said applicant a license to do business as a "certified undertaker." Every undertaker, whether licensed or not, who shall take into his employ an apprentice, shall report to the board of embalming examiners within three months thereafter such facts as the board may require for registration. The board shall issue to such apprentice, when his character and qualifications are satisfactory, a certificate of registration as a "registered apprentice." The fee for such registration shall be fifty cents. An application for a license to do business as a certified undertaker shall contain the name, residence and place of business of the applicant, and a statement of the times and places where he has been employed as an assistant to an undertaker accompanied with such proof, by affidavit or otherwise, as the board may require showing that the applicant had served as an apprentice or assistant to an undertaker for at least two years in the aggregate, but the application above provided for shall not be required of a person actually engaged in the business of undertaking at the time this amendment takes effect. An application fee of five dollars shall accompany the application. The secretary of the board shall issue to the applicant a permit to enter any examination for the license provided for in this section. Upon the applicant's passing a satisfactory examination in sanitation, disinfection, preparation and care of human dead bodies for burial or transportation, the board shall issue to said applicant, on payment of a further fee of five dollars, a license to engage in the business of undertaking as a "certified undertaker." If a firm or corporation shall desire to become, as a firm of "certified undertakers," at least one member of such firm and the manager of each place of business conducted by a corporation shall be so licensed. No such firm or corporation shall be permitted to continue the use of the designation "certified undertakers" unless the care or preparation of human dead bodies for burial or transportation by them or it is done under the personal supervision of a certified undertaker licensed as such. A person licensed as a certified undertaker may cause his license to be registered with the board of health of the city, town or village in which he proposes to engage in business as a "certified undertaker." No person shall practice or hold himself out as a "certified undertaker" unless he has complied with the provisions of this section or with chapter four hundred and ninety-eight of the laws of nineteen hundred and four, as amended by chapter five hundred and seventy-two of the laws of nineteen hundred and five. Any holder of a license issued by state authority in any other state maintaining a system and standard of examination for licenses to engage in the business of undertaking, which in the judgment of the board shall be substantially equivalent to those required in this state for the issuance of licenses as "certified undertakers," may obtain a license from the board under the provisions of this section without examination, in the discretion of the board, upon payment of the application and license fees provided for herein. Nothing contained in this section shall be construed to prohibit any person or corporation from engaging in the business of undertaking whether licensed under this section or not, but only to prohibit the use of the designation "certified undertaker" or "certified undertakers" unless the provisions of this section are complied with.

§ 3. Section two hundred and ninety-eight of such chapter is hereby amended to read as follows:

§ 298. Prohibiting practice of embalming without a license. No person to whom a license has not been issued as prescribed by laws of eighteen hundred and ninety-eight, chapter five hundred and fifty-five, as amended, or who has not passed the examination for practicing embalming herein prescribed and been licensed as herein specified, shall transact or practice or hold himself or herself out as transacting or practicing the business or practice of embalming of dead human bodies within this state, except that nothing in this article contained shall apply to commissioned medical officers in the army of the United States, or in the United States marine hospital service while so commissioned, or any one actually serving as a member of the resident medical staff of any legally incorporated hospital, or to any person duly licensed to practice as a physician or surgeon in this state.

§ 4. There is hereby added to article fourteen of such chapter a new section, to be known as section two hundred and ninety-nine, and to read as follows:

§ 299. Violations of article. Any person violating any of the provisions of this article shall be guilty of a misdemeanor.

§ 5. This act shall take effect immediately.

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

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

EDWARD LAZANSKY,
Secretary of State.

LAWS OF NEW YORK—By Authority.
CHAP. 543.

AN ACT to amend the state charities law, in relation to admissions to the state charitable institutions.

Became a law July 26, 1911, 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 four of chapter fifty-seven of the laws of nineteen hundred and nine, entitled "An act relating to state charities, constituting chapter fifty-five of the consolidated laws," is hereby amended by adding thereto a new section, to be numbered fifty-two, to read as follows:

§ 52. Except as may otherwise be specifically provided by law all admissions to the state charitable institutions shall be through commitment from the several counties of the state by the county superintendents of the poor of such counties, or other officer acting in that capacity, and from the city of New York by the commissioner of public charities of such city, or his deputy designated for that purpose. In the admission of such patients or inmates the several counties and the city of New York shall, so far as practicable, be entitled annually to the admission of patients or inmates to the said state charitable institutions in the ratio which the population of such counties and the city of New York, respectively, bears to the population of the state as ascertained by the last official census.

§ 2. This act shall take effect immediately.

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

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

EDWARD LAZANSKY,
Secretary of State.

LAWS OF NEW YORK—By Authority.
CHAP. 545.

AN ACT to amend the labor law, by providing for the licensing and regulation of immigrant lodging places.

