

Return of any such notice shall be made by the sheriff of the county in which said property is situate to the county treasurer, who shall make a record thereof on his docket.

Return of notice.

APPROVED—The 14th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 402.

AN ACT

To supplement and amend an act, approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred and fourteen), entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden, and the approaches thereto; providing for a joint commission for that purpose, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion; and making an appropriation for the purposes of this act," as amended by an act, approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (Pamphlet Laws, two hundred and eighty-seven), and as supplemented by an act, approved the thirteenth day of July, one thousand nine hundred and twenty-three (Pamphlet Laws, one thousand and ninety-three); providing that the Commonwealth of Pennsylvania shall bear equally with the city of Philadelphia in its share of the cost of light, repair, maintenance, and upkeep of said bridge; establishing a board of bridge control to take over the management and maintenance of the bridge upon its substantial completion; providing for the conveyance to the city of Philadelphia by the Commonwealth of Pennsylvania of land purchased, taken, and condemned in the city of Philadelphia for the bridge and its approaches.

Section 1. Be it enacted, &c., That the Commonwealth of Pennsylvania shall share equally with the city of Philadelphia in its part or proportion of the cost of lighting, repair, maintenance, and upkeep of the said bridge—that is to say, in that part or proportion thereof which is not borne by the State of New Jersey.

Delaware River Bridge Joint Commission.

Distribution of cost of maintenance.

Section 2. That section eleven of the said act is hereby amended to read as follows:

Section 11. Said bridge upon its substantial completion shall be turned over by said joint commission to [the city of Philadelphia and such agency or agencies as shall be designated by the State of New Jersey, by whom the same shall be maintained] a board of bridge control representing the Commonwealth of Pennsylvania and the city of Philadelphia and such agency or agencies as shall be named and designated by the State of New Jersey, by which bodies acting

Section 11 of act of July 9, 1919 (P. L. 814), amended.

Turning over of bridge upon completion.

Personnel of board
of bridge control.

jointly the said bridge shall be controlled, managed, and maintained. The said board of bridge control shall consist of the State Secretary of Highways of the Commonwealth of Pennsylvania, another member to be appointed by the Governor of the Commonwealth of Pennsylvania, the Director of Public Works of the city of Philadelphia, and the president of the council of the city of Philadelphia. Upon the turning over of the completed bridge by the Delaware River Bridge Joint Commission to the aforesaid board of bridge control and a corresponding agency to be designated by the State of New Jersey, the said board of bridge control acting jointly with the aforesaid agency of the State of New Jersey is hereby authorized and em-

Power of board.

powered to take over the control, management, operation, maintenance, upkeep, and lighting of said bridge with full power and authority to do any and all things necessary to carry out and effectuate the power and authority hereby extended and granted, or heretofore extended and granted, to the Delaware River Bridge Joint Commission under and by authority of the act of July thirteenth, one thousand nine hundred and twenty-three (Pamphlet Laws, one thousand ninety-three), entitled "A supplement to the act, approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred and fourteen), entitled 'An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden, and the approaches thereto; providing for a joint commission for that purpose, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion; and making an appropriation for the purposes of this act,' as amended by an act, approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (Pamphlet Laws, two hundred eighty-seven); extending the power and authority of the Delaware River Bridge Joint Commission, and its successors, to provide for equipment of the Delaware River bridge with facilities for railway, railroad, motor bus, vehicles, or other means of transportation, also for telegraph, telephone, electric or other public service facilities; authorizing operation, maintenance and leasing thereof; providing for the fixing and collection of charges, rates, rentals, or tolls therefor; and authorizing the making of contracts or leases for

