

# ELLIS ISLAND, N.J.? COULD BE COURT REPORT ADVISES GIVING HALF OF IMMIGRANT PORTAL TO GARDEN STATE

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## **Body**

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The huddled masses of lawyers and politicians fighting over whether Ellis Island belongs to New York or New Jersey may have to compromise.

A court-appointed fact finder recommended Tuesday that the Supreme Court divide the island, once the nation's gateway for 16 million immigrants -- with New York getting the main building, now a museum, and New Jersey getting most of the rest, including a now-abandoned hospital.

The plan to divide the island "reflects the most appropriate reconciliation of law, equities and practicality," former Columbia University law Professor Paul Verkuil told the court.

It wasn't clear when the court might rule. But Verkuil's plan was panned by New York Attorney General Dennis Vacco as one that "ignores the law and rewrites history."

His state's claim "is clearly and indelibly inscribed in the hearts and beliefs of the millions of immigrants who set foot here," Vacco said.

Across the harbor, the Garden State was ready to declare victory.

"We have never denied New York's important role in the history of the nation and immigration," said New Jersey Gov. Christie Whitman. "We have just said we have an equally important role."

Pride isn't the only thing at stake: Taxpayers would benefit from future development on the island, New Jersey Attorney General Peter Verniero said.

The recommendation is the result of a 23-day trial before Verkuil last summer. New Jersey was allowed in 1993 to "sue" New York in the Supreme Court because the nation's high court sometimes invokes its "original" jurisdiction to resolve disputes among states.

New Jersey officials contend that most of the island is located in their state. New York officials disagree, and New York City has taken steps to have the entire island declared a city landmark.

Millions of immigrants entered the United States through Ellis Island between 1892 and 1954.

The Supreme Court's nine justices can accept or reject the plan. They could approve Verkuil's report summarily, but a more likely step is to order lawyers for both states to respond to it.

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After that, both sides could be ordered to argue the case before the justices during the court term that begins in October.

### Graphic

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Photo;

PHOTO: ASSOCIATED PRESS

Ellis Island, shown in 1990 aerial photo, should be shared by New Jersey and New York, a Supreme Court fact finder said Tuesday.

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