

BRIDGES AND TUNNELS OVER INTERSTATE BOUNDARIES

Act of Jul. 25, 1917, P.L. 1177, No. 404

Cl. 36

(Act partly repealed July 9, 1919, P.L.814,
No.338)

AN ACT

Providing for the appointment of a commission to act as a joint commission with similar commissions of any other contiguous State or States, or as an independent commission, for the purpose of planning and accomplishing the erection or building of one or more bridges or tunnels, as may be suitable and necessary, over or under any navigable stream or river which is one of the boundaries of this Commonwealth; and providing for the acquisition of ground for the site and approaches of said bridge or tunnel, and for the maintenance of the same by the county or counties wherein it is located; and making an appropriation therefor.

Section 1. Be it enacted, &c., That the Governor of the Commonwealth of Pennsylvania shall, upon the passage of this act, appoint three citizens of this Commonwealth, who shall constitute a commission to be known as the Delaware River Bridge and Tunnel, and to act, in conjunction with a similar commission or commissions of any other State or States contiguous to this Commonwealth, as a joint commission for the planning and construction of one or more bridges or tunnels, such as may be suitable or necessary, to provide passage for traffic over or under all navigable streams or rivers which partially bound any county or counties of this State, and which streams or rivers are boundaries of this State. Said commission may also act as an independent commission for said purposes should in the judgment of the commission it be convenient or necessary.

Section 2. Said commission, acting either as a joint or an independent commission, shall have the power and it shall be their duty to have prepared the necessary and proper plans for the construction of said bridge or tunnel, to select the location for the same, to plan and fix the boundaries and approaches thereof, to make all necessary estimates of the probable cost of its construction and of the acquisition of the ground for its site and approaches, to enter into the necessary contracts, to build and equip said bridge or tunnel, and to obtain the necessary consent of the Government of the United States and the approval of the Secretary of War: Provided, however, That no contracts shall be entered into, and no expense whatsoever incurred, by said commission, unless a previous appropriation shall have been made therefor by the General Assembly: And provided further, That all moneys expended, or appropriated to be expended, for the purposes of this act, shall be used and expended under the supervision of said commission: And provided further, That the Commonwealth of Pennsylvania shall not be liable or pay for more than the cost of the construction of said bridge or tunnel to the middle of a

navigable stream.

Section 3. The term "cost of construction," as used in this act, shall refer only to the cost of constructing the physical structure of the bridge or tunnel itself; and shall not refer to the cost of the acquisition of the ground for the site of said bridge or tunnel and the approaches thereto, which shall be paid for at the expense of the county in which said bridge or tunnel is to be located. The one-half part of the cost of said bridge or tunnel construction shall be paid by the Treasurer of the Commonwealth of Pennsylvania, upon warrants drawn by the Auditor General, under such conditions as may be prescribed by said Auditor General.

Section 4. The said commission is also hereby authorized to purchase such lands, rights or interests in lands, necessary for the building of said bridge or tunnel and the approaches thereto, or to acquire the same by condemnation proceedings, in the manner provided by the general laws of this Commonwealth relating to the condemnation of land for public purposes. The cost of said condemnation proceedings, including the court costs, compensation of viewers, and the required advertising, shall be paid by the Commonwealth of Pennsylvania. But said commission shall have no power to enter into any contracts for the purchase of land, rights or interests in land, or of any other property, unless a previous appropriation shall have been made therefor by the proper officers and officials empowered by law to make such appropriation for a municipal or county government. Said commission is hereby authorized to accept, on behalf of the county or municipality in which said bridge or tunnel is to be located, any gifts of lands, rights or interests in lands, contiguous or adjacent to said bridge or tunnel, for the purpose of building the same, and shall hold the same for this purpose until such time as said commission, in their judgment, may transfer such lands, rights, or interests to the municipality or county in which said bridge or tunnel is to be located. Said commission is likewise authorized to accept gifts of money or other property for this purpose.

Section 5. Upon the completion of said bridge or tunnel, the care, charge, control, and the expense of maintenance and repairs of the same shall pass to the county or counties of this Commonwealth in which said bridge or tunnel and its approaches are located. Said commission shall cause to be kept a record of all its proceedings, and shall transmit the same in the form of a report, together with the plans and specifications and all other information or data concerning the cost of construction and maintenance of such bridge or tunnel which they have had prepared or procured, to the Governor and the General Assembly of this Commonwealth at its next session.

The commission shall not incur any expenses or charges other than those necessary for the preparation of the preliminary plans, specifications, and estimate of cost, and the compensation of those employed for that purpose, and such incidental expenses of the commission as may be necessary for carrying out the provisions of this act; and such expenses, charges, and compensation shall not exceed the sum of fifteen thousand dollars, which shall be paid by the State Treasurer,

from time to time, on warrants drawn by the Auditor General upon the presentation to him of specifically itemized vouchers, and for which an appropriation is hereby made: Provided, however, That the cost of the same shall be borne equally by the county, counties, or State with which said bridge or tunnel connects. The title, ownership, and control of said bridge or tunnel to the middle of the stream, its approaches and the land upon which it is situated, shall be vested in the county or municipality in which said bridge or tunnel is located. All revenues received from rentals from all sources to the connecting point in the middle of a stream shall belong exclusively to the county in which said bridge or tunnel is located; one-half of the revenues from through traffic, if any, shall also belong to the county in which said bridge is located.