930	859	1603
36a–36c, added	Diversion of funds by contractor	1930	859	1603
37, added	Mechanics' liens; bond to discharge all liens	1929	515	1057
38, added	Mechanics' liens; itemized statement from lienor	1929	515	1060
38	Itemized statement from lienor	1930	859	1604
39, added	Lien wilfully exaggerated is void	1930	859	1604
39a, added	Exaggerated lien; liability of lienor	1930	859	1604
Art. 3	Enforcement of liens on real property	1929	515	1060
43	Mechanics' liens; enforcement	1929	515	1062
44	Mechanics' liens; enforcement	1929	515	1062
44, subd. 3	Public improvement; enforcement of lien against state funds	1928	13	12
44, subd. 4	Public improvement; enforcement of lien against state funds	1927	687	1728
44a, added	Mechanics' liens; enforcement	1929	515	1062
45	Public improvement; equities of lienors	1927	687	1729
45	Mechanics' liens; enforcement	1929	515	1062
46	Mechanics' liens; enforcement	1929	515	1062
51	Mechanics' liens; enforcement	1929	515	1063
56	Mechanics' liens; enforcement	1929	515	1064
59	Mechanics' liens; enforcement	1929	515	1065
60	Public improvement; judgment in action to foreclose lien	1927	687	1729
60	Mechanics' liens; enforcement	1929	515	1065
62	Mechanics' liens; enforcement	1929	515	1066

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	LIEN LAW—(*Continued*):			
161, repealed	Liens for service of stallions or bulls; statement and certificate	1922	610	1565
184	Lien of bailee of motor vehicles	1926	373	691
184	Lien of bailee of motor vehicles	1929	28	30
188, added	Lien of motion picture film laboratories	1923	609	918
230	Chattel mortgages	1921	419	1282
230a, added	Chattel mortgages on stocks of merchandise	1921	462	1358
230a	Chattel mortgages on stocks of merchandise	1922	137	444
232	Chattel mortgages; where filed	1927	7	5
234	Chattel mortgages; fees	1926	413	729
Art. 10A (§§ 240–245), added	Liens for internal revenue taxes payable to United States	1925	626	1040
	LIQUOR TAX LAW: (L. 1909, ch. 39, constituting cons. laws, ch. 34.)			
All repealed		1921	155	512
	MEMBERSHIP CORPORATIONS LAW (L. 1926, ch. 722, constituting cons. laws, ch. 35; generally amending all after title and superseding L. 1909, ch. 40. For amendments to act of L. 1909, ch. 40, by L. 1921–1926, see L. 1926, p. 1688.)			
11, subd. 1	Special provisions for incorporation	1931	454	1054
56, subd. 5	Distribution of property upon dissolution	1928	476	1050
73	Cemeteries in certain counties	1931	189	539
76, subd. 5, renumbered subd. 6	Cemetery corporations; perpetual care of lots	1927	132	450
76, subd. 5, added	Cemetery corporations; crematory and columbarium	1927	132	450
89	Removal of bodies from cemeteries	1928	401	924
92a, added	Fiduciary of cemetery corporation	1931	680	1498
140	Christian associations; directors and trustees	1927	427	1082
206	Agricultural corporations; capital stock	1931	399	851
	MENTAL DEFICIENCY LAW: (L. 1919, ch. 633, constituting cons. laws, ch. 71.)			
9	Official visits	1925	676	1125
16	Private institutions	1925	676	1126
21	Institution for defective delinquents at Napanoch	1925	677	1127
22b, added	Reformatory at Napanoch converted into state institution for mental defectives	1921	483	1495
22b	Institution for defective delinquents at Napanoch	1923	614	922
24	Procedure for commitment of mentally defective persons	1921	483	1495
24b–24g, added	Commitment to Napanoch	1921	483	1496
25	Qualified examiners	1925	676	1126
35	Habeas corpus	1921	483	1499

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	MENTAL DEFICIENCY LAW—(*Continued*).			
36a, added	Reimbursement for care of poor and indigent mental defectives	1925	676	1126
37	Discharge of state institution inmates and payment of expenses	1921	483	1499
38	Paroles	1921	483	1500
All repealed		1927	426	1082
	MENTAL HYGIENE LAW: (L. 1909, ch. 32, constituting cons. laws, ch. 27, title changed from insanity law by L. 1927, ch. 426. For amendments to insanity law by L. 1921–1926, see L. 1926, p. 1677.)			
All		1927	426	981
2, subd. 7	Resident defined	1929	63	117
10a, added	Transfer of inmates	1930	215	571
19	Qualified examiners and psychologists	1928	238	481
24a, added	Reimbursement to state for support of inmates	1931	71	392
25, subd. 4	Institutions for temporary detention	1927	546	1324
41, subd. 5	State institutions; steward; powers and duties	1930	255	624
47, subd. 1	Acquisition of land for state institutions	1929	135	362
47, subd. 7, added	Conveyance of land no longer useful	1931	381	821
60	State hospitals	1929	456	984
60	State hospitals	1931	106	437
61, section title and paragraph preceding schedule	Salaries of officers and employees of state hospitals	1927	515	1224
61, paragraph preceding schedule	Salaries of officers and employees of state hospitals	1930	686	1256
61, subd. 1	Salaries of officers and employees of state hospitals	1927	515	1226
61, subd. 3	Salaries of officers and employees of state hospitals	1930	686	1257
61, subd. 9	Salaries of officers and employees of state hospitals	1930	686	1257
61, subd. 12	Salaries of officers and employees of state hospitals	1927	515	1226
61, subd. 15, added	Salaries of officers and employees of state hospitals	1927	515	1227
61, subd. 15	Salaries of officers and employees of state hospitals	1930	686	1258
72, opening paragraph and subd. 8	Proceedings to determine question of insanity	1930	90	390
74	Voluntary patients	1929	551	1134
76	Liability for support of poor insane	1931	71	393
77	Liability for care of insane other than poor	1929	427	946
77	Liability for care of insane other than poor	1930	90	391
78	Duties of local officers	1928	569	1266
78, subds. 1, 2	Duties of local officers	1929	427	947
78, subd. 1, 2	Duties of local officers	1930	90	392
78, subds. 1, 2	Duties of local officers	1931	366	800
78, subd. 5	Duties of local officers	1929	427	947
79	Insane persons; duty of committee	1929	427	949

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	MENTAL HYGIENE LAW— (*Continued*).			
79	Insane persons; duty of committee	1930	90	393
85, subd. 3	Discharge of patients	1930	90	394
88	Insane Indians	1928	475	1049
123	Commitments of mental defectives	1930	90	395
124	Procedure for commitment of mentally defective persons	1929	136	363
124	Procedure for commitment of mentally defective persons	1930	215	572
127	Mental defectives; petition	1930	90	395
132	Admission to institutions for mental defectives	1929	172	415
132, subd. 1	Mental defectives; admission to institutions	1930	90	396
136, repealed	Reimbursement for care of poor mental defectives	1931	71	393
137	Discharge of patients; expenses	1930	90	397
139	Transfer of inmates	1931	85	408
Art. 7, (§§ 150–157)	Craig Colony; special provisions	1929	550	1128
151, subds. 1, 8	Craig Colony; admission and detention	1930	90	398
154	Patient's property	1931	71	393
155	Craig Colony; discharge of patients	1930	90	398
Art. 8, schedule of sections	State hospital system; retirement of officers and employees	1928	571	1271
170	State hospital system; retirement	1928	474	1049
170	State hospital system; definition	1931	240	620
171	State hospital system; retirement	1928	571	1271
172	State hospital system; retirement of officers and employees	1928	571	1271
172	State hospital system; retirement of officers and employees	1931	240	620
173–174	State hospital system; retirement	1928	571	1271
176	State hospital system; retirement of officers and employees	1928	571	1275
176	State hospital system; contributions to retirement fund	1931	240	621
200a, added	Syracuse psychopathic hospital	1930	295	685
201, subd. 2	Commitment of inebriates	1930	90	399
	MILITARY LAW: (L. 1909, ch. 41, constituting cons. laws, ch. 36.)			
Schedule of articles		1921	588	1877
Art. 1, schedule of sections	Militia	1921	588	1877
1	Persons subject to military duty; exemptions	1921	588	1832
6	Commander-in-chief	1921	588	1832
7	Staff of governor	1921	588	1833
7	Staff of governor	1924	114	166
10	Drafts or volunteers from reserve militia	1924	114	167
12	Organization of reserve militia when ordered out	1924	114	168
14	Articles of war, when in force	1924	114	168
15	Relief from civil or criminal liability; security for costs	1921	588	1833

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	MILITARY LAW — (*Continued*).			
16, repealed	Adjutant-general	1921	588	1877
16, added	Armory commissions abolished; powers transferred to adjutant-general	1924	289	548
17	Adjutant-general	1921	588	1834
17	Adjutant-general	1924	114	168
17, opening paragraph	Adjutant-general	1926	315	574
17, opening paragraph	Adjutant general	1930	35	50
17, subd. 8	Adjutant-general	1925	173	223
17, subd. 10, repealed	Adjutant-general; seal of office	1928	141	282
17, subd. 12, added	Adjutant-general	1924	288	548
17a, added	Meagher's Irish Brigade and Corcoran's Irish Legion commission; powers vested in adjutant-general	1923	464	749
19	Adjutant-general; salary, assistants and employees	1921	588	1837
19	Adjutant-general; pay, assistants, employees	1924	114	171
19	Adjutant-general; salary, assistants, employees	1928	310	792
19a	Veterans; pensions	1921	588	1838
19a	Veterans; pensions	1924	114	172
19a	Veterans; pensions	1927	705	1751
20, subds. 3, 6	Bureau of war records	1924	114	172
20, subd. 7	Bureau of war records	1928	207	433
21	Armory commissions	1921	588	1838
21	Armory commissions	1924	114	173
21	Arsenal, armory or other quarters of militia	1928	568	1263
22	Legal adviser of commander-in-chief	1928	840	1773
24f	Relief of veterans; examination; determination; payments	1931	708	1549
24m	Annuity to veterans disabled by loss of sight; creation	1930	118	449
24m	Annuity to veterans disabled by loss of sight; creation.	1931	529	1293
24o	Annuity, who may receive	1930	118	449
24o	Annuity to disabled veterans; persons who may receive annuity	1931	529	1293
Art. 1A (§§ 26–29, 29a–29d), repealed	Military and disciplinary training	1921	211	858
Art. 1A, renumbered 1D	Military and disciplinary training	1928	605	1358
Art. 1A (§§ 24, 24a–24g), added	Bureau for relief of sick and disabled New York veterans	1928	605	1350
Art. 1B (§§ 24m–24o), added	Annuity to veterans permanently and totally disabled by reason of loss of sight	1928	605	1355
24m	Annuity to veterans disabled by loss of sight; creation	1929	583	1237
24n	Annuity to veterans disabled by loss of sight; evidence of service and disability	1929	583	1237
Art. 1C (§§ 25, 25a–25f), added	State camp for veterans	1928	605	1355
25a	State camp for veterans; board of visitors	1929	578	1230

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	MILITARY LAW — (*Continued*).			
Art. 2, schedule of sections	National guard	1921	588	1878
30	National guard; composition and strength	1921	588	1841
30	National guard; composition and strength	1924	114	176
31	National guard; organization and command	1921	588	1842
31	National guard; organization and command	1924	114	176
31a, added	Control of camp grounds and ranges	1925	194	412
31a, repealed	Control of camp grounds and ranges	1928	568	1265
32	Aides	1921	588	1842
40	New York guard; organization	1921	588	1842
43	New York guard; duties, privileges and immunities	1921	588	1843
44	New York guard; command	1921	588	1844
Art. 3, schedule of sections	Naval militia	1921	588	1879
50	Naval militia; composition, strength, command	1921	588	1844
51	Naval militia; command	1921	588	1845
51	Naval militia; organization and command	1921	595	1892
51	Naval militia; organization and command	1924	558	1021
52, repealed	Naval militia; battalions	1921	588	1877
53, repealed	Naval militia; divisions	1921	588	1877
54, repealed	Naval militia; marine companies	1921	588	1877
55, repealed	Naval militia; disbandments	1921	588	1877
56	Naval militia; civilian cooks	1921	595	1892
57, repealed	Naval militia; retirement of commissioned officers	1921	588	1877
57	Naval militia; retirement of commissioned officers	1921	595	1893
58	Naval militia; eligibility for commission	1924	558	1022
58	Naval militia; eligibility for commission	1925	49	69
59	Naval militia; appointed officers	1925	49	71
60	Naval militia; salary of senior line officer	1921	588	1845
60	Naval militia; salary of chief of staff	1924	558	1023
61	Naval militia; enlistment, transfer and discharge	1921	588	1845
61	Naval militia; enlistment, transfer and discharge	1921	595	1893
61	Naval militia; enlistment, transfer and discharge	1924	558	1023
62, repealed	Naval militia; reserve	1921	595	1896
Art. 4, schedule of sections	National guard; commissioned officers	1921	588	1879
71	National guard; commissioned officers; eligibility	1921	588	1845
72	National guard; commissioned officers; examinations	1921	588	1847
73	National guard; commissioned officers; examining boards	1921	588	1848
74	National guard; commissioned officers; appointed officers	1921	588	1848
76, repealed	Brevet commissions	1924	114	177
77	National guard; commissioned officers; reserve	1921	588	1849
77	State reserve list	1925	147	185
77a, added	National guard; reserve	1921	588	1877
78	Resignations	1924	114	177
79	National guard; commissioned officers; retirement	1921	588	1850
80	National guard; commissioned officers; examination and discharge	1921	588	1851
80	Examination and discharge of officers	1924	114	177
80a	National guard; reserve for enlisted men	1921	588	1852

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	MILITARY LAW — (*Continued*).			
80a, repealed	National guard; reserve for enlisted men	1924	114	178
81	National guard; commissioned officers; dismissal or dropping from rolls	1921	588	1852
Art. 5, schedule of sections	Enlisted men	1921	588	1880
95	Enlistments	1921	588	1852
96	Enlistment papers	1921	588	1852
97	Transfers of enlisted men	1921	588	1853
98	Warrant officers; non-commissioned and petty officers	1921	588	1853
98	Warrant officers	1924	114	178
100	Restoration to duty of enlisted man	1921	588	1854
Art. 6, schedule of sections	Service of national guard and naval militia	1921	588	1880
110	Responsibility for efficiency for service	1921	588	1854
111	Drills and parades	1921	588	1854
111	Drills and parades	1924	114	178
112	Small arms practice	1921	588	1855
112	Small arms practice	1924	114	179
116	Insurrection or invasion	1921	588	1855
117	Warning for duty	1924	114	179
118	Excuses from duty	1921	588	1855
120, repealed	Naval militia; organization of depot battalions and units	1921	588	1877
121, repealed	Naval militia; organization when aiding civil authorities	1921	588	1877
131	Courts of inquiry	1921	588	1856
137	Warrants, subpoenas, attachments	1921	588	1856
137	Warrants, subpoenas, attachments	1924	114	180
138	Form of mandate; execution by public officers	1924	114	180
139	Payment and disposition of fines	1924	114	181
143, repealed	Discharge for failure to pay fine	1922	195	515
143, added	Naval militia; military courts	1922	195	515
143	Naval militia; military courts	1923	460	743
167	Responsibility for public property	1921	588	1856
168	Purchase of uniforms and equipments	1921	588	1858
Art. 9, schedule of sections	Armories	1921	587	1830
178	Funds for armory purposes	1921	588	1858
178	Funds for armory purposes	1928	328	822
179	Armory commission to furnish armories	1921	588	1860
179	Adjutant-general to furnish armories	1928	840	1773
180	Armories and headquarters	1921	588	1861
180	Armories and headquarters	1924	114	181
180	Armories and headquarters	1928	840	1774
181	Armories; altered, repaired and equipped by adjutant-general	1928	840	1775
182	Headquarters for regiments and battalions	1921	588	1862
182	Headquarters for regiments and battalions	1928	840	1775
183	Armories in New York city	1921	588	1863
183	Armories in New York city	1924	114	182
185	Sites for armories	1928	840	1776
186	Control of armories	1921	587	1816

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	MILITARY LAW — (*Continued*).			
186a, added	Armory buildings; rules and regulations	1921	587	1817
186a, added	Armory buildings; rules and regulations	1921	595	1895
186b, added	Armory buildings; New York city	1921	587	1817
186b, added	Armory buildings	1921	595	1895
186b, repealed	Armory buildings; New York city	1922	295	679
186b, added	Armory buildings; New York city	1922	295	679
186b	Armory buildings; New York city	1924	114	184
187	Armory employees	1921	587	1818
187	Armory employees	1924	114	185
187	Armory employees	1931	336	755
188	Laborers in armories and arsenals	1921	587	1818
188	Laborers in armories and arsenals	1921	595	1893
188	Laborers in armories and arsenals	1924	114	186
188, 3d paragraph, subd. (a)	Laborers in armories and arsenals	1928	840	1777
189	Compensation of employees in armories	1921	587	1820
189	Compensation of employees in armories	1923	467	752
189	Compensation of employees in armories	1924	114	187
190	Armorers and employees for naval militia	1921	587	1821
190	Armorers and employees for naval militia	1921	595	1895
191	Armories for naval militia	1928	840	1777
192	Use of armories	1921	587	1822
192	Use of armories	1924	114	188
192, subd. (h)	Use of armories	1927	705	1751
193	Annual estimate for maintenance of armories	1921	587	1824
193	Annual estimate for maintenance of armories	1924	114	191
193	Annual estimate for maintenance of armories	1928	840	1778
194	Armory; emergency expenditures	1928	840	1780
195	Armories; inventory of property; accountability	1921	588	1866
195	Armories; inventory of property; accountability	1928	840	1780
196	Armories; disposal of useless property	1928	840	1781
197, repealed	Armories; first estimate for maintenance	1921	588	1877
198	Temporary provision for new armories	1928	140	281
198	Temporary provision for new armory	1928	840	1781
199, added	Armories; sale and application of proceeds	1924	114	193
199, subd. 1	Armories; sale and application of proceeds	1928	839	1771
199, subd. 2	Armories; sale and application of proceeds	1926	462	811
199, subd. 2	Armories; sale and application of proceeds	1928	839	1773
199, subds. 3, 5, 9	Armories; sale and application of proceeds	1928	839	1771
Art. 10, schedule of sections	Pay and allowances	1921	587	1831
210	Pay and allowances	1921	588	1866
210	Pay and allowances	1924	114	194
211	Pay of troops used in civil disorders	1921	588	1867
212	Pay of officers serving on boards and courts	1921	588	1868
214	Pay on assignment to special duty	1924	114	195
215	Allowances for officers	1921	587	1826
216	Allowances for military organizations; military fund	1921	587	1826
216	Allowances for military organizations; military fund	1924	114	195
217	Audit and expenditure of funds	1921	587	1828
217	Audit and expenditure of funds	1924	114	196
218	Allowances for headquarters	1921	587	1829

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Section	SUBJECT	Year	Chapter	Page
	MILITARY LAW — (*Continued*).			
219	Allowances for expenses of headquarters, national guard	1921	587	1829
219	Allowances for salaries and expenses of headquarters, national guard	1924	114	197
219a	Retired officers; compensation	1923	462	747
219a	Retired officers; compensation	1924	114	197
219a	Retired officers; compensation	1925	174	224
219a	Retired officers; compensation	1930	193	542
220	Pensions	1921	588	1869
220	Pensions	1923	461	744
223	Pay and allowances for injury in service	1921	588	1870
223	Pay and allowances for injury in service	1923	461	745
223	Pay and care when injured or disabled in service	1924	114	198
225	Reports of county treasurers; bonds for military funds	1921	588	1871
225	Reports of county treasurers; bonds for military funds; funds of disbanded organizations	1924	114	200
226	Interest on military funds	1921	588	1872
226	Interest on military funds	1924	114	200
Art. 11, schedule of sections	Privileges, prohibitions and penalties	1921	588	1881
237	Free passage through toll-gates, etc	1924	114	201
238	Exemption from jury duty	1921	588	1872
240	Trespassers and disturbers on military lands	1924	114	201
242	Separate companies and divisions	1921	588	1873
245, subd. 1	State or municipal employees on military duty	1921	588	1873
245, subd. 1	State or municipal employees on military duty	1923	458	741
245, subd. 3, added	Compensation of state and municipal employees returning from military or naval duty	1921	589	1882
245, subd. 8	State or municipal employees on military duty	1921	590	1883
247	Conspicuous service cross	1921	588	1874
247, repealed	Conspicuous service cross	1924	114	201
247, added	Conspicuous service cross	1925	136	157
Art. 12, schedule of sections	Miscellaneous provisions	1921	588	1881
252	Formation of associations	1921	588	1875
252	Formation of association; by-laws	1924	114	201
254	Rules and regulations	1921	588	1876
256, repealed	Customs and usages of United States army and navy	1921	588	1877
256a	Duplicate service medals	1921	588	1876
256b, added	Record of burial places of veterans	1924	290	459
	MULTIPLE DWELLING LAW: (L. 1929, ch. 713, constituting cons. laws, ch. 61a.)			
4, subds. 8, 10	Definitions	1930	839	1536
4, subd. 10	Definitions; fireproof material	1931	229	607
4, subd. 14	Definitions; front	1931	228	581
4, subd. 15	Definitions; height	1931	228	581

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	MULTIPLE DWELLING LAW— (*Continued*).			
4, subd. 17	Definitions; story	1930	841	1559
4, subd. 23	Definitions; public hall	1931	228	582
8	Buildings converted or altered	1930	839	1537
8	Buildings converted or altered	1931	228	583
14	Application to uncompleted dwellings	1930	843	1562
14	Application to uncompleted dwellings	1931	129	463
25	Multiple dwellings; application of article	1930	841	1560
26, subd. 1, subsection (h)	Multiple dwellings; light and air; height and bulk	1930	845	1567
26, subd. 1, subsection (h)	Light and air; height and bulk	1931	765	1636
26, subd. 2	Height and air; side lot line	1931	228	586
26, subd. 3, subsection (g)	Light and air; yard	1931	228	586
26, subd. 3, subsection (i)	Light and air; height and bulk	1930	839	1539
26, subd. 3, subsection (i)	Light and air; fireproof passage	1931	228	587
26, subd. 4, subsection (c)	Light and air; court	1931	228	587
26, subd. 4, subsection (h)	Light and air; height and bulk	1930	839	1539
26, subd. 4, subsection (h)	Light and air; outer court	1931	228	588
26, subd. 5, subsection (e)	Light and air; height and bulk	1930	839	1539
26, subd. 5, subsection (e)	Light and air; inner court intakes	1931	228	588
26, subd. 6, subsection (a)	Light and air; height and bulk	1930	839	1539
26, subd. 6, subsection (b)	Light and air	1931	228	589
28	Light and air; building on same lot with multiple dwelling	1930	839	1540
28	Building on same lot with multiple dwellings	1931	228	589
30	Windows in rooms	1931	228	590
31	Multiple dwellings; light and air; rooms	1930	861	1609
33	Multiple dwellings; light and air; cooking space	1930	843	1564
34, subd. 1, subsections (b), (e)	Light and air; rooms in basements	1930	839	1540
34, subsection (f)	Multiple dwellings; light and air; basement rooms	1930	861	1607
37	Light and air; entrance doors	1930	839	1541
40	Light and air; artificial hall lighting	1930	839	1541
Art. 3, title 2	Multiple dwellings; fire protection	1931	228	606
52	Multiple dwellings; fire protection; stairs	1930	841	1560
52	Fire protection; stairs	1931	228	591
53	Fire protection; bells	1930	839	1541
56	Fire protection; frame multiple dwellings	1930	839	1541
57	Fire protection; frame buildings on same lot	1930	839	1541
60	Fire protection; garages	1930	839	1541
60	Multiple dwellings; garages	1931	228	603
61	Fire protection; business uses	1931	228	591

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	MULTIPLE DWELLING LAW — (*Continued*).			
62, repealed	Fire protection; roof guard rails	1931	228	593
62, added	Fire protection; guard rails	1931	228	593
63	Fire protection; sub-curb uses	1930	839	1541
64, added	Heating and lighting	1930	839	1545
65, added	Fire protection; boiler rooms	1930	839	1545
66, added	Gas meters	1930	839	1545
75	Multiple dwellings; sanitation; water supply	1930	842	1562
75	Water supply	1931	228	593
76	Sanitation; water-closet accommodations	1930	839	1546
78	Sanitation; repairs	1931	228	593
80	Sanitation; cleanliness of buildings	1931	228	594
81	Sanitation; receptacles for ashes and rubbish	1930	839	1546
82	Sanitation; prohibited uses	1931	228	595
83	Sanitation; janitor or housekeeper	1930	839	1546
102	Fireproof multiple dwellings; fire protection; stairs	1930	846	1568
103	Fireproof multiple dwellings; fire protection; exits	1930	846	1572
104	Fireproof multiple dwellings; fire protection; bulk-heads	1930	846	1573
105	Fire protection; separation and ventilation of fire-stairs	1930	839	1546
107	Fireproof multiple dwellings; fire protection; public halls	1930	861	1608
115, subd. 2	Fireproof multiple dwellings; sanitation	1930	840	1558
116, added	Fireproof multiple dwellings; sanitation	1930	847	1576
117, added	Fireproof multiple dwellings; sanitation	1930	847	1577
141	Non-fireproof multiple dwellings; fire protection	1930	841	1559
142	Non-fireproof dwellings; sub-curb uses	1930	839	1546
143	Non-fireproof dwellings; first tier of beams	1930	839	1546
144, subd. 2	Non-fireproof multiple dwellings; fire protection; egress	1930	846	1574
144, subd. 3, repealed	Non-fireproof multiple dwelling; fire protection; egress	1930	846	1574
144, subd. 3, added	Non-fireproof multiple dwelling; fire protection; egress	1930	846	1574
144, subd. 4	Non-fireproof multiple dwellings; fire protection; egress	1930	846	1575
145	Non-fireproof dwellings; fire protection; fire escapes	1930	839	1546
145	Non-fireproof multiple dwellings; fire escapes	1931	228	595
146	Non-fireproof multiple dwellings; fire protection; exits	1930	846	1575
147	Non-fireproof multiple dwellings; bulk heads	1930	839	1546
148	Non-fireproof multiple dwellings; stairs	1930	839	1546
149	Non-fireproof multiple dwellings; public halls	1930	839	1546
149	Non-fireproof multiple dwellings; public halls	1931	228	597
150	Non-fireproof multiple dwellings; basement stairs	1930	839	1546
151	Non-fireproof multiple dwellings; stair-closets	1930	839	1546
152, subd. 3, repealed	Non-fireproof multiple dwellings; fire stopping	1930	839	1553
152, subd. 3, added	Non-fireproof multiple dwellings; fire stopping	1930	839	1553
152, subd. 4	Non-fireproof multiple dwellings; fire stopping	1930	839	1553
153	Non-fireproof multiple dwellings; rear extensions	1930	839	1553
153	Non-fireproof multiple dwellings; rear extensions	1931	228	598

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	MULTIPLE DWELLING LAW—(*Continued*).			
170	Converted dwellings; application of article	1930	839	1553
170	Converted dwellings; application of article	1931	228	598
171	Converted dwellings; alterations	1930	839	1553
172	Converted dwellings; yards	1930	839	1553
172a, added	Converted dwellings; light and air; height and occupancy	1930	844	1566
173	Converted dwellings; windows	1930	839	1555
175	Converted dwellings; alcoves	1930	839	1555
190	Converted dwellings; cellar stairs	1931	228	599
194, added	Converted dwellings; frame buildings	1930	839	1556
211	Tenement houses; height	1931	228	600
212, subd. 1	Tenement houses; yards	1930	839	1556
213	Tenement houses; rooms and halls; lighting and ventilation	1931	681	1499
214, subd. 1	Tenement houses; size of rooms	1931	228	601
216, repealed	Tenement houses; light and air; basement rooms	1930	863	1612
216, added	Tenement houses; light and air; basement rooms	1930	863	1612
216, subd. 1, subsection b	Tenement houses; basement rooms	1931	228	605
216, subd. 2	Tenement houses; basement rooms	1931	213	565
216, subds. 3, 4, added	Tenement houses; basement rooms	1931	213	566
223	Tenement houses; additional rooms	1930	839	1556
231, subd. 4	Tenement houses; fire protection; egress	1930	864	1614
233, subd. 2	Tenement houses; bulkheads	1930	839	1556
233, subd. 2	Tenement houses; bulkheads	1931	228	601
235	Stairs in non-fireproof buildings	1931	228	584
236	Stairs in fireproof buildings	1931	228	585
239	Tenement houses; tower fire-escapes	1930	839	1557
246	Tenement houses; fire-stops	1930	839	1557
246	Tenement houses; fire-stops	1930	841	1561
247	Tenement houses; alterations increasing number of rooms	1930	841	1561
300	Tenement houses; permit to commence building	1931	228	602
365, subd. 1	Laws repealed	1931	229	609
	NAVIGATION LAW: (L. 1909, ch. 42, constituting cons. laws, ch. 37.)			
3	Superintendent of public works	1927	32	38
4	Inspectors	1927	32	38
12a, added	Lights required on boats, Lake Placid	1924	561	1026
22	Inflammable and explosive articles on passenger vessels	1923	623	934
38a–38d, added	Motor boats, Lake Placid	1924	561	1026
38a	Motor boats; Lakes Placid and Flower	1931	146	479
38e, added	Motor boat regulation, Lake Flower	1931	145	478
47, repealed	Harbor masters, Hudson river	1927	512	1222
52	Deposit of offensive matter in certain lakes, prohibited	1924	560	1025
52	Deposit of offensive matter in certain lakes, prohibited	1931	147	480

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	NAVIGATION LAW — (*Continued*).			
Art. 4a (§§ 57–59, 59a) added	Motor boat regulation on St. Lawrence	1930	272	648
59, subd. 1	Motor boat regulation on St. Lawrence	1931	471	1093
Art. 4b (§§ 59b–59d), added	Motor boat regulation; Lake Oscawana	1931	144	477
62	Tidewater creek or estuary	1927	32	39
Art. 5a (§§ 67–70), added	Motor boat regulation zone on lakes	1931	379	815
81	Wrecks; powers of sheriff and coroners	1927	32	39
87, repealed	Wrecks; duties of wreck-masters	1927	32	40
88	Wrecks; detention	1927	32	39
92	Wrecks; publication of notice	1927	32	39
93, repealed	Wrecks; appointment of wreck-masters	1927	32	40
	NEGOTIABLE INSTRUMENTS LAW: (L. 1909, ch. 43, constituting cons. laws, ch. 38.)			
95	Notice of defect in instrument or title	1927	473	1165
327, added	Saturday afternoon bank transactions	1929	588	1266
Art. 19a (§§ 350, 350a–350l) added	Provisions for bank collections	1929	589	1266
350j, subd. 3	Unrequested or unauthorized credit	1930	436	916
	PARTNERSHIP LAW: (L. 1919, ch. 408, constituting cons. laws, ch. 39, superseding L. 1909, ch. 44.)			
71a, added	Payment of wages by receivers	1921	23	91
80, subd. 1	Partnership names	1923	268	465
Art. 8 (§§ 90–102), repealed	Limited partnerships	1922	640	1750
Art. 8 (§§ 90–119), added	Limited partnerships	1922	640	1750
90, 91, added	Limited partnerships	1922	640	1750
91	Limited partnerships	1923	640	958
92–119, added	Limited partnerships	1922	640	1752
110, 111, renumbered 125, 126	Laws repealed; when to take effect	1922	640	1758
	PENAL LAW: (L. 1909, ch. 88, constituting cons. laws, ch. 40.)			
Art. 3 (§ 50), added	Abandonment	1921	101	315
180, subd. 3, repealed	Impure and unwholesome milk	1922	122	417
186	Abandonment of disabled animal	1922	260	618
192, repealed	Keeping milch cows in unhealthy places	1922	122	417
192a, added	Unauthorized possession of dogs	1928	610	1362

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PENAL LAW — (*Continued*).			
194a, added	Clipping or cutting ears of dogs	1929	683	1621
244	Negligent operation of motor vehicles	1921	238	924
271a, added	Preparation of instruments affecting real property	1930	397	864
272	Penalty for violation of sections	1930	397	865
301a, added	Use of checks with certain drawings prohibited	1931	276	675
Art. 31 (§§ 344–355), added	Billiard and pocket billiard rooms	1922	671	1833
344, added	Billiard and pocket billiard rooms	1922	671	1834
344	Billiard rooms to be licensed	1931	420	1012
345, added	Billiard and pocket billiard rooms	1922	671	1834
345	Billiard and pocket billiard rooms	1923	189	235
345	Billiard and pocket billiard rooms	1928	90	238
345	Billiard rooms; license, how issued	1931	420	1012
346, added	Billiard and pocket billiard rooms	1922	671	1835
346	Billiard and pocket billiard rooms	1928	90	240
346	Billiard rooms; disposition of fees	1931	420	1012
347, added	Billiard and pocket billiard rooms	1922	671	1836
347	Billiard and pocket billiard rooms	1928	90	240
347	Billiard rooms; license certificate, posting, lost certificates	1931	420	1012
348–352, added	Billiard and pocket billiard rooms	1922	671	1836
348–352	Billiard and pocket billiard rooms	1931	420	1012
353, added	Billiard and pocket billiard rooms	1922	671	1836
353	Billiard and pocket billiard rooms	1928	90	241
353	Billiard and pocket billiard rooms	1931	420	1012
354, added	Billiard and pocket billiard rooms	1922	671	1838
354	Billiard and pocket billiard rooms	1928	90	241
354	Billiard rooms; directory	1931	420	1012
355, added	Billiard and pocket billiard rooms	1922	671	1838
355	Billiard rooms; saving clause	1931	420	1012
371	Bribery of a judicial officer	1931	521	1284
372	Officer accepting bribe	1931	521	1284
378	Bribing certain public officers	1931	521	1284
382, added	Bribery of baseball players	1921	80	278
390	Bucket shops	1925	285	547
407	Punishment for burglary	1926	436	758
421	Untrue and misleading advertisements	1921	520	1601
421a, added	Advertisements; by dealers in property	1929	232	522
433, repealed	Sale of agricultural products on commission	1922	122	417
435, subd. 4	Sale of kosher meat and meat preparations	1922	581	1314
435a, added	Sale of kosher meat and meat preparations	1922	580	1314
435b, added	Sale of kosher meat in restaurants	1926	287	535
435b	Sale of kosher meat in restaurants	1927	284	719
436a	Motor vehicles; defacing or removing identification marks	1922	392	823
436a	Motor vehicles; defacing or removing identification marks	1928	407	930
436a	Motor vehicles; defacing or removing identification marks	1930	823	1499
437a, added	Poisonous beverages; penalty for sale	1929	378	882
439	Corrupt influencing of agents or servants	1930	409	882
440, subd. 6, added	Discontinuance of use of assumed name	1926	202	377

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PENAL LAW — (*Continued*).			
440, subd. 1	Conducting business under assumed name	1929	58	112
441a, added	Printing or sale of copyrighted musical compositions	1930	185	535
445, repealed	Marking articles made of platinum	1927	244	681
445, added	Liquid fuels; lubricating oils	1928	182	323
482, subd. 4	Duty of board of health to inspect certain premises	1921	566	1706
483a, added	Carnal abuse of female child	1927	383	873
483b, added	Carnal abuse of certain female children	1929	684	1621
484a, added	Employment of children in drug traffic prohibited	1926	434	756
485, subd. 5	Employment of children; when prohibited	1928	697	1519
486	Neglected or delinquent children	1924	477	885
486, subd. 5	Vagrant and destitute children	1922	95	270
491, repealed	Fines to society for prevention of cruelty to children	1925	287	549
493, repealed	Taking apprentice without consent of guardian	1923	306	524
494	Punishment for contributing to delinquency of children	1924	478	888
516	Return of finger prints and photographs	1927	544	1322
554, added	Communication of information secured in course of employment	1926	706	1266
663a, added	Foreign corporations doing business in this state without authority	1927	397	923
664, subds. 1, 5	Misconduct of officers and directors of stock corporations	1924	221	442
671, added	Political contributions prohibited; penalty	1928	792	1669
Art. 70 (§§ 720–725)	Disorderly conduct	1923	642	960
722, added	Disorderly conduct	1923	642	960
722	Disorderly conduct	1924	476	884
723–725, added	Disorderly conduct	1923	642	962
754	Elective franchise; mutilation, destruction or loss of registry list	1922	641	1759
757	Elective franchise; failure of house-dweller to answer inquiries	1922	641	1759
760a	Elective franchise; misconduct in relation to designation petitions	1922	641	1760
763	Elective franchise; violation of election law by public officer	1922	641	1761
764	Elective franchise; misdemeanor in relation to elections	1922	641	1761
765	Elective franchise; illegal voting	1922	641	1763
765a, added	Elective franchise; unlawful use of pasters	1922	641	1764
766	Elective franchise; false returns	1922	641	1764
776, repealed	Elective franchise; failure to file candidate's statement of expenses	1922	641	1764
776, added	Elective franchise; failure to file statement of campaign funds	1922	641	1764
777	Procuring fraudulent certificates in order to vote	1928	794	1670
778	Presentation of fraudulent certificates to registry boards	1928	793	1670
781	Elective franchise; limitation of amounts to be expended	1922	641	1765
783, added	Crimes against elective franchise	1928	795	1671
861	Agreements for privileges to deal with occupants of tenements	1931	664	1464
925, repealed	Frauds on hotel keepers	1923	503	794

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PENAL LAW — (*Continued*).			
925, added	Frauds on hotel keepers	1923	503	794
925a, added	Frauds on hotel guests	1925	283	546
931	Unlawful use of state arms	1921	257	959
952	False representations as to securities	1925	278	543
958, added	Use of state seal and insignia on private vehicles	1921	224	877
958	Use of state seal and insignia on private vehicles	1930	491	969
959, added	Reproduction or forgery of archeological objects	1923	90	93
960, added	Fraudulent disposition of property subject to lease or hire	1924	577	1054
961, added	Fraudulent use of stamp on goods purported to have been made by blind	1930	120	451
970	Common gambler	1926	435	756
970a	Sale of gambling implements and devices	1922	667	1829
974	Keeping place for game of policy	1926	435	757
975	Possession of policy slips	1926	435	757
982	Keeping slot machines	1928	543	1170
997	Officers directed to prosecute gambling offenses	1926	435	758
1048	Punishment for murder, second degree	1928	32	31
1123, added	Injuring life or health of incompetent person	1921	427	1292
1140a	Immoral plays	1927	690	1731
1140a, subd. 1	Immoral plays	1931	668	1467
1140a, subd. 4, added	Immoral plays	1931	668	1468
1143	Mailing or carrying obscene prints and articles	1927	543	1321
1192	Acting as life insurance agent without certificate of authority	1927	472	1164
Art. 113 (§§ 1210–1214, 1214a–1214i, 1215–1218), added	Intoxicating liquor	1921	155	502
Art. 113 (§§ 1210–1214, 1214a–1214i, 1215–1218), repealed	Intoxicating liquor	1923	871	1690
1222, added	Avigating airplane in intoxicated condition	1928	408	931
1252	Consent of kidnapped person	1928	355	870
1270	Inspection of mines, tunnels and quarries	1921	68	259
1271	Hours of labor to be required	1921	68	259
1275	Violations of labor law and industrial code	1921	68	260
1275	Violations of labor law	1928	145	286
1276	Negligently furnishing insecure scaffolding	1921	68	261
1276	Negligently furnishing insecure scaffolding	1930	603	1107
1277	Neglect to complete or plank floors of buildings constructed in cities	1921	68	261
1277	Neglect to complete or plank floors of buildings of buildings constructed in cities	1930	603	1107
1292a	Obtaining money by fraudulent check, draft or order.	1923	505	795
1292a	Issuing fraudulent check, draft or order	1927	678	1708
1292a	Issuing fraudulent check, etc., how punished	1931	665	1465
1293a	Unauthorized use of motor vehicles	1922	500	1125
1293a	Unauthorized use of airplanes and motor vehicles	1928	373	887
1293b	Obtaining property or credit by false statement	1921	306	1031
1296	Grand larceny; second degree	1927	679	1709

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PENAL LAW — (*Continued*).			
1302a, added	Failure of landlords to turn over deposits made by tenants	1924	625	1162
1308	Buying or receiving stolen property	1921	429	1295
1308	Buying or receiving stolen property	1926	707	1267
1308	Buying, receiving, concealing or withholding stolen property	1928	354	869
1308a, added	Receivers of stolen goods	1928	170	309
1327	Bribery of members of legislature	1931	521	1284
1328	Receiving bribes by members of legislature	1931	521	1284
1423, subd. 4, repealed	Malicious mischief in regard to buoy or beacon	1927	541	1320
1423, subds. 12, 12a, added	Malicious mischief in regard to buoy or beacon	1927	541	1320
1425, caption	Malicious mischief; desecration of flag	1925	281	544
1425, subd. 1a, added	Destruction of timber on certain mortgaged premises	1925	280	544
1425, subd. 2	Injuries to trees and flowers	1925	281	544
1425, subd. 2	Injuries to trees and flowers	1926	374	691
1425, subd. 2	Injuries to trees and flowers	1930	394	847
1425, subd. 3	Severing from freehold of another. (*See foot note, L.* 1925, *p.* 544.)	1925	281	544
1425, subd. 4	Taking earth or stone from lot. (*See foot note, L.* 1925, *p.* 545.)	1925	281	545
1425, subd. 15a, added	Persons charged with enforcement of subd. 2	1930	394	847
1425, subd. 16	National and state flags; use	1921	428	1293
1425, subd. 16	National and state flags; desecration	1922	270	634
1425, subd. 16, ¶ e, renumbered ¶ f	American flag; use as receptacle for money forbidden	1924	376	718
1425, subd. 16, ¶ e, added	American flag; raffle or pawn forbidden	1924	376	718
1425, subd. 16, ¶ f, renumbered ¶ g	American flag; use as receptacle for money forbidden	1931	392	843
1425, subd. 16, ¶ f, added	American flag; desecration forbidden	1931	392	843
1428	Malicious injury to articles in libraries, galleries, museums, etc	1927	542	1321
1431a, added	Interference with meters or valves	1926	849	1575
1434	Placing garbage on highways	1922	296	680
1435, renumbered 1279	Unauthorized wearing of industry badges	1925	279	543
1484, subd. 4, added	Fraudulently wearing world war insignia	1921	143	469
1500a	Gasoline motor boats; sound of exhaust to be muffled	1924	575	1052
1500a	Use of hydroaeroplanes on certain lakes	1925	284	546
1500a	Gasoline motor boats; sound of exhaust to be muffled	1926	132	287
1500a	Gasoline motor boats; sound of exhaust to be muffled	1927	671	1695
1500a	Gasoline motor boats; sound of exhaust to be muffled	1928	613	1366
1500a	Gasoline motor boats; sound of exhaust to be muffled	1929	187	447
1500a	Gasoline motor boats; sound of exhaust to be muffled	1930	234	593
1500a	Gasoline motor boats; sound of exhaust to be muffled	1931	683	1505

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PENAL LAW — (*Continued*).			
1500b, added	Gasoline motor boats; Salmon river; sound of exhaust to be muffled	1929	685	1622
1500b	Gasoline motor boats; sound of exhaust to be muffled on certain rivers	1930	493	970
1534, added	Ticket speculators	1921	12	15
1620	Perjury	1927	680	1710
1620, subd. 3, added	Perjury by interpreters	1929	86	304
1634, repealed	Official interpreter of New York city court	1929	86	304
Art. 159 (§§ 1635–1643), added	Platinum stamping	1927	244	681
1694	Prisoner escaping	1929	240	532
1694a, added	Jumping bail	1928	374	887
1695	Attempt to escape from state prison	1929	240	532
1746, added	Sale of cocaine or eucaine	1923	130	160
1746, repealed	Sale of cocaine or eucaine	1927	672	1703
1748	Adulterated drugs	1922	122	417
1751, repealed	Violations of agricultural law	1922	122	417
1751, added	Violations public health law; drugs	1929	377	881
1753, repealed	Articles in imitation of food	1922	122	417
1764, added	Unlawful sale of tuberculous cattle	1926	56	214
1764	Unlawful sale of tuberculous cattle	1927	17	20
1822	Giving or offering bribes	1931	521	1284
1827	Officials not to be interested in tax sales	1928	148	288
1828	Prison officers not to be interested in prison contracts	1928	146	286
1828a, added	Delivery of contraband to prisoners	1930	492	969
1894	Explosives and combustibles	1930	571	1061
1897	Carrying and use of dangerous weapons	1921	297	1019
1897, subd. 1	Carrying and use of dangerous weapons	1931	435	1033
1897, subd. 10	License for pistol or revolver	1922	198	519
1897, subd. 10	License for pistol or revolver	1924	475	883
1897, subd. 14, added	Aliens carrying concealed weapons	1925	286	548
1900, subd. 1	Negligent or wilful setting of fires	1930	570	1061
1915, added	Reports of treatment of wounds caused by firearms	1926	608	1087
1941	Punishment for second offense of felony	1926	457	805
1942	Punishment for fourth conviction of felony	1926	457	805
1943, added	Procedure relating to resentencing	1926	457	805
1944, added	Committing felony while armed	1926	705	1265
1944	Committing felony while armed	1927	342	797
1980	Railroad officials; unlawful acts and neglect of duty	1928	88	237
1981	Misconduct of public service commissioners, transit commissioners and their employees	1928	89	238
1987	Platforms and heating apparatus of passenger cars	1928	87	236
2041, added	Discrimination against children in leases	1921	298	1022
2072	Disturbance of religious meeting	1928	147	287
2124	Robbery in first degree	1923	504	795
2125	Punishment of robbery in first degree	1926	436	759
2147, subd. 4	Public traffic on Sunday	1921	299	1023
2151	Processions and parades on Sunday	1923	70	74
2153	Barbering on Sunday	1926	835	1556

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PENAL LAW—(*Continued*).			
2182	Sentence to imprisonment for one year	1926	469	818
2183	Sentence to imprisonment for more than one year	1926	469	819
2184	Sentence to house of refuge, state industrial school and New York State Training School for Girls	1924	479	889
2184	Sentence to house of refuge, state industrial school and New York Training School for Girls	1931	127	461
2185	Sentence of males between sixteen and twenty-five	1931	431	1028
2187	Sentence of female convicts	1931	434	1032
2188	Passing or suspending sentence; probation	1925	276	540
2188	Passing or suspending sentence; probation	1928	841	1782
2188	Passing or suspending sentence; probation	1930	298	688
2193	Calculating term of imprisonment	1928	608	1360
2198	Sentence of convicts to state prisons	1931	462	1077
2211	Duty of burial of dead	1925	275	540
2215	Dead body to be buried or incinerated after dissection	1925	275	540
2240, subd. 1	Unauthorized wearing of military insignia	1921	42	110
2240, subd. 1	Societies and orders; unauthorized use of insignia	1924	576	1053
2240, subd. 1	Unauthorized use of emblems on motor vehicles	1925	282	545
2240, subd. 1	Societies and orders; unauthorized use of insignia	1927	197	593
2240, subd. 1	Societies and orders; unauthorized use of insignia	1928	409	931
2240a, added	Unauthorized wearing of uniforms	1925	277	542
2241, added	Unauthorized soliciting in behalf of civil service employees	1931	402	852
	PERSONAL PROPERTY LAW: (L. 1909, ch. 45, constituting cons. laws, ch. 41.)			
10	Definitions	1922	452	964
11	Suspension of ownership	1929	229	519
12, subd. 1	Gifts and bequests for charitable purposes	1926	622	1113
12, subd. 1, 2d paragraph	Gifts and bequests for charitable purposes	1927	239	677
12, subd. 2	Gifts and bequests for charitable purposes	1931	562	1364
12a, added	Validity of trusts of personal property	1930	849	1579
13a	Trusts for care of cemetery lots, etc	1930	130	462
13b, added	Trusts for employees	1928	173	313
13b, added	Private unincorporated cemetery; deposit of money in trust by lot owner	1928	482	1057
16	Trusts; directions for accumulation of income	1927	384	873
16	Trusts; directions for accumulation of income	1927	681	1710
16	Trusts; directions for accumulation of income	1928	172	311
17a, added	Stock dividends	1922	452	964
17a	Stock dividends	1926	843	1563
17b, added	Distribution of income earned during administration	1931	706	1547
21	Investment of trust funds	1922	599	1544
21	Investment of trust funds	1925	604	1014
21	Investment of trust funds	1926	307	557
21	Investment of trust funds	1928	362	875
24, repealed	Compromise of controversies; where infants, incompetents, etc, affected	1929	229	519
35, repealed	Transfers and charges with fraudulent intent	1925	254	507

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PERSONAL PROPERTY LAW — (*Continued*).			
45	Notice of liens upon merchandise to secure loans	1931	766	1638
Art. 4 (§§ 60–67), repealed	Conditional sales	1922	642	1766
Art. 4 (§§ 60–80, 80a–80j), added	Uniform conditional sales law	1922	642	1766
60–64, added	Uniform conditional sales law	1922	642	1766
61	Definitions	1930	874	1644
64	Uniform conditional sales law. (*See foot note, L. 1925, p. 916.*)	1925	561	916
64, repealed	Uniform conditional sales law	1930	874	1650
65, 66, added	Uniform conditional sales law	1922	642	1766
66	Uniform conditional sales law	1923	506	796
66	Uniform conditional sales law	1927	6	4
66	Uniform conditional sales law	1930	807	1475
66, as amended by L. 1927, ch. 6, repealed	Uniform conditional sales law	1930	807	1476
66	Uniform conditional sales law	1930	874	1646
67–70, added	Uniform conditional sales law	1922	642	1768
67	Fixtures	1930	874	1644
70	Unifo m conditional sales law	1926	413	730
70	Uniform conditional sales law	1930	874	1647
71, added	Uniform conditional sales law	1922	642	1769
71	Uniform conditional sales law	1926	160	319
72–80, added	Uniform conditional sales law	1922	642	1770
72a–72d, added	Uniform conditional sales law	1930	874	1649
80a–80j, added	Uniform conditional sales law	1922	642	1773
80j, repealed	Uniform conditional sales law	1930	874	1650
144, subd. 3	Action for price of goods sold	1925	560	915
Art. 6A (§§ 186, 186a–186c), added	Bearer shares	1927	387	877
Art. 8 (§§ 260–262), added	Security receipts and equipment trust certificates	1926	704	1264
Art. 8, title	Security receipts, equipment trust certificates and corporate bonds	1930	630	1141
260	Definitions	1930	630	1141
261	Securities; negotiation; transfer of titles	1930	630	1141
262	Securities; transfer; application of article	1930	630	1141
	POOR LAW: (L. 1909, ch. 46, constituting cons. laws, ch. 42, superseded by public welfare law, which see.)			
All repealed		1929	565	1196
59	Tubercular poor; restriction on settlement; certain counties	1929	655	1572
	PRISON LAW: (L. 1909, ch. 47, constituting cons. laws, ch. 43. Title changed by L. 1929, ch. 243 to correction law, which see.)			