use and occupation of property acquired." Any revenue which may arise from said bridge to which the Commonwealth of Pennsylvania or the city of Philadelphia is or may be entitled shall be used and applied for or toward the lighting, repair, maintenance, and upkeep of the bridge, including the payment of wages or salaries of the employes herein provided for. In the event that the State of New Jersey fails to name or designate an agency to act in conjunction or co-operation with the aforesaid board of bridge control, then the said bridge control, as herein constituted, acting alone, shall have vested in it all of the power and authority hereby extended and granted, or heretofore extended and granted, to the Delaware River Bridge Joint Commission under and by authority of the said act of July thirteenth, one thousand nine hundred and twenty-three (Pamphlet Laws, one thousand and ninety-three): *Provided, however, That no tolls, fees, fares, or other charges for persons or private vehicles, animal or power drawn, or by any other means of private transportation, shall ever be fixed, established, charged, and collected for the use or benefit of the Commonwealth of Pennsylvania or the city of Philadelphia or in relief of their share or part of the cost of maintaining said bridge, to the end that the use and enjoyment of the said bridge shall remain forever free and open to the people and the traveling public: Provided further, That upon the turning over to the said board of bridge control of said bridge upon its substantial completion there is reserved to the aforesaid Joint Commission the right and authority to complete all contracts and work uncompleted at the time of said turning over of the bridge.*

Section 3. The said board of bridge control, acting jointly with the corresponding agency of the State of New Jersey, is hereby authorized and empowered to appoint and employ an official to be known as the superintendent of the Delaware River bridge and such assistants and employes under him as shall be necessary to attend to and look after the physical care, good order, and custody of the bridge.

Section 4. Upon the completion of said bridge by the existing Delaware River Bridge Joint Commission the land and property purchased, taken, and condemned in the city of Philadelphia for the bridge and its approaches shall be transferred and conveyed to the city of Philadelphia by the Commonwealth of Pennsylvania in fee simple.

Section 5. If any part or parts of this act shall be declared to be invalid or unconstitutional the remainder of the act shall stand.

Disposition of revenue.

If New Jersey fails to name co-operating agency.

Proviso.

Board to appoint a bridge superintendent, etc.

Land to be transferred to city of Philadelphia.

Act severable.

Repeal.

Section 6. All acts or parts of acts inconsistent herewith are repealed.

APPROVED—The 14th day of May, A. D. 1925.

In approving this bill I cannot refrain from expressing my emphatic opposition to that part of the bill which provides that the Commonwealth shall share equally with the city of Philadelphia in its part or proportion of the cost of the lighting, repair, maintenance, and up-keep of the Philadelphia-Camden bridge.

When the construction of this bridge was authorized the Legislature specifically declared that upon the completion of the bridge it should be turned over "to the City of Philadelphia and such agent or agents as shall be designated by the State of New Jersey, by whom the same shall be maintained." This provision expressed what is, in my judgment, the proper policy to be pursued. The Commonwealth, both under the law as it has previously existed and under the bill which I am approving, will deed over to the City of Philadelphia in fee simple all of the Pennsylvania property acquired in connection with the erection of the bridge. This will be a valuable asset to the City of Philadelphia. In consideration of receiving it the City of Philadelphia ought to be willing to absorb the entire share of the cost of operating and maintaining the bridge chargeable to Pennsylvania interests.

I can see no justification whatever for expending State funds for any participation in the cost of maintaining the bridge in view of the circumstances mentioned; and if this bill had contained an appropriation for the maintenance of the bridge I should unhesitatingly have vetoed it.

I am, however, advised that the approval of this bill will not establish a contract between the Commonwealth and the City of Philadelphia with respect to the operation and maintenance of the bridge, so that the next Legislature can, and I hope will, so amend the law as to restore the policy declared in 1919, when the construction of the bridge was authorized.

I am approving the present bill, notwithstanding my earnest objection to the provision to which I have referred, because there are certain other provisions in it which I am advised are essential to the opening and operation of the bridge at the earliest moment when it will be ready to accommodate traffic.

GIFFORD PINCHOT.

No. 403.

A SUPPLEMENT

To an act, approved the seventh day of March, one thousand nine hundred and one (Pamphlet Laws, twenty), entitled "An act for the government of cities of the second class," providing for the establishing by ordinance and regulating a Department of City Transit; defining the powers, duties, and jurisdiction of the department, and providing for its officers and employes.

Cities of
second class.

Department of
city transit
may be estab-
lished.

Members of
city transit com-
mission.

Section 1. Be it enacted, &c., That an additional executive department in the government of cities of the second class may be created by ordinance, to be known as the Department of City Transit, which shall be in charge of a City Transit Commission consisting of five (5) residents of the city to be appointed by the mayor, subject to the approval of council, one of whom shall be designated to serve from his appointment until January first, one thousand nine hundred and twenty-six; and one from his appointment until Janu-