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REPORT  
of the  
PORT RARITAN  
DISTRICT COMMISSION

to the  
Legislature of the State  
of New Jersey

JANUARY 5, 1938

**ELEVENTH ANNUAL REPORT**  
*of*  
**PORT RARITAN DISTRICT COMMISSION**

C. PARKER RUNYON, Chairman  
Stelton, N. J.

ASHER ATKINSON  
New Brunswick, N. J.

THOMAS J. KELLY  
Perth Amboy, N. J.

MAX FOCHTMANN  
Piscataway, N. J.

J. RAYMOND MALLOY  
South Amboy, N. J.

KLEMMER KALTEISSEN  
Director, Board of Freeholders  
New Brunswick, N. J.

JOHN F. RYAN  
Woodbridge, N. J.

THOMAS F. DOLAN  
Sayreville, N. J.

MARCUS S. WRIGHT, JR.  
South River, N. J.

*Resident Engineer*

W. FRANKLIN BUCHANAN  
Metuchen, N. J.

*Counsel*

JACOB M. KLEIN  
Perth Amboy, N. J.

*Consulting Engineer*

SAMUEL J. MASON  
Perth Amboy, N. J.

*Secretary*

CLIFFORD COSGROVE  
New Brunswick, N. J.

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Office of the Commission  
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JANUARY 5, 1938

## EXPLANATORY NOTE

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The Port Raritan District Commission was created by the 1926 New Jersey Legislature (Chapter 337 P. L. 1926). The Commissioners are nine in number and have the jurisdiction and powers set out in this act.

The Port Raritan District consists of Middlesex County, together with the Raritan River from the head of navigation at New Brunswick to Raritan Bay and all other lands and waters of Raritan Bay and the Arthur Kill contiguous thereto. It is one of the three port commissions in the State of New Jersey, the best known and oldest of which is the port commission formed in conjunction with the State of New York known as the Port of New York Authority. The other port commission is the South Jersey Port Commission which includes Trenton and the important Camden section and all of South Jersey.

## TO THE LEGISLATURE OF NEW JERSEY

This is the Eleventh Annual Report of the Port Raritan District Commission and it is submitted for the year 1937, during which period much waterway progress has been accomplished in the Port Raritan District. During that year, we were made to realize the distinctive benefits which were attained by reason of the improvements in waterway transportation provided to the district by the construction and maintenance of the three-ship anchorage basin and cut off channel for ocean-going vessels, constructed by the Federal Government within a mile of the municipalities of Perth Amboy, South Amboy and Staten Island, Borough of Richmond.

The Federal Emergency Administration of Public Works spent about \$1,750,000 for these two projects alone. These improvements have supplied to this port, waterway facilities which are being recognized and used by shippers from almost every part of the world. The three-ship anchorage basin has a controlling depth of 33 feet at mean low water. The cut-off channel has a depth of 20 feet at mean low water for its full project width of eight hundred feet. The economic justification for the construction of both these important waterway projects having been established through the cooperation of this Commission, and the favorable recommendations of the Army Engineers having been obtained as early as 1930, this Commission takes pardonable pride in again reporting the full fruition of its endeavors as far as these two improvements are concerned.

A memorandum released by the United States Customs Service on the Port of Perth Amboy for the fiscal year ending June 30, 1937 shows total receipts on duty imposed of \$1,422,200; number of vessels from foreign ports 102 with vessel net tonnage of 284,671; intercoastal vessels from the Pacific Coast 11 in number, vessel net tonnage 35,506; coastwise vessels 292 with approximate vessel net tonnage of 960,000. Gross tonnage of coastwise vessels not available as entrance and clearance are not necessary at Customs House. The memorandum shows the total value of importations to be \$57,266,617. Total value of exportations not available at this time. In addition to the figures previously mentioned, there are approximately 200 ships per year using local waters and arriving at Port Socony, Staten Island. These are coastwise ships and are not required to enter and clear. An approximate estimate of the vessel net tonnage of these ships without cargo, considered as approximately 900,000 tons. Confining the figures to these types of vessels alone, there were well over 600 ships which passed through local waters for the fiscal year ending June 30, 1937.

After reading figures such as these, can there be any question about the importance of the waterways in the Raritan Bay District or the complete justification of a comprehensive plan for their further development in the years to come. This Commission is giving its full support to all works undertaken or about to be undertaken by the Federal Government in connection with improvements affecting the Port Raritan area.

In order to present a brief chronological record up to and including the year 1937, a short review of the major projects will be attempted. The new members of the Legislature will be enabled in this way to familiarize themselves with what has already been accomplished and those members of the Legislature who are already familiar with the facts will be able to readily follow the progress which has been made up to the close of the current year.

### **New Jersey Ship Canal.**

The great Atlantic Intra-Coastal Waterway System has been connected from Key West to Trenton on the south and from New York to Boston and the Great Lakes on the north and west, but the construction of the New Jersey Ship Canal known as the "missing link" is yet unauthorized.

On April 11th, 1936, the "missing link" of the southern chain of waterways was opened at Socastee Bridge near Myrtle Beach, South Carolina. The opening of this link completed a 1,435 mile inside route from Trenton, N. J. to Miami, Fla. The canal across New Jersey would intersect one of the most populous and one of the greatest industrial states in the country. It would connect the Delaware River and the cities located thereon with New York Bay on which is located the commercial metropolis of the nation. As to commerce between New York and Philadelphia, it would save a tortuous journey via the Delaware River and the ocean to New York Bay, and the hazards to such coast-wise navigation. It would promote the movement of commerce between New York and Boston on the north and Philadelphia, Baltimore and Norfolk and other cities on the south. It would materially cheapen the cost of movement of traffic between these points. Yet, the construction of this great canal is unauthorized to date.

In March 1936 the Chief of Engineers of the United States Army transmitted a letter which is a part of document 93, 74th Congress, 2nd Session, Committee on Rivers and Harbors, House of Representatives, U. S. which reported unfavorably on this momentous project. Instead of going into a detailed historical resume of this project from its inception, it is considered advisable to set forth a copy of Major General E. M. Markham's letter. This letter will tend to familiarize those who are unacquainted with the magnitude of this improvement, with some of the facts and figures which were compiled by the Special Board and will also, by the reading thereof, show why the unfavorable decision was made at this time.

WAR DEPARTMENT  
OFFICE OF THE CHIEF OF ENGINEERS,  
Washington, March 28, 1936

"Hon. J. J. Mansfield,  
Chairman, Committee on Rivers and Harbors,  
House of Representatives, Washington, D. C.

My dear Mr. Mansfield:

1. The Committee on Rivers and Harbors of the House of Representatives, by resolution adopted March 29, 1934, requested the Board of Engineers for Rivers and Harbors to review the reports on New York Bay-Delaware River section of the intra-coastal waterway, submitted in House Document No. 219, Seventy-third Congress, second session, and the prior reports on this waterway, with a view to determining the advisability of constructing the waterway described in the aforesaid report at the present time. I enclose herewith the report of the Board in response thereto.

2. The New York Bay-Delaware River section of the intracoastal waterway is a proposed canal extending across the State of New Jersey from the head of Raritan Bay, an arm of New York Bay, to the Delaware River, a distance in an air line of 30 miles. The plans proposed a deep land cut to afford a canal with a depth of 27 feet and a bottom width of 250 feet. The water level in the canal would be maintained at an elevation of 10 feet above mean low tide by dams and locks in the Raritan River at Sayreville, and in the Delaware River at Bordentown. The estimated construction cost was \$210,000,000, exclusive of the cost of rights-of-way and spoil-disposal areas. In accordance with the terms of the authorization, the report under review was limited to finding and recommending the most desirable route for the waterway, with estimates of cost. The present report is directed to the advisability of the improvement.

