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REPORT
of the
**PORT RARITAN
DISTRICT COMMISSION**

to the
Legislature of the State
of New Jersey



JANUARY 2, 1936

NINTH 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.

HAROLD E. BATSFORD
Metuchen, 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.

Office of the Commission
16 Livingston Avenue
New Brunswick, N. J.

JANUARY 2, 1936

EXPLANATORY NOTE

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 Ninth Annual Report of the Port Raritan District Commission and is submitted for the year 1935, during which period much waterway progress has been accomplished in the Port Raritan District.

While the year 1934 was an outstanding one in the history of the Port Raritan District Commission because of appropriations which were made by the Federal Government in the improvement of the Port Raritan waterways, the year 1935 is more outstanding since it has seen the fruition of improvements for which the Federal funds were allocated.

During that year there has been allocated by the Federal Emergency Administration of Public Works, the additional sum of \$324,000 for the completion of the cut-off channel from the Raritan River to the Arthur Kill and the additional sum of \$347,000 for the enlargement of the quarantine anchorage basin in Raritan Bay near Perth Amboy. The sum of \$1,000,000 which had been allocated by the Public Works Administration through the sponsorship of this Commission was found to be insufficient for the construction of a three-ship anchorage and the development of the cut-off channel with a width of 800 feet as originally projected. That appropriation would have limited the construction to an anchorage for only one ship and a cut-off channel with a width of 560 feet.

In the year 1935 both of these major waterway projects have been completed. The three-ship deep water anchorage basin was completed and opened for ship traffic on September 11, 1935, the controlling depth being 33 feet at mean low water. The cut-off channel was completed on February 18, 1935, with a depth of 20 feet at mean low water for its full project width of 800 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 far back as 1930, this Commission was determined to attain the maximum realization of its objectives. The full allocation of the sum of \$1,671,000 has been expended and the three-ship quaran-

tine anchorage basin in Raritan Bay and a cut-off channel 800 feet wide and 20 feet deep, are realities.

Other matters of great importance to this District have been proposed to the War Department through the office of the District Engineer of New York and in addition, waterway progress has been attained through the sponsorship of this Commission with funds of the Works Progress Administration.

This Commission is giving its continued cooperation and support in 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 full chronological record up to and including the year 1935, 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 observe the progress which has been made up to the close of the current year.

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 per-

haps 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 the 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 has 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 many climes, 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 this year. 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 the 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 conditions 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 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 Wash-

ington 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.

New York and New Jersey Channels

Arthur 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 one thousand feet; the widening of the present thirty-foot channel in the Arthur Kill to at least six hundred feet or the full distance between the established pier-head lines where such distance is less than six hundred feet; and the widening of the approach channel through Raritan Bay to eight hundred feet to permit passage of large oil tankers and other craft which navigate into the Arthur Kill from Raritan Bay, with a depth of thirty-five feet to be increased from thirty feet.

After a series of hearings before the 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 George H. Dern, Secretary of War.

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 the 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 thirty-seven feet at mean low water in rock and thirty-five feet in soft material throughout, except in Arthur Kill between a point one thousand feet north of the mouth of Smith's Creek and a point one thousand feet south of Buckwheat Island, where the depth will be thirty feet; to be eight hundred feet wide through Jedney and Bayside channels, thence six hundred feet wide across Lower New York Bay and Raritan Bay and Arthur Kill to a point one thousand feet south of Buckwheat Island, widened to eight hundred feet in the vicinity of Seguine Point and Ward's Point, thence five hundred to six hundred feet wide and passing north of Shooter's Island to the junction with the channel in Newark Bay; and thence eight hundred feet wide to Upper New York Bay; with two anchorages thirty-eight 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 estimates that this work will 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 portions of the 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 dredged materials, except where, 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 com-

mercial 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.

Advice has been received from the office of Col. E. D. Ardery, Second District Engineer, that three contracts have been let in conjunction with this work and that actual dredging of the channels was commenced in October.

Raritan River.

Much progress has been made in the development of the Raritan River during the year 1935. It now appears that the dredging of the south channel of the Raritan River as far as the Titanium Pigment Company plant to a depth of twenty-five feet and a width of three hundred feet, is about to become a reality. The efforts of this Commission were directed toward this improvement since the Fall of 1932 when the cooperation of Honorable 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 twenty-five feet by three hundred 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 three or four hundred 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 Committee 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 River 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 Engineer, 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 is an excerpt of General Markham's letter and 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".