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC BUILDINGS LAW: (L. 1909, ch. 48, constituting cons. laws, ch. 44.)			
2	Public buildings	1927	382	870
2	Public buildings	1928	183	324
3	Superintendent of public works; powers and duties	1927	382	870
4	Superintendent of public buildings; powers and duties	1927	382	872
5a, added	Room for United Spanish War Veterans	1925	291	561
5a	Room for United Spanish War Veterans	1927	382	872
6, repealed	State architect; department of architecture	1927	60	223
7, repealed	State architect; officers, deputies and assistants	1927	60	223
8	Division of architecture	1927	60	218
8	Department of public works; architecture	1928	757	1630
8a, added	Employment of outside architects	1928	375	888
9	Selection of architects by competition	1927	60	220
9	Selection of architects by competition	1928	757	1631
10	Board of award	1927	60	220
11	Employment of architect	1927	60	220
14	Contracts	1927	60	220
14	Contracts	1928	757	1631
15	Contracts; approved by comptroller	1927	60	221
16	Payments	1927	60	222
18	Labor and materials	1927	60	222
19	Work done by special order	1927	60	222
19c	Completion of existing contracts	1927	60	222
19d, renumbered 19e	Application of art. 2	1923	639	958
19d, added	Restaurant in capitol	1923	639	958
19d	Restaurant in capitol	1927	382	873
19e	Application of art. 2	1927	60	222
Art. 2A (§§ 19f–19i), added	Bureau of housing and regional planning	1923	694	1239
Art. 2A (§§ 19f–19i), repealed	Bureau of housing and regional planning	1926	823	1521
Art. 2A (§§ 19f–19i), repealed	Bureau of housing and regional planning	1927	35	56
Art. 2B (§§ 19m–19s), added	Bureau of fine arts	1924	228	453
19n–19p, repealed	Bureau of fine arts	1928	756	1629
19q	Bureau of fine arts	1928	756	1628
19r	Bureau of fine arts	1928	756	1629
19s, repealed	Bureau of fine arts	1928	756	1629
19s, added	Bureau of fine arts	1928	756	1629
Art. 3 (§§ 20–25), repealed	Washington's Headquarters	1928	242	720
Art. 4 (§§ 40–42), repealed	Senate House at Kingston	1928	242	720
Art. 5 (§§ 60–66), repealed	New York State Soldiers' and Sailors' Home	1928	605	1358
60	New York State Soldiers' and Sailors' Home; trustees.	1921	430	1296
60	New York State Soldiers' and Sailors' Home; trustees.	1922	127	421
60	New York State Soldiers' and Sailors' Home; trustees.	1923	490	774
60, repealed	New York State Soldiers' and Sailors' Home; trustees	1928	605	1358
61	New York State Soldiers' and Sailors' Home; trustees	1922	481	1018
61	New York State Soldiers' and Sailors' Home; trustees	1925	551	906

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC BUILDINGS LAW—(*Continued*).			
61, repealed	New York State Soldiers' and Sailors' Home; trustees	1928	605	1358
62, repealed	New York State Soldiers' and Sailors' Home; sale of liquor	1928	605	1358
63, repealed	New York State Soldiers' and Sailors' Home; sale of liquor	1928	605	1358
64	New York State Soldiers' and Sailors' Home; admission	1922	646	1781
64, repealed	New York State Soldiers' and Sailors' Home; admission	1928	605	1358
65, repealed	New York State Soldiers' and Sailors' Home; insane inmates	1928	605	1358
66, repealed	New York State Soldiers' and Sailors' Home; annual report	1928	605	1358
Art. 6 (§§ 70–72), repealed	Schuyler Mansion	1928	242	720
Art. 7 (§§ 80–85), repealed	Herkimer Home	1928	242	720
Art. 8 (§§ 90–94), added	Guy Park House	1921	662	2038
Art. 8 (§§ 90–94), repealed	Guy Park House	1928	242	720
	PUBLIC HEALTH LAW: (L. 1909, ch. 49, constituting cons. laws, ch. 45.)			
2	Commissioner of health; deputy	1927	48	72
2½, added	Functions, powers and duties of department	1927	48	73
2½	Functions, powers and duties of department	1928	436	967
2a	Public health council	1927	48	73
2b	Sanitary code	1923	494	777
2b	Sanitary code	1927	48	74
2c	Sanitary code; enforcement	1923	493	776
2c	Sanitary code; enforcement	1927	48	75
3	Compensation of officers and employees	1923	485	769
3	Compensation of officers and employees	1927	48	75
3a	Divisions of department	1921	510	1576
3a	Divisions of department	1922	402	845
3a	Divisions of department	1927	48	75
3a	Divisions of department	1931	481	1110
4	Commissioner, powers and duties	1924	325	599
4	Commissioner, powers and duties	1927	48	76
4	Commissioner; powers and duties	1929	517	1070
4a, opening paragraph	Sanitary districts	1923	493	777
4b	Duties of commissioner; laboratories	1929	368	856
5	Laboratory supply stations	1921	399	1239
5	Laboratory supply stations	1923	637	951
6a, added	Milk control and inspection	1930	763	1376
6b, added	Commissioner; powers, functions, duties	1930	763	1376
7	Overflow of water from canals	1927	48	77
10	Acquisition of land	1931	481	1111

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC HEALTH LAW — (*Continued*).			
11	Failure to appoint health officer	1929	376	876
12	Annual report	1930	415	889
14	Inspection of state institutions by state commissioner	1921	510	1577
14	Inspection of state institutions by state commissioner	1927	48	77
Art. 2a (§§ 18, 18a–18c), added	Maternity, infancy and child hygiene	1922	402	846
Art. 2b (§§ 19, 19a, 19b), added	State aid to counties	1923	662	1108
19, added	State aid to counties	1923	662	1108
19	State aid to counties	1924	278	534
19	State aid to counties	1927	195	591
19	State aid to counties	1930	722	1321
19a, added	State aid to counties	1923	662	1109
19a	State aid to counties	1924	278	535
19b, added	State aid to counties	1923	662	1109
19b	State aid to counties	1924	278	535
19b	State aid to counties	1926	367	648
20	Local boards of health	1921	270	977
20	Local boards of health	1929	376	877
20b, added	General health districts	1921	509	1574
20b	General health districts	1923	636	947
20b	County health districts	1929	371	864
20b	General health districts	1930	335	732
20b, subd. 2	General health districts	1926	499	854
20b, subd. 7	General health districts	1926	499	854
20b, subd. 8	General health districts	1927	283	717
20b, subd. 16, added	General health districts	1927	283	718
20c–20h, added	Laboratory service for local medical practitioners	1923	638	952
20c, added	City health officers	1931	473	1099
21	Local boards of health	1926	308	560
21	Local boards of health	1929	375	873
21	Local boards of health	1930	696	1269
21a	Sewers; powers and duties of local boards	1921	510	1577
21a	Sewers; powers and duties of local boards	1928	395	907
21b	Sewers; powers and duties of health officers	1929	372	868
21c	Public health nurses	1931	416	1008
22, repealed	Lake George health district	1921	188	754
24a, added	Licensing persons procuring blood donors	1930	326	719
25a, added	Prevention of rabies	1926	185	346
25a	Prevention of rabies	1929	375	875
26	Nuisances	1931	288	698
36	Indigent Indians; relief in epidemics	1927	48	78
36a	Carriers of disease; care and maintenance	1930	297	687
Art. 4 (§§ 40–50), repealed	Adulterations	1922	335	722
43, repealed	Analysis of spirituous, fermented or malt liquors	1922	48	209
46, repealed	Adulteration of wines	1922	48	209
47, repealed	Pure wines defined	1922	48	209
48, repealed	Half wine and made wine defined; packages, how stamped and labeled	1922	48	209
49, repealed	Penalties	1922	48	209
70	Contamination of potable waters	1926	309	562

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC HEALTH LAW — (*Continued*).			
71	Inspection of water	1926	309	563
71	Inspection of water	1927	602	1521
73	Sewage	1921	510	1578
73	Sewage	1926	309	565
73	Sewage	1928	395	908
76a	Order to discontinue pollution of waters	1921	510	1581
76a	Order to discontinue pollution of waters	1928	395	910
77	Permission to discharge sewage	1921	510	1582
77	Permission to discharge sewage	1928	395	911
79	Refuse discharge pipes; plans	1921	510	1583
79	Refuse discharge pipes; plans	1928	395	912
80	Refuse discharge pipes; revocation of permit	1921	510	1583
80	Refuse discharge pipes; revocation of permit	1928	395	912
87	Actions by municipalities to prevent discharge of sewage	1921	510	1584
87	Actions by municipalities to prevent discharge of sewage	1928	395	913
88, added	Emergency orders by commissioner affecting water supply	1927	254	693
88	Orders by commissioner affecting water supply	1929	374	872
Art. 8 (§§ 160–174, 174a, 174b), repealed	Practice of medicine	1927	85	348
161	Practice of medicine; qualifications	1926	834	1542
162	State board of medical examiners	1923	496	779
164	Medical examinations; expenses	1926	834	1542
166	Medical examinations	1923	496	780
166	Medical examinations	1924	282	539
166	Medical examinations	1926	456	803
166	Medical examinations	1926	834	1543
167	Medical examinations; questions	1923	496	781
167	Medical examinations; questions	1926	834	1544
168	Medical examinations; reports	1923	496	782
169	License to practice medicine	1923	496	782
169	License to practice medicine	1924	282	541
169	License to practice medicine	1926	834	1544
170	License to practice medicine; registration	1926	834	1546
171, repealed	Practice of medicine; registry in another county	1926	834	1548
173	Construction of art. 8	1924	282	542
173	Construction of art. 8	1926	834	1548
174	Practice of medicine; penalties for violations	1926	834	1550
174a, added	Practice of medicine; revocation of certificates; annulment of registration	1926	834	1551
174b, added	Practice of medicine; disciplinary proceedings	1926	834	1552
Art. 8a (§§ 175–188), added	Midwives; licensing and registration	1922	501	1126
Art. 9 (§§ 190–203), repealed	Dental societies and practice of dentistry	1927	85	348
193	Dental societies; powers	1921	397	1239
195, subd. 1	State board of dental examiners	1925	364	666
195, subd. 2	Practice of dentistry; secretary of board	1926	159	314
196, subd. 3	Dental societies; examinations	1926	159	315
196, subd. 4	Dental societies; examinations	1922	178	495
196, subd. 5	Dental societies; examinations	1925	364	667

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	PUBLIC HEALTH LAW — (*Continued*).			
196, subd. 5	Dental societies; examinations	1926	159	315
196, subd. 5, ¶ B	Dental societies; examinations	1922	178	496
196, subd. 5a, added	Dental hygienists; qualifications	1926	485	842
198, subd. 2	Dental societies; licenses	1922	178	496
198, subd. 2	Dental societies; licenses	1926	159	315
200	Dental societies; examination fees and expenses	1926	159	316
203, subd. A	Dental societies; penalties and collection	1922	178	496
203, subd. A	Dental societies; penalties and collection	1926	159	316
203, subd. B, ¶ 4	Dental societies; penalties and collection	1922	178	497
203, subd. B, ¶ 4	Dental societies; penalties and collection	1926	159	317
203, subd. D	Dental societies; penalties and collection	1926	159	317
Art. 10 (§§ 210–225), repealed	Veterinary medicine and surgery	1927	85	348
216	Veterinary medicine; admission to examination	1922	179	498
216	Veterinary medicine; admission to examination	1925	366	668
218	Veterinary medicine; examinations and reports	1924	326	600
219	Veterinary medicine; licenses	1924	326	601
224	Veterinary medicine; penalties	1924	326	602
225, added	Veterinary medicine; revocation of certificate and annulment of registration	1924	326	603
Art. 11 (§§ 230–241), repealed	Pharmacy	1927	85	348
231	State board of pharmacy; organization, etc	1924	338	631
231	State board of pharmacy; organization, etc	1926	698	1255
233	Practice of pharmacy; licenses, etc	1922	183	501
233	Practice of pharmacy; licenses, etc	1924	338	632
233	Practice of pharmacy; licenses, etc	1926	368	649
233, 1st subd. 4	Practice of pharmacy; pharmacist	1925	365	668
233, 2d subd. 4	Practice of pharmacy; junior pharmacist	1925	365	668
234	Pharmacies and drug stores	1923	269	465
234a, added	Unauthorized use of terms "drug store" or "pharmacy"	1924	279	536
239	Construction of art. 11; temporary permits	1923	269	468
239	Construction of art. 11; temporary permits	1926	368	652
240, subd. 12, added	Pharmacies; misdemeanors	1923	269	468
Art. 12 (§§ 250, 250a, 251, 251a, 252, 252a–252d, 253, 254), repealed	Registration of nurses and trained attendants	1927	85	348
252	Waiver of examination for nurses	1922	288	662
252a	Waiver of examination for attendants	1922	288	662
Art. 13 (§§ 270–278, 278a, 279–281, 281a, 282, 282a), repealed	Chiropody	1927	85	348
278a, added	Podiatry; registration	1922	373	793
281a, added	Chiropody; violation of art. 13	1922	373	794
282a, added	Chiropody; definitions	1922	373	794
290	Embalming and undertaking; supervisor	1927	48	78
290	Embalming and undertaking; supervisor	1927	691	1732
291	Embalming and undertaking; regulations	1927	48	78

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	PUBLIC HEALTH LAW — (*Continued*).			
291	Embalming and undertaking; regulations	1929	370	859
292	Embalming; examination for license	1927	48	79
292	Embalming; examinations	1927	691	1733
292	Embalming; examinations	1929	370	860
292	Embalming; examinations	1931	472	1094
293	Embalming; license and examination	1923	495	778
293	Embalming; license and examination	1927	48	79
293	Embalming; license and examination	1927	691	1733
293	Embalming; license and examination	1929	370	860
294	Embalming; issuance of license	1927	48	80
294	Embalming; issuance of license	1927	691	1734
295	Undertakers; examinations and licenses	1929	370	861
295	Undertakers; examinations and licenses	1931	472	1094
295, subd. 5	Undertakers; examinations and licenses	1927	48	80
295, subd. 5	Undertakers; examinations and licenses	1927	691	1734
295a, added	Undertakers; exceptions as to high school education	1931	472	1095
295b, added	Undertakers; apprenticeship; technical training	1931	472	1095
296	Embalming and undertaking; reciprocal licenses	1927	48	81
296	Embalming and undertaking; reciprocal licenses	1929	370	862
297, added	Embalming and undertaking; annual registration	1929	370	862
297	Embalming and undertaking; annual registration	1931	472	1097
298	Embalming and undertaking; practice without license prohibited	1931	472	1098
298a, added	Undertaking and embalming; disposition of moneys received	1931	472	1099
Art 15 (§§ 300–303, 303a, 304–308), repealed	Optometry	1927	85	348
300	Optometry; definition; application of art. 15	1922	245	597
303	Optometry; examinations; certificates of practitioners	1922	245	597
303a, added	Optometry; degrees	1922	245	599
306	Practice of optometry	1924	280	536
307	Practice of optometry; violations of art. 15	1924	281	538
307	Practice of optometry; violations of art. 15	1926	174	331
310	Vaccination of school children	1929	140	367
311	Vaccination; reports	1924	25	26
311	Vaccination; reports	1925	368	676
311	Vaccination; reports	1929	140	368
316	Cadavers	1925	369	677
317	Cadavers in certain counties	1922	387	812
319	Pulmonary tuberculosis; consent to establish hospitals or camps	1923	510	801
319	Pulmonary tuberculosis; consent to establish hospitals or camps	1926	186	347
334	Iron stairways, certain buildings	1924	110	155
335, added	Fire alarm boxes required in hospitals, etc.	1928	838	1770
335	Fire alarm boxes required in hospitals, etc	1929	141	369
335	Fire alarm boxes required in hospitals, etc	1929	369	857
335	Fire alarm boxes required in hospitals, etc	1931	478	1107
Art. 16a (§§ 335, 336), added	State tuberculosis hospitals	1931	481	1113
343a, 343b, repealed	Suppression of certain nuisances	1927	670	1689

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC HEALTH LAW — (*Continued*).			
343a, 343b, added	Suppression of houses of prostitution	1927	670	1689
343c, repealed	Suppression of certain nuisances	1927	670	1689
343c, added	Suppression of houses of prostitution	1927	670	1690
343c	Suppression of houses of prostitution	1928	266	747
343c	Suppression of houses of prostitution	1929	373	870
343d, repealed	Suppression of certain nuisances	1927	670	1689
343d, added	Suppression of houses of prostitution	1927	670	1690
343d	Suppression of houses of prostitution	1928	266	748
343d	Suppression of houses of prostitution	1929	373	871
343e, repealed	Suppression of certain nuisances	1927	670	1689
343e, added	Suppression of houses of prostitution	1927	670	1691
343f, repealed	Suppression of certain nuisances	1927	670	1689
343f, added	Suppression of houses of prostitution	1927	670	1691
343f	Suppression of houses of prostitution	1928	266	748
343g–343i, repealed	Suppression of certain nuisances	1927	670	1689
343g–343i, added	Suppression of houses of prostitution	1927	670	1691
343j, added	Suppression of houses of prostitution	1927	670	1692
343j	Suppression of houses of prostitution	1928	266	748
343k, added	Suppression of houses of prostitution	1927	670	1692
343l, added	Suppression of houses of prostitution	1927	670	1692
343l	Suppression of houses of prostitution	1928	266	748
343m, added	Suppression of houses of prostitution	1927	670	1692
343m	Suppression of houses of prostitution	1928	266	749
343n–343o, added	Suppression of houses of prostitution	1927	670	1692
343o	Suppression of houses of prostitution	1931	481	1113
343p, added	Suppression of houses of prostitution	1927	670	1692
343p	Suppression of houses of prostitution	1931	481	1113
343q–343w, added	Suppression of houses of prostitution	1927	670	1692
343w	Suppression of houses of prostitution	1929	373	871
343x, added	Suppression of houses of prostitution	1927	670	1694
343x	Suppression of houses of prostitution	1928	266	749
343x	Suppression of houses of prostitution	1929	373	871
343y, added	Suppression of houses of prostitution	1927	670	1694
343y	Suppression of houses of prostitution	1929	373	871
343z, added	Suppression of houses of prostitution	1927	670	1694
343z	Suppression of houses of prostitution	1928	266	749
343z	Suppression of houses of prostitution	1929	373	871
343aa, added	Suppression of houses of prostitution	1927	670	1689
343aa	Suppression of houses of prostitution	1929	373	872
343bb, 343cc, added	Suppression of houses of prostitution	1927	670	1694
Art. 18 (§§ 344–347), repealed	State Institute for Study of Malignant Disease	1926	349	620
347	State Institute for Study of Malignant Disease	1921	320	1061
Art. 18 (§§ 344–348), added	State Institute for Study of Malignant Disease	1927	48	81
344	State Institute for Study of Malignant Disease	1931	481	1114
Art. 19 (§§ 348, 349), added	State Hospital for Treatment of Incipient Pulmonary Tuberculosis, at Raybrook	1923	641	960

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC HEALTH LAW — (*Continued*).			
Art. 19 (§§ 348, 349), repealed	State Hospital for Treatment of Incipient Pulmonary Tuberculosis, at Raybrook	1927	48	83
349, added	State Institute for Study of Malignant Disease	1931	481	1114
Art. 19 (§§ 350–368), added	State institutions in the department	1931	481	1115
372	Vital statistics; registration districts	1925	367	669
373	Vital statistics; registrar	1923	487	770
373	Vital statistics; registrar	1930	569	1058
376	Vital statistics; registration of stillborn children	1925	367	670
376	Vital statistics; registration of stillborn children	1930	569	1059
377, repealed	Vital statistics; death certificates	1930	569	1059
377, added	Vital statistics; death certificates	1930	569	1059
383, repealed	Vital statistics; birth certificates	1930	569	1060
383, added	Vital statistics; birth certificates	1930	569	1060
383, subd. 21	Vital statistics; birth certificates	1925	367	671
385	Vital statistics; registration of physicians, midwives and undertakers	1925	367	671
387	Vital statistics; records of state commissioner	1922	415	878
387	Vital statistics; records of state commissioner	1925	367	671
389	Vital statistics; district records	1922	415	879
389	Vital statistics; district records	1924	168	378
389	Vital statistics; district records	1925	367	672
390	Vital statistics; fees of registrar	1925	367	674
390	Vital statistics; fees of registrar	1929	367	855
390	Vital statistics; fees of registrar	1931	265	650
391	Vital statistics; certified copies of records	1921	398	1237
391	Vital statistics; certified copies of records	1925	367	674
407	County mosquito extermination commission; secretary	1921	487	1505
411–413	County mosquito extermination commission	1922	196	516
Art. 22 (§§ 420–445), repealed	Department of narcotic drug control	1921	708	2496
Art. 22 (§§ 420–445), added	Habit forming drugs	1927	672	1695
443	Habit forming drugs; penalties	1929	377	881
446, added	Habit forming drugs; possession of apparatus for opium	1931	479	1109
447, added	Habit forming drugs; obtaining drugs from physicians.	1931	480	1109
Art. 22 (§§ 450, 451), renumbered art. 23	Laws repealed; when to take effect	1927	672	1703
	PUBLIC LANDS LAW: (L. 1909, ch. 50, constituting cons. laws, ch. 46.)			
Art. 2	Board of commissioners of land office	1928	578	1282
2	Commissioners of land office; organization and procedure	1928	578	1282
3	Commissioners of land office; powers and duties; leases	1924	60	95
3	Commissioners of land office; powers and duties; leases	1928	578	1283
3, subd. 4, added	Commissioners of land office; transfer of jurisdiction of state lands	1929	699	1649

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC LANDS LAW — (*Continued*).			
4	Vesting of crown lands in people	1928	578	1283
5	Letters patent	1928	578	1284
6	Determination of claims based on alleged failure of title	1928	578	1284
7	Partition of lands held by state in joint tenancy or tenancy in common	1928	578	1284
8	Trespass upon state lands	1928	578	1284
9	Penalty for trespass	1928	578	1284
10	Power to investigate before grant	1928	578	1285
11	Power to confirm defective grant	1928	578	1285
12	Certain patents and grants satisfied	1928	578	1285
13	Grants to heirs, devisees or successors in interest	1928	578	1285
14	Time of performing conditions of grant	1928	578	1286
14	Time of performing conditions of grant	1931	313	731
15	Prohibitions as to grants in Lake George	1928	578	1286
16	Reservation of Esopus island	1928	578	1286
17, repealed	Trespasses upon lands other than forest preserve	1928	578	1286
18, repealed	Payment of costs of actions directed by commissioners	1928	578	1286
19	Payment of incumbrances on public lands; abandonment; costs	1921	647	1984
19	Payment of incumbrances on public lands; abandonment; costs	1922	648	1783
19	Payment of incumbrances on public lands; abandonment; costs	1926	739	1381
19, renumbered 17, and amended	Payment of incumbrances on public lands; abandonment; costs	1928	578	1286
19	Payment of incumbrances on public lands; costs	1928	611	1363
20, renumbered 18	Expenses chargeable to special funds	1928	578	1287
21, renumbered 19	Assessments for local improvements on state lands	1928	578	1287
22, renumbered 20, and amended	Grants of lands in Onondaga salt springs reservation	1928	578	1288
Art. 3	Unappropriated state lands	1928	578	1288
31	Unappropriated state lands; surveys	1928	578	1289
32	Unappropriated state lands; maps	1928	578	1289
33	Unappropriated state lands; notice and place of sale	1922	150	456
33	Unappropriated state lands; notice and place of sale	1923	488	772
33	Unappropriated state lands; notice and place of sale	1928	578	1289
33a, added	Unappropriated state lands; transfer for various purposes	1923	230	424
33a	Unappropriated state lands; transfer for various purposes	1924	473	881
33a, renumbered 37, and amended	Unappropriated state lands; transfer for parks, etc.	1928	578	1290
34, renumbered 35, and amended	Unappropriated state lands; terms of sale	1928	578	1290
34	Unappropriated state lands; transfer for parks, etc.	1929	238	530
35, renumbered 36, and amended	Unappropriated state lands; issue of patents	1928	578	1290

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC LANDS LAW — (*Continued*).			
36, renumbered 37, and amended	Unappropriated state lands; cancellation and forfeiture of bond for purchase money	1928	578	1290
37, repealed	Unappropriated state lands; resale	1928	578	1291
37, repealed	Unappropriated state lands; transfer for parks, etc.	1929	557	1139
37, added	Unappropriated state lands; disposition of purchase-money bonds	1929	557	1140
37a, added	Unappropriated state lands; resale	1929	557	1140
38, repealed	Unappropriated state lands; payment on resale	1928	578	1291
38, repealed	Unappropriated state lands; removal of occupants	1929	557	1139
38, added	Unappropriated state lands; payment on resale	1929	557	1140
38a, added	Unappropriated state lands; disposition of moneys received on sale	1923	859	1527
38a	Unappropriated state lands; disposition of moneys received on sale	1926	605	1078
38a, renumbered 40, and amended	Unappropriated state lands; disposition of moneys received on sale	1928	578	1291
38a, added	Unappropriated state lands; removal of occupants	1929	557	1140
39, renumbered 38, and amended	Unappropriated state lands; removal of occupants	1928	578	1291
40, renumbered 39, and amended	Unappropriated state lands; application for grant under special law	1928	578	1291
41, repealed	Unappropriated state lands; right of action by holder of certificate	1928	578	1291
Art. 4	Abandoned canal lands and structures	1928	578	1292
50	Sale of abandoned canal lands	1921	431	1297
50	Sale of abandoned canal lands	1928	578	1292
51, repealed	Sale of abandoned canal lands	1928	578	1293
51, subd. 2, added	Abandoned canals; maintenance of highways	1931	429	1026
52, renumbered 51, and amended	Sale of abandoned canal lands	1928	578	1293
53, renumbered 52, and amended	Sale of abandoned canal lands	1928	578	1293
54	Sale of abandoned canal lands	1921	418	1280
54	Sale of abandoned canal lands	1922	531	1212
54, renumbered 53, and amended	Sale of abandoned canal lands	1928	578	1294
55, renumbered 54, and amended	Sale of abandoned canal lands	1928	578	1295
55a, added	Conveyance of easements in abandoned canal lands	1922	598	1543
55a	Conveyance of easements in abandoned canal lands	1925	555	908
55a	Conveyance of easements in abandoned canal lands	1926	173	330
55a, renumbered 55, and amended	Conveyance of easements in abandoned canal lands	1928	578	1295
56, renumbered 58, and amended	Abandoned canal lands; sale at public auction	1928	578	1297
56	Sale of canal lands for highways	1929	89	306
57, renumbered 59, and amended	Abandoned canal lands; sale at public auction	1928	578	1298
57	Lands of Black river and Oswego canals; use for state or county parks	1929	19	22
57	Lands of Black river and Oswego canals; use for state, county or city parks	1930	22	35

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC LANDS LAW — (*Continued*).			
57a, added	Sale of canal lands for highways	1922	518	1168
57a	Sale of canal lands for highways	1924	474	882
57a, renumbered 56, and amended	Sale of canal lands for highways	1928	578	1296
57b, added	Lands of Black River canal; use for state park	1925	593	987
57b	Lands of Black and Oswego canals; use for state parks	1927	567	1377
57b	Lands of Black river and Oswego canals; use for state or county parks	1928	406	929
57b, renumbered 57, and amended	Lands of Black river and Oswego canals; use for state parks	1928	578	1297
58, repealed	Release of state from maintenance of abandoned canal lands	1928	578	1298
59	Sale of abandoned canal lands; disposition of proceeds	1922	502	1130
59, renumbered 60, and amended	Sale of abandoned canal lands; disposition of proceeds	1928	578	1298
59a, repealed	Abandoned canal lands; records of canal board and commissioners of the land office	1928	578	1298
60, renumbered 59a	Sale of abandoned canal lands; disposition of proceeds	1929	112	336
Art. 5 (§§ 60–69)	Escheated lands	1928	578	1298
62	Escheated lands; conveyance to petitioner	1928	728	1580
Art. 6	Grants of lands under water	1928	578	1301
75	Grants of land under water	1928	578	1302
75, subd. 3, renumbered subd. 4	Grants of land under water	1926	93	249
75, subd. 3, added	Grants of land under water	1926	93	249
75, subds. 4, 5, renumbered subds. 5, 6	Grants of land under water	1926	93	249
75a, renumbered 76, and amended	Grants of land under water	1928	578	1302
76, renumbered 77, and amended	Grants of land under water	1928	578	1303
77, renumbered 78, and amended	Grants of land under water	1928	578	1303
78	Grants of land under water	1923	183	229
78, repealed	Grants of land under water	1928	578	1303
92a–92c, added	Mineral springs	1931	430	1027
Art. 8a (§§ 93–100), repealed	Enfield falls reservation	1924	88	130
Art. 9 (§§ 100–108), repealed	State reservation at Niagara	1928	242	720
102, subd. 9, added	Commissioners of state reservation at Niagara	1922	647	1782
Art. 10 (§§ 110–117), repealed	Watkins glen	1924	88	130
Art. 10 (§§ 109–117), added	Finger lakes state parks commission	1924	88	126

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC LANDS LAW — (*Continued*).			
Art. 10 (§§ 109–117), repealed	Finger lakes state parks commission	1928	242	720
109–113, added	Finger lakes state parks commission	1924	88	126
109–113, repealed	Finger lakes state parks commission	1928	242	720
113, subd. 9, added	Finger lakes state parks commission	1925	552	907
114–117, added	Finger lakes state parks commission	1924	88	128
114–117, repealed	Finger lakes state parks commission	1928	242	720
Art. 11 (§§ 120–127), repealed	Newtown Battlefield reservation	1928	242	720
140	Construction	1921	308	1043
Art. 15 (§ 140), renumbered art. 17 (§ 160)	Construction	1925	198	426
Art. 15 (§§ 140–146), added	Central New York state parks commission	1925	198	421
Art. 15 (§§ 140, 141, 141a, 141b, 142–146), repealed	Central New York state parks commission	1928	242	720
140, added	Central New York state parks commission	1925	198	421
140, repealed	Central New York state parks commission	1928	242	720
141, added	Central New York state parks commission	1925	198	421
141, repealed	Central New York state parks commission	1928	242	720
141a, added	Central New York state parks commission	1926	389	705
141a, repealed	Central New York state parks commission	1928	242	720
141b, added	Central New York state parks commission	1926	389	705
141b, repealed	Central New York state parks commission	1928	242	720
142, added	Central New York state parks commission	1925	198	422
142, repealed	Central New York state parks commission	1928	242	720
142, subd. 2	Central New York state parks commission	1926	389	705
143–146, added	Central New York state parks commission	1925	198	423
143–146, repealed	Central New York state parks commission	1928	242	720
Art. 16 (§§ 150–156), added	Taconic state park commission	1925	198	423
Art. 16 (§§ 150–156), repealed	Taconic state park commission	1928	242	720
	PUBLIC OFFICERS LAW: (L. 1909, ch. 51, constituting cons. laws, ch. 47.)			
3	Qualifications for holding office	1922	180	499
3	Qualifications for holding office	1925	30	51
8	Commissions of notaries public	1926	565	995
8	Commissions of officers	1927	144	465
8	Commissions of officers	1931	643	1437
11	Official undertakings	1927	234	671
31, subd. 1	Resignation	1928	92	242
32	Removal by senate	1928	112	259
33	Removals by governor	1928	111	259
34	Proceedings for removal by governor	1928	15	13
39	Filling vacancies in office of officer appointed by governor and senate	1928	102	250
41	Vacancies filled by legislature	1928	91	241

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC OFFICERS LAW—(*Continued*).			
42, renumbered 43	Filling certain vacancies	1922	649	1784
42, added	Filling vacancies in elective offices	1922	649	1784
60	Official seals	1927	25	28
63a, added	Leave of absence to veterans, to attend American Legion convention, Paris, France, 1927	1926	666	1211
63a, repealed	Leave of absence to veterans, to attend American Legion convention, Paris, France, 1927	1928	41	41
63a, added	Leave of absence to Spanish war veterans, to attend convention of United Spanish War Veterans in Havana, Cuba, 1928	1928	41	41
63a, repealed	Leave of absence to veterans, to attend American Legion convention, Paris, France, 1927	1930	589	1081
63a, repealed	Leave of absence to veterans, to attend American Legion convention, Paris, 1927	1930	607	1111
63a, added	Leave of absence for certain veterans during 1930	1930	589	1081
63b, added	Leave of absence for certain veterans during 1930	1930	607	1111
70a, added	Public advertisements; fees	1923	877	1698
70a	Public advertisements; fees	1924	90	132
70a	Public advertisements; fees	1925	494	827
70a	Public advertisements; fees	1928	699	1527
80	Delivery of books, money and property	1925	556	909
	PUBLIC SERVICE LAW: (L. 1910, ch. 480, constituting cons. laws, ch. 48. *See note L.* 1910, *p.* 923.)			
Title	Public service commission and transit commission	1921	134	385
Title and schedule of articles	Public service commission law	1921	134	385
Title and schedule caption	Public service of utility companies	1930	782	1410
Schedule of articles	Public service commission law	1928	732	1585
Art. 1, title	Public service commission; transit commission; general provisions	1921	134	386
Art. 1, title	Department of public service	1928	732	1586
1	Short title	1921	134	386
1	Short title	1928	732	1586
1	Short title	1930	782	1411
2, subd. 1	Term commission defined	1921	134	386
2, subd. 1	Term department defined	1928	732	1586
2, subd. 2	Term commissioner defined	1921	134	386
2, subds. 10, 13	Definitions	1930	789	1422
2, subd. 17	Term telephone corporation defined	1930	829	1516
2, subds. 22, 23, added	Definitions	1930	782	1411
2, subds. 26, 27, added	Definitions	1931	715	1557
2, subd. 28, added	Term omnibus line defined	1931	531	1294
2, subd. 29, added	Term omnibus corporation defined	1931	531	1294
3, repealed	Public service districts	1921	134	387

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC SERVICE LAW— (*Continued*).			
3, added	Department of public service; divisions	1928	732	1586
4	Public service commission established	1921	134	387
4	State division	1928	732	1587
4a, added	Transit commission established	1921	134	387
4a	Transit commission established	1926	351	622
4a	Metropolitan division	1928	732	1587
4a renumbered 4b	Transit commission established	1930	850	1579
4a, added	Bureau of valuation and research	1930	850	1579
4b, added	Removals	1928	732	1588
4b, renumbered 4c	Removals	1930	850	1579
5	Public service commission; jurisdiction	1921	134	388
5	Public service commission; jurisdiction	1930	789	1423
5, subd. 5a, added	Transit commission	1931	715	1557
5a, added	Transit commission; jurisdiction	1921	134	389
5a	Transit commission; jurisdiction	1921	335	1088
5a, subd. 4	Transit commission	1930	789	1423
5b, added	Corporations subject to chapter	1921	134	390
7	Secretary to commissions	1921	134	391
7	Destruction of records	1922	289	663
7, subd. 1	Secretary to commissions	1930	789	1423
8	Additional officers and employees	1921	134	391
8	Additional officers and employees	1930	865	1615
9	Oath of office; eligibility	1921	134	392
10	Officers, meetings, official seal, etc	1921	134	392
10	Officers, meetings, official seals, etc	1928	732	1588
11	Quorum; powers of a commissioner	1921	134	393
13	Salaries and expenses	1921	134	393
13	Salaries and expenses	1922	153	459
13	Salaries and expenses	1923	15	13
14	Payment of salaries and expenses	1921	134	394
14	Salaries and expenses	1928	732	1588
16, subd. 1	Printing of annual reports	1921	134	395
17	Certified copies of papers filed to be evidence	1928	732	1589
18	Commissions; fees	1921	134	395
19	Commissions; attendance of witnesses	1921	134	396
19	Commissions; attendance of witnesses	1930	789	1424
20	Practice before commission; immunity of witnesses	1921	134	397
22	Commissions; rehearing	1930	789	1425
23	Service and effect of orders; stay	1928	732	1590
28	Tariff schedules; publication	1921	134	398
29	Changes in schedule; notice; suspension by commission	1921	134	399
33	Transportation prohibited until schedules published; passes	1930	789	1426
34	False billing by carrier or shipper	1922	482	1019
34	False billing by carrier or shipper	1928	732	1590
45	Commissions; general powers and duties	1921	134	401
46	Reports of common carriers and corporations	1921	134	402
46	Reports of common carriers and corporations	1923	784	1370
47	Investigation of accidents	1921	134	404

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC SERVICE LAW—(*Continued*).			
48, subd. 2	Investigations by commission	1921	134	404
49, subd. 1	Power of commission to fix rates	1921	134	405
49, subd. 1	Power of commission to fix rates	1921	335	1090
49, subd. 1	Power of commission to fix rates	1922	153	459
49, subd. 1	Power of commission to fix rates	1923	891	1714
49, subd. 3	Connecting points	1921	134	408
49, subd. 4	Power of commission to fix rates	1922	153	462
49, subd. 4	Power of commission to fix rates	1930	789	1428
49, subd. 5	Joint jurisdiction of commissions	1921	134	412
49, subd. 5	Joint jurisdiction of commissions	1930	791	1436
49, subd. 7	Issue of transfers by street surface railroads	1921	134	412
49, subd. 8	Joint rates between certain classes of railroads	1921	134	413
49, subds. 9–11, added	Service-at-cost contracts	1922	582	1315
50a, added	Substitution of buses for cars	1926	840	1560
50a	Substitution of buses for cars	1929	686	1622
50b, added	Contracts between railroad corporations and omnibus corporations owned by former	1929	638	1501
52	Railroad corporations; uniform system of accounts	1930	779	1404
53	Franchises and privileges	1921	134	413
53a, added	Electrification of railroads in certain cities	1923	901	1738
53a	Electrification of railroads in certain cities	1924	626	1162
53a	Electrification of railroads in certain cities	1926	845	1570
53a, repealed	Electrification of railroads in certain cities	1930	789	1430
54, title	Transfer of franchises	1930	793	1438
54, subd. 1	Transfer of franchises	1921	134	413
54, subd. 1	Transfer of franchises	1930	793	1438
54, subd. 2	Transfer of franchises	1926	846	1571
54, subd. 2	Transfer of franchises	1929	687	1623
54, subd. 2	Railroad corporations; transfer of stock	1930	788	1420
55	Approval of issues of evidences of indebtedness	1921	134	414
55	Approval of issues of securities	1929	687	1625
55	Railroad corporations; approval of issues of securities	1930	781	1408
55a, subd. 1	Reorganization of corporations	1921	134	416
55a, subd. 1	Reorganization of corporations	1928	732	1591
Art. 3a (§§ 60, 60a, 61, 62, 62a, 63, 63a–63h), added	Omnibus lines and corporations	1931	531	1295
Art. 4, title	Gas and electric corporations	1930	789	1430
64	Gas and electric corporations; application of article	1930	789	1430
65	Service charges; unjust discrimination, etc.	1921	134	416
65, subds. 1–4	Service charges, unjust discrimination, etc.	1930	789	1430
65, subd. 6, added	Gas corporations; service charges prohibited	1923	898	1735
66, ¶ 1	General powers of commission as to gas and electricity	1921	134	417
66, subd. 1	Gas and electric corporations; powers of commission	1930	789	1431
66, subd. 2	Gas and electric corporations; powers of commission	1930	789	1431
66, subd. 3	Standards for gas; electric supply systems	1921	134	417
66, subd. 4	Gas and electric corporations; powers of commission	1930	789	1432
66, subd. 5	Gas and electric corporations; general supervision	1921	134	418
66, subd. 6	Gas and electric corporations; annual report	1923	784	1372
66, subd. 9	Gas and electric corporations; accounting entries	1930	777	1403
66, subd. 11	Gas and electric corporations; investigation	1921	134	419

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC SERVICE LAW — (*Continued*).			
66, subd. 12	Gas and electric corporations; rates	1921	134	419
66, subd. 12	Gas and electric corporations; rates	1930	774	1397
66, subd. 13	Gas and electric corporations; rates	1930	789	1432
66, subd. 14, added	Gas and electric corporations; rates	1921	134	422
66, subd. 14	Gas and electric corporations; rates	1930	789	1433
66, subd. 15, added	By-product gas	1922	670	1832
67	Inspection of gas and electric meters	1921	134	422
67, subd. 4	Inspection of gas and electric meters	1930	789	1433
67a, added	Charges for gas in New York city	1923	899	1735
67a, repealed	Charges for gas in New York city	1930	789	1433
68	Gas and electric corporations; approval of incorporation and franchises	1921	134	423
68	Gas and electric corporations; approval of incorporation and franchises	1930	789	1433
69	Gas and electric corporations; approval of issues of stock, bonds, etc	1921	134	424
69	Gas and electric corporations; approval of issues of stocks, bonds, etc	1930	780	1405
69a	Gas and electric corporations; reorganization	1921	134	426
69a, subd. 1	Gas and electric corporations; reorganization	1930	789	1434
70	Gas and electric corporations; approval of transfer of franchise	1921	134	426
70	Gas and electric corporations; transfer of franchises or stocks	1930	786	1417
71	Gas and electric corporations; complaints	1921	134	427
72	Gas and electric corporations; notice and hearing; order	1921	134	428
74	Gas and electric corporations; summary proceedings	1921	134	430
76, repealed	Gas and electric corporations; jurisdiction	1921	134	431
79	Steam corporations; adequate service	1921	134	431
80, ¶ 1	Steam corporations; general powers of commissions	1921	134	432
80, subd. 4	Steam corporations; general powers of commissions	1921	134	432
80, subd. 5	Steam corporations; general powers of commission	1923	784	1373
80, subd. 7	Steam corporations; accounting entries	1930	778	1403
80, subd. 9	Steam corporations; general powers of commissions	1921	134	433
80, subd. 10	Steam corporations; general powers of commissions	1921	134	433
81	Steam corporations; approval of incorporation and franchises	1921	134	435
82	Steam corporations; approval of issues of stocks and bonds	1921	134	436
82	Steam corporations; approval of issues of securities	1929	637	1499
82	Steam corporations; approval of issues of securities	1930	783	1411
82a	Steam corporations; reorganizations	1921	134	438
82a, subd. 1	Steam corporations; reorganization	1930	789	1434
83	Steam corporations; approval of transfer franchise	1921	134	438
83	Steam corporations; approval of transfer franchise	1929	636	1496
83	Steam corporations; transfer of franchises, property or stocks	1930	787	1419
84	Steam corporations; complaints	1921	134	439
85	Steam corporations; notice and hearing	1921	134	440
87	Steam corporations; summary proceedings	1921	134	442
89a, repealed	Steam corporations; jurisdiction	1921	134	442

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC SERVICE LAW—(*Continued*).			
Art. 4b (§§ 89a–89o), added	Provisions relating to water	1931	715	1557
92, subd. 2	Telegraph and telephone corporations; rate schedules	1921	134	443
92, subd. 2	Telegraph and telephone companies; rate schedules	1930	775	1399
95, subd. 1	Telegraph and telephone corporations; reports	1923	784	1374
95, subd. 2	Telegraph and telephone corporations; accounting entries	1930	776	1402
95, subd. 3, added	Telegraph and telephone corporations; system of accounts	1930	829	1517
97, subd. 1	Telegraph and telephone corporations; rates, rentals and service	1921	134	445
97, subd. 1	Telegraph and telephone corporations; rates, rentals and service	1921	335	1093
99, subd. 2	Telegraph and telephone corporations; transfer of franchises	1930	793	1438
100	Telegraph and telephone corporations; transfer and ownership of stock	1930	785	1416
101	Telegraph and telephone corporations; approval of issues of securities	1930	784	1413
101a	Telegraph and telephone corporations; reorganization	1921	134	446
101a, subd. 1	Telegraph and telephone corporations; reorganizations	1930	789	1435
Art. 5A (§§ 105–112), repealed	Transit construction commissioner	1921	134	447
Art. 6 (§§ 105–111), added	Additional powers and jurisdiction of transit commission	1921	134	447
Art. 6 (§§ 105–112), renumbered Art. 7 (§§ 122–129)	Additional powers and jurisdiction of transit commission	1930	792	1437
Art. 6 (§ 105), added	Provisions affecting two or more kinds of public service	1930	792	1437
106	Commission to prepare plan of readjustment	1921	335	1095
106	Commission to prepare plan of readjustment	1922	153	464
110, added	Holding companies; control of	1930	760	1372
111, added	Annual report; disclosure of stockholdings	1930	761	1374
112, added	Powers of transit commission	1925	641	1060
112, added	Enforcement of rate-fixing orders	1930	773	1395
113, added	Reparations and refunds; actions	1930	790	1435
Art. 6, renumbered art. 7	Commissions and offices abolished; saving clause; repeal	1921	134	447
120-122	Commissions abolished	1921	134	454
Art. 7 (§§ 120–122, 126, 127), renumbered Art. 9 (§§ 150–154)	Commissions and offices abolished; saving clause; repeal	1930	792	1437
Art. 7 (§§ 122–129	Additional powers and jurisdiction of transit commission	1931	689	1514
124, repealed	Transfer of records	1921	134	454

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC SERVICE LAW—(*Continued*).			
125, repealed	Pending actions and proceedings	1921	134	454
126	Construction of terms	1921	134	454
Art. 8 (§§ 130–144), added	Board of transportation	1924	573	1038
134a, added	Board of transportation; river tunnels	1930	373	793
	PUBLIC WELFARE LAW: (L. 1929, ch. 565, constituting cons. laws, ch. 42, repealing and superseding poor law.)			
11a, added	Application; certain towns in Broome county	1930	197	546
24	Town and city officers in county welfare districts	1930	319	714
26	Power of supervisors; determination of responsibility for support	1930	629	1136
27	Power of supervisors; administration system of welfare district	1930	629	1137
38	County public welfare funds	1930	629	1140
40	Report of commissioner to treasurer	1931	196	548
56	Qualification on acquisition of settlement	1930	629	1138
57	Restriction on settlement in certain counties	1930	237	597
57	Settlement; restrictions in certain counties	1930	631	1143
57	Restriction on settlement in certain counties	1931	88	410
67	Contracts for care of state poor	1930	629	1139
Art. 10, title	Medical care	1930	629	1139
86	Care of patients suffering from tuberculosis	1931	481	1123
93, subd. j	Public homes and farms; powers and duties of commissioner	1930	629	1140
106, subd. 6, ¶ (h)	Children; powers of commissioner	1930	629	1141
108a, added	Births to inmates of public homes	1930	129	461
120	Burial soldiers, sailors, etc.; headstones	1930	262	634
Art. 14a (§§ 122–124, 124a–124p), added	Security against old age want	1930	387	812
Art. 17, schedule of sections	Miscellaneous	1930	629	1139
154	Burial of dead	1931	197	548
155	Records of welfare district; protection	1930	629	1140
165a, added	Use of word "poorhouse" or "almshouse"	1931	356	792
	PUBLIC WORKS LAW: (L. 1923, ch. 867, constituting cons. laws, ch. 75.)			
Art. 2, schedule	Department of public works; powers, duties, jurisdiction	1927	512	1216
5	Department of public works; superintendent	1927	512	1217
7, repealed	Department of public works; seal	1927	512	1222
8, repealed	Department of public works; deputy superintendent	1924	303	569
9, renumbered 7, and amended	Department of public works; officers and employees	1927	512	1217

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	PUBLIC WORKS LAW — (*Continued*).			
9	Department of public works; functions, powers, duties.	1928	436	967
10	Expenses	1924	303	569
10, renumbered 8, and amended	Department of public works; expenses	1927	512	1217
11, renumbered 9, and amended	Department of public; works; functions, powers, duties	1927	512	1217
12, renumbered 10, and amended	Department of public works; organization	1927	512	1218
13	Bureau of canals	1924	303	570
13, renumbered 11, and amended	Division of canals and waterways	1927	512	1218
14, renumbered 12, and amended	Division of highways	1927	512	1218
14, added	Division of engineering	1927	512	1219
15, renumbered 13, and amended	Division of public buildings	1927	512	1219
15, added	Division of architecture	1927	512	1220
15	Division of architecture	1928	757	1629
16	Superintendent of public works; delegation of powers.	1924	303	570
16, renumbered 18, and amended	Superintendent of public works; delegation of powers.	1927	512	1220
16, added	Bureau of housing in division of architecture	1927	512	1220
17, renumbered 19, and amended	Superintendent of public works; action how taken	1927	512	1221
17, added	Harbor regulations	1927	512	1220
18–24, renumbered 21–27	Powers, duties and jurisdiction of department	1927	512	1221
20, added	Superintendent of public works; rules	1927	512	1221
28, added	Concurrent action of departments, etc	1927	512	1221
29, added	Fine arts bureau and commission abolished; functions transferred	1927	512	1221
30, added	Improvement of salt water bays, canals and channels; functions terminated	1927	512	1222
50	Laws repealed	1927	512	1222
	RAILROAD LAW: (L. 1910, ch. 481, constituting cons. laws, ch. 49. *See notes L. 1910, pp. 917, 923, and amendments to former railroad law (L. 1890, ch. 565) in table of laws, other than consolidated laws, amended, L. 1910, appendix, p. 39.*)			
2, added	Definitions	1928	546	1185
5	Incorporation	1928	823	1738
8, subd. 3	Additional powers conferred on railroad corporations	1928	546	1186
8a, added	Increase or reduction of capital or capital stock	1924	394	730
9	Certificate of convenience and necessity	1928	546	1187
10	Street surface railroads	1928	546	1188
12	When corporate powers to cease	1928	546	1188
16	Location of route	1928	546	1190

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	RAILROAD LAW — (*Continued*).			
17, concluding paragraph	Acquisition of title to real property	1928	546	1192
18	Railroads through public lands	1928	546	1192
21	Railroads along highways	1927	47	71
21	Railroads along highways	1928	546	1192
25	Change of gauge	1928	546	1193
53	Protection of grade crossings	1924	395	731
53	Protection of grade crossings	1928	546	1194
53a	Warning signs	1928	546	1195
54	Notice of starting trains; no preferences	1928	546	1196
54a	Full crews for certain trains	1921	290	1007
55	Accommodation of connecting roads	1928	546	1196
56	Locomotives must stop at grade crossings	1928	546	1197
72	Inspection of locomotives	1922	601	1547
72	Inspection of locomotives	1928	546	1198
73	Inspectors of locomotives	1922	601	1548
73	Inspectors of locomotives	1928	546	1199
74	Care of steam locomotives	1928	546	1199
75	Safeguards	1928	546	1200
76	Use of stoves or furnaces prohibited	1928	546	1200
78	Coal jimmies and caboose cars	1921	179	743
78	Coal jimmies and caboose cars	1922	336	723
78	Coal jimmies and caboose cars	1923	519	813
81	Violation of preceding sections	1928	546	1201
82	Cutting of Canada thistles	1923	645	968
88	Railroad policemen	1921	72	268
88	Railroad policemen	1924	668	1220
88	Railroad policemen	1926	198	362
88	Railroad policemen	1928	546	1201
89	New railroads across streets	1924	481	891
89	New railroads across streets	1928	546	1202
90	New streets across railroads	1921	698	2467
90	New streets across railroads	1924	481	892
90	New streets across railroads	1928	546	1203
91	Alteration of existing crossing	1921	698	2470
91	Alteration of existing crossing	1928	546	1205
92	Acquisition of land, right or easement in crossing	1921	698	2472
93	Repair of bridges and subways at crossings	1921	698	2472
93	Repair of bridges and subways at crossings	1922	650	1785
93	Repair of bridges and subways at crossings	1923	516	808
93	Repair of bridges and subways at crossings	1924	481	894
93	Repair of bridges and subways at crossings	1928	546	1206
94	Expense of constructing new crossings	1921	698	2473
94, subd. 1	Expense of constructing new crossings	1928	546	1207
94, subd. 3, renumbered subd. 4, and amended	Expense of constructing new crossings	1924	481	895
94, subd. 4, renumbered subd. 3, and amended	Expense of constructing new crossings	1924	481	895
94, subd. 4	Expense of constructing new crossings	1926	742	1385
94, subd. 5	Expense of constructing new crossings	1928	546	1208
94, subd. 6	Expense of constructing new crossings	1926	369	652