3. An exhaustive investigation into the prospective traffic and transportation savings to be anticipated from the construction of the canal was made by a special board. The board found that a large movement of coal from Philadelphia to New York Harbor is to be expected with the present rate structure, that other traffic now carried by rail could be carried on the canal at a substantial saving, and the shorter route afforded for ships in the foreign, intracoastal, and coastwise trade between the ports of New York, Philadelphia, and Baltimore would effect a further saving. The special board estimated total savings of \$5,000,000 in 1940, \$8,850,000 in 1950 and \$9,050,000 in 1960. It found it advisable to make certain modifications in the plan, including the elimination of the dam in the Delaware River. These modifications would reduce its total estimated cost (including interest during construction) to \$195,390,000 with small decreases in its estimated savings. The total annual fixed and operating cost was found to be \$9,874,000. Comparing the benefits with the carrying charges, the special board recommended that the waterway be reported as not economically justified at the present time.

4. The Board of Engineers for Rivers and Harbors has carefully reviewed the estimates prepared by the special board, and has considered the data presented at a public hearing held by the Board. It is of the opinion that the direct savings to be anticipated from the construction of the canal would be materially less than the amounts estimated by the special board, since because of the convenience of delivery some shippers would prefer to retain the present shipping routes and since adjustment of rail freight rates to meet water competition is also to be anticipated. The Board fully recognizes the indirect benefits to be anticipated from the construction of the canal in affording the last link in a protected coastal route between northern waters and southern Florida, as well as the value of the route for naval and commercial use in time of war. It points out, however, that against these indirect advantages must be balanced the inherent disadvantages, one of which is the limitation imposed by the essential need for preventing the intrusion of salt into the Delaware River, as this river is a source of important municipal and industrial water supply. After an exhaustive study the Board concludes that with careful management the canal proposed could be operated to prevent any intolerable intrusion of salt water in the Delaware, provided that the locks are not designed to provide a future increase in depth, the canal is afforded adequate

depth to provide for a draw-down during the dry season, and that water is diverted from the Delaware in the amount of 200 cubic feet per second. The available water supply appears insufficient for the operation of a canal affording a depth in excess of that necessary for vessels of 25-foot draft, until the communities on the lower Delaware have provided themselves with water supply for domestic and industrial purposes independent of the waters of the estuary. These limitations on the use and expansion of the waterway must, in the opinion of the Board, be weighed against its imponderable advantages, particularly in meeting future emergencies of war. The Board further points out that while the plans provide for bridges over the canal with clearances designed to reduce to a minimum delays in the heavy traveled lines of rail and highway connecting the metropolis of New York with the New Jersey beaches, and while the residual delays would in no sense be intolerable, the construction of the canal would be an inconvenience to this movement. The over-all cost of the canal, with the modifications developed by this further investigation, are estimated by the Board at \$207,110,000 and the annual cost at \$10,407,000 with interest at 4 percent, or \$8,435,100 with interest at 3 percent. The Board concludes that the reasonably assured savings in the cost of transportation are insufficient to warrant the great expenditure necessary for the construction of the canal, even when the less tangible advantages to be anticipated from its construction are fully considered, and reports that the construction of the waterway is not advisable at the present time.

5. After due consideration of these reports, I concur in the views and and recommendations of the Board.

Very truly yours,

E. M. MARKHAM,  
Major General  
Chief of Engineers."

This letter will show that the report is favorable to the Canal on its merits but is adverse to the construction of the Ship Canal "at the present time" because of costs. It is interesting to note among other things, the report says that

"The Board fully recognizes the indirect benefits to be anticipated from the construction of the canal"; that

"It would afford the last link in a protected coastal route for small craft between northern waters and southern Florida"; that

"The Secretary of the Navy has stated that the canal would be of value to the Navy in time of war, particularly if the main theatre of operations were in the Atlantic Ocean"; that

"It would afford a route for commercial shipping into the port of New York from the south, free from the menace of submarines in war"; and that

"The future development of industries on the upper tidal Delaware and the Raritan might eventually produce traffic through the canal not now foreseen".

While the report constituted a temporary set back to the advocates of the New Jersey Ship Canal, that part of the report which is favorable adds encouragement to the zeal, the ambition and the inspiration of those who contend that this great waterway must some time be authorized and constructed by the Government of the United States. It is felt that the objections promulgated by the special Army Board raise controversial questions which after restudy will result in conclusions more favorable if not entirely so, to the authorization of this project. To cite one example of many, it is pointed out by the canal advocates that rate of interest at 4% or even 3% used by the Army Board in estimating the annual cost is excessive and that with current low interest rates on

Federal funds 1½ or 1¾% should be a fair rate in calculating fixed costs. This item alone according to the sponsors would, in relationship to the saving on tonnage, economically justify the construction of a canal at the present time. This and other matters are included in the future plan of presentation for reconsideration of the whole proposition and it is hoped that with the same kind of energetic and logical argument in favor of this project which has prevailed in the past, favorable results will be attained.

We have received much encouragement from Major General Markham by the following words expressed by him at Socastee Bridge, South Carolina, April 11, 1936 when among other things he said "while our recent report to Congress on the proposed Ship Canal across the State of New Jersey found that the cost of the improvement was considerably in excess of the anticipated benefits, it is still possible to visualize in the not too distant future, the provision of a completely protected route extending from New York City to Miami, and connecting with the Gulf route to Corpus Christi."

In the early part of 1936, President Moore of the Atlantic Deeper Waterways Association appointed a committee to promote the construction of the Ship Canal across New Jersey. The Committee is constituted as follows: Mayor Thomas B. Stockham, Morrisville, Pa., chairman; Frank S. Davis, Boston; Judge William E. Woollard, Albany, N. Y.; Mayor J. Fulmer Bright, Richmond, Va.; Mayor Walter H. Blair, Wilmington, N. C.; Mayor Frederick von Nieda, Camden, N. J.; H. H. Buckman, Jacksonville, Fla.; W. Paul Starkey, Morrisville; J. H. Wood, Newark, N. J.; N. F. S. Russell and J. K. Hiltner, Burlington, N. J.; Jacob M. Klein, Perth Amboy, N. J.; E. M. Keely, Philadelphia; Arthur W. Dover, Trenton, N. J.; S. P. Hazard and Charles Warner, Philadelphia.

This Committee meets from time to time at important sessions and is continuously making constructive plans for future action in connection with the waterway.

In accordance with a resolution of the Committee on Commerce of the Senate of the United States, dated December 15, 1936, and by authority of the Secretary of War, a Special Board of Engineers appointed by the Division Engineer, North Atlantic Division, has been directed to submit a report in review of the report on the "New York Bay-Delaware River Section of the Intracoastal Waterway" contained in House Document 93, 74th Congress, second session, and prior reports, with the view to determining the advisability of constructing a waterway of lesser dimensions for the New Jersey Ship Canal, than those considered in two recent reports on this section.

Preparation of the report was undertaken by the Special Board of Engineers with headquarters in the United States Engineer Office in Philadelphia. An important hearing was held on Wednesday, July 14th in the Customs Court Room, 300 Customhouse, Second and Chestnut

Streets, Philadelphia, Pa. Oral arguments were presented as well as written briefs for and against the Ship Canal. This Commission submitted a brief in support of the waterway even at lesser dimensions. Many organizations were represented and the Special Board headed by Lt. Col. John C. H. Lee, Corps of Engineers gave every one an opportunity to be heard. Counter briefs have also been submitted and the Special Board of Army Engineers is now engaged in a serious study of the mass of testimony presented in this project.

It is natural for this Commission to be vitally interested in and work for the New Jersey Ship Canal in view of the fact that the entrance to the Canal at or near Sayreville on the Raritan River would be located in the heart of the Port Raritan District. Ocean-going vessels carrying an estimated cargo tonnage of 10 to 12 million tons per year would bring to the Port Raritan District, world-wide recognition. Vacant acreage located at the very edge of our deeper channels served by rail and improved highways, with the construction of the Ship Canal would develop into one of the greatest industrial ports in the United States.

