

No. 148.

## AN ACT

Providing for the apportionment of wharfage and dockage on the River Delaware and its tributaries, except in cities of the first class.

Delaware River  
and tributaries.  
Wharfage and  
dockage.

Apportionment.

By Board of  
Commissioners of  
Navigation.

Provide.

Questions of title.

Appeals.

Repeal.

Section 1. Be it enacted, &c., That in all cases when the owner or owners of adjoining wharves, docks, landings, or river front, or any part thereof, upon the River Delaware or its tributaries, and not situated in cities of the first class, shall disagree as to the proper apportionment of the wharfage or dockage payable to them, in accordance with their titles, by persons making use of the same or by vessels lying in front thereof, it shall be the duty of the Board of Commissioners of Navigation for the River Delaware and its tributaries, upon the written application of one or more to such owners, and after notice to the parties interested, and in accordance with the established customs and usages of the port or place where such wharves, docks, landings, or river front are located, or, where there is no such usage, then as justice and equity may require, to determine the relative proportions of such wharfage or dockage belonging to the several proprietors of said adjoining wharves, docks, landings, or river front, or any parts thereof: Provided, That nothing herein shall be construed to authorize such Board of Commissioners to take cognizance of any question involving the title of such property, but such jurisdiction, and the power to enforce the rights of the owners of said wharves, docks, landings, and water front to wharfage and dockage from persons or vessels heretofore or hereafter using or lying opposite the same, shall remain as heretofore in the proper courts of law.

Section 2. Any person may appeal from a decision of the Board of Commissioners of Navigation for the River Delaware and its tributaries to the court of common pleas of the county wherein such wharves, docks, landings, or water front are located.

Section 3. All acts or parts of acts, general, local, or special, inconsistent with this act, are hereby repealed.

APPROVED—The 26th day of April, A. D. 1921.

WM. C. SPROUL.