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	RAILROAD LAW — (*Continued*).			
94, subd. 6	Expense of constructing new crossings	1928	546	1208
94, subd. 6	Expense of constructing new crossings	1930	381	802
94, subd. 6a	Expense of constructing new crossings	1926	369	652
94, subd. 6a	Expense of constructing new crossings	1926	742	1386
94, subd. 7	Expense of constructing new crossings	1926	369	652
94, subd, 7 repealed	Expense of constructing new crossings	1928	546	1209
94, subd. 7, added	Expense of constructing new crossings	1928	546	1209
94, subd. 8, renumbered subd. 9	Expense of constructing new crossings	1926	369	655
94, subd. 8	Expense of constructing new crossings	1928	546	1210
94, subd. 9, renumbered subd. 10	Expense of constructing new crossings	1926	369	655
94, subd. 9	Expense of constructing new crossings	1928	546	1211
94, subd. 10, renumbered subd. 11	Expense of constructing new crossings	1926	369	655
94, subd. 10	Expense of constructing new crossings	1928	546	1211
95	Alteration of grade crossings	1926	833	1541
95	Alteration of grade crossings	1928	546	1211
95a, added	Proceedings for alteration of grade crossing	1921	663	2041
95a	Proceedings for alteration of grade crossing	1924	481	896
95a, repealed	Proceedings for alteration of grade crossing	1926	233	437
96	Proceedings to enforce orders of commission	1928	546	1212
98	Intersection of railroads	1928	546	1212
99	Application of sections	1928	546	1212
101	Street surface railroad crossing at grade	1928	546	1213
102	Ventilation of tunnels	1928	546	1213
103	Lighting of tunnels	1928	546	1213
104	Compliance with orders of commission	1928	546	1213
105	Mandamus	1928	546	1214
140	Consolidation of corporations owning continuous lines; abandonment of parallel lines	1928	546	1214
141	Consolidation; agreement; conditions	1929	688	1627
141, subd. 2	Consolidation; agreement	1928	546	1216
147	Powers of corporations organized to acquire and operate railroads partly in the state	1928	546	1217
148	Lease and conveyance of road	1925	562	918
148	Lease and conveyance of road	1928	546	1217
149	Lessees of railroad may acquire stock therein	1928	546	1219
150	Consolidation and lease of parallel lines prohibited	1928	546	1219
153	Liabilities of reorganized railroad corporations	1928	546	1220
156	Merger of railroad corporation with business corporation	1928	546	1220
158	Transfer of property to merging corporation	1928	546	1221
160, added	Condemnation of minority stock in aid of merger	1922	504	1135
160	Condemnation of minority stock in aid of merger	1928	546	1221
160	Condemnation of minority stock in aid of merger	1930	392	825
161, added	Rights of dissenting stockholder upon consolidation, lease or conveyance	1925	572	927

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	RAILROAD LAW — (*Continued*).			
162, added	Acquisition and maintenance of railroad built, owned or operated by corporation not organized under railroad law	1928	823	1740
172	Street surface railroads; consent of local authorities	1926	818	1484
172	Street surface railroads; consent of local authorities	1928	546	1223
173	Street surface railroads; consent of local authorities	1928	546	1223
173a–173h, added	Street surface railroads; terminal permits	1928	733	1592
176	Street surface railroads; extension of route over rivers, etc.	1928	546	1227
178	Street surface railroads; repair of streets	1921	433	1300
180	Street surface railroads; motive power	1928	546	1228
181	Street surface railroads; rate of fare	1928	546	1229
182	Street surface railroads; collection of fares	1928	546	1229
183	Construction of road in street where other road is built	1922	600	1545
183	Construction of road in street where other road is built	1928	546	1229
184	Street surface railroads; abandonment of part of route	1928	546	1231
186	Street surface railroads; failure to complete road; right to operate branches, etc.	1928	546	1231
188	Street surface railroads; certain consents of local authorities confirmed	1928	546	1233
192a, added	Street surface railroads; relocation of tracks	1921	699	2479
192a	Street surface railroads; relocation of tracks	1928	546	1233
194	Street surface railroads; protection of employees	1928	546	1234
197	Street surface railroads; protection of employees, Kings and Queens counties	1928	546	1234
198	Street surface railroads; contracts for adjustments of payments due certain cities	1928	546	1234
209	Change of motive power authorized	1928	546	1235
210, added	New streets across other than steam surface railroads	1926	741	1384
210	New streets across other than steam surface railroads	1928	546	1236
	REAL PROPERTY LAW: (L. 1909, ch. 52, constituting cons. laws, ch. 50.)			
3, added	Fences and structures, when private nuisance	1922	374	795
17	Heirs of patriotic Indian	1928	149	288
42	Suspension of power of alienation	1929	229	518
73, repealed	Compromise of controversies; where infants, incompetents, etc., affected	1929	229	518
105, subd. 1	When trustee may convey or exchange trust property	1930	808	1476
106	Confirmation of leases by trustees	1923	644	968
113, subd. 1	Grants and devises for charitable purposes	1926	623	1114
113, subd. 1, 2d paragraph	Grants and devises for charitable purposes	1927	242	680
113, subd. 2	Grants and devises for charitable purposes	1931	562	1365
114a	Trusts for care of cemetery lots, etc.	1930	130	463
116	Investments by fiduciaries	1924	414	767
116	Investments by fiduciaries	1927	172	537
116	Investments by fiduciaries	1930	808	1477
189, added	Estate of curtesy abolished	1929	229	517

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Section	SUBJECT	Year	Chapter	Page
	REAL PROPERTY LAW — (*Continued*).			
Art. 6, caption	Dower and curtesy	1929	229	518
190	Dower; abolition after Sept. 1, 1930	1929	229	518
196a, added	Dower barred by dissolution of marriage	1925	568	924
201	Dower; when election deemed made	1929	229	518
254, subd. 2	Construction of covenants and clauses	1930	150	488
254, subd. 10	Construction of covenants and clauses	1930	166	503
262, repealed	Conveyances with intent to defraud purchasers and incumbrancers, void	1925	254	507
263, repealed	Conveyances with intent to defraud creditors, void	1925	254	507
264, repealed	Conveyances void as to creditors, purchasers and incumbrancers, void as to heirs and assigns	1925	254	507
276, added	Effect of certain easements on right to invest in mortgages	1928	488	1066
276, added	Effect of certain easements on the right to invest in mortgages	1928	872	1873
290, subd. 4	Recording officers defined	1925	569	924
290, subd. 5, renumbered subd. 6	Acknowledgments of deeds, etc	1926	227	401
290, subd. 5, added	Method of recording instruments	1926	227	401
298	Acknowledgments and proofs within state	1927	173	538
298	Acknowledgments and proofs within the state	1930	400	869
299, subds. 5, 6	Acknowledgments of deeds, etc	1922	202	523
299, subd. 7, added	Acknowledgments of deeds, etc	1926	150	303
301, subd. 5	Acknowledgments and proofs in Canada	1926	150	303
301, subd. 8	Acknowledgments and proofs in Austria and Hungary	1923	511	803
301, subd. 8	Acknowledgments and proofs in Greece	1931	89	411
301, subd. 9	Acknowledgments and proofs in Austria and Hungary	1923	511	803
301, subd. 11, added	Acknowledgments and proofs in Czecho-Slovakia	1922	280	654
301, subd. 12, added	Acknowledgments and proofs in Poland	1923	132	162
306	Certificate of acknowledgment or proof	1925	564	920
309	Acknowledgment by corporation	1925	570	925
310	County clerk's authentication; when necessary	1922	423	904
311, subd. 3	Acknowledgment of deeds	1922	202	524
311, subd. 3	Acknowledgment of deeds	1925	566	922
311, subd. 3	Acknowledgment of deeds	1926	147	300
311, subd. 4	Authentication of acknowledgments and proofs	1926	137	292
312	Contents of certificate of authentication	1922	202	524
312	Contents of certificate of authentication	1924	480	890
316	Indexes	1924	582	1063
322	Discharge of mortgages in certain counties	1923	518	810
322	Discharge of mortgages in certain counties	1929	576	1226
322	Discharge of mortgages in certain counties	1930	438	917
324	Effect of recording assignment of mortgage	1930	476	940
332	Record of certain conveyances validated	1925	567	923
332	Record of certain conveyances validated	1926	151	303
332	Record of certain conveyances validated	1927	128	445
333	Certain conveyances not to be recorded	1923	514	805

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Section	SUBJECT	Year	Chapter	Page
	REAL PROPERTY LAW — (*Continued*).			
333, as added by L. 1911, renumbered 333b	Certain conveyances not to be recorded	1931	713	1555
333a, added	Discharge of mortgage; maps to be filed	1931	713	1555
334	Maps; filing and penalty for non-filing	1923	513	804
334	Maps; filing and penalty for non-filing	1924	581	1062
334	Maps; filing and penalty for non-filing	1925	571	926
334	Maps; filing and penalty for non-filing	1927	135	451
334	Maps; filing and penalty for non-filing	1928	735	1596
334	Maps; filing and penalty for non-filing	1931	153	486
334	Maps; filing and penalty for non-filing	1931	526	1290
335	Maps; filing in Suffolk county	1921	83	280
335	Maps; filing in Suffolk county	1929	41	40
335a, added	Easements of necessity	1923	785	1375
336, added	Alien property custodian	1921	435	1306
376	Title registration; disposition of fees	1929	575	1214
377	Title registration; official examiners of title	1929	575	1215
378	Title registration; petition; by whom made	1929	575	1216
380	Title registration	1926	270	474
380	Title registration; evidences of title	1929	575	1216
381	Title registration; survey, etc., to be filed	1926	270	477
381	Title registration; survey, etc., to be filed	1929	575	1219
382	Title registration; notice of petition and of pendency of proceeding	1926	270	477
383	Title registration; filing of caution	1931	502	1251
385	Title registration; examination of title; petition	1926	270	478
385	Title registration; examination of title; petition	1928	734	1595
385	Title registration; examination of title; petition	1929	575	1220
388	Title registration; guardian ad litem	1926	270	479
388	Title registration; guardian ad litem	1929	575	1221
389	Title registration; interested party	1926	270	480
392	Title registration; fraud	1926	270	480
392	Title registration; fraud	1929	575	1222
393	Title registration	1926	270	481
404a, added	Title registration; withdrawal in certain instances	1931	502	1252
406	Title registration; transfers of registered property	1926	270	482
406	Title registration; transfers of registered property	1931	502	1254
409	Title registration; papers filed with registrar; records	1929	575	1222
409a, added	Title registration; entries in other indexes	1929	575	1224
414	Title registration; loss of duplicate certificate	1926	270	482
416	Title registration; proceedings to register mortgage, lease or other lien	1926	270	482
426	Title registration; assurance fund	1929	575	1225
426	Title registration; assurance fund	1931	502	1255
432, repealed	Title registration; fees	1929	575	1225
432, added	Title registration; fees	1929	575	1225
Art. 12a (§§ 440, 440a, 441, 441a–441e, 442, 442a–442l), added	Real estate brokers, and salesmen; licensing	1922	672	1839
Art. 12A (§§ 440, 440a, 441, 441a–441f, 442, 442a–442k)	Real estate brokers and salesmen; licensing	1926	831	1528

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	REAL PROPERTY LAW — (*Continued*).			
Art. 12A (§§ 440, 440a, 441, 441a–441f, 442, 442a–442k)	Real estate brokers and salesmen; licensing	1927	107	418
Art. 12A, title and schedule of sections	Real estate brokers and salesmen; licensing	1928	579	1303
440, added	Real estate brokers and salesmen; definitions	1922	672	1839
440	Real estate brokers and salesmen; definitions	1923	517	810
440	Real estate brokers and salesmen; definitions	1924	579	1055
440	Real estate brokers and salesmen; definitions	1926	831	1529
440	Real estate brokers and salesmen; definitions	1927	107	418
440a, added	Real estate brokers and salesmen; licenses	1922	672	1840
440a	Real estate brokers and salesmen; licenses	1924	579	1056
440a	Real estate brokers and salesmen; licenses	1925	461	789
440a	Real estate brokers and salesmen; licenses	1926	831	1529
440a	Real estate brokers and salesmen; licenses	1927	107	419
440a	Real estate brokers and salesmen; licenses	1928	658	1432
440a	Real estate brokers and salesmen; licenses	1930	103	417
440a	Real estate brokers and salesmen; licenses	1930	386	811
440a	Real estate brokers and salesmen; licenses	1931	409	868
441, added	Real estate salesmen and brokers; application for license	1922	672	1840
441	Real estate brokers and salesmen; application for license	1924	579	1056
441	Real estate brokers and salesmen; application for license	1926	831	1530
441	Real estate brokers and salesmen; application for license	1927	107	420
441, subd. 1a, ¶ (e)	Real estate brokers and salesmen; application for license	1928	579	1304
441a, added	Real estate brokers and salesmen; license and pocket card	1922	672	1841
441a	Real estate brokers and salesmen; license and pocket card	1926	831	1532
441a	Real estate brokers and salesmen; license and pocket card	1927	107	422
441a, subd. 2	Real estate brokers and salesmen; license and pocket card	1928	579	1305
441a, subd. 3	Real estate brokers and salesmen; license and pocket card	1924	579	1058
441a, subd. 7, added	Real estate brokers and salesmen; license and pocket card	1928	579	1305
441b, added	Real estate brokers and salesmen; license fees	1922	672	1842
441b	Real estate brokers and salesmen; license fees	1926	831	1533
441b	Real estate brokers and salesmen; license fees	1927	107	423
441b, subd. 2	Real estate brokers and salesmen; license fees	1924	579	1058
441b, subds. 2, 3	Real estate brokers and salesmen; license fees	1928	579	1305
441b, subd. 4	Real estate brokers and salesmen; license fees	1924	579	1058
441c, added	Real estate brokers and salesmen; revocation and suspension of licenses	1922	672	1843
441c	Real estate brokers and salesmen; revocation and suspension of licenses	1926	831	1534

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	REAL PROPERTY LAW — (*Continued*).			
441c	Real estate brokers and salesmen; revocation and suspension of licenses	1927	107	424
441d, added	Real estate brokers and salesmen; notice of hearing on complaints	1922	672	1843
441d, renumbered 441e, and amended	Real estate brokers and salesmen; notice of hearing on complaints	1926	831	1534
441d	Real estate brokers and salesmen; revocation and suspension of licenses	1927	107	424
441e, added	Real estate brokers and salesmen; certiorari to review action of commission	1922	672	1843
441e, renumbered 441f	Real estate brokers and salesmen; certiorari to review action of commission	1926	831	1535
441e	Real estate brokers and salesmen; notice of hearing on complaints	1927	107	424
441f	Real estate brokers and salesmen; certiorari to review action of department	1927	107	425
441f	Real estate brokers and salesmen; certiorari to review action of department	1929	617	1450
442, added	Real estate brokers and salesmen; splitting commissions	1922	672	1844
442	Real estate brokers and salesmen; splitting commissions	1926	831	1535
442	Real estate brokers and salesmen; splitting commissions	1927	107	425
442a, added	Real estate brokers and salesmen; revocation of employer's license	1922	672	1844
442a, renumbered 441d	Real estate brokers and salesmen; revocation of employer's license	1926	831	1535
442a	Real estate brokers and salesmen; compensation of salesmen; restrictions	1927	107	425
442b, added	Real estate brokers and salesmen; compensation; restrictions	1922	672	1844
442b, renumbered 442a	Real estate brokers and salesmen; compensation; restrictions	1926	831	1535
442b	Real estate brokers and salesmen; discontinuance of employment; report	1927	107	425
442c, added	Real estate brokers and salesmen; discharge of salesmen; report	1922	672	1843
442c	Real estate brokers and salesmen; discharge of salesmen; report	1924	579	1059
442c, renumbered 442b	Real estate brokers and salesmen; discharge of salesmen; report	1926	831	1535
442c	Real estate brokers and salesmen; violation by salesmen; brokers; responsibility	1927	107	426
442d, added	Real estate brokers and salesmen; brokers; responsibility	1922	672	1844

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	REAL PROPERTY LAW—(*Continued*).			
442d, renumbered 442c, and amended	Real estate brokers and salesmen; responsibility	1926	831	1536
442d	Real estate brokers and salesmen; action for commission; license prerequisite	1927	107	426
442e, added	Real estate brokers and salesmen; actions for commission; license prerequisite	1922	672	1845
442e	Real estate brokers and salesmen; actions for commission; license prerequisite	1924	579	1060
442e, renumbered 442d	Real estate brokers and salesmen; actions for commission; license prerequisite	1926	831	1536
442e	Real estate brokers and salesmen; violations	1927	107	426
442e	Real estate brokers and salesmen; violations	1928	579	1306
442e	Real estate brokers and salesmen; violations	1929	617	1450
442f, added	Real estate brokers and salesmen; violations	1922	672	1845
442f	Real estate brokers and salesmen; violations	1924	579	1060
442f, renumbered 442e	Real estate brokers and salesmen; violations	1926	831	1536
442f	Real estate brokers and salesmen; saving clause	1927	107	426
442g, added	Real estate brokers and salesmen; saving clause	1922	672	1845
442g, renumbered 442f	Real estate brokers and salesmen; saving clause	1926	831	1536
442g	Real estate brokers and salesmen; nonresident licenses	1927	107	426
442g	Real estate brokers and salesmen; nonresident licensees	1929	617	1451
442h, added	Real estate brokers and salesmen; nonresident licenses.	1922	672	1845
442h, renumbered 442g, and amended	Real estate brokers and salesmen; nonresident licenses.	1926	831	1537
442h	Real estate brokers and salesmen; pocket card for nonresident	1927	107	427
442i, added	Real estate brokers and salesmen; pocket card for nonresident	1922	672	1846
442i, renumbered 442h	Real estate brokers and salesmen; pocket card for nonresident	1926	831	1537
442i	Real estate brokers and salesmen; roster of licensees.	1927	107	427
442j, added	Real estate brokers and salesmen; roster of licensees.	1922	672	1846
442j, renumbered 442i, and amended	Real estate brokers and salesmen; roster of licensees.	1926	831	1538
442j	Real estate brokers and salesmen; enforcement; employees; compensation	1927	107	428
442j	Real estate brokers and salesmen; enforcement; advisory committee; employees	1929	617	1452
442k, added	Real estate brokers and salesmen; employees; compensation	1922	672	1846
442k, renumbered 442j, and amended	Real estate brokers and salesmen; enforcement; employees; compensation	1926	831	1538
442k	Real estate brokers and salesmen; effect of invalid provision	1927	107	428

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	REAL PROPERTY LAW— (*Continued*)			
442l, added	Real estate brokers and salesmen; effect of invalid provision	1922	672	1846
442l, renumbered 442k	Real estate brokers and salesmen; effect of invalid provision	1926	831	1538
451	Acquisition of land for cemeteries; certain counties	1931	189	538
500	Action to determine claim to real property; who may maintain	1929	639	1501
501	Action to determine claim to real property; complaint	1925	565	921
501	Action to determine claim to real property; complaint	1929	639	1502
501a, added	Action to determine claim to real property; guardian ad litem	1929	639	1503
508	Action to determine claim to real property; effect of judgment	1929	639	1503
508	Action to determine claim to real property; effect of judgment	1930	160	499
512	Action to determine claim to real property; application	1925	565	922
554	Foreclosure by advertisement; costs	1923	512	804
	RELIGIOUS CORPORATIONS LAW: (L. 1909, ch. 53, constituting cons. laws, ch. 51.)			
3, ¶ 1	Certificate of incorporation	1921	131	378
5	Powers and duties of trustees	1925	459	786
7a, added	Deeds for cemetery purposes; presumption	1929	604	1415
12	Sale, mortgage and lease of real property	1921	266	971
12	Sale, mortgage and lease of real property	1925	458	784
12	Sale, mortgage and lease of real property	1931	175	517
13	Consolidation of incorporated churches	1927	430	1087
15	Protestant Episcopal churches; trustees	1927	192	588
16	Property of extinct churches	1924	366	708
16	Property of extinct churches	1928	489	1067
16	Property of extinct churches	1931	394	844
18	Dissolution	1931	198	549
20	Corporations for acquiring parsonages	1924	517	934
90, 91	Incorporation of Roman Catholic and Greek churches	1923	159	197
161	Congregational and independent churches	1922	201	522
166	Congregational churches; trustees	1926	381	699
182a, added	Free churches; increasing number of trustees	1929	11	15
195	Corporate meetings	1925	460	787
197	Changing number of trustees	1922	351	746
203	Friends; conveyance or incumbrance of trust property	1924	125	210
207, added	Jewish congregations; trustees; voting by proxy	1926	486	843
208, 209, added	Jewish religious corporations; consolidation	1927	117	436
210, added	Incorporation of church connected with supreme council of Independent Associated Spiritualists	1928	487	1065
Art. 11A (§§ 225, 225a–225o), added	Free Methodist churches	1923	270	468
Art. 14 (§§ 273–277), added	Churches of the Nazarene	1923	515	806

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	SALT SPRINGS LAW: (L. 1909, ch. 54, constituting cons. laws, ch. 52.)			
36, repealed	Onondaga salt springs reservation; sale of lands	1928	493	1074
38, repealed	Onondaga salt springs reservation; moneys from sale	1928	493	1074
38, added	Onondaga salt springs reservation; sale of lands	1928	493	1074
38	Onondaga salt springs reservation; sale of lands	1931	27	313
	SECOND-CLASS CITIES LAW: (L. 1909, ch. 55, constituting cons. laws, ch. 53.)			
4	Application of chapter	1925	392	714
20	Charges against city officers	1922	412	859
60	Temporary and funded debts	1922	553	1280
61	Issue and sale of bonds and other obligations	1929	629	1488
101	Discontinuance of streets	1923	647	970
156	Building code; notice of amendments	1922	189	510
160	Assessors; powers and duties	1923	709	1273
185, repealed	Bastardy proceedings	1925	255	514
201	Bastardy proceedings; duties of corporation counsel	1921	363	1158
230, repealed	Contracts for seizing and impounding dogs	1930	439	919
	STATE BOARDS AND COMMISSIONS LAW: (L. 1909, ch. 56, constituting cons. laws, ch. 54.)			
Art. 1 (§ 1), added	Short title	1922	247	600
Art. 2 (§§ 5–18), added	State fair commission	1922	247	601
Art. 2 (§§ 5–18), repealed	State fair commission	1927	207	632
Art. 3 (§§ 30, 31), repealed	State probation commission	1928	313	797
30, repealed	State probation commission; organization, powers and duties	1928	313	797
31, repealed	State probation commission; employees	1928	313	797
Art. 5 (§ 50), repealed	Commissioners of water power on Black river	1928	107	256
	STATE CHARITIES LAW: (L. 1909, ch. 57, constituting cons. laws, ch. 55.)			
2	Definitions	1928	859	1824
2	Definitions	1930	274	651
2, subds. 1, 2	Definitions	1929	654	1571
Art. 2	Department and state board of charities	1928	859	1825
3, renumbered 10, and amended	Department of charities; state board of charities	1928	859	1825
4, renumbered 12, and amended	Director, heads of divisions and other employees	1928	859	1826

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE CHARITIES LAW — (*Continued*).			
5, renumbered 13, and amended	Compensation and expenses of commissioners	1928	859	1827
6, renumbered 14, and amended	State board; meetings and effect of nonattendance	1928	859	1827
7, renumbered 15, and amended	Offices of department	1928	859	1827
8, renumbered 16, and amended	State board; record of proceedings; certificates and subpoenas	1928	859	1827
9, renumbered 17, and amended	General powers and duties of department	1928	859	1827
10, renumbered 20, and amended	Visitation, inspection and supervision of institutions	1928	859	1829
10	Department of social welfare; state board of social welfare	1929	654	1572
10	Department of social welfare; state board of social welfare	1930	274	651
11, renumbered 21, and amended	State camp for veterans	1928	859	1830
11, added	Organization of department; distribution of functions	1928	859	1826
11, subd. 6, added	Organization of department; distribution of functions	1930	388	818
12, renumbered 22, and amended	Information to be sought on visits and inspections	1928	859	1830
12	Commissioner of social welfare; other employees	1930	274	651
13, renumbered 23, and amended	Investigations of institutions	1928	859	1830
13	Compensation and expenses of members	1930	274	651
14, renumbered 24, and amended	Orders of board directed to institutions	1928	859	1830
14	State board; meetings and effect of nonattendance	1930	274	651
15, renumbered 25, and amended	Correction of evils in administration of institutions	1928	859	1831
16, renumbered 26, and amended	Duties of attorney-general and district attorneys	1928	859	1831
16	State board; record of proceedings; certificates and subpoenas	1930	274	651
17, renumbered 27, and amended	State, nonresident and alien poor	1928	859	1831
17, subd. 11, added	General powers and duties of department	1930	723	1322
18, repealed	Transfers of inmates of state charitable institutions	1928	859	1831
18, added	Rules, regulations and orders	1928	859	1828
19	State board of charities; reports	1923	381	619
19, renumbered 28, and amended	Reports of department	1928	859	1831
19, added	Certain duties of state board of charities	1928	859	1829
19	Certain duties of state board of social welfare	1931	454	1053
20, repealed	Institutions for deaf, dumb and blind	1928	859	1831
20	Visitation, inspection and supervision of institutions	1930	274	651
29, added	Commission for the blind	1928	859	1832
29a, added	Indian affairs	1928	859	1832
Art. 3		1928	859	1832
32	State Charities Aid Association; annual reports	1928	859	1833
Art. 4, title and section headings	State institutions in the department	1928	859	1833

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	STATE CHARITIES LAW — (*Continued*).			
40–43, repealed	Fiscal supervision of state charities	1928	859	1834
45	Expenses; contingent fund	1921	549	1676
45, repealed	Expenses; contingent fund	1927	158	514
46, repealed	Receipts and expenditures; monthly statements	1927	158	514
47, repealed	Affidavit of steward; vouchers	1927	158	514
48, repealed	Purchases	1927	158	514
49, repealed	State institutions; plans, contracts, etc	1924	262	519
49, added	State institutions; plans, contracts, etc	1924	262	519
49, repealed	State institutions; plans, contracts, etc	1928	859	1834
50, repealed	State charitable institutions; visitations and reports	1927	585	1504
50, repealed	Admissions to charitable institutions	1928	859	1834
50	Department of charities; control of state institutions	1929	517	1068
50	Department of charities; control of state institutions	1931	481	1122
51, renumbered 52, and amended	Boards of visitors; appointment and removal	1927	585	1505
51, added	Department of charities; control of certain institutions	1927	585	1504
51, renumbered 50, and amended	Department of charities; control of state institutions	1928	859	1834
52, renumbered 50	State charitable institutions; admission	1927	585	1504
52, renumbered 51, and amended	Boards of visitors; appointment and removal	1928	859	1834
52, subd. 2	Boards of visitors; powers and duties	1930	168	505
53, added	Boards of visitors; powers and duties	1927	585	1505
53, renumbered 52, and amended	Boards of visitors; powers and duties	1928	859	1835
54, added	Boards of visitors; powers and duties	1927	585	1505
54, renumbered 53, and amended	Applications of provisions of law referring to certain boards	1928	859	1836
55, added	Superintendents of institutions	1927	585	1507
55, renumbered 54	Superintendents of institutions	1928	859	1836
56, added	Superintendents of institutions	1927	585	1507
56, renumbered 55, and amended	Superintendents of institutions	1928	859	1837
56, added	Treasurers of institutions; powers and duties	1928	859	1837
57, added	Oaths and bonds	1928	859	1838
58, added	Admission to institutions	1928	859	1838
70, repealed	Expense of clothing state pupils	1928	859	1839
71, repealed	Syracuse state institution for feeble-minded children; consent to construction of sewer system	1928	859	1839
Art. 8 (§§ 100–115, 117), repealed	Craig colony	1927	426	1082
107, subds. 12, 13, added	Craig colony; powers of superintendent	1925	94	111
110	Craig colony; support of state patients	1924	190	414
Art. 9, title	New York State Orthopedic Hospital for Children	1923	367	608
Art. 9, title	New York State Reconstruction Home	1929	517	1069
Art. 9 (§§ 130, 130a, 131–132), repealed	New York State Reconstruction Home	1931	481	1123

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	STATE CHARITIES LAW — (*Continued*).			
130	New York State Orthopedic Hospital for Children; establishment	1923	367	608
130	New York State Orthopedic Hospital for Children; establishment	1925	227	462
130	New York State Orthopedic Hospital for Children	1928	859	1839
130	New York State Reconstruction Home; establishment	1929	517	1069
130a, added	New York State Orthopedic Hospital for Children; division of cost of maintenance	1929	516	1067
130a	New York State Orthopedic Hospital for Children; division of cost of maintenance	1930	495	971
131	New York State Orthopedic Hospital for Children; board of managers	1923	367	608
131	New York State Orthopedic Hospital for Children; board of visitors	1928	859	1840
131	New York State Reconstruction Home; board of visitors	1929	517	1069
132, opening paragraph	New York State Orthopedic Hospital for Children; board of managers	1925	227	462
132, repealed	New York State Orthopedic Hospital for Children; board of managers	1928	859	1840
132	New York State Reconstruction Home; acquisition of property	1929	517	1069
133–135, repealed	New York State Orthopedic Hospital for Children	1928	859	1840
136	New York State Orthopedic Hospital for Children; patients	1925	227	463
136, repealed	New York State Orthopedic Hospital for Children; patients	1928	859	1840
137, renumbered 132, and amended	New York State Orthopedic Hospital for Children; acquisition of property	1928	859	1840
138, repealed	New York State Orthopedic Hospital for Children; managers' report of receipts	1928	859	1841
Art. 10, section headings	Raybrook tuberculosis hospital	1928	859	1841
Art. 10 (§§ 150–156), repealed	Raybrook tuberculosis hospital	1931	481	1123
150	Raybrook tuberculosis hospital; establishment and objects	1928	859	1841
151, renumbered 152, and amended	Raybrook tuberculosis hospital; board of visitors	1928	859	1842
151, added	Raybrook tuberculosis hospital; admission of patients	1928	859	1841
152, renumbered 153	Raybrook tuberculosis hospital; lands	1928	859	1842
153, 154, repealed	Raybrook tuberculosis hospital; trustees	1928	859	1842
155, renumbered 154, and amended	Raybrook tuberculosis hospital; acquisition of property	1928	859	1842
156, renumbered 155, and amended	Raybrook tuberculosis hospital; superintendent	1928	859	1842
157, subds. 1–9, repealed	Raybrook tuberculosis hospital; superintendent	1928	859	1842

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	STATE CHARITIES LAW — (*Continued*).			
157, subd. 10, renumbered 156, and amended	Raybrook tuberculosis hospital; aid to county tuberculosis hospitals	1928	859	1842
158, repealed	Raybrook tuberculosis hospital; treasurer	1928	859	1842
159, repealed	Raybrook tuberculosis hospital; medical assistants and examining physicians	1928	859	1842
160–163, repealed	Raybrook tuberculosis hospital; free patients; private patients	1928	859	1842
Art. 11, section headings	Institutions for juvenile delinquents	1928	859	1843
180	State Agricultural and Industrial School at Industry	1928	859	1843
181–185	Institutions for juvenile delinquents	1928	859	1844
186–188, repealed	Disorderly children	1928	859	1845
189, renumbered 186, and title amended	Discharge from house of refuge on habeas corpus	1928	859	1845
190, repealed	Removal of children from house of refuge; control of inmates	1928	859	1845
191	State Agricultural and Industrial School at Industry	1923	306	521
191, repealed	State Agricultural and Industrial School at Industry	1928	859	1845
192, renumbered 187, and amended	Military drill	1928	859	1845
193–195, renumbered 188–190	School ship	1928	859	1845
195, added	Discipline and control of inmates; certain institutions	1928	859	1848
196, renumbered 191	Effects of alcoholic drinks and narcotics to be taught	1928	859	1846
197, renumbered 192, and amended	Transfer of inmates of house of refuge or industrial school to a penitentiary	1928	859	1846
197a, added	House of Refuge; transfer of inmates to New York State Reformatory	1924	336	628
197a, renumbered 193, and amended	Transfer of inmates of certain institutions to New York State Reformatory	1928	859	1847
198, repealed	Confinement of juvenile delinquents under sentences by courts of United States	1928	859	1848
199, 200, renumbered 194, and amended	New York State Training School for Girls; visitors	1928	859	1848
201	New York State Training School for Girls	1923	306	522
201–203, repealed	New York State Training School for Girls	1928	859	1848
203, added	Parole	1928	859	1852
204, renumbered 196, and amended	Commitments; papers to be furnished	1928	859	1848
204, added	Colonies of New York state training school	1928	859	1853
205, renumbered 197, and amended	Return of children improperly committed	1928	859	1850
205, added	Acquisition of property by boards of visitors; certain institutions	1928	859	1853
206, renumbered 198, and amended	New York State Training School for Girls; children of inmates	1928	859	1850
207, repealed	Children may be bound out	1923	306	524

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	STATE CHARITIES LAW— (*Continued*).			
208, renumbered 199, and amended	New York State Training School for Girls; children of inmates	1928	859	1851
209, renumbered 200, and amended	Return from escape from state institution	1928	859	1852
210, repealed	New York State Training School for Girls; employment of inmates	1928	859	1852
211, repealed	New York State Training School for Girls; clothing and money for discharged inmates	1928	859	1852
212, renumbered 201, and amended	Freedom of worship; state institutions	1928	859	1852
213, renumbered 202, and amended	Confinement of juvenile delinquents under sentences by courts of United States	1928	859	1852
214, repealed	Effect of art. 11	1928	859	1852
Art. 12 (§§ 220–234), repealed	House of refuge and reformatory for women	1931	455	1070
220	Albion State Training School	1923	26	26
220, repealed	Names and location of reformatories	1931	455	1070
223	Reformatory for Women, at Bedford; superintendent	1921	485	1503
223, repealed	Officers; compensation	1931	455	1070
226, repealed	Commitments	1931	455	1070
226, subd. 1	Albion State Training School	1923	26	26
226, subd. 1	Reformatories for women; commitments; papers furnished by committing magistrate	1929	241	533
234, added	New York State Reformatory at Bedford; industries	1924	137	221
234	Industries at reformatory; capital fund	1931	455	1070
Art. 12a (§§ 240–244), repealed	Division for mentally defective delinquent women	1931	455	1070
Art. 12a (§§ 240–244), repealed	Division for mentally defective delinquent women	1931	456	1072
242a, added	Transfers from certain institutions	1921	364	1159
242a, repealed	Transfers from certain institutions	1931	455	1070
242a, subd. 2	Transfers from certain institutions	1924	191	415
243	Commitments; paroles and discharges	1921	364	1159
243, repealed	Commitments; paroles and discharges	1931	455	1070
Art. 13, section headings	New York State Woman's Relief Corps Home	1928	859	1853
250	New York State Woman's Relief Corps Home	1928	859	1853
251	New York State Woman's Relief Corps Home	1924	438	809
251	New York State Woman's Relief Corps Home	1925	25	44
251	New York State Woman's Relief Corps Home	1928	859	1853
252–254, repealed	New York State Woman's Relief Corps Home	1928	859	1854
252	New York State Woman's Relief Corps Home	1931	201	554
255	New York State Woman's Relief Corps Home	1923	60	65
255	New York State Woman's Relief Corps Home	1924	438	809
255	New York State Woman's Relief Corps Home	1925	175	225
255, renumbered 252, and amended	New York State Woman's Relief Corps Home	1928	859	1854
256, 257, repealed	New York State Woman's Relief Corps Home	1928	859	1855
258, renumbered 253, and amended	New York State Woman's Relief Corps Home	1928	859	1855
Art. 14, schedule of sections	Thomas Indian School	1928	859	1855
270	Thomas Indian School	1928	859	1855

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE CHARITIES LAW — (*Continued*).			
271	Thomas Indian School; board of managers	1925	396	716
271	Thomas Indian School; board of visitors	1928	859	1855
272	Thomas Indian School; board of managers	1925	396	716
272	Thomas Indian School; acquisition of property	1928	859	1856
273, repealed	Thomas Indian School; officers, salaries	1928	859	1856
273, added	Thomas Indian School; admissions	1928	859	1856
274, 275, repealed	Thomas Indian School	1928	859	1856
276, renumbered 274, and amended	Thomas Indian School; transfers to other institutions	1928	859	1856
294	Drug store not to be used by dispensary	1927	392	883
294	Drug store not to be used by dispensary	1931	364	798
Art. 16 (§§ 300–308), repealed	Destitute children; licenses for placing out	1923	706	1261
Art. 16 (§§ 300–314), added	Children	1923	706	1261
Art. 16 (§§ 300–314)	Children	1924	437	799
Art. 16 (§§ 300–314), repealed	Children	1929	565	1197
Art. 16 (§§ 300–314), added	Children	1930	590	1081
300, added	Children; definitions	1923	706	1262
300	Children; definitions	1924	437	800
300, repealed	Children; definitions	1929	565	1197
300, added	Children; definitions	1930	590	1081
300, ¶ (m)	Board out defined	1928	859	1856
301, added	Children; record to be kept; reports	1923	706	1263
301	Children; record to be kept; reports	1924	437	802
301, repealed	Children; record to be kept; reports	1929	565	1197
301, added	Children; record to be kept; reports	1930	590	1081
302, added	Children; religious faith	1923	706	1265
302	Children; religious faith	1924	437	803
302, repealed	Children; religious faith	1929	565	1197
302, added	Children; religious faith	1930	590	1081
303, added	Children; placing or boarding out	1923	706	1266
303	Children; placing or boarding out	1924	437	804
303, repealed	Children; placing or boarding out	1929	565	1197
303, added	Children; placing or boarding out	1930	590	1081
304, added	Children; issue of licenses; revocation	1923	706	1266
304	Children; issue of licenses; revocation	1924	437	804
304, repealed	Children; issue of licenses; revocation	1929	565	1197
304, added	Children; issue of licenses; revocation	1930	590	1081
305, added	Children for boarding out	1923	706	1266
305	Children for boarding out	1924	437	805
305, repealed	Children for boarding out	1929	565	1197
305, added	Children for boarding out	1930	590	1081
306, added	Children imported from other states; bond required	1923	706	1267
306	Children imported from other states; bond required	1924	437	805
306, repealed	Children imported from other states; bond required	1929	565	1197
306, added	Children imported from other states; bond required	1930	590	1081
307, added	Children; care and custody	1923	706	1268
307	Children; care and custody	1924	437	806
307, repealed	Children; care and custody	1929	565	1197

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE CHARITIES LAW— (*Continued*).			
307, added	Children; care and custody	1930	590	1081
308, added	Children; destitute or dependent	1923	706	1268
308	Children; destitute or dependent	1924	437	806
308, repealed	Children; destitute or dependent	1929	565	1197
308, added	Children; destitute or dependent	1930	590	1081
308, subd. 5	Children; destitute or dependent	1927	586	1508
309, added	Children; order prohibiting placing or boarding out; notice; revocation	1923	706	1269
309	Children; order prohibiting placing or boarding out; notice; revocation	1924	437	807
309, repealed	Children; order prohibiting placing or boarding out; notice revocation	1929	565	1197
309, added	Children; order prohibiting placing or boarding out; notice revocation	1930	590	1081
310, added	Children; visitation by board; order of removal	1923	706	1269
310	Children; visitation by board, order of removal	1924	437	808
310, repealed	Children; visitation by board; order of removal	1929	565	1197
310, added	Children; visitation by board; order of removal	1930	590	1081
311, added	Children; rules and regulations	1923	706	1269
311	Children; rules and regulations	1924	437	808
311, repealed	Children; rules and regulations	1929	565	1197
311, added	Children; rules and regulations	1930	590	1081
312, added	Children; special charters	1923	706	1269
312	Children; special charters	1924	437	808
312, repealed	Children; special charters	1929	565	1197
312, added	Children; special charters	1930	590	1081
313, added	Children; penalty for violations	1923	706	1269
313	Children; penalty for violations	1924	437	808
313, repealed	Children; penalty for violations	1929	565	1197
313, added	Children; penalty for violations	1930	590	1081
314, added	Children; order to review decisions	1923	706	1269
314	Children; order to review decisions	1924	437	808
314, repealed	Children; order to review decisions	1929	565	1197
314, added	Children; order to review decisions	1930	590	1081
368	Berkshire Industrial Farm	1923	306	523
460, repealed	Retirement of employees	1921	568	1711
	STATE DEPARTMENTS LAW: (L. 1926, ch. 343, constituting cons. laws, ch. 78.)			
3	Action by department; how taken	1927	12	12
8	Continuance of orders, rules and regulations	1927	12	13
9	Pending actions and proceedings	1927	12	13
10	Completion of unfinished business	1927	12	13
13	Seals	1927	25	27
15	Terms in laws, contracts or other documents	1927	12	14
16, added	Departmental powers and duties; how exercised	1927	20	22
16a, added	Discretionary action	1928	93	242
17, 18, added	Reports and rules	1927	25	28
Art. II (§§ 30–60), added	Executive department	1926	546	951
30, 31, repealed	Executive department; organization	1928	676	1455

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE DEPARTMENTS LAW — (*Continued*).			
32	Executive department; divisions	1927	21	25
32, repealed	Executive department; divisions	1928	676	1455
33, 34, repealed	Executive department; division of budget; director; subordinates	1928	676	1455
35–40, repealed	Budget	1929	5	7
41	Executive department; board of estimate and control; transfer of functions to governor	1927	364	818
43, repealed	Soldiers' Home at Bath	1928	605	1358
44, repealed	New York monuments commission for battlefields of Gettysburg, Chattanooga and Antietam	1928	605	1358
46, repealed	Executive department; organization of division of military and naval affairs	1928	676	1455
48	Executive department; division of standards and purchase	1927	87	356
48, 49, repealed	Executive department; division of standards and purchase	1928	676	1455
50, repealed	Executive department; division of standards and purchase; rules and lists of standard articles	1927	87	356
51, repealed	Executive department; division of standards and purchase; standards and standard specifications	1927	87	356
52, repealed	Executive department; division of standards and purchase; requisitions and purchases	1927	87	356
53	Executive department; division of standards and purchase; powers and duties	1927	87	356
55, repealed	Executive department; division of standards and purchase; committee on revisions for custodial departments	1927	87	356
56, repealed	Executive department; division of inter-departmental relations	1927	21	25
56, added	Executive department; state institutions; construction, alteration, etc	1927	395	919
56, subd. 1	Construction of buildings of certain institutions	1931	453	1051
57	Executive department; division of state police	1927	78	252
57, repealed	Executive department; division of state police	1928	676	1455
59	Executive department; division of state police, enforcement of motor vehicle law	1927	536	1316
59	Executive department; division of state police; enforcement of motor vehicle law	1928	843	1783
59, repealed	Executive department; division of state police; enforcement of motor vehicle law	1929	54	108
60, repealed	Executive department; division of state police; organization	1928	676	1455
Art. III (§§ 80–85), added	Department of audit and control	1926	614	1094
80, repealed	Department of audit and control	1928	590	1325
81, subd. 2, repealed	Department of audit and control	1928	590	1325
82, repealed	Department of audit and control	1928	590	1325
84, repealed	Department of audit and control	1928	590	1325
Art. IV (§§ 130–138), added	Department of taxation and finance	1926	553	973
Art. V (§§ 180–182), added	Department of law	1926	347	613

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE DEPARTMENTS LAW—(*Continued*).			
Art VI (§§ 190–201), added	Department of state	1926	437	759
194	Department of state; division of land office	1928	547	1236
197, repealed	Department of state; division of port wardens	1928	377	889
197, added	Department of state; port wardens abolished	1928	377	889
198, repealed	Department of state; Hell Gate pilots	1928	283	766
198, added	Department of state; board of commissioners of pilots	1928	283	767
199	Department of state; state board of canvassers	1927	526	1250
Art. VII (§§ 220–228), added	Department of public works	1926	348	614
220	Department of public works	1927	512	1222
221, repealed	Department of public works; assistant superintendents	1927	512	1222
223, repealed	Department of public works; organization	1927	512	1222
224, repealed	Department of public works; division of engineering	1927	512	1222
225, repealed	Department of public works; division of architecture	1927	512	1222
226, repealed	Department of public works; bureaus in division of architecture	1927	512	1222
227, repealed	Department of public works; concurrent action	1927	512	1222
Art.VIII (§§ 240–254), added	Conservation department	1926	619	1104
240	Conservation department; commissioner	1928	242	719
242, repealed	Conservation department; organization	1928	242	719
243	Conservation department; division of parks	1927	159	514
244, repealed	Conservation department; council of parks	1928	242	719
245, repealed	Conservation department; places of historic interest, etc.	1928	242	719
246, repealed	Conservation department; estimates for parks, etc.	1928	242	719
248	Conservation department; water power and control division	1927	199	595
249, repealed	Conservation commission; license relating to water power rights	1928	242	719
250, repealed	Conservation department; division of lands and forests	1928	242	719
251, repealed	Conservation department; division of fish and game	1928	242	719
252, repealed	Conservation department; Saratoga Springs reservation	1928	242	719
Art. IX (§§ 270–275), added	Department of agriculture and markets	1926	646	1193
270	Department of agriculture and markets	1927	207	633
271, repealed	Department of agriculture and markets; commissioner	1927	207	633
273, repealed	Department of agriculture and markets; division of state fair	1927	207	633
274, repealed	Department of agriculture and markets; organization	1927	207	633
Art. X (§§ 290–296), added	Department of labor	1926	427	744
292, repealed	Department of labor; organization	1927	166	531
293, repealed	Department of labor; industrial board	1927	166	531
294, repealed	Department of labor; industrial council	1927	166	531
295, repealed	Department of labor; industrial code	1927	166	531
Art. XI (§§ 310–326), added	Education department	1926	544	940
310	Education department	1927	153	507
311, repealed	Education department; commissioner of education	1927	153	507
313, repealed	Education department; organization	1927	153	507
314, repealed	Education department; regents' rules; department regulations	1927	153	507

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE DEPARTMENTS LAW — (*Continued*).			
315, repealed	New York State College of Agriculture; New York State College of Home Economics; New York State Veterinary College; New York State Agricultural Experiment Station	1927	153	507
316, repealed	State College of Forestry at Syracuse University	1927	153	507
317, repealed	State School of Clay-working and Ceramics	1927	153	507
318, repealed	New York State Roosevelt Memorial	1927	153	507
318, repealed	New York State Roosevelt Memorial	1927	549	1331
318, repealed	New York State Roosevelt Memorial	1929	659	1590
319, repealed	Normal schools; State College for Teachers	1927	153	507
320, repealed	State schools of agriculture	1927	153	507
321, repealed	New York State School for Blind	1927	153	507
322, repealed	New York State Nautical School	1927	153	507
323, repealed	Education department; appropriations and expenditures	1927	153	507
324, repealed	Education department; motion picture division	1927	153	507
325, repealed	Education department; Indian schools	1927	153	507
Art. XII (§§ 340–347), added	Department of health	1926	349	617
340	Department of health	1927	48	83
342, repealed	Department of health; organization	1927	48	83
343, repealed	Department of health; public health council	1927	48	83
344, repealed	Department of health; sanitary code	1927	48	83
345, repealed	State Institute for Study of Malignant Disease	1927	48	83
347, repealed	Department of health; repeals	1927	48	83
Art. XIII (§§ 360–371), added	Department of mental hygiene	1926	584	1040
362, repealed	Matteawan State Hospital	1927	426	1082
363, repealed	Department of mental hygiene; organization	1927	426	1082
364, repealed	Department of mental hygiene; division of mental diseases	1927	426	1082
365, repealed	Department of mental hygiene; division of mental deficiency and epileptic diseases	1927	426	1082
366, repealed	Department of mental hygiene; division of prevention	1927	426	1082
367, repealed	Department of mental hygiene; management and control of institutions	1927	426	1082
368, repealed	Department of mental hygiene; boards of visitors	1927	426	1082
369, repealed	Department of mental hygiene; state institutions; superintendents	1927	426	1082
370, repealed	Department of mental hygiene; state institutions; alteration, repairs of buildings	1927	426	1082
Art. XIV (§§ 380–390), added	Department of charities	1926	651	1198
380	Department of charities	1928	859	1857
382, 383, repealed	Department of charities	1928	859	1857
384	Department of charities; administration of institutions	1927	19	21
384, repealed	Department of charities; administration of institutions	1928	859	1857
385, repealed	Department of charities; division of special welfare interests	1928	859	1857
385	Department of charities; division of special welfare interests	1927	19	22
386, repealed	Department of charities; management and control of institutions	1927	585	1508
387, repealed	Department of charities; superintendents	1927	585	1508

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE DEPARTMENTS LAW — (*Continued*).			
Art. XV (§§ 400–415), added	Department of correction	1926	606	1079
Art. XV, synopsis	Department of correction	1927	548	1328
400, 401, repealed	Department of correction	1929	243	637
402	Department of correction; state superintendent of prisons	1927	548	1329
402, repealed	Department of correction; state superintendent of prisons	1929	243	637
403, 404, repealed	Department of correction	1929	243	637
405	Department of correction; subordinates	1928	313	795
405, repealed	Department of correction; subordinates	1929	243	637
406, 407, repealed	Department of correction	1929	243	647
408	Department of correction; division of parole	1928	490	1069
408, repealed	Department of correction; division of parole	1929	243	647
409	Department of correction; division of probation	1927	548	1329
409, repealed	Department of correction; division of probation	1928	313	796
409, added	Department of correction; division of probation	1928	313	796
409, repealed	Department of correction; division of probation	1929	243	637
409a, added	Department of correction; division of criminal identification, records and statistics	1927	548	1329
410, 411, repealed	Department of correction	1929	243	637
412, repealed	State reformatories; boards of visitors	1931	455	1070
413, repealed	Department of correction	1929	243	637
414, repealed	Department of correction; criminal statistics	1927	548	1330
415, renumbered 414	Department of correction; application of laws	1927	548	1330
415, repealed	Department of correction; application of laws	1929	243	637
Art. XVI (§§ 430–436), added	Department of public service	1926	350	620
430	Department of public service	1928	732	1591
432–435, repealed	Department of public service	1928	732	1591
Art. XVII (§§ 450–453), added	Banking department	1926	352	623
450	Banking department; superintendent	1927	178	555
452, repealed	Banking department; organization	1927	178	555
Art. XVIII (§§ 460–463), added	Insurance department	1926	353	625
460	Insurance department	1927	164	523
462, repealed	Insurance department; organization	1927	164	523
Art. XIX (§§ 470–473), added	Department of civil service	1926	354	626
470	Department of civil service	1927	440	1103
472, repealed	Department of civil service; organization	1927	440	1103
	STATE FINANCE LAW: (L. 1909, ch. 58, constituting cons. laws, ch. 56.)			
2	Fiscal year	1926	548	962
3	Department of taxation and finance	1926	548	963
4, subds. 3a, 4a, added	Duties of comptroller	1926	548	963
5	Checks and accounts	1926	548	963

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE FINANCE LAW — (*Continued*).			
6	Custody of state papers and securities	1926	548	964
7	State securities; examination and inventory	1926	548	964
8	Deposit in banks	1926	548	964
9	Monthly statement of balances in state depositories	1926	548	965
10	Deposit of moneys by state officers	1926	548	965
12a, added	Certification or approval of accounts and vouchers	1927	1	1
14	Temporary loans and revenue bonds	1922	370	781
14a, added	General state improvement bonds	1926	119	271
14a, ¶ 2	General state improvement bonds	1928	27	26
14a, subd. 3	General state improvement bonds	1928	3	2
14b, added	Grade crossing bonds	1926	300	545
43a	Contracts; withdrawal of retained percentages	1921	394	1233
43a	Contracts; withdrawal of retained percentages	1930	697	1271
43c, added	Claims against contractors; undertaking thereof	1924	269	526
44c	Investment of funds paid into court	1928	837	1770
49a	Separate specifications for contract work for the state	1926	689	1241
50, added	Separate specifications for certain contract work	1921	469	1376
50, renumbered 49a	Separate specifications for certain contract work	1925	611	1022
51, renumbered 48	Workmen's compensation insurance on public works	1921	336	1097
51, added	Probable life of works or objects of state debt	1924	23	23
51	Probable life of works or objects of state debt	1925	513	848
51, renumbered 49b	Probable life of works or objects of state debt	1927	364	815
52, renumbered 49	Exchange of surplus farm products between state institutions	1921	336	1097
Art. 2a (§§ 50–54, 54a–54d), added	Board of estimate and control	1921	336	1097
Art. 2A (§§ 50–54, 54a–54e), renumbered art. 8 (§§ 135–140), and amended	Fiscal affairs of state departments	1927	364	815
50–54, added	Board of estimate and control	1921	336	1097
54a, added	Board of estimate and control; appropriation requests; tabulated statements	1921	336	1100
54a	Board of estimate and control; appropriation requests; tabulated statements	1922	385	810
54b–54d, added	Board of estimate and control; powers; reports	1921	336	1101
54e, added	Board of estimate and control; bureau of standards	1922	385	811
57, added	Outstanding checks or drafts on bank accounts of state funds	1921	393	1231
88	Foreclosure of United States deposit fund mortgages	1922	192	513
104, added	Conservation fund	1925	592	986
Art. 7, title	Central purchase of supplies	1921	336	1102
Art. 7 (§§ 113–123), repealed	Central purchase of supplies	1922	128	423
Art. 7 (§§ 110–127), added	Department of purchase	1922	128	423
Art. 7, title	Central purchase of supplies	1927	87	349
110-113 repealed	Central supply committee	1921	336	1102
110, added	Department of purchase; superintendent; assistants	1922	128	423
110, repealed	Department of purchase; superintendent; assistants	1927	87	349

