

## LONG BRIDGE.—HENRY ADDISON AND OTHERS.

MAY 23, 1856.—Ordered to be printed.

Mr. BELL, from the Committee for the District of Columbia, made the following

### REPORT.

*The Committee for the District of Columbia, to whom was referred the memorial of Henry Addison and others, "a committee appointed by the corporation of Georgetown, D. C., to represent the interest of that town before Congress," have had the same under consideration, and beg leave to report :*

That the said memorial, praying the removal of the present Long bridge across the Potomac river, and the construction of one over the said river above the harbor of that town, involves questions both of a national and local character, of much magnitude. This bridge was erected nearly fifty years ago, by authority of an act of Congress, and the considerations which then induced its erection have vastly increased in importance and extent. It is not only the highway of communication between the seat of government and a large portion of Virginia for travel and business, but also, at certain times, the only means for the transportation of the United States mails between the north and south. The general complaint of the memorial is, that the bridge obstructs the navigation and prosperity of Georgetown, to such an extent as to demand its removal. As this allegation rests almost exclusively upon the assumption that the bridge has caused the obstructions in the Georgetown channel, and also the flat opposite Washington city, it is specially necessary to trace the history of this channel, and also the origin of this deposite, for the purpose of ascertaining what influence the bridge has had in causing the obstructions in the one, or in the formation of the other. The other reasons assigned will also be noticed in detail.

In the year 1808, Congress passed an act authorizing the erection of a bridge over the river Potomac, within the District of Columbia. Under the authority of this act, the company incorporated by it constructed a wooden bridge with open water-ways, at the site of the present one. The time of the erection of this, the first bridge below Georgetown, being fixed by date of the act of 1808, the important question immediately presents itself, *what was the condition of the Georgetown channel above the bridge at this exact time?* Upon this point there is historical evidence of a conclusive character. In

the year 1804, the citizens of Georgetown presented a petition to Congress asking for leave to erect a dam between Mason's island and the Virginia shore at Georgetown, for the purpose of improving the navigation of the channel, and a law was passed by Congress to that effect, January 19, 1805. Upon this application a debate took place in the House of Representatives, from which the following extracts are made :

HOUSE OF REPRESENTATIVES, *November 22, 1804.*

Mr. CLAY presented a petition from sundry citizens of Georgetown, stating that the channel of the Potomac was considerably obstructed below Mason's island by a mud-bank, recently formed, which did not allow more than thirteen or fourteen feet water. A few years back, vessels of eighteen feet draught passed the same easily, &c. This petition prays Congress for leave to erect a dam between Mason's island and the Virginia shore at Georgetown, with a hope of improving their navigation, &c.

NOVEMBER 28, 1804.

Mr. NATHL. MACON. "The gentlemen in favor of this dam or causeway say it will do no harm, but where is the demonstration? On the other side, serious apprehensions are entertained of its injurious effects upon the United States navy yard, in the Eastern Branch, and its causing obstructions in the harbor of Alexandria."

DECEMBER 11, 1804.

Mr. NELSON. "It appears from the petition of the inhabitants of Georgetown, that the channel of the river, on which the salvation of that town depends, is filling up daily; that the mass of mud would soon increase to such a degree as totally to ruin the navigation to that port."

Mr. LEWIS. "Before the year 1784 the channel on the western side was so shallow that vessels only of very ordinary burden could pass, while, on the Maryland side, vessels of great draught of water could easily pass up to Georgetown. The uncommon hard winter of 1783-'4 was followed in the spring by the greatest torrents ever known in the Potomac. The bodies of ice were of immense magnitude, and many of them lodged upon the island and under the rocks of its bed, pressing with a force beyond all credibility; it tore the rocks asunder and pressed them over into the new channel, occasioning a rise of thirty or forty feet on the Georgetown shore.

"On the Virginia side the torrent also forced itself and deepened that channel, while it left a vast quantity of mud, rocks, and sand in the eastern channel, which has been constantly accumulating since that period. The situation of the present bar is at the meeting of the two arms of the river below the island, and does not permit the passage over it of vessels drawing more than twelve feet water.

"The consequence of this alteration in the bed of the river belo-

the island, has been to narrow the mouth of the Eastern Branch, but it had no effect on the harbor of Alexandria. This may serve to explain what may be the effect of opening the old channel in the way proposed; it may operate to widen the mouth of the Eastern Branch harbor, but it cannot injure Alexandria. \* \* \*

"He felt particularly solicitous for the erection of this dam, as it regards the interests of the citizens in the western parts of the States of Virginia, Maryland, Pennsylvania; for if no steps are taken to improve the navigation below Georgetown, the navigation will soon become so shallow as not to permit sea-vessels to come to Georgetown to carry off the produce by the Potomac and its improved canals."

