

Calendar No. 675

73D CONGRESS }
2d Session }

SENATE

{ REPORT
{ No. 636

BRIDGE ACROSS THE COLUMBIA RIVER NEAR THE DALLES, OREG.

MARCH 28 (calendar day, APRIL 6), 1934.—Ordered to be printed

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

REPORT

[To accompany H.R. 7060]

The Committee on Commerce, to whom was referred the bill (H.R. 7060) to extend the times for commencing and completing the construction of a bridge across the Columbia River near The Dalles, Oreg., having considered the same, report favorably thereon and recommend that the bill do pass without amendment.

The bill has the approval of the Department of War, though it does not have the approval of the Department of Agriculture, as will appear by the annexed copy of the House Committee on Interstate and Foreign Commerce which is made a part hereof.

[H.Rept. 727, 73d Cong., 2d sess.]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H.R. 7060) to extend the times for commencing and completing the construction of a bridge across the Columbia River near The Dalles, Oreg., having considered and amended the same, report thereon with a recommendation that it pass.

Amend the bill as follows:

Page 1, line 8, after the word "from" strike out the words "the date of approval hereof" and insert the date "March 4, 1934." in lieu thereof.

The bill has the approval of the War Department, as will appear by the letters following:

WAR DEPARTMENT, *January 24, 1934.*

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

So far as the interests committed to this Department are concerned, I know of no objection to the favorable consideration of the accompanying bill, H.R. 7060, Seventy-third Congress, second session, to extend the times for commencing and completing the construction of a bridge across the Columbia River near The Dalles, Oreg.

GEO. H. DERN, *Secretary of War.*

Hon. Knute Hill has submitted the following information thereon:

ELBERT M. CHANDLER,
Olympia, Wash., January 24, 1934.

Hon. KNUTE HILL,
House of Representatives, Washington, D.C.

DEAR MR. HILL: Your courtesy in wiring me on the 24th asking for information as to just what has been done under the present authority is acknowledged with thanks. You will probably hear from Mr. Brooks of Goldendale in detail about this in a few days.

However, I might express that nearly all of the time allotted by Congress for us to get the bridge under construction has been used up in perfecting our rights with the War Department. These are not complete as yet.

After the franchise was granted we discovered that it was necessary to get special permission from Congress for rights-of-way over the Celilo Canal. This you got through Congress for us, but it was not passed until June 1933. In the meantime, while waiting for this permission we made application to the War Department for a permit to construct the bridge. Extensive surveys to determine the exact location were made. These cost the bridge company about \$2,000. The War Department held a hearing in Portland on this application in May. The permit from the War Department was not granted until October 7, 1933. The time was used up in working out the details of the rights-of-way. Our first plan provided for a bascule bridge over the Celilo Canal. This is patented. The owner of the patent decided to hold us up for about 20 percent of the cost of the bridge for patent rights. Accordingly we decided to change the plan of the bridge that would be over the canal from the vascul type to a swing bridge. We made application to the War Department for approval of change of plans. I learned since writing you last that this was approved by the Secretary of War on January 8. However, the swing bridge requires more ground from the Government and we have filed a revised drawing showing this requirement. It has not been granted as yet and probably will not be until sometime late next month. In other words, our rights will not be perfected so we can start construction on the bridge much before March 4.

As to financing, it is our desire to get the money from private sources instead of following the customary course at present of getting a loan from the Government. This is very difficult to do under present conditions.

However, we have made considerable progress. We have enough money available to construct the piers and part of the superstructure. We expect to be able to complete these financial arrangements by the middle of the year so that we can start construction before the year is up. This is an interstate bridge and there is no other way by which it can be built under present conditions. The bridge is much needed and you will find that the extension of time will have local public support.

Hope you will do all you can to get this out of committee on the calendar at the earliest possible date. Your courtesy in this connection will not only be appreciated by me but by many of your constituents.

Respectfully yours,

EVAN M. CHANDLER.

Z. O. BROOKS,
Goldendale, Wash., January 26, 1934.

Hon. KNUTE HILL,
House of Representatives, Washington, D.C.

DEAR MR. HILL: In connection with the bill introduced by you for the granting of an extension of time for the construction of a bridge across the Columbia River, east of The Dalles, the following is an outline of the happenings to date, and our efforts to secure the necessary clearances from the various authorities in charge.

Our original franchise was passed by Congress March 4, 1933. It was later found that this right did not include the right to cross over the Celilo Canal, which required another legislative act. This, as you may remember, was introduced by yourself in the short session, and passed in June of 1933. It was also found that, independent from these, it was necessary to make application to the War Department, the Columbia being a navigable river. Application was made; plans, maps, etc., prepared and filed; and a hearing was had before the Army

Engineers, Portland, Oreg., in May 1933. After this hearing, nothing was heard until their decision, favorable, was made October 7, 1933.

