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Pennsylvania and New Jersey.

Acts Creating...
Commission... and Agreement

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Agreement

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CAMDEN, NEW JERSEY

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DELAWARE RIVER JOINT COMMISSION

COMMISSIONERS

GIFFORD PINCHOT	Harrisburg, Pa.
HARRY A. MACKEY	Philadephia, Pa.
EDWARD MARTIN	Harrisburg, Pa.
CHARLES A. WATERS	Harrisburg, Pa.
THOMAS B. SMITH	Philadelphia, Pa.
RICHARD WEGLEIN	Philadelphia, Pa.
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J. WILLISON SMITH	Philadelphia, Pa.
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THOMAS J. S. BARLOW	Maple Shade, N. J.
FRANK L. SUPLEE	Glassboro, N. J.
I. NORWOOD GRISCOM	Atlantic City, N. J.
LUCIUS E. HIRES	Salem, N. J.
ARTHUR C. KING	Toms River, N. J.
ALFRED COOPER	Cape May Court House, N. J.
BARTON F. SHARP	Bridgeton, N. J.
JOSEPH K. COSTELLO, <i>Genl. Mgr.</i> ..	Philadelphia, Pa.
WALTER S. ANDERSON, <i>Treasurer</i> ..	Gloucester, N. J.

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CHIEF ENGINEER

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ACT OF CONGRESS OF
UNITED STATES

(PUBLIC—No. 310—66TH CONGRESS.)
(S. 4787.)

[PUBLIC RESOLUTION—No. 26—
72D CONGRESS]

[S. J. Res. 41]

JOINT RESOLUTION

5 An Act granting consent for the construction, main-
tenance, and operation of a bridge across the
Delaware River from the city of Philadelphia,
Pennsylvania, to the city of Camden, New Jersey.

10 BE IT ENACTED *by the Senate and House of*
Representatives of the United States of America
in Congress assembled, That the consent of
Congress is hereby granted to the Delaware
15 River Bridge Joint Commission, acting in be-
half of the States of Pennsylvania and New
Jersey and the city of Philadelphia, to con-
struct, maintain, and operate a bridge and
approaches thereto across the Delaware River
at a point suitable to the interests of naviga-
20 tion at or between Green Street and South
Street in Philadelphia, Pennsylvania, and
points approximately opposite in Camden,
New Jersey, in accordance with the provisions
of an Act entitled "An Act to regulate the
25 construction of bridges over navigable waters,"
approved March 23, 1906.

SEC. 2. That the right to alter, amend, or
repeal this Act is hereby expressly reserved.

APPROVED, February 15, 1921.

30 Approval of United States War Department
to plans given September 29, 1921.

5 Granting consent of Congress to a compact or agree-
ment between the Commonwealth of Pennsylvania
and the State of New Jersey creating the Delaware
River Joint Commission and specifying the powers
and duties thereof.

10 WHEREAS, pursuant to act numbered 200
of the Commonwealth of Pennsylvania, ap-
proved June 12, 1931, and chapter 391 of
the Laws of New Jersey, approved June 30,
1931, the Commonwealth of Pennsylvania and
15 the State of New Jersey have entered into a
certain compact or agreement, which said com-
pact or agreement has been duly executed and
delivered by the Governor of the Common-
wealth of Pennsylvania on behalf of said Com-
monwealth, and by the New Jersey Interstate
20 Bridge Commission on behalf of said State;
and

25 WHEREAS the aforesaid agreement or com-
pact is in substantially the following form,
that is to say:—

(Compact or agreement begins on Page 61 of this booklet.)

NOW, THEREFORE, BE IT

30 *Resolved by the Senate and House of Rep-*
resentatives of the United States of America
in Congress assembled, That the consent of

Congress is hereby given to the aforesaid compact or agreement, and to each and every term and provision thereof: *Provided*, That nothing herein contained shall be construed to affect, 5 impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any 10 navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof: *And provided further*, That the right to alter, amend, 15 or repeal this resolution or any part thereof is hereby expressly reserved.

Approved, June 14, 1932.

No. 200

AN ACT

Providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement 5 of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of 10 revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation.

SECTION 1. Be it enacted, &c., That the Governor is hereby authorized to enter into 15 a compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey in substantially the following form, that is to say:

AGREEMENT 20

BETWEEN

THE COMMONWEALTH OF PENNSYLVANIA

AND

THE STATE OF NEW JERSEY 25

CREATING THE DELAWARE RIVER JOINT COMMISSION AS A BODY CORPORATE AND POLITIC AND DEFINING ITS POWERS AND DUTIES

WHEREAS, The Commonwealth of Pennsylvania and the State of New Jersey are the 30

owners of a certain bridge across the Delaware River between the City of Philadelphia in the Commonwealth of Pennsylvania and the City of Camden in the State of New Jersey; and

5 WHEREAS, The Pennsylvania Commission, existing by virtue of Act Number Three hundred thirty-eight of the Commonwealth of Pennsylvania, approved July ninth, one thousand nine hundred and nineteen (Pamphlet
10 Laws, eight hundred fourteen), and acts amendatory thereof and supplementary thereto, and the New Jersey Interstate Bridge Commission, existing by virtue of Chapter Two
15 hundred seventy-one of the Laws of New Jersey of one thousand nine hundred and twenty-nine, and acts amendatory thereof and supplementary thereto, are acting jointly, under the name of the Delaware River Bridge Joint
20 Commission, in connection with the operation and maintenance of said bridge; and

WHEREAS, The interests of the people of the two States will be best served by consolidating the two commissions in corporate form, and granting additional powers and authority
25 thereto with reference to the said bridge, and to other and further means of communication between the two States in the vicinity of Philadelphia and Camden; and

30 WHEREAS, Additional transportation facilities between the two States in the vicinity of Philadelphia and that part of New Jersey opposite thereto will be required in the future

for the accommodation of the public and the development of both States; and

WHEREAS, Both States have mutual interests in the development of the Delaware River from Philadelphia and Camden to the
5 sea, and particularly in developing the facilities and promoting the more extensive use of the ports of Philadelphia and Camden by coast-wise, intercoastal and foreign vessels; and

WHEREAS, It is highly desirable that there
10 be a single agency of both States empowered to further the aforesaid interests of both States;

NOW THEREFORE, The Commonwealth of Pennsylvania and the State of New Jersey do
15 hereby solemnly covenant and agree, each with the other, as follows:

ARTICLE I

There is hereby created a body corporate
20 and politic, to be known as The Delaware River Joint Commission (hereinafter in this agreement called the "Commission"), which shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania
25 and the State of New Jersey for the following public purposes, and which shall be deemed to be exercising an essential governmental function in effectuating such purposes, to wit:

(a) The operation and maintenance of the
30 bridge owned jointly by the two States and

the City of Philadelphia, as its interests may appear, across the Delaware River between the City of Philadelphia in the Commonwealth of Pennsylvania and the City of Camden in the State of New Jersey, including its approaches, and the making of additions and improvements thereto;

(b) The effectuation, establishment, construction, operation and maintenance of railroad or other facilities for the transportation of passengers across the said bridge, including extensions thereof to the vicinity of Race Street and Eighth Street in the City of Philadelphia and to the vicinity of Carman Street and Haddon Avenue in the City of Camden;

(c) The investigation of the necessity for additional means of communication between the Commonwealth of Pennsylvania in the vicinity of Philadelphia and the State of New Jersey opposite thereto, and between the ports of Philadelphia and Camden and the sea, and making of such studies, surveys and estimates as may be necessary to determine the feasibility and cost of any such additional means of communication, whether the same be by bridge, tunnel, canal, or otherwise; and

(d) Cooperation with all other bodies interested or concerned with or affected by the promotion, development or use of the Delaware River;

(e) The procurement from the Government of the United States of any consents

which may be requisite to enable any project within its powers to be carried forward;

(f) The promotion of the Delaware River as a highway of commerce between Philadelphia and Camden and the sea;

(g) The promotion of increased commerce on the Delaware River, both freight and passenger, and, for this purpose, the publication of such literature and the adoption of such means as may be deemed appropriate;

(h) To study and make recommendations to the proper authorities for the improvement of terminal, lighterage, wharfage, warehouse, and other facilities necessary for the promotion of commerce on the Delaware River;

(i) Institution, through the Attorneys General of Pennsylvania and New Jersey, of or intervention in any litigation involving rates, preferences, rebates, or other matters vital to the interests of the ports of the Delaware River;

(j) Any other functions which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey, insofar as concerns the promotion and development of the ports of Philadelphia and of Camden, and the use by commercial vessels of their facilities.

ARTICLE II

The Commission shall consist of sixteen commissioners, eight resident voters of the Commonwealth of Pennsylvania, and eight

resident voters of the State of New Jersey, who shall serve without compensation.

5 The first eight commissioners for the Commonwealth of Pennsylvania shall be the Governor of the Commonwealth, the Auditor General, the State Treasurer, the Mayor of the City of Philadelphia, and the four additional persons now serving as members of the Pennsylvania Commission, existing by virtue of Act Number Three hundred thirty-eight of 10 the Commonwealth of Pennsylvania, approved July ninth, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred fourteen), and acts amendatory thereof and 15 supplementary thereto.