The Titanium Pigment Co. has agreed to contribute the sum of \$50,000 and this Commission is now attempting to have local interests contribute the additional sum of \$16,000 in order to make up the total fund of \$66,000 as required. As soon as the Chief of Engineers is assured that this fund is available, this Commission will direct its endeavors toward the appropriation of necessary Federal funds in order that the construction of this project may be commenced as soon as possible.

Another important development which has taken place this year 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 July 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 the 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. In the past year, reports have been prevalent that further industrial development is being contemplated on the Raritan River by nationally known concerns. This Commission is now offering its cooperation to these industries which may in the next year or two, locate at strategic points on the Raritan River. One of these concerns whose identity cannot be revealed at this time, is one of the largest of its kind in the world. 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.

Delaware and Raritan Canal.

In order to show the present status of this waterway it is necessary to review the facts which appeared in the last report. In February 1933, the Pennsylvania Railroad advised the Board of Public Utility Commissioners that it had taken action providing for the abandonment of the Canal and it also planned not to reopen the Canal on March 1st but to abandon its operations after that date. The Board of Public Utility Commissioners in 1913 by a certain order entered, required the canal to reopen from March 1st to December 21st of each year.

The Pennsylvania Railroad then took the position 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 did not open for operation on March 1st. Subsequently, the Pennsylvania Railroad made application to the Board of Public Utility Commissioners for leave to abandon. Hearings were held in Trenton on this application and much testimony was offered before the Board. Regular attendance at the hearings was made by Joseph Sterling and Morgan R. Seifert, 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 maintained by the opponents of abandonment that the Board of Public Utility Commissioners should not consider the application for abandonment since the applicants were disobeying a then standing order requiring service on 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 Waterways 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 pri-

vately 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 was 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 the 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 Rail-

road, in accordance with the 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 herewith:

"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 harbor 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 Commission consisting of Senator A. Crozer Reeves of Mercer County; Senator-elect James I. Bowers of Somerset

County; William C. Cope of the Department of Conservation and Development; Joseph Sterling of Griggstown and Morgan R. Seiffert of Highland Park organized in pursuance with the purposes of the Act and have been busily engaged in gathering data in support of Federal control and ownership of the Canal.

A special Board of Officers consisting of Colonel E. D. Ardery, Second District Engineer, chairman, Capt. F. H. Kohloss, Philadelphia and Major John S. Bragdon, conducted a public hearing in Alexander Hall, Princeton University, Princeton, N. J. on Tuesday, December 3rd, 1935, for the purpose of obtaining information from interested parties in reference to the item contained in the Rivers and Harbors Act of August 30th, 1935, under Section 3, authorizing Preliminary Examinations and Surveys, as follows: "Delaware and Raritan Canal, New Jersey."

Colonel Ardery who presided at the hearing announced 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. Using the report as a basis of review, the Board of Engineers will determine whether a survey of the canal for widening and deepening purposes, is advisable.

A representation was present from the Port Raritan District Commission and in its behalf, Jacob M. Klein, Counsel, stated that the Commission is in favor of 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 New Brunswick, N. J. and a member of this Commission who has given much of his time and effort in studying the possibilities of the Canal, spoke in favor of Federal ownership and offered statistical and engineering data for the Board's consideration. There is much general interest in the future of this waterway and it is hoped that a recommendation for the further examination and survey will shortly be made.

New Jersey Ship Canal.

Proponents of the New Jersey Ship Canal have found encouragement this year as the result of Federal support of the trans-Florida Ship Canal. President Roosevelt approved the allocation of funds for the commencement of the Florida waterway which will connect Jacksonville to a point one hundred miles

north of Tampa and will reduce about seven hundred miles of ocean travel from the North Atlantic to the Gulf of Mexico. The Florida project is the southern-most link of the intra-coastal waterway system from Boston to Miami.

The New Jersey Ship Canal which has been sponsored by the Atlantic Deeper Waterways Association for the past twenty-eight years is a national project and it is claimed that the commercial interests of the country and the interests of transportation in general, require the construction of this adequate waterway across the State of New Jersey connecting New York Bay with the Delaware River. The proposed canal joining the Port of New York and the Port of Philadelphia is the one remaining section of the intra-coastal waterway along the Atlantic Coast for which Congress has as yet failed to authorize construction.

On March 15th and March 22nd, 1934 hearings were held before the Committee on Rivers and Harbors, House of Representatives, Seventy-third Congress on the subject of the improvement of waterway connecting New York Bay and Delaware River. All matters of importance relating to the New Jersey Ship Canal were presented to the full committee, Hon. Joseph J. Mansfield, Texas, chairman, presiding. This Commission was represented at the hearings and presented arguments in support of the project.