In the meantime we have gone ahead with all necessary surveying, plans, right-of-way matters, etc., in which work, designing, etc., a considerable amount of money has been spent. The design called for a bascule-type lift over the Celilo Canal, but was then found that patent rights on this type were prohibitive from a financial standpoint. Accordingly, revised plans were made, application made to the War Department to approve such change, and this was just approved this month.

These changes made necessary the obtaining of an extra few feet of right-of-way, for the swing, and revised plans were immediately prepared and filed, toward that end. Added right-of-way is also necessary from the landowners adjoining the canal. The application for added right-of-way has not been heard from as yet, and judging from the time taken in other matters, will not be settled for a month.

The foregoing will show that owing to the various changes unforeseen from time to time, we have had little opportunity to definitely complete our financing. We have been constantly working, using our own time and money, and the company so far has paid all of its obligations. The traffic survey alone took a great amount of time and effort, and the engineering, designing, alterations, plats, etc., have been carefully made, and at a considerable expense. Details are now being worked on for minute plans and specifications.

We feel sure that given a reasonable time, we can build this bridge without public funds. We have had extensive plans worked out for financing, and for steel, etc., but could not close, as always there were and still are matters to be settled with the departments, right-of-way etc. The franchise amply protects the public, no bridge has been proposed that would be shut out by this franchise for the site chosen, and the site itself is well located and will serve the traveling public in every way, located as it is at the crossing of Federal No. 97 and the Columbia Highway and Evergreen Highway.

Many efforts have been made in the past to secure a bridge at or near this site, and associations have been formed to secure action, but all failed. We have the groundwork all completed, preliminary financing through, all bills paid, and if given time will start construction work this coming summer without doubt.

Very truly yours,

Z. O. BROOKS.

DEPARTMENT OF AGRICULTURE,
Washington, January 29, 1934.

HON. SAM RAYBURN,
*Chairman Committee on Interstate and Foreign Commerce,
House of Representatives.*

DEAR MR. RAYBURN: Careful consideration has been given to the bill H.R. 7060, transmitted with your letter of January 20 with request for a report thereon and such views relative thereto as the Department might desire to communicate.

This bill would extend for 1 and 3 years, respectively, from the date of its approval, the times for commencing and completing the construction of the bridge across the Columbia River near The Dalles, Oreg., authorized by act of Congress approved March 4, 1933, to be constructed by The Dalles Bridge Co.

When the original bill to authorize The Dalles Bridge Co. to construct this bridge was pending before your committee, this Department submitted an adverse report thereon and invited the attention of the committee to the fact that the act approved February 20, 1931, authorized the construction of a bridge across the Columbia River by The Dalles city, and the times for commencing and completing the construction of such bridge by said city were extended by act approved February 14, 1933. It is the view of the Department that a private toll bridge should not be authorized at this point even though the location indicated for such bridge would be approximately 5 miles upstream from The Dalles. It is believed that any authorization granted should be confined to The Dalles city. The Department, therefore, recommends against favorable action on the pending bill.

Sincerely yours,

R. G. TUGWELL, *Acting Secretary.*

[PUBLIC—No. 431—72D CONGRESS]

[S. 5701]

AN ACT To authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States

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COLUMBIA RIVER NEAR THE DALLES, OREGON

SEC. 2. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes The Dalles Bridge Company, its successors and assigns, be and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Columbia River, at a point suitable to the interests of navigation, the bridge to be located at approximately in either section 20, 29, or 30, township 2 north, range 14 east, Willamette meridian, in the State of Oregon, and from the point of beginning on the Oregon shore of said river, thence running in a northerly direction to a suitable landing in the State of Washington and on the Washington side of said Columbia River, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this Act.

(b) There is hereby conferred upon The Dalles Bridge Company, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

(c) The said The Dalles Bridge Company, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

(d) After the completion of such bridge, as determined by the Secretary of War, either the State of Washington, the State of Oregon, any public agency or political subdivision of either of such States, 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 interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include goodwill, 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 costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

(e) If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this Act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed fifteen years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so 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 maintenance, repair, and operation of the

¹ So in original.

bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

(f) The Dalles Bridge Company, its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of Washington and Oregon, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said The Dalles Bridge Company, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War, as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this Act, subject only to review in a court of equity for fraud or gross mistake.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to The Dalles 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.

Approved, March 4, 1933.

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The first of these is the "Hidigraphical Tables for the Year 1880," which are published by the United States Government Printing Office, Washington, D.C. These tables are published annually, and contain a complete and accurate record of the weather for each day of the year. They are published in two volumes, one for the Northern Hemisphere and one for the Southern Hemisphere. The tables are published in a convenient and accessible form, and are of great value to all who are interested in the weather.

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