The first eight commissioners for the State of New Jersey shall be the eight individuals now holding office as members of the New Jersey Interstate Bridge Commission, existing 20 by virtue of Chapter Two hundred seventy-one of the Laws of said State of one thousand nine hundred and twenty-nine, approved May sixth, one thousand nine hundred and twenty-nine, and acts amendatory thereof and supplementary thereto, which said eight individuals 25 are hereby appointed by said State as such commissioners, who shall serve for their unexpired terms as members of the New Jersey Interstate Bridge Commission. Succeeding 30 commissioners shall be elected by the Legislature to serve for terms of five years.

For the Commonwealth of Pennsylvania,

the Governor, the Auditor General, the State Treasurer, and the executive head of the City of Philadelphia, in office at the time, shall always be members of the Commission, and, in addition thereto, there shall be four members 5 appointed by the Governor, who shall be known as appointive members. Whenever a vacancy occurs in the appointive membership of the Commission, the Governor shall appoint 10 a member to serve for a term of five years from the date of his appointment.

For the State of New Jersey, whenever a vacancy in the office of commissioner shall occur, such vacancy shall be filled for the unexpired term by the Legislature. If the 15 Legislature shall not be in session when the vacancy occurs, such vacancy shall be filled by the Governor, and such appointee shall hold office until the Legislature convenes.

All commissioners shall continue to hold 20 office after the expiration of the terms for which they are appointed or elected unless and until their respective successors are appointed and qualified, but no period during which any commissioner shall hold over shall be deemed 25 to be an extension of his term of office for the purpose of computing the date on which his successor's term expires.

ARTICLE III

30 The commissioners shall have charge of the Commission's property and affairs, and shall,

for the purpose of doing business, constitute a board, but no action of the commissioners shall be binding unless a majority of the members of the Commission from Pennsylvania and a majority of the members of the Commission from New Jersey shall vote in favor thereof.

ARTICLE IV

For the effectuation of its authorized purposes, the Commission is hereby granted the following powers:

- (a) To have perpetual succession;
- (b) To sue and be sued;
- (c) To adopt and use an official seal;

(d) To elect a chairman, vice-chairman, secretary and treasurer, and to adopt suitable by-laws for the management of its affairs. The secretary and treasurer need not be members of the Commission.

(e) To appoint such other officers, and such agents and employes, as it may require for the performance of its duties, and fix and determine their qualifications, duties and compensation;

- (f) To enter into contracts;

(g) To acquire, own, hire, use, operate and dispose of personal property;

(h) To acquire, own, use, lease, operate and dispose of real property and interests in real property, and to make improvements thereon;

- (i) To grant the use of, by franchise, lease

or otherwise, and to make charges for the use of, any property or facility owned or controlled by it;

(j) To borrow money upon its bonds or other obligations, either with or without security;

(k) To exercise the right of eminent domain;

(l) To determine the exact location, system and character of, and all other matters in connection with, any and all improvements or facilities which it may be authorized to own, construct, establish, effectuate, operate or control;

(m) In addition to the foregoing, to exercise the powers, duties, authority and jurisdiction heretofore conferred and imposed upon the aforesaid Pennsylvania Commission and upon the aforesaid New Jersey Interstate Bridge Commission, severally, or upon both of said commissions jointly, by the Commonwealth of Pennsylvania or the State of New Jersey, or both of the said two States; and

(n) To exercise all other powers, not inconsistent with the constitutions of the two States or of the United States, which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers, except the power to levy taxes or assessments; and generally to exercise, in connection with its property and affairs and in connection with

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property within its control, any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs.

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ARTICLE V

10 If for any of its authorized purposes (including temporary construction purposes), the Commission shall find it necessary or convenient to acquire any real property in the Commonwealth of Pennsylvania or the State of New Jersey, whether for immediate or future use, the Commission may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for public use, and, upon such determination, the said property shall be deemed to be required for a public use until otherwise determined by the Commission, and, with the exceptions hereinafter specifically noted, the said determination 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 Commission shall be deemed superior to the public use in the hands or under the control of any other person, association or corporation.

25 If the Commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the Commonwealth of Pennsylvania for any reason whatsoever, then the Commission may

30

acquire such real property in the manner provided by Act Number Three hundred and thirty-eight of the Commonwealth of Pennsylvania, approved July ninth, one thousand nine hundred and nineteen, and acts amendatory thereof and supplementary thereto, for the acquisition of real property by the aforesaid Pennsylvania Commission.

5

10 If the Commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the State of New Jersey for any reason whatsoever, then the Commission may acquire, and is hereby authorized to acquire, such property, whether a fee simple absolute or a lesser interest, by condemnation or the exercise of the right of eminent domain, either under and pursuant to the provisions of the act of the State of New Jersey, entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use," (Revision of one thousand nine hundred, approved March twentieth, one thousand nine hundred), and acts amendatory thereof and supplementary thereto, or under and pursuant to the provisions of an act, entitled "An act concerning and regulating acquisition and taking of lands by the State of New Jersey, or any agency thereof; providing a procedure therefor, and the manner of making compensation for lands so taken," approved April twenty-first, one thousand nine

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hundred and twenty, and the various acts amendatory thereof and supplementary thereto.

5 The power of the Commission to acquire real property by condemnation or the exercise of the power of eminent domain in the Commonwealth of Pennsylvania and the State of New Jersey shall be a continuing power and no exercise thereof shall be deemed to exhaust it.

10 The Commission and its duly authorized agents and employes may enter upon any land, in the Commonwealth of Pennsylvania or the State of New Jersey, for the purpose of making such surveys, maps, or other examinations thereof, as it may deem necessary or convenient for its authorized purposes.

15 However, anything to the contrary contained in this compact notwithstanding, no property, now or hereafter vested in or held by any county, city, borough, village, township or other municipality or port district, shall be taken by the commission without the consent of such municipality or port district, unless expressly authorized so to do by the Commonwealth or State in which such municipality or port district is located. All counties, cities, boroughs, villages, townships and other municipalities, and all public agencies and commissions of the Commonwealth of Pennsylvania and the State of New Jersey, notwithstanding any contrary provision of law, are hereby authorized and empowered to grant and convey to the Commission upon its request, but not

otherwise, upon reasonable terms and conditions, any real property which may be necessary or convenient to the effectuation of its authorized purposes, including real property already devoted to public use.

5 The Commonwealth of Pennsylvania and the State of New Jersey hereby consent to the use and occupation by the Commission of any real property of the said two States, or of either of them, which may be or become necessary or convenient to the effectuation of the authorized purposes of the Commission, including lands lying under water and lands already devoted to public use. 10

15 The term "real property," as used in this compact, includes lands, structures, franchises, and interests in land, including lands under water and riparian rights, and any and all things and rights usually included within the said term, and includes not only fees simple absolute but also any and all lesser interests, 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 of years and liens thereon by way of judgments, mortgages or otherwise, and also claims for damage to real estate. 20 25

ARTICLE VI

30 The control, operation, tolls and other revenues of the aforesaid existing bridge across

the Delaware River between the City of Philadelphia and the City of Camden, and of all real and personal property appurtenant thereto or used in connection therewith, shall
5 vest in the Commission on the first day of July, one thousand nine hundred and thirty-one, and the terms of the members of the aforesaid Pennsylvania Commission and the aforesaid New Jersey Interstate Bridge Commission
10 shall cease and terminate on that date.

On or before the thirtieth day of June, one thousand nine hundred and thirty-two, or as soon thereafter as practicable, the Commission shall pay, to the Commonwealth of Pennsylvania, the State of New Jersey, and the City
15 of Philadelphia, the following sums out of moneys, raised by said Commission on its bonds or other obligations:

(a) An amount equal to the moneys contributed by the Commonwealth of Pennsylvania toward the cost of acquiring property for and constructing said bridge and the approaches thereto, and expenditures incident thereto, with interest at the rate of four per centum per annum, such interest to be computed from the dates on which installments of such funds were paid to the Delaware River Bridge Joint Commission by the said Commonwealth of Pennsylvania, as shown by the records of its State Treasurer, less, however,
20 the amount returned to the Commonwealth of Pennsylvania from the net revenues of the

bridge between July first, one thousand nine hundred and twenty-six, and June thirtieth, one thousand nine hundred and thirty-one, and less interest, at the rate of four per centum per annum, upon such amount computed from the dates of repayment to the Commonwealth of
5 Pennsylvania;

(b) An amount equal to the moneys contributed by the State of New Jersey toward the cost of acquiring property for and constructing said bridge and the approaches thereto, and expenditures incident thereto, with interest theretofore actually paid by the State of New Jersey or accrued upon the bonds issued by said State to borrow money to pay its share of the cost of acquiring property for and construction of said bridge and approaches thereto, and all expenditures incident thereto, less, however, the amount returned to the State of New Jersey from the net revenues of the bridge between July first, one thousand nine hundred and twenty-six, and June thirtieth, one thousand nine hundred and thirty-one, and less interest, at the rate of four and one-fourth per centum per annum, upon such amount computed from the dates of repayment to the State of New Jersey;

(c) An amount equal to the moneys contributed by the City of Philadelphia toward the cost of acquiring property for and constructing said bridge and the approaches thereto, and expenditures incident thereto, with in-

terest theretofore actually paid by the City of Philadelphia or accrued upon the bonds issued by said city to borrow money to pay its share of the cost of acquiring property for and construction of said bridge and approaches thereto, and all expenditures incident thereto, less, however, the amount returned to the City of Philadelphia from the net revenues of the bridge between July first, one thousand nine hundred and twenty-six, and June thirtieth, one thousand nine hundred and thirty-one, and less interest, at the rate of four and one-fourth per centum per annum, upon such amount computed from the dates of repayment to the City of Philadelphia;

(d) As soon as is practicable subsequently to July first, one thousand nine hundred and thirty-one, the Commission shall determine, with the Commonwealth of Pennsylvania, the State of New Jersey, and the City of Philadelphia, the net amounts due to each, respectively, as of the first day of July, one thousand nine hundred and thirty-one, and from that date until the date of payment, interest shall be paid by the Commission to the Commonwealth of Pennsylvania at the rate of four per centum per annum and the State of New Jersey and the City of Philadelphia at the rate of four and one-fourth per centum per annum.

