

Further proviso. *would be valid if done or performed on a secular or business day: Provided further, however, That for the purpose of protesting or otherwise holding liable any party to any bill of exchange, check, draft, promissory note, or other negotiable instrument which shall not have been paid on any of said holidays, a demand for acceptance or payment thereof shall not be made, and notice of protest or dishonor thereof shall not be given, until the next succeeding secular or business day. Nothing herein shall be construed to require any banking institution to keep open for the transaction of business on any of said holidays, or to require any banking institution which elects to be open for business on all or any part of any of said holidays, to do or perform any act or transaction on such holiday; but all acts and transactions done or performed on any such holiday shall be at the option of such banking institution.*

Banking institutions permitted, at their option, to engage in banking transactions on certain holidays.

Act effective immediately.

Section 2. This act shall become effective immediately upon its final enactment.

APPROVED—The 28th day of June, A. D. 1951.

JOHN S. FINE

No. 168

A SUPPLEMENT

To the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (Pamphlet Laws 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with 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, to enlarge the jurisdiction and power of said commission with respect to the acquisition, construction, rehabilitation, improvement, maintenance, leasing, and

operation of bridges across the Delaware River, including approach highways, the financing thereof, and the fixing, charging and collecting of tolls for the use of such bridges.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The Governor is hereby authorized to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with 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," 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 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, such supplemental compact or agreement to be in substantially the following form:

"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

Delaware River.

Governor authorized to enter into supplemental compact or agreement with State of New Jersey, relative to Delaware River.

Form of supplemental agreement.

Preamble.

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,

Agreement.

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 Agreement between Pennsylvania and New Jersey, as amended, further amended.

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:

(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 locations north of the boundary line between [Mercer County and Burlington County] *Bucks County and Philadelphia County* in the [State of New Jersey] *Commonwealth of Pennsylvania* as extended across the Delaware River to the [Pennsylvania] *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.*

Powers of commission.

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. 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.*

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

* "right" in original.

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.

*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.'*

Section 2. Upon its signature on behalf of the Commonwealth of Pennsylvania and the State of New Jersey, the supplemental compact or agreement hereinabove set forth shall become binding and shall have the force and effect of an act of the General Assembly of the Commonwealth of Pennsylvania, and the commission shall thereupon become vested with all the powers, rights and privileges, and be subject to the duties and obligations

Compact to have
force and effect
of statute.

* "ay" in original.

contained therein, as though the same were specifically authorized and imposed by statute, and the Commonwealth of Pennsylvania shall be bound by all of the obligations assumed by it under such supplemental compact or agreement, and the governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office.

Consent and approval of Congress of United States.

Section 3. The Governor is hereby authorized to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent and approval to such supplemental compact or agreement.

Provisions of this act not to be construed to repeal act of June 12, 1931, P. L. 575, as amended or supplemented.

Section 4. The provisions of this act shall not be construed to repeal any of the provisions of the act, approved the 12th day of June, 1931 (Pamphlet Laws 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," and its amendments or supplements, or apply to or affect in any manner any agreement made between the Commonwealth of Pennsylvania and the State of New Jersey pursuant to the provisions of said acts.

Provisions of act declared to be severable.

Section 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Act effective immediately.

Governor not to enter into supplemental compact or agreement until passage by State of New Jersey of a substantially similar act.

Section 6. This act shall take effect immediately; but the Governor shall not enter into the supplemental compact or agreement hereinabove set forth on behalf of the Commonwealth of Pennsylvania until passage by the State of New Jersey of a substantially similar act embodying the supplemental compact or agreement between the two states.

APPROVED—The 28th day of June, A. D. 1951.

JOHN S. FINE