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE FINANCE LAW—(*Continued*).			
110, added	Superintendent of standards and purchase; functions how exercised	1927	87	349
111, added	Office of department	1922	128	424
111, repealed	Office of department	1927	87	349
111	Superintendent of standards and purchase; powers	1930	608	1112
112, added	Seal of department	1922	128	424
112, repealed	Seal of department	1927	87	349
113, added	Expenses	1922	128	424
113, repealed	Expenses	1927	87	349
113, added	Definitions	1921	336	1102
113	Superintendent of standards and purchase; rules	1930	608	1112
114–117	Central supply committee	1921	336	1102
114–117, repealed	Central supply committee	1922	128	423
114, added	Fiscal supervisor; abolishing office; transfer of powers and duties	1922	128	424
114, repealed	Fiscal supervisor; abolishing office; transfer of powers and duties	1927	87	349
114, added	Superintendent of standards and purchase; standards and specifications	1927	87	351
114	Superintendent of standards and purchase; standards and standard specifications	1930	608	1114
115, added	Transfer of officers and employees of existing departments	1922	128	424
115, repealed	Transfer of officers and employees of existing departments	1927	87	349
115	Superintendent of standards and purchase; requisitions; contingent fund	1930	608	111
116, added	Transfer of property and records	1922	128	424
116, repealed	Transfer of property and records	1927	87	344
117, added	Department of purchase; general powers	1922	128	245
117, renumbered 111, and amended	Superintendent of standards and purchase; powers	1927	87	349
117a, added	Superintendent of purchase to market prison made goods	1924	268	525
117a, renumbered 112, and amended	Superintendent of standards and purchase; prison made goods	1927	87	350
118, added	Department of purchase; rules	1922	128	425
118, renumbered 113, and amended	Superintendent of standards and purchase; rules	1927	87	350
118, 119, repealed	Central supply committee	1922	128	423
119, added	Department of purchase; requisitions; contingent fund	1922	128	425
119, renumbered 115, and amended	Superintendent of standards and purchase; requisitions; contingent fund	1927	87	352
120, added	Department of purchase; materials, equipment and supplies	1922	128	426

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE FINANCE LAW — (*Continued*).			
120–123	Central supply committee	1921	336	1102
120–123, repealed	Central supply committee	1922	128	423
120, renumbered 116, and amended	Superintendent of standards and purchase; materials, equipment and supplies	1927	87	353
120	Superintendent of standards and purchase, letting of contracts	1930	608	1115
121, added	Department of purchase; estimates for personal service by heads of institutions	1922	128	427
121, renumbered 117, and amended	Superintendent of standards and purchase; estimates by heads of institutions	1927	87	353
121, added	Superintendent of standards and purchase; requisitions for custodial institutions	1927	87	354
122, added	Department of purchase; investigations	1922	128	427
122, renumbered 118, and amended	Superintendent of standards and purchase; investigations	1927	87	353
123, added	Department of purchase; auxiliary powers	1922	128	427
123, renumbered 119	Superintendent of standards and purchase; auxiliary powers	1927	87	354
123	Superintendent of standards and purchase; exemptions	1930	608	1116
124, added	Department of purchase; letting of contracts	1922	128	427
124, renumbered 120, and amended	Superintendent of standards and purchase; letting of contracts	1927	87	354
125, added	Department of purchase; saving clause	1922	128	428
125, renumbered 122, and amended	Superintendent of standards and purchase; saving clause	1927	87	355
126, added	Department of purchase; exemptions	1922	128	428
126, renumbered 123, and amended	Superintendent of standards and purchase; exemptions	1927	87	355
127, added	Department of purchase; report	1922	128	428
127, repealed	Department of purchase; report	1927	87	356
140	State departments; transfer of personal property	1928	104	252
141, added	State departments; financial statements	1928	232	466
Art. 8 (§§ 150, 151), renumbered art. 10 (§§ 170, 171)	Laws repealed; when to take effect	1927	158	511
Art. 8 (§§ 150, 151), renumbered art. 9	Laws repealed; when to take effect	1927	364	818

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STATE FINANCE LAW—(*Continued*).			
Art. (§§ 150–154), added	Fiscal supervision of certain institutions	1927	158	511
150	Fiscal supervision of certain institutions	1931	453	1048
154, repealed	Estimates, accounts and vouchers of certain institutions	1931	455	1070
155, added	Improvements of buildings of certain institutions	1931	453	1049
156, added	Estimates, accounts and vouchers of certain institutions	1931	453	1049
	STATE HOUSING LAW: (L. 1926, ch. 823. See Table of changes in laws other than the consolidated laws, code of criminal procedure and practice acts, *post.*)			
	STATE LAW: (L. 1909, ch. 59, constituting cons. laws, ch. 57.)			
8	State boundary; maintenance of monuments	1927	26	29
21, subd. 7	Land in city of Buffalo	1928	94	243
50	Lands purchased by United States government	1922	14	11
58	Lands to be acquired for public defense	1928	380	891
59	Lands to be acquired for public defense	1928	380	892
59c	Lands to be acquired for public defense	1928	380	893
59d	Lands to be acquired for public defense	1928	380	893
59h	Lands to be acquired for public defense	1928	380	893
141, subds. 1, 4	Enumeration of inhabitants	1925	191	396
142, 143	Enumeration supervisors	1925	191	397
146–149	Enumerators and interpreters	1925	191	398
151	Supervisors and enumerators	1925	191	400
153	Enumeration of inhabitants; commencement	1925	191	400
	STATE PRINTING LAW: (L. 1917, ch. 667, constituting cons. laws, ch. 58, superseding L. 1909, ch. 60.)			
All	Generally amended [Note.— *L. 1921, ch. 337 again repeals former state printing law, L. 1909, ch. 36.*]	1921	337	1106
3	Department printing; classification	1922	643	1774
4	Printing board; powers and duties	1922	643	1775
5	Legislative printing	1922	319	701
7	Department printing	1922	643	1775
7	Department printing	1925	557	910
7	Department printing	1929	618	1453
8	Proposals for department printing	1922	643	1778
11, repealed	Extra copies of messages and reports	1921	337	1118

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STOCK CORPORATION LAW: (L. 1923, ch. 787, constituting cons. laws, ch. 59; generally amending all after title and superseding L. 1909, ch. 61. For amendments to act of L. 1909, ch. 61, by L. 1921–1923, see L. 1923, p. 1838.)			
Art. 1, title	Short title; application	1924	441	812
2, added	Application of chapter	1924	441	812
5	Incorporation	1929	600	1407
10	Books to be kept by corporation	1926	688	1239
11	Preferred and common shares	1924	441	812
11	Preferred and common shares	1926	65	222
11	Preferred and common shares	1929	600	1409
12, subd. 4, ¶ A	Shares without par value	1924	441	813
14	Issue of stock to employees	1925	178	244
15	Prohibited transfers to officers, stockholders, directors or creditors	1929	653	1570
16, subd. 1	Consents of stockholders to execution of mortgages	1924	124	209
16, subd. 1	Power to borrow money and mortgage property	1924	441	813
16, subd. 1	Power to borrow money and mortgage property	1926	148	301
18	Purchase of securities	1929	326	789
21	Voluntary sale of franchise and property	1924	441	813
22	New corporation formed under same name	1927	396	921
35, paragraph following subd. 5	Changes and amendments	1924	441	814
35, ¶ (B)	Number of directors	1929	600	1410
36, ¶ C	Changes in respect to shares, capital stock or capital	1924	441	814
36, ¶ (F), relettered ¶ (G)	Changes in respect to shares, capital stock or capital	1926	310	567
36, ¶ (F), added	Changes in respect to shares, capital stock or capital	1926	310	567
36, ¶ (G), relettered ¶ (H)	Changes in respect to shares, capital stock or capital	1926	310	567
36, ¶ (G)	Changes in respect to shares, capital stock or capital	1929	600	1410
36, ¶ (I), added	Changes in respect to shares, capital stock or capital	1929	652	1568
36, subd. 3	Changes in respect to shares, capital stock or capital	1929	652	1568
36, subd. 8	Changes in respect to shares, capital stock or capital	1926	310	567
36, subd. 8	Changes in respect to shares, capital stock or capital	1929	652	1569
36, subd. 10	Changes in respect to shares, capital stock or capital	1926	310	567
36, subd. 11	Changes in respect to shares, capital stock or capital	1929	600	1410
36, subd. 12	Changes in respect to shares, capital stock or capital	1924	441	815
36, subd. 15, added	Changes in respect to shares, capital stock or capital	1924	441	814
36, subd. 15	Changes in respect to shares, capital stock or capital	1927	396	922
36, subd. 15	Changes in respect to shares, capital stock or capital	1929	652	1569
37, subd. 1	Subscription and authentication of certificate	1924	441	815
37, subd. 3	Subscription and authentication of certificate	1927	396	923
37, subd. 3	Subscription and authentication of certificate	1929	652	1569
38, subd. 4, repealed	Changes and amendments	1924	394	730
38, subd. 9, renumbered subd. 10	Changes and amendments	1926	310	568
38, subd. 9, added	Changes and amendments	1926	310	568

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	STOCK CORPORATION LAW—(*Continued*).			
38, subds. 10, 11, renumbered				
subds. 11, 12,	Changes and amendments	1926	310	568
45	Notice of meetings of stockholders	1924	441	815
46	Inspectors and their oath	1926	625	1116
47	Qualification of voters	1924	441	815
47	Qualification of voters	1928	864	1862
47	Qualification of voters	1930	754	1358
50	Voting trust agreements	1925	120	138
55	Directors; election	1929	600	1410
55	Directors; election	1930	239	601
62, added	Determination of stockholders of record	1930	754	1359
65	Form of stock certificates	1928	312	794
65	Form of stock certificates	1929	600	1411
67	Subscriptions to stock	1924	441	816
85, subd. 1	Merger and consolidation	1924	441	816
85, subd. 3	Merger and consolidation	1925	649	1074
85, subd. 5, added	Merger and consolidation	1925	649	1074
86	Consolidation	1931	55	369
105, subd. 2	Dissolution without judicial proceedings	1924	441	817
105, subd. 4, ¶ (a)	Dissolution without judicial proceedings	1924	482	897
107, added	Report of existence	1924	309	575
107, subd. 8, added	Proclamations dissolving certain corporations	1928	548	1237
107, subds. 9, 10, added	Annulment of dissolution proceedings	1931	370	805
110, repealed	Foreign corporations; certificate of authority; change of name	1927	425	981
110, subd. 2	Foreign corporations; certificate of authority; change of name	1924	441	817
111	Foreign corporations; certificate of authority	1924	308	574
111, repealed	Foreign corporations; certificate of authority	1927	425	981
112, repealed	Foreign corporations; surrender of authority	1927	425	981
Art. 12 (§§ 120–134), repealed	Co-operative corporations	1926	231	429
	TAX LAW: (L. 1909, ch. 62, constituting cons. laws, ch. 60.)			
2, subd. 1	Definitions; "tax commission"	1928	845	1785
4, subd. 3a, added	Exemption of property owned by a public district	1927	260	699
4, subd. 5	Exemption of real property purchased with pension	1921	169	535
4, subd. 5	Exemption of real property purchased with pension	1930	340	744
4, subd. 5	Exemption of real property purchased with pension	1931	339	758
4, subd. 7	Exemption of property for registration and polling places	1921	446	1336
4, subd. 7	Exemption of libraries and library property	1924	489	902
4, subd. 7	Exemption of bar associations	1927	565	1343
4, subd. 7	Exemption of playgrounds	1929	382	886
4, subd. 8	Exemptions of property owned by incorporated association of volunteer firemen	1923	535	823

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	TAX LAW — (*Continued*).			
4, subd. 8	Exemptions of property owned by incorporated association of volunteer firemen	1927	475	1167
4, subd. 11	Exemption of property of clergymen	1921	168	534
4, subd. 12	Exemption of vessels employed in foreign trade	1923	792	1425
4, subd. 18	Exemption of medical associations	1931	433	1030
4, subd. 22, added	Exemption of property of veteran associations	1923	679	1222
4, subd. 23, added	Exemption of certain real property of a municipal corporation	1924	595	1074
4, subd. 23	Exemption of certain real property of a municipal corporation	1926	673	1218
4, subd. 24, added	Taxation of property	1925	99	116
4, subd. 25, added	Exemption of real property belonging to certain foreign countries	1926	708	1268
4a	Exemption of intangible personal property	1923	897	1724
4a	Exemption of intangible personal property	1926	286	523
4b	Exemption of new buildings	1921	444	1333
4b	Exemption of new buildings	1922	281	655
4b	Exemption of new buildings	1923	243	435
4b	Exemption of new buildings	1923	337	577
4b	Exemption of new buildings	1924	87	125
4c, added	Ground floor, definition	1925	651	1075
8	Place of taxation	1923	793	1426
10, added	Assessment of dams, reservoirs, etc	1926	745	1391
13, repealed	Stockholders of bank taxable on shares	1926	286	523
14	Tax on moneyed capital	1923	897	1725
14, repealed	Tax on moneyed capital	1926	286	523
14, added	Place of taxation of individual bank capital	1926	286	523
16, repealed	Taxation of lands used for forestry purposes	1926	610	1088
16, added	Taxation of forest and reforested lands	1926	610	1088
16	Taxation of forest and reforested lands	1927	431	1088
16	Taxation of forested and reforested lands	1930	572	1062
16	Taxation of forested and reforested lands	1931	346	779
17, repealed	Taxation of lands used as wood lots	1926	610	1088
22	Assessment of state lands	1923	650	937
22	Assessment of state lands	1927	258	696
22	Assessment of state lands	1928	329	824
22	Assessment of state lands	1928	703	1537
22	Assessment of state lands	1930	271	646
22	Assessment of state lands	1931	522	1287
23, repealed	Banks to make report	1926	286	523
23a, added	Tax on moneyed capital; report	1923	897	1725
23a, repealed	Tax on moneyed capital; report	1926	286	523
24	Bank shares; how assessed	1922	603	1551
24, repealed	Bank shares, how assessed	1926	286	523
24a, repealed	Bank tax; complaints	1926	286	523
24b	Bank shares; rate of tax	1923	897	1726
24b, repealed	Bank shares; rate of tax	1926	286	523
24c, repealed	Bank shares; exemption from other taxes	1926	286	523
24d, repealed	Bank tax; levy by board of supervisors	1926	286	524

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	TAX LAW — (*Continued*).			
24e, repealed	Bank tax; warrant for collection	1926	286	524
24f	Bank tax; collection and payment	1924	2	2
24f, repealed	Bank tax; collection and payment	1926	286	524
24g, repealed	Bank tax; distribution by board of supervisors	1926	286	524
25	Tax on moneyed capital; how assessed	1923	897	1726
25, repealed	Tax on moneyed capital; how assessed	1926	286	524
25, added	Individual banker; how assessed	1926	286	524
25a, added	Tax on moneyed capital; complaints	1923	897	1727
25a	Tax on moneyed capital; complaints; notice of assessment	1924	491	905
25a, repealed	Tax on moneyed capital; complaints; notice of assessment	1926	286	524
25b	Tax on moneyed capital; rate	1923	897	1727
25b, repealed	Tax on moneyed capital; rate	1926	286	524
25c, added	Tax on moneyed capital; exemption from other taxes	1923	897	1727
25c, repealed	Tax on moneyed capital; exemption from other taxes	1926	286	524
25d, added	Tax on moneyed capital; levy by board of supervisors	1923	897	1727
25d, repealed	Tax on moneyed capital; levy by board of supervisors	1926	286	524
25e, added	Tax on moneyed capital; warrant for collection	1923	897	1728
25e, repealed	Tax on moneyed capital; warrant for collection	1926	286	524
25f, added	Tax on moneyed capital; collection and payment	1923	897	1729
25f	Tax on moneyed capital; collection and payment	1924	2	2
25f, repealed	Tax on moneyed capital; collection and payment	1926	286	524
25g, added	Tax on moneyed capital; distribution	1923	897	1729
25g, repealed	Tax on moneyed capital; distribution	1926	286	524
34	Assessment of omitted property	1924	331	611
34a, added	Reassessment of mapped lots illegally assessed	1921	442	1315
34a, repealed	Reassessment of mapped lots illegally assessed	1923	793	1427
35, repealed	Debts owing to nonresidents of the United States; how assessed	1923	793	1427
36	Notice of completion of assessment roll	1924	491	906
36	Notice of completion of assessment roll	1926	286	524
36a	Grievance days to nonresidents	1922	209	530
37	Hearing of complaints	1924	491	906
37	Hearing of complaints	1926	286	525
39	Filing of roll and notice thereof	1924	491	907
39	Filing of roll and notice thereof	1926	286	525
40	Apportionment of assessments of property of certain public service corporations	1923	656	979
41	Neglect or omission of duty by assessors	1923	656	980
42	Abandonment of lot divisions	1930	683	1252
45a	Hearing on special franchise valuations; notice	1921	124	364
46	Certiorari to review assessment	1926	125	278
50a	Exclusion of shares of stock of banks and banking associations and of moneyed capital	1923	897	1730
50a, repealed	Exclusion of shares of stock of banks and banking associations and of moneyed capital	1926	286	526
55, repealed	Review of assessments against nonresident owners of rents reserved	1923	793	1427
56	Correction of errors by boards of supervisors	1924	398	733
56	Correction of errors by boards of supervisors	1926	286	526

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56, subd. 4th	Correction of errors by boards of supervisors	1923	897	1730
56, last paragraph	Correction of errors by boards of supervisors	1925	326	609
57	Reassessment of property illegally assessed	1926	629	1126
57	Reassessment of property illegally assessed	1929	146	377
58	Levy of tax by supervisors	1928	845	1785
59	Tax-roll and collector's warrant	1923	897	1730
59	Tax-roll and collector's warrant	1926	286	528
60	Statement of taxes; certain corporations	1923	656	981
61	Statement of valuation and other facts forwarded to tax commission	1926	286	528
61	Statement of valuation and other facts forwarded to tax commission	1928	23	22
61	Statement of valuation and other facts forwarded to tax commission	1928	845	1786
64	Statistics of taxation and finance	1924	356	652
64	Statistics of taxation and finance	1926	195	361
64	Statistics of taxation and finance	1928	845	1787
69a	Statement of taxes; nonresidents	1923	549	843
70	Collection of taxes; nonresidents in towns	1928	497	1077
70	Collection of taxes; nonresidents in towns	1930	94	409
70c, added	Tax bills of cities to separately indicate school and other taxes	1928	499	1080
72, repealed	Collection of taxes against stocks in banks and banking associations	1923	793	1427
73	Payment of taxes by certain corporations	1929	92	309
75, repealed	Collection of taxes on rents reserved	1923	793	1427
76, repealed	Collection of unpaid taxes on debts owing to nonresidents of United States	1923	793	1427
77, repealed	Return of warrant for collection of taxes on debts owing to nonresidents; neglect to make return	1923	793	1427
80	Tax on state lands in forest preserve	1928	845	1787
81	Fees of collector	1921	182	746
81	Fees of collector	1925	77	98
81	Fees of collector	1926	328	587
81	Fees of collector	1928	24	24
81	Fees of collector	1928	497	1078
81	Fees of collector	1928	660	1437
81	Fees of collector	1929	394	901
81	Fees of collector	1929	397	903
81	Fees of collector	1930	208	560
81	Fees of collector	1931	282	691
89	Unpaid taxes on resident real property to be reassessed	1923	793	1427
89	Unpaid taxes on resident real property to be reassessed	1928	845	1787
91	State tax; payment	1922	428	911
91	State tax; payment	1928	845	1788
92	Accounts of county treasurer with department	1928	845	1788
Art. 5 (§§ 100–106, 106a, 107–109)	Collection of taxes, forest preserve counties	1928	845	1789
Art. 5, title	Collection of taxes on real property in certain forest preserve counties	1923	793	1428
100	Return of unpaid nonresident taxes	1922	602	1549

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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100	Return of unpaid taxes	1923	793	1428
100	Return of unpaid taxes	1928	251	731
100	Return of unpaid taxes	1928	845	1789
101	Rejection of taxes	1923	793	1428
101	Rejection of taxes	1928	845	1790
102	Admission of taxes by comptroller and its effect	1923	793	1428
102	Admission of taxes by department of taxation and finance; its effect	1928	845	1790
103	Payment to county treasurer of excess of arrears credited	1923	793	1429
103	Payment to county treasurer of excess of arrears credited	1928	845	1790
104	Cancellation of tax by department of taxation and finance	1928	845	1790
105	Statement of canceled taxes sent to board of supervisors	1928	845	1791
106	Correction of imperfect descriptions	1928	845	1791
106a	Reimbursement of towns or other tax districts by school districts, Ulster county	1928	845	1792
107	Taxes, when and how paid to comptroller	1923	793	1429
107	Taxes, when and how paid to department of taxation and finance	1928	845	1792
108	Deduction of overcharges	1928	845	1792
109	Overpaid taxes	1928	845	1793
119, added	Department of taxation and finance; powers and duties	1928	845	1794
Art. 6 (§§ 120–140, 140a, 141–143)	Sales by state for unpaid taxes and redemption of lands	1928	845	1793
120	Notice of tax sale	1924	596	1075
120	Notice of tax sale	1928	845	1794
121–125	Sale for unpaid taxes and redemption of lands	1928	845	1795
125	Payment of bids and certificate of purchase	1930	809	1484
126–129	Sale for unpaid taxes and redemption of lands	1928	845	1795
130	Notice of unredeemed lands	1924	596	1076
130	Notice of unredeemed lands	1928	845	1800
131	Deed and application for	1928	845	1800
131	Deed and application for	1928	850	1814
132–138	Sales for unpaid taxes and redemption of lands	1928	845	1800
138	Tax sale; lien of mortgage	1930	662	1185
138	Tax sale; lien of mortgage	1931	179	523
139	Sales for unpaid taxes; redemption	1928	845	1800
139	Tax sales; redemption	1930	662	1186
139	Tax sale; redemption by mortgagee	1931	179	524
140	Cancellation of tax sales	1921	643	1979
140	Cancellation of tax sales	1928	845	1805
140a, added	Abandonment of claim of title under tax deeds on cancellation of sale	1921	695	2458
140a	Abandonment of claim of title under tax deeds on cancellation of sale	1926	375	692
140a	Abandonment of claim of title under tax deeds on cancellation of sale	1928	845	1806

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141–143	Sales for unpaid taxes and redemption of lands	1928	845	1806
144, added	Fees	1928	132	276
150	When lands to be sold for unpaid taxes	1922	602	1549
150	When lands to be sold for unpaid taxes	1926	283	500
150	When lands to be sold for unpaid taxes	1928	251	731
151	Advertisement and sale	1922	602	1550
151	Advertisement and sale	1923	556	848
151	Advertisement and sale	1923	894	1720
151	Advertisement and sale	1924	90	134
151	Advertisement and sale	1924	596	1070
151	Advertisement and sale	1926	283	532
151	Advertisement and sale	1928	251	732
152	Redemption of real property from tax sale	1928	738	1602
152	Redemption of real property from tax sale	1930	99	413
152b	Suffolk county; notice to redeem	1923	238	430
153	Redemption of real property stricken from tax rolls	1931	152	486
154	Conveyance to purchaser at tax sale	1929	395	902
154	Conveyance to purchaser at tax sale	1930	672	1203
157	Tax sale; lands owned by state or upon which it has lien	1928	845	1807
158	Tax sales; duties of county treasurer	1928	845	1808
159	Expense of publishing notice to redeem	1928	738	1602
Art. 7a (§§ 162, 162a, 162b, 163, 164, 164a, 165–168, 168a, 168b), added	Foreclosure of tax liens	1930	809	1479
168b	Foreclosure of tax liens; election to use article	1931	180	524
170	State tax department	1921	90	294
170	State tax department	1921	445	1334
170a	Tax commission; subordinates	1921	90	295
170b	Tax commission; divisions or bureaus	1921	90	296
170c	Tax commission; expenses	1921	90	296
171	Tax commission; powers and duties	1921	90	297
171a, renumbered 171b	Tax commission; powers and duties	1921	90	299
171a, added	Tax commission; review by	1921	90	299
171b, renumbered 171c	Conference of local assessors	1921	90	299
171c	Conference of local assessors and supervisors	1926	152	304
173	Tax commission; official visits to counties	1922	321	703
174	State board of equalization; powers and duties	1923	897	1731
174	State board of equalization; powers and duties	1926	286	529
174	State board of equalization; powers and duties	1927	481	1175
179, repealed	Transfer of comptroller's powers and duties in assessment of corporation taxes	1921	90	300
179, added	Transfer of powers and duties of comptroller in tax matters	1921	90	300
179	Transfer of powers and duties of comptroller in tax matters	1921	443	1315
179b, added	Transfer of powers and duties of secretary of state as to motor vehicles	1921	90	300

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179b	Transfer of powers and duties of secretary of state as to motor vehicles	1921	443	1316
180	Organization tax	1921	705	2489
180	Corporation tax	1922	434	917
180	Corporation tax	1923	794	1430
181	License tax on foreign corporations	1921	705	2490
181	Corporation tax; foreign corporations	1922	375	795
181	Corporation tax; foreign corporations	1924	332	612
182	Corporation tax; franchise tax	1922	408	854
182	Corporation tax; franchise tax	1924	332	613
182	Corporation tax; franchise tax	1926	674	1219
182	Corporation tax; franchise tax	1927	478	1171
182, repealed	Corporation tax; franchise tax	1930	663	1187
182, added	Real estate corporations; franchise tax	1930	663	1187
182	Corporation tax; franchise tax	1931	514	1271
183	Corporation tax; exemption of certain corporations	1922	431	915
183	Corporation tax; exemption of certain corporations	1926	286	530
183	Corporation tax; exemption of certain corporations	1927	399	925
183, repealed	Corporation tax; exemption of certain corporations	1930	663	1188
183, added	Franchise tax; transportation and transmission corporations	1930	663	1188
183	Franchise tax; transportation and transmission corporations	1931	208	559
185	Franchise tax; elevated or surface railroad not operated by steam	1924	332	614
185	Franchise tax; elevated, subway or surface railroad not operated by steam	1927	399	926
186	Franchise tax; certain corporations	1924	332	615
187	Franchise tax; insurance corporations	1923	542	836
187	Franchise tax; insurance corporations	1924	332	615
187	Franchise tax; insurance corporations	1927	666	1683
187, subd. 3	Franchise tax; insurance corporations	1925	324	607
188	Franchise tax; trust companies	1923	897	1732
188	Franchise tax; trust companies	1924	332	617
188, repealed	Franchise tax; trust companies	1926	286	530
188, added	Franchise tax; agricultural corporations	1930	663	1190
188	Franchise tax; holding corporations	1931	289	698
188a, repealed	Taxation of investment companies	1923	897	1732
189	Franchise tax; savings banks	1924	332	617
189	Franchise tax; savings banks	1931	530	1234
190	Purchase of state bonds; credit to be given	1924	332	617
190	Purchase of state bonds; credit to be given	1926	286	530
190	Purchase of state bonds; credit to be given	1931	10	11
191	Tax on foreign bankers and investors	1923	897	1732
191	Tax on foreign bankers and investors	1924	332	618
191	Tax on foreign bankers and investors	1926	286	531
191, repealed	Tax on foreign bankers and investors	1928	103	250
192, subd. 1	Corporation tax; reports	1922	408	855
192, subd. 1	Corporation tax; reports	1930	663	1192
192, subd. 3	Corporation tax; subway, elevated and surface railroad corporations	1927	399	926
192, subd. 6	Corporation tax; foreign bankers	1923	897	1733
192, subd. 6, repealed	Corporation tax; foreign bankers	1928	103	250

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192, subd. 7, repealed	Corporation tax; trust companies	1926	286	531
192, subd. 8, renumbered subd. 6	Corporation tax; savings banks	1928	103	250
192, subd. 9, repealed	Corporation tax; investment companies	1923	897	1733
193	Corporation tax; value of stock to be appraised	1922	408	855
193	Corporation tax; value of stock to be appraised	1930	663	1192
194	Corporation tax; reports	1930	134	467
194	Corporation tax; reports	1931	208	560
196	Corporation tax; notice of statement of tax; interest	1921	443	1316
197	Corporation tax; payment and penalties	1922	408	856
197	Corporation tax; payment and penalties	1924	332	618
197	Corporation tax; payment and penalties	1925	321	600
197	Corporation tax; payment and penalties	1926	286	531
197	Corporation tax; payment and penalties	1927	476	1167
197	Corporation tax; payment and penalties	1928	103	251
197	Corporation tax; payment and penalties	1929	170	411
197	Corporation tax; payment and penalties	1930	663	1193
198	Revision and readjustment of accounts by tax commission	1924	332	619
198	Revision and readjustment of accounts by tax commission	1926	286	532
198	Revision and readjustment of accounts by tax commission	1929	116	339
200	Corporation tax; writ of certiorari	1924	332	620
200	Corporation tax; writ of certiorari	1928	20	19
201	Corporation tax; warrant for collection	1921	443	1317
201	Corporation tax; warrant for collection	1924	332	621
201	Corporation tax; warrant for collection	1926	551	971
202	Corporation tax; information of delinquents	1921	443	1317
203	Corporation tax; action for recovery	1921	443	1318
203	Corporation tax; action for recovery	1924	332	621
203a, added	Corporation tax; dissolution of inactive business corporations	1929	297	748
203a, subd. 1	Corporation tax; dissolution of inactive business corporations	1931	338	758
203a, subds. 8, 9, added	Corporation tax; dissolution of inactive business corporations	1930	16	27
203a, subd. 10, added	Corporation tax; dissolution of inactive business corporations	1931	337	757
204	Corporation tax; reports by secretary of state	1922	459	974
205	Exemptions from other state taxation	1923	897	1733
205	Exemptions from other state taxation	1926	286	533
206	Disposition of revenues and application of taxes	1924	332	622
206	Disposition of revenues and application of taxes	1931	181	526
207	Corporate taxes; limitation of time to enforce civil remedy	1926	670	1215
208	Tax on business corporations; definitions	1931	515	1273
208, subd. 1	Tax on business corporations; definitions	1922	376	797

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208, subd. 3	Tax on business corporations; definitions	1923	897	1733
208, subd. 3	Tax on business corporations; definitions	1924	329	608
208, subd. 3	Tax on business corporations; definitions	1926	286	533
208, subd. 3	Tax on business corporations; definitions	1928	582	1308
209	Tax on business corporations; based on net income	1924	329	609
209	Tax on business corporations; based on net income	1927	479	1173
209	Tax on business corporations; based on net income	1929	385	889
209	Tax on business corporations; based on net income	1931	515	1274
210	Tax on business corporations; exemption	1923	328	567
210	Tax on business corporations; exemption	1926	286	534
210	Tax on business corporations; exemption	1928	583	1309
210	Tax on business corporations; exemption	1930	663	1195
210	Tax on business corporations; exemptions	1931	183	529
210, subd. 4, added	Tax on business corporations; exemption	1929	363	846
211	Tax on business corporations; reports	1929	145	373
211, subd. 1	Tax on business corporations; reports	1925	323	604
211, subd. 2	Tax on business corporations; reports of entire net income	1924	329	609
211, subd. 8	Tax on business corporations; reports	1931	515	1275
211, subd. 9	Tax on business corporations; consolidated reports	1922	507	1139
211, subd. 9	Tax on business corporat[illegible]eports	1925	322	602
211, subd. 9	Tax on business corporations; consolidated reports	1928	849	1812
211, subd. 11	Tax on business corporations; adjustment of tax	1931	515	1275
211, subd. 12	Tax on business corporations; reports	1930	663	1195
212	Tax on business corporations; reports on basis of fiscal year	1922	507	1140
214	Tax on business corporations; computation	1921	705	2491
214	Tax on business corporations; computation	1925	323	604
214	Tax on business corporations; computation	1929	385	890
214	Tax on business corporations; computation	1931	515	1276
214, subd. 8, added	Tax on business corporations; computation	1922	507	1140
214, subd. 8	Tax on business corporations; computation	1928	851	1816
214, subd. 10	Tax on business corporations; computation	1930	684	1253
214a	Tax on business corporations; taxation of corporations acquiring assets of other corporations	1924	311	578
214a	Tax on business corporations; taxation of corporations acquiring assets of other corporations	1925	323	606
214a	Tax on business corporations; taxation of corporations acquiring assets of other corporations	1931	515	1278
215	Tax on business corporations; rate	1929	385	892
216	Tax on business corporations; failure to report; penalty	1921	443	1318
216	Tax on business corporations; failure to report; penalty	1922	507	1140
218	Tax on business corporations; revision and readjustment of accounts	1921	443	1319
218	Tax on business corporations; revision and readjustment of accounts	1922	507	1141
218	Tax on business corporations; revision and readjustment of accounts	1929	184	443
219	Tax on business corporations; review of determination of tax commission	1921	443	1319

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219a	Tax on business corporations; audit and statement	1922	507	1142
219c	Tax on business corporations; when payable	1921	443	1320
219c	Tax on business corporations; when payable	1922	507	1142
219c	Tax on business corporations; when payable	1925	321	601
219c	Tax on business corporations; when payable	1928	851	1817
219c	Tax on business corporations; when payable	1929	170	413
219d	Tax on business corporations; corrections and changes	1921	443	1321
219d	Tax on business corporations; corrections and changes	1922	507	1142
219d	Tax on business corporations; corrections and changes	1924	330	610
219d	Tax on business corporations; corrections and changes	1929	183	441
219e	Tax on business corporations; warrant	1921	443	1322
219e	Tax on business corporations; warrant	1926	551	972
219f	Tax on business corporations; action for recovery	1921	443	1323
219f	Tax on business corporations; action for recovery	1922	507	1144
219f	Tax on business corporations; action for recovery	1929	297	749
219g	Tax on business corporations; deposit of revenues collected	1921	443	1323
219g	Tax on business corporations; deposit of revenues collected	1922	507	1144
219g	Tax on business corporations; deposit of revenues collected	1931	181	526
219h, ¶ 1	Tax on business corporations; disposition of revenues	1921	443	1324
219h, ¶ 1	Tax on business corporations; disposition of revenues	1922	507	1145
219h, subd. 6	Tax on business corporations; disposition of revenues	1921	447	1338
219h, subd. 6	Tax on business corporations; disposition of revenues	1922	654	1795
219h, subd. 6	Tax on business corporations; disposition of revenues	1929	381	885
219h, subd. 7, added	Tax on business corporations; disposition of revenues	1921	447	1339
219h, subd. 7	Tax on business corporations; disposition of revenues	1922	654	1795
219h, subd. 8, added	Tax on business corporations; disposition of revenues	1929	381	885
219i	Tax on business corporations; secrecy required of officials	1921	443	1325
219i, subd. 1	Tax on business corporations; secrecy required of officials	1927	405	933
219j	Tax on business corporations; exemption from other taxation	1923	897	1734
219j	Tax on business corporations; exemption from other taxation	1926	286	534
Art. 9B (§§ 219p–219pp), added	Franchise tax on state banks, trust companies, etc.	1926	286	506
219p, added	Franchise tax on state banks, trust companies, etc.	1926	286	506
219p	Franchise tax on state banks, trust companies, etc.	1927	477	1169
219q, added	Franchise tax on state banks, trust companies, etc.	1926	286	507
219q	Franchise tax on state banks, trust companies, etc.	1927	477	1170
219q	Franchise tax on state banks, trust companies, etc.	1928	659	1433
219q, subd. 4, added	Franchise tax on state banks, trust companies, etc.	1927	261	699
219r–219t, added	Franchise tax on state banks, trust companies, etc.	1926	286	508
219t	Franchise tax on state banks, trust companies, etc.	1927	694	1736
219u-219z, added	Franchise tax on state banks, trust companies, etc.	1926	286	509

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219bb	Franchise tax on state banks, trust companies, etc...	1927	261	699
219bb	Franchise tax on state banks, trust companies, etc...	1928	659	1436
219cc–219ee, added	Franchise tax on state banks, trust companies, etc...	1926	286	511
219ff, added	Franchise tax on state banks, trust companies, etc...	1926	286	512
219ff	Franchise tax on state banks, trust companies, etc...	1928	20	20
219gg–219kk, added	Franchise tax on state banks, trust companies, etc...	1926	286	512
219ll, added	Franchise tax on state banks, trust companies, etc...	1926	286	515
219ll	Franchise tax on state banks, trust companies, etc...	1928	414	934
219mm–219pp, added	Franchise tax on state banks, trust companies, etc...	1926	286	515
Art. 9C (§§ 219rr–219bbb), added	Tax on national banking associations.....	1926	286	518
219rr, added	Tax on national banking associations.....	1926	286	518
219rr, subd. 1	Tax on national banking associations.....	1927	261	700
219rr, subd. 1	Tax on national banking associations.....	1928	659	1437
219ss, 219tt, added	Tax on national banking associations.....	1926	286	518
219tt, subd. 3	Tax on national banking associations.....	1927	694	1738
219uu–219zz, added	Tax on national banking associations.....	1926	286	518
219aaa, 219bbb, added	Tax on national banking associations.....	1926	286	521
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220	Transfer tax; taxable transfers.....	1922	430	913
220	Transfer tax; residents.....	1925	143	166
220	Transfer tax; residents.....	1928	330	826
220, subd. 4	Transfer tax; power of appointment.....	1926	357	628
220, subd. 4, reenacted for stated period	Transfer tax; power of appointment.....	1928	330	830
220, subd. 5	Transfer tax; joint holding.....	1929	383	888
220, subd. 7	Transfer tax; estate by the entirety.....	1924	177	392
221	Transfer tax; exceptions and limitations.....	1925	143	167
221	Transfer tax; exceptions and limitations.....	1928	844	1784
221a	Transfer tax; rate.....	1921	476	1409
221c, repealed	Transfer tax; exemptions.....	1921	476	1410
221c, added	Transfer tax; nonresident decedents.....	1922	432	916
221c, repealed	Transfer tax; nonresident decedents.....	1925	143	168
221c, repealed	Transfer tax; nonresident decedents.....	1928	330	830
221d, added	Transfer tax; optional commutation in nonresident estates.....	1922	433	917
221d, repealed	Transfer tax; optional commutation in nonresident estates.....	1925	143	168
221d, repealed	Transfer tax; optional commutation in nonresident estates.....	1928	330	830
222	Transfer tax; accrual and payment.....	1921	476	1410
223	Transfer tax; discount and interest.....	1921	476	1411
223	Transfer tax; discount and interest.....	1929	227	497
223	Transfer tax; discount and interest.....	1930	191	541
224	Transfer tax; lien and collection.....	1921	476	1411

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227	Transfer tax; liability of certain corporations	1921	476	1413
227	Transfer tax; liability of certain corporations	1925	143	168
227	Transfer tax; liability of certain corporations	1928	330	827
228	Transfer tax; jurisdiction of surrogates	1921	476	1415
228	Transfer tax; jurisdiction of surrogates	1925	143	169
228	Transfer tax; jurisdiction of surrogates	1928	330	828
229	Transfer tax appraisers, etc	1921	476	1416
229	Transfer tax appraisers, etc	1925	325	609
230	Transfer tax appraisers, etc	1921	476	1416
230	Transfer tax appraisers, etc	1924	657	1207
230	Transfer tax appraisers, etc	1925	144	177
230	Transfer tax appraisers, etc	1928	549	1237
230a, added	Transfer tax; disability of appraiser	1929	228	498
231	Transfer tax; determination of surrogate	1921	476	1419
232	Transfer tax; appeal and other proceedings	1921	476	1420
233	Transfer tax; upon certain estates, composition	1921	476	1421
233	Transfer tax; upon certain estates, composition	1930	711	1305
233	Transfer tax; upon certain estates; composition	1931	361	795
233, second paragraph	Transfer tax; upon certain estates, composition	1931	150	484
234	Transfer tax; clerks' salaries, various counties	1921	476	1422
234, repealed	Transfer tax; clerks' salaries, various counties	1930	710	1304
234, first paragraph and subds. 1–15	Transfer tax; assistants to surrogates	1925	328	611
234, subd. 3	Transfer tax clerk, Erie county; salary	1924	416	768
234, subd. 6	Transfer tax; clerk in Queens county	1923	790	1424
234, subd. 8	Transfer tax; clerk in Monroe county	1922	126	421
234, subd. 8	Transfer tax; clerk in Monroe county	1923	791	1425
234, subd. 15a, added	Transfer tax; clerk in Orange county	1927	400	927
234, subd. 16	Transfer tax; compensation of surrogates for ministerial services	1928	661	1438
235	Transfer tax; proceedings by district attorneys	1921	476	1424
235	Transfer tax; proceedings by district attorneys	1925	143	170
235	Transfer tax; proceedings by district attorneys	1928	330	829
236	Transfer tax; receipts	1921	476	1426
236	Transfer tax; receipts	1924	357	652
238	Transfer tax; books and forms	1921	476	1426
239	Transfer tax; reports of surrogate and county clerk	1921	476	1427
240	Transfer tax; reports of county treasurer	1921	476	1427
241	Transfer tax; disposition of revenues, etc	1921	476	1428
241	Transfer tax; disposition of revenues, etc	1925	144	180
241	Transfer tax; disposition of revenues, etc	1927	402	928
Art. 10A (§§ 248, 248a–248p), added	Transfer tax; nonresidents	1925	143	171
Art. 10A (§§ 248, 248a–248p), repealed	Transfer tax; nonresidents	1928	330	839

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248, added	Transfer tax; nonresidents	1925	143	171
248, subd. 3	Transfer tax; nonresidents; power of appointment	1926	357	629
248, subd. 3, enacted for stated period	Transfer tax; nonresidents; power of appointment	1928	330	837
248a–248f, added	Transfer tax; nonresidents	1925	143	171
248f	Transfer tax; refund for tax erroneously paid	1931	178	522
248g–248o, added	Transfer tax; nonresidents	1925	143	171
248p, added	Transfer tax; nonresidents; reciprocity	1925	143	176
248p	Transfer tax; nonresidents; reciprocity	1926	509	872
248p, enacted for stated period	Transfer tax; nonresidents; reciprocity	1928	330	837
248p	Transfer tax; nonresidents; reciprocity	1929	144	372
Art. 10B (§§ 249, 249a–249l), added	Estate tax	1925	320	591
249, added	Estate tax; definitions	1925	320	591
249	Estate tax; definitions	1926	365	636
249a, added	Estate tax; rates	1925	320	592
249a	Estate tax; rates	1926	365	637
249a	Estate tax; rates	1928	549	1241
249a, 1st paragraph	Estate tax; rates	1928	38	37
249b, added	Estate tax; valuation	1925	320	594
249b	Estate tax; valuation	1926	365	639
249c, added	Estate tax; deductions	1925	320	595
249c	Estate tax; deductions	1926	365	640
249d, added	Estate tax; notice and return by executor	1925	320	596
249d, subd. (b)	Estate tax; notice and return by executor	1926	365	642
249d, subd. (b)	Estate tax; notice and return by executor	1928	549	1243
249d, subd. (b), 1st sentence	Estate tax; notice and return by executor	1928	38	38
249e, added	Estate tax; when due; discount and interest	1925	320	597
249e	Estate tax; when due; discount and interest	1926	365	642
249e	Estate tax; when due; discount and interest	1927	398	924
249e, paragraph, added	Estate tax; when due; discount and interest	1928	500	1080
249f, added	Estate tax; determination; refunds	1925	320	597
249f	Estate tax; determination; refunds	1926	365	643
249g, added	Estate tax; lien; warrant for collection	1925	320	598
249g	Estate tax; lien; warrant for collection	1926	365	643
249h, added	Estate tax; disposition of revenues	1925	320	599
249h	Estate tax; disposition of revenues	1926	365	645
249i, added	Estate tax; exemptions in other articles not applicable	1925	320	599
249i	Estate tax; exemptions in other articles not applicable	1926	365	645
249j, added	Estate tax; limitation of time	1925	320	599
249j	Estate tax; limitation of time	1926	365	646
249k, added	Estate tax; powers of tax commission	1925	320	599
249l, added	Estate tax; duration of article	1925	320	599
249l, repealed	Estate tax; duration of article	1926	365	646

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249q, paragraph c, added	Estate tax; exemptions	1931	136	470
249r, paragraph 3	Estate tax; gross estates	1931	62	383
249r, subd. 9	Estate tax; proceeds from life insurance	1931	136	471
249s, subd. 1	Estate tax; determination of net estate	1931	134	469
249z, subd. 3	Estate tax; fee for tax commission certificate	1931	135	470
249v, fourth paragraph	Estate tax; value of future estate	1931	151	485
249bb, paragraph added	Estate tax; recording releases	1931	137	471
258	Mortgage tax; nonpayment	1921	532	1637
258a	Mortgage tax; instruments not recorded	1930	218	574
260	Mortgage tax; determination and apportionment	1930	372	791
261	Mortgage tax; payment over and distribution	1927	259	697
261	Mortgage tax; payment over and distribution	1928	99	247
262	Mortgage tax; expenses of officers	1921	271	982
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270	Stock transfer tax; amount	1922	354	750
270	Stock transfer tax; amount	1927	403	930
270	Stock transfer tax; amount	1928	740	1604
270	Stock transfer tax; amount	1930	190	539
271	Stock transfer tax; stamps	1921	443	1325
271	Stock transfer tax; stamps	1922	354	751
271a	Stock transfer tax; sale of stamps	1921	443	1326
271a	Stock transfer tax; sale of stamps	1922	354	752
272	Stock transfer tax; penalty for failure to pay	1922	354	753
274	Stock transfer tax; contracts for dies	1921	443	1327
275a	Stock transfer tax; registration	1921	443	1328
275a	Stock transfer tax; registration	1922	354	753
276	Stock transfer tax; determination of tax	1921	443	1329
276	Stock transfer tax; determination of tax	1922	354	754
277	Stock transfer tax; penalties	1921	443	1331
277	Stock transfer tax; penalties	1922	354	756
278	Stock transfer tax; failure to pay	1922	354	757
279	Stock transfer tax; application of taxes	1921	443	1332
279	Stock transfer tax; application of taxes	1929	117	340
280	Stock transfer tax; refunds	1921	443	1332
280	Stock transfer tax; refunds	1922	354	757
280	Stock transfer tax; refunds	1929	117	340
281, added	Stock transfer tax; statute of limitations not applicable	1922	354	758
Art. 12a, (§§ 282–289, 289a–289d), added	Tax on gasoline and similar motor fuel	1929	364	846
282	Definition, motor vehicle	1930	163	501
288	Gasoline tax; tax on failure to file return	1930	339	743
289	Gasoline tax; proceedings to recover tax	1931	148	481

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289b, subd. 4, added	Gasoline tax; venue, evidence	1931	148	482
293a	Special franchise tax assessments; special proceedings	1927	241	678
294	Procedure; costs	1928	739	1603
299	Collection of tax by action	1925	183	387
350, subd. 7	Income tax	1922	425	906
350, subd. 8	Income tax; stock dividends	1926	543	939
352, repealed	Income tax; exemption of personal property	1923	897	1734
353	Income tax; ascertainment of gain or loss	1921	573	1717
353, subds. 3–5, added	Income tax; ascertainment of gain or loss	1929	393	899
354, repealed	Income tax; exchange of property	1922	429	912
354, added	Income tax; exchange of property	1922	429	912
354	Income tax; exchange of property	1927	695	1738
355, repealed	Income tax; gain through exchange	1922	429	912
355, added	Income tax; exchange of property when no gain or loss realized	1922	429	913
356	Income tax; inventory	1921	477	1431
356	Income tax; inventory	1922	427	910
358	Income tax; computation of net income	1921	477	1431
358, subd. 3, added	Income tax; computation of net income	1927	401	927
359, subd. 2, ¶ h, added	Income tax; deductions	1921	625	1948
359, subd. 2, ¶ i, added	Income tax; gross incomes	1923	135	164
359, subd. 2, ¶¶ j-l, added	Income tax; gross incomes	1923	897	1734
359, subd. 2, ¶¶ j-l, repealed	Income tax; gross incomes	1926	286	534
359, subd. 2, ¶ m, added	Income tax; gross incomes	1926	543	940
359, subd. 2, ¶ n, added	Income tax; gross incomes	1928	239	482
359, subd. 2, ¶ o, added	Income tax; gross income	1929	660	1591
360	Income tax; deductions	1921	477	1432
360, subd. 1	Income tax; deductions	1929	147	378
360, subd. 4	Income tax; deductions	1927	404	932
360, subd. 7	Income tax; deductions	1921	214	862
360, subd. 8	Income tax; deductions	1929	147	378
360, subd. 9	Income tax; deductions	1926	366	646
360, subd. 9	Income tax; deductions	1927	256	694
360, subd. 10	Income tax; deductions	1926	366	647
360, subd. 10	Income tax; deductions	1930	356	759
360, subd. 11	Income tax; deductions	1927	257	696
360, subd. 12, added	Income tax; deductions	1926	441	781
360, subd. 12	Income tax; deductions	1926	746	1392
360, subd. 13, added	Income tax; deductions	1931	412	888
362	Income tax; exemptions	1923	547	841
362	Income tax; exemptions	1929	319	776

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	TAX LAW — (*Continued*).			
362, subd. 1	Income tax; exemptions	1926	208	382
362, subds. 3–5, added	Income tax; exemptions	1928	31	30
363	Income tax; credit in case of nonresidents	1921	477	1434
364	Income tax; partnerships	1921	477	1435
365	Income tax; estates and trusts	1922	426	907
365, subd. 5	Income tax; estates and trusts	1928	100	248
365, subd. 6, added	Income tax; estates and trusts	1930	357	761
366	Income tax; information and payment at source	1921	477	1435
366, subds. 1–3	Income tax; information and payment at source	1926	672	1217
366, subd. 3	Income tax; information and payment at source	1926	329	587
367	Income tax; taxpayers' returns	1924	54	88
367	Income tax; taxpayers' returns	1926	285	503
367	Income tax; taxpayers' returns	1929	319	777
367a, added	Income tax; returns where changed residence	1922	425	907
367a	Income tax; returns where changed residence	1924	54	88
367a	Income tax; returns where changed residence	1926	285	504
367a	Income tax; returns where changed residence	1929	319	778
369	Income tax; fiduciary returns	1921	477	1437
369	Income tax; fiduciary returns	1926	285	504
369	Income tax; fiduciary returns	1929	319	778
369, subd. 1	Income tax; fiduciary returns	1924	54	89
369, subd. 1	Income tax; fiduciary returns	1924	312	578
369, subd. 2	Income tax; fiduciary returns	1922	426	909
370	Income tax; returns when accounting period changed	1921	477	1438
371	Income tax; time and place of filing returns	1921	477	1439
371	Income tax; time and place of filing returns	1922	427	910
372	Income tax; administration	1926	329	588
373	Income tax; powers of tax commission	1921	477	1439
373, subd. 1	Income tax; powers of tax commission	1925	327	610
373, subd. 1	Income tax; powers of tax commission	1930	213	569
373, subd. 3, added	Income tax; refunds	1926	329	588
373a	Income tax; oaths and acknowledgments	1921	477	1440
374	Income tax; revision and readjustment of accounts	1921	477	1441
374	Income tax; revision and readjustment of accounts	1926	671	1216
375	Income tax; review by certiorari	1921	477	1441
375	Income tax; review by certiorari	1926	634	1145
376, subd. 1	Income tax; penalties, additional taxes and interest	1926	637	1154
376, subd. 3	Income tax; penalties, additional taxes and interest	1926	637	1154
376, subd. 4	Income tax; penalties, additional taxes and interest	1921	477	1441
376, subd. 5	Income tax; penalties, additional taxes and interest	1921	477	1441
376, subd. 5	Income tax; penalties, additional taxes and interest	1926	637	1154
376, subd. 6	Income tax; penalties, additional taxes and interest	1921	477	1441
377	Income tax; when payable	1921	477	1442
377, subd. 3	Income tax; interest	1921	267	974
379	Income tax; collection, penalties and interest	1921	477	1444
379, subd. 2	Income tax; collection, penalties and interest	1926	634	1146
380	Income tax; warrant for collection	1921	477	1444
380	Income tax; warrant for collection	1926	329	588
381	Income tax; action for recovery	1921	477	1445
382	Income tax; distribution	1921	477	1445