#### **Delaware and Raritan Canal.**

Much work has been done during the current year regarding the problem of rehabilitating the Delaware and Raritan Canal to the end that the Federal Government shall own and operate this waterway as a Federal project. In order that the new members of the Legislature of New Jersey may be familiar with a brief chronological review of the facts concerning this important matter, it is considered advisable to set forth some of the salient details.

In February 1933 the Pennsylvania Railroad informed the Board of Public Utility Commissioners that it had formed plans for the abandonment of the Canal. The Railroad also advised the Board that it would not reopen the Canal on March 1st of that year but that operations would cease commencing with that date. As far back as 1913, the Board of Public Utility Commissioners issued an order which required the Canal operators to reopen the waterway for public use from March 1st to December 21st of each year.

The Pennsylvania Railroad took exception to the order and claimed that the "said order of the Board is a service order which is effective, if at all, only when the Canal is in operation and could not under the act of New Jersey constituting the Board of Public Utility Commissioners and creating their powers, be construed so as to interfere with the abandonment of the operation of the canal". The Canal was not opened for operation on March 1st. Subsequently, the Pennsylvania Railroad made application to the Board of Public Utility Commissioners for leave to abandon. As a result of this application, hearings were held in Trenton and considerable testimony was presented to the members of the Board. Among those who attended the hearings in support of the Board's order were Joseph Sterling and Morgan R. Seiffert, counsel for

the Somerset Canal Association and the Association for the Preservation and Improvement of the Delaware and Raritan Canal; Grover D. Kipsey, counsel for the Board of Freeholders, Somerset County and Jacob M. Klein, counsel for the Port Raritan District Commission.

It was argued by the opponents of abandonment that the Board of Public Utility Commissioners should not consider the application for abandonment because the applicants were not carrying out the terms of the order requiring operation of the Canal. The Board reserved decision on the application and subsequently granted the motion of dismissal and applied for a mandatory injunction to compel operation by the lessee. Then followed certain litigation in the State and Federal courts which was undetermined at the time the State of New Jersey acquired the Delaware and Raritan Canal from the United New Jersey Railway and Canal Company after abandonment by the Pennsylvania Railroad.

In a brief submitted to His Excellency, A. Harry Moore, Governor of the State and the members of the Senate and Assembly in behalf of the preservation and improvement of the Delaware and Raritan Canal, which brief was subscribed by the Port Raritan District Commission, many important points were developed as follows: The State has the present power to take possession of the canal and feeder, to vest itself with title thereto and to use or dispose of the canal as the State Legislature may deem proper; the abandonment of the canal would decrease the potential potable water supply of the Millstone and Raritan Rivers, approximately ten million gallons daily; abandonment of the canal would mean depreciation in value of property and tax losses to the State; the importance of the Delaware and Raritan Canal as a link in the Atlantic Intra-Coastal Waterway system; the future of the canal as a free water highway under operations by the Federal Government including commercial, industrial and recreational advantages; the Delaware and Raritan Canal is the only canal of any importance in the whole country that is privately owned; the value of the canal to pleasure boat owners; the canal is valuable for national defense.

At the request of this Commission, Congressman William H. Sutphin introduced a bill in the House of Representatives authorizing preliminary examination and survey of the Delaware and Raritan Canal. The bill was referred to the Committee on Rivers and Harbors. No fund having been appropriated by Congress for this work, the preliminary examination and survey were not made.

The Legislature by Chapter 139, Laws of 1934, by the passage of "An Act to provide for the possession of the Delaware and Raritan Canal by the State of New Jersey", took possession of the Canal and "that in and by and upon such taking of possession, title to said Canal and feeder, the appendages thereto and the works and improvements erected thereon shall be deemed to be and shall thenceforth be vested in the State of New Jersey to be thereafter used or disposed of as the Legislature may deem proper".

The Act empowered the State Highway Commission to enter upon and take possession of the Canal and feeder. By Chapter 238, Laws of 1934, the Department of Conservation and Development was empowered and directed to enter upon and take possession and was delegated other powers contained in the said Act. The Department of Conservation and Development was also empowered and directed to accept a quit claim deed or deeds from the United New Jersey Railroad and Canal Company and the Pennsylvania Railroad or either of them, of their rights in and to the Canal and feeder.

The State of New Jersey memorialized Congress to have the Federal Government take over this Canal from the State by resolution passed at the 1934 Session of the New Jersey Legislature. A copy of the resolution (Joint Resolution No. 6) follows herewith:

"A JOINT RESOLUTION memorializing the Congress for acquisition by the Federal Government of the Delaware and Raritan Canal.

WHEREAS, The State of New Jersey has recently acquired the Delaware and Raritan Canal from the United New Jersey Railway and Canal Company after abandonment by the lessor, the Pennsylvania Railroad, in accordance with charter of the United New Jersey Railway and Canal Company; and

WHEREAS, The Federal Government now owns and operates the greater portion of the inland waterways from Maine to Florida; therefore,

BE IT RESOLVED BY THE SENATE AND GENERAL ASSEMBLY OF THE STATE OF NEW JERSEY:

1. That the Governor and Legislature of the State of New Jersey do memorialize the Federal Congress to enact legislation providing that the Federal Government shall acquire from the State of New Jersey at a cost of one dollar (1.00) the property of the Delaware and Raritan Canal, together with such land, buildings and equipment as are turned over by the United New Jersey Railway and Canal Company under the provisions of chapter one hundred and thirty-nine of the laws of one thousand nine hundred and thirty-four.

2. That the Federal Congress provide for the operation of the canal for navigable purposes; and

BE IT FURTHER RESOLVED, that this joint resolution, signed by the Governor and under the Great Seal of the State, be transmitted to the Vice-President of the United States and the Speaker of the House of Representatives, as the presiding officers of their respective branches of the Federal Congress.

3. This joint resolution shall take effect immediately.

Approved June 11, 1934".

In accordance with Joint Resolution No. 9, a Commission was appointed by the Legislature to furnish information as to costs of improvement, maintenance and anticipated revenues of such canal as a navigable waterway as shall facilitate the Federal Government in obtaining data which will be inducive to the taking over of the Delaware and Raritan Canal by the Federal Government. A copy of the resolution (Joint Resolution No. 9) follows therewith:

"JOINT RESOLUTION providing for the appointment of a commission to furnish information relative to the operation of the Delaware and Raritan Canal by the Federal Government.

WHEREAS, Under Joint Resolution No. 4 of the legislative session of one thousand nine hundred and thirty-four, the State of New Jersey took

title to and possession of the property of the Delaware and Raritan Canal; and

WHEREAS, it is desirable that this canal be opened and operated for navigation and it is believed that this can most satisfactorily be accomplished by the Federal Government; and

WHEREAS, the Congress of the United States has provided for a survey of such canal and the cost of improvements and maintenance as a navigable waterway under Federal control in the rivers and harbors bill recently enacted into law; therefore,

BE IT RESOLVED BY THE SENATE AND GENERAL ASSEMBLY OF THE STATE OF NEW JERSEY:

1. That a Commission is hereby appointed to furnish such necessary information as to costs of improvement, maintenance and anticipated revenues of such canal as a navigable waterway as shall facilitate the Federal Government in obtaining data which will be inducive to the taking over of the Delaware and Raritan Canal by the Federal Government.

2. That this Commission shall consist of five members, one to be a member of the Senate appointed by the President of the Senate, one to be a member of the House of Assembly to be appointed by the Speaker of the House of Assembly, one to be appointed by the Department of Conservation and Development and two members to be appointed by the Governor.

3. The members of this commission shall serve without compensation.

4. This resolution shall take effect immediately.

Approved May 18, 1935".