Almost simultaneously with the hearing on March 15, 1934, there became available the report of the Board of Engineers which recommended the most desirable route for the New Jersey Ship Canal. No recommendations as to the advisability of undertaking the work were made because the Act, which described the survey did not authorize such a recommendation. The Committee of Rivers and Harbors, House of Representatives, United States, adopted a resolution March 29th, 1934 in which the Board of Engineers for Rivers and Harbors was requested to review the report of the 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 the view of determining the advisability of the construction of the New Jersey Ship Canal at the present time.

Pursuant to this resolution, public hearings were held in the Assembly Room, Chamber of Commerce, 24 Branford Place, Newark, New Jersey, August 24th, 1934 and in the office of

Mayor J. Hampton Moore, City Hall, Philadelphia, Pennsylvania, August 27th, 1934. These hearings were held before the Special Board of Engineers, Col. James A. Woodruff, presiding; Col. Gustave F. Lukesh, Lt. Col. E. D. Ardery, Mr. H. G. Kuyll, Senior Engineer Rivers and Harbors Board, and in attendance 1st. Lt. W. F. M. Longwell, Corps of Engineers, Mr. E. B. Snell, Senior Engineer and Mr. C. D. Mayhew, Senior Engineer.

A voluminous amount of testimony was presented at both hearings and the "missing link" became the subject matter of lengthy discussions. Proponents and opponents alike, were given full opportunity to speak in favor or against the building of the New Jersey Ship Canal. Many papers were presented for the consideration of the Special Board of Engineers, addresses were made by the representatives of many organizations including the Port Raritan District Commission.

This Commission has advocated the construction of the "missing link" and has been represented at all conventions, conferences and hearings pertaining thereto. A brief resume of the arguments in favor of the canal are set forth in a recent address made by Jacob M. Klein, counsel for the Commission at a convention of the Atlantic Deeper Waterways Association, partly recited as follows:

"In a general reply to all of our opponents, barring none, I want to tell them that for twenty-seven years an adequate waterway has been projected across New Jersey connecting New York Harbor and the Delaware River; after a comprehensive study of conditions between Sayreville and Bordentown, the United States Army Engineers have determined upon and recommended the most advisable route as set forth in House Document 219, Seventy-third Congress, Second Session; that major companies operating shipping lines have expressed both the intention and desire that their ocean going vessels shall make use of an adequate inland waterway connecting New York, Philadelphia and Baltimore, thus eliminating 546 miles of ship travel in a round trip from New York to Baltimore and 358 miles in ship travel from New York to Philadelphia and return; that an ocean ship may save about \$2,300 per round trip, New York to Baltimore and about \$1,650 per round trip, New York to Philadelphia in cost of travel under existing costs; that the shipping concerns using the New York State Barge Canal and of-

officials of that waterway both state that greatly increased tonnage may be expected over that route when a New Jersey Ship Canal is completed; that ocean vessels using New York as a port of entry may readily call at Philadelphia and Baltimore for return cargo, thus reducing transportation cost of materials for export with an ultimate saving to the consumer; that a reduction of 548 land miles in round trip between ports of Baltimore and Oswego on the Great Lakes and 358 miles in round trip between the ports of Philadelphia and Oswego indicate greatly increased demand for and shipment of domestic iron ore, copper, grain, gypsum, titanium, aluminum, lumber, kaolin, zinc ore, phosphate rock, sulphur, oil, salt, lime, sugar, asphalt and other materials and allied products, due to lessened cost; that the impulse given to domestic employment by these stimulated activities, including steel, cement and home building for employees in addition to approximately \$147,000,000 (\$2,500,000 per month average) estimated by Army Engineers as the value of direct employment in Canal building, will constitute a major help to industry along our Atlantic Seaboard; that the estimated tonnage not only by the Army Engineers, but by others who have been engaged for that purpose, indicates that this great improvement is economically justified and should be built without delay; that the national defense of our country calls for the prompt construction of this great waterway; that the intra-coastal waterway system from Boston to Miami, too long broken, should now be completed by the construction of the 'missing link'".

Based on the findings of the Special Board of Engineers a report by the Board of Engineers for Rivers and Harbors at Washington, D. C. was expected during 1935. It was announced however, that the Board of Engineers for Rivers and Harbors referred the matter back to the Special Board for the purpose of making a further investigation regarding the question of salinity.

