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[CHAPTER 530]

AN ACT

July 28, 1937
[S. 2661]
[Public, No. 220]

Granting the consent of Congress to a compact entered into by the States of Maine and New Hampshire for the creation of The Maine-New Hampshire Interstate Bridge Authority.

Maine-New Hampshire Interstate Bridge Authority.
Consent granted Maine and New Hampshire for creation of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an interstate compact for the creation of The Maine-New Hampshire Interstate Bridge Authority, executed on the 14th day of April 1937 by the representatives of the States of Maine and New Hampshire, which compact has been deposited in the Department of State of the United States and reads as follows:

Portsmouth-Kittery bridge, etc.

INTERSTATE BRIDGE AUTHORITY FOR THE PORTSMOUTH-KITTERY BRIDGE AND APPROACHES THERETO

COMPACT

BETWEEN THE STATE OF MAINE AND THE STATE OF NEW HAMPSHIRE

Compact relative to bridge construction across Piscataqua River.

Whereas, the single highway bridge serving as the sole facility for vehicular traffic over and across the Piscataqua river between the state of New Hampshire and the state of Maine is wholly inadequate to care for and accommodate such traffic over said river between the said two states and therefore causes such traffic congestion in and upon the streets and highways of the city of Portsmouth, New Hampshire, and the town of Kittery, Maine, that the lives and property of the citizens of said communities and the travelers on said streets and highways are constantly endangered; and

Whereas, the antiquated and obsolete wooden pile bridge serving as the sole facility for railroad traffic over and across the Piscataqua river between the state of New Hampshire and state of Maine is wholly inadequate to care for and accommodate the railroad traffic between the said two states; and

Whereas, the narrow draw-span of said wooden pile railroad bridge the sole facility permitting passage of water traffic up and down said river is wholly inadequate to permit the passage of steamers and vessels of broad beam from the sea inland to serve the large industrial plants now situate on the banks of said river and therefore constitutes an obstacle to further enlargement of these industries and the development of numerous other industrial sites located so that passage through said bridge is absolutely necessary; and

Whereas, the only remedy for the conditions now existing is the construction of a bridge across said river which by coordinating the facilities required by vehicular and railroad traffic will remove the obstacle to water traffic; and

Whereas, the solution to this problem will result in great economy and benefit not only to the states of Maine and New Hampshire but to the nation and will require the cordial cooperation of the states of New Hampshire and Maine in the encouragement of the investment of capital as well as the formulation and execution of the necessary plans and such result can best be accomplished through the joining of the two states of Maine and New Hampshire by and through a common agency.

Now therefore, the said states of New Hampshire and Maine do hereby agree and pledge each to the other as follows:

ARTICLE I

Said states agree to and pledge, each to the other, faithful cooperation in the planning, execution and construction of a suitable vehicu-

lar and railroad bridge with suitable highway approaches thereto and draw-span therein; holding the same in high trust for the benefit of the nation and of the said two states.

ARTICLE II

There is hereby created "The Maine-New Hampshire Interstate Bridge Authority" which shall be a body corporate and politic having the powers and jurisdiction hereinafter enumerated and such other and additional powers as shall be conferred upon it by the legislature of either state concurred in by the legislature of the other state or by act or acts of Congress as hereinafter provided.

ARTICLE III

The Authority shall consist of six members, three residents of the state of New Hampshire and three residents of the state of Maine. The New Hampshire members to be chosen by the state of New Hampshire and the Maine members to be chosen by the state of Maine in the manner and for the term fixed and determined from time to time by the legislatures of either state respectively. Any member may be removed or suspended from office as provided by the law of the state from which he shall be appointed.

ARTICLE IV

The members of the Authority shall, for the purpose of doing business, constitute a board and may adopt suitable rules and regulations for its management.