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	TAX LAW—(*Continued*).			
382	Income tax; distribution	1922	107	400
382	Income tax; distribution	1931	512	1267
383	Income tax; regulations	1921	477	1447
384	Income tax; secrecy required of officials	1921	477	1448
384, subd. 1	Income tax; secrecy required of officials	1927	405	934
	TENEMENT HOUSE LAW: (L. 1909, ch. 99, constituting cons. laws, ch. 61.)			
2, subd. 12	Definitions	1921	218	870
2, subd. 12	Definitions	1923	276	482
16, subd. 1	Fire-escapes	1923	796	1433
16, subd. 3, subd. 6, ¶ d	Fire-escapes	1923	796	1435
20	Stairways in fireproof buildings	1923	796	1435
33	Alterations; moving to another lot	1923	796	1435
36	Shafts	1923	796	1436
38	Wooden buildings on same lot with tenement	1923	796	1436
42, added	Fire-retarding of stairhalls	1927	674	1704
50	Percentage of lot occupied	1921	218	866
51	Pent houses	1926	176	335
53	Yards of interior lots	1923	796	1436
54	Yards of corner lots	1921	218	867
55	Yard spaces of certain lots	1921	218	867
55	Yard spaces of certain lots	1923	276	482
58, subds. 1, 2	Inner courts	1922	668	1829
59	Outer and inner courts	1921	218	868
60	Rear tenements	1923	276	483
64	Rooms, size of	1923	796	1437
64a, added	Dining bays	1923	796	1437
76	Public halls	1923	796	1438
76	Public halls	1929	691	1632
78	Chimneys and fireplaces	1923	796	1438
90, subd. 1	Basements and cellars	1923	276	484
90, subd. 1	Basements and cellars	1923	796	1438
91	Shafts, courts, areas and yards	1921	218	870
104	Cleanliness of buildings	1923	796	1439
106	Walls of courts and shafts	1921	218	869
140	Registry of owner's name	1921	533	1638
144	Indexing names; fees for searches (*See foot note, L.* 1923, *p.* 1440.)	1923	793	1440
150, subd. 5	Vagrancy	1921	533	1639
153, subd. 2	Permission of owner for certain uses	1921	533	1640
	TOWN LAW: (L. 1909, ch. 63, constituting cons. laws, ch. 62.)			
17, added	Ordinances; publication and posting	1926	487	844
45a, added	Appropriation for hospital purposes	1923	537	830
46a, added	Submission of propositions, certain towns	1924	589	1069
47	Notices of town meeting	1922	105	280
80	Town officers	1924	179	397

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	TOWN LAW — (*Continued*).			
85, subd. 1, ¶ b	Town officers; compensation	1924	417	769
85, subd. 1, ¶ b	Town officers; compensation	1926	161	319
85, subd. 1, ¶ c	Town assessors; compensation in Rockland county	1923	175	220
85, subd. 1, ¶ c	Town assessors; expenses	1923	543	837
85, subd. 1, ¶ c	Town assessors; compensation	1925	465	793
85, subd. 1, ¶ c	Town assessors; compensation	1926	161	320
85, subd. 1, ¶ i, repealed	Inspectors of election; compensation	1928	376	889
85, subd. 1, ¶ j	Town clerk, certain towns; salary	1927	34	41
85, subd. 1, ¶ k	Constables; compensation	1925	73	94
85, subd. 1, ¶ l	Overseers of poor; compensation	1925	652	1076
85, subd. 1, ¶ m (as added by L. 1919, ch. 152)	Superintendents of highways; compensation	1926	101	256
85, subd. 1, ¶ m (as added by L. 1919, ch. 451)	Town of Huntington; compensation of officers	1926	207	381
85, subd. 1, ¶ m (as added by L. 1919, ch. 451), repealed	Town of Huntington; compensation of officers	1928	440	971
85, subd. 1, ¶ m, added	Town of Huntington; compensation of officers	1928	440	971
85, subd. 1 ¶ o, added	Compensation of assessors and overseers of poor in Washington county	1922	111	405
85, subd. 1, ¶ p, added	Compensation of town clerks, Rockland county	1923	75	79
85, subd. 1, ¶ p (as added by L. 1923, ch. 75)	Compensation, overseers of the poor, Rockland county	1928	799	1676
85, subd. 1, ¶ p, added	Compensation of supervisors, Rockland county	1923	287	494
85, subd. 1, ¶ p (as added by L. 1923, ch. 287)	Salary of supervisors, Rockland county	1928	801	1678
85, subd. 1, ¶ q, added	Compensation of town assessors, Erie county	1924	594	1073
85, subd. 1, ¶ r, added	Compensation of officers and employees, town of Southampton	1927	646	1569
85, subd. 1, ¶ r	Compensation of officers and employees, town of Southold	1928	59	57
85, subd. 1, ¶ s, added	Schoharie county; compensation of supervisors	1928	154	293
85, subd. 1, ¶ s, added	Justices of the peace, town of Mount Pleasant; compensation	1928	742	1607
85, subd. 2	Inspectors of election; compensation	1927	645	1568
85. subd. 2	Inspectors of election; compensation	1928	376	888
85, subd. 2	Inspectors of election; compensation	1928	495	1076
85, subd. 2	Inspectors of election; compensation	1928	496	1077
85, subd. 2	Compensation, inspectors of election, Rockland county	1928	800	1677
85, subd. 2	Inspectors of election; compensation	1931	644	1438

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	TOWN LAW — (*Continued*).			
85, subd. 2a, added	Inspectors of election; compensation	1927	236	673
85a, added	Counsel in Monroe county	1931	317	736
87a	Town officers; payment of salaries	1927	84	262
93	Deputy town clerks	1926	443	783
95	Towns of Niagara and Lewiston, books of deeds	1926	110	263
95	Towns of Niagara, Lewiston and Wheatfield; books of deeds	1930	108	422
95	Towns of Niagara, Wilson, Lewiston and Wheatfield; book of deeds	1931	93	417
98, subd. 3	Supervisors; general duties	1921	452	1346
98, subd. 7	Grants of easements in lands owned by town	1925	477	810
98, subd. 8	Forest fires	1923	38	40
98, subd. 9, added	Supervisors; duty as to docks and dams	1924	488	902
98, subd. 9	Supervisors; duty as to docks and dams	1928	395	914
99	Supervisors; duties as to town surveys	1928	395	914
103	Classification of justices of the peace	1926	422	740
107c	Justices of the peace; salary, certain towns	1925	76	97
107d, added	Nassau county; compensation of justices of peace	1925	654	1077
108a, added	One assessor and board of review	1925	478	811
117	Special constables	1926	223	396
118b, added	Town police; Oneida county	1924	313	579
118b	Town police; Oneida and Cayuga counties	1927	194	591
118b	Town police; Oneida, Sullivan and Cayuga counties	1929	76	133
118c, added	Town police; Rockland county	1926	86	243
118c, repealed	Town police; Rockland county	1927	288	722
118c, added	Special constables; Rockland county	1927	288	723
118c	Special constables; Schenectady county	1928	277	761
118d, added	Putnam county; town police	1927	127	444
119, added	Traffic policemen for hamlets and unincorporated villages	1921	149	476
119	Traffic policemen for unincorporated villages and hamlets	1926	104	258
121a	Peace officers in certain towns	1922	21	17
121a	Peace officers in certain towns	1926	229	402
121a	Peace officers in certain towns	1929	353	816
125	Clerks to supervisors, certain towns	1922	393	824
125	Clerks to supervisors, certain towns	1926	87	244
127	Additional clerks and assistants for town business	1928	331	839
129a, added	Power of town boards to employ clerks to assessors	1924	594	1074
130	Power of town board to fill vacancies	1921	448	1339
131	Town board; constitution and regular meeting	1924	592	1071
134, repealed	Disposition of excise moneys by town board	1928	69	68
134, repealed	Disposition of excise moneys by town board	1928	190	395
134, added	Town board may name streets and number lots	1928	190	395
134 renumbered 134a and amended	Sale and conveyance of town property	1931	158	493
135	Lease of buildings for justices of the peace	1925	111	129
135	Lease of buildings for justices of the peace	1928	276	760
135a, added	Attorney for town	1923	138	166
135a	Attorney for town	1926	488	844
135b, added	Attorney for town; Cayuga county	1930	216	573
136	Observance of Memorial day	1926	60	217

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	TOWN LAW — (*Continued*).			
136	Observance of Memorial day	1927	673	1703
136	Observance of Memorial day	1929	356	820
136c, added	Public rest and comfort rooms	1923	193	250
136d, added	Appropriation for public library	1930	416	890
137	Quarters for posts of veterans	1921	133	384
137	Quarters for posts of veterans	1925	482	814
137	Quarters for posts of veterans	1927	188	562
137	Quarters for posts of veterans	1928	155	294
137a, added	Publicity funds	1923	553	846
138b, added	Appropriations for fire conning towers	1922	141	448
138c, added	Traffic signals; Onondaga county	1926	230	404
138d, added	Traffic control and standards	1927	152	476
138e, added	Appropriations for street signs	1928	58	56
138e, added	Power of certain town boards in relation to drains	1928	796	1672
141	Powers of town board	1925	85	106
141a	Building codes	1922	520	1183
141b	Town physicians	1929	352	816
141c, subd. 16a, added	Licensing occupations; restaurants	1930	496	972
141c, subd. 18g	Enforcement of zoning ordinances	1931	123	458
141c, subd. 19	Ordinances; building and sanitary codes	1930	632	1144
141c, subd. 21, added	Town ordinances; plumbing code	1930	375	797
141c, subd. 21, added	Ordinances; billboards and signs	1930	632	1145
142	Application of art. 6a	1921	216	864
142	Application of art. 6a	1926	68	224
142	Application of art. 6a	1931	92	413
142 (as added by L. 1916, ch. 413), renumbered 141b	Town physician	1921	216	864
142a	Ordinances in certain towns	1922	210	531
142a, renumbered 141c	Ordinances in certain towns	1929	62	116
142a, opening paragraph	Ordinances in certain towns	1926	344	610
142a, subd. 18, added	Building restrictions	1922	322	704
142a, subd. 18, repealed	Building restrictions	1926	715	1290
142a, subds. 18, 18a–18h, added	Building restrictions	1926	715	1285
142a, subd. 19, added	Building code	1923	555	847
142a, subd. 20, added	Parking vehicles on public highways	1926	344	610
142a, added	Regulation of slaughter houses and rendering plants	1923	554	847
142b, added	Building construction	1922	165	478
142b	Building construction	1927	642	1565
142c, added	Parking vehicles	1923	552	845
142d, added	Town engineers; appointment in Suffolk county	1927	649	1574
143a, added	Compensation of town officials	1926	224	397
143a	Compensation of town officials	1928	191	395
143a	Compensation of town officials	1928	503	1089

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	TOWN LAW — (*Continued*).			
143b–143g, added	Police in certain towns	1928	501	1081
143c–143g	Police in certain towns	1931	92	413
143h–143m, added	Erection of buildings for use of town officers	1929	66	120
148	Tax budget	1930	573	1066
149	Temporary loans	1930	573	1066
149	Temporary loans	1931	92	413
149e, renumbered 149f	Saving clause	1924	591	1071
149e, added	Town auditors; additional duties	1924	591	1071
149f	Saving clause	1931	92	413
149g, added	Sale and conveyance of town property	1927	701	1744
149g (as added by L. 1927, ch. 701), renumbered 134, and amended	Sale and conveyance of town property	1928	69	68
Art. 6B (§§ 149g–149s), added	Official maps and planning boards	1927	175	540
154a, added	Compensation of town auditors	1925	650	1075
154b, added	Compensation of town auditors	1926	67	223
154b	Compensation of town auditors	1927	286	721
170, subd. 2	Expenses of town officers	1925	479	812
170, subd. 10, added	Franklin county; town charges	1921	59	244
170, subd. 11, added	Employment of veterinarian	1923	652	975
170, subd. 11a, added	Fees of physician for examining persons charged with driving motor vehicle while intoxicated	1928	798	1676
170, subd. 12, added	Employment of auditors	1926	451	797
178, repealed	Audit of claims against water district	1927	702	1746
179, added	Tax or assessment for sewer or sidewalk district etc.	1926	500	855
195	Limitation of indebtedness	1923	137	165
195	Limitation of indebtedness	1928	250	730
220	Regulation of certain occupations	1921	215	863
221, added	Itinerant carnivals and similar shows	1921	268	975
222, added	Operation of dance halls prohibited without license	1928	705	1539
222	Operation of dance halls prohibited without license	1930	161	500
230	Sewer district and sewer system	1927	640	1562
230a	Sewer systems; construction; extension	1929	185	445
230b, added	Sewer systems; definitions	1929	185	444
231	Sewer systems; action by town board	1924	178	393
231	Sewer systems; action by town board	1926	500	856
231	Sewer systems; action by town board	1928	57	55
231	Sewer systems; action by town board	1931	271	658
233	Approval and filing of map and plan of sewer system	1921	510	1586
233	Approval and filing of map and plan of sewer system	1928	395	915
234	Sewer systems	1923	541	835
236	Sewer systems	1922	163	476
236	Sewer systems	1925	484	816
236a, added	Sewage disposal works	1923	544	838
236a	Sewage disposal works	1924	178	395
237	Sewer systems; apportionment of local assessment	1924	178	394

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	TOWN LAW—(*Continued*).			
237	Sewer systems; apportionment of local assessment..	1926	500	857
237	Sewer systems; apportionment of local assessment..	1926	716	1290
237	Sewer systems; apportionment of local assessment...	1927	647	1570
243	Sewer systems; expense of maintenance, how raised..	1921	144	469
243	Sewer systems; expense of maintenance, how raised..	1927	304	752
243a, added	Enlargement of existing sewer disposal plants.....	1927	233	670
243a	Enlargement of existing sewer disposal plants.....	1928	344	857
245	Sewer systems; connections.....	1928	741	1606
248	Sewer systems; improvements; how paid for.....	1924	178	396
248	Sewer systems; improvements; how paid for.....	1927	647	1572
248a, added	Sewer systems; removal of trees.....	1927	287	722
248a, 248b, added	Sewer systems; enlargment, improvement, supervision	1927	702	1745
248c, added	Sewer districts; Nassau county.....	1928	60	58
248c, added	Sale of an interest in sewage disposal works and trunk sewers.....	1928	275	759
248d, added	Lease of lands by sewer commissioners; Nassau county.....	1929	562	1145
249, added	Sewer systems; construction of provisions of article..	1924	178	397
249	Sewer systems; scope of article.....	1930	540	1026
249a, added	Sewer districts; Nassau county.....	1929	693	1634
250	Sidewalk districts.....	1924	588	1068
250	Sidewalk districts.....	1925	473	802
250	Sidewalk districts.....	1926	712	1276
250	Sidewalk districts.....	1929	355	819
250b, added	Sidewalk districts; functions exercised by town superintendent of highways.....	1928	704	1539
253	Sidewalk districts; improvements.....	1926	712	1277
253	Sidewalk districts; improvements.....	1927	201	597
256, added	Sidewalk districts; Nassau county.....	1923	533	825
256a, added	Sidewalk districts; certain towns.....	1927	644	1567
256b, added	Sidewalk districts; certain towns; enlargement.....	1929	169	410
Art. 11B (§§ 257, 257a–257l), added	Public docks.....	1924	642	1190
260	Establishment of lighting district.....	1923	651	974
260	Establishment of lighting district.....	1925	470	798
261	Street lighting.....	1921	117	344
262a	Extension of lighting districts.....	1924	138	222
262a	Extension of lighting districts.....	1926	102	257
262a	Extension of lighting districts.....	1927	169	533
262b, added	Lamp districts; Orleans county.....	1926	311	568
264	Lighting contracts in town and village.....	1925	483	815
265, added	Lighting highways or bridges.....	1922	65	233
265	Lighting highways or bridges.....	1923	548	842
265	Lighting highways or bridges.....	1923	551	844
265	Lighting highways or bridges.....	1924	590	1069
265	Lighting highways or bridges.....	1925	42	61
265a, added	Extension of existing lighting districts.....	1924	590	1070
265a	Extension of existing lighting districts.....	1926	458	806
266, added	Election of officers and management of certain lighting districts.....	1923	242	433
281	Water supply districts; establishment.....	1925	471	799
281	Water supply districts; establishment.....	1926	376	693
281	Water supply districts; establishment.....	1926	377	694

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	TOWN LAW — (*Continued*).			
281a, added	Water supply districts; consolidation	1926	85	243
282	Water supply districts; establishment	1925	146	184
282	Water supply districts; establishment	1926	711	1272
282	Water supply districts; establishment	1928	439	970
283	Water supply districts; establishment	1925	146	184
283	Water supply districts; establishment	1926	711	1272
283	Water supply districts; establishment	1928	439	971
284, added	Actions by and against sewer commissioners; judgments	1928	498	1079
285	Water supply districts; establishment	1925	474	803
285	Water supply districts; establishment	1926	57	214
285	Water supply districts; establishment	1926	711	1273
285	Water supply districts; establishment	1927	70	237
285	Water supply districts; action by town board	1931	723	1580
286	Water supply districts; establishment	1926	378	695
286a, added	Water supply districts; purchase of water	1925	146	185
286a	Water supply districts; purchase of water	1926	525	905
287	Water district; contracts for construction	1928	152	291
287b, added	Water commissioners; actions by and against; judgments	1928	498	1079
288	Water district; issue and sale of town bonds	1926	710	1270
288	Water district; issue and sale of town bonds	1927	648	1573
288	Water district; issue and sale of town bonds	1931	102	432
290a, added	Water supply systems; cost of construction	1926	500	858
290a	Water supply systems; cost of construction	1927	643	1567
293	Water supply systems; water rents	1929	592	1274
296a, added	Water supply systems; supervision and extension	1923	534	827
296a	Water supply systems; supervision and extension	1925	467	795
296a	Water supply systems; supervision and extension	1926	522	903
296b, added	Water supply systems; extension	1926	709	1268
297a, added	Water supply systems; annual budget	1928	156	295
297a, added	Water commissioners, Nassau county; annual report	1928	287	769
298	Water district; enlarging	1924	333	623
298	Water district; enlarging	1925	65	85
299	Water supply systems; enlargement	1923	534	827
299	Water supply systems; enlargement	1929	390	896
299a	Enlargement of water districts	1921	451	1344
299a	Enlargement of water districts	1925	466	794
299a	Enlargement of water districts	1926	713	1279
299a	Enlargement of water districts	1931	112	444
299b, added	Enlargement of water districts	1927	289	723
299c, added	Water commissioners, Nassau county; sale of lands	1928	286	769
305a, added	Dissolution of water districts	1925	113	130
305b, added	Water district in two or more towns	1926	555	977
Art. 13A (§§ 306–309), added	Drainage of agricultural lands	1921	534	1640
307	Drainage of agricultural lands	1922	211	534
313, 313a	Appropriations for fire company	1923	536	828
314b	Incorporated fire companies	1922	236	555
314b	Incorporated fire companies	1924	490	904
314b	Incorporated fire companies	1926	272	484
314c	Contracts for fire protection	1928	153	292
314d, added	Contracts for fire protection, certain towns	1925	31	52
314d	Contracts for fire protection, certain towns	1926	312	571

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318, added	Fire ordinances	1923	136	165
318, added	Maintenance of town fire districts	1923	538	831
318a, added	Dissolution of fire districts	1925	114	131
318b, added	Establishment of fire departments and companies	1931	57	373
319	Police districts	1925	34	55
319	Police districts	1926	528	908
319	Police districts	1928	706	1540
319b	Police force; appointment and salaries	1921	46	128
319b	Police force; appointment and salaries	1925	34	55
319b	Police force; appointment and salaries	1926	527	907
319f, added	Maintenance of police district	1921	46	129
Art. 14B (§§ 319k–319r), added	Town police departments in certain counties	1928	797	1673
320	Collection and disposition of garbage and ashes	1921	145	471
320	Snow removal	1925	472	801
320	Collection and disposition of garbage and ashes	1929	354	818
320	Collection and disposition of garbage, etc.	1931	685	1507
320a, added	Garbage and ashes removal districts	1925	476	805
320b, added	Garbage and ashes removal districts	1925	476	806
320b	Garbage and ashes removal districts	1926	500	859
320c, added	Garbage and ashes removal districts	1925	476	806
320d, added	Garbage and ashes removal districts	1925	476	807
320d	Garbage and ashes removal districts	1926	57	215
320e, 320f, added	Garbage and ashes removal districts	1925	476	807
320g, added	Garbage and ashes removal districts	1925	476	808
320g	Garbage and ashes removal districts	1926	500	859
320h, 320i, added	Garbage and ashes removal districts	1925	476	809
320j, added	Garbage and ashes removal districts	1928	317	805
321, 322	Refuse; disposition	1925	476	810
332	Burial grounds; title, care and control	1926	504	864
332b, added	Gifts and bequests for care of certain cemeteries	1929	251	649
340	Appropriation for town house	1925	153	190
341a, added	Alteration and repair of town houses, Nassau county	1927	322	780
341a	Alteration and repair of town houses; Nassau and Suffolk counties	1930	226	586
345a, added	Parks in certain counties	1924	487	901
347	Parks and playgrounds	1925	475	805
349	Park districts	1928	214	441
349d	Property for park districts	1921	450	1342
349d	Property for park districts	1929	692	1632
349i	Parks; tax for payment of bonds	1931	182	527
349n, added	Alteration of park districts	1922	394	825
Art. 17C (§§ 349o–349w), added	Building regulation	1926	714	1280
349o, added	Altering property for park purposes	1931	559	1354
349v	Building regulation; enforcement	1931	235	615
Art. 22a, (§§ 425–428), added	Collection of taxes by town clerk	1929	663	1594
428	Collection of taxes; fees belong to town; payments	1929	27	43
460	Town board created	1925	468	796

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	TOWN LAW—(*Continued*).			
460	Town board created	1925	469	797
460	Town board created	1928	743	1608
461a, added	Compensation of town officers and employees	1928	316	804
465	Overseers of poor; constables	1927	641	1563
465	Meetings; public welfare officer; constables	1931	710	1551
465a, added	Town clerks, certain towns; compensation	1925	655	1078
465a, repealed	Town clerks, certain towns; compensation	1928	316	804
468	Engineer and surveyor	1925	130	151
468	Engineer and surveyor	1928	316	804
469, repealed	Engineer and surveyor; compensation	1925	130	151
469a, added	Superintendent of highways; compensation	1925	129	150
469a, repealed	Superintendent of highways; compensation	1928	316	804
470	Counsel; professional services	1925	130	151
470	Counsel; professional services	1928	316	805
470	Counsel; professional services	1928	416	935
470	Counsel; salary	1931	317	736
476	Separate road districts	1923	540	834
476	Separate road districts	1931	128	462
477a	Ashes and garbage disposal, certain towns	1926	383	700
477b, added	Incinerator districts	1930	222	580
484a, added	Storm sewers; issuance of certificates of indebtedness	1930	499	975
491, added	Fire alarm districts	1926	275	490
492a, added	Purchase of sewers; bonds; assessments	1921	449	1340
495	Assessments for highways; instalments	1925	480	813
496	Collection of assessments	1925	481	813
501	Assessments for public improvements	1924	587	1067
502, repealed	Assessment-roll; completion, objections, hearing	1924	587	1068
503, repealed	Assessment-roll; filing, lien	1924	587	1068
504, repealed	Assessment-roll; certiorari to review	1924	587	1068
512	Maps; notes of conveyances, certain towns	1924	593	1072
512a, added	Building ordinance	1923	550	843
512a, added	Parkways and boulevards; notes and bonds	1923	795	1431
512a	Parkways and boulevards; notes and bonds	1928	395	915
512b, added	Use of town house as public library	1930	248	616
513	Receiver of taxes and assessments; creation, etc.	1929	708	1658
514	Receiver of taxes and assessments	1928	848	1810
516	Receiver of taxes and assessments	1928	848	1811
573	Election of assessors, certain towns	1925	112	129
589a, added	Suffolk county; salary of constable	1925	653	1076
589aa, added	Snow and ice removal from highways	1927	639	1561
591–593	Fiscal year; Ontario county	1922	212	535
Art. 33 (§§ 604–616), added	Drainage of land; certain towns	1928	502	1083
604	Drainage of land; towns to which applicable	1929	350	814
Art. 33, renumbered art. 34	Laws repealed; when to take effect	1928	502	1089
	TRANSPORTATION CORPORATIONS LAW: (L. 1909, ch. 219, constituting cons. laws, ch. 63.)			
All, after title	Generally amended	1926	762	1410
20	Stage coach corporations	1921	256	958
46	Waterworks corporations; contracts with municipal corporations	1929	148	378

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	TRANSPORTATION CORPORATIONS LAW— (*Continued*).			
48	Pipe line over state lands	1921	332	1085
61, subd. 1	Gas corporations; powers	1923	539	833
61, subd. 5, added	Municipal authorities defined	1922	669	1832
67, added	Electric lines over Indian reservations	1922	271	636
68, 69, 69a–69d, added	Terminable permits for stage, omnibus and motor vehicle lines	1928	717	1551
102, 106	Wireless telegraphy or telephony	1923	545	839
	VEHICLE AND TRAFFIC LAW: (L. 1929, ch. 54, constituting cons. laws, ch. 71.)			
2, subds. 2–7	Motor vehicle; definition	1930	756	1361
2, subd. 8	Motor vehicle; definition	1929	387	894
2, subd. 8	Motor vehicle; definition	1930	756	1361
2, subd. 8	Motor vehicle; definition	1931	205	557
2, subd. 8	Motor vehicle; definition	1931	527	1291
2, subds. 23, 24	Motor vehicle; definition	1930	756	1361
2, subds. 25, 26, added	Motor vehicle; definitions	1930	756	1362
8, added	Motor vehicles; oaths and acknowledgments	1931	207	558
11, subd. 1	Motor vehicles; registration by owners	1930	574	1067
11, subd. 4	Motor vehicles; carrying certificate of registration	1929	396	903
11, subd. 5	Motor vehicles; times for registration	1931	202	556
11, subd. 6	Motor vehicles; registration fees	1929	387	894
11, subd. 6	Motor vehicles; registration fees	1930	497	972
11, subd. 6	Motor vehicles; registration fees	1930	755	1360
11, subd. 7	Motor vehicles; registration fees	1930	268	643
11, subd. 12	Motor vehicles; transport of school children	1931	203	556
12, subd. 3	Motor vehicles; number plates; trailers	1930	269	645
12, subd. 4	Motor vehicles; license plates	1930	110	425
14, repealed	Motor vehicles; dimensions and weights	1930	498	974
14, added	Motor vehicles; dimenions and weights	1930	498	974
14, repealed	Motor vehicles; dimensions and weights	1931	254	637
14, added	Motor vehicles; dimensions and weights	1931	254	637
15, subd. 1	Motor vehicles; equipment	1930	576	1069
15, subds. 2–4, 7, 8	Motor vehicles; equipment	1930	539	1023
16, repealed	Motor trucks; display of weight and capacity	1930	268	645
20, subd. 1	License of operators or chauffeurs	1931	306	719
20, subd. 2	Motor vehicles; license registration book	1930	574	1068
50	Motor vehicles; registration; issuance; fee	1929	386	893
52	Service of summons on nonresidents	1930	57	83
52a, added	Service of summons on residents removed prior to action	1931	154	488
55	Limitation on scope of local ordinances	1931	266	651
55a, added	Compensation of officers not to depend upon arrests	1931	266	652
56, subd. 1, paragraph b	Motor vehicles; speed permitted	1931	518	1281
56, subd. 2	Motor cycles; speed permitted	1931	518	1281

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	VEHICLE AND TRAFFIC LAW — (*Continued*).			
58a, added	Parking on state highway	1930	475	939
61, repealed	Motor vehicles; transfer of registration	1930	110	424
61, added	Motor vehicles; transfer of registration	1930	110	424
61	Motor vehicles; transfer of registration	1931	308	722
62, subds. 2, 5	Registration for manufacturers and dealers	1931	516	1279
64, repealed	Motor vehicles; registration when taken in trade by dealers	1930	110	425
70, subd. 2	Penalty for violation of § 14	1931	253	636
71	Suspension, revocation and reissuance of licenses and certificates of registration	1929	26	40
73, subd. 4	Use of motor vehicle fees, fines and penalties	1929	362	844
Art. 6 (§§ 80–91)	Highway traffic outside New York city	1930	756	1362
81, subd. 21, added	Operation of vehicles; omnibus	1930	575	1069
81, subd. 21, as added by L. 1930, ch. 575, renumbered 81, subd. 22	Traffic outside New York; omnibus	1931	206	558
92, subd. 2	Regulation of traffic in certain villages	1930	308	698
L. 1930, ch. 308, amending § 92, subd. 2, repealed	Regulation of traffic in certain villages	1931	204	557
Art. 6a (§§ 94, 94a–94l), added	Financial responsibility for operation of motor vehicles	1929	695	1636
Art. 6a (§§ 94, 94a–94n)	Financial responsibility for operation of motor vehicles	1931	669	1468
94a	Forfeiture of bail; revocation of license	1930	398	865
94a	Forfeiture of bail; revocation of license	1931	669	1468
94b	Failure to satisfy judgments; revocation of license	1930	398	865
94b	Failure to satisfy judgments; revocation of license	1931	669	1468
	VILLAGE LAW: (L. 1909, ch. 64, constituting cons. laws, ch. 64.)			
Art. 1A (§ 1a), added	Corporate powers	1927	650	1575
2	Requisite population	1927	650	1576
3	Incorporation; proposition	1921	453	1347
3	Incorporation; proposition	1927	650	1576
5	Incorporation; proceeding on hearing	1921	453	1347
5	Incorporation; proceeding on hearing	1927	650	1577
5, subd. 5	Incorporation; proceeding on hearing	1928	332	840
12	Incorporation; qualifications of electors	1927	650	1578
12	Incorporation; qualifications of electors	1928	339	849
18	Incorporation; election; appeal to appellate division	1927	650	1578
22	Incorporation; report	1928	335	844
23	Incorporation; election; compensation of officials	1927	650	1578
28	Village officers; notice of election	1927	650	1578
29	Village officers; terms of office	1927	650	1579
31	Board of trustees; first meeting	1927	650	1579
32	Incorporation; temporary loan for expenses	1927	650	1579

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	VILLAGE LAW — (*Continued*).			
33, repealed	Incorporation; where population is fifty or more and less than two hundred	1927	650	1579
34, added	Liability to special districts; collection of taxes	1922	395	826
35, added	Apportionment of property and town obligations, on incorporation	1925	116	133
40a	Change of classification	1927	650	1579
42	Eligibility to office	1925	297	565
42	Eligibility to office	1927	650	1580
43	Village officers	1925	295	563
43	Village officers	1926	391	706
43	Village officers	1927	27	30
43	Village officers	1927	650	1580
44	Trustees; number	1926	391	707
44	Trustees; number	1927	27	31
45	Trustees; changing number	1926	391	707
45	Trustees; changing number	1927	27	31
46, repealed	Trustees; election by wards	1926	391	708
46, added	Trustees; election by wards	1927	27	31
46	Trustees; election by wards	1928	160	298
47	Election of police justice	1927	650	1581
47	Election of police justice	1930	258	627
48	Appointment of assessors	1927	650	1581
49	Election district	1927	650	1581
50	Officers to be elected at annual election; vacancies	1927	650	1581
51	Inspectors of election	1927	650	1581
51a	Registration of voters	1927	650	1582
51a	Registration of voters	1931	687	1511
52	Annual elections	1924	315	583
52	Annual elections	1927	650	1583
52	Annual elections	1928	854	1819
53	Canvass of annual election	1927	650	1583
56	Submission of propositions; special election	1922	237	556
56	Submission of propositions; special election	1923	76	80
56	Submission of propositions; special election	1926	391	708
56	Submission of propositions; special election	1927	650	1584
56	Submission of propositions; special election	1931	368	804
56a	Defeated propositions; resubmission	1927	650	1584
56a	Defeated propositions; resubmission	1931	301	715
58	Official undertakings	1926	391	709
58	Official undertakings	1927	650	1585
61	Filling of vacancies	1927	650	1585
63	Separate boards of commissioners	1927	650	1585
63	Separate boards of commissioners	1928	253	734
63	Separate boards of commissioners	1928	333	841
63	Separate boards of commissioners	1930	577	1070
64, repealed	Municipal boards; consolidation	1927	650	1586
65	Continuance of separate boards	1927	650	1585
65	Continuance of separate boards	1928	253	735
65	Continuance of separate boards	1928	333	842
66, repealed	Municipal boards; continuance	1927	650	1586
67	Abolition of separate or municipal boards	1927	650	1586
Art. 3a (§§ 70–75), added	Receiver of taxes, certain villages	1929	79	135
70	Receiver of taxes and assessments	1922	323	705

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	VILLAGE LAW — (*Continued*).			
70, repealed	Receiver of taxes and assessments	1927	650	1586
70, added	Receiver of taxes, certain villages	1929	79	135
71	Receiver of taxes and assessments	1922	323	706
71, repealed	Receiver of taxes and assessments	1927	650	1586
71, added	Receiver of taxes, certain villages	1929	79	136
72, repealed	Receiver of taxes and assessments	1927	650	1586
72, added	Receiver of taxes, certain villages	1929	79	136
73, repealed	Receiver of taxes and assessments	1927	650	1586
73, added	Receiver of taxes, certain villages	1929	79	136
74, repealed	Receiver of taxes and assessments	1927	650	1586
74, added	Receiver of taxes, certain villages	1929	79	137
75, repealed	Receiver of taxes and assessments	1927	650	1586
75, added	Receiver of taxes, certain villages	1929	79	137
76, repealed	Receiver of taxes and assessments	1927	650	1586
76, added	Receiver of taxes; first class villages; Broome county	1930	68	98
80	President	1925	161	196
80, repealed	President	1927	650	1586
80, added	Mayor	1927	650	1586
81	Duties of treasurer	1923	218	281
81	Duties of treasurer	1924	493	909
81	Duties of treasurer	1927	650	1587
81	Duties of treasurer	1928	278	762
82	Clerk	1927	650	1588
84	Street commissioner	1927	650	1589
84a, added	Superintendent of public works	1927	650	1589
85	Board of health	1927	650	1589
86	Compensation, certain officers	1925	115	132
86	Compensation, certain officers	1927	650	1589
87	Meetings of board of trustees	1926	391	709
87	Meetings of board of trustees	1927	27	31
87	Meetings of board of trustees	1927	650	1590
88	Meetings of board of trustees; presiding officer; rules	1927	650	1590
89, subds. 1, 2	Board of trustees; general powers	1927	650	1591
89, subd. 3	Board of trustees; general powers	1926	718	1294
89, subd. 6	Board of trustees; general powers	1927	650	1591
89, subd. 6	Board of trustees; general powers	1928	746	1611
89, subd. 7	Board of trustees; general powers	1927	650	1591
89, subd. 8	Board of trustees; general powers	1926	718	1294
89, subds. 8–10, 12, 15	Board of trustees; general powers	1927	650	1592
89, subd. 18	Board of trustees; general powers	1930	95	410
89, subd. 18a, added	Board of trustees; general powers	1921	465	1362
89, subd. 18a	Board of trustees; general powers	1927	650	1593
89, subd. 18a	Board of trustees; general powers	1930	95	410
89, subd. 19	Board of trustees; general powers	1927	650	1593
89, subd. 20	Board of trustees; general powers	1926	718	1295
89, subd. 21	Board of trustees; general powers	1923	50	51
89, subd. 21	Board of trustees; general powers	1924	182	402
89, subd. 21	Board of trustees; general powers	1926	718	1295
89, subd. 21	Board of trustees; general powers	1927	650	1593
89, subd. 21	Board of trustees; general powers	1928	418	937
89, subd. 22	Board of trustees; general powers	1926	390	706
89, subd. 22	Board of trustees; general powers	1927	650	1594
89, subd. 22a	Board of trustees; general powers	1926	718	1295

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	VILLAGE LAW — (*Continued*).			
89, subd. 23	Board of trustees; general powers	1926	718	1296
89, subd. 23	Board of trustees; general powers	1927	650	1594
89, subd. 25	Board of trustees; general powers	1926	718	1296
89, subd. 25	Board of trustees; general powers	1927	650	1594
89, subd. 25	Board of trustees; general powers	1931	378	814
89, subd. 27	Board of trustees; general powers	1927	650	1594
89, subd. 27	Board of trustees; general powers	1929	82	139
89, subd. 28	Board of trustees; general powers	1927	650	1594
89, subd. 29	Board of trustees; general powers	1925	306	573
89, subd. 29	Board of trustees; general powers	1927	650	1594
89, subd. 30, added	Board of trustees; general powers	1921	464	1361
89, subd. 31, added	Board of trustees; general powers	1922	586	1322
89, subd. 31	Board of trustees; general powers	1926	718	1296
89, subd. 32, added	Board of trustees; general powers	1924	339	635
89, subd. 33, added	Board of trustees; general powers	1925	92	110
89, subd. 33	Board of trustees; general powers	1927	650	1595
89, subd. 34, added	Board of trustees; general powers	1925	302	569
89, subd. 35, added	Board of trustees; general powers	1926	196	361
89, subd. 35, added	Board of trustees; general powers	1926	718	1296
89, subd. 36, added	Board of trustees; general powers	1926	718	1297
89, subds. 37–39, added	Board of trustees; general powers	1927	650	1596
89, subd. 40, added	Board of trustees; general powers	1927	650	1596
89, subd. 40	Board of trustees; general powers	1928	505	1090
89, subds. 41–59, added	Board of trustees; general powers	1927	650	1597
89, subd. 60, added	Board of trustees; general powers	1928	158	296
89, subd. 60, added	Erection of statues, monuments or other memorials	1928	252	734
90, repealed	Village ordinances	1927	650	1600
90, added	Village ordinances	1927	650	1600
90, subd. 13	Inflammable materials	1923	560	851
90, subd. 14a, added	Construction of electric light and power wiring	1921	220	872
90, subd. 16	Construction of buildings	1923	563	854
90, subd. 19	Landing of boats; passengers	1922	523	1196
90, subd. 19a, added	Docks	1921	116	344
90, subd. 31, added	Licensing vehicles for hire	1924	598	1079
90a	Building and sanitary codes	1923	73	77
90a	Building and sanitary codes	1926	718	1297
91, subd. 1	Licensing of occupations	1922	206	528
91, subd. 1	Licensing of occupations	1924	380	721

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921-1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	VILLAGE LAW —(*Continued*).			
91, subd. 1	Licensing of occupations	1925	307	574
91, subd. 1	Licensing of occupations	1927	652	1651
91, subd. 3	Licensing of occupations	1921	455	1350
91, subd. 5, added	Licensing restaurants and similar places	1924	495	913
91, subd. 5	Licensing restaurants and similar places	1926	747	1392
91a, added	Licensing restaurants and similar places	1921	455	1350
92	Village ordinances; definition	1927	650	1600
93	Village ordinances; violation	1927	650	1600
94	Ordinances of separate board; approval by trustees	1927	650	1600
95	Ordinances; when in effect	1925	298	566
95	Ordinances; when in effect	1927	650	1601
96, added	Ordinances; proof	1927	650	1601
100	Fiscal year	1927	650	1601
101, repealed	Village funds	1927	650	1601
101, added	Electric or water systems; revolving cash fund	1929	48	46
101, subd. 1	Street fund	1926	718	1297
101, subd. 5a, added	Park fund	1922	586	1323
101b	Transfer of village funds	1928	40	40
101b	Transfer of village funds	1930	411	885
102	Annual financial statement	1923	17	14
102	Annual financial statement	1926	718	1297
102	Annual financial statement	1927	650	1601
103	Poll tax	1924	611	1128
103, repealed	Poll tax	1926	718	1298
104	Annual assessment roll	1921	234	906
104, repealed	Annual assessment roll	1927	650	1602
104, added	Annual assessment roll	1927	650	1602
104	Annual assessment roll	1928	337	847
105	Assessors; meeting to hear complaints	1921	234	907
105	Assessors; meeting to hear complaints	1922	207	528
105, repealed	Assessors; meeting to hear complaints	1927	650	1602
105, added	Meeting of trustees to hear complaints	1927	650	1603
105	Meeting of trustees to hear complaints	1928	337	847
105a, added	Assessment rolls; certain villages	1924	610	1128
105a, repealed	Assessment rolls; certain villages	1927	650	1602
105a	Assessment rolls; notice of completion	1930	135	468
106, repealed	Assessment rolls; completion and verification	1927	650	1602
106, added	Assessment rolls; completion and verification	1927	650	1603
107	Assessors; failure to meet	1921	234	908
107, repealed	Assessors; failure to meet	1927	650	1602
107, added	Failure to hold meeting	1927	650	1603
108	Assessment rolls; notice of completion	1921	234	909
108, repealed	Assessment rolls; notice of completion	1927	650	1602
108, added	Assessment rolls; notice of completion	1927	650	1604
108a, repealed	Assessment rolls; notice of completion	1927	650	1602
108a, added	Assessment rolls; notice of completion	1927	650	1604
108a, renumbered 105a, and amended	Assessment rolls; notice of completion	1928	421	943
109a, added	Assessment rolls; correction of errors; boards	1922	509	1148
109a	Assessment rolls; correction of errors; boards	1925	305	571
109a, repealed	Assessment rolls; correction of errors; boards	1927	650	1602
109a, added	Assessment rolls; correction of errors	1927	650	1604

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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	VILLAGE LAW — (*Continued*).			
109a	Assessment rolls; correction of errors and omissions	1929	643	1510
109a, subd. (7), added	Assessment rolls; correction of errors	1928	504	1090
109b, added	Assessment rolls; correction of errors	1923	659	1036
109b, repealed	Assessment rolls; correction of errors	1927	650	1602
110	Annual tax levy	1926	718	1298
110, repealed	Annual tax levy	1927	650	1602
110, added	Preparation of annual estimate	1927	650	1606
110, subd. 3a, added	Annual tax levy	1922	586	1323
110, subd. 3b, added	Shade tree; preservation and care	1923	558	850
110, subd. 4a, added	Annual tax levy	1924	180	400
111, repealed	Special assessment and levy	1927	650	1602
111, added	Preparation of annual budget	1927	650	1606
111	Preparation of annual budget	1928	159	297
111a, added	Limitation on budget	1927	650	1607
112, repealed	Lien of annual or special tax	1927	650	1602
112, added	Annual tax levy	1927	650	1607
114, repealed	Warrant to collector	1927	650	1602
114, added	Warrant to treasurer	1927	650	1607
114	Warrant to treasurer	1928	63	60
114	Warrant to treasurer	1930	67	97
114	Warrant to treasurer	1930	661	1175
114a, added	Mailing tax bills	1925	155	192
115, repealed	Collection of taxes; notice to nonresidents	1927	650	1602
115, added	Collection of taxes by treasurer; notice to nonresidents	1927	650	1608
115	Collection of taxes by treasurer; notice to nonresidents	1928	39	38
115	Collection of taxes by treasurer; notice to nonresidents	1929	696	1645
115a, added	Collection of taxes by clerk	1927	650	1608
115b, added	Taxes and budget where annual election held in June	1927	650	1609
116	Collection of taxes	1925	301	568
116, repealed	Collection of taxes	1927	650	1602
116, added	Lien of tax	1927	650	1609
117, repealed	Collection of taxes by treasurer	1927	650	1602
117, added	Mailing tax bills	1927	650	1609
117a, added	Collection of taxes by clerk	1922	655	1796
117a, repealed	Collection of taxes by clerk	1928	162	300
117a, added	Collection in installments in certain villages	1930	67	97
118	Return and assessment roll as evidence	1927	650	1609
119, repealed	Sale of real property for unpaid tax	1930	661	1181
120, repealed	Sale for unpaid tax; notice	1930	661	1181
121, repealed	Sale for unpaid tax; certificate of sale	1930	661	1181
122, repealed	Unpaid taxes; sale; possession by purchaser	1930	661	1181
123, repealed	Unpaid taxes; sale; possession by purchaser	1930	661	1181
125a, added	Restrictions on right to sell property for unpaid taxes	1927	650	1609
125a	Restrictions on right to sell property for unpaid taxes	1928	161	298
125a	Restrictions on right to sell property for unpaid taxes	1928	856	1821
126	Unpaid taxes	1929	389	895
126	Unpaid taxes	1930	661	1176
126a, added	Unpaid taxes	1927	650	1610

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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126a	Unpaid taxes	1928	708	1541
126a	Unpaid taxes	1930	661	1176
126b, added	Unpaid taxes	1927	650	1610
126b	Unpaid taxes	1928	708	1542
126b	Unpaid taxes	1930	661	1176
126c, added	Unpaid taxes	1927	650	1611
126d, added	Unpaid taxes	1927	650	1611
126d	Unpaid taxes	1928	39	39
126d	Unpaid taxes	1929	696	1646
126d, repealed	Payment unpaid taxes from county treasury	1930	661	1181
126d, added	Unpaid taxes	1930	661	1177
126e, added	Unpaid taxes	1927	650	1611
126e	Unpaid taxes	1928	39	40
126e	Unpaid taxes	1929	696	1646
126e, repealed	Unpaid taxes; levy by supervisors	1930	661	1181
126e, added	Unpaid taxes	1931	184	529
126f, added	Unpaid taxes	1927	650	1611
126f	Unpaid taxes	1928	39	40
126f	Unpaid taxes	1929	696	1647
126f, repealed	Unpaid taxes; payment before levy	1930	661	1181
126g–126i, added	Unpaid taxes	1927	650	1611
126g, repealed	Unpaid taxes; proceedings for collection	1930	661	1181
126h, repealed	Unpaid taxes; proceedings for return	1930	661	1181
126i, repealed	Unpaid taxes; compromising back taxes	1930	661	1181
128, repealed	Borrowing money generally	1927	650	1612
128, added	Borrowing money generally	1927	650	1612
128	Borrowing money generally	1928	422	943
128	Borrowing money generally	1930	661	1182
128, subd. 9	Free public libraries	1926	126	279
128a, added	Bonds to reimburse budget	1928	110	258
128a, added	Contracts involving expenditure	1928	852	1818
129	Bonds or other obligations	1921	456	1351
129	Bonds or other obligations	1923	561	852
129	Bonds or other obligations	1924	181	401
129	Bonds or other obligations	1925	300	567
129	Bonds or other obligations	1927	650	1613
129	Bonds or other obligations	1928	346	859
129a, added	Temporary financing	1928	217	444
130	Limitation of indebtedness	1923	139	167
130	Limitation of indebtedness	1926	557	981
130	Limitation of indebtedness	1929	697	1647
131, repealed	Second election on proposition to raise money	1927	650	1614
133, repealed	Absolute sales for nonpayment of taxes	1930	661	1181
134, repealed	Action by holder of certificate of sale	1930	661	1181
135, repealed	Action by holder of certificate of sale	1930	661	1181
136, repealed	Certificates of sale; validity	1930	661	1181
137, repealed	Tax sales; conveyance	1930	661	1181
138, repealed	Tax sales; proceedings generally; redemption	1930	661	1181
Art. 5A (§§ 139, 139a–139d), added	Permissive referendum	1927	650	1614
139	Permissive referendum	1928	48	45
139a	Referendum or petition	1928	215	442

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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140	Streets, sidewalks and public grounds; definitions	1927	650	1616
141	Separate highway district	1927	650	1616
143	Construction or repair of bridges	1927	650	1616
143a, added	When village may relinquish care of bridges	1931	214	567
144	Dedication of streets	1927	650	1616
145a, repealed	Street improvements in villages of second-class	1926	718	1299
146	Street opening or improvement; petition	1927	650	1617
148	Street opening or improvement; effect of determination	1927	650	1617
149	Street opening or improvement; condemnation of property	1927	650	1618
150–157, repealed	Street opening or improvement; commissioners	1927	650	1618
159, subd. 3, added	Commencement of certain actions against village	1931	365	799
161	Crosswalks and sidewalks	1927	650	1618
165	Sprinkling streets	1927	650	1618
165	Sprinkling streets	1928	855	1820
166	Pavements and sidewalks	1922	657	1798
166	Pavements and sidewalks	1923	298	504
166	Pavements and sidewalks	1924	180	398
166	Pavements and sidewalks	1926	718	1299
166, repealed	Pavements and sidewalks	1927	650	1619
166, added	Pavements	1927	650	1619
166	Pavements	1928	419	938
166	Pavements	1931	686	1509
166a, added	Pavements and sidewalks; temporary financing	1922	657	1800
166a, repealed	Pavements and sidewalks; temporary financing	1927	650	1619
166a, added	Pavements; temporary financing	1927	650	1620
166b, added	Filling low, swamp and waste lands	1922	657	1800
166c, added	Compulsory construction of sidewalks	1923	562	853
166c	Construction of sidewalks	1924	183	403
166c, repealed	Compulsory construction of sidewalks	1927	650	1619
167a	Appropriations for shade trees	1925	165	213
167a, repealed	Appropriations for shade trees	1927	650	1619
168	Streets, sidewalks and public grounds; local assessments	1927	650	1620
169	Acquisition of lands for parks, squares, athletic fields and playgrounds	1927	650	1621
169	Acquisition of lands for parks, squares and playgrounds	1930	851	1580
169	Acquisition of lands for parks, squares, athletic fields and playgrounds	1931	300	714
174a, added	Streets by prescription	1927	650	1621
Art. 6A (§§ 175–179, 179a–179d), added	Building zones	1923	564	855
175, added	Building zones	1923	564	855
175	Building zones	1924	492	908
176–179, added	Building zones	1923	564	855
179a, added	Building zones	1923	564	856
179a	Zoning commission	1924	492	909
179b	Building zones	1923	564	857
179b	Building zones	1927	650	1621

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179c, 179d, added	Building zones	1923	564	858
179e, added	Official maps and planning commissions	1926	719	1302
179f, added	Official maps and planning commissions	1926	719	1302
179f	Official maps and planning commissions	1929	60	113
179g–k, added	Official maps and planning commissions	1926	719	1303
179l, added	Official maps and planning commissions	1926	719	1304
179l	Official maps and planning commissions	1929	60	114
179m–q, added	Official maps and planning commissions	1926	719	1304
182	Police justice; criminal jurisdiction	1927	650	1624
184	Police justice; compensation	1927	650	1624
184	Police justice; compensation	1928	853	1819
185	Salaried police justice; accounts, reports, etc	1927	650	1625
185	Salaried police justice; accounts, reports, etc	1928	44	43
186	Police justice; civil jurisdiction	1927	650	1625
186a, added	Stenographer for police justice court	1927	650	1625
187	Acting police justice	1925	118	134
187	Acting police justice	1928	216	443
188	Policemen	1925	95	112
188	Policemen	1927	650	1625
188a	Police department	1921	100	313
188a	Police department	1923	74	78
188a, repealed	Police department	1924	494	910
188a, added	Police department	1924	494	910
188a	Police department	1925	90	109
188a	Police department	1926	341	604
188a	Police department	1927	650	1626
188a	Police department	1928	424	945
188a	Police department	1930	853	1587
188b, added	Police department	1924	494	911
188b	Police department	1925	91	110
188b	Police department	1927	650	1626
188b	Police department	1929	661	1591
188c, added	Police department; promotions	1924	494	911
188c	Police department; promotions	1928	423	944
188d, added	Police department; transfers	1924	494	911
188d	Police department; transfers	1926	524	905
188d	Police department; transfers	1928	417	936
188e, added	Police department; administration	1924	494	911
188e	Police department; administration	1926	523	904
188f, added	Police department; discipline and charges	1924	494	912
188f	Police department; discipline and charges	1926	717	1293
188g, added	Police department; dismissal; certiorari	1924	494	912
188g	Police department; dismissal, certiorari. (*See foot note, L.* 1926, *p.* 1294.)	1926	717	1294
188g	Police department; dismissal; certiorari	1928	747	1612
188g	Police department; dismissal; certiorari	1931	185	530
188h, added	Police department; reinstatement after resignation	1924	494	912
188i, added	Absentee leave of policemen	1926	339	602
188i	Absentee leave of policemen	1931	124	459
188j	Police; hours of duty in Westchester county	1931	125	459
190	Policemen; fees, salaries and expenses	1927	650	1627
191, added	Village policemen in certain counties	1921	99	312
192–196, added	Police pension fund	1923	95	96