(e) The amount payable by the Commission to the Commonwealth of Pennsylvania, as aforesaid, shall be paid to the State Treas-

urer of the Commonwealth of Pennsylvania upon a voucher signed and audited by said State Treasurer, who is hereby authorized to consummate the said transaction. The amount payable to the State of New Jersey shall be paid to the Comptroller of said State upon a voucher signed and audited by said Comptroller, who is hereby authorized to consummate the said transaction. The amount payable to the City of Philadelphia shall be paid to the Treasurer of the said city upon a voucher signed and audited by said treasurer, who is hereby authorized to consummate the said transaction. Upon the receipt of the proper payment, each of said officials shall certify to The Delaware River Joint Commission that all moneys payable by The Delaware River Joint Commission to the Commonwealth, State, or city, as the case may be, have been duly paid;

(f) Nothing herein contained shall be construed to affect, diminish or impair the rights and obligations created by, or to repeal any of the provisions of, Chapter Three hundred and fifty-two of the Laws of New Jersey of one thousand nine hundred and twenty, and Chapter Two hundred and sixty-two of the Laws of New Jersey of one thousand nine hundred and twenty-four, and Chapter Three hundred and thirty-six of the Laws of New Jersey of one thousand nine hundred and twenty-six, and Chapter Thirty-three of the Laws of New

Jersey of one thousand nine hundred and twenty-seven, and Chapter Sixty-four of the Laws of New Jersey of one thousand nine hundred and twenty-eight.

5 (g) Of the money paid to the State of New Jersey under the provisions of this agreement, there shall be paid to the Sinking Fund Commission, created by the provisions of the foregoing statutes, such sum or sums as said Sinking Fund Commission may deem necessary to meet the then existing indebtedness and obligations set forth in said statutes, together with such interest and other charges as may be due or may grow due. The amount thus to be paid to the Sinking Fund Commission shall be arrived at and determined by said Sinking Fund Commission within ninety days after payment is made to the State of New Jersey pursuant to the provisions of this agreement.

10 The moneys to be paid to and received by said Sinking Fund Commission are hereby appropriated by the State of New Jersey and are to be used for sinking fund purposes according to law.

15 (h) No failure on the part of the Commission to make the aforesaid payments to the Commonwealth of Pennsylvania, to the State of New Jersey, or to the City of Philadelphia, shall affect, diminish or impair the rights of

20 the holders of any bonds or other securities or obligations of said Commission, as security

for which the tolls and other revenues of said bridge may be pledged.

ARTICLE VII

Notwithstanding any provision of this agreement, the Commission shall have no power to pledge the credit of the Commonwealth of Pennsylvania, or the credit of the State of New Jersey, or the credit of any county, city, borough, village, township or other municipality of said Commonwealth or of said State, or to create any debt of said Commonwealth or of said State or of such municipality.

ARTICLE VIII

The Commission is hereby authorized to make and enforce such rules and regulations, and to establish, levy and collect (or to authorize, by contract, franchise, lease or otherwise, the establishment, levying and collection of) such tolls, rents, rates, and other charges in connection with the aforesaid existing bridge across the Delaware River and any other properties which it may hereafter construct, erect, acquire, own, operate or control, as it may deem necessary, proper, desirable and reasonable, which said tolls, rents, rates, and other charges shall be at least sufficient to meet the expenses thereof, including interest and sinking fund charges; and the Commission is hereby authorized and empowered to pledge such tolls, rents, and other revenues,

or any part thereof, or property received, or to be received in the future, or both, as security of the repayment, with interest, of any moneys borrowed by it or advanced to it for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances.

ARTICLE IX

The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or other securities or obligations of the Commission, for which there may or shall be pledged the tolls, rents, rates, or other revenues, or any part thereof, of any property or facility owned, operated or controlled by the Commission (including the said bridge across the Delaware River and the facilities for the transportation of passengers across the said bridge), that (so long as any of said bonds or other securities or obligations remain outstanding and unpaid, and unless and until adequate provision is made by law for the protection of those advancing money upon such obligations) the Commonwealth and the said State will not diminish or impair the power of the Commission to own, operate or control said properties and facilities, or to establish, levy and collect tolls, rents, rates

and the State of New Jersey in connection with such properties or facilities.

The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or other securities or obligations of the Commission, for which the tolls, rents, rates or other revenues, or any part thereof, of the aforesaid existing bridge across the Delaware River shall have been pledged, that the said Commonwealth and the said State will not authorize, or permit the authorization of, the construction, operation or maintenance of any additional vehicular bridge or tunnel, or any additional bridge or tunnel having railroad or other facilities, for the transportation of passengers between the said Commonwealth and the said State, over or under the Delaware River, by any other person or body, than the Commission, within a distance of ten miles in either direction from the said bridge, measured along the boundary line between the said Commonwealth and the said State.

ARTICLE X

The bonds or other securities or obligations which may be issued by the Commission for any of its authorized purposes, and as security for which there may be pledged the tolls, rents, rates and other revenues, or any part thereof, of any properties or facilities owned, operated

or controlled by the Commission (including the aforesaid existing bridge across the Delaware River and the aforesaid facilities for the transportation of passengers across the said bridge), are hereby made securities in which all state and municipal officers and bodies of the Commonwealth of Pennsylvania and State of New Jersey, all banks, bankers, trust companies, savings banks, saving and loan associations, investment companies, 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, and all other persons whatsoever, who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth of Pennsylvania or of the State of New Jersey, may properly and legally invest any funds, including capital belonging to them or within their control; and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or agency of the Commonwealth of Pennsylvania or the State of New Jersey for any purpose for which the deposit of bonds or other obligations, either of the Commonwealth or of the State, is now or may hereafter be authorized.

The effectuation of its authorized purposes by the Commission is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of New Jersey, for the increase of their commerce and prosperity and for the improvement of their health and living conditions, and since the Commission will be performing essential governmental functions in effectuating said purposes, the Commission shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes; and the bonds or other securities or obligations issued by the Commission, their transfer and the income therefrom (including any profits made on the sale thereof), shall, at all times, be free from taxation within the Commonwealth of Pennsylvania and the State of New Jersey.

ARTICLE XII

The Commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, setting forth in detail its operations and transactions, and may make such additional reports, from time to time, to the Governors and Legislatures as it may deem desirable.

Whenever the Commission, after investigation and study, shall have concluded plans,

with estimates of costs, and means of financing any new project, other than those described in article one, subdivision (b) hereof, for transportation across or under the Delaware River within the area hereinbefore described, any new project for the improvement of the Delaware River's port facilities, or any other project for the mutual advantage of Pennsylvania and New Jersey and coming within the purposes for which it is created, the Commission shall make to the Legislatures of each State a detailed report, dealing only with the contemplated project, and shall request of said Legislatures authority to proceed with the project described; and it shall not be within the power of the Commission to construct, erect or otherwise acquire any facility or project, except those described in article one, subdivision (b) hereof, unless and until the Legislatures of both States shall have authorized the Commission to proceed with the project outlined in its special report thereon.

Section 2. Upon its signature on behalf of the State of New Jersey and by the Governor on behalf of the Commonwealth of Pennsylvania, the aforesaid compact or agreement shall be and become binding and shall have the force and effect of a statute of the Commonwealth of Pennsylvania, and The Delaware River Joint Commission shall thereupon become vested with all the powers, rights and privileges, and be subject to the duties and

obligations contained in said compact as though the same were specifically authorized and imposed by statute, and the Commonwealth of Pennsylvania shall be bound by all of the obligations assumed by it under said compact; and the Governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office.

Section 3. The Governor is hereby authorized to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent and approval to the aforesaid compact or agreement; but in the absence of such consent and approval, The Delaware River Joint Commission shall have all of the powers which the Commonwealth of Pennsylvania and the State of New Jersey may confer upon it without the consent and approval of Congress.

Section 4. The sum of two hundred and fifty thousand dollars (\$250,000), or as much thereof as may be necessary, is hereby specifically appropriated to The Delaware River Joint Commission, to be used by it, together with a like appropriation made by the State of New Jersey, for any of the purposes of the said Commission, except the operation, maintenance, improvement or construction of new facilities for the existing bridge over the Delaware River between Philadelphia and Camden. The money hereby appropriated shall be disbursed upon requisition of the Gov-

error, presented to the Auditor General, who shall direct his warrant upon the State Treasurer in the usual manner.

5 Section 5. This act shall become effective on July first, one thousand nine hundred and thirty-one; but the Governor shall not enter into any agreement hereunder until the State of New Jersey shall have passed a substantially similar act embodying the agreement between 10 the two States herein set forth, and making a like appropriation.

APPROVED—The 12th day of June, A. D. 1931.

GIFFORD PINCHOT.

