

BRIDGE ACROSS DETROIT RIVER AT OR NEAR DETROIT,
MICH.

MAY 3, 1926.—Ordered to be printed

Mr. DENISON, from the committee of conference, submitted the
following

CONFERENCE REPORT

[To accompany H. R. 8771]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8771) to extend the time for commencing and completing the construction of a bridge across the Detroit River within or near the city limits of Detroit, Mich., having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted in said amendment insert the following:

Sec. 2. That the said American Transit Company, its successors or assigns, shall within ninety days after the completion of the bridge constructed under the authority of this Act file with the Secretary of War an itemized statement under oath showing the actual original cost of such bridge and its approaches and appurtenances, which statement shall include any expenditures actually made for engineering and legal services; and any fees, discounts, and other expenditures actually incurred in connection with the financing thereof. Such itemized statement of cost shall be investigated by the Secretary of War at any time within three years after the completion of such bridge, and for that purpose the said American Transit Company, its successors or assigns, in such manner as may be deemed proper, shall make available and accessible all records connected with the construction and financing of such bridge, and the findings of the Secretary of War as to the actual cost of such bridge shall be made a part of the records of the War Department.

And the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows:

In line 1 of said amendment strike out "4" and insert 3; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted in said amendment insert the following:

Page 1, line 12, strike out "2" and insert 4; and the Senate agree to the same.

E. E. DENISON,
O. B. BURTNESSE,
TILMAN PARKS,

Managers on the part of the House.

W. L. JONES,
JAMES COUZENS,
HIRAM BINGHAM,
DUNCAN U. FLETCHER,
MORRIS SHEPPARD,

Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 771) to extend the time for commencing and completing the construction of a bridge across the Detroit River within or near the city of Detroit, Mich., submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report:

No. 1: The House bill was a short-form bill simply extending the time for beginning and completing the construction of the bridge across the Detroit River, the consent of Congress for the construction of which had heretofore been granted and extended on two former occasions.

The bridge will cost from fourteen to sixteen million dollars, and it has required several years' effort to provide for financing the project. It seems that the parties are ready to begin construction and the time for beginning having expired under existing law, this bill was filed to extend the time for beginning and completing the construction of the bridge. Senate amendment No. 1 inserted a provision granting the construction company who is to construct the bridge the right to condemn property needed in connection with the construction of the bridge and its approaches. Such a provision is ordinarily inserted in bills granting the consent of Congress for the construction of bridges over interstate navigable waterways in this country. But Congress has no right to authorize anyone to condemn property in a foreign country, and one-half of this bridge will be located in the jurisdiction of the Dominion of Canada. The construction company has options on the property that will be needed on the American side and therefore the clause giving the right of eminent domain was unnecessary; and upon this amendment the Senate receded.

No. 2: The Senate inserted in the bill as amendment, No. 2, a provision which would give to the State of Michigan or any of its political subdivisions the right to acquire the bridge at any time by condemnation, and after 20 years from its completion to take it over by condemnation under a limited measure of damages. Such provisions are now ordinarily inserted in bridge bills where Congress grants its consent to private individuals for the construction of toll bridges over interstate navigable waterways in this country. It is not within the power of Congress to grant to the State of Michigan or to the city of Detroit or any other political subdivision of that State the right to condemn an international bridge, a part of which is located in the Dominion of Canada. The bridge is being financed largely by people residing in Canada, one-half of the bridge is owned outright by a Canadian company, and the bonds for the structure are to be guaranteed by the government of Ontario. A provision for recapture of such a bridge might lead to complications in our friendly relations with the Canadian Government and would certainly interfere with financing the bridge, and was disapproved by the State Department. Therefore the Senate receded from its amendment No. 2.

No. 3: The House receded from its disagreement to Senate amendment No. 3, and agreed to the same with an amendment. The substance of this amendment is that the company that constructs the bridge will be required within 90 days after its completion to file with the Secretary of War a sworn itemized statement of the cost of the bridge, including expenditures actually made for engineering and legal services and discounts and other expenditures actually incurred in connection with the financing thereof. Such statement will be investigated by the Secretary of War and his findings in relation thereto will be made a part of the records of the War Department. It was thought advisable to include a provision of this kind in the bill in order that there might be an official finding and record as to the cost of the bridge, for the purpose of determining the reasonableness of tolls that may in the future be charged for passing over it.

No. 4: The House recedes from its disagreement to Senate amendment No. 4, and agrees to the same with an amendment, the amendment consisting simply in changing the number of the section from 4 to 3.

No. 5: The House recedes from its disagreement to this amendment and agrees to the same with an amendment, which consists merely in changing the number of the section from 2 to 4.

E. E. DENISON,
O. B. BURTNESS,
TILMAN PARKS,

Managers on the part of the House.

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