Became a law July 26, 1911, 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 ten-a of chapter thirty-six of the laws of nineteen hundred and nine, entitled "An act relating to labor, constituting chapter thirty-one of the consolidated laws," is hereby amended by adding thereto a new section, to be known as section one hundred and fifty-six-a, which shall read as follows:

156-a. The licensing and regulation of immigrant lodging places.

1. No person shall hereafter, directly or indirectly, own, conduct or keep an immigrant lodging place without having first obtained from the commissioner of labor a license therefor. Before receiving such license the applicant therefor shall file with the commissioner of labor, in such form as he may prescribe, a statement verified by such applicant, or if said applicant is a corporation, by one of its officers, designating the location of the immigrant lodging place for which a license shall be requested, and specifying the number of boarders or lodgers received by said applicant at any one time during the year preceding such application at the place for which a license is sought, or if no business shall have previously been conducted at said place the maximum number of boarders or lodgers which it will accommodate. With such application there shall be presented to the commissioner of labor proof of the good moral character of the applicant, and in case such applicant is a corporation, of its officers, and in addition thereto a bond to the people of the state of New York, with two or more sureties or of a surety company approved by the commissioner of labor, conditioned that the obligor shall obey all laws, rules and regulations applicable to such immigrant lodging place prescribed by any lawful authority, and that such obligor shall discharge all obligations and pay all damages, loss and injuries which shall accrue to any person or persons dealing with such licensee, by reason of any contract or other obligation of such licensee or resulting from any fraud or deceit, conversion of property, oppression, excessive charges, or other wrongful act of said licensee or of his servants or agents in connection with the business so licensed. Where the number of boarders or lodgers specified in said application shall not exceed ten persons the penalty of said bond shall be one hundred dollars, where it shall be more than ten and less than fifty persons it shall be two hundred and fifty dollars, and where the number shall be more than fifty it shall be five hundred dollars. Any person aggrieved may bring an action for the enforcement of such bond in any court of competent jurisdiction. On the approval of the application for said license and of the bond filed therewith the commissioner of labor shall issue a license authorizing the applicant to own, conduct and manage an immigrant lodging place at the place designated in the application and to be specified in the license certificate. For such license the applicant shall pay to the commissioner of labor a fee of five dollars where the number of boarders or lodgers stated in the application does not exceed ten, a fee of ten dollars where such number exceeds ten and does not exceed fifty, and a fee of twenty-five dollars where such number exceeds fifty. Such license shall not be transferable without the consent of the commissioner of labor, nor authorize the conduct of an immigrant lodging place on any other premises than those described in the application. Such license shall be renewable annually on the payment of a fee based on the maximum number of boarders and lodgers received by the licensee at the place licensed during the preceding year. The commissioner of labor shall keep a book or books in which the licenses granted and the bonds filed shall be entered in alphabetical order, together with a statement of the date of the issuance of the license, the name or names of the principals, the place where the business licensed is to be transacted, the names of the sureties upon the bond filed and the amount of the license fee paid by the licensee.

2. Every licensee shall keep conspicuously posted in the public rooms and in each bedroom of the place licensed a statement printed in the English language and in the language understood by the majority of the patrons of said place, specifying the rate of charges by the day and week for lodging, for meals supplied, for the transportation of passengers and baggage, the services of guides, and other service rendered to such patrons. No sum shall be charged or received by or for the licensee in excess of such posted rates for any service rendered, and payment shall not be enforceable for any charge in excess of such rates. A copy of the rates so posted shall be filed by the licensee with the commissioner of labor, and no increased rate shall be charged or received until a revised schedule showing such increase shall have been filed with the commissioner of labor. Every such licensee shall likewise file with the commissioner of labor a list specifying the names and addresses of every person employed by such licensee as a runner, guide or other employee, and showing whether such person is employed at a salary or on commission.

3. A license granted hereunder shall be revocable by the commissioner of labor on notice to the licensee and for cause shown.

4. The term immigrant lodging place as used in this section includes any place, boarding house, lodging house, inn or hotel where principally immigrants or emigrants while in transit, or aliens are received, lodged, boarded or harbored, which shall not include any place maintained or conducted by a charitable, philanthropic or religious society, association or corporation. Nothing contained herein shall be held to apply to temporary sleeping quarters in labor or construction camps.

5. Any person or any officer of a corporation owning, conducting or managing an immigrant lodging place without having obtained from the commissioner of labor a license therefor, or who shall carry on such business after the revocation of a license to carry on such business, or who shall violate any of the provisions of this section, shall be guilty of a misdemeanor.

6. The license fees collected hereunder shall be paid to the comptroller and shall constitute a fund to be used in the joint discretion of the comptroller and commissioner of labor for the expenses necessary for carrying out the provisions of this section.

§ 2. This act shall take effect on September first, nineteen hundred and eleven.

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

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

EDWARD LAZANSKY,
Secretary of State.

