

Calendar No. 419

69TH CONGRESS }
1st Session }

SENATE

{ REPORT
No. 415

BRIDGE ACROSS THE OHIO RIVER AT OR NEAR LOUISVILLE, KY.

MARCH 20, 1926.—Ordered to be printed

Mr. BINGHAM, from the Committee on Commerce, submitted the following

REPORT

[To accompany H. R. 9599]

The Committee on Commerce, to whom was referred the bill (H. R. 9599) granting the consent of Congress to the city of Louisville, Ky., to construct a bridge across the Ohio River at or near said city, have considered the same and report thereon with an amendment, and as so amended, recommend that the bill do pass.

Strike out all after the enacting clause and insert the following in lieu thereof:

That the consent of Congress is hereby granted to the city of Louisville, Ky., or to any board or boards, commission or commissions, which may be duly created or established for the purpose, to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation, extending from some point between Third and Twelfth Streets in the city of Louisville, Ky., across said river to a point opposite on the Indiana shore, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. The construction of such bridge shall not be commenced, nor shall any alterations in such bridge be made either before or after its completion, until plans and specifications for such construction or alteration shall have been submitted to the Secretary of War and the Chief of Engineers and approved by them as being adequate from the standpoint of the volume and weight of traffic which will pass over it.

SEC. 2. The said city of Louisville, board or boards, commission or commissions, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such act of March 23, 1906.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill has the approval of the Departments of War and Agriculture, as will appear by the annexed communications:

WAR DEPARTMENT, February 27, 1926.

Respectfully returned to the chairman, Committee on Interstate and Foreign Commerce, House of Representatives.

So far as the interests of navigation are concerned, I know of no objection to the favorable consideration of the accompanying bill (H. R. 9599, 69th Cong., 1st sess.), granting the consent of Congress to the city of Louisville, Ky., to construct a bridge across the Ohio River at or near said city.

As the navigable portions of the Ohio River do not lie wholly within the limits of a single State the consent of Congress is required under section 9 of the river and harbor act of March 3, 1899 (30 Stats. 1131), for the construction of a bridge thereover.

Attention is invited, however, to the fact that in section 3 of the bill the Secretary of War is given authority to prescribe tolls for the passage across the bridge of pedestrians, animals, and vehicles adapted to travel on public highways, but that the city is given unlimited authority to fix the terms, conditions, and rates of toll for the passage of railway trains or street cars, and for the use of the bridge for carrying telephone and telegraph lines, and for any other purpose. This latter grant of authority is inconsistent with the former, and is also inconsistent with the provisions of the existing general bridge law.

DWIGHT F. DAVIS, *Secretary of War.*

DEPARTMENT OF AGRICULTURE,
Washington, March 1, 1926.

HON. JAMES S. PARKER,
*Chairman Committee on Interstate and Foreign Commerce,
House of Representatives.*

DEAR MR. PARKER: Careful consideration has been given to the bill H. R. 9599, transmitted with your letter of February 23 with request for a report thereon and such views relative thereto as the department might desire to communicate.

This bill would authorize the city of Louisville, Ky., to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at some point between Third and Twelfth Streets in said city and a point opposite on the Indiana shore. Said bridge is to be for use by pedestrians, animals, and vehicles adapted for travel on public highways and, at the option of the city, may also be constructed to provide for the passage of railway trains or street cars. The bill would authorize the city of Louisville to charge tolls for the use of the bridge and would require that the rates of such tolls shall be so adjusted as to provide a sufficient fund to pay for the cost of maintaining and operating the bridge and its approaches, to pay interest on any indebtedness created for the purpose of constructing the bridge, and to provide a sinking fund sufficient to amortize such indebtedness within a period not to exceed 30 years from the completion of the bridge.

It would provide also that after the indebtedness incurred for the construction of the bridge, together with interest accruing thereon, shall have been so amortized, the rates of tolls for the use of such bridge for highway purposes shall be so adjusted as to not exceed an amount sufficient to provide for the proper care, maintenance, and operation of such bridge to the extent that same may be used for highway purposes.

The bridge in question will undoubtedly constitute an important crossing of the Ohio River which will connect through the city of Louisville the systems of Federal-aid highways approved for the States of Indiana and Kentucky. Such a bridge will require expenditure of a very large sum of public funds and the tolls which shall be collected are to be applied for maintenance and operation costs and for reimbursing or amortizing the costs of the structure. The department has no objection to offer to this bill and would suggest favorable action thereon.

Sincerely,

R. W. DUNLAP, *Acting Secretary.*

WASHINGTON, D. C., March 15, 1926.

MR. JOHN D. WILLIAMS,

*Director Indiana State Highway Commission,
State House, Indianapolis, Ind.:*

House to-day passed bill granting consent of Congress for construction of new highway bridge across Ohio River, between Louisville, Ky., and Jeffersonville, Ind. Bill now goes to Senate for action. Senate Commerce Committee, to which bill will be referred in Senate, desired indication of consent or willingness of Indiana State Highway Commission that such bridge be constructed. Such requirement is formality and courtesy which we trust you will immediately accord by wiring us authority to indicate your willingness for bridge to be built. Kentucky Highway Commission has already indicated its willingness and we are sure that your commission will view matter in same light, as such bridge will be of great value not only to Kentucky and Indiana but to the country at large. House has no rule on subject similar to that of Senate committee. Consent is not required as a matter of law but as a matter of policy.

FRANK GARDNER,

Representative Third Indiana District.

M. H. THATCHER,

Representative Fifth Kentucky District.

INDIANAPOLIS, IND., March 18, 1926.

HON. FRANK GARDNER,

Member of Congress, Washington, D. C.:

Re your wire. Indiana State Highway Commission has no objection to construction of bridge over Ohio River by Louisville, Ky.

JOHN D. WILLIAMS,

Director Indiana State Highway Commission.