The personnel of the original Commission has been altered. The present members are Joseph Sterling of Griggstown, chairman; Senator Clifford R. Powell of Burlington County; Assemblyman Marcus W. Newcomb of Burlington County; William C. Cope of the Department of Conservation and Development; and Morgan R. Seiffert of Highland Park, secretary. The Commission established headquarters at 137 Albany Street, New Brunswick, N. J. The Commission was organized in accordance with the purposes of the Act and started immediately to gather data in support of Federal control and ownership of the Canal.

On December 3, 1935 a special Board of Officers consisting of Col. E. D. Ardery, Second District Engineer, chairman; Capt. F. H. Kohloss, Philadelphia and Major J. S. Bragdon, conducted a public hearing in Alexander Hall, Princeton University, Princeton, N. J. The organization of this Board of Officers with power to hear the proponents and opponents, was authorized in the Rivers and Harbors Act of August 30, 1935 under Section 3, calling for preliminary Examinations and Surveys, as follows: "Delaware and Raritan Canal, New Jersey".

Col. Ardery who presided at the hearing stated that the findings would be incorporated in a report to be submitted to the United States Board of Engineers for Rivers and Harbors at Washington. A representation was present from the Port Raritan District Commission and in its behalf, Jacob M. Klein stated that the Commission favored Federal ownership and supervision of the Canal with a contemplated width of 125 feet and a depth of 12 feet which dimensions would be consistent with those of the New York Barge Canal. Mr. Asher Atkinson, City Engineer of the City of New Brunswick and a member of this Com-



## Anti-Pollution Activity.

During the past summer many complaints were made to the Commission regarding the oil pollution of local waters. Pollution of this character is one that not only involves private property but also personal health. It was determined that the oil pollution was caused mainly by two unlawful operations. First, the discharge of bilge water or excess oil from tankers. Secondly, leakage from storage tanks belonging to local industries. Another reason for the floating oil condition was ascribed to careless handling of fuel products by refineries located on or near local waters.

The situation grew to be serious and it is considered important enough to print one letter which is illustrative of others received by this Commission. The following is a letter sent by Commodore G. C. Gunderson of the Raritan Yacht Club of Perth Amboy and is expressive of the general sentiment created in the district by the unlawful practice hereinbefore referred to.

June 24, 1937.

"Mr. Jacob M. Klein, Counsel  
Port Raritan Commission  
313 State Street  
Perth Amboy, N. J.

Dear Mr. Klein:—

May I take this opportunity to bring to your attention a condition frequently encountered on the waters of our bay, sound, and river which has caused great annoyance to the boat owners in our vicinity. Several times recently I have been approached by members of our club as well as other boat owners whose craft have been smeared by floating oil. This oil is being carried by the wind and tide in such large quantities as to completely envelop the space assigned for our moorings and leaving a coating of oil on freshly painted boats that can only be removed by scouring down to the bare wood.

It is very annoying from an owner's standpoint, after having a boat commissioned for the season, to find it decorated with a scum of oil along its waterline, necessitating in many cases a repainting involving both time and expense on the part of the owner.

I am informed that this oil floats in on our bathing beaches causing loss to their owners as well as danger and discomfort to the bathers. Besides swallowing some of this substance, bathers find that the same gets into their eyes, nose and ears. From a health standpoint this is hazardous.

As we have represented in the mooring space referred to above boats to the value of at least \$60,000.00 and as I am writing in behalf of a large membership of boat owners connected with the Raritan Yacht Club, I hereby earnestly request that you bring this matter before the proper authorities with the hope that something may be done to rectify this condition which has caused much annoyance to the citizens and boat owners of our community.

I understand that the presence of this oil may be ascribed to two major causes. Firstly, discharge of bilge water by steamships passing through local waters, and secondly, leakage from oil company tanks located on Staten Island Sound.

Very truly yours,

G. C. GUNDERSON  
Commodore".

GCG:EG

This Commission as a result of the complaints received, started an investigation through the following officials: Dr. J. Lynn Mahaffey, director of the state department of health; Dr. Charles S. Thompson, local health officer of the City of Perth Amboy; Dr. George W. Fithian, health officer of the port; State Board of Commerce and Navigation;

Dr. Charles W. Naulty, Jr., surgeon U. S. Public Health Service; Sandy Hook Pilots' Association; Port of New York Authority; John Regan, port customs officer and Supervisor of New York Harbor, Capt. T. H. Taylor, U. S. N.

Capt. Taylor, the Supervisor of New York Harbor, cooperated with this Commission in every way possible to prevent oil pollution violations by ship and industry and this Commission in turn provided him with information in support of complaints. Through this Commission, statements were obtained from witnesses who observed actual violations by certain oil tankers and in one instance Capt. Taylor advised that the matter had been referred to the United States Attorney at Trenton for prosecution. Capt. Taylor assigned certain members of his staff to inspect industries in the district. As a result of these inspections flagrant violations were discovered. Every opportunity was given to the offenders to rectify conditions at their respective plants and according to last reports, means were being taken to eliminate oil pollution of local waters through negligent operations.

Another source of cooperation was developed through Major J. H. Ross, president of the Inland Water Petroleum Carriers Association, 17 Battery Place, New York City. Major Ross sent to every member of his Association a copy of a letter sent by Counsel Jacob M. Klein to Capt. Taylor dated July 9, 1937 which contained a brief resume of conditions complained about. Major Ross attached to the letter copies, a memorandum requesting every member of the Association to resort to "still more stringent efforts in order to safeguard against the possibilities of pollution . . ." As a result of the combined efforts of those organizations and officials who gave their fullest cooperation in this important matter, oil pollution in local waters during the latter part of the summer and in fact at the present time, has been eliminated to a great extent. We are grateful to Capt. Taylor for his continued interest in this matter and for the executive assistance rendered by him and his staff in the oil pollution elimination program.

Oil pollution in all waterways affecting the State of New Jersey has become a serious problem to health and property. So that all officials, agencies and commissions operating in this State may have immediately available to them, excerpts from the Federal regulations controlling pollution in New York Harbor and its adjacent waters, it is considered important and advisable to print herewith a special notice relating to same.

### "SPECIAL NOTICE

DISCHARGE OF REFUSE, DEBRIS, SLUDGE, ACID, OIL, OR  
SIMILAR MATTER IN NEW YORK HARBOR OR ITS AD-  
JACENT WATERS PROHIBITED BY CONGRESS.

Provisions of United States Laws establishing penalties and offering rewards to informers.

(Extract from the Act of Congress approved June 29, 1888 (25 Stats., 209)).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the placing, discharging, or

depositing, by any process in any manner, of refuse, dirt, ashes, cinders, mud, sand, dredgings, sludge, acid, or any other matter of any kind, other than that flowing from streets, sewers and passing therefrom in a liquid state, in the tidal waters of the harbor of New York, or its adjacent or tributary waters, or in those of Long Island Sound, within the limits which shall be prescribed by the Supervisor of the Harbor, is hereby strictly forbidden, and every such act is made a misdemeanor, and every person engaged in or who shall aid, abet, authorize, or instigate a violation of this section, shall, upon conviction be punishable by fine or imprisonment, or both, such fine to be not less than \$250 nor more than \$2,500, and the imprisonment to be not less than 30 days nor more than 1 year, either or both united, as the judge before whom conviction is obtained shall decide, one-half of said fine to be paid to the person or persons giving information which shall lead to conviction of this misdemeanor.

(Extract from the Act of Congress approved June 7, 1924 (S. 1942)).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, \* \* \*

Sec. 3. That, except in case of emergency imperiling life or property, or unavoidable accident, collision, or stranding, and except as otherwise permitted by regulations prescribed by the Secretary as hereinafter authorized, it shall be unlawful for any person to discharge, or suffer, or permit the discharge of oil by any method, means, or manner into or upon the coastal navigable waters of the United States from any vessel using oil as fuel for the generation of propulsion power, or any vessel carrying or having oil thereon in excess of that necessary for its lubricating requirements and such as may be required under the laws of the United States and the rules and regulations prescribed thereunder. The Secretary is authorized and empowered to prescribe regulations permitting the discharge of oil from vessels in such quantities, under such conditions, and at such times and places as in his opinion will not be deleterious to health or sea food, or a menace to navigation, or dangerous to persons or property engaged in commerce on such waters, and for the loading, handling, and unloading of oil.

