

Public Law 287

CHAPTER 124

AN ACT

March 31, 1952
[S. 1938]

Granting the consent of Congress to a supplemental compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning the Delaware River Joint Toll Bridge Commission, and for other purposes.

Pennsylvania
and New Jersey.
Consent of Con-
gress to supple-
mental compact.

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 the supplemental compact or agreement set forth below, and to each and every term and provision thereof: *Provided,* That nothing therein contained shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof:

Supplemental agreement between the Commonwealth of Pennsylvania and the State of New Jersey.

Amending the agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating the Delaware River Joint Toll Bridge Commission as a Body Corporate and Politic and Defining Its Powers and Duties," as heretofore amended, by extending the jurisdiction and powers of the commission. Whereas, The Delaware River Joint Toll Bridge Commission (hereinafter referred to as the "commission") was created by a compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December, one thousand nine hundred and thirty-four, pursuant to an act of its General Assembly approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws 1352), as last amended by an act of said General Assembly approved the eighteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws 827), and executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December, one thousand nine hundred and thirty-four, pursuant to an act of its Senate and General Assembly approved June eleventh, one thousand nine hundred and thirty-four (chapter 215, laws of 1934; R. S. (1937) 32: 8-1), to which compact or agreement the consent of the Congress of the United States was given by section 9 of an Act of the Congress approved August 30, 1935 (Public No. 411, 74th Congress, 49 Stat. 1051, 1058); and

Whereas, Said compact or agreement was amended by a Supplemental Agreement, executed on behalf of the Commonwealth of Pennsylvania by its Governor on the eighth day of July, one thousand nine hundred and forty-seven, pursuant to an act of its General Assembly approved June thirteenth, one thousand nine hundred and forty-seven (Pamphlet Laws 592), and executed on behalf of the State of New Jersey by its Governor on the third day of July, one thousand nine hundred and forty-seven, pursuant to an act of its Senate and General Assembly approved June thirteenth, one thousand nine hundred and forty-seven (chapter 283, laws of 1947),

to which Supplemental Agreement the consent of the Congress of the United States was given by an Act of the Congress approved August 4, 1947 (Public No. 355, 80th Congress, 61 Stat. 752); and Whereas, It is necessary to protect the investment made by the commission in the bridge now under construction between the City of Trenton, New Jersey, and the Borough of Morrisville, Pennsylvania, and the investments made by said Commonwealth and said State in the approach highways connected with said bridge, and in order to finance additional bridges over the Delaware River and thereby facilitate the flow of traffic between said Commonwealth and said State; now, therefore,

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

Paragraph (a) of Article X of the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties, which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December, one thousand nine hundred and thirty-four, and was executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December, one thousand nine hundred and thirty-four, as amended by the Supplemental Agreement which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the eighth day of July, one thousand nine hundred and forty-seven, and was executed on behalf of the State of New Jersey by its Governor on the third day of July, one thousand nine hundred and forty-seven, be and the same is hereby amended to read as follows:

Delaware River
Joint Toll Bridge
Commission.
61 Stat. 754.

(a) The commission may acquire, construct, rehabilitate, improve, maintain, repair and operate bridges for vehicular or pedestrian traffic across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey at any location north of the boundary line between Bucks County and Philadelphia County in the Commonwealth of Pennsylvania as extended across the Delaware River to the New Jersey shore of said river. The commission may also, subject to the approval of the State Highway Department of the State of New Jersey and the Department of Highways of the Commonwealth of Pennsylvania, lease such bridges as lessor to, and contract for the operation of such bridges by, one or more public bodies, instrumentalities, commissions, or public agencies.

Construction,
operation, lease,
etc., of bridges.