LAWS OF NEW YORK—By Authority.
CHAP. 550.

AN ACT to amend section eight hundred and eighty-one of an act entitled "An act relating to courts, officers of justice and civil proceedings," passed June second, eighteen hundred and seventy-six.

Became a law July 26, 1911, 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 eighty-one of an act entitled "An act relating to courts, officers of justice and civil proceedings," passed June second, eighteen hundred and seventy-six, as heretofore amended is hereby further amended so as to read as follows:

§ 881. When to be read in evidence. The deposition, or a certified copy thereof, may be read in evidence by either party, at the trial of, or upon the assessment of damages, by writ of inquiry, or upon a reference, or otherwise, in the action or in any special proceeding specified in the original affidavit or stipulation, or in any other action or special proceeding thereafter brought between the same parties; or between any parties claiming under them or either of them, or, if no action or special proceeding is then pending, in an action or special proceeding thereafter brought between the persons named in the original affidavit as expected parties, or between persons claiming under them or either of them, including the case where one of the parties is the executor of the will or administrator of the estate of the witness and is given a cause of action by reason of section nineteen hundred and two of this act. And except in the cases prescribed to the contrary in section eight hundred and eighty-two of this act, the said deposition, or a certified copy thereof, may be read in evidence by either party to the action or special proceeding in which it is taken, and as between the defendant in said action and the legal representatives and privies in interest and estate of the plaintiff, and as between the plaintiff and the legal representatives and privies in interest and estate of the defendant, and as between the legal representatives and privies in interest and estate of the defendant and the legal representatives and privies in interest and estate of the plaintiff.

§ 2. This act shall take effect September one, nineteen hundred and eleven.

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

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

EDWARD LAZANSKY,
Secretary of State.

LAWS OF NEW YORK—By Authority.
CHAP. 551.

AN ACT to establish a state college of forestry at Syracuse University, and making an appropriation therefor.

Became a law July 26, 1911, 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:

State College of Forestry at Syracuse University.

Section 1. Establishment; corporate name.
2. Objects and purposes of college.
3. Management and control of college.
4. Powers and duties of boards of trustees.
5. Property acquired to belong to the state.
6. Admission to college; disposition of fees and income.
7. Time of taking effect.

§ 1. Establishment; corporate name. There is hereby established at Syracuse University a state college of forestry, which shall be known as The New York State College of Forestry at Syracuse University.

§ 2. Objects and purposes of college. Such college shall have for its objects and purposes:

1. The conduct upon land acquired for such purpose of such experiments in forestry and forestation as the board of trustees deem most advantageous to the interest of the state and the advancement of the science of forestry.

2. The planting, raising, cutting and selling of trees and timber at such times, of such specie and quantities and in such manner as the board of trustees deems best, with a view of obtaining and imparting knowledge concerning the scientific management and use of forests, their regulation and administration, and the production, harvesting and reproduction of wood crops and the earning of revenue therefrom.

§ 3. Management and control of college. The care, management and control of such college and the property and premises required therefor shall be exercised by a board of twelve trustees. The state forest, fish and game commissioner, the state commissioner of education and the chancellor of Syracuse University, shall be ex-officio members of the board of trustees. Of the remaining nine members of the board of trustees, three shall be appointed by the governor, by and with the advice and consent of the senate, and six by the board of trustees of Syracuse University. The members appointed by the governor and by the board of trustees of Syracuse University shall be divided into three classes, so that the terms of one-third thereof shall expire on June thirtieth, nineteen hundred and twelve, and one-third thereof on the thirtieth day of June of each second year thereafter. Successors to such trustees shall be appointed by the governor and by the board of trustees of Syracuse University for full terms of six years. In case of any vacancy in the office of any appointive trustee his successor shall be appointed for the unexpired term for which he was appointed. The members of the board of trustees shall serve without compensation, but shall be entitled to their actual necessary expenses incurred in the performance of their duties.

§ 4. Powers and duties of board of trustees. The board of trustees of such college of forestry shall have the general care, supervision and control of such college and of its officers, and to carry out its objects and purposes shall:

1. Employ and at pleasure remove teachers, experts and all necessary clerks and assistants.

2. Adopt rules, not inconsistent with law, controlling the affairs of such college.

3. Prescribe the course of instruction and the methods of investigation and experiments to be followed in such college, and the degree to be conferred on graduation therefrom.

4. Report to the legislature on or before the first day of February a detailed statement of the general operation of such college for the year ending on the thirtieth day of September then next preceding.

§ 5. Property acquired to belong to the state. All lands purchased and other property acquired with moneys appropriated by the state for such college of forestry shall be and remain the property of the state. If real property is purchased, the title thereto shall be conveyed to the people of the state of New York, and the sufficiency of such title and the form of conveyance shall be approved by the attorney-general.