The location of the entrance to the Canal at or near Sayreville on the Raritan River would be in the heart of the Port Raritan District and if the estimated annual cargo of ten to twelve million tons is carried through these waters by ocean-going and coastwise vessels including the large type barge service to and from the Delaware River, the shore line of our waterways and the back land will invite an era of industrial expansion second to none on the Atlantic Seaboard.

Elimination of Obsolete Waterfront Material.

The availability of Federal funds under the Works Progress Administration devised by the Government to supply work for the unemployed, made it possible for this Commission to lay plans for the removal of unsightly and useless material located on the water-fronts of the Raritan Bay District. Over a period of many years, outworn and outmoded material such as water-front buildings, abandoned and useless piers and wharves, piling and ship wreckage has accumulated in the District.

During the past summer, surveys were made by boat, of the Kills as far as Port Reading, the Raritan River to New Brunswick, the Washington Canal and South River to Sayreville and South River, for the purpose of locating such material as was unsightly and useless and which also caused a menace to navigation. The physical inspection was made by members of this Commission and was attended by Mr. Lewis Compton, Assistant State Administrator of the Works Progress Administration and Mr. Jacob H. Weitzen, District Director of Middlesex and Union Counties. An inventory was compiled of all available material scattered around the District and a communication was directed by this Commission to all those industries, municipalities and individuals whose shore line was littered by this class of material. Following is a copy of letter released on August 5th, last.

"Gentlemen:—

We understand that you are the owner of certain shore-front property on which are located pier No. 3 in bad condition, one old submerged barge, nine or more other barges, one steel hull, one wooden hull, hulk and ribs of one or more ships, etc.

This Commission is planning to sponsor projects which will permit the removal of all unsightly and useless material located on the waterfronts of the Raritan Bay District, the same to be accomplished with Federal funds and under the supervision of the Works Progress Administration.

We consider this to be the opportune time to proceed with this kind of work, for the following reasons:

1. The removal of obsolete buildings, abandoned and useless piers, piling and wreckage will not only beautify the shore lines and remove obstructions to navigation, but will also provide more attractive facilities for industrial expansion in the area.

2. Work of this character will provide employment with Federal funds for many men under the Federal Relief Program.

3. This plan will permit a meritorious and bonafide expenditure of emergency funds created by Congress, for such a purpose.

4. Salvaged material can be utilized for essential, public waterway improvement.

Purpose in writing is to ascertain if you will release the material for purposes as outlined.

Will you please give this matter your prompt attention so that our plans may be carried forward with the least possible delay.

Yours very truly,

JACOB M. KLEIN,

Counsel".

JMK.B

Favorable arrangements were made for the removal of property belonging to the following: General Cable Corp.; Lehigh Valley Railroad Co.; James Hughes, Inc.; Port of New York Authority; Boynton & Boynton; Texas Company; New Jersey Mortgage and Title Guarantee Co.; Perth Amboy Trust Co.; Mayor and Board of Commissioners, City of Perth Amboy; City of South Amboy; Sun Oil Co.; Jersey Central Power and Light Co.; R. U. Rue Co.; Pennsylvania Railroad; Sayre & Fisher Brick Co.; Gust Wickberg; Clinton Gilbert; Port Reading Railroad; Ostrander Brick Co.; Nixon Nitration Works; D. S. Freedman; Barber Asphalt Co.; Peter Vogel; Mrs. Lewis E. Potter; M. D. Valentine Bros. & Co.; Township of Woodbridge; Alpern, Larson and Crouse; Shell Terminal Corp. and others.

On November 1st, 1935 notice was received that this project had been approved by the Works Progress Administration and that \$24,997.50 had been allotted by the Federal Government for this work.

Bids are now being received by the Works Progress Administration and within a reasonable time it is anticipated that the operations of this project will be commenced.

Basin For Small Boats.

The construction of a basin for small boats was advocated by this Commission during the summer of 1935 in response to the demands of local and State-wide boating interests. There are

many boat owners who live in Newark, Elizabeth, Springfield, Westfield, Plainfield and other communities in the State who keep their boats in local waters and commute between Raritan Bay and their homes from early Spring until late Fall.

The increase in the number of sailing yachts, motor yachts, fishing boats and other small pleasure craft has been substantial in the past two or three years and a safe harbor for these vessels is more essential at this time than ever before.

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. The larger vessels using these improved waterways have to have free and unmolested passage and the hundreds of small boats have had to devise makeshift moorings outside of the new channel lines. During storms and severe winds from the east, southeast and northeast, these small vessels are at the mercy of the elements.