Sec. 4. That any person who violates section 3 of this act, or any regulation prescribed in pursuance thereof, is guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding \$2,500 nor less than \$500, or by imprisonment not exceeding 1 year nor less than 30 days, or by both such fine and imprisonment, for each offense. And any vessel (other than a vessel owned and operated by the United States) from which oil is discharged in violation of section 3 of this act, or any regulation prescribed in pursuance thereof, shall be liable for the pecuniary penalty specified in this section, and clearance of such vessel from a port of the United States may be withheld until the penalty is paid, and said penalty shall constitute a lien on such vessel which may be recovered in proceedings by liable in rem in the District Court of the United States for any district within which the vessel may be.

Sec. 5. A board of local inspectors of vessels may, subject to the provisions of section 4450 of the Revised Statutes, and of the act entitled "An Act to provide for appeals from decisions of local inspectors of vessels, and for other purposes", approved June 10, 1918, suspend or revoke a license issued by any such board to the master or other licensed officer of any vessel found violating the provisions of section 3 of this act.

Not only is the discharge of the beforementioned matter illegal in the waters of New York Harbor and Long Island Sound, and their tributary waters, but the law also forbids such deposits in their adjacent waters. Therefore, it is required that:

1. Vessels leaving or entering port having on board an accumulated quantity of garbage or refuse, shall not discharge it overboard within 50 miles of Ambrose Channel Lightship.
2. Bilge water containing oil be not pumped overboard within 100 miles thereof.
3. Ballast water carried in fuel-oil tanks be discharged as far offshore as is consistent with existing weather conditions and the stability of the vessel, preferably to the eastward of Nantucket Shoals Lightship in the cases of

vessels coming from the eastward. In no case shall these tanks be pumped within 100 miles of Ambrose Channel Lightship.

4. Vessels entering or leaving Long Island Sound shall not discharge garbage or refuse or oil and water mixtures overboard to the westward of Montauk Point.

Subparagraph 1 above refers particularly to table or galley leavings, trash, packing crates, wooden casks, caskheads, dunnage, loose planking, or floatables of any other sort.

Strict compliance with the foregoing laws and instructions is urged.

T. H. TAYLOR,  
CAPTAIN, U. S. NAVY,  
Supervisor of New York Harbor".

This Commission has cooperated with the Interstate Sanitation Commission (New York-New Jersey) for abatement of pollution of harbor and coastal waterways of the metropolitan area by attending hearings held by the Commission and supplying information in reference to local conditions. Counsel Jacob M. Klein offered testimony at a hearing of the Interstate Sanitation Commission which was held in Keansburg, N. J. on July 21, 1937 which was made a part of the record of the proceedings of that date.

#### Raritan River.

It was expected that in the year 1936, the dredging of the South Channel of the Raritan River as far as the Titanium Pigment Co. plant to a depth of 25 feet and a width of 300 feet would become a reality. Due to the fact however, that an omnibus bill was not reported out of the Committee on Rivers and Harbors, House of Representatives during last year, the allocation of Federal funds was not made for this important project. Congressman Joseph J. Mansfield, chairman of the Committee on Rivers and Harbors notified Jacob M. Klein, Counsel for this Commission as early as February 1936, that the Rivers and Harbors Committee would not report out such a bill. During 1937 however, this work was authorized with the allocation of funds to be made; we have every reason to believe that work on this important project will be started during 1938.

It is essential for the new members of the Legislature to know some of the details in connection with this project and a brief chronological review follows herewith.

The Titanium Pigment Co. had agreed to contribute the sum of \$66,000 as required, with the provision that the Federal funds would be authorized and the work started during 1936. For this reason, when the Commission learned that no omnibus Rivers and Harbors bill would be reported out of Congress, every effort was made to obtain the necessary money through the Public Works Administration and the Works Progress Administration at Washington, D. C. On April 9th, 1936, Counsel Jacob M. Klein appeared before Director of Projects Division, Fred E. Schnepfe of the Federal Emergency Administration of Public Works, at Washington, D. C. for the purpose of presenting a formal application for the appropriation of emergency funds. The matter was

taken under advisement and although subsequent requests were made, the Commission was advised that the Federal Emergency Administration of Public Works under new appropriation by the Congress was limited to the development of Non-Federal projects.

In view of the fact that this improvement has the final recommendation of the Chief of Engineers and has now been passed by the Committee on Rivers and Harbors, House of Representatives and the bill has been signed by the President, we believe that the necessary funds will be provided and the work started in 1938.

It will be interesting to note that the efforts of this Commission were directed toward this improvement since the Fall of 1932 when the cooperation of Hon. William H. Sutphin, Congressman from the Third Congressional District, New Jersey, was enlisted. Congressman Sutphin had a resolution adopted by the Committee on Rivers and Harbors, House of Representatives, to review reports on the Raritan River, which would not only include the south channel but also to review the reports on the Raritan River including all of the channels up to the mouth of Washington Canal. The improvement desired was the providing of a channel 25 feet by 300 feet in width through the section of the river on review.

The Titanium Pigment Co., Inc., of New York, was interested in locating on the river, provided water of sufficient depth was made available. At a public hearing arranged between the Port Raritan District Commission and the Second District Engineer, Mr. William F. Meredith, then president of the Titanium Pigment Co., testified that if adequate depth was provided in the south channel of the Raritan River, his concern would build a plant at the location, costing not less than \$3,000,000 and giving employment to 300 or 400 men. Many other persons, requested by the Port Raritan District Commission to attend the hearing, offered testimony and data in reference to this improvement.

The report of the Division Engineer did not recommend a survey to determine the cost of a deeper channel and gave the reason that there was no assurance that large industry requiring navigation facilities in excess of those now provided, would locate in the section to be affected by the improvement.

This Commission appealed from the findings to the Board of Engineers for Rivers and Harbors, War Department, Washington, D. C. and subsequently the Commission asked for a Review of Reports which was authorized by resolution of the Committees on Rivers and Harbors, House of Representatives, United States, which was adopted April 27th, 1934.

On June 6th, 1934 a public notice signed by Col. E. D. Ardery, Corps of Engineers, District Engineer, Second District, New York, was issued advising that a public hearing would be held in the Assembly Room, Second Floor, Army Building, 39 Whitehall Street, New York, July 10, 1934 at 10:00 A. M. "to consider the advisability of further improving

the channels in Raritan River, N. J. below the mouth of Washington Canal".

This Commission arranged for the appearance of witnesses at the hearing. Counsel Jacob M. Klein presented the case for the proponents and introduced the witnesses. Col. E. D. Ardery, Corps of Engineers, District Engineer, presided and in attendance were Mr. E. B. Snell, Senior Engineer, Mr. C. D. Mayhew, Senior Engineer and Mr. C. C. Berger, Junior Engineer.

Valuable testimony was offered by the many witnesses present in favor of the improvement, among them being Mr. William F. Meredith of the Titanium Pigment Co. who testified that his company was building a plant on the south shore of the Raritan at Sayreville, N. J. which would cost between \$3,000,000 and \$4,000,000 that it was vitally necessary that sufficient water be provided in the Raritan River channel. He further stated that the rehandling of ores from ships to lighters in the anchorage basin off Perth Amboy would amount to 25c per ton in excess of the cost of bringing the fully laden vessels to the plant and that on his estimate of 175,000 tons annually, this item would amount to an additional cost of \$43,750 to his Company.

On November 6, 1934, Col. J. A. Woodruff, Corps of Engineers, Division Engineers, North Atlantic Division, issued a notice that the review of reports authorized by the resolution of the Committee on Rivers and Harbors, House of Representatives, had been made and was unfavorable to the improvement. The adverse conclusion was based on the apparent lack of necessity of channels of greater dimensions.