§ 6. Admission to college; disposition of fees and income. Students who are bona fide residents of the state of New York for one year preceding the date of admission shall be entitled to free tuition in such college. Other fees and charges, if any, in such college and any moneys received from tuition paid by students not residents of the state of New York and from the sale of products shall be reported and forwarded monthly to the state treasurer, as required by the state finance law, and may be appropriated toward the maintenance of such college of forestry.

§ 7. The sum of forty thousand dollars ($40,000), or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury, not otherwise appropriated, for the purpose of acquiring necessary lands for the New York State College of Forestry at Syracuse University, and the further sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby appropriated for the purchasing of necessary supplies, the payment of the salaries of teachers, experts and other assistants, and the other necessary expenses of such college. The moneys hereby appropriated shall be payable by the treasurer on the warrant of the comptroller on the order of the board of trustees of such college.

§ 7. Time of taking effect. This act shall take effect immediately.

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

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

EDWARD LAZANSKY,
Secretary of State.

LAWS OF NEW YORK—By Authority.
CHAP. 553.

AN ACT providing for the reconstruction and decoration of the state capitol, and making appropriations therefor, and making appropriations for the construction, equipment and decoration of the state education building and for the construction and equipment of the capitol power house.

Became a law July 26, 1911, 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 trustees of public buildings are hereby empowered and authorized to proceed with the reconstruction, including, but not exclusively, alterations, repairs and renovations of that portion or those portions of the state capitol damaged by the fire which occurred therein on or about the twenty-ninth day of March, nineteen hundred and eleven. The said trustees are also empowered and authorized to proceed with the decoration of the state capitol, including, but not exclusively, the ceiling in the assembly chamber in said building.

§ 2. The state architect shall prepare the drawings and specifications necessary for the reconstruction and decoration of the state capitol, which drawings and specifications shall be subject to the approval of the trustees of public buildings. The trustees of public buildings may employ such experts, inspectors and assistants as may be necessary for the proper conduct of such work or works, and fix their compensation which shall be paid out of such moneys as may be appropriated from time to time for the purpose to which his or their work was incidental. The state architect shall, under the direction of the trustees of public buildings, see that the materials furnished and the work performed are in accordance with such drawings and specifications, and that the interests of the state are fully protected.

§ 3. For the purpose of carrying into effect the foregoing sections, the said trustees of public buildings are hereby authorized:

1. To enter a contract or contracts in an amount or amounts in the aggregate, respectively, not exceeding the sum of two million dollars ($2,000,000), for the reconstruction of the state capitol * * * and to make contracts for such reconstructing and remodeling upon such terms as in their judgment will be for the best interests of the state.

2. To enter into a contract or contracts in an amount or in amounts in the aggregate, respectively, not exceeding the sum of fifty thousand dollars, for decorating the state capitol.

Wherever any of the work heretofore authorized to be done shall involve an expenditure of five thousand dollars or more, the trustees of public buildings shall, except as hereinbefore provided, advertise for proposals for such work; wherever such work shall involve an expenditure of less than five thousand dollars, the said trustees may in their discretion, but need not, advertise for proposals for such work. Wherever said trustees must or in their discretion have decided to advertise for proposals for work, they shall determine in what newspaper or newspapers the advertisement shall be inserted and the length of time it shall remain therein. Upon all proposals for work advertised for the said trustees shall require as an evidence of good faith, a preliminary deposit or a certified check drawn upon some legally incorporated bank in this state, in an amount to be determined by them; upon all other proposals for work the said trustees may, but need not, require as an evidence of good faith such preliminary deposit or certified check. All contracts entered into pursuant to this section shall contain the clause that the contract shall be deemed executory only to the extent of the moneys available, and no liability shall be incurred by the state beyond the money available for the purpose and shall be made by the said trustees upon such other terms as said trustees shall consider most advantageous to the state; and any contract so made and entered into by said trustees may in the discretion of said trustees be sublet. All contracts in an amount greater than one thousand dollars shall have the performance thereof secured by a sufficient surety bond or bonds in an amount or in amounts, respectively, to be determined by the said trustees of public buildings, and said bond or bonds shall be approved as to its or their sufficiency by, and filed with, the state comptroller. All contracts in an amount of one thousand dollars or less need have no surety bond, provided payment is to be made only after the work is completed and approved by the trustees of public buildings and the state architect. All original bids or proposals, and an abstract thereof, shall be attached to a copy of the contract to which they relate and filed with the state comptroller.

§ 4. For the purpose of carrying out the foregoing provisions of this act, the sum of five hundred thousand dollars is hereby appropriated out of any moneys in the treasury not otherwise appropriated, for the reconstruction of the state capitol, to be expended under the direction of the trustees of public buildings in payment of the sums agreed to be paid by said trustees under the contract or contracts entered into by said trustees under the authority conferred upon them by subdivision one of section three of this act, and in payment of the necessary expenses incidental to such reconstruction; * * * All payments under the foregoing sections of this act shall be certified by the state architect and approved by the trustees of public buildings prior to their audit by the comptroller, and then made by the state treasurer upon the warrant of said comptroller.