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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193, subd. 4	Police pension fund	1931	109	441
197, added	Police pension fund	1923	95	101
197	Police pension fund	1928	345	858
198, 199, added	Police pension fund	1923	95	101
199a–199f, added	Police pension fund	1923	95	102
199f	Police pension fund	1926	530	909
200	Board of fire commissioners; general powers	1927	650	1627
202	Organization of fire companies	1927	650	1628
202	Organization of fire companies	1928	506	1091
211, added	Fire departments; abolishment	1927	650	1628
220	Contracts for water supply	1927	650	1628
220	Contracts for water supply	1928	9	8
221	Establishment of water works	1927	650	1629
222	Existing water works system; acquisition	1927	650	1629
223	Establishment of water works	1927	650	1629
224	Water works system	1923	559	850
224	Water works system	1926	718	1301
224	Water works system	1927	650	1630
224	Water works system	1928	873	1874
225	Acquisition of additional water rights; purification plant	1927	650	1630
227	Water supply pipes	1922	398	340
227	Water supply pipes	1927	226	655
227a, added	Water supply pipes	1927	226	656
228	Water commissioners; ordinances	1926	718	1301
229	Establishment of water rents	1927	650	1631
229	Establishment of water rents	1930	300	691
229a	Frontage tax for water supply; collection	1927	650	1631
232	Supplying water outside corporate limits	1922	208	529
232	Supplying water outside corporate limits	1930	578	1071
233	Outside extension of water mains	1927	650	1632
234	Contracts with other municipalities	1925	117	133
236, added	Water mains connecting with reservoirs of New York city	1924	630	1171
237, 238, added	Enlargement of water district; construction of water supply system	1927	333	789
240	Contracts for lighting	1927	650	1632
244	Lighting system; supervision and extension	1927	650	1632
244	Lighting system; supervision and extension	1929	642	1508
245	Lighting system; ordinances	1927	650	1633
246	Establishment of light rents	1927	650	1633
260	Establishing sewer system	1921	510	1587
260	Establishing sewer system	1927	650	1633
260	Establishing sewer system	1928	395	917
260a, added	Extension of sewer systems beyond village limits	1923	140	167
260b, added	Use of sewer systems outside corporate limits	1924	381	722
260c, added	Sewer districts in certain villages	1925	303	569
260c	Sewer districts in certain villages	1926	334	596
261	Construction of sewerage system	1927	650	1634
261a, added	Sewerage system; petition to establish	1927	650	1634
261a	Sewerage system; petition to establish	1928	395	918
261b, added	Sewage treatment plant	1927	650	1636
263	Sewerage system; construction at joint expense of village and property benefited	1927	650	1636

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

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263a, added	Lateral sewer districts in certain villages	1929	625	1478
264	Construction of sewers at expense of property benefited	1922	657	1801
264a, added	Lateral sewer districts	1927	651	1651
266	Sewerage system; contracts for construction	1927	650	1637
266	Sewerage system; contracts for construction	1928	420	940
274	Expense of constructing sewer system	1922	657	1801
274a, added	Temporarily financing sewer improvements	1926	627	1119
276	Sewerage system; contracts with other municipalities	1927	650	1637
278 (as added by L. 1910, ch. 259)	Sewer connections	1927	226	657
278 (as added by L. 1910, ch. 626), repealed	Board of public works; establishment; appointments	1927	650	1638
278a, added	Sewer connections; alternative provisions	1927	226	657
279, repealed	Board of public works; officers; meetings; powers	1927	650	1638
279, added	Establishment of sewer rents	1929	225	495
280, repealed	Board of public works; powers and duties	1927	650	1638
Art. 11A (§ 280), added	Local improvements	1928	874	1875
281, repealed	Board of public works; reports	1927	650	1638
282	Board of public works; funds	1925	304	570
282, repealed	Board of public works; funds	1927	650	1638
283, repealed	Board of public works; application of other provisions	1927	650	1638
290	Acquisition of lands for parks or cemeteries	1927	650	1638
290	Acquisition of lands for parks or cemeteries	1931	300	713
292	Park or cemetery commissioners; ordinances	1927	650	1638
292a	Cemeteries in certain villages	1923	16	14
292a	Cemeteries in certain villages	1925	299	566
297	Park commissioners; powers; limitation of expenditures	1927	650	1639
300	Reincorporation of special village	1927	650	1639
301	Reincorporation; election	1927	650	1639
303	Reincorporation; effect	1927	650	1639
303	Reincorporation; effect	1928	62	59
304, repealed	Reincorporation; number of trustees	1927	650	1640
305	Reincorporation of certain villages confirmed	1927	650	1640
310, repealed	Population over fourteen thousand; application of art. 14	1927	650	1640
311, repealed	Population over fourteen thousand; president's term of office	1927	650	1640
312, repealed	Population over fourteen thousand; police commissioners	1927	650	1640
313, repealed	Population over fourteen thousand; consolidation of boards	1927	650	1640
314, repealed	Population over fourteen thousand; abolition of boards	1927	650	1640
315, repealed	Population over fourteen thousand; treasurer	1927	650	1640
316, repealed	Compensation of president and trustees	1921	454	1350
317–321, repealed	Population over fourteen thousand; various provisions	1927	650	1640
323a, added	Villages embracing entire town; bridges and highways	1924	340	635
324	Water districts	1924	341	636
326, subd. (1)	Villages embracing entire town; sewer districts	1924	342	637

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326, subd. (2)	Villages embracing entire town; sewer districts	1927	650	1641
326, subd. (2)	Villages embracing entire town; sewer districts	1928	420	940
326, subd. (3)	Villages embracing entire town; sewer districts	1927	650	1641
326, subd. (4)	Villages embracing entire town; sewer districts	1927	650	1641
326, subd. (4)	Villages embracing entire town; sewer districts	1928	420	940
326, subd. (14), added	Villages embracing entire town; sewer districts	1924	342	638
326, subd. (14a)	Villages embracing entire town; sewer districts	1927	650	1641
326, subd. (14a)	Villages embracing entire town; sewer districts	1928	420	941
328a, added	Assessment-roll; completion; notice; tax	1928	168	306
329, added	Assessment-roll; completion; notice; tax	1928	443	974
Art. 14B, title	Village of third or fourth class embracing a fire, water or lighting district	1926	111	263
Art. 14B, title	Village embracing fire, water or lighting district	1926	240	441
329d	Trees, shrubs and shade tree commission	1925	296	564
329d	Abolition of fire, water or lighting districts	1926	111	264
329d	Abolition of fire, water or lighting districts	1926	240	442
330	Notice; service	1927	650	1643
331	Notice; proof of posting, etc	1927	650	1643
331a	Compensation for printing	1924	418	769
334	Inhabitants as justices or jurors; undertakings	1927	650	1643
334a, added	Administration of oaths of office	1931	236	616
334b, added	Taking of affidavits by village officers	1931	236	616
335	Board may take testimony	1931	236	616
341	Action against village	1927	650	1643
341a, added	Liability of village in certain actions	1927	650	1644
341b, added	Liability of villages in certain actions	1931	365	799
341c, added	Examination on claims	1931	365	799
344	Destruction of garbage	1926	718	1301
345, repealed	Garbage disposal; violation of ordinance	1927	650	1644
346, repealed	Garbage disposal; expense	1927	650	1644
348	Extension of boundaries	1927	650	1644
348	Extension of boundaries	1928	334	842
348b, added	Annexation of territory acquired for water supply purposes	1927	49	83
349	Diminishing boundaries	1921	275	987
349	Diminishing boundaries	1929	662	1592
351	Expiration of terms of officers	1927	650	1646
352	Consolidation of villages	1927	650	1646
355	Consolidation of villages; appointment of clerk	1927	650	1646
356, repealed	Consolidation of villages; first election	1927	650	1646
356, added	Consolidation of villages; first election	1927	650	1646
357	Consolidation of villages; transfer of property	1927	650	1647
359a, added	Money for conferences of municipal officials	1928	61	59
Art. 15A (§§ 360–374), added	Village manager	1927	650	1647
381	Effect of revision on general villages	1927	650	1650
	WORKMEN'S COMPENSATION LAW: (L. 1922, ch. 615, constituting cons. laws, ch. 67, generally amending and superseding L. 1914, ch. 41, which superseded L. 1913, ch. 816. For amendments to act of L. 1914, ch. 41, by L. 1921–1922, see L. 1923, p. 1846.)			

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3, subd. 1, group 12	Hazardous employments	1931	510	1262
3, subd. 1, group 13	Hazardous employments	1931	385	829
3, subd. 1, group 14	Hazardous employments	1929	564	1148
3, subd. 1, groups 15–17	Coverage of state employees	1924	658	1210
3, subd. 1, group 18	Hazardous employments	1928	755	1627
3, subd. 1, group 18	Hazardous employments	1929	304	757
3, subd. 1, group 18	Hazardous employments	1929	702	1652
3, subd. 1, group 18	Hazardous employments	1931	385	831
3, subd. 1, group 18	Hazardous employments	1931	510	1263
3, subd. 2	Occupational diseases	1928	754	1620
3, subd. 2	Occupational diseases	1929	298	750
3, subd. 2	Occupational diseases	1930	60	86
3, subd. 2, ¶ 20, added	Injuries from radium or X-ray	1929	64	117
12	Noncompensated waiting period	1924	318	586
13	Treatment and care of injured employees	1927	553	1333
14, subd. 3	Weekly wages basis of compensation	1928	754	1622
14a, added	Double compensation and death benefits for minors illegally employed	1923	572	871
15, subd. 2	Temporary total disability	1927	555	1335
15, subd. 3, ¶ e	Compensation for loss of eye	1924	317	588
15, subd. 3, ¶ f	Compensation for loss of thumb	1924	320	586
15, subd. 3, ¶ m	Compensation for loss of hearing	1927	554	1335
15, subd. 3, ¶ o	Compensation for amputated arm or leg	1928	754	1623
15, subd. 3, ¶ t	Compensation for disfigurement	1930	316	705
15, subd. 3, ¶ u, renumbered ¶ v	Compensation, other cases	1929	301	754
15, subd. 3, ¶ u, added	Compensation for loss of more than one member	1929	301	754
15, subd. 4, ¶ d, added	Payment of balance of award where claimant dies from causes other than the accident	1927	556	1336
15, subd. 4a, added	Protracted temporary total disability in connection with permanent partial disability	1924	500	919
15, subd. 5	Temporary partial disability	1927	555	1336
15, subd. 5a, added	Determination of wage earning capacity	1930	316	706
15, subd. 6	Maximum weekly compensation for total disability	1927	558	1337
15, subd. 6	Maximum and minimum compensation for disability	1930	609	1117
15, subd. 6a, added	Reclassification of disabilities	1927	557	1336
15, subd. 6a	Reclassification of disabilities	1931	292	704
15, subd. 8	Permanent total disability after permanent partial disability	1927	493	1195

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15, subd. 9	Expenses for rehabilitating injured employees	1925	656	1078
15, subd. 9	Expenses for rehabilitating injured employees	1926	261	466
15, subd. 9	Expenses for rehabilitating injured employees	1930	183	532
16, subd. 1	Funeral expenses	1923	566	861
16, subd. 1	Funeral expenses	1929	299	753
16, subd. 1a, added	Death benefits, dependent blind or crippled children	1931	291	704
16, subds. 2–4	Death benefits	1929	303	756
16, subd. 5	Death benefits, amount of compensation	1924	319	587
16, subd. 6, added	Care and maintenance of children at public expense	1923	571	870
18	Notice of injury or death	1926	262	467
19a, added	Medical examiners	1927	496	1199
19b, added	Treatment by physicians in employ of department	1928	752	1618
20	Determination of claims for compensation	1924	318	587
20	Determination of claims for compensation	1925	660	1100
20	Determination of claims for compensation	1928	754	1623
21, subd. 5, added	Verified medical and surgical reports	1923	568	863
22	Modification of award	1928	754	1623
23	Appeals	1928	754	1624
24a, added	Representation before industrial board	1928	749	1613
24a	Representation before industrial board	1930	521	1000
25	Compensation, how payable	1925	657	1079
25	Compensation, how payable	1926	260	463
25	Compensation, how payable	1927	497	1199
25	Compensation; how payable	1930	316	706
26	Enforcement of payment in default	1926	256	460
28	Limitation of right to compensation	1925	658	1082
28	Limitation of right to compensation	1928	754	1625
28	Limitation of right to compensation	1930	316	708
29	Subrogation to remedies of employees	1924	499	917
40	Time limit	1928	754	1625
40	Time limit	1931	344	777
45	Notice to employers	1928	754	1626
50, subd. 3	Self-insurer	1930	184	534
50, subd. 3a, added	Payment of compensation by municipal corporations	1923	567	861
50, subd. 3a	Payment of compensation by municipal corporations	1927	494	1196
50, subd. 3a	County mutual self-insurance	1931	199	550
50, subd. 3b, added	Self-insurers	1928	584	1310
50, subd. 3b	Self-insurers	1930	521	1001
52	Failure to secure compensation	1926	532	911
52	Failure to secure compensation	1930	698	1273
54, subd. 4	Limitation of indemnity agreements	1928	754	1626
54, subd. 6	Insurance of employers and officers of corporations	1926	258	462
54, subd. 6	Insurance of officers of corporations	1930	316	709
54, subd. 7, added	Policies of foreign companies; limitations	1929	305	758
56	Subcontractors	1929	302	755
90	State insurance fund	1928	750	1614
93	Investment of surplus or reserve	1926	748	1393
94	Administration expenses	1923	334	573

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I. CHANGES IN THE CONSOLIDATED LAWS, 1921–1931 — (*Continued*).

Section	SUBJECT	Year	Chapter	Page
	WORKMEN'S COMPENSATION LAW—(*Contd.*).			
95	Rates	1926	533	911
110	Record and report of injuries by employers	1928	754	1626
119	Subpoenas	1926	257	461
121a, added	Proof of dependency in foreign countries	1923	46	46
121a	Proof of dependency in foreign countries	1929	300	753
126	Expenses of administering workmen's compensation law	1928	753	1619
130, added	Premiums deemed preferred claims	1931	508	1260

II. CHANGES IN THE CODE OF CRIMINAL PROCEDURE, 1931.

(*Sections, etc., are amended unless it is otherwise indicated.*)

Section	SUBJECT	Chapter	Page
Part 5, title 3, caption	Appeal from courts of special sessions	405	860
39, subd. 2	Trial of indictments for crimes punishable by death, certain counties	569	1378
749	Review on appeal from minor courts	405	860
751	Appeal, how taken	405	861
768	New trial; venue	405	861
933	Period of probation	423	1019

III. CHANGES IN THE PRACTICE ACTS, 1931.

(*Sections, etc., are amended unless it is otherwise indicated.*)

Section	SUBJECT	Chapter	Page
	CIVIL PRACTICE ACT: (L. 1920, ch. 925.)		
134a, added	Deposit of merchandise or property	369	805
136	Disposition of court funds	406	862
214	People as defendant; real property actions	425	1022
259	Pleading interest of the people	425	1022
684, subd. 1	Levy on earnings and income of judgment debtor	718	1576
882	Application for injunction; notice	387	838
1082	Surplus money proceeding	652	1448

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III. CHANGES IN THE PRACTICE ACTS, 1931—(*Continued*).

Section	SUBJECT	Chapter	Page
	CIVIL PRACTICE ACT—(*Continued*).		
1375, subd. 6	Bond of committee	111	443
1379	Incompetent's committee; annual examination of accounts	764	1634
1410, subd. 1	Removal of employees by summary proceedings	719	1577
1474, subd. 7, added	Costs; supreme court, Rockland county	351	788
1554a	Fees of county clerks of certain counties; special	231	611
1561	Fees, county treasurer and chamberlain; New York	418	1010
	SURROGATE'S COURT ACT: (L. 1920, ch. 928.)		
20, subd. 13, added	Incidental powers of surrogate	321	739
21	Clerk and deputy; appointment; salary	447	1044
22	Chief clerks; Kings and Queens counties	647	1441
23	Appointment of court officers; Kings and Queens counties	647	1441
25	Stenographers in certain counties	647	1441
26	Stenographers' salaries	19	24
26	Stenographers in certain counties	651	1446
32, subd. 8	Proof of will	28	313
56, subd. 1	Service citation on association outside state	360	795
59	Time and manner of service of citation	359	794
61	Proof of service of subpoena, citation or other process	705	1546
115a, added	Proceeding against surety	562	1363
208	Effect of failure to present claim pursuant to notice	562	1360
213	Compromise of disputed or unsettled debt	358	793
218	Payment of legacies	562	1360
255	Voluntary intermediate settlement of administrator, etc	562	1360
258	Requirement by court of judicial settlement of account	562	1360
261	Voluntary judicial settlement	562	1360
271	Payment of share of infant or incompetent	562	1360
288	Appeal; when and to what court taken	707	1548
294	Appeal may be on law or facts; case; reversal	707	1548

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931.*

(Sections, etc., are amended unless it is otherwise indicated.)

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Administration of Justice:			
1930	727	Commission to investigate, §§ 2, 3	1931	186	531
		Albany:			
1821	47	Justice court act. All repealed	1931	414	981
1822	152	Justice court act. All repealed	1931	414	981
1836	437	Fees of constables. All repealed	1931	414	981
1844	347	Justice court act. All repealed	1931	414	981
1848	70	Election of justices of justice court. All repealed	1931	414	981
1856	184	Justice court act. All repealed	1931	414	981
1867	56	Justice court act. All repealed	1931	414	981
1871	337	Police justices and justices of justice court, §§ 1, 2, repealed	1931	414	981
1881	438	Justice court act. All repealed	1931	414	981
1884	122	City court act. All repealed	1931	414	981
1895	766	City court act. All repealed	1931	414	981
1898	291	City court act. All repealed	1931	414	981
1898	312	City court act. All repealed	1931	414	981
1899	590	City court act. All repealed	1931	414	981
1904	466	Street improvements, §§ 1–6, repealed	1929	523	1080
1907	342	City court act. All repealed	1931	414	981
1910	603	City court act, amended generally	1931	414	897
1914	368	City court act. All repealed	1931	414	981
1926	643	Water supply, § 1	1931	422	1018
1927	575	City court act. All repealed	1931	414	981
1929	523	Street and other public improvements, § 5	1930	121	452
		Albany county:			
1885	301	Duties of overseer of poor and superintendent of almshouse. All repealed	1929	565	1196
		Albany port district:			
1925	192	Creating, §§ 1, 5	1929	293	743
		Alexander:			
1847	37	Charter, § 1	1930	424	898
		Allegany county:			
1869	63	Audit of accounts of superintendents of poor. All repealed	1929	565	1195
1871	380	Disposal of excise money. All repealed	1929	565	1195
		American Jewish committee:			
1911	16	Charter, § 3	1930	73	105
		Appellate division, first department:			
1911	855	Retirement of employees, § 1	1931	432	1029

* For changes in unconsolidated laws 1778–1928, see statutory record of unconsolidated laws, 1911, published by board of statutory consolidation, pursuant to L. 1910, ch. 513, and L. 1911, ch. 192; and supplement thereto, published pursuant to L. 1928, ch. 520.

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931 — (*Continued*).

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Appropriation bill:			
1928	75	Making appropriations for support of government, part I, in part	1929	400	907
1930	85	Making appropriation for support of government	1930	832	1519
1930	85	Making appropriations in support of government, part I, in part	1931	628	1419
1930	85	Making appropriation in support of government, part three	1931	449	1045
1931	21	Making appropriation in support of government	1931	293	705
1931	21	Making appropriation in support of government	1931	296	707
1931	21	Making appropriations in support of government	1931	450	1046
1931	21	Making appropriations in support of government, item	1931	653	1449
1931	21	Making appropriations for support of government, parts I, II repealed in part	1931	657	1455
		Athletic commission:			
1920	912	Created, § 7	1930	612	1119
1920	912	Created, § 17a, added	1930	611	1118
1920	912	Creation, § 25	1930	554	1036
		Attica:			
1930	4	Deeds to state, § 3	1930	11	23
		Aviation commission:			
1930	334	Creation, § 3	1931	225	577
		Baptist Education Society of State of New York:			
1927	418	Consolidation and merger, § 2	1929	334	797
		Batavia:			
1921	678	Charter, §§ 10, 12, 18, 44	1931	663	1458
		Batavia town:			
1904	151	Appropriation for Woman's Hospital Association. All repealed	1929	565	1196
		Bayonne-Port Richmond bridge:			
1927	300	Financing, § 1	1929	119	342
		Binghamton:			
1917	668	Charter, art. 8 (§§ 241–289), repealed	1931	482	1163
		Boxing commission: See: *Athletic commission.*			
		Bridge commission:			
1931	24	Creation, §§ 2, 5	1931	200	552
		Bronx county:			
1912	548	Erection, § 4d, added	1930	878	1658
1912	548	Erection, § 4d, added	1930	879	1659
1913	771	Grade crossing alterations, § 1	1930	627	1134

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931 — (*Continued*).

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Buffalo:			
1871	680	Erection and location of public buildings. All repealed	1929	175	431
1878	339	City and county hall. All repealed	1929	175	431
1880	31	City and county hall. All repealed	1929	175	431
1909	570	City court, §§ 22, 23, 23a	1929	530	1095
1909	570	City court, § 24	1931	398	849
1909	570	City court, § 25	1929	530	1095
1909	570	City court, § 31, repealed; new § 31, added	1929	533	1099
1909	570	City court, § 33	1929	529	1095
1909	570	City court, § 33a, added	1931	65	386
1909	570	City court, § 49	1929	530	1097
1909	570	City court, § 51	1929	121	345
1909	570	City court, § 55	1931	66	386
1909	570	City court, § 70a, added	1929	534	1099
1909	570	City court, § 77, added	1929	531	1097
1912	160	Erection of boathouse, wharves, etc. All repealed	1930	732	1330
1923	231	Grade crossing and terminal station commission, §§ 2, 3	1930	811	1485
1927	....	Local law — charter, § 42	1930	614	1123
1927	....	Local law — charter, § 161	1931	277	676
1927	....	Local law — charter, § 324	1931	277	676
1927	....	Local law — charter, § 326	1931	277	676
1927	....	Local law — charter, § 348	1930	614	1121
1927	....	Local law — charter, § 351, added	1930	614	1121
1927	....	Local law — charter. Art. 21 (§§ 370–396), repealed; new art. 21 (§§ 370–373), added	1929	527	1083
1927	....	Local law — charter, § 412	1930	614	1122
1927	....	Local law — charter, § 614	1931	277	677
1927	....	Local law — charter, § 618	1931	277	677
1927	....	Local law — charter, § 621	1931	277	678
1927	....	Local law — charter, § 643a, added	1929	532	1098
1927	....	Local law — charter, § 645	1931	277	679
1927	....	Local law — charter, § 649	1931	277	679
1927	....	Local law — charter, § 653	1931	277	680
1928	679	Grade crossing elimination act, § 2, subd. 7	1929	528	1091
1928	679	Grade crossing elimination act, § 3	1929	535	1100
1928	679	Grade crossing elimination act, § 4, subd. 2, amended; § 4, subd. 4, added; § 5, subd. 1, amended; § 5, subd. 15, added; § 10, amended	1929	528	1092
1928	807	Children's court. All repealed	1931	211	564
		Buffalo Society of Natural Sciences:			
1880	483	Creation of fund, §§ 1, 2, 3	1930	122	453
		Caledonia town:			
1904	79	Salary of policeman of Caledonia village, § 1, amended; § 1a, added	1929	124	349
		Cameron town:			
1831	159	Use of poor fund for support of common schools. All repealed	1929	565	1193
		Cattaraugus county:			
1844	163	Restoring distinction between town and county poor. All repealed	1929	565	1194

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931 — (*Continued*).

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Cayuga Asylum for Destitute Children:			
1852	207	Incorporation, § 2	1931	97	425
		Cayuga county:			
1847	245	Election of superintendents of poor and county treasurer. All repealed	1929	565	1194
1858	233	Support of poor and purchase of supplies. All repealed	1929	565	1194
1862	141	Superintendents of poor. All repealed	1929	565	1195
1872	348	Legalizing action of supervisors relative to number of superintendents of poor. All repealed	1929	565	1195
		Central New York Egg Laying Contest:			
1929	457	Creation; title, §§ 1–3	1930	275	656
		Champlain canal:			
1929	479	Claims of laborers, § 1	1930	701	1276
1929	479	Claims of laborers, § 1, amended; § 2, added	1930	736	1333
		Chautauqua county:			
1844	163	Restoring distinction between town and county poor. All repealed	1929	565	1194
		Chautauqua improvement district:			
1928	221	Creation, §§ 1, 3, 8, subd. 1; §§ 12, 15	1929	103	325
		Chemung county:			
1856	170	Support of poor and sale of poorhouse and farms. All repealed	1929	565	1194
1858	250	Audit of charges for maintaining poor. All repealed	1929	565	1194
		Children's court act:			
1922	547	Establishing; all after title, amended	1930	393	827
1922	547	Establishing, § 1	1931	211	562
1922	547	Establishing, § 4, subd. 1	1930	869	1626
1922	547	Establishing, § 4, subd. 3	1931	363	797
1922	547	Establishing, § 46	1931	211	563
		Church Charity Foundation:			
1868	428	Charter, §§ 4, 7	1930	692	1264
		Church Home of the city of Troy:			
1863	138	Charter, §§ 2, 4	1930	76	112
		Clinton county:			
1877	360	Maintenance of chronic insane poor. All repealed	1929	565	1195
		Code of criminal procedure amendments:			
1923	306	Apprentices. All repealed	1929	565	1197
		Columbia county:			
1862	195	Election of county superintendents of poor. All repealed	1929	565	1195
1885	275	Superintendent of poor. All repealed	1929	565	1196

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931 — (*Continued*).

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Cornell university:			
1929	457	Trapnesting of poultry; title, §§ 1–3	1930	275	656
		Cortland county:			
1904	132	Support and maintenance of inmates of hospital of Cortland Hospital Association. All repealed	1929	565	1196
		Crime commission:			
1926	460	Appointment, § 2	1929	568	1199
1926	460	Appointment, § 2	1930	688	1259
1926	460	Appointment, § 2	1931	45	350
		Decedents' estates:			
1927	519	Commission to investigate defects in law, § 5	1929	44	43
1927	519	Commission to investigate defects in law, § 5	1930	36	51
1927	519	Commission to investigate defects in law, § 5	1931	32	320
1929	229	Act relative to decedent estate law; §§ 20, 21 amended	1930	174	520
		Delaware county:			
1901	461	Sheriff's office, §§ 1, 2, 3, 7	1930	225	583
		De Veaux College for Orphans:			
1853	243	Charter, § 1	1931	256	641
		Dobbs Ferry:			
1898	290	Grant of land under water, § 1	1930	797	1441
		Domestic relations law amendments:			
1923	306	Apprentices. All repealed	1929	565	1197
1923	706	Children. All repealed	1929	565	1197
		Dunkirk:			
1909	538	Charter, §§ 170–172	1929	100	320
1909	538	Charter, art. 19 (§§ 200–231)	1930	368	774
		Dutchess county:			
1778	38	Care of poor. All repealed	1929	565	1193
1845	155	Restoring distinction between town and county poor. All repealed	1929	565	1194
1850	168	Certain pauper expenses town charges. All repealed	1929	565	1194
1856	170	Support of poor and sale of poorhouse and farms. All repealed	1929	565	1194
		East Chester town:			
1883	260	Election of overseer of poor. All repealed	1929	565	1196
		Elmira:			
1906	477	Charter, § 32, subd. h	1931	115	449
1928	392	Improvement of East and West Gray streets. All repealed	1929	18	22
		Erie canal:			
1929	479	Claims of laborers, § 1	1930	701	1276
1929	479	Claims of laborers, § 1, amended, § 2, added	1930	736	1333

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931 — (*Continued*).

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Erie county:			
1867	461	Poor department. All repealed	1929	565	1195
1876	231	Supervisors, § 1	1930	621	1128
1878	339	City and county hall in Buffalo. All repealed	1929	175	431
1880	31	City and county hall in Buffalo. All repealed	1929	175	431
1884	135	Collection of taxes, § 16	1931	156	490
1884	135	Collection of taxes, § 32a	1929	539	1108
1884	135	Collection of taxes, § 32a	1931	255	640
1884	135	Collection of taxes, § 32d	1931	155	489
1896	461	Commitment of poor persons to almshouse. All repealed.	1929	565	1196
1919	304	Board of equalization, § 1	1929	540	1109
		Essex county:			
1845	155	Restoring distinction between town and county poor. All repealed	1929	565	1194
1886	20	Superintendent of poor to be keeper of poorhouse. All repealed	1929	565	1196
1929	420	Highway from Wilmington to Whiteface mountain, § 7	1930	810	1484
1929	420	Highway from Wilmington to Whiteface mountain, § 7	1931	64	385
		Evangelical Lutheran Church:			
1925	584	Consolidation of certain corporations, §§ 6, 7	1929	3	3
		Firemen's Benevolent Association of Buffalo:			
1869	159	Trustees, §§ 3, 5	1929	129	354
		Fishkill town:			
1857	89	Support of poor. All repealed	1929	565	1194
1882	186	For better support of poor. All repealed	1929	565	1196
1890	22	Support of poor. All repealed	1929	565	1196
1915	329	Salary of commissioner of poor. All repealed	1929	565	1196
		Fort Plain Cemetery Association:			
1889	163	Relative and surplus funds, §§ 1, 3	1930	125	457
		Fredonia:			
1894	480	Charter, art. 6, § 1	1929	25	28
		Fulton county:			
1867	724	Support of certain poor. All repealed	1929	565	1195
1886	155	Care and support of poor. All repealed	1929	565	1196
1898	138	Support of poor. All repealed	1929	565	1196
1904	751	Support of poor. All repealed	1929	565	1196
		Genesee county:			
1839	121	Reviving distinction between town and county poor. All repealed	1929	565	1194
1860	22	Superintendent of poor. All repealed	1929	565	1194
1860	298	Insane asylum connected with poorhouse. All repealed	1929	565	1194
1862	101	Support and custody of indigent insane. All repealed	1929	565	1195
1863	161	Support and custody of indigent insane. All repealed	1929	565	1195
1877	142	Support of indigent insane. All repealed	1929	565	1195

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Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Geneva:			
1897	360	Charter, § 107	1930	98	412
		Geneva Agricultural Experiment Station:			
1930	82	Appropriation, § 6	1931	602	1402
		George Washington:			
1928	615	Commission; celebration of 200th anniversary of birth, § 1	1931	604	1403
1928	615	Commission; celebration of two hundredth anniversary of birth, § 2	1929	252	649
1928	615	Commission; celebration of 200th anniversary of birth, §§ 2, 3	1930	591	1092
		German Flats:			
1878	72	Relief of poor. All repealed	1930	629	1141
		Glen Cove:			
1917	787	Charter, § 61	1930	256	624
		Gloversville:			
1899	275	Charter, §§ 77, 191	1929	191	450
1899	275	Charter, § 191	1930	172	513
1899	275	Charter, § 193	1929	9	11
1928	463	Charter, §§ 5, 6, amended; § 7 repealed, new § 7 added	1931	113	446
		Goshen town:			
1881	494	Election and compensation of overseer of poor. All repealed	1929	565	1195
1891	35	Overseer of poor. All repealed	1929	565	1196
		Grade crossing elimination act:			
1928	632	Outside jurisdiction of transit commission; creation of state debt, § 3a, added	1930	279	660
1928	678	Outside cities of New York, Buffalo and Syracuse, § 2, subd. 7	1929	645	1514
1928	678	Outside cities of New York, Buffalo and Syracuse, § 2, subd. 7	1930	680	1248
1928	678	Outside cities of New York, Buffalo and Syracuse, § 3	1929	461	989
1928	678	Outside cities of New York, Buffalo and Syracuse, § 4, subd. 2, amended; § 4, subd. 4, added; § 5, subd. 1, amended	1929	645	1514
1928	678	Outside cities of New York, Buffalo and Syracuse, § 5, subds. 3a, 3b, added	1929	647	1518
1928	678	Outside cities of New York, Buffalo and Syracuse, § 5, subd. 16, added	1929	645	1514
1928	678	Outside cities of New York, Buffalo and Syracuse, § 5, subd. 17, added	1929	657	1574
1928	678	Outside cities of New York, Buffalo and Syracuse, § 5, subd. 18, added	1931	711	1553
1928	678	Outside cities of New York, Buffalo and Syracuse, § 10	1929	645	1514
		Green Island:			
1871	637	Police commissioners, § 15	1929	47	45
1922	57	Street improvement, § 16	1929	46	44

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Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Greene county:			
1827	99	Temporary relief for poor, § 2, repealed	1929	565	1193
		Hamilton:			
1929	413	Health and sanitary conditions, § 1	1930	801	1446
		Hamilton college:			
1888	128	Trustees; investment of funds. All repealed	1929	27	29
		Haverstraw town:			
1879	74	Relief of poor. All repealed	1929	565	1195
1918	371	Salary of overseer of poor. All repealed	1929	565	1197
		Heckscher Foundation for Children:			
1921	73	Charter, § 1	1929	55	109
		Hempstead town:			
1924	535	Union free school district number twenty-eight, §§ 1, 6	1931	571	1379
1924	535	Union free school district number twenty-eight; §§ 14, 15, 18	1930	62	91
1928	512	Hempstead development commission, § 15	1929	612	1424
		Henderson town:			
1880	589	Exempting from provisions of act relative to poor of Jefferson county. All repealed	1929	565	1195
		Henry Keep Home:			
1879	77	Charter, § 1	1929	111	336
		Herkimer county:			
1780	68	Maintenance of poor. All repealed	1929	565	1193
1843	208	Restoring distinction between town and county poor. All repealed	1929	565	1194
1850	29	Support of poor. All repealed	1929	565	1194
1859	394	Poor laws. All repealed	1929	565	1194
1861	27	Support of poor. All repealed	1929	565	1194
1885	165	Support of poor. All repealed	1929	565	1196
1903	319	Office of sheriff, § 6	1930	33	49
1903	319	Office of sheriff, § 6	1931	221	573
1908	496	Purchasing agent. All repealed	1931	44	349
		Herkimer town:			
1883	181	Relief of poor. All repealed	1929	565	1196
1895	414	Relief of poor (*See foot note, L. 1929, p. 1196.*)	1929	565	1196
1920	143	Compensation of poor officers. All repealed	1929	565	1197
		Holland tunnel:			
1930	421	Port of New York Authority as agent, declared ineffective	1931	47	356
		Homeopathic Medical College:			
1860	329	Charter, §§ 2, 4	1929	628	1487
		Hornell:			
1906	288	Charter, §§ 186, 187, added	1929	679	1613

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Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Horseheads:			
1930	32	Contract for water, § 1	1931	248	631
		Hudson:			
1921	669	Charter, §§ 10, 107	1931	486	1166
		Hudson river bridge:			
1920	907	Troy–Cohoes, § 8 repealed; new § 8 added	1930	310	700
1929	402	Troy–Watervliet bridge; title, §§ 1–3, 7, 8, 10, amended, 11a, added	1930	382	804
		Huntington town:			
1872	492	Board of trustees, § 2	1929	101	323
1928	445	Transfer of jurisdiction of lands	1931	49	363
		International Order of The King's Daughters and Sons:			
1910	87	General administration, §§ 2, 3 repealed; new § 2 added	1931	84	408
		Islip town:			
1857	503	Lands ceded by state, § 3	1929	83	140
1929	206	Exchange of lands, § 2, 6	1930	535	1018
		Ithaca:			
1908	503	Charter, § 2	1930	74	105
		Jamestown:			
1923	666	City court act, § 3	1929	32	34
		Jefferson county:			
1844	163	Restoring distinction between town and county poor. All repealed	1929	565	1194
1852	242	Support of the poor. All repealed (*See foot note, L. 1929, p. 1194.*)	1929	565	1194
1866	195	Support of the poor. All repealed	1929	565	1195
1873	817	Support of poor. Part repealed	1929	565	1195
1888	24	Support of poor. All repealed	1929	565	1196
1893	90	Support of poor. All repealed	1929	565	1196
		Jewish Institute of Religion:			
1923	451	Charter, § 3	1930	380	802
		Johnstown:			
1905	593	Charter, § 192	1929	613	1425
1905	593	Charter, § 255, added	1931	53	367
1905	593	Charter, art. 13 (§§ 280–296), repealed; new art. 13, (§§ 270–299, 299a–299l), added	1929	613	1425
		Kings county:			
1894	365	Indexing conveyances, mortgages, etc., § 8a, added	1929	680	1614
1901	705	Sheriff, § 2	1929	313	769
1901	705	Sheriff, § 2	1930	650	1157
1904	171	Commissioner of records, § 4, 8	1930	509	985
1913	771	Grade crossing alterations, § 1	1930	627	1134

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Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Kingston:			
1896	747	Charter, § 55	1930	180	526
		Kingston town:			
1879	41	Relief of poor. All repealed	1929	565	1195
1879	343	Relief of poor. All repealed	1929	565	1195
1882	25	Relief of poor. All repealed	1929	565	1196
		Lake Champlain-Dannemora prison railroad:			
1878	148	Authorizing construction and maintenance, § 5a added	1931	517	1280
		Le Roy:			
1911	499	Charter, § 82	1931	9	10
		Lewis county:			
1842	81	Restoration of distinction between town and county poor. All repealed	1929	565	1194
1845	7	Support of town poor. All repealed	1929	565	1194
		Livingston county:			
1829	50	Appointment of superintendents of poor, § 2, repealed	1929	565	1193
1861	79	Superintendent of poor to be keeper of poorhouse. All repealed	1929	565	1194
		Long Beach:			
1922	635	Charter, § 198 amended; § 205a added; §§ 213, 228, 238 amended	1931	345	777
		Long Island Lighting Company:			
1930	303	Grant to relocate power line, title, § 1	1931	492	1188
		Lutheran Church: See *Evangelical Lutheran Church.*			
		Madison county:			
1821	39	Relative to poor. All repealed	1929	565	1193
		Manhattan Company:			
1903	292	Powers, repealed	1931	396	849
1927	550	Powers, repealed	1931	396	849
		Mechanicville:			
1915	170	Charter, title six. (§§ 98-102), repealed	1930	805	1472
		Methodist Episcopal Church:			
1873	197	Northern New York Conference, § 4	1931	61	380
		Milton town:			
1872	874	Union free school district number one, § 1b added	1930	564	1051
		Monroe county:			
1859	323	Powers and duties of superintendent of poor. All repealed	1929	565	1194
1860	183	Overseer of poor. All repealed	1929	565	1194
1884	107	Collection of taxes, § 24	1931	171	509
1902	490	Sheriff, title, §§ 1-3, amended; § 9, repealed; § 10, amended	1931	670	1480

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		Montgomery:			
1901	41	Charter, § 49, subds. 3, 5	1929	51	48
		Montgomery county:			
1839	266	Justices of the peace and overseers of the poor. All repealed	1929	565	1194
1900	10	Superintendent of poor; powers. All repealed	1929	565	1196
		Moriah town:			
1915	202	Appointment of commissioner of charities. All repealed	1929	565	1196
		Mount Vernon:			
1922	490	Charter, §§ 174, 175, 182, 185, 193, 193, 205, 206, 214–17 amended; §§ 185a, 187a, 195a, added	1930	750	1347
1922	490	Charter, § 201	1931	498	1204
1922	490	Charter, § 205a, added	1930	750	1347
		Musical Mutual Corporation:			
1864	168	Charter, §§ 1–4, 6	1930	563	1048
		Nassau county:			
1916	541	Collection of taxes, § 53	1930	158	497
1916	541	Collection of taxes, § 81	1930	848	1577
1922	528	Indexing deeds, mortgages and other instruments, §§ 1, 14	1929	586	1240
1922	528	Indexing and re-indexing conveyances, etc., repealed	1930	210	566
1927	190	Highway improvement act, title; arts. 1–3	1929	587	1241
1925	451	County police; § 5	1930	63	93
1925	451	County police, § 26 repealed; new § 26 added	1930	70	99
1920	190	Highway improvement act, title and heading	1931	172	509
1927	190	Highway improvement act, §§ 1–3	1931	172	510
1927	190	Highway improvement act, § 6	1931	544	1322
1927	190	Highway improvement act, § 7a, added	1930	253	622
1927	190	Highway improvement act, § 8	1931	544	1322
1927	190	Highway improvement act, § 9	1930	336	937
1927	190	Highway improvement act, §§ 10, 13	1931	544	1322
1927	190	Highway improvement act, §§ 16, 17	1930	336	937
1927	190	Highway improvement act, §§ 16, 17	1931	544	1322
1927	190	Highway improvement act, §§ 22, 24, 25	1930	336	937
1927	190	Highway improvement act, §§ 29, 31, 42, 46, 47	1931	172	509
1927	190	Highway improvement act, § 49	1931	544	1322
1927	190	Highway improvement act, §§ 67, 68	1931	172	509
1927	190	Highway improvement act, §§ 70–72	1931	544	1322
		Newburgh:			
1917	590	Charter, § 85, added; § 97, amended	1929	73	128
1917	590	Charter, § 130	1930	29	45
		New Paltz town:			
1891	54	State normal school and school district, no. 1, §§ 2–6, repealed; § 2a, added	1929	585	1239
		New Rochelle:			
1910	559	Charter, § 122	1930	430	906
1927	531	Charter, art. 34 (§§ 460–610), repealed	1931	499	1249
1929	....	Local laws — city court, art. 23, repealed	1931	499	1249

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		New York Academy of Medicine:			
1877	375	Powers and privileges, § 1	1930	516	997
		New York and New Jersey Tunnel: See *Tunnel under Hudson river.*			
		New York Board of Fire Underwriters:			
1867	846	Charter, amended generally	1930	241	603
		New York city:			
1882	410	Consolidation act, § 1991	1929	447	974
1882	410	Consolidation act, § 1995	1929	567	1198
1890	523	Office of sheriff, § 1	1931	563	1366
1891	4	Rapid transit act, § 32	1931	682	1501
1891	4	Rapid transit act, § 39, subd. 2	1929	445	972
1891	4	Rapid transit act, § 47b, added	1931	548	1335
1901	466	Charter, § 73, amended; § 73a, added	1929	435	961
1901	466	Charter, § 169, subd. 9	1929	441	967
1901	466	Charter, § 169, subd. 9	1930	565	1052
1901	466	Charter, § 182	1931	238	617
1901	466	Charter, § 188, subd. 8	1931	284	693
1901	466	Charter, § 198	1931	319	737
1901	466	Charter, § 205b	1930	518	998
1901	466	Charter, § 205e, added	1931	263	649
1901	466	Charter, §§ 206, 208	1931	545	1328
1901	466	Charter, § 222, repealed	1931	8	10
1901	466	Charter, § 419a, added	1929	433	953
1901	466	Charter, § 472a, added	1929	452	981
1901	466	Charter, § 602	1929	432	952
1901	466	Charter, §§ 808, subd. 2, ¶ (c); 808, subd. 3, ¶ (c)	1929	391	897
1901	466	Charter, § 808, subds. 2, 3	1930	566	1054
1901	466	Charter, § 808, subd. 3	1931	259	645
1901	466	Charter, § 809, subd. 2; 809, subd. 3, ¶ (b); 809, subd. 4, ¶ (b); 810, subd. 2, ¶ (c); 810, subd. 3, ¶ (c); 811, subd. 2, ¶ (c); 811, subd. 3, ¶ (c); 812, subd. 2, ¶ (c); 812, subd. 3, ¶ (c)	1929	391	897
1901	466	Charter, §§ 934, 936	1929	69	125
1901	466	Charter, § 936	1930	399	869
1901	466	Charter, § 970d, added	1931	403	853
1901	466	Charter, § 1091a, added	1931	549	1336
1901	466	Charter, §§ 1092, subd. B; 1092, subd. C, ¶ f 3	1929	514	1036
1901	466	Charter, § 1092, subd. E, ¶ s, 2, 3	1930	435	915
1901	466	Charter, § 1092, subd. F, ¶ 5, subd. 3, ¶ (d), added	1929	444	971
1901	466	Charter, § 1092, subd. H	1930	658	1171
1901	466	Charter, § 1092, definition (18a), added	1931	760	1622
1901	466	Charter, § 1092, subd. H	1931	260	646
1901	466	Charter, § 1092, subd. J, ¶ 3, added	1929	440	967
1901	466	Charter, § 1092, subd. M, ¶ 1, subparagraph (b)	1931	261	647
1901	466	Charter, § 1092, subd. N1, added	1929	513	1034
1901	466	Charter, § 1092, subds. O, Q	1929	514	1036
1901	466	Charter, § 1146, subd. L-1, added	1930	127	458
1901	466	Charter, § 1146a, added	1929	222	491

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		New York city—(*Continued*).			
1901	466	Charter, § 1373	1929	235	525
1901	466	Charter, § 1700, subd. 3	1930	660	1174
1901	466	Charter, § 1703	1929	415	923
1901	466	Charter, § 1703	1930	862	1610
1901	466	Charter, § 1703a	1929	439	966
1901	466	Charter, § 1703a	1930	753	1357
1901	466	Charter, § 1703a	1931	258	644
1901	466	Charter, § 1703b, added	1930	354	758
1901	466	Charter, § 1703b, added	1930	657	1170
1901	466	Charter, § 1709	1931	546	1331
1901	466	Charter, § 1709, subd. (6), added	1930	655	1168
1901	466	Charter, § 1710, subd. (3)	1929	443	970
1901	466	Charter, § 1710, subd. (3)	1930	656	1169
1901	466	Charter, § 1710, subd. 3	1931	564	1367
1901	466	Charter, § 1711	1929	574	1213
1901	466	Charter, § 1711	1930	659	1172
1901	466	Charter, § 1713	1930	751	1356
1901	466	Charter, § 1716, subd. (3)	1929	453	982
1901	466	Charter, § 1716, subd. 3	1930	752	1356
1901	466	Charter, § 1717	1929	234	525
1901	466	Charter, § 1717	1930	720	1320
1910	659	Inferior criminal courts act, § 31, subd. 3, repealed	1929	434	954
1910	659	Inferior criminal courts act, art. 3a (§§ 34a–34q), added	1931	407	862
1910	659	Inferior criminal courts act, art. 3b (§§ 35, 35a–35t) added	1929	434	954
1910	659	Inferior criminal courts act, titles 3a, 3b changed to 3b, 3c	1931	407	866
1910	659	Inferior criminal courts act, art. 3b (§§ 35, 35a-35t), repealed; new art. 3b (§ 35, 35a–35s), added	1930	434	908
1910	659	Inferior criminal courts act, § 51	1931	547	1332
1910	659	Inferior criminal courts act, § 55a	1929	584	1238
1910	659	Inferior criminal courts act, § 59	1931	547	1334
1910	659	Inferior criminal courts act, § 70	1931	547	1334
1910	659	Inferior criminal courts act, § 74, subd. d	1931	407	866
1910	659	Inferior criminal courts, § 87a, added	1931	448	1045
1910	659	Inferior criminal courts act, § 94, repealed	1931	407	866
1910	659	Inferior criminal courts act, § 95a	1931	547	1334
1910	659	Inferior criminal courts act, § 103	1930	568	1056
1911	776	Water front facilities, § 5	1930	567	1055
1911	846	Retirement municipal court justices, § 1	1931	417	1009
1911	846	Retirement of justices, § 1	1931	550	1337
1915	279	Municipal court code, § 1	1930	651	1159
1915	279	Municipal court code, § 2	1929	450	979
1915	279	Municipal court code, § 4a, added	1929	430	951
1915	279	Municipal court code, § 5, subd. b, ¶ s, 3, 4, 6, 7, 9 amended; ¶ 10, added	1930	651	1159
1915	279	Municipal court code, § 5, subd. c	1929	448	975
1915	279	Municipal court code, § 5, subd. d	1931	770	1643
1915	279	Municipal court code, § 7, subd. 10, added	1929	138	365
1915	279	Municipal court code, § 17, subd. 1	1930	116	447
1915	279	Municipal court code, § 21	1931	642	1436
1915	279	Municipal court code, § 48	1931	576	1386

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		New York city— (*Continued*).			
1915	279	Municipal court code, § 87	1929	554	1137
1915	279	Municipal court code, § 92a, added	1931	463	1077
1915	279	Municipal court code, § 129, subd. 2	1930	331	726
1915	279	Municipal court code, § 145	1930	613	1119
1915	279	Municipal court code, § 145	1930	652	1162
1915	279	Municipal court code, § 152	1929	137	364
1915	279	Municipal court code, § 154, subd. 8, repealed	1931	575	1385
1915	279	Municipal court code, § 156	1931	650	1446
1915	279	Municipal court code, § 159, subd. 1	1931	388	839
1915	279	Municipal court code, § 164, subd. 3a, added	1930	432	907
1915	279	Municipal court code, § 164, subd. 4	1931	173	515
1915	279	Municipal court code, § 174	1929	167	409
1918	506	Acquisition of lands under water in Atlantic ocean, § 2a, added	1930	682	1251
1923	630	Protection of water supply, § 4	1931	408	867
1926	539	City court act, § 16a, added	1930	514	994
1926	539	City court act, § 18a, added	1930	146	486
1926	539	City court act, § 28	1930	433	907
1927	306	Dedication to state of lands and rights of way in Nassau county, § 1	1929	205	468
1928	677	Grade crossing elimination, § 2, subd. 7	1929	681	1616
1928	677	Grade crossing elimination, § 3	1929	431	952
1928	677	Grade crossing elimination, § 3	1930	341	745
1928	677	Grade crossing elimination, § 3a, added	1930	517	998
1928	677	Grade crossing elimination, § 4, subd. 2, amended; § 4, subd. 4, added	1929	681	1616
1928	677	Grade crossing elimination, § 5, subd. 11, added	1930	519	999
1928	677	Grade crossing elimination, § 6, subd. 1	1929	681	1616
1928	677	Grade crossing elimination, § 6, subds. 3a-b, added	1930	338	742
1928	677	Grade crossing elimination, § 6, subd. 17, added; § 11, amended	1929	681	1616
1929	379	Release of portion of Ward's Island, § 2	1930	437	916
1930	654	Release to city of lands under water, § 2	1931	556	1346
		New York Cotton Exchange:			
1871	365	Charter, § 3	1929	436	964
		New York county:			
1890	523	Office of sheriff, § 1	1931	563	1366
1913	771	Grade crossing alterations, § 1	1930	627	1134
1921	163	Surrogate's court, § 1, subd. 14, amended; subds. 14a, 19, added	1929	366	855
		New York Zoological Society:			
1895	435	Charter, §§ 3, 4, 7	1930	19	33
		Niagara county:			
1876	397	Legalizing action of supervisors relative to compensation of superintendent of poor and conferring further powers on board, § 2, repealed	1929	565	1195
1894	160	Office of sheriff, § 7	1931	116	450

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		Niagara Falls:			
1916	530	Charter, §§ 263–265	1931	513	1269
		Niagara frontier bridge district and commission:			
1929	594	Creation, title	1931	380	816
1929	594	Creation, § 1	1930	827	1509
1929	594	Creation, § 1	1931	380	817
1929	594	Creation, § 2	1930	827	1509
1929	594	Creation, § 3	1931	380	817
1929	594	Creation, § 4	1930	827	1509
1929	594	Creation, § 4	1931	380	818
1929	594	Creation, § 5	1930	827	1509
1929	594	Creation, § 7	1931	380	819
1929	594	Creation, §§ 9–11	1930	827	1509
1929	594	Creation, § 14	1931	380	819
1929	594	Creation, §§ 15, 19	1930	827	1509
1929	594	Creation, §§ 22, 23	1931	380	819
1929	594	Creation, §§ 23a–23d, added	1930	827	1509
1929	594	Creation, § 23a	1931	380	820
		North Elba town:			
1928	477	Establishment of Park district, §§ 7–9, added	1930	513	992
1929	23	Third Olympic winter games; bobsleigh run. All repealed	1930	677	1209
		Olympic winter games:			
1931	21	Appropriation, part three	1931	218	571
		Oneida:			
1911	648	Charter, § 82k, repealed; § 82k, added	1930	355	758
		Oneida county:			
1845	155	Restoring distinction between town and county poor. All repealed	1929	565	1194
1858	217	Poor laws. All repealed	1929	565	1194
1920	362	Board of supervisors, § 3	1931	501	1250
1921	646	Department of charities, title, amended; §§ 1–3 amended	1930	586	1076
1921	646	Department of charities, §§ 3, 4	1931	404	857
		Ontario County Agricultural Society:			
1873	607	Sale of real estate, § 1	1931	86	409
		Oneonta:			
1908	454	Charter, § 181a, added	1929	110	335
		Onondaga county:			
1846	173	Election of superintendents of the poor and other officers. Part repealed	1929	565	1194
1852	231	Support of poor and purchase of supplies. All repealed	1929	565	1194
		Ontario county:			
1861	234	Number of overseers of poor. All repealed	1929	565	1194
1866	568	Superintendents of poor. All repealed	1929	565	1195

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		Orange county:			
1780	68	Maintenance of poor. All repealed	1929	565	1193
		Orangetown town:			
1885	294	Election of overseer of poor. All repealed	1929	565	1196
		Orleans county:			
1851	540	Superintendent and overseers of poor. All repealed	1929	565	1194
1854	189	Keeper of poorhouse. All repealed	1929	565	1194
1929	249	Taxes for drainage in towns, § 1	1930	296	686
		Ossining:			
1887	177	Water supply, § 4b, added (*See foot note, L. 1929, p. 1456.*)	1929	619	1456
1910	667	Charter, § 1	1930	48	63
1910	667	Charter, § 3	1929	577	1229
1910	667	Charter, § 3	1930	47	61
1910	667	Charter, § 31, subd. 1	1930	147	486
1910	667	Charter, §§ 37, 38	1930	51	74
1910	667	Charter, § 151	1930	149	488
1910	667	Charter, § 151a	1930	50	74
1910	667	Charter, § 204	1930	148	487
		Oswego:			
1895	394	Charter, § 393, subds. 2, 7, 8; §§ 400, 401, amended; § 408a, added	1931	519	1281
1895	394	Charter, repealed in part	1931	519	1283
		Oswego canal:			
1929	479	Claims of laborers, § 1	1930	701	1276
1929	479	Claims of laborers, § 1, amended, § 2, added	1930	736	1333
		Oswego county:			
1861	237	Number of superintendents of poor. All repealed	1929	565	1194
1864	61	Prohibiting superintendents of poor from auditing own accounts. All repealed	1929	565	1195
		Otsego county:			
1844	163	Restoring distinction between town and county poor. All repealed	1929	565	1194
1877	59	Superintendent of poor to be keeper of poorhouse. All repealed	1929	565	1195
		Palisades Interstate park:			
1927	385	Exchange of certain lands. All amended	1929	556	1138
		Palmyra town:			
1857	296	Consolidated school district, no. 1. All repealed	1929	115	339
		Park districts, certain towns:			
1924	574	Creation, §§ 1f, 2a, added	1929	107	332

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Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Peekskill:			
1883	117	Charter, title 5, § 3, subd. 4a, added	1931	209	561
1883	117	Charter, title 5, § 3, subd. 32a, added	1930	610	1117
1883	117	Charter, title 7, § 2, subd. 3	1931	314	732
1883	117	Charter, title 9, § 2	1929	590	1272
1883	117	Charter, title 9, § 2	1930	128	460
		Penal law amendments:			
1923	306	Apprentices. All repealed	1929	565	1197
		Pensions:			
1921	568	State employees' retirement system, § 1	1930	143	478
		Pilgrim State Hospital:			
1930	303	Grant to Long Island Lighting Company, title, § 1	1931	492	1188
		Plattsburg:			
1902	269	Charter, § 2	1930	371	789
1902	269	Charter, § 39	1930	537	1020
1902	269	Charter, § 174	1929	558	1141
		Poor:			
1832	292	Appointment of county superintendents of poor. All repealed	1929	565	1193
1835	299	Vacancies in office of superintendents of the poor; how filled. All repealed	1929	565	1193
		Poor law amendments:			
1909	347	Poor children. All repealed	1929	565	1196
1909	380	Method of raising moneys in cities. All repealed	1929	565	1196
1909	429	Estimating sums to be raised by taxation. All repealed	1929	565	1196
1910	102	Relief of soldiers, sailors and their families. All repealed	1929	565	1196
1912	75	Handling of county moneys by superintendents of poor. All repealed	1929	565	1196
1912	306	Burial of destitute widows of soldiers and sailors. All repealed	1929	565	1196
1912	309	Hospital treatment for indigent persons. All repealed	1929	565	1196
1913	251	Almshouse construction and administration. All repealed	1929	565	1196
1913	594	Relief of soldiers, sailors and their families. All repealed	1929	565	1196
1913	595	Relief for women nurses of certain wars. All repealed	1929	565	1196
1914	135	Burial of soldiers, sailors or marines and erection of headstones. All repealed	1929	565	1196
1915	120	Relief of soldiers, sailors and marines, and their families. All repealed	1929	565	1196
1915	147	Erection of headstones at graves of soldiers, sailors and marines or their wives or widows. All repealed	1929	565	1196
1915	445	Burial of soldiers, sailors and marines. All repealed	1929	565	1196
1915	563	Relief of soldiers, sailors and their families. All repealed	1929	565	1196
1916	175	Return of poor persons to county, city or town legally chargeable for their support. All repealed	1929	565	1196
1916	203	Prosecutions of actions by county superintendents of poor. All repealed	1929	565	1196
1916	205	Removal of mothers of bastards. All repealed	1929	565	1196

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931 — (*Continued*).