Whenever any bridge north of the boundary line described above in this paragraph (a), proposed to be acquired by the commission pursuant to the provisions of this Agreement, has been constructed pursuant to consent or authorization granted by federal law, the acquisition of such bridge by the commission shall be by purchase or by condemnation in accordance with the provisions of such federal law, or the acquisition of such bridge by the commission shall be pursuant to and in accordance with the provisions of sections 48:5-22 and 48:5-23 of the Revised Statutes of New Jersey, and for all the purposes of said provisions and sections the commission is hereby appointed as the agency of the State of New Jersey and the Commonwealth of Pennsylvania exercising the rights and powers granted or reserved by said federal law or sections to the State of New Jersey and Commonwealth of Pennsylvania jointly or to the State of New Jersey acting in conjunction with the Commonwealth of Pennsylvania.

Acquisition of
bridges.

Tacony-Palmyra
Bridge.

The commission shall have authority to so acquire such bridge whether the same be owned, held, operated or maintained by any private person, firm, partnership, company, association or corporation or by any instrumentality, public body, commission, public agency or political subdivision (including any county or municipality) of, or created by or in, the State of New Jersey or the Commonwealth of Pennsylvania, or by any instrumentality, public body, commission or public agency of, or created by or in, a political subdivision (including any county or municipality) of the State of New Jersey or the Commonwealth of Pennsylvania.

In addition to other powers conferred upon it, and not in limitation thereof, the commission may acquire all right, title and interest in and to the Tacony-Palmyra Bridge, across the Delaware River at Palmyra, New Jersey, together with any approaches and interests in real property necessary thereto. The acquisition of such bridge, approaches and interests by the commission shall be by purchase or by condemnation in accordance with the provisions of the federal law consenting to or authorizing the construction of such bridge and approaches, or the acquisition of such bridge, approaches or interests by the commission shall be pursuant to and in accordance with the provisions of sections 48:5-22 and 48:5-23 of the Revised Statutes of New Jersey, and for all the purposes of said provisions and sections the commission is hereby appointed as the agency of the State of New Jersey and the Commonwealth of Pennsylvania exercising the rights and powers granted or reserved by said federal law or sections to the State of New Jersey and Commonwealth of Pennsylvania jointly or to the State of New Jersey acting in conjunction with the Commonwealth of Pennsylvania. The commission shall have authority to so acquire such bridge, approaches and interests, whether the same be owned, held, operated or maintained by any private person, firm, partnership, company, association or corporation or by any instrumentality, public body, commission, public agency or political subdivision (including any county or municipality) of, or created by or in, the State of New Jersey or the Commonwealth of Pennsylvania, or by any instrumentality, public body, commission or public agency of, or created by or in, a political subdivision (including any county or municipality) of the State of New Jersey or the Commonwealth of Pennsylvania. The power and authority herein granted to the commission to acquire said Tacony-Palmyra Bridge, approaches and interests shall not be exercised unless and until the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania have filed with the commission their written consents to such acquisition.

“Bridge”.

The word “bridge” as used in this Agreement shall include such approach highways and interests in real property necessary thereto in said Commonwealth or said State as may be determined by the commission to be necessary to facilitate the flow of traffic in the vicinity of any such bridge or to connect such bridge with the highway system or other traffic facilities in said Commonwealth or said State; *provided, however*, that the power and authority herein granted to the commission in connection with the approach highways shall not be exercised unless and until the Department of Highways of the Commonwealth of Pennsylvania shall have filed with the commission its written approval as to approach highways to be located in said Commonwealth and the State Highway Department of the State of New Jersey

shall have filed with the commission its written approval as to approach highways to be located in said State.

Notwithstanding any other provision of this Agreement or any provision of law, state or federal, to the contrary, the commission may combine for financing purposes any bridge or bridges hereafter constructed or acquired by it with any or all of the bridges described or referred to in any trust indenture securing bridge revenue bonds of the commission at the time outstanding, subject to any limitations or restrictions contained in such trust indenture.

Combining of
bridges for financ-
ing purposes.