§ 5. The sum of six hundred thousand dollars is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for continuing the construction of the state education building at Albany, now under contract, to be expended under the direction of the trustees of public buildings, pursuant to the provisions of chapter six hundred and seventy-eight of the laws of nineteen hundred and six, as amended by chapter thirty of the laws of nineteen hundred and eight.

§ 6. The sum of two hundred thousand dollars is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for furniture, equipment and decorating for the state education building at Albany, to include book stacks, book cases, lighting fixtures, decorating, sculpture and for such other expenses incidental thereto as may be necessary, to be expended under the direction of the trustees of public buildings, pursuant to the provisions of chapter six hundred and seventy-eight, laws of nineteen hundred and six, as amended by chapter thirty of the laws of nineteen hundred and eight, in payment of such sums as may have been agreed to be paid under contracts for such purposes entered into by the said trustees under the authority of chapter five hundred and thirteen of the laws of nineteen hundred and ten, and chapter two hundred and thirty-three of the laws of nineteen hundred and eleven.

§ 7. The sum of three hundred and fifty thousand dollars is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the construction and equipment of a power house, coal pockets and conduits for furnishing heat, light and power to the state capitol and education building at Albany, to be expended under the direction of the trustees of public buildings, pursuant to the provisions of chapter thirteen of the laws of nineteen hundred and ten, in payment of such sums as may have been agreed to be paid under contracts for such purposes entered into by the said trustees under the authority of chapter thirteen, laws of nineteen hundred and ten, and chapter three hundred and fifty-five, laws of nineteen hundred and eleven.

§ 8. This act shall take effect immediately.

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

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

EDWARD LAZANSKY,
Secretary of State.

LAWS OF NEW YORK—By Authority.
CHAP. 552.

AN ACT to amend the education law, in relation to a state school of agriculture at Cobleskill, Schoharie county, and providing for the purchase of a site and the erection of buildings, and making an appropriation therefor.

Became a law July 26, 1911, 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 twenty-one of the laws of nineteen hundred and 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 and ten, is hereby amended by inserting therein a new article, to be article forty-two-a, to read as follows:

ARTICLE 42-A.

State School of Agriculture at Cobleskill.

Section 1075. Establishment and corporate name.
1076. Objects and purposes of school.
1077. Management and control of school.
1078. Powers and duties of board of trustees.

§ 1075. Establishment and corporate name. There is hereby established in the town of Cobleskill, Schoharie county, a school of agriculture to be known as the Schoharie State School of Agriculture.

§ 1076. Objects and purposes of school. Such school shall have for its objects and purposes:

1. The instruction of pupils attending such school in agriculture, mechanic arts, and home making.

2. The giving of instruction throughout the state by means of schools, lectures and other university extension methods for the promotion of agricultural knowledge.

3. The conducting of investigations and experiments for the purpose of ascertaining the best methods of fertilization of fields, gardens and plantations and the best modes of tillage, farm management and improvement of live stock.

4. The printing of leaflets and the dissemination of agricultural knowledge by means of lectures and otherwise; printing and free distribution of the results of such investigations and experiments, and the publication of bulletins containing such information as may be deemed desirable and profitable in promoting the agricultural interests of the state.

§ 1077. Management and control of school. The care, management and control of the school, property and premises shall be exercised by a board of seven trustees of which the commissioner of education and the commissioner of agriculture shall be ex officio members, with the same powers and duties as other members thereof. The other five trustees shall be appointed by the governor. At least three of the trustees so appointed shall be residents of the county of Schoharie and one of them shall be a resident of the town of Cobleskill. Trustees first appointed hereunder shall be appointed for such terms that the term of one trustee shall expire each year and their terms shall be designated by the governor in their certificates of appointment. A successor to any such trustee shall be appointed for a full term of five years. A vacancy in the office of trustee shall be filled for the remainder of the unexpired term. Such trustees shall serve without compensation.

§ 1078. Powers and duties of board of trustees. The board of trustees of such school shall have the general care, supervision and control of such school and of all of its affairs, and to carry out its objects and purposes shall:

1. Employ and at pleasure remove teachers, experts, chemists and all necessary clerks and assistants;

2. Adopt rules not inconsistent with law controlling the affairs of such school and regulating the meetings and organization of such board;

3. Prescribe the course of instruction and the methods of investigation and experiments to be followed in such school.

The board of trustees shall report to the commissioner of agriculture annually, on or before the first day of December, a detailed statement of such expenditures and of the general operations of the said school of agriculture for the year ending the thirtieth day of September then next preceding, and a copy of such report shall be transmitted to the legislature.