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Poor law amendments — (*Continued*).			
1916	275	Powers of county superintendents of poor. All repealed.	1929	565	1197
1916	379	Relief of children. All repealed	1929	565	1197
1916	483	Hospital accommodations for indigent persons. All repealed	1929	565	1197
1916	532	Relief of soldiers, sailors and their families. All repealed.	1929	565	1197
1917	129	Payment to chairman of veterans' relief committee for services. All repealed	1929	565	1197
1917	512	Burial of deceased poor persons. All repealed	1929	565	1197
1917	570	Time of superintendents' reports to state board of charities. All repealed	1929	565	1197
1919	110	Burial of soldiers, sailors or marines. All repealed	1929	565	1197
1919	188	Erection of headstones at graves of soldiers, sailors and marines, or of their wives or widows. All repealed	1929	565	1197
1920	199	Price of headstones for soldiers' graves. All repealed	1929	565	1197
1920	803	Relief of persons formerly in the military or naval service. All repealed	1929	565	1197
1921	248	Care of indigent sick persons. All repealed	1929	565	1197
1921	522	Price of headstones for soldiers' graves. All repealed	1929	565	1197
1923	306	Apprentices. All repealed	1929	565	1197
1923	381	Reports by and to state board of charities. All repealed.	1929	565	1197
1923	484	Burials of soldiers, sailors or marines and their families. All repealed	1929	565	1197
1923	507	Expenses of county employees in attending state conventions of county superintendents of the poor. All repealed.	1929	565	1197
1923	706	Children. All repealed	1929	565	1197
1924	109	Tubercular poor. All repealed	1929	565	1197
1924	471	Applying property of absconding persons to support of families. All repealed	1929	565	1197
1924	472	Medical care of children under sixteen. All repealed	1929	565	1197
1924	578	Organizations of veterans authorized to dispense relief. All repealed	1929	565	1197
1925	558	Compromise with the father of child born out of wedlock. All repealed	1929	565	1197
1926	450	Organizations of veterans authorized to dispense relief. All repealed	1929	565	1197
1927	316	Financial records in office of county superintendents of poor. All repealed	1929	565	1197
1927	534	Organizations of veterans authorized to dispense relief. All repealed	1929	565	1197
1928	271	Organizations of veterans authorized to dispense relief. All repealed	1929	565	1197
		Port Chester:			
1868	818	Charter, title. 3, § 1, subd. 37, added	1929	591	1273
1922	277	Streets and highways, § 1	1931	43	348
		Port of New York Authority:			
1921	154	Compact with New Jersey, arts. 4, 16	1930	419	892
		Poughkeepsie:			
1896	425	Charter, § 114	1930	588	1079
1902	35	City court, creation; §§ 5a-d, added	1930	100	414
1907	643	Police pension fund, § 3a, added	1929	192	452

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931 — *(Continued)*.

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Poughkeepsie Fire Department:			
1866	239	Charter, §§ 1, 2, 7	1930	225	582
		Presbyterian Church in United States:			
1917	495	General board of education, § 5, repealed; new § 5, added	1929	223	492
		Prison commission:			
1930	825	Creation, § 1a, added; § 4, amended	1931	20	26
		Protestant Episcopal Church:			
1870	13	Board of missions; diocese of Albany, § 3	1931	149	483
		Public administrator:			
1900	501	Appointment in certain counties, §§ 1–4, amended; §§ 5, 6, added	1931	552	1340
		Public improvement districts:			
1928	516	Certain towns, §§ 1, 3–4	1929	641	1505
1928	516	Certain towns, §§ 4a–c, added	1930	86	381
1928	516	Certain towns, § 5	1929	641	1505
1928	516	Certain towns, § 5a, added	1930	86	381
1928	516	Certain towns, § 15, amended	1929	641	1505
1928	516	Establishment, § 16a, added	1931	245	627
1928	516	Certain towns, § 19, added	1929	641	1505
1928	516	Certain towns, §§ 20, 21, added	1930	86	381
		Putnam county:			
1856	118	Employment of keeper of poorhouse. All repealed	1929	565	1194
1927	151	Board of improvement commissioners, title, § 8	1929	707	1657
		Queens county:			
1913	771	Grade crossing alterations, § 1	1930	627	1134
		Reforestation commission:			
1928	241	Creation, § 1	1930	88	388
1928	241	Creation, § 4	1929	57	111
1928	241	Creation, § 4	1930	88	388
1928	241	Creation, § 4	1931	96	424
		Rensselaer county:			
1840	45	Superintendents of House of Industry. All repealed	1929	565	1194
1860	344	Support of poor. All repealed	1929	565	1194
1862	216	Support of poor. All repealed	1929	565	1195
1863	486	Support of poor. All repealed	1929	565	1195
1901	124	Proceedings of board of supervisors, § 5a, added	1930	132	465
1901	124	Proceedings of board of supervisors, § 6	1929	40	39
1901	124	Proceedings of board of supervisors, § 6	1930	132	465
1903	636	Support of poor. All repealed	1929	565	1196
		Rhinebeck town:			
1876	33	Compensation of overseer of poor. All repealed	1929	565	1195

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931 — (*Continued*).

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Richfield Springs:			
1884	509	Charter, title. 6, § 44	1929	71	126
		Richmond county:			
1899	486	Public administrator, §§ 1, 2 amended; § 3, added	1931	555	1344
1913	771	Grade crossing alterations, § 1	1930	627	1134
		Rochester:			
1860	183	Overseer of poor. All repealed	1929	565	1194
1907	755	Charter, § § 466; 475, subd. (b); 489, subds. (c), (k); 491, subd. (c); 493; 502; 505; 509; 510, subd. 2; 519; 534	1931	413	888
		Rockland county:			
1901	37	Support and maintenance of Nyack hospital, § 1	1931	242	624
		Roman Catholic Orphan Asylum in city of Brooklyn:			
1834	303	Charter, § 6	1929	640	1504
		Roosevelt memorials:			
1924	615	Construction. All amended	1929	659	1589
1924	615	Construction, §§ 1, 5, 7	1930	265	639
		Rural post roads:			
1931	30	Appropriation	1931	436	1033
		Rye town:			
1909	245	Authorizing appropriation for Ladies' Hospital Association of Port Chester. All repealed	1929	565	1196
		St. Lawrence power development:			
1930	207	Commission, §§ 6–9, repealed	1931	772	1657
		Saratoga county:			
1827	1	Superintendents of county poorhouse. All repealed	1929	565	1193
1843	208	Restoring distinction between town and county poor. All repealed	1929	565	1194
		Saratoga Springs:			
1916	229	Charter, § 8a, added	1931	118	452
		Saratoga Springs town:			
1865	53	Temporary relief of poor. All repealed	1929	565	1195
		Schenectady:			
1907	756	Charter, art. 3 repealed; new art. 3 (§§ 34–56) added	1931	411	874
1907	756	Bond issue, § 102 repealed	1930	259	628

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IV. CHANGES IN LAWS OTHER THAN THE CONSOLIDATED LAWS, CODE OF CRIMINAL PROCEDURE AND PRACTICE ACTS, 1929–1931 — (*Continued*).

Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Schenectady county:			
1845	264	Appointment of superintendents of poor. All repealed	1929	565	1194
1854	257	Support of poor. All repealed	1929	565	1194
1879	197	Duties of superintendent of poor. All repealed	1929	565	1195
		Schenectady-Scotia toll bridge:			
1930	410	Span across Erie canal, § 1	1931	90	412
		Seneca county:			
1858	96	Election of overseers of poor. All repealed	1929	565	1195
1868	145	Expenditures for poor. All repealed	1929	565	1195
1878	12	Expenditures for poor purposes. All repealed	1929	556	1196
1886	370	Compensation of overseers of poor and relief to poor. All repealed	1929	565	1196
		Seneca town:			
1861	234	Salary of overseer of poor. All repealed	1929	565	1194
1913	427	School district number one. All repealed	1930	91	405
		Sherill-Kenwood water district:			
1920	512	Creation, § 27	1931	107	439
		Sing Sing: See *Ossining*.			
		Soldiers' bonus:			
1924	19	Creation state debt, § 14a, added	1931	676	1489
		State charities law amendments:			
1923	306	Apprentices. All repealed	1929	565	1197
1923	381	Reports by and to state board of charities. All repealed	1929	565	1197
1923	706	Children. All repealed	1929	565	1197
		State housing law:			
1926	823	Law, §§ 12–14 amended; § 14a, added; §§ 15–18, 21, amended	1930	872	1629
1926	823	Law, § 22, added	1931	557	1347
1926	823	Law, §§ 30, 32–36 amended; § 37, added; § 38, amended	1930	872	1629
1926	823	Law, § 38, subd. 2	1931	558	1351
1926	823	Law, § 39	1930	872	1629
1926	823	Law, § 40	1931	558	1351
1926	823	Law, §§ 41, 42	1930	872	1629
1926	823	Law, § 43	1931	558	1351
1926	823	Law, § 51	1930	872	1629
1926	823	Law, § 51	1931	557	1350
1926	823	Law, § 51	1931	558	1351
1926	823	Law, § 53, added	1930	872	1629
		Stephentown:			
1866	505	School funds. All amended	1929	690	1629

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Laws of	Chapter	SUBJECTS AND SECTIONS	Year	Chapter	Page
		Steuben county:			
1844	163	Restoring distinction between town and county poor. All repealed	1929	565	1194
1899	311	Coroner, title and § 1 amended	1930	244	613
		Suffolk county:			
1920	311	Collection of taxes, words " article 1 " and article heading, added	1929	152	384
1920	311	Collection of taxes, §§ 11, 12, 13, opening paragraph, 13a, 17, 21-23, 23a, 26, 27, 29, 30	1931	187	532
1920	311	Collection of taxes, art. 2 (§§ 40-77), added	1929	152	384
1927	190	Highway improvement act, title and heading	1931	172	509
1927	190	Highway improvement act, §§ 1-3	1931	172	510
1927	190	Highway improvement act, § 6	1931	544	1322
1927	190	Highway improvement act, § 7a, added	1930	253	622
1927	190	Highway improvement act, § 8	1931	544	1322
1927	190	Highway improvement act, § 9	1930	336	737
1927	190	Highway improvement act, §§ 10, 13	1931	544	1322
1927	190	Highway improvement act, §§ 16, 17	1930	336	737
1927	190	Highway improvement act, §§ 16, 17	1931	544	1322
1927	190	Highway improvement act, §§ 22, 24, 25	1930	336	737
1927	190	Highway improvement act, §§ 29, 31, 42, 46, 47	1931	172	510
1927	190	Highway improvement act, § 49	1931	544	1322
1927	190	Highway improvement act, §§ 67, 68	1931	172	510
1927	190	Highway improvement act, §§ 70-72	1931	544	1322
		Syracuse:			
1885	26	Charter, § 23a, added	1930	66	96
1905	684	Department of public works, § 29	1931	108	440
1907	356	Intercepting sewers, title and all after enacting clause	1929	658	1575
1914	300	Department public works, § 3	1930	64	94
1926	439	Grade crossings, § 6	1929	656	1573
1928	187	Municipal court code, § 7, subd. 3a, added; §§ 8, 10, 16, amended; § 78, repealed; new § 78, added; §§ 85, 87, 94a, 97, 120, amended; § 129, subd. 3, § 143, subd. 7, § 153a, § 164, subds. 2, 6, 9, amended; § 164, subds. 2a, 6a, added.	1930	144	479
1928	188	Court of special sessions, §§ 18, 23	1930	396	848
1928	188	Court of special sessions, arts. 3-5 (§§ 33-49), repealed; arts. 3-5 (§§ 33-77), added	1929	620	1456
1928	188	Court of special sessions, art. 3 (§§ 33-59), § 65	1930	396	848
1930	114	Exchange of lands with Syracuse University, § 1	1931	2	2
		Tioga county:			
1843	208	Restoration of distinction between town and county poor. All repealed	1929	565	1194
		Tonawanda:			
1905	357	Charter, tit. 11, § 1, repealed; new § 1, added; § 9, repealed; new § 9, added	1929	149	380
		Troop M Club, Incorporated:			
1928	744	Acceptance by state of gift of land from club. All repealed	1929	131	358
1928	745	Acceptance by state of gift of land from club. All repealed	1929	132	360

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		Tuberculous bovine animals:			
1928	79	Appropriations for destruction, § 1	1929	4	5
		Tunnel under Hudson river:			
1919	178	Construction, § 2	1929	682	1619
1919	178	Construction, § 9	1929	698	1648
		Ulster county:			
1778	38	Care of poor. All repealed	1929	565	1193
1780	68	Maintenance of poor. All repealed	1929	565	1193
1832	292	Appointment of superintendents of poor. All repealed	1929	565	1193
1835	261	Time for appointment of superintendents of poor. Part repealed	1929	565	1193
1879	355	Compensation of superintendent of poor. Part repealed. (*See foot note, L. 1929, p. 1195.*)	1929	565	1195
		Ulster town:			
1880	478	Relief of poor. All repealed	1929	565	1195
		Union League Club:			
1865	32	Charter, § 3	1929	98	318
		United States:			
1928	360	Land for lighthouse purposes, near Priming Rock, title, § 1.	1929	667	1599
1928	360	Land for lighthouse purposes, near Priming Rock, title, § 1.	1929	694	1635
		Utica Country Day School:			
1921	5	Trustees; § 6a, added	1930	9	21
		Wallkill town:			
1881	494	Election and compensation of overseer of poor. All repealed	1929	565	1195
1891	35	Overseers of poor. All repealed	1929	565	1196
		Water Power Commission:			
1930	207	Report, § 2	1931	1	1
		Watertown:			
1923	660	Charter, §§ 126, 136	1931	505	1257
1923	660	Charter, § 172a, added	1931	506	1259
		Watervliet town:			
1879	479	Relief of poor. All repealed	1929	565	1195
		Water works system:			
1927	654	Joint system for two or more municipalities, § 10, subd. 3; § 18, subd. 8; § 19, subd. 1, amended; § 19, subds. 2, 3, added	1929	627	1484
		Wawarsing town:			
1905	127	Overseers of poor. All repealed	1929	565	1196
		West Canada creek:			
1854	200	Regulation as public highway, § 5	1930	361	762

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		Westchester county:			
1778	38	Care of poor. All repealed	1929	565	1193
1780	68	Maintenance of poor. All repealed	1929	565	1193
1841	316	Judges to visit poorhouse. All repealed	1929	565	1194
1845	126	Superintendents of poor and care of poor. All repealed	1929	565	1194
1858	293	Register of deeds, § 5b, added	1929	595	1400
1902	342	Supervisors, title amended; § 5, amended, §§ 6–8 renumbered §§ 9–11; §§ 6–8, added	1930	592	1093
1915	211	Conferring upon superintendent of poor, county duties relative to delinquent children. All repealed	1929	565	1196
1915	404	Taxation on certain real property, all repealed	1930	633	1146
1916	105	Assessment and collection of tax in several towns, § 16	1930	757	1370
1922	292	Parks, parkways and boulevards, § 5	1929	563	1145
1922	292	Park improvements, §§ 6, 9	1931	312	728
1922	292	Parks, parkways and boulevards, § 13	1929	563	1145
1922	292	Parks, parkways and boulevards, § 16	1931	561	1356
1926	603	Sanitary trunk sewers, §§ 6, 7	1930	873	1641
1926	603	Sanitary trunk sewers, § 7, amended; § 7a, added	1931	688	1512
1926	603	Sanitary trunk sewers, §§ 8, 9 amended; § 9a, added	1930	873	1641
		White Plains:			
1915	356	Charter, § 68	1929	80	138
1915	356	Charter, § 149	1931	54	369
		Yates county:			
1878	135	Superintendent of poor, keeper of poorhouse. All repealed	1929	565	1195
		Yonkers:			
1893	416	City court act, title 1, § 1, subd. 4, § 2, subd. 1, § 5 amended, § 2, subd. 3 repealed, § 2, subd. 3 added; title 2, §§ 1, 2 amended, §§ 3, 4 added; title 5, §§ 2, 3, 12 amended, § 10 repealed; title 6, § 4 amended; title 7, § 1, subd. 4, § 4 amended; title 9, § 1, subds. 1, 6, 8 amended; title 10, §§ 3, 4 amended, § 6 repealed	1930	852	1581
1908	452	Charter, art. 1, § 3	1930	65	95
1908	452	Charter, art. 2, § 1	1931	161	496
1908	452	Charter, art. 13, § 13	1931	161	497
		Young Men's Christian Association of City of Albany:			
1867	748	Charter, §§ 2–4 amended, §§ 5, 6 repealed, new § 5 added	1930	440	920

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STATEMENT OF OPTIONAL CITY CHARTERS ADOPTED[1]

STATEMENT OF OPTIONAL CITY CHARTERS ADOPTED

City	Plan adopted	Date of adoption
Auburn	(C) Limited council with appointive city manager	Nov. 5, 1918
Newburgh	(C) Limited council with appointive city manager	May 1, 1915
Niagara Falls	(C) Limited council with appointive city manager	Nov. 3, 1914
Watertown	(C) Limited council with appointive city manager	Nov. 2, 1915
Watervliet	(B) Limited council with collective supervision	June 10, 1919

[1] ". . . It shall be the duty of the secretary of state to cause to be published separately under an appropriate heading, in the appendix of the session laws of each year, the names of the cities which have accepted any of the plans of government provided for in this act, with a statement of the plan adopted and the date of adoption, and such statement so published shall be conclusive evidence of such adoption." L. 1914, ch. 444, § 26.

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TABLE OF LEGALIZING ACTS

TABLE OF LEGALIZING ACTS OF 1931

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Cornwall town	Establishment sidewalk district; certificates of indebtedness	374	809
Deveaux College	Acts of trustees	256	641
East Schodack	Bond issue for fire district	390	841
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Fort Plain Milk Company	Acts of directors	23	304
Hamilton Auto Sales, Inc.	Proceedings and acts of directors	223	574
Hamilton county	Moneys raised for fish hatcheries	141	475
Hanlon and Company, Inc.	Acts of directors	325	741
Hawthorne fire district	Establishment of fire district; commissioners; appropriation	51	364
Henry S. Henschel, Incorporated	Acts of directors	77	400
Homac Corporation	Proceedings and acts of directors	223	574
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Huntington sewer district	Proceedings and certificates of indebtedness for improving system of district	79	402
Huntington sewer district	Establishment and certificates of indebtedness for Carley-Prospect extension	80	404
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APPENDIX

EXTRAORDINARY SESSION

AUGUST 25, 1931, TO SEPTEMBER 19, 1931

[2365]

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EXTRAORDINARY SESSION

AUGUST 25, 1931, TO SEPTEMBER 19, 1931

CHAPTER 773

AN ACT in relation to immunity from indictment, prosecution, penalty or forfeiture of witnesses before the joint legislative committee of the senate and assembly, appointed pursuant to the joint resolution adopted by the senate and assemly on March twenty-third, nineteen hundred thirty-one

Became a law August 28, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. When used in this chapter "committee" shall be deemed to refer to and mean the joint legislative committee of the senate and the assembly, appointed pursuant to the joint resolution adopted by the senate and the assembly on March twenty-third, nineteen hundred thirty-one, to investigate, inquire into and examine the administration and conduct of the various departments of the government of the city of New York, and of the counties, the state and local courts, and other agencies geographically included within said city.

§ 2. No person shall be excused from testifying, or from answering any question or questions, or from producing any papers, books or documents, before the committee pursuant to subpoena, on the ground that such testimony, answer or answers, or evidence, documentary or otherwise, would, or might tend to, incriminate him or subject him, to indictment, prosecution, penalty or forfeiture, but such person shall not be liable to indictment or prosecution, or to any penalty or forfeiture, for, or on account of, the transaction, matter or thing concerning which he may so testify, answer any question or questions, or produce evidence, documentary or otherwise.

§ 3. This act shall take effect immediately.

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CHAPTER 774

AN ACT to amend the penal law, in relation to witnesses' privileges

Became a law August 28, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Section five hundred and eighty-four of the penal law, is hereby amended to read as follows:

§ 584. **Witnesses' privileges.** No person shall be excused from attending and testifying, or producing any books, papers or other documents before any court, magistrate, or referee, or before any joint legislative committee, upon any investigation, proceeding or trial, for or relating to or concerned with a violation of any of the provisions of this article, upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to convict him of a crime or to subject him to a penalty or forfeiture; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be received against him upon any criminal investigation, proceeding or trial.

§ 2. This act shall take effect immediately.

CHAPTER 775

AN ACT to amend chapter six hundred and seventy-two of the laws of nineteen hundred thirty-one, entitled "An act making an appropriation to provide for the construction of a bridge over the Hudson river from the city of Albany to the city of Rensselaer and apportioning the cost thereof between the state, the county of Albany and the county of Rensselaer," in relation to the cost of such bridge and the Rensselaer approach thereto and the cost and method of acquiring lands or easements required for such approach

Became a law September 17, 1931, 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. Sections one, two, three, four and five of chapter six hundred and seventy-two of the laws of nineteen hundred thirty-one, entitled "An act making an appropriation to provide for the construction of a bridge over the Hudson river from the city of Albany to the city of Rensselaer and apportioning the cost thereof between the state, the county of Albany and the county of Rensselaer," are hereby amended to read, respectively, as follows:

§ 1. The sum of two million one hundred thousand dollars ($2,100,000), or so much thereof as may be needed, is hereby appro-

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priated from moneys in the treasury not otherwise appropriated to pay the state's share of the cost of the construction, including engineering services, of the bridge over the Hudson river between the city of Albany and the city of Rensselaer, as authorized by chapter four hundred and one of the laws of nineteen hundred twenty-nine. The total cost of construction including engineering services of the superstructure and the substructure of said bridge shall be borne by the state. The total cost of constructing the Rensselaer approach to such bridge, including engineering services therefor, shall be borne by the state and shall be paid out of any unexpended or undistributed moneys heretofore appropriated by chapter twenty-one of the laws of nineteen hundred thirty-one and made available to the department of public works for the maintenance and repair of state and county highways.

§ 2. The money hereby appropriated shall not become available unless and until each of the counties of Albany and Rensselaer shall by resolution appropriate and make immediately available to the requisition of the superintendent of public works the sum of fifty thousand dollars ($50,000), as its share of and contribution toward the total cost of the construction of such bridge and its approaches to be used in the manner prescribed by section four of this act as hereby amended.

§ 3. All of the provisions of chapter four hundred and one of the laws of nineteen hundred twenty-nine shall apply to the construction of such bridge and approaches except insofar as the provisions of this act as hereby amended are inconsistent therewith. Moneys hereby appropriated to defray the cost of such construction shall be paid out of the state treasury on the audit and warrant of the state comptroller on the certificate of the superintendent of public works.

§ 4. Any lands or easements required in Rensselaer county for the construction of such bridge and the Rensselaer approach thereto, shall be acquired in the manner prescribed by section five of this act as hereby amended, but the cost thereof shall, so far as possible, be defrayed from the moneys to be made available by the counties of Albany and Rensselaer as provided in section two of this act as hereby amended. If not sufficient therefor, the balance of such cost shall be defrayed by the state out of the moneys otherwise made available by this act as amended. If more than sufficient therefor, the remainder of such moneys shall be applied by the superintendent of public works to the payment of the cost of the construction of such bridge and its approaches. The cost of necessary lands or easements for the westerly approach to the bridge, in the city of Albany, being a part of a grade crossing elimination, is not a charge against the moneys to be made available as provided in this act as hereby amended.

§ 5. The lands and easements required in Rensselaer county for the construction of such bridge and the approach thereto shall be appropriated in the following manner:

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(a) The superintendent of public works shall prepare an accurate description and map of any lands which he deems necessary in carrying out the provisions of this section or of any lands in and to which an easement may be deemed necessary, or of any rights of abutting property owners a temporary appropriation of which may be deemed necessary, specifying the particular easement rights.

(b) Such description and the original tracing of such map shall be filed in the office of the department of public works, which department shall cause a certified copy of such description and map to be filed in the office of the department of state. On the filing of such description and map in the office of the department of state, the people of the state of New York, their officers and agents, may immediately enter upon and take possession of the lands so described for the purpose of carrying out the provisions of this section.

(c) If the superintendent of public works shall determine, prior to the service of such description and map on the owner or owners of the land and easement rights, that changes, alterations or modifications of such description and map as filed in the office of the department of state should be made, he shall prepare an amended description and map and on the filing of such amended description and map in the office of the department of state in the same manner as the original description and map was filed it shall thereupon in all respects and for all purposes supersede the description and map previously filed.

(d) If the superintendent of public works shall determine prior to the service of such description and map on the owner or owners of the lands and easement rights that such description and map should be withdrawn, he shall file a certificate of withdrawal in the office of the department of state and upon the filing of such certificate of withdrawal the description and map to which it refers shall be canceled and all rights thereunder shall cease and determine.

(e) The superintendent of public works shall thereupon deliver to the attorney general a copy of such description and map whereupon it shall be the duty of the attorney general to advise and certify to the department of public works the name of the owners of the lands so described, including the owners of any right, title or interest in and to such lands. The superintendent of public works shall thereupon cause a copy of such description and map with notice of the filing thereof in the office of the department of state, to be served on the owner or owners of the lands and easement rights so certified by the attorney general and from the time of such service the appropriation by the people of the state of the property described in such notice shall be deemed complete and, thereupon such property shall become and be the property of the people of the state.

(f) Such service must be personal, if the person to be served can be found within the state. If the superintendent of public works

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shall not be able to serve such notice or cause the same to be served upon the owner or owners personally within the state, after making an effort so to do which he shall deem to be reasonable and proper, service may be made by filing such notice, description and map in the office of the clerk of the county of Rensselaer and by causing such notice to be recorded in the books used for recording deeds in the office of such clerk. On the filing of such notice with such clerk, it shall be the duty of such clerk to record same in the books used for recording deeds in his office and to index the name of the person or persons to whom such notice is directed as a grantor in an index book to be kept by such clerk; and the record of such notice shall be presumptive evidence of due service thereof.

(g) If service be personal, the superintendent of public works shall thereupon cause a copy of such notice together with an affidavit of due service thereof on such owner or owners, to be filed and recorded in the same manner as provided for recording a notice served by filing as aforesaid and it shall be the duty of such clerk to record and index same as provided in case service is other than personal; and the record of such notice and of such proof of personal service shall be presumptive evidence of due service thereof.

(h) Claims for the value of the property appropriated and for legal damages caused by any such appropriation may be adjusted by the superintendent of public works, even though a claim has been filed with the court of claims, if the amount thereof can be agreed upon with the owner or owners thereof. Upon making any such adjustment and agreement, the superintendent of public works shall deliver to the comptroller such agreement and a certificate stating the amount due such owner on account of such appropriation of his land or other property and the amounts so fixed shall be paid out of the state treasury from moneys appropriated therefor by this act as hereby amended but not until there shall have been filed with the comptroller, a certificate of the attorney general showing the person or persons claiming the amount so agreed upon to be legally entitled thereto.

(i) Any owner may present to the court of claims a claim for the value of such property appropriated and for legal damages, as provided by law for the filing of claims with the court of claims. Awards and judgments of the court of claims shall be paid in the same manner as awards and judgments of that court for the acquisition of lands generally and shall be paid out of the state treasury from moneys appropriated for carrying out the provisions of this act as hereby amended.

(j) The expense of such acquisition including the cost of making surveys and preparing descriptions and maps of lands to be acquired, serving notices of appropriation, making appraisals and agreements and of searches ordered and examinations of title made by the attorney general, shall be deemed part of the cost of carrying out the provisions of this section and shall be paid out of any funds made available in accordance with the appropriate provisions of section four of this act as hereby amended.

§ 2. This act shall take effect immediately.

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CHAPTER 776

AN ACT to amend chapter forty-two of the laws of nineteen hundred thirty-one, entitled "An act authorizing the creation of a state debt and making an appropriation providing for a bridge and approaches between the village of Menands and the city of Troy," in relation to the amounts and purposes of the contributions of the city of Troy and the counties of Rensselaer and Albany toward the cost of such bridge and its approaches and the method of acquiring lands or easements required for such bridge and approaches

Became a law September 17, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

Section 1. Section one of chapter forty-two of the laws of nineteen hundred thirty-one, entitled "An act authorizing the creation of a state debt and making an appropriation providing for a bridge and approaches between the village of Menands and the city of Troy," is hereby amended to read as follows:

§ 1. The creation of a state debt to the amount of seven hundred thousand dollars ($700,000) is hereby authorized to provide moneys toward the cost of construction, including engineering services, across the Hudson river between the village of Menands and the city of Troy of a vehicular bridge and its approaches, such debt to be contracted as a part of the aggregate annual debt authorized by section fifteen of article seven of the constitution, and in the manner provided by section fourteen-a of the state finance law. The sum of seven hundred thousand dollars ($700,000) is hereby appropriated for carrying out the provisions of this act, payable from the proceeds of the sale of bonds hereby authorized. The amount hereby appropriated shall not become available unless and until the city of Troy shall by ordinance and the counties of Rensselaer and Albany shall by resolution appropriate and make immediately available to the requisition of the superintendent of public works the following sums of money as their shares of and contributions toward the total cost of the construction of such bridge and its approaches: by the city of Troy, the sum of one hundred seventy-two thousand dollars ($172,000), which said sum the city of Troy is hereby authorized and empowered to raise for the purpose hereinafter mentioned, notwithstanding any inconsistent provisions of its charter, or of any other general, special or local law; by the county of Rensselaer, the sum of two hundred and twenty-three thousand dollars ($223,000); by the county of Albany, the sum of one hundred and forty-eight thousand dollars ($148,000). The moneys so appropriated shall be paid out of the state treasury on the audit and warrant of the state comptroller and the certificate of the superintendent of public works. Such bridge is the one authorized by chapter four hundred and two of the laws

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of nineteen hundred twenty-nine, as amended by chapter three hundred and eighty-two of the laws of nineteen hundred thirty, and the provisions thereof shall apply except in so far as the provisions of this act as hereby amended are inconsistent therewith. The moneys made available to the requisition of the superintendent of public works by the city of Troy shall be applied by him for the following purposes and in the following order: Paying for lands and easements located within the city of Troy and required for the construction of the easterly approach to such bridge and the balance, if any, toward the payment of the cost of construction of such part of such approach as is located within the said city of Troy. The moneys made available to the requisition of the superintendent of public works by the county of Rensselaer shall be applied by him for the following purposes and in the following order: paying for lands and easements for and the construction of the approach within the city of Troy, if the amount made available by the city of Troy is insufficient for such purpose; applying the unexpended portion, if any, to construction work on such bridge. The moneys made available to the requisition of the superintendent of public works by the county of Albany shall be applied by him, first, to payment for lands and easements required in such county for the construction of such bridge and the approach to its west end, the remaining portion of the moneys contributed by such county, if any, to be applied to construction work on such bridge and approach. If the amounts contributed by the city of Troy, as hereinbefore provided, and by the counties of Rensselaer and Albany shall be insufficient to pay in full for lands and easements required for the construction of the bridge and its approaches, the excess cost for such purposes shall be chargeable to the state and payable on the certificate of the superintendent of public works as part of the cost of construction of the bridge.

§ 2. Such chapter is hereby further amended by inserting therein a new section, to be section one-a, to read as follows:

§ 1-a. The lands and easements required in the city of Troy, county of Rensselaer and in the county of Albany for the construction of such bridge and its approaches shall be appropriated in the following manner:

(a) The superintendent of public works shall prepare an accurate description and map of any lands which he deems necessary in carrying out the provisions of this act or of any lands in and to which an easement may be deemed necessary or of any rights of abutting property owners a temporary appropriation of which may be deemed necessary, specifying the particular easement rights.

(b) Such description and the original tracing of such map shall be filed in the office of the department of public works, which department shall cause a certified copy of such description and map to be filed in the office of the department of state. On the filing of such description and map in the office of the department of state, the people of the state of New York, their officers and

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agents, may immediately enter upon and take possession of the lands so described for the purpose of carrying out the provisions of this act.

(c) If the superintendent of public works shall determine, prior to the service of such description and map on the owner or owners of the land and easement rights, that changes, alterations or modifications of such description and map as filed in the office of the department of state should be made, he shall prepare an amended description and map and on the filing of such amended description and map in the office of the department of state in the same manner as the original description and map was filed it shall thereupon in all respects and for all purposes supersede the description and map previously filed.

(d) If the superintendent of public works shall determine prior to the service of such description and map on the owner or owners of the lands and easement rights that such description and map should be withdrawn, he shall file a certificate of withdrawal in the office of the department of state and upon the filing of such certificate of withdrawal the description and map to which it refers shall be canceled and all rights thereunder shall cease and determine.

(e) The superintendent of public works shall thereupon deliver to the attorney-general a copy of such description and map whereupon it shall be the duty of the attorney-general to advise and certify to the department of public works the name of the owners of the lands so described, including the owners of any right, title or interest in and to such lands. The superintendent of public works shall thereupon cause a copy of such description and map with notice of the filing thereof in the office of the department of state, to be served on the owner or owners of the lands and easement rights so certified by the attorney-general and from the time of such service the appropriation by the people of the state of the property described in such notice shall be deemed complete and, thereupon such property shall become and be the property of the people of the state.

(f) Such service must be personal, if the person to be served can be found within the state. If the superintendent of public works shall not be able to serve such notice or cause the same to be served upon the owner or owners personally within the state, after making an effort so to do which he shall deem to be reasonable and proper, service may be made by filing such notice, description and map in the offices of the clerks of the counties of Rensselaer and Albany and by causing such notice to be recorded in the books used for recording deeds in the offices of such clerks. On the filing of such notice with such clerks, it shall be the duty of such clerks to record same in the books used for recording deeds in their offices and to index the name of the person or persons to whom such notice is directed as a grantor in an index book to be kept by such clerks; and the record of such notice shall be presumptive evidence of due service thereof.

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(g) If service be personal, the superintendent of public works shall thereupon cause a copy of such notice together with an affidavit of due service thereof on such owner or owners, to be filed and recorded in the same manner as provided for recording a notice served by filing as aforesaid and it shall be the duty of such clerks to record and index same as provided in case service is other than personal; and the record of such notice and of such proof of personal service shall be presumptive evidence of due service thereof.

(h) Claims for the value of the property appropriated and for legal damages caused by any such appropriation may be adjusted by the superintendent of public works, even though a claim has been filed with the court of claims, if the amount thereof can be agreed upon with the owner or owners thereof. Upon making any such adjustment and agreement, the superintendent of public works shall deliver to the comptroller such agreement and a certificate stating the amount due such owner on account of such appropriation of his land or other property and the amounts so fixed shall be paid out of the state treasury from moneys made available and/or appropriated therefor by this act, as hereby amended, but not until there shall have been filed with the comptroller, a certificate of the attorney-general showing the person or persons claiming the amount so agreed upon to be legally entitled thereto.

(i) Any owner may present to the court of claims a claim for the value of such property appropriated and for legal damages, as provided by law for the filing of claims with the court of claims. Awards and judgments of the court of claims shall be paid in the same manner as awards and judgments of that court for the acquisition of lands generally and shall be paid out of the state treasury from moneys made available and/or appropriated for carrying out the provisions of this act, as hereby amended.

(j) The expense of such acquisition including the cost of making surveys and preparing descriptions and maps of lands to be acquired, serving notices of appropriation, making appraisals and agreements and of searches ordered and examinations of title made by the attorney-general, shall be deemed part of the cost of carrying out the provisions of this section and shall be paid out of any funds made available and/or appropriated by this act, as hereby amended.

§ 3. This act shall take effect immediately.

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CHAPTER 777

AN ACT making an appropriation for the prevention and control of poliomyelitis and other epidemic diseases

Became a law September 19, 1931, 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. The sum of one hundred and fifteen thousand dollars ($115,000), or so much thereof as may be necessary, is hereby appropriated to the state health department out of any moneys in the state treasury not otherwise appropriated, for the expenses of maintenance and operation, including personal service, for the prevention and control of poliomyelitis and other epidemic diseases, of which not more than thirty-six hundred dollars shall be available for the purchase or exchange of automobiles. The money hereby appropriated shall be expended by and under the direction of the state department of health and paid on its order on the order and warrant of the comptroller.

§ 2. This act shall take effect immediately.

CHAPTER 778

AN ACT to confirm, validate and legalize the acts and proceedings of the state comptroller for the sale of five million dollars of bonds issued for the construction of buildings under the control of the department of mental hygiene or the department of correction, for the sale of ten million dollars of bonds issued for the acquisition of land and construction of general state improvements and for the sale of twenty-five million dollars of bonds issued for the elimination of grade crossings

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. All the acts done and proceedings taken by the state comptroller for the sale of five million dollars ($5,000,000) of bonds issued under the provisions of chapter four hundred and seventy-seven of the laws of nineteen hundred thirty for the construction of buildings under the control of the department of mental hygiene or the department of correction bearing date September fifteenth, nineteen hundred thirty-one, and maturing in the years from nineteen hundred thirty-two to nineteen hundred fifty-six, both inclusive, and all the acts done and proceedings taken by the state comptroller for the sale of ten million dollars ($10,000,000) of bonds issued under the provisions of section fifteen of article seven of the state constitution and sec-

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tion fourteen-a of the state finance law for the acquisition of land and construction of general state improvements bearing date September fifteenth, nineteen hundred thirty-one, and maturing in the years from nineteen hundred thirty-two to nineteen hundred fifty-six, both inclusive, and all the acts done and proceedings taken by the state comptroller for the sale of twenty-five million dollars ($25,000,000) of bonds issued under the provisions of section fourteen of article seven of the state constitution and section fourteen-b of the state finance law for the elimination of grade crossings bearing date September fifteenth, nineteen hundred thirty-one and maturing in the years nineteen hundred thirty-two to nineteen hundred eighty-one, both inclusive, are hereby confirmed, validated and legalized, notwithstanding the failure or omission to publish the advertisement of such sales the full period of twenty consecutive days, Sundays excepted, in a daily newspaper printed in the city of Albany, such advertisement having been published in such newspaper for nineteen consecutive days, Sundays and Labor Day excepted, and such bonds are hereby made and shall be legal and binding obligations of the state notwithstanding such failure or omission in the publication of such advertisement of the sale thereof.

§ 2. This act shall take effect immediately.

CHAPTER 779

AN ACT to amend the code of criminal procedure, in relation to applications for admission to bail in cases of felonies

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Section five hundred and sixty of the code of criminal procedure is hereby amended to read as follows:

§ 560. **Applications for admission to bail in cases of felonies.** 1. If the crime charged be a felony, all applications for bail, either before or after conviction, must be made returnable in the judicial district in which the crime was alleged to have been committed or in which the indictment is pending for trial.

2. In the several cities of this state, if the crime charged be a felony, the application for admission to bail must be upon notice of at least two days, to the district attorney of the county, unless the magistrate by order fixes a shorter time, and the committing magistrate, upon the like notice, in writing, requiring him to do so, must transmit the depositions and statement, or a copy thereof, to the court or magistrate to whom the application for bail is to be made.

§ 2. This act shall take effect January first, nineteen hundred thirty-two.

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CHAPTER 780

AN ACT to amend the code of criminal procedure, in relation to applications for change of venue and orders staying trial pending such applications

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Sections three hundred and forty-six and three hundred and forty-seven of the code of criminal procedure are hereby amended to read, respectively, as follows:

§ 346. **Application for removal, how made.** The application for the order of removal must be made to the supreme court, at a special term in the district and must be made returnable at the next special term within the said district, after the motion papers are served, and upon notice of at least five days to the district attorney of the county where the indictment is pending, with a copy of the affidavits or other papers on which the application is founded.

§ 347. **Stay of trial, how obtained, to enable defendant to apply for removal.** To enable the defendant to make the application prescribed by section three hundred and forty-six, a judge of the supreme court residing in or holding a term of the supreme court in the district in which the indictment is pending, may, in his discretion, upon good cause shown by affidavit and after reasonable notice to the district attorney and an opportunity to be heard thereon, make an order staying the trial of the indictment until such application can be made and decided, provided, however, that any such stay of the trial of an indictment shall be limited to a period not exceeding thirty days from the date of the order granting such stay.

§ 2. This act shall take effect January first, nineteen hundred thirty-two.

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CHAPTER 781

AN ACT to legalize the acts and proceedings of the trustees of central school district number one of the towns of Cobleskill, Carlisle, Seward, Middleburgh, Fulton and Richmondville, county of Schoharie, and Decatur and Roseboom, county of Otsego, and their agents and of the voters of such district, with respect to the issuance and sale of school district bonds in the principal sum of four hundred and seventy-five thousand dollars, for the purpose of erecting a new school building in and for said district and the purchase of furniture, fixtures and equipment therefor, and declaring such bonds to be the valid and subsisting obligations of said school district

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. All the acts and proceedings done and taken by central school district number one of the towns of Cobleskill, Carlisle, Seward, Middleburgh, Fulton and Richmondville, county of Schoharie, and Decatur and Roseboom, county of Otsego, and by its trustees, the board of education, and their agents, and by the qualified voters leading up to and including the special election held on the thirtieth day of June, one thousand nine hundred and thirty-one, at which election the board of education was authorized to construct a new school building in and for said school district and to purchase furniture, fixtures and equipment therefor, and at which election the sum of not to exceed five hundred and fifty thousand dollars was authorized for the said purposes, such sum to be raised by tax upon the taxable property of said district to be collected in annual installments, and all acts and proceedings of such board of education subsequent to such election whereby bonds of said school district in the sum of four hundred and seventy-five thousand dollars, for the purposes specified by the voters, were authorized to be issued and were sold, be and all of said acts and proceedings are hereby legalized, validated, ratified and confirmed, notwithstanding any defect, irregularity or lack of statutory authority therefor, and such bonds when delivered and paid for at not less than par and accrued interest, in accordance with the sale of said bonds duly made by said board of education at a meeting held on August fourth, nineteen hundred thirty-one, shall be valid and subsisting obligations of said district.

§ 2. The board of trustees shall annually raise by tax on the taxable property of the district a sum sufficient to pay the principal and interest of such bonds as they shall become due and payable.

§ 3. This act shall not affect any action or proceedings now pending in any court.

§ 4. This act shall take effect immediately.

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CHAPTER 782

AN ACT to authorize the city of Elmira to enlarge and improve its sewerage system within and without the corporate limits of the city, to acquire lands and rights in lands therefor by purchase or condemnation, to make contracts for the sale of excess capacity, to issue and sell its bonds for such purposes in the amount of one million dollars, and in anticipation of the issuance of such bonds, to issue notes or certificates of indebtedness, and to levy a tax to pay such bonds, notes and certificates, as a measure for the relief of unemployment caused by the present economic depression

Became a law September 22, 1931, with the approval of the Governor. Passed by a two-thirds vote, on emergency message and message of necessity

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

Section 1. To expedite a public work or works, in order that employment may be provided to those out of employment because of the present economic depression, the city of Elmira is hereby authorized to enlarge and improve its sewerage system and for said city purpose is hereby empowered to construct, equip, maintain and operate outside its corporate limits, sewage disposal works, to construct, maintain and operate in, under or along highways, streets, roads, parks or other public places within or without its corporate limits, a trunk sewer line or lines connecting such disposal works with the sewer mains within the city, and to enlarge and improve its sewerage system within its corporate limits; provided, however, that the city restore all pavements in other municipalities as a part of the cost of such construction.

§ 2. The repair, operation and maintenance of the sewer system, and the sewage disposal works authorized by this act, when completed, shall be vested in the board of public works.

§ 3. The city of Elmira is further authorized and empowered to acquire by purchase or by condemnation proceedings in accordance with provisions of the condemnation law any lands, easements or rights in lands, whether within or without the city, deemed necessary for the construction and operation of such sewerage system and sewage disposal works.

§ 4. Maps and profiles of the proposed enlargements and improvements shall be prepared immediately, but before proceeding with such enlargements and improvements, such plans and profiles shall be submitted to and approved as promptly as possible by the state department of health pursuant to provisions of the public health law applicable thereto.

§ 5. The city of Elmira is further authorized to contract with and sell to other municipalities, sewer districts, private corporations or individuals, the right to make connections, outside the corporate limits of the city, with its sewerage system, as enlarged and improved, for the use of the excess capacity of such system and disposal works for such periods and under such conditions as the common council shall determine.

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§ 6. The city of Elmira is further authorized, by its common council, to issue and sell its bonds in the aggregate principal amount of one million dollars to pay the costs of the enlargements and improvements hereinabove authorized and the expenses incidental thereto. Such bonds shall be of such denomination, shall mature serially in such instalments, the last of which shall be not more than forty years from date of issue, shall bear interest at such rate not exceeding six per centum per annum, shall be in such form and executed in such manner as the common council of such city shall determine; and shall be sold by the common council at one time or from time to time as the money may be needed at not less than par value at public sale, not less than five nor more than thirty days after a notice of such sale, describing the bonds, has been published, at least once in the official paper of the city, and in a financial newspaper published and circulating in New York city. Such bonds shall contain a recital that they are issued pursuant to this act, which recital shall be conclusive evidence of their validity and of the regularity of their issuance and delivery. The common council may in the ordinance authorizing the issuance of such bonds pursuant to this act, or by subsequent resolution, in order to finance temporarily the carrying out of the purposes for which such bonds are to be issued, provide for the issuance of notes or certificates of indebtedness in an amount or amounts not exceeding the par value of such bonds. Such notes or certificates shall mature not more than one year from date of issue and may be renewed for periods not exceeding one year, provided that all such notes or certificates and renewals thereof shall mature not more than three years from the original date of issue. Such notes or certificates shall be sold from time to time for not less than par value and shall bear interest at a rate not exceeding six per centum per annum; shall be signed by the chamberlain of said city and the corporate seal thereof shall be affixed and attested by the city clerk.

§ 7. Bonds, notes or certificates of indebtedness issued by virtue of this act shall be direct obligations of said city of Elmira and there shall be raised annually by tax in addition to all other sums authorized by law, a sum sufficient to provide for payment thereof and interest thereon, as the same shall become due and payable.

§ 8. This act shall take effect immediately.