CHAPTER 391—LAWS OF NEW
JERSEY, 1931

AN ACT providing for joint action by Pennsylvania and New Jersey in the development of the ports 5 on the lower Delaware River and the improvement of the facilities for transportation across the said river; authorizing the New Jersey Interstate Bridge Commission on behalf of the State of New Jersey for these purposes to enter into an agree- 10 ment with the Commonwealth of Pennsylvania creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new Commission all the powers of the Delaware River Bridge Joint Commission and making an appro- 15 priation.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey: 20

1. The New Jersey Interstate Bridge Commission, existing by virtue of Chapter 271 of the Laws of New Jersey of 1929, approved 25 May 6, 1929, and acts amendatory thereof and supplementary thereto, is hereby authorized to enter into a compact or agreement on behalf of the State of New Jersey with the Commonwealth of Pennsylvania in substantially 30 the following form, that is to say:

BETWEEN

THE COMMONWEALTH OF PENNSYLVANIA

AND

THE STATE OF NEW JERSEY

CREATING THE DELAWARE RIVER JOINT COMMISSION AS A BODY CORPORATE AND POLITICAL AND DEFINING ITS POWERS AND DUTIES

WHEREAS, The Commonwealth of Pennsylvania and the State of New Jersey are the owners of a certain bridge across the Delaware River between the City of Philadelphia in the Commonwealth of Pennsylvania and the City of Camden in the State of New Jersey; and

WHEREAS, The Pennsylvania Commission, existing by virtue of Act No. 338 of the Commonwealth of Pennsylvania, approved July 9, 1919 (Pamphlet Laws 814), and acts amendatory thereof and supplementary thereto, and the New Jersey Interstate Bridge Commission, existing by virtue of Chapter 271 of the Laws of New Jersey of 1929, and acts amendatory thereof and supplementary thereto, are acting jointly under the name of the Delaware River Bridge Joint Commission in connection with

the operation and maintenance of said bridge; and

WHEREAS, The interests of the people of the two States will be best served by consolidating the two Commissions in corporate form and granting additional powers and authority thereto with reference to the said bridge and to other and further means of communication between the two States in the vicinity of Philadelphia and Camden; and

WHEREAS, Additional transportation facilities between the two States in the vicinity of Philadelphia and that part of New Jersey opposite thereto will be required in future for the accommodation of the public and the development of both States; and

WHEREAS, Both States have mutual interests in the development of the Delaware River from Philadelphia and Camden to the Sea and particularly in developing the facilities and promoting the more extensive use of the ports of Philadelphia and Camden by coastwise, intercoastal and foreign vessels; and

WHEREAS, It is highly desirable that there be a single agency of both States empowered to further the aforesaid interests of both States:

NOW, THEREFORE, The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other, as follows:

ARTICLE I

There is hereby created a body corporate and politic, to be known as The Delaware River Joint Commission (hereinafter in this agreement called the "Commission"), which shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes and which shall be deemed to be exercising an essential governmental function in effectuating such purposes, to wit:

(a) The operation and maintenance of the bridge, owned jointly by the two States and the City of Philadelphia, as its interests may appear, across the Delaware River between the City of Philadelphia in the Commonwealth of Pennsylvania and the City of Camden in the State of New Jersey, including its approaches, and the making of additions and improvements thereto.

(b) The effectuation, establishment, construction, operation and maintenance of railroad or other facilities for the transportation of passengers across the said bridge, including extensions thereof, to the vicinity of Race Street and Eighth Street in the City of Philadelphia and to the vicinity of Carman Street and Haddon Avenue in the City of Camden.

(c) The investigation of the necessity for additional means of communication between the Commonwealth of Pennsylvania in the

vicinity of Philadelphia and the State of New Jersey opposite thereto and between the ports of Philadelphia and Camden and the Sea, and making of such studies, surveys and estimates as may be necessary to determine the feasibility and cost of any such additional means of communication, whether the same be by bridge, tunnel, canal or otherwise.

(d) Co-operation with all other bodies interested or concerned with, or affected by the promotion, development or use of the Delaware River.

(e) The procurement from the government of the United States of any consents which may be requisite to enable any project within its powers to be carried forward.

(f) The promotion of the Delaware River as a highway of commerce between Philadelphia and Camden and the Sea.

(g) The promotion of increased commerce on the Delaware River, both freight and passenger, and for this purpose the publication of such literature and the adoption of such means as may be deemed appropriate.

(h) To study and make recommendations to the proper authorities for the improvement of terminal, lighterage, wharfage, warehouse and other facilities necessary for the promotion of commerce on the Delaware River.

(i) Institution through the Attorneys General of Pennsylvania and New Jersey of, or intervention in, any litigation involving rates,

preferences, rebates or other matters vital to the interests of the ports of the Delaware River.

(j) Any other functions which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion and development of the ports of Philadelphia and of Camden and the use by commercial vessels of their facilities.

ARTICLE II

The Commission shall consist of sixteen Commissioners, eight resident voters of the Commonwealth of Pennsylvania and eight resident voters of the State of New Jersey, who shall serve without compensation.

The first eight Commissioners for the Commonwealth of Pennsylvania shall be the Governor of the Commonwealth, the Auditor General, the State Treasurer, the Mayor of the City of Philadelphia and the four additional persons now serving as members of the Pennsylvania Commission, existing by virtue of Act No. 338, of the Commonwealth of Pennsylvania, approved July 9, 1919 (Pamphlet Laws 814), and acts amendatory thereof and supplementary thereto.

The first eight Commissioners for the State of New Jersey shall be the eight individuals now holding office as members of the New Jersey Interstate Bridge Commission, existing by virtue of Chapter 271 of the Laws of said

State of 1929, approved May 6, 1929, and acts amendatory thereof and supplementary thereto, which said eight individuals are hereby appointed by said State as such Commissioners, who shall serve for their unexpired terms as members of the New Jersey Interstate Bridge Commission. Succeeding Commissioners shall be elected by the Legislature to serve for terms of five years.

For the Commonwealth of Pennsylvania, the Governor, the Auditor General, the State Treasurer and the executive head of the City of Philadelphia in office at the time shall always be members of the Commission and in addition thereto there shall be four members appointed by the Governor, who shall be known as appointive members. Whenever a vacancy occurs in the appointive membership of the Commission the Governor shall appoint a member to serve for a term of five years from the date of his appointment.

For the State of New Jersey, whenever a vacancy in the office of Commissioner shall occur such vacancy shall be filled for the unexpired term by the Legislature. If the Legislature shall not be in session when the vacancy occurs, such vacancy shall be filled by the Governor and such appointee shall hold office until the Legislature convenes.

All Commissioners shall continue to hold office after the expiration of the terms for which they are appointed or elected unless and

until their respective successors are appointed and qualified, but no period during which any Commissioner shall hold over shall be deemed to be an extension of his term of office for the purpose of computing the date on which his successor's term expires.

ARTICLE III

The Commissioners shall have charge of the Commission's property and affairs and shall for the purpose of doing business constitute a board, but no action of the Commissioners shall be binding unless a majority of the members of the Commission from Pennsylvania and a majority of the members of the Commission from New Jersey shall vote in favor thereof.

ARTICLE IV

For the effectuation of its authorized purposes the Commission is hereby granted the following powers:

- (a) To have perpetual succession.
- (b) To sue and be sued.
- (c) To adopt and use an official seal.
- (d) To elect a chairman, vice-chairman, secretary and treasurer, and to adopt suitable by-laws for the management of its affairs. The secretary and treasurer need not be members of the Commission.

(e) To appoint such other officers and such agents and employees as it may require for the

performance of its duties and to fix and determine their qualifications, duties and compensation.

(f) To enter into contracts.

(g) To acquire, own, hire, use, operate and dispose of personal property.

(h) To acquire, own, use, lease, operate and dispose of real property, and interests in real property, and to make improvements thereon.

(i) To grant the use of, by franchise, lease or otherwise and to make charges for the use of, any property or facility owned or controlled by it.

(j) To borrow money upon its bonds or other obligations, either with or without security.

(k) To exercise the right of eminent domain.

(l) To determine the exact location, system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own, construct, establish, effectuate, operate or control.

(m) In addition to the foregoing, to exercise the powers, duties, authority and jurisdiction heretofore conferred and imposed upon the aforesaid Pennsylvania Commission and upon the aforesaid New Jersey Interstate Bridge Commission severally, or upon both of said Commissions jointly, by the Common-

wealth of Pennsylvania or the State of New Jersey, or both of the said two States; and

(n) To exercise all other powers not inconsistent with the constitutions of the two States or of the United States, which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers, except the power to levy taxes or assessments, and generally to exercise in connection with its property and affairs, and in connection with property within its control, any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs.

ARTICLE V

If for any of its authorized purposes (including temporary construction purposes) the Commission shall find it necessary or convenient to acquire any real property in the Commonwealth of Pennsylvania or the State of New Jersey, whether for immediate or future use, the Commission may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for public use and, upon such determination, the said property shall be deemed to be required for a public use until otherwise determined by the Commission; and with the exceptions hereinafter specifically noted the said determination shall not be affected by the fact

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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 Commission shall be deemed superior to the public use in the hands or under the control of any other person, association or corporation.

If the Commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the Commonwealth of Pennsylvania for any reason whatsoever, then the Commission may acquire such real property in the manner provided by Act No. 338 of the Commonwealth of Pennsylvania, approved July 9, 1919, and acts amendatory thereof and supplementary thereto, for the acquisition of real property by the aforesaid Pennsylvania Commission.