From these findings, this Commission appealed to the Board of Engineers for Rivers and Harbors, War Department, Washington, D. C. and after the usual procedure the matter was sent back to the District Engineer for a rehearing which was held on April 29th, 1935 before Col. Ardery, District Engineer, and his staff, in the Army Building, 39 Whitehall Street, New York City.

This Commission again arranged for the appearance of witnesses and counsel Jacob M. Klein presented the case for the proponents and introduced the witnesses. The need for this improvement was again shown, this time with more successful results because the improvement sought in the Raritan River was recommended as far as the Titanium Pigment Co. plant.

A condition was provided, however, that local interests must furnish spoil disposal areas as required for the new work and subsequent maintenance, and contribute \$66,000 toward the initial cost.

In a letter sent by Major General E. M. Markham, Chief of Engineers to Honorable J. J. Mansfield, Chairman, Committee on Rivers and Harbors, House of Representatives, Washington, D. C. October 14, 1935, he concurred in the views and recommendations of the Board of Engineers for Rivers and Harbors. The following an excerpt of General Markham's letter sets forth the recommendation in which he concurs.

"The Board recommends modification of the existing project for Raritan River, New Jersey, to provide a channel 300 feet wide and 25 feet deep at mean low water from the New York and Long Branch Railroad Bridge to the junction of Main and South Channels; thence up South Channel to the upper limit of the Titanium Pigment Company property, at an estimated cost of \$267,000 for new work, and \$15,000 for annual maintenance in addition to that already required; provided that local interests furnish spoil disposal areas as required for new work and subsequent maintenance and contribute \$66,000 toward the first cost".

Another important development which has taken place was the completion of dredging for the straightening and realigning of the lower reach of the south channel of the Raritan River where it joins the main channel as authorized by Rivers and Harbors Act approved June 30, 1935. This project was completed on October 29th, 1935 and the channel is now being used. Col. Ardery, Second District Engineer, received the necessary allotment to proceed with the work and requested authorization to require two feet over depth and allow two feet additional over depth in constructing the channel. The controlling depth in this part of the channel at the present time is about 13.5 feet at mean low water and for the time being at least, fulfills the requirements of ships which use the waterway.

This development was authorized some time ago with the provision that one or more suitable terminals be provided on the south channel before the operation could be undertaken. The construction of the Titanium Pigment Co. plant on the south channel provided such a terminal. The Port Raritan District Commission arranged with property owners on the Raritan River to supply areas for dredged material and submitted the agreements to the Second District Engineer.

This improvement is of great benefit to shipping and eliminates difficulties encountered by crafts of all kind which previously had to use the old cut-over channel in spite of the many difficulties involved. Transportation Companies handling heavy tonnage of sand and clay out of the Sayreville section experienced much trouble in navigating the old cut-over due to the danger and annoyance of insufficient water. Testimony was given at one of the hearings that barges carrying this material, grounded frequently, and grounded so hard that the tug was forced to leave the barge and return for it at the next high water. It was further testified that if a barge grounds in a certain position, its seams may open and sink. Foreign vessels carrying ore had to undergo the risk of sucking sand and mud into their condensers and damaging their engines, which actually happened on several occasions.

The locating of the Titanium Pigment plant at Sayreville is an industrial achievement for the Raritan Bay District and may be considered substantial justification for the construction of the quarantine anchorage basin and cut-off channel which serve it. Reports persist that several nationally known industries are seeking land on the Raritan River. It is contemplated that in 1938 definite information will be available so that the identity of these plants may be disclosed.

This Commission feels that the development of the waterways in this area will continue to stimulate industrial expansion from the head of navigation at New Brunswick to the Raritan Bay and all other lands and waters of the Raritan River, South River, Washington Canal and the Arthur Kill contiguous thereto. Increased ratables created by this kind of industrial progress would not only be beneficial to communities located in the District but would also become a valuable asset to the State of New Jersey.

#### **Raritan River New Dredging Project. Perth Amboy to New Brunswick.**

While this Commission has long advocated a new dredging project by the Federal Government from Perth Amboy to New Brunswick, it was due to the demands of industries during 1937, that steps were taken for this improvement.

On November 8th, 1937 at a regular meeting of the Commission, a resolution was adopted authorizing Counsel Jacob M. Klein to take the necessary procedure for the development of a new 15 foot minimum draft channel in the Raritan River to New Brunswick. At high water this would provide a depth of between 20 and 21 feet.

Under previous projects adopted by Congress for the improvement of the Raritan River, a section of the channel from the entrance at Washington Canal at Sayreville to New Brunswick has been dredged to depths of 10 feet below mean low water in soft material and 11 feet below mean low water in rock for the width of 100 feet. The new project is of major importance because it will permit deeper draft vessels to serve the industries which have located on the Raritan River in recent years between Sayreville and New Brunswick and will also provide a selling point for new industries to locate in that section.

In the summer of 1937 a large refining company which is located at Piscataway on the Raritan River sought the cooperation of this Commission in improving the Raritan River because they were having difficulty with barge owners who refused to load up to more than 9½ to 10 feet depth and even then would go in and out of the river at high tide only. They complained that many of the tugs used in hauling the oil barges draw 10 to 10½ feet of water and that the tug-boat owners complained that a rock ledge formation at Sayreville made it hazardous for their tugs and barge cargoes to move except at high tide, which operation increased the rates excessively to this industry. The company contemplates barging over 150,000 barrels of crude oil each month into its refinery and barging out approximately the same amount in refined products each month, making a total of 300,000 barrels of material to be barged in and out of the Raritan River monthly.

In accordance with the resolution, Counsel Jacob M. Klein accompanied by a delegation from this Commission, appeared in Washington and through the cooperation of Congressman William H. Sutphin, the

matter was brought to the attention of the Rivers and Harbors Committee and other officials who are charged with the responsibility in such matters.

On November 26, 1937 this Commission was notified by Congressman Sutphin that the House Committee on Rivers and Harbors passed a resolution on November 23rd requesting the Board of Engineers for Rivers and Harbors to review the reports on file on the Raritan River with the view to determining if the existing project below New Brunswick should be modified in any way at this time.

It is expected that the District Engineer will arrange a hearing as a result of the resolution adopted by the Committee on Rivers and Harbors of the House of Representatives at which time this Commission will present available data in support of the project.

#### **Basin For Small Boats.**

The construction of a basin for small boats at the present writing is about 75% completed. It is hoped that this project will be finished by summer of 1938. This improvement for small boats was advocated by this Commission and other organizations during the summer of 1935 in response to the demands of local and State-wide boating interests. Many boat owners who live in Newark, Elizabeth, Springfield, Westfield, Plainfield, Bound Brook, Metuchen and other communities in the State, commute between Raritan Bay and their respective homes from early Spring until late Fall. In 1936 and 1937 the increase in the number of sailing yachts, motor yachts and fishing boats and other small pleasure craft has been tremendous, making it more essential than ever before that a safe harbor or basin be provided for these craft.

With the development of the quarantine anchorage basin and the cut-off channel off Perth Amboy, shoal areas were dredged to deeper dimensions and these areas which formerly provided moorings for smaller craft are no longer available for that purpose. Steamers, tugs, barges and other large craft using these improved waterways must have free and unmolested passage in the channels and hundreds of small boats have had to devise makeshift moorings outside the new channel lines. During storms and severe winds from the east, southeast and northeast these small vessels are in danger of destruction.

The construction of this small boat basin with the capacity of about 100 boats has been made more possible on account of the reclaimed material which has been made available for construction work of this character. The reconditioned material gathered in the reclamation project is being used in the construction of the boat basin. The site of the basin is located on city-owned property contiguous to the park at the foot of Market Street, Perth Amboy, N. J.

