

## BRIDGE ACROSS CHESAPEAKE BAY

FEBRUARY 1, 1927.—Referred to the House Calendar and ordered to be printed

Mr. PHILLIPS, from the Committee on Interstate and Foreign Commerce, submitted the following

### REPORT

[To accompany H. R. 13485]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 13485) granting the consent of Congress to the Chesapeake Bay Bridge Co. to construct a bridge across a point in Kent County, in the State of Maryland, having considered the same, report thereon with amendments, and as so amended recommend that it pass.

Amend the bill as follows:

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

That the consent of Congress is hereby granted to the Chesapeake Bay Bridge Company, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Chesapeake Bay, at a point suitable to the interests of navigation, from a point in Baltimore County, Maryland, near the mouth of Back River, to a point in Kent County, Maryland, between Rock Hall and Tolchester Beach, 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: *Provided*, That in the interests of national defense, and for the protection of life and property, the Secretary of War is hereby authorized and empowered, when, in his judgment, military necessity shall require it, to close said bridge to traffic at such time and during such periods as he may determine.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Maryland, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of thirty years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests

in real property; (3) actual financing and promotion cost, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Maryland under the provisions of section 2 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed thirty years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The Chesapeake Bay Bridge Company, its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may at any time within three years after the completion of such bridge investigate the actual cost of constructing the same, and for such purpose the said Chesapeake Bay Bridge Company, its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War, as to the actual original cost of the bridge, shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Chesapeake Bay Bridge Company, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill as amended has the approval of the War and Agriculture Departments, as will appear by the letters attached, which are made a part of this report.

WAR DEPARTMENT,  
Washington, January 21, 1927.

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

DEAR MR. PARKER: Under date of December 20, 1926, you referred to the department for a report thereon H. R. 13485, a bill authorizing the construction of a bridge across Chesapeake Bay. On January 3, 1927, I reported that in my judgment the bill should not be favorably considered because the proposed bridge would reduce materially the present and future usefulness of the Aberdeen Proving Ground to the United States.

Upon further investigation of the matter it has been found that the proposed bridge will not materially reduce the usefulness of the Aberdeen Proving Ground if the department is empowered to close the bridge to traffic during the time certain test firings are being carried out. I therefore suggest that the bill be amended by inserting the following proviso in section 1 thereof:

"Provided, That in the interests of national defense, and for the protection of life and property, the Secretary of War is hereby authorized and empowered, when, in his judgment, military necessity shall require it, to close said bridge to traffic at such time and during such periods as he may determine."

If H. R. 13485 is amended as indicated above, there is no objection, so far as the interests committed to this department are concerned, to its favorable consideration.

Sincerely yours,

DWIGHT F. DAVIS, *Secretary of War.*

---

WAR DEPARTMENT, *January 3, 1927.*

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. 13485, Sixty-ninth Congress, second session, granting the consent of Congress to the Chesapeake Bay Bridge Co. to construct a bridge across the Chesapeake Bay from a point in Baltimore County to a point in Kent County, in the State of Maryland.

I wish, however, to call your attention that this bridge, if constructed, will interfere with long-range firing at the Aberdeen Proving Ground, as it will cross the bay at a distance of between 30,000 and 40,000 yards from the long-range gun emplacements. As it will be very undesirable to have impacts on water within less than 3,000 yards from the bridge, and as it will be prohibitive to fire over the bridge unless it is closed to traffic, it is evident that tests of 14-inch and 16-inch guns involving ranges of from 40,000 to 52,000 yards can no longer be conducted, and long range tests of 155 m/m guns and 8-inch guns may also endanger the bridge.

No one can foresee with accuracy the future developments of artillery, but it is safe to assume that ranges of guns will increase as they have in the past. It seems likely that this bridge will interfere more and more with testing work at the proving ground as time goes on and guns of longer range are developed.

The Aberdeen Proving Ground was acquired in 1917, and roads, emplacements, buildings, and other facilities were constructed at a cost to the Government to date of about \$17,000,000. One of the important considerations in the selection of this site for a proving ground was the long range over water which it afforded and the comparatively small amount of water traffic. The construction of a bridge as proposed will reduce the present and future usefulness of the proving ground to the United States to a material extent, and for this reason I report that in my judgment the bill should not be favorably considered.

DWIGHT F. DAVIS, *Secretary of War.*

---

DEPARTMENT OF AGRICULTURE,  
*Washington, D. C., December 30, 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. 13485, transmitted with your letter of December 20 with request for a report thereon and such views relative thereto as the department might desire to communicate.

This bill would grant the consent of Congress to the Chesapeake Bay Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto from a point on the west shore of Chesapeake Bay near the mouth of Back River, Baltimore County, to a point on the opposite shore between Rock Hall and Tolchester Beach, Kent County. The system of Federal-aid highways approved for Maryland does not extend to the point indicated as the terminus of the proposed bridge on the west shore of the bay, but a route does terminate at Tolchester on the east shore at or near a point where the proposed bridge will terminate. This latter route has already been improved with the aid of Federal funds for several miles easterly from Tolchester. This department is advised that the proposed bridge will cost approximately \$10,000,000, which would draw very heavily upon the funds of the State and the counties of Baltimore and Kent if they should undertake to construct it with public funds. In view of the magnitude of the proposed structure, therefore, and the impracticability, if not impossibility, of its construction with public funds, this department would interpose no objection to the bill. It is suggested, however, that the bill should be amended to conform to Form No. 6 of the "Forms for Bridge Bills" appearing in Senate Document 103, Sixty-ninth Congress, first session.

Sincerely,

R. W. DUNLAP, *Acting Secretary.*

○