If the Commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the State of New Jersey for any reason whatsoever, then the Commission may acquire, and is hereby authorized to acquire, such property, whether a fee simple absolute or a lesser interest, by condemnation or the exercise of the right of eminent domain, either under and pursuant to the provisions of the act of the State of New Jersey entitled, "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of 1900), approved

March 20, 1900, and the acts amendatory thereof and supplementary thereto, or under and pursuant to the provisions of an act entitled, "An act concerning and regulating acquisition and taking of lands by the State of New Jersey or any agency thereof, providing a procedure therefor and the manner of making compensation for lands so taken," approved April 21, 1920, and the various acts amendatory thereof and supplementary thereto.

The power of the Commission to acquire real property by condemnation or the exercise of the power of eminent domain in the Commonwealth of Pennsylvania and the State of New Jersey shall be a continuing power and no exercise thereof shall be deemed to exhaust it.

The Commission and its duly authorized agents and employes may enter upon any land in the Commonwealth of Pennsylvania or the State of New Jersey for the purpose of making such surveys, maps or other examinations thereof as it may deem necessary or convenient for its authorized purposes.

However, anything to the contrary contained in this compact notwithstanding, no property now or hereafter vested in or held by any county, city, borough, village, township or other municipality, or port district, shall be taken by the Commission without the consent of such municipality or port district, unless expressly authorized so to do by the Common-

wealth of States, in which such municipality or port district is located. All counties, cities, boroughs, villages, townships, and other municipalities, and all public agencies and commissions of the Commonwealth of Pennsylvania and the State of New Jersey, notwithstanding any contrary provision of law, are hereby authorized and empowered to grant and convey to the Commission upon its request, but not otherwise, upon reasonable terms and conditions, any real property which may be necessary or convenient to the effectuation of its authorized purposes, including real property already devoted to public use.

The Commonwealth of Pennsylvania and the State of New Jersey hereby consent to the use and occupation by the Commission of any real property of the said two States, or of either of them, which may be, or become, necessary or convenient to the effectuation of the authorized purposes of the Commission, including lands lying under water and lands already devoted to public use.

The term "real property" as used in this compact includes lands, structures, franchises and interests in land, including lands under water and riparian rights, and any and all things and rights usually included within the said term and includes not only fees simple absolute, but also any and all lesser interests such as easements, rights of way, uses, leases, licenses and all other incorporeal heredita-

ments, and all other claims, legal or equitable, including terms of years and liens thereon by way of judgments, mortgages or otherwise, and also claims for damage to real estate.

ARTICLE VI

The control, operation, tolls and other revenues of the aforesaid existing bridge across the Delaware River between the City of Philadelphia and the City of Camden, and of all real and personal property appurtenant thereto or used in connection therewith, shall vest in the Commission on the first day of July, one thousand nine hundred and thirty-one, and the terms of the members of the aforesaid Pennsylvania Commission and the aforesaid New Jersey Interstate Bridge Commission shall cease and terminate on that date.

On or before the thirtieth day of June, one thousand nine hundred and thirty-two, or as soon thereafter as practicable, the Commission shall pay to the Commonwealth of Pennsylvania, the State of New Jersey and the City of Philadelphia the following sums out of moneys raised by said Commission on its bonds or other obligations:

(a) An amount equal to the moneys contributed by the Commonwealth of Pennsylvania toward the cost of acquiring property for and constructing said bridge and the approaches thereto, and expenditures incident

thereto, with interest at the rate of four per centum per annum, such interest to be computed from the dates on which installments of such funds were paid to the Delaware River Bridge Joint Commission by the said Commonwealth of Pennsylvania as shown by the records of its State Treasurer less, however, the amount returned to the Commonwealth of Pennsylvania from the net revenues of the bridge between July 1, 1926 and June 30, 1931, and less interest at the rate of four per centum per annum upon such amount computed from the dates of repayment to the Commonwealth of Pennsylvania.

(b) An amount equal to the moneys contributed by the State of New Jersey toward the cost of acquiring property for and constructing said bridge and the approaches thereto, and expenditures incident thereto, with interest theretofore actually paid by the State of New Jersey or accrued upon the bonds issued by said State to borrow money to pay its share of the cost of acquiring property for, and construction of, said bridge and the approaches thereto, and all expenditures incident thereto, less, however, the amount returned to the State of New Jersey from the net revenues of the bridge between July 1, 1926 and June 30, 1931, and less interest at the rate of four and one-fourth per centum per annum upon such amount computed from the dates of repayment to the State of New Jersey.

(c) An amount equal to the amount contributed by the City of Philadelphia toward the cost of acquiring property for and constructing said bridge and the approaches thereto, and expenditures incident thereto, with interest theretofore actually paid by the City of Philadelphia or accrued upon the bonds issued by said City to borrow money to pay its share of the cost of acquiring property for and construction of, said bridge and approaches thereto, and all expenditures incident thereto, less, however, the amount returned to the City of Philadelphia from the net revenues of the bridge between July 1, 1926 and June 30, 1931, and less interest at the rate of four and one-fourth per centum per annum upon such amount computed from the dates of repayment to the City of Philadelphia.

(d) As soon as is practicable subsequently to July 1, 1931, the Commission shall determine with the Commonwealth of Pennsylvania, the State of New Jersey and the City of Philadelphia the net amounts due to each, respectively, as of the first day of July, one thousand nine hundred and thirty-one, and from that date until the date of payment, interest shall be paid by the Commission to the Commonwealth of Pennsylvania at the rate of four per centum per annum, and to the State of New Jersey and to the City of Philadelphia at the rate of four and one-fourth per centum per annum.

(e) The Commission to the Commonwealth of Pennsylvania as aforesaid shall be paid to the State Treasurer of the Commonwealth of Pennsylvania upon a voucher signed and audited by said State Treasurer who is hereby authorized to consummate the said transaction. The amount payable to the State of New Jersey shall be paid to the Comptroller of said State upon a voucher signed and audited by said Comptroller who is hereby authorized to consummate the said transaction. The amount payable to the City of Philadelphia shall be paid to the Treasurer of the said City upon a voucher signed and audited by said Treasurer who is hereby authorized to consummate the said transaction. Upon the receipt of the proper payment each of said officials shall certify to The Delaware River Joint Commission that all moneys payable by The Delaware River Joint Commission to the Commonwealth, State or City, as the case may be, have been duly paid.

(f) Nothing herein contained shall be construed to affect, diminish or impair the rights and obligations created by, or to repeal any of, the provisions of Chapter three hundred and fifty-two of the Laws of New Jersey of one thousand nine hundred and twenty and Chapter two hundred and sixty-two of the Laws of New Jersey of one thousand nine hundred and twenty-four, and Chapter three

hundred and thirty-six of the Laws of New Jersey of one thousand nine hundred and twenty-six and Chapter thirty-three of the Laws of New Jersey of one thousand nine hundred and twenty-seven and Chapter sixty-four of the Laws of New Jersey of one thousand nine hundred and twenty-eight.

(g) Of the money paid to the State of New Jersey under the provisions of this agreement there shall be paid to the Sinking Fund Commission created by the provisions of the foregoing statutes (Chapter 352 of the Laws of New Jersey of 1920 and Chapter 262 of the Laws of New Jersey of 1924) such sum or sums as said Sinking Fund Commission may deem necessary to meet the then existing indebtedness and obligations set forth in said statutes, together with such interest and other charges as may be due or may grow due. The amount thus to be paid to the Sinking Fund Commission shall be arrived at and determined by said Sinking Fund Commission within ninety days after payment is made to the State of New Jersey pursuant to the provisions of this agreement. The moneys to be paid to and received by said Sinking Fund Commission are hereby appropriated by the State of New Jersey and are to be used for sinking fund purposes according to law.

(h) No failure on the part of the Commission to make the aforesaid payments to the Commonwealth of Pennsylvania, to the State

of New Jersey or to the City of Philadelphia shall affect, diminish or impair the rights of the holders of any bonds or other securities or obligations of said Commission as security for which the tolls and other revenues of the said bridge may be pledged.

ARTICLE VII

Notwithstanding any provision of this agreement, the Commission shall have no power to pledge the credit of the Commonwealth of Pennsylvania or the credit of the State of New Jersey or the credit of any county, city, borough, village, township or other municipality of said Commonwealth or of said State, or to create any debt of said Commonwealth or of said State or of such municipality.

ARTICLE VIII

The Commission is hereby authorized to make and enforce such rules and regulations and to establish, levy and collect (or to authorize by contract, franchise, lease or otherwise, the establishment, levying and collection of) such tolls, rents, rates and other charges in connection with the aforesaid existing bridge across the Delaware River and any other properties which it may hereafter construct, erect, acquire, own, operate, or control, as it may deem necessary, proper, desirable and reasonable, which said tolls, rents, rates and other charges shall be at least sufficient to meet the

expenses thereof, including interest and sinking fund charges, and the Commission is hereby authorized and empowered to pledge such tolls, rates, rents and other revenues, or any part thereof, either presently received or to be received in the future, or both, as security of the repayment, with interest, of any moneys borrowed by it, or advanced to it, for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances.