Notwithstanding any provision of this Agreement, nothing herein contained shall be construed to limit or impair any right or power granted or to be granted to the Pennsylvania Turnpike Commission or the New Jersey Turnpike Authority, acting alone or in conjunction with each other, to provide for the financing, construction, operation and maintenance of one bridge across the Delaware River south of the City of Trenton in the State of New Jersey; *provided*, that such bridge shall not be constructed within a distance of ten miles, measured along the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey, from the bridge being constructed across the Delaware River by the commission between the Borough of Morrisville in said Commonwealth and the City of Trenton in said State, so long as there are any outstanding bonds or obligations of the commission for which the tolls, rents, rates, or other revenues, or any part thereof, of said bridge now being constructed shall have been pledged; but such bridge may be constructed at any other location north of the boundary line described above in this paragraph (a). Nothing contained in this Agreement shall be construed to authorize the commission to condemn any such bridge.

Pennsylvania
Turnpike Commis-
sion; New Jersey
Turnpike Author-
ity.

IN WITNESS WHEREOF, this 12th day of July 1951, ALFRED E. DRISCOLL has affixed his signature hereto as Governor of the State of New Jersey and caused the great seal of the State to be attached thereto.

ALFRED E. DRISCOLL
Governor, State of New Jersey

(Great Seal)

Attest:

LLOYD B. MARSH
Secretary of State

And, on this 17th day of July, 1951, JOHN S. FINE has affixed his signature hereto as Governor of the Commonwealth of Pennsylvania and caused the great seal of the Commonwealth to be attached thereto.

JOHN S. FINE
Governor, Commonwealth of Pennsylvania

(Great Seal)

Attest:

GENE D. SMITH
Secretary of the Commonwealth

SEC. 2. Subject to the provisions of the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission, as amended, said commission is hereby authorized to acquire any bridge heretofore constructed under the authority or with the consent of the Congress across the Delaware River. Said commission is hereby authorized to combine for financing purposes any two or more bridges

Authority to ac-
quire bridges.

Tolls.

heretofore or hereafter constructed or acquired by the commission and to fix and charge tolls for the use of such bridges so combined and to pledge such tolls in accordance with the provisions of the said compact or agreement, as amended: *Provided*, That in fixing the rates of toll to be charged for the use of any bridge hereafter constructed or acquired by said commission or any bridges so combined, the same shall be so adjusted as to provide funds sufficient to pay the reasonable costs of maintaining, repairing, and operating such bridge or bridges and their approach facilities under economical management, and to provide funds sufficient to amortize the costs of such bridge or bridges and their approach facilities, including reasonable interest and financing cost, as soon as possible, under reasonable charges, and said Commission may continue such tolls on all bridges heretofore or hereafter constructed or acquired by the commission until all such costs shall have been amortized; after funds sufficient for such amortization shall have been so provided, such bridge or bridges shall thereafter be maintained and operated free of tolls.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved March 31, 1952.

Public Law 288

CHAPTER 126

AN ACT

April 1, 1952
[H.R. 3847]

To authorize the Secretary of the Interior to issue to School District Numbered 28, Ronan, Montana, a patent in fee to certain Indian land.

Interior Department.
Issuance of land patent, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, with the consent of the Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, to issue to School District Numbered 28, Ronan, Montana, a patent in fee to certain land situated in Ronan, Montana, and more particularly described as follows: South half northwest quarter southwest quarter southeast quarter, section 36, township 21 north, range 20 west, containing five acres, more or less, of Tribal Agency Reserve Land.

Approved April 1, 1952.

Public Law 289

CHAPTER 127

AN ACT

April 1, 1952
[H.R. 4798]

To amend the Hawaiian Organic Act relating to qualifications of jurors.

Hawaii.
Jurors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 83 of the Hawaiian Organic Act (31 Stat. 141, 157; 48 U. S. C., 1946 edition, sec. 635) is hereby amended by deleting the word "male".

Effective date.

SEC. 2. This Act shall take effect as of the opening day of the term of the circuit courts of the several circuits in the Territory of Hawaii which follows the approval of this Act.

Approved April 1, 1952.