The construction of a small boat basin with a capacity of about one hundred boats, ties in with the reclamation and obsolete material project which has been previously mentioned. The reconditioned material gathered in the reclamation project will be utilized in the construction of the boat basin. The basin will be located on city-owned property contiguous to a municipal park at the foot of Market Street, Perth Amboy, N. J.

The City Government of Perth Amboy, City Engineer Louis P. Booz, 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 aid of the State Board of Commerce and Navigation was enlisted and a hearing was held before the Board, J. Spencer Smith, presiding, at the State House, Trenton, N. J. on September 16th, 1935. Many proponents appeared at the hearing and as a result thereof, the Board cooperated with this Commission in the request for the allocation of Federal funds. With the approval of the Works Progress Administration and the allocation of funds, bids are to be asked and it is anticipated that the construction of the boat basin will be started within a reasonable time.

Federal Expenditures.

Concerning the Raritan Bay District and contiguous waterways, the following Federal expenditures are given for work performed or proposed during the fiscal years 1935, 1936 and 1937:

New York and New Jersey Channels, expended in 1935 \$376,054; expended or proposed for 1936 \$2,495,000; proposed for 1937 \$5,118,000. Woodbridge Creek expended in 1935 \$16,947. Raritan River, expended in 1935 \$18,587; expended or proposed for 1936 \$90,786; proposed for 1937 \$30,000. Raritan River to Arthur Kill cut-off channel, expended in 1935 \$278,330. Washington Canal and South River, expended 1935 \$21,113; expended or proposed for 1936 \$8,200; proposed for 1937 \$8,000. Total expended on these projects for 1935 \$711,031. Total expended or proposed for 1936 \$2,593,986. Total proposed for 1937 \$5,156,000.

According to additional figures supplied by the office of the District Engineer, Second District, expended to June 30, 1935, New York and New Jersey Channels the sum was \$14,269,000; Woodbridge Creek \$195,797; Raritan River \$1,565,000; Raritan River to Arthur Kill, cut-off channel \$809,000; Washington Canal and South River \$341,000, making a grand total of \$17,179,797.

The economic benefits derived by the Port Raritan District and State of New Jersey from these expenditures are incalculable. The Port Raritan District possesses waterways with adequate channels, fine railroad facilities and modern highways. These insure to industries located in this district prompt and efficient handling of the raw materials required by them, and of their manufactured products.

Co-ordination of these agencies of transportation; provision for adequate warehousing and terminal facilities and further development of waterway transportation are the duties of this Commission. In seeking additional Federal funds for deeper and wider channels, it is our belief that greater accomplishments can and will be obtained in the future. Such progress will continue to prove the value of this Commission and will return to the District, State and Nation constructive benefits far beyond their cost.

There are real indications of the return of normal business conditions in the district and that industrial development will

be substantial over the Upper and Lower Raritan, South River and Washington Canal, Raritan Bay, Woodbridge Creek, Woodbridge River, Arthur Kill and Kill von Kull. Important industrial centers in the district which compare favorably with others in the State are New Brunswick, Perth Amboy, Woodbridge, South Amboy, South River, Sayreville and Raritan Township. Vast areas on the waterfront are available for new factories. Present industry demands and should receive improved waterway for the handling of water-borne material. This Commission is ready and alert to participate in any endeavor which will result in the re-establishment of general prosperity.

We gratefully acknowledge the manner in which Col. E. D. Ardery, Second District Engineer and his efficient staff have cooperated with this Commission in all matters affecting the Port Raritan District. Col. Ardery is always ready to give this Commission the full benefit of his knowledge and experience concerning all of the works in which we are engaged. He has shown a great willingness to interest himself in our numerous problems and has aided us at all times and in every way with the projects presented for his approval. Unswerving in his duty, loyal to his trust, painstaking in his desire to help, advise and cooperate, Col. Ardery typifies the well known traditions of his branch of the Service. We also express our sincere appreciation to Mr. C. D. Mayhew, Mr. E. B. Snell and Mr. C. C. Berger of Col. Ardery's staff for their cooperation.

The Commission wishes to express its appreciation for the assistance and cooperation it has received from the Port of New York Authority and the State Board of Commerce and Navigation and many other officials in the National and State Governments, particularly to United States Senators A. Harry Moore, W. Warren Barbour and Hon. William H. Sutphin and Hon. Charles A. Eaton, Congressmen from the Third and Fifth Congressional Districts respectively. They have rendered valuable service in Washington on many occasions.

Respectfully Submitted,

PORT RARITAN DISTRICT COMMISSION

C. PARKER RUNYON, Chairman.

STATUTES

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 8, 1936

HADDON IVINS,

State Librarian.