ARTICLE IX

The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or other securities or obligations of the Commission for which there may or shall be pledged the tolls, rents, rates or other revenues, or any part thereof, of any property or facility owned, operated or controlled by the Commission (including the said bridge across the Delaware River and the facilities for the transportation of passengers across the said bridge) that (so long as any of said bonds or other securities or obligations remain outstanding and unpaid, and unless and until adequate provision is made by law for the protection of those advancing money upon such obligations) the Commonwealth and the said State will not diminish or impair the power of the Commission to own, operate or

control said properties and facilities or to establish, levy and collect tolls, rents, rates and other charges in connection with such properties or facilities.

The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or other securities or obligations of the Commission for which the tolls, rates or other revenues, or any part thereof, of the aforesaid existing bridge across the Delaware River shall have been pledged, that the said Commonwealth and the said State will not authorize or permit the authorization of the construction, operation or maintenance of any additional vehicular bridge or tunnel, or any additional bridge or tunnel having railroad or other facilities for the transportation of passengers, between the said Commonwealth and the said State, over or under the Delaware River, by any other person or body than the Commission, within a distance of ten miles in either direction from the said bridge, measured along the boundary line between the said Commonwealth and the said State.

ARTICLE X

The bonds or other securities or obligations which may be issued by the Commission for any of its authorized purposes, and as security for which there may be pledged the tolls, rents, rates and other revenues, or any part

thereof, of any properties or facilities owned
operated or controlled by the Commission (in-
cluding the aforesaid existing bridge across the
Delaware River and the aforesaid facilities
for the transportation of passengers across the
said bridge) are hereby made securities in
which all state and municipal officers and
bodies of the Commonwealth of Pennsylvania
and the State of New Jersey, all banks,
bankers, trust companies, savings banks, saving
and loan associations, investment companies
and other persons carrying on a banking busi-
ness, all insurance companies, insurance as-
sociations and other persons carrying on an
insurance business, and all administrators,
executors, guardians, trustees and other fidu-
ciaries and all other persons whatsoever who
are now or hereafter may be authorized to in-
vest in bonds or other obligations of the Com-
monwealth of Pennsylvania or of the State of
New Jersey, may properly and legally invest
any funds, including capital, belonging to them
or within their control; and said bonds or
other securities or obligations are hereby made
securities which may properly and legally be
deposited with and received by any state or
municipal officer or agency of the Common-
wealth of Pennsylvania or the State of New
Jersey for any purpose for which the deposit
of bonds or other obligations either of the
Commonwealth or of the State is now, or may
hereafter be, authorized.

ARTICLE XI

The effectuation of its authorized purposes
by the Commission is and will be in all re-
spects for the benefit of the people of the Com-
monwealth of Pennsylvania and the State of
New Jersey, for the increase of their com-
merce and prosperity and for the improvement
of their health and living conditions; and since
the Commission will be performing essential
governmental functions in effectuating said
purposes, the Commission shall not be required
to pay any taxes or assessments upon any prop-
erty acquired or used by it for such purposes,
and the bonds or other securities or obliga-
tions issued by the Commission, their transfer
and the income therefrom (including any
profits made on the sale thereof) shall at all
times be free from taxation within the Com-
monwealth of Pennsylvania and the State of
New Jersey.

ARTICLE XII

The Commission shall make annual reports
to the Governors and Legislatures of the Com-
monwealth of Pennsylvania and the State of
New Jersey, setting forth in detail its opera-
tions and transactions, and may make such
additional reports from time to time to the
Governors and Legislatures as it may deem
desirable.

Whenever the Commission after investiga-
tion and study shall have concluded plans

with estimates of cost and means of financing any new project, other than those described in Article One, subdivision (b) hereof, for transportation across or under the Delaware River within the area hereinbefore described, any new project for the improvement of the Delaware River's port facilities, or any other project for the mutual advantage of Pennsylvania and New Jersey and coming within the purposes for which it is created, the Commission shall make to the Legislatures of each State a detailed report dealing only with the contemplated project and shall request of said Legislatures authority to proceed with the project described and it shall not be within the power of the Commission to construct, erect or otherwise acquire any facility or project, except those described in Article One, subdivision (b) hereof, unless and until the Legislatures of both States shall have authorized the Commission to proceed with the project outlined in its special report thereon.

2. Upon its signature on behalf of the State of New Jersey and by the Governor of Pennsylvania on behalf of the Commonwealth of Pennsylvania, the aforesaid compact or agreement shall be and becomes binding and shall have the force and effect of a statute of the State of New Jersey, and The Delaware River Joint Commission shall thereupon become vested with all the powers, rights and privileges and be subject to the duties and obliga-

tion on the part of the State of New Jersey or agreement as though the same were specifically authorized and imposed by statute and the State of New Jersey shall be bound by all of the obligations assumed by it under said compact or agreement, and the New Jersey Interstate Bridge Commission shall transmit an original signed copy thereof to the Secretary of State for filing in his office.

3. The Governor is hereby authorized to apply on behalf of the State of New Jersey to the Congress of the United States for its consent and approval to the aforesaid compact or agreement, but in the absence of such consent and approval The Delaware River Joint Commission shall have all of the powers which the Commonwealth of Pennsylvania and the State of New Jersey may confer upon it without the consent and approval of Congress.

4. The sum of two hundred and fifty thousand dollars (\$250,000), or as much thereof as may be necessary, is hereby specifically appropriated to The Delaware River Joint Commission to be used by it, together with a like appropriation made by the Commonwealth of Pennsylvania, for any of the purposes of the said Commission, except the operation, maintenance, improvement or construction of new facilities for the existing bridge over the Delaware River between Philadelphia and Camden.

5. This act shall become effective on July first, one thousand nine hundred and thirty-

one, but the New Jersey Interstate Bridge Commission shall not enter into any agreement hereunder until the Commonwealth of Pennsylvania has passed a substantially similar act embodying the agreement between the two States herein set forth and making a like appropriation.

6. All acts or parts of acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

Approved June 30, 1931.

AGREEMENT

BETWEEN

THE COMMONWEALTH OF PENNSYLVANIA

AND

THE STATE OF NEW JERSEY

CREATING THE DELAWARE RIVER JOINT COMMISSION AS A BODY CORPORATE AND POLITIC AND DEFINING ITS POWERS AND DUTIES

WHEREAS, The Commonwealth of Pennsylvania and the State of New Jersey are the owners of a certain bridge across the Delaware River between the City of Philadelphia in the Commonwealth of Pennsylvania and the City of Camden in the State of New Jersey; and

WHEREAS, The Pennsylvania Commission, existing by virtue of Act No. 338 of the Commonwealth of Pennsylvania, approved July 9, 1919, (Pamphlet Laws 814) and acts amendatory thereof and supplementary thereto, and the New Jersey Interstate Bridge Commission, existing by virtue of Chapter 271 of the Laws of New Jersey of 1929, and acts amendatory thereof and supplementary thereto, are acting jointly under the name of the Delaware River Bridge Joint Commission in connection with the operation and maintenance of said bridge; and

WHEREAS, The interests of the people of the two States will be best served by consolidat-

ing the two commissions in corporate form and granting additional powers and authority thereto with reference to the said bridge and to other and further means of communication between the two States in the vicinity of Philadelphia and Camden; and

WHEREAS, Additional transportation facilities between the two States in the vicinity of Philadelphia and that part of New Jersey opposite thereto will be required in the future for the accommodation of the public and the development of both States; and

WHEREAS, Both States have mutual interests in the development of the Delaware River from Philadelphia and Camden to the sea and particularly in developing the facilities and promoting the more extensive use of the ports of Philadelphia and Camden by coastwise, intercoastal and foreign vessels; and

WHEREAS, It is highly desirable that there be a single agency of both States empowered to further the aforesaid interests of both States:

NOW, THEREFORE, The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other, as follows:

ARTICLE I

There is hereby created a body corporate and politic, to be known as The Delaware River Joint Commission (hereinafter in this

agreement called the "Commission"), which shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes and which shall be deemed to be exercising an essential governmental function in effectuating such purposes, to wit:

(a) The operation and maintenance of the bridge, owned jointly by the two States and the City of Philadelphia, as its interests may appear, across the Delaware River between the City of Philadelphia in the Commonwealth of Pennsylvania and the City of Camden in the State of New Jersey, including its approaches, and the making of additions and improvements thereto.

(b) The effectuation, establishment, construction, operation and maintenance of railroad or other facilities for the transportation of passengers across the said bridge, including extensions thereof, to the vicinity of Race Street and Eighth Street in the City of Philadelphia and to the vicinity of Carman Street and Haddon Avenue in the City of Camden.

(c) The investigation of the necessity for additional means of communication between the Commonwealth of Pennsylvania in the vicinity of Philadelphia and the State of New Jersey opposite thereto and between the ports of Philadelphia and Camden and the sea, and making of such studies, surveys and estimates

as may be necessary to determine the feasibility and cost of any such additional means of communication, whether the same be by bridge, tunnel, canal or otherwise.

5 (d) Cooperation with all other bodies interested or concerned with, or affected by, the promotion, development or use of the Delaware River.

10 (e) The procurement from the Government of the United States of any consents which may be requisite to enable any project within its powers to be carried forward.

15 (f) The promotion of the Delaware River as a highway of commerce between Philadelphia and Camden and the sea.

20 (g) The promotion of increased commerce on the Delaware River, both freight and passenger, and for this purpose the publication of such literature and the adoption of such means as may be deemed appropriate.