Students, bona fide residents of the state of New York for one year preceding the date of their admission, shall be entitled to free tuition. Other fees and charges, if any, in the said school of agriculture, and any moneys received from tuition paid by students not residents of the state of New York, and from the sale of products, shall be reported and forwarded monthly to the state treasurer as required by the state finance law, and may be reappropriated toward the maintenance of said school of agriculture.

§ 2. The governor shall appoint the members of the board of trustees of such school within twenty days after this act takes effect.

§ 3. The board of trustees may acquire in the name and for the benefit of the state, by gift, devise, grant or purchase, any lands situated within the town of Cobleskill, county of Schoharie, and within easy access of the village of Cobleskill, suitable and adapted for the purposes of such school. All deeds of conveyances, contracts of purchase or other instruments executed for the purpose of transferring the title of such lands shall be examined and approved by the attorney-general before payment of any part of the purchase price of such lands. The total amount to be paid by the state out of the moneys hereinafter appropriated for the purchase of such site shall not exceed the sum of ten thousand dollars. The board of trustees of such school shall cause to be erected upon the lands so acquired suitable buildings for use of such school, so designed as to carry into effect the objects and purposes of such school. The state architect shall prepare the necessary plans and specifications for the erection and equipment of such buildings, and he shall possess the same powers and perform the same duties in respect to such buildings as are possessed or performed by him in respect to other buildings. The erection and equipment of such buildings shall be done by contract, except work which in the opinion of the comptroller and the state architect can be done, in whole or in part, more advantageously by the employment of labor and the purchase of materials in the open market. All expenditures under this act shall be made pursuant to estimates or pursuant to contracts, the form of which shall be prescribed by the state architect. The estimates shall be made to the comptroller in the usual form by the board of trustees of such school. Where the work estimated for is from drawings and specifications of the state architect, the estimates shall be subject to his approval also. No item of said appropriation shall be available, except for advertising, unless a contract or contracts, or estimate or estimates therefor shall have been first made for the completion thereof within the appropriation therefor. All contracts in an amount greater than one thousand dollars shall have the performance thereof secured by sufficient bond or bonds, said bond or bonds to be approved by and filed with the comptroller. All contracts in an amount less than one thousand dollars need have no surety bond, provided payment is to be made only after the work is completed and approved. All payments on contracts shall be made on the certificate of the state architect and a voucher of the board of trustees of such school after audit by the comptroller. All original bids or proposals with abstract thereof shall accompany the copy of the contracts which is to be filed with the comptroller. Money herein appropriated shall only be advanced to the board of trustees of such school, as the work progresses, or the purchase of material is made and upon bill duly certified, rendered and audited.

§ 4. The sum of fifty thousand dollars ($50,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act. Of this amount the sum of ten thousand dollars shall be payable on the first day of October, nineteen hundred and eleven, and the remaining forty thousand dollars shall be payable on the first day of October, nineteen hundred and twelve. The amount so appropriated shall be paid by the treasurer upon the warrant of the comptroller drawn upon the requisition of the board of trustees of such school.

§ 5. This act shall take effect immediately.

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

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

EDWARD LAZANSKY,
Secretary of State.

LAWS OF NEW YORK—By Authority.
CHAP. 554.

AN ACT to amend the forest, fish and game law, in relation to the fee for issuing a hunting license.

Became a law July 29, 1911, 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 four of chapter twenty-four of the laws of nineteen hundred and nine, entitled "An act relating to the protection of the forests, fish and game of the state, constituting chapter nineteen of the consolidated laws," is hereby amended to read as follows:

§ 104. Hunting license. No person or persons shall at any time hunt, pursue or kill with a gun any of the wild animals, fowl or birds that are protected during any part of the year, or use a gun for hunting except as herein provided without first having procured a license so to do and then only during the respective periods of the year when it shall be lawful. Said license shall be procured from any county, city or town clerk in the following manner, to wit: The applicant shall fill out a blank application to be furnished by the commissioner through the clerk of each county, city and town, stating name, age, occupation and place of residence of applicant, also whether a citizen of the United States or an alien, and such other facts or description as may be required by the commissioner. Said application shall be subscribed and sworn to by the applicant before any officer authorized to administer oaths in the state of New York, and said applicant, if a nonresident of the state, an unnaturalized person, or an alien, shall pay to the clerk countersigning and delivering the license the sum of twenty dollars, together with the sum of fifty cents as a fee to the clerk, and, if a resident of the state, shall pay to the clerk countersigning and issuing the license the sum of one dollar as a license fee, together with the sum of ten cents as the fee of the county, city or town clerk for issuing such license, and if a nonresident of the state and a taxpayer therein at the time of making such application shall pay to the clerk countersigning and issuing the license the sum of ten dollars, together with the sum of fifty cents as a fee to the clerk, which said license shall bear the signature of the commissioner, and the seal of the county, city or town in which the same is issued and be countersigned by the said clerk. The license fees above provided for shall be remitted by the city and town clerks on the first Tuesday of each month to the county clerk of the county, and such fees together with those received by the county clerk for issuing licenses from his office shall be remitted to the commissioner on the second Tuesday of each month with a schedule setting forth the name and residence of each licensee and the amount paid, and shall by him be remitted to the state treasurer as are fines and penalties. Every license issued shall be signed by the licensee in ink, as aforesaid, and shall entitle the person to whom issued to hunt, pursue and kill game animals, fowl and birds within the state at any time when or place where it shall be lawful to hunt, pursue and kill such game animals, fowl and birds, and no person to whom a license has been issued shall be entitled to hunt, pursue or kill game animals, fowl and birds in this state unless at the time of such hunting, pursuing or killing, he or she shall have such license on his or her person, and shall exhibit the same for inspection to any protector or other officer or other person requesting to see the same, and such license shall be void after the thirty-first day of December next succeeding its issuance; provided that the owner or owners of farm land, and their immediate family or families occupying and cultivating the same, or the lessee or lessees thereof and their immediate family or families who are actually occupying and cultivating the same, shall have the right to hunt and kill game on the farm land of which he or they are the bona fide owners or lessees during the season when it is lawful to kill game without procuring such resident license. Any person who shall at any time alter or change in any material manner or loan or transfer to another any license issued as aforesaid, shall be deemed guilty of a forgery, and, on conviction thereof, shall be subject to the penalties provided for the commission of forgery. All prosecutions for a violation of the provisions of this chapter relating to licenses may be brought by any person in the name of the people of the state of New York against any person or persons violating any of the provisions of this chapter, so far as it relates to licenses, before any court of competent jurisdiction; and it is hereby made the duty of all district attorneys to see that the provisions of this section are enforced in their respective counties, and said district attorneys shall prosecute all offenders on receiving information of the violation of any of the provisions of this section; and it is hereby made the duty of all sheriffs, deputy sheriffs, constables and police officers to inform against and prosecute all persons who, there is reasonable cause to believe, are guilty of violating any of the provisions of this section. Nothing herein shall prevent the commissioner from prosecuting persons for violation of this section. All moneys recovered in any penal action under this chapter, in so far as it relates to licenses, shall be remitted by the person or court recovering the same to the commissioner; one-half of the amount recovered in any penal action under this section, in so far as it relates to licenses, after all disbursements and expenses in relation to the same, including attorney fees, shall have been paid, shall be paid to the person filing the complaint in such action by the state treasurer on approval of the commissioner, unless such person is a regular game protector. All bills for costs, disbursements and attorney's fees in any action or proceeding under this chapter relating to licenses shall be duly verified, presented to the commissioner, audited by said commissioner and paid on his approval by the state treasurer to the person entitled to the same. The form of the license shall be determined and the license blank prepared by the commissioner, and by him furnished through the county clerks of the several counties of the state to the city and town clerks. Each nonresident license shall have attached one coupon permitting the transportation out of the state of one deer or parts thereof under conditions to be prescribed by the commission. At the end of each season for hunting, the city and town clerks shall detach the stubs of licenses issued and forward the same securely attached to a report of the number issued and the amount of license money received to the county clerk of the county, whose duty it shall be to see that proper returns are made to him by all city and town clerks in his county, and to return to the commissioner all such stubs and reports with a final report recapitulating and tabulating the total number of licenses of both kinds issued in his county in the calendar year. The county clerk shall be reimbursed by the state for postage and expressage used in distributing licenses to city and town clerks and for his monthly reports required to be made to the commissioner; his bills therefor shall be presented, audited and paid as herein provided for other payments.

§ 2. This act shall take effect immediately.

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

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

EDWARD LAZANSKY,
Secretary of State.

LAWS OF NEW YORK—By Authority.
CHAP. 556.

AN ACT to amend the code of civil procedure, in relation to restoring the board of claims, with the powers and jurisdiction of the court of claims, and providing for the appointment of the members of such board.

Became a law July 29, 1911, 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 sixty-three of the code of civil procedure is hereby amended to read as follows:

§ 263. Board of claims. The board of claims is continued and shall hereafter be so known and shall consist of three commissioners who shall be appointed by the governor, by and with the advice and consent of the senate. There shall be appointed three commissioners, one to succeed each of the judges of the court of claims now serving, as shall be designated by the governor, and one of such commissioners shall be appointed for a term to end December first, nineteen hundred and twelve; one for a term to end December first, nineteen hundred and fourteen, and one for a term to end December first, nineteen hundred and sixteen, and on the expiration of such terms, successors shall be appointed for terms of six years. A commissioner shall serve until his successor takes office. An appointment for a term shortened by reason of a predecessor holding over, shall be for the residue of the term only. Whenever a commissioner shall die, resign, be removed or become disqualified, a successor shall be appointed for the remainder only of the term. The judges of the court of claims now serving shall be and be known as commissioners of claims and shall constitute said board until their successors shall take office, but for sixty days thereafter shall determine questions, claims and matters which shall have been finally submitted to and heard by said court or board before their successors shall take office, but their offices shall be deemed vacant for the purpose of devolving all other powers and jurisdiction upon their successors. Appointees shall be so selected that the board shall be composed of commissioners, one at least of whom shall have been an attorney and counselor-at-law of at least ten years' experience in practice. No commissioner shall hold his office after reaching the age of sixty-five years, and a commissioner shall not hold any other office or public trust nor serve as a member of any political committee. Two commissioners shall constitute a quorum for the transaction of business. One of the commissioners selected from the members of the bar, when designated by the governor in writing filed in the office of the secretary of state, shall be chairman of the board to serve until a new designation shall be made. Said judges now serving and constituted commissioners as aforesaid, shall for their services rendered during said sixty days receive compensation at the rate of five hundred dollars per month. Except as herein otherwise provided, the commissioners appointed under this section shall have jurisdiction to hear and determine all matters pending in the board of claims at the time they shall take office, and all matters pending in the court of claims at the time when this section, as amended takes effect, shall be heard and determined by the board of claims. Whenever in this act or in any other statute reference is made to the court of claims or any officer thereof, the same shall be deemed to refer to and mean the board of claims or an officer thereof, but the board of claims shall not be or be deemed a court of record. All provisions of this article applicable to the court of claims, its jurisdiction and procedure, shall hereafter apply to said board, prescribe its jurisdiction and govern its procedure, except that the determination of the board upon a claim shall be and be known as a determination instead of a judgment, but it shall have the same force and effect and be subjected to the same procedure as provided in this article for a judgment.

§ 2. Section two hundred and sixty-six of the code of civil procedure is hereby amended to read as follows:

§ 266. Officers. The board of claims shall appoint and may at pleasure remove, a clerk, a deputy clerk, and a stenographer and they shall perform such duties as the board may prescribe. Before entering upon the duties of his office, the clerk shall make and file in the office of the comptroller, a bond for the faithful performance of his duties in an amount and with sufficient sureties to be approved by at least two of the commissioners, which approval shall be indorsed on said bond.

§ 3. Section two hundred and sixty-eight of the code of civil procedure is hereby amended so as to read as follows:

§ 268. Sessions; duty of sheriff. The board shall hold at least eight sessions each year, and unless otherwise ordered by the board shall be held as follows: On the fourth Monday of January at the capitol in Albany; on the third Monday of February at the city of Syracuse; on the fourth Monday of March at the city of Utica; on the fourth Monday of April at the capitol of Albany; on the fourth Monday of May at the city of Rochester; on the third Monday of June at the city of Buffalo; on the fourth Monday of September at the capitol in Albany; on the fourth Monday of November at the capital at Albany, and it may also hold adjourned or special sessions at such other times and places in the state as it may determine. It may also hold a session and take testimony where the claimant resides or where the claim is alleged to have arisen, or in the vicinity, and may view any premises affected by the proceedings, and in case of any appropriation of land by the state, the value of which shall exceed five hundred dollars, it shall be the duty of the board to view the premises affected by the appropriation. The sheriff of any county, except Albany, shall furnish for the use of the board suitable rooms in the court house of his county for any session ordered to be held thereat and the sheriff of any county shall if required attend said session. His fees for attendance shall be paid out of the contingent fund of the board at the same rate as for attending a term of the supreme court in that county.

§ 4. Section two hundred and seventy-nine of the code of civil procedure is hereby amended so as to read as follows:

§ 279. Salary of commissioner of claims. Each commissioner of claims shall receive an annual compensation at the rate of six thousand dollars, payable monthly, and the sum of fifteen hundred dollars annually, but no more, on account of personal expenses in the discharge of his official duties, and to be payable monthly.

§ 5. Section two hundred and eighty of the code of civil procedure is hereby amended so as to read as follows:

§ 280. Salaries of officers of board of claims. Each officer of the board of claims shall receive an annual salary, payable monthly, and other compensation as follows:

1. The clerk, three thousand dollars.

2. The deputy clerk, two thousand five hundred dollars.

3. The stenographer, two thousand five hundred dollars and five cents a folio for copies of minutes and testimony furnished at the request of the claimant.

4. The clerk or deputy clerk and stenographer shall be paid their actual expenses while in the discharge of their respective duties, elsewhere than in the city of Albany, to be audited by the board and paid from the contingent fund. No charge shall be made against the state by the clerk or stenographer for copies of minutes, testimony or papers, furnished to the attorney-general or to the board or filed in the office of the clerk.

§ 6. This act shall take effect immediately.

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

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

EDWARD LAZANSKY,
Secretary of State.

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