ARTICLE V

The Authority shall constitute a body both corporate and politic with full power and authority (1) to sue and be sued; (2) to have a seal and alter the same at pleasure; (3) to adopt from time to time and amend by-laws covering its procedure, rules and regulations governing use of the bridge and any of the other services made available in connection with said bridge, to publish the same, if such publication is necessary or advisable and to cause records of its proceedings to be kept; (4) to construct, maintain, reconstruct and operate an interstate toll bridge over the Piscataqua river between the city of Portsmouth in New Hampshire and the town of Kittery in Maine and for this purpose; (5) to acquire, hold and dispose of personal property for its purposes; (6) to acquire in the name of the Authority by purchase, condemnation, lease or otherwise, any real property and rights or easements therein, deemed by it necessary or desirable for its purposes, and to use such property; (7) to acquire any such real property by the exercise of the power of condemnation in the manner provided by laws and statutes of the said two states or otherwise; (8) to charge and collect fees, fares and tolls for the use of said bridge and other services made available in connection with the said bridge; (9) to make contracts with the United States, the state of New Hampshire, the state of Maine, public corporations or bodies existing therein, and private corporations and individuals; (10) to accept grants and the cooperation of the United States or any agency thereof in the construction, maintenance, reconstruction, operation and financing of the bridge and its highway approaches and to do any and all things necessary in order to avail itself of such aid and cooperation; (11) to employ such assistants, agents and servants as it shall deem necessary or desirable for its purposes; (12) to exercise any of its powers in the public domain of the United States unless the exercise of such powers is not permitted by the laws of the United

States; (13) to borrow money, make and issue negotiable notes, bonds and other evidences of indebtedness or obligations of the Authority and to secure the payment of such obligations or any part thereof by pledge of any part of the revenue of the bridge and, (14) to do all other lawful things necessary and incidental to the foregoing powers. All property of the Authority and all property held in the name of either state pursuant to the provisions hereof shall be exempt from levy and sale by virtue of any execution and no execution or other judicial process shall issue against the same. No judgment against the Authority shall be lien upon its property held in the name of either state pursuant to the provisions hereof. No property now or hereafter vested in or held by either state, by any county, city, town, village, district, township or other municipality thereof shall be taken by the Authority without the authority and consent of the state, county, town, village, district or township or other municipality in which it is located; nor shall anything impair or invalidate any bond, indebtedness of either state, any county, city, town, village, district or township or other municipality nor impair the provisions of law to regulate the payment into sinking funds of revenue derived from municipal property or dedicate the revenues derived from any municipal property to a specific purpose.

ARTICLE VI

The Authority shall have such additional powers and duties as may hereafter be delegated to and imposed upon it from time to time by the action of the legislature of either state concurred in by the legislature of the other. Unless and until otherwise provided, it shall make a biennial report to the legislatures of both states, setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder. The Authority shall not pledge the credit of either state except by and with the expressed authority of the legislature thereof.

ARTICLE VII

Nothing in this agreement or compact is intended or shall be construed to affect the laws now existing which vest jurisdiction over or control of railroads in the public service commission of the state of New Hampshire, or the public utilities commission of the state of Maine, or the Interstate Commerce Commission of the United States or any agency of either state or the United States.

ARTICLE VIII

The Authority shall elect from its members a chairman, vice chairman, clerk and treasurer and may appoint such officers and employees as it may require for the performance of its duties and shall fix and determine by resolution their qualifications and duties.

ARTICLE IX

Expenses incurred by the Authority in the interim between execution of this agreement or compact and the date money received from grants, bonds or revenues shall be available shall be borne by the said two states in equal shares and shall be raised as each state shall determine.

ARTICLE X

Unless and until otherwise determined by the action of the legislatures of the two states, no action of the Authority shall be binding unless taken at a meeting at which at least two members from each

state are present and unless four votes are cast therefor, two from each state. Each state reserves the right hereafter to provide by law for the exercise of a veto power by the governor thereof over any action of any commissioner appointed therefrom.

ARTICLE XI

Unless and until otherwise determined by the legislatures of the two states, the Bridge Authority shall not incur any obligations for salaries, office or other administrative expenses, within the provisions of Article IX, prior to the making of appropriations adequate to meet the same.