25 (h) To study and make recommendations to the proper authorities for the improvement of terminal, lighterage, wharfage, warehouse and other facilities necessary for the promotion of commerce on the Delaware River.

30 (i) Institution through the Attorneys General of Pennsylvania and New Jersey of, or intervention in, any litigation involving rates, preferences, rebates or other matters vital to the interests of the ports of the Delaware River.

(j) Any other functions which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion and development of the ports of Philadelphia and of Camden and the use by commercial vessels of their facilities.

ARTICLE II

The Commission shall consist of sixteen commissioners, eight resident voters of the Commonwealth of Pennsylvania and eight resident voters of the State of New Jersey, who shall serve without compensation.

The first eight commissioners for the Commonwealth of Pennsylvania shall be the Governor of the Commonwealth, the Auditor General, the State Treasurer, the Mayor of the City of Philadelphia and the four additional persons now serving as members of the Pennsylvania Commission, existing by virtue of Act No. 338 of the Commonwealth of Pennsylvania, approved July 9, 1919 (Pamphlet Laws 814), and acts amendatory thereof and supplementary thereto.

The first eight commissioners for the State of New Jersey shall be the eight individuals now holding office as members of the New Jersey Interstate Bridge Commission, existing by virtue of Chapter 271 of the Laws of said State of 1929, approved May 6, 1929, and acts amendatory thereof and supplementary thereto, which said eight individuals are

5 hereby appointed by said State as such
commissioners, who shall serve for their un-
expired terms as members of the New Jersey
Interstate Bridge Commission. Succeeding
10 commissioners shall be elected by the Legisla-
ture to serve for terms of five years.

15 For the Commonwealth of Pennsylvania,
the Governor, the Auditor General, the State
10 Treasurer and the executive head of the City
of Philadelphia in office at the time shall
always be members of the Commission and in
addition thereto there shall be four members
appointed by the Governor, who shall be
known as appointive members. Whenever a
15 vacancy occurs in the appointive membership
of the Commission the Governor shall appoint
a member to serve for a term of five years
from the date of his appointment.

20 For the State of New Jersey, whenever a
vacancy in the office of commissioner shall oc-
cur such vacancy shall be filled for the un-
expired term by the Legislature. If the
Legislature shall not be in session when the
vacancy occurs, such vacancy shall be filled by
25 the Governor and such appointee shall hold
office until the Legislature convenes.

30 All commissioners shall continue to hold
office after the expiration of the terms for
which they are appointed or elected unless and
until their respective successors are appointed
and qualified, but no period during which any
commissioner shall hold over shall be deemed

to be an extension of his term of office for the
purpose of computing the date on which his
successor's term expires.

ARTICLE III

5 The commissioners shall have charge of the
Commission's property and affairs and shall
for the purpose of doing business constitute a
board, but no action of the commissioners shall
10 be binding unless a majority of the members
of the Commission from Pennsylvania and a
majority of the members of the Commission
from New Jersey shall vote in favor thereof.

ARTICLE IV

15 For the effectuation of its authorized pur-
poses the Commission is hereby granted the
following powers:

(a) To have perpetual succession

(b) To sue and be sued.

(c) To adopt and use an official seal.

(d) To elect a chairman, vice-chairman,
20 secretary and treasurer, and to adopt suitable
by-laws for the management of its affairs. The
secretary and treasurer need not be members
25 of the Commission.

(e) To appoint such other officers and
such agents and employes as it may require
for the performance of its duties and fix and
30 determine their qualifications, duties and com-
pensation.

(f) To enter into contracts.

(g) To acquire, own, use, lease, operate and dispose of personal property.

(h) To acquire, own, use, lease, operate and dispose of real property and interests in real property, and to make improvements thereon.

(i) To grant the use of, by franchise, lease or otherwise and to make charges for the use of, any property or facility owned or controlled by it.

(j) To borrow money upon its bonds or other obligations, either with or without security.

(k) To exercise the right of eminent domain.

(l) To determine the exact location, system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own, construct, establish, effectuate, operate or control.

(m) In addition to the foregoing, to exercise the powers, duties, authority and jurisdiction heretofore conferred and imposed upon the aforesaid Pennsylvania Commission and upon the aforesaid New Jersey Interstate Bridge Commission severally, or upon both of said commissions jointly, by the Commonwealth of Pennsylvania or the State of New Jersey, or both of the said two States; and

(n) To exercise all other powers not inconsistent with the constitutions of the two

States or by the United States, which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers, except the power to levy taxes or assessments, and generally to exercise in connection with its property and affairs, and in connection with property within its control, any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs.

ARTICLE V

If for any of its authorized purposes (including temporary construction purposes) the Commission shall find it necessary or convenient to acquire any real property in the Commonwealth of Pennsylvania or the State of New Jersey, whether for immediate or future use, the Commission may find and determine that such property, whether a fee simple absolute or a lesser interest is required for public use and, upon such determination, the said property shall be deemed to be required for a public use until otherwise determined by the Commission; and with the exceptions hereinafter specifically noted the said determination 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 Commission shall be deemed superior to the public

use in the hands or under the control of any other person, association or corporation.

5 If the Commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the Commonwealth of Pennsylvania for any reason whatsoever, then the Commission may acquire such real property in the manner provided by Act. No. 338 of the Commonwealth
10 of Pennsylvania, approved July 9, 1919, and acts amendatory thereof and supplementary thereto, for the acquisition of real property by the aforesaid Pennsylvania Commission.

15 If the Commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the State of New Jersey for any reason whatsoever, then the Commission may acquire, and is hereby authorized to acquire, such property,
20 whether a fee simple absolute or a lesser interest, by condemnation or the exercise of the right of eminent domain, either under and pursuant to the provisions of the act of the State of New Jersey entitled, "An act to
25 regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of 1900), approved March 20, 1900, and acts amendatory thereof and supplementary thereto, or under
30 and pursuant to the provisions of an act entitled "An act concerning and regulating acquisition and taking of lands by the State

of New Jersey or any agency thereof, providing a procedure therefor and the manner of making compensation for lands so taken," approved April 21, 1920, and the various acts
5 amendatory thereof and supplementary thereto.

The power of the Commission to acquire real property by condemnation or the exercise of the power of eminent domain in the Commonwealth of Pennsylvania and the State of New
10 Jersey shall be a continuing power and no exercise thereof shall be deemed to exhaust it.

The Commission and its duly authorized agents and employes may enter upon any land in the Commonwealth of Pennsylvania or the
15 State of New Jersey for the purpose of making such surveys, maps or other examinations thereof as it may deem necessary or convenient for its authorized purposes.

However, anything to the contrary contained in this compact notwithstanding, no
20 property now or hereafter vested in or held by any county, city, borough, village, township or other municipality, or port district shall be taken by the Commission without the consent of such municipality or port district unless
25 expressly authorized so to do by the Commonwealth or State in which such municipality or port district is located. All counties, cities, boroughs, villages, townships, and other municipalities, and all public agencies and commissions
30 of the Commonwealth of Pennsylvania and the State of New Jersey, notwithstanding

any contrary provision of law, and is authorized and empowered to grant and convey to the Commission upon its request, but not otherwise, upon reasonable terms and conditions, any real property which may be necessary or convenient to the effectuation of its authorized purposes, including real property already devoted to public use.

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15
The Commonwealth of Pennsylvania and the State of New Jersey hereby consent to the use and occupation by the Commission of any real property of the said two States, or of either of them, which may be, or become, necessary or convenient to the effectuation of the authorized purposes of the Commission, including lands lying under water and lands already devoted to public use.

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The term "real property" as used in this compact includes lands, structures, franchises and interests in land, including lands under water and riparian rights, and any and all things and rights usually included within the said term and includes not only fees simple absolute, but also any and all lesser interests 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 of years and liens thereon by way of judgments, mortgages or otherwise, and also claims for damage to real estate.

5
10
The control, operation, tolls and other revenues of the aforesaid existing bridge across the Delaware River between the City of Philadelphia and the City of Camden, and of all real and personal property appurtenant thereto or used in connection therewith, shall vest in the Commission on the first day of July, one thousand nine hundred and thirty-one, and the terms of the members of the aforesaid Pennsylvania Commission and the aforesaid New Jersey Interstate Bridge Commission shall cease and terminate on that date.

15
20
On or before the thirtieth day of June, one thousand nine hundred and thirty-two, or as soon thereafter as practicable, the Commission shall pay to the Commonwealth of Pennsylvania, the State of New Jersey and the City of Philadelphia the following sums out of moneys raised by said Commission on its bonds or other obligations:

25
30
(a) An amount equal to the moneys contributed by the Commonwealth of Pennsylvania toward the cost of acquiring property for, and constructing, said bridge and the approaches thereto, and expenditures incident thereto, with interest at the rate of four per centum per annum, such interest to be computed from the dates on which installments of such funds were paid to the Delaware River Bridge Joint Commission by the said Com-

monwealth of Pennsylvania, as shown by the records of its State Treasurer less, however, the amount returned to the Commonwealth of Pennsylvania from the net revenues of the bridge between July 1, 1926 and June 30, 1931 and less interest at the rate of four per centum per annum upon such amount computed from the dates of repayment to the Commonwealth of Pennsylvania.