The city government of Perth Amboy, City Engineer Louis P. Booz who has devoted a great deal of his time to the construction of this basin, the officials of the Works Progress Administration, W. Franklin

Buchanan, engineer and other members of this Commission worked out a plan for the construction of the basin and an application was made by this Commission for Federal funds. The total cost of this improvement will be approximately \$150,000, about \$115,000 of which will be contributed by the Federal Government, the balance to be absorbed by local interests.

Operations were started on this project March 18, 1936 same being known as Works Progress Administration project 4-501 and is entitled "Construction of a boat basin in Raritan Bay as part of the development of Bay View Park in Perth Amboy, Middlesex County".

When completed the boat basin will contain mooring berths for approximately 100 boats from 20 to 45 feet in length. The basin will have a depth of six feet at low water and will consist of three separate basins and four docks at which boats of any size may land. Marine railway equipment will be available for docking boats and the City of Perth Amboy will build a comfort station in addition to landscaping the premises and making the same attractive as well as useful.

#### **New York and New Jersey Channels**

##### **Athur Kill and Kill von Kull.**

This Commission has been interested in and worked for the improvement of the New York and New Jersey Channels of which the waterways in the Port Raritan District comprise an important part. Previous reports to the Legislature have contained the important details of our participation in these improvements. This Commission was more particularly interested in the widening of the channel in the Kill von Kull to 1,000 feet; the widening of the present 30 foot channel in the Arthur Kill to at least 600 feet, or the full distance between the established pier-head lines where such distance is less than 600 feet; and the widening of the approach channel through Raritan Bay to 800 feet to permit passage of large oil tankers and other craft which navigate into the Arthur Kill from Raritan Bay, with a depth of 35 feet to be increased from 30 feet.

After a series of hearings before Boards of Army Engineers with subsequent appeals made from unfavorable reports, the improvement to these waterways was followed up by all the parties in interest including this Commission.

In March 1935 improvements to the New York and New Jersey channels leading to New York Harbor at an estimated cost of \$27,000,000 for new works was recommended to Congress by the late George H. Dern, Secretary of War.

The late Secretary Dern transmitted to the House the report of Major General E. M. Markham, Chief of Engineers, in which General Markham, concurring the views of the Board of Engineers for Rivers and Harbors, that the volume and character of commerce carried in the

channels, and the savings in transportation costs to be anticipated merited their improvement, recommended:

That the existing project for New York and New Jersey Channels be modified to provide for a depth of 37 feet at mean low water in rock and 35 feet in soft material throughout, except in Arthur Kill between a point 1,000 feet north off the mouth of Smith's Creek and a point 1,000 feet south of Buckwheat Island, where the depth will be 30 feet; to be 800 feet wide through Jedney and Bayside channels, thence 600 feet wide across lower New York Bay and Raritan Bay and in Arthur Kill to a point 1,000 feet south of Buckwheat Island, widened to 800 feet in the vicinity of Seguine Point and Wards Point, thence 500 to 600 feet wide and passing north of Shooters Island to the junction with the channel in Newark Bay; and thence 800 feet wide to upper New York Bay; with two anchorages 38 feet deep to accommodate five vessels, each, one in the vicinity of Sandy Hook and one south of Perth Amboy; all with suitable easing at the bends and junctions with other channels.

Major General Markham estimated that this work would cost \$27,000,000 and that \$195,000 annually would be needed for maintenance of the project.

The War Department's recommendations were made subject to the following conditions:

That where the project channel encroached upon upland property and extends shoreward of harbor lines, the completion of the encroaching project shall be deferred until the necessary rights of way for channel purposes shall have been granted free of cost to the United States.

That local interests provide areas to land adjacent to the waterway free of cost to the United States, for the disposal of dredge materials, except wherein, in the judgment of the Chief of Engineers, no suitable disposal areas exist.

In making public the report the War Department explained that the waterway serves expensive industrial developments including those for the storage, refining and distribution of Petroleum products, railroad, coal, and other industrial and commercial plants. Commerce in the channels in 1933 amounted to 40,196,000 tons and during the past ten years has averaged 45,000,000 tons per annum.

Making the improvements proposed, the War Department's statement said, will afford substantial benefits to industries engaged in foreign and domestic commerce of a highly competitive nature and of far reaching proportions, and will alleviate the congestion which now frequently occurs in the channels and facilitate expeditious movement of vessels.

The progress under the 1935 project has been proceeding at a normal rate and it is estimated that between 15 and 20% of this major improvement has been effectuated under contracts let by the War Department and under the supervision of the Second District Engineer and his staff.

Some of the largest industries of their kind in the world are located on the banks of the New York and New Jersey Channels and as available territory is being bought up by manufacturers on a large scale for industrial construction purposes, the spread for new fields of manufacturing activity will continue to press toward the Raritan Bay District. The deeper waterways which we have already been able to provide and those which we expect to provide in the future will form the magnet to draw them to the waterfronts of our district. Oceangoing vessels need oceangoing facilities. These we can now supply and it is with a feeling of confidence we report that still deeper channels are on the way.

### **Anchorage Basin**

#### **Raritan Bay, Near Perth Amboy.**

The completed anchorage basin was paid for entirely by funds allocated by the Public Works Administration, Washington, D. C.

The importance of this improvement may be judged from the fact that it was favorably reported as far back as 1930. The basin not only represents a great saving of time and expense to the shipping that passes through the Raritan Bay and up to the Arthur Kill and Kill von Kull but also as a public health measure and from the standpoint of pilotage and safety.

In a letter dated January 30, 1930 addressed to the Committee on Rivers and Harbors, Major General Lytle Brown, then Chief of Engineers, said "The Board states that the present method of quarantine inspection is unsatisfactory and will become more so as the number of deep-draft vessels using the New York and New Jersey Channels increases".

Prior to the construction of the anchorage basin, a ship desiring to enter by way of Perth Amboy, arriving off Sandy Hook in the evening had to anchor and await until the next day and a favorable tide in addition, before proceeding to Perth Amboy and the Kills. This meant a loss of several hours' time and perhaps an entire day. With the anchorage now completed at Perth Amboy and the approach channel well marked for night navigation, the ship proceeds thereto, ready to pass quarantine in the morning and if no cause for delay is found, proceeds immediately to its destination.

When a ship came in from the Atlantic, proceeded up this narrow, tortuous channel and arrived at a point off Perth Amboy, if there was another ship already tied up at its destination, since there was no anchorage available, it either had to go up stream, turn around and go back, which involved a great deal of navigation difficulty because if the ship was long, it could easily get stuck in the 400-foot channel, or on the other hand, if it could not turn around, it had to continue on its way and tie up at any dock until it could get to the dock to which it was destined.

That was a very dangerous proceeding to ship, cargo and crew. Another hazardous feature of this procedure lay in the fact that if disease

or pestilence was present on these ships, contagion could find its way into the country through escaping sailors at the docks. Without the proper quarantine facilities now afforded by the anchorage basin at times, these ships had to proceed to the docks because there was no place for them to anchor even if disease was prevalent.

A hearing was arranged by this Commission to be held on January 21, 1932 before the Committee on Rivers and Harbors, House of Representatives, Washington, D. C., Congressman Joseph J. Mansfield, Texas, chairman, presiding. Much favorable testimony was given to the Committee, among those addressing the body being Walter P. Hedden, Chief, Bureau of Commerce, Port of New York Authority; Jacob M. Klein, counsel for Port Raritan District Commission; Harry S. Medinets, counsel for the City of Perth Amboy; the late Capt. Waugh, representing the New York, New Jersey and Sandy Hook Pilots' Association; Major-General Lytle Brown, then Chief of Engineers, United States Army and C. Parker Runyon, chairman of the Port Raritan District Commission.