ARTICLE XII

The Bridge Authority is hereby authorized to make suitable rules and regulations not inconsistent with the constitution of the United States or of either state, which shall be binding and effective on all persons and corporations affected thereby.

ARTICLE XIII

The two states shall provide penalties for violations of any order, rule or regulation of the Bridge Authority, and for the manner of enforcing the same.

ARTICLE XIV

Definitions. "Transportation facility" shall include railroads, steam or electric, motor truck or other street or highway vehicles, bridges, highways and every kind of transportation facility now in use or hereafter designed for use for the transportation or carriage of persons or property. "Facility" shall include all works, buildings, structures, stations, appliances and appurtenances necessary and convenient for the proper construction, equipment, maintenance and operation of such facility or facilities or any one or more of them. "Real property" shall include land under water, as well as uplands, and all property either now commonly or legally defined as real property or which may hereafter be so defined. "Personal property" shall include choses in action and all other property now commonly or legally defined as personal property or which may hereafter be so defined. "To lease" shall include to rent or to hire. "Rule or regulation" shall include charges, rates, rentals or tolls fixed or established by the Bridge Authority. Wherever action by the legislature of either state is herein referred to, it shall mean an act of the legislature duly adopted in accordance with the provisions of the constitution of the state. Plural or singular. The singular wherever used herein shall include the plural. Consent, approval or recommendation of municipality, how given. Wherever herein the consent, approval or recommendation of a "municipality" is required, the word "municipality" shall be taken to include any city, town or village district. Such consent, approval or recommendation whenever required in the case of the city of Portsmouth shall be deemed to have been given whenever the city council of the city of Portsmouth or any body hereafter succeeding to its duties shall by majority vote pass a resolution expressing such consent, approval or recommendation; and in the case of the town deemed to have been given whenever at a regular town meeting, or special meeting called for that purpose shall by majority of votes of persons present and voting therefor; and in all other cases whenever the body authorized to grant consent to the use of the streets or highways of such municipality shall by a majority vote pass such a resolution.

In Witness Whereof we have hereunto set our hands and seals under chapter 18 of the Private and Special Laws of 1937 of the State of Maine and chapter 4 of the Laws of the Special Session of 1936 of the State of New Hampshire this 14th day of April, 1937. In the presence of:

Helen D. Ayers	[Seal]	PAUL C. THURSTON,
Lucius D. Barrows	[Seal]	HOLLIS B. COLE,
Helen D. Ayers	[Seal]	WILLIAM H. HINMAN,
		Commissioners for Maine.
Sanford L. Fogg	[Seal]	FRANZ U. BURKETT,
		Attorney General of Maine.
Daniel H. Dickinson	[Seal]	FREDERIC E. EVERETT,
Daniel H. Dickinson	[Seal]	JAMES J. POWERS,
Daniel H. Dickinson	[Seal]	FRANK E. BROOKS,
		Commissioners for New Hampshire.
Harry E. Trapp	[Seal]	THOMAS P. CHENEY,
		Attorney General of New Hampshire.

Amendment.

SEC. 2. The right to alter, amend, or repeal the provisions of the first section of this Act is hereby expressly reserved.

Approved, July 28, 1937.

[CHAPTER 531]

AN ACT

July 28, 1937
[H. R. 6496]
[Public, No. 221]

Granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Montana.

Missouri River. Bridge authorized across, at Poplar, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Montana, the counties of Roosevelt, Richland, and McCone thereof, or any of them, to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Poplar, Montana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
34 Stat. 84.
33 U. S. C. §§ 491-498.

Amendment.

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

Approved, July 28, 1937.

[CHAPTER 532]

AN ACT

July 28, 1937
[H. R. 6636]
[Public, No. 222]

Granting the consent of Congress to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge across the Wabash River at or near Lockport, Indiana.

Wabash River. Carroll County, Ind., may bridge, at Lockport.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Lockport, Indiana,