10 (b) An amount equal to the moneys contributed by the State of New Jersey toward the cost of acquiring property for, and constructing, said bridge and the approaches thereto, and expenditures incident thereto, with interest theretofore actually paid by the State of New Jersey or accrued upon the bonds issued by said State to borrow money to pay its share of the cost of acquiring property for, and construction of, said bridge and approaches thereto, and all expenditures incident thereto, less, however, the amount returned to the State of New Jersey from the net revenues of the bridge between July 1, 1926 and June 30, 1931, and less interest at the rate of four and one-fourth per centum per annum upon such amount computed from the dates of repayment to the State of New Jersey.

30 (c) An amount equal to the moneys contributed by the City of Philadelphia toward the cost of acquiring property for, and constructing, said bridge and the approaches thereto, and expenditures incident thereto, with in-

terest theretofore actually paid by the City of Philadelphia or accrued upon the bonds issued by said city to borrow money to pay its share of the cost of acquiring property for, and construction of, said bridge and approaches thereto, and all expenditures incident thereto, less, however, the amount returned to the City of Philadelphia from the net revenues of the bridge between July 1, 1926 and June 30, 1931, and less interest at the rate of four and one-fourth per centum per annum upon such amount computed from the dates of repayment to the City of Philadelphia.

(d) As soon as is practicable subsequently to July 1, 1931, the Commission shall determine with the Commonwealth of Pennsylvania, the State of New Jersey and the City of Philadelphia the net amounts due to each, respectively, as of the first day of July, one thousand nine hundred and thirty-one, and from that date until the date of payment, interest shall be paid by the Commission to the Commonwealth of Pennsylvania at the rate of four per centum per annum, and to the State of New Jersey and to the City of Philadelphia at the rate of four and one-fourth per centum per annum.

(e) The amount payable by the Commission to the Commonwealth of Pennsylvania as aforesaid shall be paid to the State Treasurer of the Commonwealth of Pennsylvania upon a voucher signed and audited by said State Treasurer who is hereby authorized to

consummate the said transaction. The amount payable to the State of New Jersey shall be paid to the Comptroller of said State upon a voucher signed and audited by said Comptroller who is hereby authorized to consummate the said transaction. The amount payable to the City of Philadelphia shall be paid to the treasurer of the said city upon a voucher signed and audited by said treasurer who is hereby authorized to consummate the said transaction. Upon the receipt of the proper payment each of said officials shall certify to The Delaware River Joint Commission that all moneys payable by The Delaware River Joint Commission to the Commonwealth, State or city, as the case may be, have been duly paid.

(f) Nothing herein contained shall be construed to affect, diminish or impair the rights and obligations created by, or to repeal any of, the provisions of Chapter Three hundred and fifty-two of the Laws of New Jersey of one thousand nine hundred and twenty and Chapter Two hundred and sixty-two of the Laws of New Jersey of one thousand nine hundred and twenty-four, and Chapter Three hundred and thirty-six of the Laws of New Jersey of one thousand nine hundred and twenty-six and Chapter Thirty-three of the Laws of New Jersey of one thousand nine hundred and twenty-seven and Chapter Sixty-four of the

Laws of New Jersey of one thousand nine hundred and twenty-eight.

(g) Of the money paid to the State of New Jersey under the provisions of this agreement there shall be paid to the Sinking Fund Commission created by the provisions of the foregoing statutes (Chapter 352 of the laws of New Jersey of 1920 and Chapter 262 of the laws of New Jersey of 1924) such sum or sums as said Sinking Fund Commission may deem necessary to meet the then existing indebtedness and obligations set forth in said statutes, together with such interest and other charges as may be due or may grow due. The amount thus to be paid to the Sinking Fund Commission shall be arrived at and determined by said Sinking Fund Commission within ninety days after payment is made to the State of New Jersey pursuant to the provisions of this agreement. The moneys to be paid to and received by said Sinking Fund Commission are hereby appropriated by the State of New Jersey and are to be used for sinking fund purposes according to law.

(h) No failure on the part of the Commission to make the aforesaid payments to the Commonwealth of Pennsylvania, to the State of New Jersey or to the City of Philadelphia shall affect, diminish or impair the rights of the holders of any bonds or other securities or obligations of said Commission as security

for which the tolls and other revenues of the said bridge may be pledged.

ARTICLE VII

5 Notwithstanding any provision of this agreement, the Commission shall have no power to pledge the credit of the Commonwealth of Pennsylvania or the credit of the State of New Jersey or the credit of any county, city, 10 borough, village, township or other municipality of said Commonwealth or of said State, or to create any debt of said Commonwealth or of said State or of such municipality.

ARTICLE VIII

15 The Commission is hereby authorized to make and enforce such rules and regulations and to establish, levy and collect (or to authorize by contract, franchise, lease or otherwise, the establishment, levying and collection 20 of) such tolls, rents, rates, and other charges in connection with the aforesaid existing bridge across the Delaware River and any other properties which it may hereafter construct, erect, acquire, own, operate, or control, 25 as it may deem necessary, proper, desirable and reasonable, which said tolls, rents, rates and other charges shall be at least sufficient to meet the expenses thereof, including interest and sinking fund charges, and the Commission 30 is hereby authorized and empowered to pledge such tolls, rates, rents and other revenues,

or any part thereof, either presently received or to be received in the future, or both, as security of the repayment, with interest, of any moneys borrowed by it, or advanced to it, 5 for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances.

ARTICLE IX

10 The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or other securities or obligations of 15 the Commission for which there may or shall be pledged the tolls, rents, rates or other revenues, or any part thereof, of any property or facility owned, operated or controlled by the Commission (including the said bridge 20 across the Delaware River and the facilities for the transportation of passengers across the said bridge) that (so long as any of said bonds or other securities or obligations remain out- 25 standing and unpaid, and unless and until adequate provision is made by law for the protection of those advancing money upon such obligations) the Commonwealth and the said State will not diminish or impair the 30 power of the Commission to own, operate or control said properties and facilities or to establish, levy and collect tolls, rents, rates

and other charges in connection with any properties or facilities.

The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or other securities or obligations of the Commission for which the tolls, rents, rates or other revenues, or any part thereof, of the aforesaid existing bridge across the Delaware River shall have been pledged, that the said Commonwealth and the said State will not authorize or permit the authorization of the construction, operation or maintenance of any additional vehicular bridge or tunnel, or any additional bridge or tunnel having railroad or other facilities for the transportation of passengers, between the said Commonwealth and the said State, over or under the Delaware River, by any other person or body than the Commission, within a distance of ten miles in either direction from the said bridge, measured along the boundary line between the said Commonwealth and the said State.

ARTICLE X

The bonds or other securities or obligations which may be issued by the Commission for any of its authorized purposes, and as security for which there may be pledged the tolls, rents, rates and other revenues, or any part thereof, of any properties or facilities owned, operated

or controlled by the Commission (including the aforesaid existing bridge across the Delaware River and the aforesaid facilities for the transportation of passengers across the said bridge) are hereby made securities in which all state and municipal officers and bodies of the Commonwealth of Pennsylvania and State of New Jersey, all banks, bankers, trust companies, savings banks, saving and loan associations, investment companies 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 and all other persons whatsoever who are now or hereafter may be authorized to invest in bonds or other obligations of the Commonwealth of Pennsylvania or of the State of New Jersey, may properly and legally invest any funds, including capital, belonging to them or within their control; and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or agency of the Commonwealth of Pennsylvania or the State of New Jersey for any purpose for which the deposit of bonds or other obligations either of the Commonwealth or of the State is now, or may hereafter be, authorized.

The effectuation of its authorized purposes by the Commission is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of New Jersey, for the increase of their commerce and prosperity and for the improvement of their health and living conditions; and since the Commission will be performing essential governmental functions in effectuating said purposes, the Commission shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes, and the bonds or other securities or obligations issued by the Commission, their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania and the State of New Jersey.

ARTICLE XII

The Commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, setting forth in detail its operations and transactions, and may make such additional reports from time to time to the Governors and Legislatures as it may deem desirable.

Whenever the Commission after investiga-

tion concluded plans with estimates of cost and means of financing any new project, other than those described in article one, subdivision (b) hereof, for transportation across or under the Delaware River within the area hereinbefore described, any new project for the improvement of the Delaware River's port facilities, or any other project for the mutual advantage of Pennsylvania and New Jersey and coming within the purposes for which it is created, the Commission shall make to the Legislatures of each State a detailed report dealing only with the contemplated project and shall request of said Legislatures authority to proceed with the project described and it shall not be within the power of the Commission to construct, erect or otherwise acquire any facility or project, except those described in article one, subdivision (b) hereof, unless and until the Legislatures of both States shall have authorized the Commission to proceed with the project outlined in its special report thereon.

IN WITNESS WHEREOF This First day of July, A. D. 1931, Gifford Pinchot, has affixed his signature hereto as Governor of the Commonwealth of Pennsylvania and caused the great seal of the Commonwealth to be attached hereto.

(Seal) GIFFORD PINCHOT
Governor, Commonwealth of Pennsylvania.

AND on the first day of June, A. D. 1905,
 the New Jersey Interstate Bridge Commission
 by its members, pursuant to law, has signed
 this agreement for and on behalf of the State
 5 of New Jersey.

JOHN B. KATES
 ARTHUR C. KING
 THOMAS J. S. BARLOW
 BARTON F. SHARP
 10 ALFRED COOPER
 FRANK L. SUPLEE
 LUCIUS E. HIRES
 I. NORWOOD GRISCOM

15 Witnesses:

DAVID J. SMYTH
 JOSEPH K. COSTELLO
 T. HARRY ROWLAND

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