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CHAPTER 783

AN ACT to amend the general business law in relation to the pledge of certain instruments or weapons

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Section forty-seven of chapter twenty-five of the laws of nineteen hundred nine entitled "An act relating to general business, constituting chapter twenty of the consolidated laws," is hereby amended to read as follows:

§ 47. **Not to engage in second-hand business or pledge of certain weapons.** No pawnbroker shall purchase any second-hand furniture, metals, clothing or other article or thing whatever, offered to him as a pawn or pledge, nor shall it be lawful for any such pawnbroker, licensed as aforesaid, to engage in any second-hand business, nor to receive in pawn or as a pledge any instrument or weapon mentioned in section eighteen hundred and ninety-six of the penal law.

§ 2. This act shall take effect immediately.

CHAPTER 784

AN ACT to amend the highway law, in relation to county highways in the county of Onondaga

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Subdivision thirty-two of section one hundred and twenty-two of chapter thirty of the laws of nineteen hundred nine, entitled "An act relating to highways, constituting chapter twenty-five of the consolidated laws," as last amended by chapter three hundred and thirty of the laws of nineteen hundred twenty-five, is hereby amended to read as follows:

32. Onondaga county. Scott-Borodino, part two; Syracuse-Otisco, part two; North Memphis-Baldwinsville connecting with highway fifteen hundred seven and county road C, five, part two; Fabius-Pompey, part two; Tully Center-Cardiff Valley, parts one and three; Half Way connection; Syracuse-Bridgeport crossing; Auburn-Skaneateles, part two; Skaneateles-Clintonville-Navarino-Cardiff-Lafayette-Pompey-Pompey Center; Syracuse-Jamesville; Pompey Center-Cazenovia, part one; Jamesville-Manlius; Cazenovia-Manlius, part three; Truxton-Apulia, part three; Wright

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Corners-Fulton, part one; Marcellus-Syracuse; Baldwinsville-Wright Corners; Fairmount-Onondaga; Weedsport-Elbridge, part two; State Fair Grounds-Stiles Station-Baldwinsville; Harlot to highway one thousand forty-two; Bridgeport-Brewerton; Skaneateles connections; from a point on state highway five thousand three hundred sixty-five, near the northern boundary of Onondaga Indian reservation, westerly to county highway one thousand three hundred fifty-four; Fabius-New Woodstock, part two; Manlius to Syracuse City line over the right of way of the Erie canal.

§ 2. This act shall take effect immediately.

CHAPTER 785

AN ACT to amend the labor law, in relation to the number of days of work in each week

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Subdivision two of section two hundred and twenty of chapter fifty of the laws of nineteen hundred twenty-one, entitled "An act in relation to labor, constituting chapter thirty-one of the consolidated laws," is hereby amended to read as follows:

2. Each contract to which the state or a municipal corporation or a commission appointed pursuant to law is a party and which may involve the employment of laborers, workmen or mechanics shall contain a stipulation that no laborer, workman or mechanic in the employ of the contractor, subcontractor or other person doing or contracting to do the whole or a part of the work contemplated by the contract shall be permitted or required to work more than eight hours in any one calendar day or more than five days in any one week except in cases of extraordinary emergency caused by fire, flood or danger to life or property. No such person shall be employed more than eight hours in any day or more than five days in any one week except in such emergency.

§ 2. The provisions of such subdivision as hereby amended, which limit the performance of work to not more than five days in any one week shall be operative and effective only upon work performed by employees, other than employees engaged in supervisory labor, under a contract hereafter executed for which requests for bids are advertised after this act takes effect and prior to December first, nineteen hundred thirty-two and shall not apply to or affect existing contracts or any contract entered into subsequent to December first, nineteen hundred thirty-two.

§ 3. This act shall take effect immediately.

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CHAPTER 786

AN ACT to amend the labor law, in relation to payment of prevailing rate of wages to employees on public work

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Subdivision four of section two hundred and twenty of chapter fifty of the laws of nineteen hundred twenty-one, entitled "An act in relation to labor, constituting chapter thirty-one of the consolidated laws," as such subdivision was last amended by chapter one hundred sixty-six of the laws of nineteen hundred twenty-seven, is hereby amended to read as follows:

4. This section shall not apply to:

a. Stationary firemen in state hospitals;

b. Other persons regularly employed in the state institutions, except mechanics;

c. Engineers, electricians and elevator men in the division of public buildings of the department of public works during the annual session of the legislature;

d. Employees engaged in the construction, maintenance and repair of highways and in water-works construction outside the limits of cities and villages. The provisions of this subdivision shall not be operative or effective upon any work described therein performed by employees, other than employees engaged in supervisory labor, under a contract hereafter executed for which requests for bids are advertised after this act takes effect and prior to December first, nineteen hundred thirty-two.

§ 2. This act shall take effect immediately.

CHAPTER 787

AN ACT in relation to the redemption and reissuance of special revenue bonds issued by the comptroller of the city of New York pursuant to chapter two hundred and eighty-four of the laws of nineteen hundred thirty-one, in order to relieve existing conditions of unemployment

Became a law September 22, 1931, with the approval of the Governor. Passed by a two-thirds vote, on emergency message and message of necessity

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

Section 1. Notwithstanding any provisions to the contrary contained in section one hundred and eighty-eight of the Greater New York charter or any general or special statute or local city law, the unsold portion of the certificates of indebtedness or other evidence of indebtedness issued under the provisions of subdivision eight of such section as amended by chapter two hundred and eighty-four of the laws of nineteen hundred thirty-one, in order

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to relieve conditions of unemployment, may be redeemed out of the tax levy for the years nineteen hundred thirty-one, nineteen hundred thirty-two, nineteen hundred thirty-three and nineteen hundred thirty-four in equal annual installments; and such portion thereof as have been actually sold prior to the time this act takes effect shall be redeemed as provided for in said section one hundred and eighty-eight and new temporary certificates or other evidence of indebtedness in like amount may be thereupon reissued and sold and such reissued certificates of indebtedness or other evidence of indebtedness may be redeemed out of the tax levy of the years nineteen hundred thirty-one, nineteen hundred thirty-two, nineteen hundred thirty-three and nineteen hundred thirty-four, in equal annual installments.

§ 2. This act shall take effect immediately.

CHAPTER 788

AN ACT authorizing and empowering the board of estimate and apportionment of the city of New York to retire from active service John R. Voorhis, chairman of the board of elections of such city, and to pay to him full salary or compensation so long as he shall live

Became a law September 22, 1931, with the approval of the Governor. Passed by a two-thirds vote, on emergency message and message of necessity

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

Section 1. The board of estimate and apportionment of the city of New York, in its discretion, is hereby authorized and empowered to retire from active service John R. Voorhis, chairman of the board of elections of such city, who has attained an age of more than one hundred years and, by reason of and as a reward for his long and faithful service, pay to him the full salary and compensation received by him at the date of such retirement, so long thereafter as the said John R. Voorhis shall live.

§ 2. This act shall take effect October first, nineteen hundred thirty-one.

CHAPTER 789

AN ACT directing the superintendent of public works to continue at grade, at the expense of the county of Nassau, Sunrise highway in the village of Valley Stream, county of Nassau, from Second street across the tracks of the Far Rockaway division of the Long Island railroad to Rockaway avenue in such village, in order to provide temporary relief from congested traffic pending elimination of such crossing at grade

Became a law September 22, 1931, 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. The superintendent of public works is hereby directed to continue at grade, at the expense of the county of Nassau, Sun-

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rise highway in the village of Valley Stream, county of Nassau, from Second street across the tracks of the Far Rockaway division of the Long Island railroad to Rockaway avenue in such village in order to provide temporary relief from congested traffic pending the elimination of such crossing at grade. Plans for the work of such construction shall be made, bids advertised and contracts let and payment made therefor in accordance with the provisions of the highway law.

§ 2. The superintendent of public works shall not undertake the execution of the work specified in the preceding section unless and until the county of Nassau, by resolution of its board of supervisors, appropriate and make immediately available to the requisition of the superintendent of public works the sum of ten thousand dollars ($10,000), or so much thereof as may be necessary, for the purpose of paying the total cost of the construction of the highway specified in the preceding section.

§ 3. This act shall take effect immediately.

CHAPTER 790

AN ACT to authorize the city of Poughkeepsie to construct a sewer line from the Bowne Memorial Tuberculosis Hospital to the sewer mains in the city, to acquire lands and rights in lands therefor by purchase or condemnation, to make contracts for the use of any excess capacity of such sewer line, to issue and sell its bonds in the amount of not exceeding one hundred thousand dollars, and in anticipation of the authorization of such bonds to issue negotiable certificates of indebtedness, and to levy a tax to pay such bonds and certificates

Became a law September 22, 1931, with the approval of the Governor. Passed, on emergency message, by a two-thirds vote

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

Section 1. The city of Poughkeepsie is hereby authorized to construct, maintain, operate and repair, in, under or along, property, easements or rights in lands, acquired by it, or highways, streets, roads, parks or other public places, within or without its corporate limits, a sewer line connecting the Bowne Memorial Tuberculosis Hospital, situate in the town of Poughkeepsie, in the county of Dutchess, with the sewer mains within the corporate limits of said city, provided, however, that said city restore all pavements and road surfaces, and pay all damages, as a part of such construction cost.

§ 2. The construction, operation, maintenance and repair of the sewer line authorized by this act shall be vested in the board of public works of said city.

§ 3. The city of Poughkeepsie is further authorized and empowered to acquire by purchase or condemnation any lands, easements or rights in lands, either within or without the cor-

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porate limits of the city, necessary for the construction, maintenance, operation and repair of such sewer line.

§ 4. A map and plan of the proposed sewer line shall be prepared and before proceeding with such construction such map and plan shall be submitted to and a certificate of approval obtained from the state department of health.

§ 5. The city of Poughkeepsie is further authorized and empowered by or pursuant to ordinance or resolution of its common council to make contracts for the use of other municipalities, sewer districts, private corporations or individuals, of any excess capacity of such sewer line not required for said hospital under such terms and conditions as may be contained in said contracts.

§ 6. The city of Poughkeepsie is further authorized and empowered by or pursuant to ordinance or resolution of its common council to issue its bonds in not exceeding the aggregate principal amount of one hundred thousand dollars ($100,000), for the purpose of paying the cost of the improvement herein provided and all expenses incidental thereto. Such bonds shall be of such denominations, shall mature serially in such annual installments, the first of which shall be not more than one year from the date of the bonds and the last of which shall be not more than twenty years from the date of the bonds, shall bear interest at such rate, not exceeding six per centum per annum, payable semi-annually, shall be in such form, and executed in such manner, as said ordinance or resolution shall provide, and shall be sold by or under the direction of the common council of said city at one time or from time to time as the money may be needed for not less than their par value, in the manner provided by section nine of the general municipal law. The ordinance or resolution authorizing such bonds may provide that the bonds shall contain a recital that they were issued pursuant to this act, and such recital, when so authorized, shall be conclusive evidence of the regularity of the issuance of said bonds and their validity.

§ 7. In order to finance temporarily the cost of the improvement herein provided and all expenses incidental thereto, the common council by ordinance or resolution may authorize the issuance of negotiable certificates of indebtedness in not exceeding the aggregate principal amount of one hundred thousand dollars ($100,000). Such certificates shall mature not more than one year from their date, and may be renewed for periods not exceeding one year, provided that all such certificates and renewals thereof shall mature not more than two years from the date of the certificates first issued. Such certificates shall be sold at one time or from time to time as the money may be needed, for not less than their par value, shall bear interest at a rate not exceeding six per centum per annum and shall be executed in such manner as said ordinance or resolution shall provide.

§ 8. Bonds or negotiable certificates of indebtedness as issued by virtue of this act shall constitute direct, general and unlimited obligations of the city of Poughkeepsie, and unless otherwise paid

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or payment provided for, there shall be raised annually by tax in addition to all other sums authorized by law, a sum sufficient to provide for payment thereof and interest thereon, as the same shall become due and payable.

§ 9. This act shall take effect immediately.

CHAPTER 791

AN ACT to amend the penal law in relation to the punishment of certain armed persons

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Section nineteen hundred and forty-four of the penal law as last amended by chapter three hundred and forty-two of the laws of nineteen hundred twenty-seven, is hereby amended to read as follows:

§ 1944. **Committing crime while armed.**

If any person while in the act of committing a felony, or attempting to commit a felony, or any person while in the act of committing a crime or attempting to commit a crime and being an occupant of a stolen automobile or an automobile carrying fictitious license plates or an automobile which has been used in the commission of a crime or in an attempt to commit a crime, or in leaving the scene of a crime shall be armed with a pistol or any of the weapons or instruments specified in sections eighteen hundred and ninety-six, eighteen hundred and ninety-seven or eighteen hundred and ninety-seven-a, the punishment elsewhere prescribed in this law for the felony of which he is convicted shall be increased by imprisonment in state's prison for not less than five nor for more than ten years. Upon a second conviction for a felony so committed such period of imprisonment shall be increased by not less than ten years nor more than fifteen years; and upon a third conviction for a felony so committed such period of imprisonment shall be increased by not less than fifteen nor more than twenty-five years. In no case shall any person punishable as above provided be put upon probation or have the execution of his sentence suspended, notwithstanding the provisions of section twenty-one hundred and eighty-eight, for the increased term of his punishment imposed as above.

§ 2. This act shall take effect immediately.

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CHAPTER 792

AN ACT to amend the penal law, in relation to the sale, possession, use and licensing of firearms

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Section eighteen hundred and ninety-six of the penal law is hereby amended to read as follows:

§ 1896. **Making and disposing of dangerous weapons.** A person who manufactures, or causes to be manufactured, or sells or keeps for sale, or offers, or gives, or disposes of any instrument or weapon of the kind usually known as a blackjack, a slungshot, billy, sandclub, sandbag, bludgeon, or metal knuckles, to any person; or a person who offers, sells, loans, leases, or gives any gun, revolver, pistol or other firearm or any airgun, springgun or other instrument or weapon in which the propelling force is a spring or air or any instrument or weapon commonly known as a toy pistol or in or upon which any loaded or blank cartridges are used, or may be used, or any loaded or blank cartridges or ammunition therefor, to any person under the age of sixteen years, is guilty of a misdemeanor. A person who sells or keeps for sale, or offers, or gives, or disposes of any instrument or weapon of the kind usually known as a machine-gun to any person is guilty of a felony, except that the manufacture of machine-guns as merchandise and the sale and shipment thereof direct to regularly constituted or appointed state or municipal police departments, sheriffs, policemen, and other peace officers, and to state prisons, penitentiaries and county jails, and to military and naval organizations shall be lawful.

§ 2. Subdivision one of section eighteen hundred and ninety-seven of the penal law is hereby amended to read as follows:

1. A person who attempts to use against another an imitation pistol, or who carries, or possesses any instrument or weapon of the kind commonly known as a black-jack, slungshot, billy, sandclub, sandbag, metal knuckles, bludgeon, or who, with intent to use the same unlawfully against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, imitation pistol, sawed off shot-gun, or any other dangerous or deadly instrument, or weapon, is guilty of a misdemeanor, and if he has been previously convicted of any crime he is guilty of a felony. This subdivision shall not apply to the use or possession of an instrument or weapon commonly known as a machine-gun.

§ 3. Section eighteen hundred and ninety-seven of the penal law is hereby amended by adding a new subdivision, to be subdivision one-a, to read as follows:

1-a. A machine-gun is a weapon of any description, irrespective of size, by whatever name known, loaded or unloaded, from which

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a number of shots or bullets may be rapidly or automatically discharged from a magazine with one continuous pull of the trigger. A person who possesses or uses such machine-gun is guilty of a felony. The presence of such machine-gun in any room, dwelling, structure or vehicle shall be presumptive evidence of its illegal possession by all the persons occupying the place where such machine-gun is found. This subdivision shall not apply to possession of a machine-gun as authorized by the preceding section. Nor shall it apply to the possession or use of machine-guns in the discharge of their official duties by the state police, the warden, superintendent, headkeeper or deputy of any state prison, penitentiary, workhouse, county jail or other institution for the detention of persons convicted or accused of crime or held as witnesses in criminal cases, sheriffs, policemen, or other peace officers, nor to the possession or use of machine-guns by a person when on duty in the military or naval service of the United States or of this state, or in the postal service of the United States, nor to the possession by common carriers while being transported direct to any police department, military or naval organization, or person authorized by this section to possess and use the same.

§ 4. Section eighteen hundred and ninety-seven of the penal law is hereby amended by adding a new subdivision, to be subdivision nine-a, to read as follows:

9-a. No license shall be issued by the police commissioner of the city of New York except to a resident of that city. Outside of the city of New York, no license shall be issued by a judge or justice of a court of record except to a resident of the county in which the office of such judge or justice is located. A license may be issued, however, to a qualified person principally employed in such city or county and to a merchant or storekeeper having his principal place of business in such city or county.

§ 5. Subdivision ten of section eighteen hundred and ninety-seven of the penal law is hereby amended to read as follows:

10. The expense of providing a judge, justice or officer with blank applications, licenses and record books for carrying out the provisions of this section shall be a charge against the county, or the city of New York in the case of the police commissioner of such city which blank applications, licenses and record books shall, except in the city of New York, be approved as to form by the superintendent of state police. Such judge, justice or officer shall collect a fee of fifty cents for each license issued and shall pay the same into the treasury of the county or of such city, as the case may be. The application for any such license, if the license be granted, shall be filed by such judge, justice or officer in the office of the city or county clerk of the city or county, as the case may be, where the applicant resides, and in addition, a duplicate copy of the application shall be filed in the office of the executive department, division of state police, within ten days after the issuance of the license. Every such license shall specify the weapon or weapons for which the license

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is issued and whether to be carried on the person or possessed on the premises and shall expire on the ensuing first day of January, provided, however, that any such license may be limited as to time to expire on a date fixed in the license prior to such date and provided, however, that, except in the city of New York, a license to a householder to possess a weapon upon certain premises shall not be limited in time but shall be revocable as herein provided. Each license issued to possess a weapon not to be carried on the person shall specify the place where the licensee shall possess the same. Each application for a license to carry a weapon on the person shall be accompanied by a photograph of the applicant in duplicate which photograph shall have been taken within thirty days prior to the filing of such application and one copy of which shall be attached to the license and the other remain with the application. Before a license is issued as provided in this section the officer to whom the application is made shall ascertain if the applicant has been convicted of crime and shall cause the finger prints of such applicant, except he be a householder, to be taken in duplicate. One original of such finger prints shall be filed in the office of the executive department, division of state police, within ten days after the license is issued and one shall remain on file in the office of the officer taking the same. No such finger print may be inspected by any person, other than a peace officer, except on order of a judge or justice of a court of record on such notice, if any, to the person to whom the license was issued as the judge or justice may determine. A person who has been convicted in this state or elsewhere of a felony or any one of the seven misdemeanors mentioned in section five hundred and fifty-two of the code of criminal procedure shall not be entitled to a license under this section. A license may be revoked and cancelled at any time by the police commissioner or elsewhere than in the city of New York, by any judge, or justice of a court of record. But if before the date of the expiration thereof, providing the license shall not have been cancelled or revoked, the licensee apply for a renewal, the term of such license shall thereby be extended until the application for renewal shall have been disposed of by such commissioner, judge or justice.

§ 6. Section eighteen hundred and ninety-seven of the penal law is hereby amended by adding a new subdivision, to be subdivision ten-a, to read as follows:

10-a. Every person while carrying or in possession of a weapon for which a license shall have been issued, shall have on his person the license issued to him under this section, and shall exhibit the same for inspection upon demand, to any policeman, state trooper or other peace officer. The failure of any person to exhibit his license as provided in this subdivision shall be presumptive evidence that such person is not duly licensed and shall cause a forfeiture of his license.

§ 7. Every license heretofore issued pursuant to section eighteen hundred and ninety-seven of the penal law, except to a house-

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holder under subdivision eight thereof, and then in force, shall expire on the first day of October, nineteen hundred thirty-one.

§ 8. This act shall take effect October first, nineteen hundred thirty-one.

CHAPTER 793

AN ACT to amend the penal law, in relation to disorderly conduct

Became a law September 22, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Section seven hundred and twenty-two of the penal law is hereby amended to read as follows:

§ 722. **Disorderly conduct.** Any person who with intent to provoke a breach of the peace, or whereby a breach of the peace may be occasioned, commits any of the following acts shall be deemed to have committed the offense of disorderly conduct:

1. Uses offensive, disorderly, threatening, abusive or insulting language, conduct or behavior;

2. Acts in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to others;

3. Congregates with others on a public street and refuses to move on when ordered by the police;

4. By his actions causes a crowd to collect, except when lawfully addressing such a crowd;

5. Shouts or makes a noise either outside or inside a building during the night time to the annoyance or disturbance of any considerable number of persons;

6. Interferes with any person in any place by jostling against such person or unnecessarily crowding him or by placing a hand in the proximity of such person's pocket, pocketbook or handbag;

7. Stations himself on the public street or follows pedestrians for the purpose of soliciting alms, or who solicits alms on the public streets unlawfully;

8. Frequents or loiters about any public place soliciting men for the purpose of committing a crime against nature or other lewdness;

9. Causes a disturbance in any street car, railroad car, omnibus or other public conveyance, by running through it, climbing through windows or upon the seats, or otherwise annoying passengers or employees therein;

10. Stands on sidewalks or street corners and makes insulting remarks to or about passing pedestrians or annoys such pedestrians;

11. Is engaged in some illegal occupation or who bears an evil reputation and with an unlawful purpose consorts with thieves and criminals or frequents unlawful resorts; provided, however,

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that the provisions of this subdivision, as added by this act, shall remain in force and effect only until March first, nineteen hundred thirty-two.

§ 2. This act shall take effect immediately.

CHAPTER 794

AN ACT making appropriations for the support of government, in addition to those made by chapter thirty-six of the laws of nineteen hundred thirty-one, to the legislature

Became a law September 23, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. The following appropriations for the support of government to be immediately available, are hereby made to the legislature:

THE SENATE

PERSONAL SERVICE

For payment to Charles B. Horton, as a member of the senate, from May 6 to December 31, 1931....	$1,636 43
For the payment of the salaries and wages of officers and employees of the senate for the extraordinary session of 1931.....	16,105 51

The appropriations made by chapter thirty-six of the laws of nineteen hundred thirty-one for the payment of senate employees "during recess, salaries temporary" are hereby made available for the payment of salaries of the said employees for services during the extraordinary session.

For payment to employees of the senate for services at the extraordinary session, to comply with provisions of section 11 of the legislative law, in addition to the recess compensation provided by chapter 36 of the laws of 1931.....	348 36

MAJORITY LEADER OF THE SENATE

Clerical services

For deficiency in appropriation for the leader of the majority of the senate, due to the resignation of the former leader of the majority, to be paid to him for stenographic and clerical services....	4,000 00

MINORITY LEADER OF THE SENATE

Clerical services

For deficiency in appropriation for the leader of the minority of the senate, due to the death of the former leader of the minority, to be paid to him for stenographic and clerical services.....	4,000 00

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MAINTENANCE AND OPERATION

Traveling expenses—mileage of senators	1,595 00
Communication	1,500 00
Contingencies (including personal service)	1,000 00

THE ASSEMBLY

PERSONAL SERVICE

For the payment of the salaries and wages of officers and employees of the assembly for the extraordinary session of 1931 ..... 14,412 21

The appropriations made by chapter 36 of the laws of 1931 for the payment of assembly employees "during recess, salaries temporary" are hereby made available for the payment of salaries of the said employees for services during the extraordinary session.

For payment to employees of the assembly for services at the extraordinary session, to comply with provisions of section 11 of the legislative law, in addition to the recess compensation provided by chapter 36 of the laws of 1931 ..... 880 10

MAINTENANCE AND OPERATION

Traveling expenses—mileage of assemblymen	4,971 00
Communication	4,000 00
Legislative index	400 00

SENATE AND ASSEMBLY JOINTLY

MAINTENANCE AND OPERATION

Printing

For the expense of printing incurred at the extraordinary session of 1931, including such printing as may have been ordered by joint resolution ... 5,000 00

BILL DRAFTING COMMISSION

PERSONAL SERVICE

For the services before and during the special session of the legislature of 1931 of persons employed to prepare the necessary bills and resolutions for introduction or presentation thereat, the amounts thereof to be determined by the temporary president of the senate and speaker of the assembly, and paid on the certificate of such officers 10,000 00

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JOINT LEGISLATIVE COMMITTEE ON RECLASSIFICATION OF CIVIL SERVICE

Maintenance undistributed:

For personal service and expenses of the joint legislative committee on reclassification of civil service to be paid by the comptroller in accordance with the provisions of the joint resolution adopted April 11, 1930..... 15,000 00

§ 2. This act shall take effect immediately.

CHAPTER 795

AN ACT to amend the tax law, in relation to increasing the rates of taxes on personal incomes with respect to returns due during the calendar year nineteen hundred thirty-two, and making an appropriation for the department of taxation and finance.

Became a law September 23, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Article sixteen of chapter sixty-two of the laws of nineteen hundred nine, entitled "An act in relation to taxation, constituting chapter sixty of the consolidated laws," as added by chapter six hundred and twenty-seven of the laws of nineteen hundred nineteen, is hereby amended by inserting therein a new section, to be section three hundred and fifty-one-b, to read as follows:

§ 351-b. **Temporary increase of the tax on personal incomes.** The tax on the personal income of any taxpayer under this article for or on account of the calendar year nineteen hundred thirty-one or for or on account of any fiscal year the return for which is due during the calendar year nineteen hundred thirty-two shall be computed, levied, collected and paid at the following rates instead of those prescribed by section three hundred and fifty-one: One and one-half per centum of the amount of net income not exceeding ten thousand dollars; three per centum of the amount of net income in excess of ten thousand dollars but not in excess of fifty thousand dollars; four and one-half per centum of the amount of net income in excess of fifty thousand dollars. The taxpayer may pay all of the tax payable by him under this section in one payment, at the time prescribed by this article for payment of the income tax, or he may pay two-thirds of it at that time and the other third on or before the fifteenth day of the sixth month after the day his return became due. The word "due", as used in any of the foregoing provisions of this section, referring to a return, means the fifteenth day of the fourth month following the close of the fiscal year, or,

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if the return is made on the basis of the calendar year, the fifteenth day of April, nineteen hundred thirty-two. The time for payment of such second installment may be extended by the tax commission for not more than three months, and then only in case the time for making the return be extended under section three hundred and seventy-one for three months or more. If, however, the extension of time for making the return of a taxpayer be extended for more than six months, as in the case of a taxpayer who is abroad, the entire amount of the tax shall be paid by him at one time. Each withholding agent shall perform all of the duties imposed upon him by this article with respect to the returns of income referred to herein but the amounts to be withheld and paid over by him shall be computed in accordance with the rates prescribed by this section which shall supersede as to such returns the rates prescribed by section three hundred and sixty-six. The object of such temporary increase of the income tax is to produce additional revenues, presently receivable or anticipated, to provide moneys to pay appropriations for the relief of unemployed persons and the alleviation of distress occasioned by the present economic depression. The revenues derived pursuant to the rates prescribed by this section shall be distributed as follows: Two-thirds of the amount shall be distributed and paid in accordance with the provisions of section three hundred and eighty-two of this article, and the remainder shall be paid into the state treasury to the credit of the general fund. The tax commission shall segregate the revenues received from the several taxpayers, in a manner that will show, from time to time and at such periods as the tax commission deems necessary, the aggregate amount representing payments in full, and the aggregate amount representing payments of two-thirds of the full amount and the aggregate amount representing second installments. Two-thirds of the amount representing payments in full and all of the amount representing such two-thirds payments shall be applied as prescribed in section three hundred and eighty-two. One-third of the amount representing payments in full and the amount representing such installments shall be so paid into the state treasury to the credit of the general fund.

§ 2. Section three hundred and fifty-one-b of such chapter, as added by chapter one hundred and ninety-one of the laws of nineteen hundred twenty, is hereby renumbered section three hundred and fifty-two.

§ 3. The sum of fifty thousand dollars ($50,000), is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, to the department of taxation and finance for the additional expenses of the tax commission, including personal service, postage, stationery and supplies, in carrying out the provisions of this act, payable on the audit and warrant of the comptroller and vouchers approved as provided by law with respect to other expenditures of such department.

§ 4. This act shall take effect immediately.

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CHAPTER 796

AN ACT to amend the revised charter of the city of Syracuse, in relation to the sale of surplus water to the village of Elbridge in the county of Onondaga, a village having no adequate source of water supply

Became a law September 23, 1931, with the approval of the Governor. Passed by a two-thirds vote, on emergency message and message of necessity

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

Section 1. Chapter twenty-six of the laws of eighteen hundred eighty-five, entitled "An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city," is hereby amended by adding a new section, to be section twenty-three-b, to read as follows:

§ 23-b. The common council may sell to the village of Elbridge in the county of Onondaga, for which village no other adequate source of water supply is reasonably accessible, surplus water not required for the uses and purposes of the city, at such rates as shall be determined to be reasonable and to secure to the city just compensation for the surplus water sold.

§ 2. This act shall take effect immediately.

CHAPTER 797

AN ACT to amend the Indian law, in relation to the sale of timber on reservations

Became a law September 23, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

Section 1. Section fifty-six of chapter thirty-one of the laws of nineteen hundred nine, entitled "An act in relation to Indians, constituting chapter twenty-six of the consolidated laws," is hereby amended to read as follows:

§ 56. **Trees and timber on reservations.** The prevailing economic depression has greatly increased unemployment among the Indians in New York state. On the reservation there is valuable timber going to waste because of present laws forbidding the Indian to sell the same. Much of it decreases the value of his farmland. If he might sell such timber, the income would greatly aid him. The Cattaraugus and Allegany Indians are now allowed such benefit but the Tonawandas are not, therefore, except as provided by this section, no person shall cut, remove, cause to be removed or assist in removing from the Allegany, Cattaraugus or Tonawanda reservations any wood, trees or timber thereon,

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nor shall any Indian sell or dispose of any timber or trees on such reservations, or any manufacture therefrom; and every such sale or disposition shall be void. Except as provided in this section, any person who shall cut, remove or cause to be removed from any of such reservations, or any Indian who shall sell or dispose of any trees or timber thereon, or any manufacture therefrom, shall be liable to a penalty of twice the value of such property, recoverable for the benefit of the nation occupying the reservation. An Indian residing on the Allegany, Cattaraugus or Tonawanda reservation, may sell or dispose of, for his own benefit, any trees or timber, or the manufacture thereof, on any wild lands allotted to or entered by him; and, upon obtaining a permit from the council, signed by the presiding officer and clerk thereof, may manufacture shingles or staves from any trees or timber on any wild lands of the nation not allotted to or entered by any other Indian, and may dispose of the same for his own benefit. Any member of the Allegany, Cattaraugus or Tonawanda reservation may sell logs from land to which he holds title. The council of the Seneca nation may sell or dispose of any trees or timber on the wild lands of the Allegany, Cattaraugus or Tonawanda reservation, and the proceeds of such sale or disposition shall be for the benefit of such nation.

§ 2. This act shall take effect immediately.

CHAPTER 798

AN ACT to relieve the people of the state from the hardships and suffering caused by unemployment, creating and organizing for such purpose a temporary emergency relief administration, prescribing its powers and duties and making an appropriation for its work

Became a law September 23, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

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

SCHEDULE OF SECTIONS

Section 1. Declaration of emergency.
2. Definitions.
3. Administrative authority.
4. Preliminary studies.
5. Assistance of existing agencies.
6. Public welfare districts.
7. Local bureaus.
8. Administration agencies.
9. Relief by municipal corporations.
10. Local funds for relief.
11. City and county work relief.
12. Duties of the local bureaus.

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13. Investigation of home relief.
14. Private contributions.
15. Records and accounts of relief.
16. State aid for home relief.
17. State aid for work relief.
18. Expenditures on state improvements.
19. Employees of city and county commissioners.
20. Reports of commissioners.
21. Reports by administration.
22. General powers of administration.
23. Claims for payments by the state.
24. Allowance of claims.
25. Payment of claims.
26. Blank forms.
27. Rules of the administration.
28. Dissolution of administration on completion of work.
29. Liberal construction.
30. Violations and penalties.
31. Inconsistent statutory powers or duties.
32. Constitutionality.
33. Appropriation for state aid.
34. State funds.
35. Application.
36. Time of taking effect.

§ 1. **Declaration of emergency.** The public health and safety of the state and of each county, city and town therein being imperilled by the existing and threatened deprivation of a considerable number of their inhabitants of the necessaries of life, owing to the present economic depression, such condition is hereby declared to be a matter of public concern, state and local, and the correction thereof to be a state, county, city and town purpose, the consummation of which requires, as a necessary incident, the furnishing of public aid to individuals. While the duty of providing aid for those in need or unemployed because of lack of employment is primarily an obligation of the municipalities, nevertheless, it is the finding of the state that in the existing emergency the relief and assistance provided for by this act are vitally necessary to supplement the relief work accomplished or to be accomplished locally and to encourage and stimulate local effort in the same direction. This act, therefore, is declared to be a measure for the public health and safety and occasioned by an existing emergency. The provisions of any general, special or local law which are inconsistent with the provisions of this act or which limit or forbid the furnishing of shelter, fuel, clothing, light, medicine and medical attendance to persons other than poor persons shall not apply to the relief authorized by this act.

§ 2. **Definitions.** As used in this act:

"Administration" means the temporary state agency created by this act, to be known as the temporary emergency relief administration.

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"City commissioner" means the chief administrative public welfare officer or board of a city.

"County commissioner" means the chief administrative public welfare officer of territory of a county beyond the limits of a city.

"Municipal corporation" means a county or city except a county wholly within a city.

"Public welfare district" means one of such districts created by this act.

"Local bureau" means one of the temporary emergency work bureaus created by this act in cities and counties.

"Work relief" means wages paid by a municipal corporation to persons, who are unemployed or whose employment is inadequate to provide the necessaries of life, and/or their dependents, from money specifically appropriated or contributed for that purpose during the emergency period, for the performance of services or labor connected with work undertaken by such corporation independent of work under a contract or for which an annual appropriation has been made.

"Home relief" means shelter, fuel, food, clothing, light, medicine or medical attendance furnished by a municipal corporation to persons or their dependents in their abode or habitation and does not include relief to veterans under existing laws, old age relief or allowances made to mothers for the care of dependent children.

"Emergency period" means the period between the first day of November, nineteen hundred thirty-one, and the first day of June, nineteen hundred thirty-two.

"State aid" means payments to a municipal corporation by the state for work relief and/or home relief furnished during the emergency period in accordance with the provisions of this act.

§ 3. **Administrative authority.** The administration of the emergency relief provided by this act shall be vested in a temporary state agency, to be known as the temporary emergency relief administration, to consist of three persons to be appointed by the governor and to serve during his pleasure. Any vacancy in the membership of the administration, occurring from any cause whatsoever, shall be filled by the governor. The administration shall organize immediately upon the appointment of its complete membership and shall select one of their number chairman. It may employ, and at pleasure remove, a secretary and such other clerks and assistants as may be deemed necessary by it to carry out the provisions of this act. The administration may fix the compensation of all such employees within the amounts available by appropriation. The administration may accept from any person or organization and avail itself of any and all offers of personal service or other aid or assistance in carrying out any of the provisions of this act made without expectation of compensation or other reward. Any persons or organizations so contributing such services and giving such other aid or assistance shall be entitled to receive only such expenses as are actually and

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necessarily incurred by them by reason of such services, aid or assistance. Employees and volunteers of the administration shall not be subject to the provisions of the civil service law. The principal office of the administration shall be in the city of Albany in suitable quarters set apart for its use by the superintendent of public buildings, but offices in other localities of the state may be maintained by it. Each of the members of the administration, before entering upon the duties of his office, shall take and subscribe the constitutional oath of office and file the same in the office of the department of state. The members of the administration shall receive no compensation for their services hereunder but shall be allowed their actual and necessary traveling and other expenses incurred by them in the performance of their duties. The administration shall continue to function only during the emergency period, except that it may examine and certify, after the expiration of such period, claims for state aid under this act for expenditures for work and/or home relief furnished prior to the expiration of such period.

§ 4. **Preliminary studies.** The administration shall (a) Make or cause to be made with the aid of such data as may be available a thorough and comprehensive study and survey of unemployment within the state, the occupations, industries, and trades most seriously affected thereby and the number of persons suffering or in want by reason thereof.

(b) Discover the extent and nature of public work required or useful to be done by the state or any political subdivision thereof.

(c) Ascertain the amount of resources made available by public appropriations or private contributions for the relief of unemployed persons throughout the state.

§ 5. **Assistance of existing agencies.** In making any of the surveys preliminary to the work of the administration and for the more effective consummation of any of its powers and duties, the administration may request and shall receive advice and expert assistance from the department of social welfare, the tax department, the department of public works, the department of public health, and any other state or local department or agency. It shall have access to the records of any state or local department, board or other agency pertaining to the functions of the department and the cooperation and assistance of each and every officer or employee thereof. It may, in its discretion cooperate with existing national, state or local unemployment relief commissions or agencies and, if deemed advisable or expedient by it, coordinate and correlate its work with the work or projects of any such commission or agency.

§ 6. **Public welfare districts.** For the purpose of facilitating the administration of the provisions of this act and the distribution of the state aid thereby provided, each city of the state and the territory of each county beyond the limits of cities is hereby constituted a separate public welfare district, which are hereby desig-

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nated as city and county public welfare districts respectively, except that the cities of Geneva and Canandaigua shall be included in the county welfare district of the county of Ontario and the town of Newburgh shall be included in the city public welfare district of the city of Newburgh.

§ 7. **Local bureaus.** The mayor or chief administrative officer of a city may establish in a city public welfare district and the governing board of a county may establish in a county public welfare district, for the emergency period, an emergency work bureau, to consist of three or more persons to be appointed by such officers or governing boards respectively. City commissioners shall be members ex officio of the local bureau in their respective city public welfare districts and county commissioners shall be members ex officio of the local bureau in their respective county public welfare districts. Local bureaus shall be responsible for the administration of work relief and may employ necessary clerks and assistants, whose compensation shall be fixed by the officer or governing board by which such bureau was created. Local bureaus may accept from any person or organization and avail itself of any and all offers of personal service or other aid or assistance in carrying out any of the provisions of this act made without expectation of compensation or other reward.

§ 8. **Administration agencies.** Under rules adopted by the administration, which shall not conflict or be inconsistent with the provisions of this act, the city commissioner shall represent the administration in a city public welfare district as hereby constituted in providing home relief and administering the provisions of this act therein in relation thereto and the county commissioner shall represent the administration in a county public welfare district as hereby constituted in providing home relief and in administering the provisions of this act therein in relation thereto. Local bureaus shall represent the administration in their respective city and county welfare districts in providing work relief and in administering the provisions of this act therein in relation thereto. Local bureaus, city commissioners and county commissioners shall in all matters be subject to the supervision, direction and control of the administration.

§ 9. **Relief by municipal corporations.** Subject to the supervision and control of the administration by rules, a municipal corporation may furnish work relief, and a municipal corporation which has accepted the provisions of this act or a town where home relief is a town charge, if authorized to do so by the public welfare law, may furnish home relief, during the emergency period, to needy persons, who are unemployed or, if employed, whose compensation therefrom is inadequate to provide the necessaries of life and who have been residents of the state for at least two years prior to the first day of November, nineteen hundred thirty-one, and to the dependents of such persons.

§ 10. **Local funds for relief.** The legislative body of a municipal corporation may appropriate and make available sufficient

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money to pay for work relief and/or home relief and may raise such money during the emergency period by interest bearing notes, certificates of indebtedness or other obligations of such municipal corporation payable within a period not exceeding three years, provided the money so raised shall not exceed the constitutional or statutory debt limit of such municipal corporation. Such legislative board may authorize the performance of public work undertaken other than by contract by such municipal corporation, during the emergency period, through and under its local emergency work bureau or by its public works or other department under the supervision and control of its local emergency work bureau, notwithstanding any provision in its charter or in any general, special or local law requiring such work to be let by contract.

§ 11. **City and county work relief.** Before a city or county shall receive the state aid provided by this act for work relief, it shall establish an emergency work bureau as provided in this act which shall select the persons to be employed on the basis of their needs as determined by investigation.

§ 12. **Duties of the local bureaus.** It shall be the duty of a local bureau to ascertain the extent of unemployment existing in its district and make investigations and surveys as to the need for public works and the amount and kind of public work available and not required to be let by contract. From such surveys and investigations it shall determine, from time to time, with the approval of the administration, whether the employment constitutes work relief; how the available employment useful to the public shall best and most equitably be apportioned among the needy unemployed; on what particular project or work they shall be engaged; the number of days in each week they shall be employed and the amount of compensation which they shall receive. It shall pay such compensation, so fixed, daily or otherwise, as it may determine, and shall conduct the work in accordance with such rules of the administration as will best secure the proper and equitable administration of the relief sought to be provided by this act. If any city commissioner or county commissioner shall violate any rule of the administration or in the judgment of the administration, shall be inefficient or remiss in the performance of his duties, the administration may transfer all the powers, functions and duties of such city commissioner or county commissioner with respect to home relief under this act during the emergency period to the local bureau and thereafter the local bureau shall exercise all of the powers, functions and duties of the city or county commissioner with respect to home relief under this act.

§ 13. **Investigation of home relief.** In a city public welfare district the city commissioner shall investigate all cases of home relief. In a county public welfare district where home relief is a county charge, the county commissioner shall investigate such cases. In a county public welfare district where home relief is a town charge, the town public welfare officers shall investigate such cases under the supervision and general direction of the county commissioner.

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§ 14. **Private contributions.** In furtherance of the purposes of this act, a municipal corporation may accept contributions in cash or otherwise, during the emergency period, from individuals and corporations for work relief and/or home relief which shall be disbursed in the same manner as money appropriated by such municipal corporation for such purposes, but any such contributions in cash for home relief made by a single individual or lawfully by a corporation which aggregate more than the sum of ten thousand dollars during the emergency period shall not be considered in payments to a municipal corporation under the provisions of this act. All expenditures of such contributions in cash under the provisions of this act by a municipal corporation to the extent of ten thousand dollars or less in the aggregate from a single individual or lawfully from a corporation for home relief shall be allowed in determining the amount of state aid to which such municipal corporation is entitled.

§ 15. **Records and accounts of relief.** A municipal corporation furnishing work relief and/or home relief under the provisions of this act shall keep such records and accounts in relation thereto as the administration shall prescribe.

§ 16. **State aid for home relief.** A municipal corporation or a town, where home relief is a town charge, furnishing home relief under the provisions of this act shall be paid by the state from the money hereby appropriated in the manner and to the extent provided in this section and such money shall be credited by such corporation or town to its general fund. Payment by the state to a municipal corporation or town under this section shall be forty per centum of the amount of expenditures for such home relief as is approved by the administration during the emergency period. The administration may, however, increase such percentage or apportion and pay or may advance to a municipal corporation, money for home relief from the fund hereby appropriated, whenever in its judgment the financial condition of such municipal corporation renders expenditures by it for such relief inadequate, inexpedient or impossible. In no event shall the state be deemed obligated to pay or allow in the aggregate a sum greater than ten million dollars for home relief for the entire state under the provisions of this act. In making any increased apportionments for home relief the administration may be guided by the following:

(1) The number of unemployed persons and their dependents, if any, entitled to relief in each public welfare district; (2) the amount of money or other commodities received or realized in each public welfare district by private or public subscriptions, solicitations, contributions or appropriations for expenditure for the public welfare of its residents; (3) local effort in raising moneys for unemployment relief.

§ 17. **State aid for work relief.** Of the balance of the appropriation made by this act, still available, the administration shall apportionate proportionately and equitably such sums to municipal corporations during the emergency period for work relief as it

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may deem advisable. In making such apportionment the administration may be guided by the following: (1) The number of unemployed persons and their dependents, if any, entitled to relief in each public welfare district; (2) the amount of money or other commodities received or realized in each public welfare district by private or public subscriptions, solicitations, contributions or appropriations for expenditure for the public welfare of its residents; (3) local effort in raising moneys for unemployment relief. In no event, however, shall the state be obligated to pay out or allow for all the purposes of this act a sum greater than nineteen million four hundred and sixteen thousand dollars. Moneys paid to a person in cash under the provisions of this act shall be in the form of day's wages for day's work or hour's wages for hour's work and the payment to any unemployed person of any part of such money in the form of a dole or any other form other than for wages is hereby prohibited. All moneys paid to persons receiving the relief provided for by and pursuant to this act shall be inalienable by any assignment or transfer and, to the extent of fifty per centum thereof, shall be exempt from levy and execution under the laws of the state.

§ 18. **Expenditures on state improvements.** Before making any apportionment for work relief or home relief as provided in this act, the administration may set aside, retain and expend of the moneys appropriated by this act, such amount as it may deem necessary, not exceeding one million dollars, for temporary employment on public improvements undertaken or required by the state and not let or to be let by contract, of persons entitled to relief under this act and of such amount the administration may expend a sum not to exceed ten per centum thereof for the purchase of materials, tools and other supplies needed for the proper performance of such work.

§ 19. **Employees of city and county commissioners.** The administration may authorize city and county commissioners to employ such additional clerical and other assistants or volunteers, with qualifications satisfactory to the administration, who shall not be subject to the provisions of the civil service law, as may be necessary for the administration of home relief in accordance with the rules of the administration and shall determine the number of such additional clerks and assistants and fix their salaries, which shall be paid from the money hereby appropriated. There shall be paid also from the moneys hereby appropriated fifty per centum of the salary of persons in the employment of the emergency work bureau in the administration of work relief approved by the administration whose work is concerned with the registration or investigation of applications for work or the clerical work of the bureau when such salaries have been approved and such work authorized by the administration.

§ 20. **Reports of commissioners.** Each city and county commissioner and each local bureau shall file with the administration at its office in the city of Albany on or before the fifth day of each

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month a verified detailed statement of relief granted unemployed persons of the district during the preceding month. Such reports shall contain such information as the administration may from time to time require.

§ 21. **Reports by administration.** The administration shall report to the governor and the legislature from time to time, in such detail as may be required, the operations of the administration together with the condition of unemployment and the relief afforded unemployed persons of the state.

§ 22. **General powers of administration.** In executing any of the provisions of this act, the administration, and any person duly authorized or designated by it, may conduct any investigation pertinent or material to the furtherance of its work. The administration and each person so authorized is hereby empowered to subpoena witnesses, administer oaths, take testimony and compel the production of such books, papers, records and documents as may be relevant to any such investigation. The administration shall have and may exercise such other powers as may be necessary to carry out the provisions of this act.

§ 23. **Claims for payments by the state.** Claims by a municipal corporation or a town for payments by the state for home relief under the provisions of this act shall be made to the administration through the agency representing it in such municipal corporation, which agency shall transmit to the administration forthwith all claims with recommendations in respect thereto.

§ 24. **Allowance of claims.** Upon the receipt of claims for payment by the administration, it shall examine such claims and certify to the state comptroller the amount thereof approved by it, specifying the amount to which each municipal corporation is entitled.

§ 25. **Payment of claims.** The amount so certified by the administration as provided in the last section shall be paid from the state treasury upon the audit and warrant of the comptroller to the fiscal officer of the municipal corporation, when such municipal corporation is a city, and to the county treasurer, when such municipal corporation is a county. County treasurers shall distribute the amount so received by them to the municipal corporations and towns therein entitled thereto.

§ 26. **Blank forms.** The administration shall prescribe and furnish such forms of records, accounts, reports and claims as it may deem advisable for the proper enforcement and administration of the provisions of this act.

§ 27. **Rules of the administration.** The administration shall make and enforce rules in accordance and consonance with the provisions of this act which will best promote the efficiency and effectiveness of the relief which this act is intended to furnish. None of the money appropriated by this act shall be expended or allowed except in accordance with such rules. A certified copy of such rules shall be filed in the office of the department of state. The administration shall mail to each city and county commis-

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sioner and each local bureau, copies of such rules to be posted by them in not less than five public conspicuous places throughout the district.

§ 28. **Dissolution of administration on completion of work.** The administration shall be dissolved and cease to function at the time fixed by this act. At such time, all unexpended or unpledged moneys in the hands of the administration shall be returned forthwith to the state comptroller to be by him deposited into the state treasury to the credit of the general fund; all tools, materials and supplies remaining unconsumed and in the physical possession and control of the administration shall be turned over to the department of public works and all tools, materials and supplies remaining unconsumed and in the hands of the administrative heads shall become the property of and be turned over by them to the city or county in and for which they carried on their duties under this act. The administration shall require such final reports from each administrative head and local bureau under this act as it shall deem necessary and shall, after receipt and audit of such reports, make its own final report to the governor and to the legislature stating such other information or recommendations as it may deem helpful or conducive to promote the public welfare, health and safety of the people of the state. All office equipment purchased by or for the administration shall be turned over to the department of public works. All books, papers, files and records of the administration and all documents, including reports of proceedings, surveys or investigations made or caused to be made by the administration shall be transferred by the administration to the department of state.

§ 29. **Liberal construction.** This act shall be liberally construed to the end that the work of the administration shall be consummated as equitably and expeditiously as practicable.

§ 30. **Violations and penalties.** Rules adopted by the administration under this act shall have the force and effect of law. A violation of any of the provisions of this act or of any rule of the administration, subsequent to the certification, filing and posting of such rule as provided herein, shall constitute a misdemeanor and shall be punishable by a fine of not less than one hundred dollars or more than one thousand dollars or by imprisonment for not more than one year or by both such fine and imprisonment. The penalty prescribed by this section shall not be exclusive, and if a rule be not obeyed, the administration, by the exercise of any power, conferred by this act, may carry out its provisions.

§ 31. **Inconsistent statutory powers or duties.** If a statute, general or special, or any local law or ordinance confers a power, prescribes a duty, or imposes a restriction inconsistent with this act or with a rule of the administration made pursuant to this act, such power shall not be exercised, or such duty or restriction enforced during the emergency period.

§ 32. **Constitutionality.** If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of

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competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 33. **Appropriation for state aid.** The sum of twenty million dollars ($20,000,000), or so much thereof as may be needed, is hereby appropriated from any money in the state treasury not otherwise appropriated, for the purposes of this act, but not to exceed the sum of one hundred and fourteen thousand dollars ($114,000) thereof shall be used or expended for personal service, maintenance and operation of the administration, which shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the chairman of the administration.

§ 34. **State funds.** The comptroller is hereby authorized and directed to borrow on the faith and credit of the state, in anticipation of the receipt of taxes and revenues, direct or indirect, pursuant to the state finance law, sufficient money, within the appropriations herein made, to pay the legal demands authorized by this act.

§ 35. **Application.** This act shall not apply to a city or county unless and until the governing board thereof shall adopt a resolution accepting its provisions and shall file, on or before November sixteenth, nineteen hundred thirty-one, a certified copy of such resolution with the administration.

§ 36. **Time of taking effect.** This act shall take effect immediately.

CHAPTER 799

AN ACT making a reappropriation of certain moneys for the payment of state bonuses to certain honorably discharged soldiers, sailors and marines of the world war authorized by chapter six hundred and seventy-six of the laws of nineteen hundred thirty-one, including expense of administration

Became a law September 23, 1931, 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. Of the sum of twenty million dollars ($20,000,000), appropriated by and to carry out the provisions of an act of the legislature at the extraordinary session of the year nineteen hundred thirty-one, entitled "An act to relieve the people of the state from the hardships and suffering caused by unemployment, creating and organizing for such purpose a temporary emergency relief administration, prescribing its powers and duties and making an appropriation for its work," the sum of five hundred and eighty-four thousand dollars ($584,000), or so much thereof as may be necessary, is hereby reappropriated for the payment of state bonuses under the provisions of chapter nineteen of the

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laws of nineteen hundred twenty-four, as amended by chapter six hundred and seventy-six of the laws of nineteen hundred thirty-one, and subject to the conditions and limitations contained in such amendatory act; and of the amount so reappropriated the sum of not to exceed thirty thousand dollars ($30,000) is hereby made available for necessary administration expenses, including personal service, stationery, postage, general office incidentals and supplies. For the purpose hereof, the state comptroller, after audit, shall draw his warrants on the state treasury to the order of the adjutant-general of such amounts as may be certified from time to time by the adjutant-general.

§ 2. This act shall take effect immediately.

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