Since the above hearing was held before the Committee on Rivers and Harbors in Washington, this Commission vigorously applied itself through all official boards toward the attainment of full Federal aid. Many conferences were held in Washington with representatives of the Public Works Administration and War Department, United States Senators from the State of New Jersey and the Congressmen from the Third and Fifth Congressional Districts in this State.

The development of the port received tremendous impetus through the construction of the basin. The improved area previously available only to shallow draft craft and most of it of the pleasure boat type, is now the safe harbor for ocean-going vessels. A new maritime vista has been created in the district and the present use of the basin by steamships from world ports, portends a rapid industrial expansion in this thickly populated area.

#### **Cut-off Channel**

##### **Raritan River to Arthur Kill.**

Like the quarantine anchorage basin, the all important cut-off channel connecting the Raritan River channel with the southerly end of the Arthur Kill, or Staten Island Sound, has been completed and is now being maintained by the Government. This Commission and shippers in general have been working for this improvement for a long time. It was desired because of the manner in which it will aid shipping between Staten Island Sound and the Raritan River.

Previously, vessels proceeding from the Raritan River to the Staten Island Sound, followed the Raritan Bay channel and circled about the Great Bed Light. This meant a great loss of time and extra expense to the shippers. When the weather was stormy, it frequently happened that it was unsafe for vessels to circle the light house as a result of which, shipping activities were stopped or curtailed until the storm con-

ditions abated. The new channel not only reduces the running time between the sound and the river, but makes it possible for shipping to continue regardless of weather conditions.

The new channel cuts off several miles in the trip from Raritan Bay to the waterway around Staten Island and furnishes a short cut from Perth Amboy and South Amboy to New York, obviating the necessity of following the circuitous route down the Bay.

A hearing was held on January 21, 1932 before the Committee on Rivers and Harbors, House of Representatives, Washington, D. C. also included the cut-off channel project. Subsequent hearings were held in this matter and conferences arranged in Washington and New York with representatives of the Public Works Administration, War Department and other official agencies which resulted in the allocation of funds by the Public Works Administration for the construction of this improvement under the supervision of the Army Engineers.

The need for this improvement must have been great judging from its constant use, both day and night. With increased industrial activities in the Raritan River between Perth Amboy and New Brunswick, including the Raritan Arsenal, there can be no question that this new channel was not only necessary to navigation requirements but will also constitute an important artery in this progressive industrial section.

#### **Federal Expenditures.**

Concerning the Raritan Bay District and contiguous waterways, the following are some of the Government figures for work performed or proposed during the fiscal years 1937, 1938 and 1939.

New York and New Jersey channels expended in 1937 \$4,914,000; expended or proposed for 1938 \$5,118,000; proposed for 1939 \$5,118,000. Raritan River expended and proposed for 1938 and 1939 \$315,000. Raritan River to Arthur Kill cut-off channel expended or proposed for 1938 \$160,000. Total expended on these projects for 1937 \$4,914,000; total expended or proposed for 1938 \$5,296,000; total proposed for 1939 \$5,438,000.

In addition, according to figures supplied by the office of the District Engineer, Second District, there was expended to June 30, 1937 on all of the Port Raritan District Commission projects the grand total of \$21,394,000.

The Port Raritan District and the State of New Jersey derive economic benefits from these expenditures which are so advantageous that it is impossible to calculate the same on a dollars and cents basis. The district now boasts of waterways with ever deepening channels, improved railroad facilities and modern highways. These arteries of transportation afford to all industries located in this district prompt and efficient handling of raw materials used by them in their manufacturing processes and gives to them the means of conducting the operation of their business on a competitive basis in relationship to concerns not so advantageously located. Complete development of waterway transpor-

tation; coordination of all agencies which insure this kind of transportation and a plan for adequate warehousing and terminal facilities are the major functions of this Commission. We are continuously seeking Federal funds for deeper and wider channels, realizing that the deeper draft vessels which can come into our port, the more our industries will expand and the greater attractions we will have to offer for big industry to locate new plants in this territory.

Our present program for future waterways development through the expenditure of Federal funds is being recognized by new industry. The field representatives of such concerns contact us for information as to the depth of waterway we now have and what we are proposing for the future. Surveys are being made by industrial agents for locations where in necessary transportation facilities will or may be provided to suit their needs. The location of new plants in this area proves the value of the results already accomplished and the district, State and nation are being benefited to a degree that is incalculable.

With the upturn in economic conditions there has been a substantial advance in that direction and present industry in this district is going ahead rapidly and if the indications of renewed prosperity in the industrial world are going to show substantial gain, the upper and lower Raritan, South River and Washington Canal, Raritan Bay, Woodbridge Creek, Woodbridge River, the Arthur Kill and Kill von Kull, are on the crest of industrial development such as we have not seen in years.

The municipalities of New Brunswick, Perth Amboy, Woodbridge, South Amboy, Sayreville, South River and Woodbridge Township are constantly growing in importance as industrial centers. Housing facilities are being provided in the form of private residences and sizeable apartment house construction. Under the Federal Housing Administration, much new building is taking place and it is anticipated that the increasing demand by resident workers and commuters for new homes will be supplied as the Federal Housing plan enlarges its comprehensive program.

Lt. Col. D. McCoach, Jr. who succeeded Col. E. D. Ardery in May of 1936 as District Engineer, Corps of Engineers with offices at 39 Whitehall Street, New York City, has cooperated with this Commission in every way possible. Major H. G. Fairbanks, Corps of Engineers, as acting District Engineer and Executive Assistant has likewise given us the full benefit of his cooperation. Mr. C. D. Mayhew, Mr. E. B. Snell and Mr. C. C. Berger of the Second District Engineer's Staff with others, continue as civilian members of that highly efficient organization. Again, we gratefully acknowledge the cooperation, advice and painstaking efforts of the entire personnel of the office of the Second District Engineer. By their courteous attention to our problems and the constructive advice which they are willing to give on all occasions, they have proven to us time and again, that they are interested in the development of waterways in this and other districts and will do their utmost

to fulfill honestly and efficiently the arduous duties imposed upon them by the Government.

The Commission wishes to express its appreciation for the aid it has received from the Port of New York Authority, the State Board of Commerce and Navigation, New Jersey State Highway Commission and many other officers in the National and State Governments, particularly Governor Harold G. Hoffman, U. S. Senators A. Harry Moore, W. William Smathers and Hon. William H. Sutphin and Hon. Charles A. Eaton, Congressmen of the Third and Fifth Congressional Districts respectively.

Respectfully submitted,

PORT RARITAN DISTRICT COMMISSION.

C. PARKER RUNYON, Chairman.

JACOB M. KLEIN, Counsel.

## STATUTES

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CHAPTER 337  
(P. L. 1926 Pg. 767)  
*Passed April 1, 1926*

An Act to create the Port Raritan District and to provide for the appointment of the Port Raritan District Commission and the vesting in the Commission of appropriate powers and making an appropriation for the expenses of the commission.

CHAPTER 338  
(P. L. 1926 Pg. 772)  
*Passed April 1, 1926*

An Act authorizing the governing body of any county, borough, city, township or other municipality in this State to raise, appropriate, set aside and devote money or property to the use of any port, harbor, bridge or river commission now or hereafter created by the Legislature of this State and giving to any such local governing body property to the use of any port, harbor or river commission now or hereafter created by the Legislature of this State and giving to any such local governing body the power to prescribe the terms and conditions upon which any such money or property shall be held and used.

CHAPTER 31  
(P. L. 1927 Pg. 70)  
*Approved March 7, 1927*

An Act authorizing the Port Raritan District Commission to straighten South river, in the county of Middlesex, and making an appropriation therefor.

CHAPTER 22  
(P. L. 1928 Pg. 36)  
*Approved March 6, 1928*

An Act authorizing the Port Raritan District Commission to investigate the pollution of the Raritan River and to prepare a plan for the purification of the Raritan River and making an appropriation therefor.

Approved January 17, 1938.

HADDON IVINS,

State Librarian.