Mr. MACON. "The gentleman from Virginia (Mr. Lewis) had narrated the history of this river, and informed us there was no impediment prior to 1784. He did not doubt the correctness of the statement; but he should have gone further and informed us what was the population on the waters of the Potomac at that time, and what it is at present, and likely hereafter to be; because if such a mud-bank was raised in the river when its banks had little or no cultivation, what was it likely to be when thickly settled? For every new farm and every additional cultivation loosened the earth, which was swept away by every fresh, and the mud-bank at the head of tide-water would proportionably increase in magnitude. Such has been the case with the Rappahannock; and if it should turn out that these rivers are in a similar situation, this trouble would be thrown away."

This speech, though delivered in 1804, exactly depicts the present condition of the river. Same debate continued:

DECEMBER 13, 1804.

Mr. DAWSON. \* \* "One thing, however, appears probable to me, that if by the erection of this dam the rapidity of the water opposite to Georgetown is increased, and thereby the sand and mud carried to a lower point and there deposited, that point may be at or near the Eastern Branch, which we have established as our navy yard, to which heavy vessels get with great difficulty, and from which they may be entirely excluded should the effect I apprehend take place. \* \* \* If we admit the right to erect a dam, we have the same to build a bridge; and if we grant the one for the accommodation of one part of the people of the District, I know not how we can refuse the other to the inhabitants of the other part."

This petition establishes the fact beyond dispute, that *the Georgetown channel was obstructed previous to the erection of the bridge*, to an extent that excited the most serious apprehensions in the minds of the citizens of Georgetown. Mr. Nelson, in the above debate, uses the following language: "It appears from the petition of the inhabitants of Georgetown, that *the channel of the river, on which the salvation of that town depends, is filling up daily; that the mass of the mud would soon increase to such a degree as totally to ruin the navigation to that port.*" Where then was the bridge? Not in existence; and yet the opinion is expressed, that this structure causes the obstructions in the Georgetown channel. The inquiry here presents itself,

What produced the condition of the channel as described in 1804 by the citizens of Georgetown themselves? The only answer which can be given is, that it was produced by natural causes; and if these causes were sufficient to cause such serious obstructions (in fact the same that now exist) in the channel in 1804, it may be well asked, Are they not still in operation, and necessarily producing similar results with greater rapidity? It is neither rational nor philosophical to ascribe to artificial causes results of which the laws of nature, attested by past observation and experience, furnish a full solution.

In confirmation of this view, there is the evidence that the Maryland channel (or, more distinctily known as the Washington one) was also obstructed, and the process of filling up gradually advancing, many years before the construction of the bridge. In the debate above cited, Mr. Lewis said:

"Before the year 1784, the channel on the *western* side was so shallow that vessels only of very ordinary burden could pass, while, on the *Maryland side*, vessels of great draught of water could easily pass up to Georgetown. The uncommon hard winter of 1783-'84 was followed in the spring by the greatest torrents ever known in the Potomac. The bodies of ice were of immense magnitude, and many of them lodged upon the island and under the rocks of its bed, pressing with a force beyond all credibility; it tore the rocks asunder, and pressed them over into the new channel, occasioning a rise of thirty or forty feet on the Georgetown shore.

"On the Virginia side the torrent also forced itself and deepened that channel, while it left a vast quantity of mud, rocks, and sand, in the *eastern channel*, which has been constantly accumulating since that period. The situation of the present bar is at the meeting of the two arms of the river below the island, and does not permit the passage over it of vessels drawing more than twelve feet water."

From this reliable history of the channels of the river, it is manifest that they have been constantly undergoing great changes from time to time, both in their *depths and courses*, leading to the formation of bars and other obstructions. In the report of Colonel Kearney, of the topographical bureau, made in 1832, the following confirmatory paragraph appears:

"From the nature of the bed of the river, yielding, as it does, under the action of a very slight force, it must be apparent that the depth and course of the channels are not very constant, and, accordingly, our own observations made upon it, united with tradition, confirm the opinion of their *extreme variableness*. It is near the middle channel that, in former days, the river had worn for itself the deepest passage. We have penetrated the alluvial deposite to a depth of *forty feet* at that place. The action of a more rapid current than that which usually flows near the city shore, and one, also, which struck it very obliquely, is evinced by the bluff shores south of the Tiber."

In connexion with this branch of the subject, it is necessary to present the history of the "flats" of the river. The formation of these deposites is generally ascribed to the bridge, and yet historical evidence and scientific examinations conclusively prove, that their existence is

due to the operation of physical causes. In the first place a chart of the river, made in 1792, plainly indicates the existence of these deposits. The petition of the citizens of Georgetown, and the debate thereon, above cited, declare the fact of their existence and the causes of their formation. Their rapid increase in the future was distinctly predicted by Mr. Macon in this same debate. Again, the bridge erected by the act of Congress of 1808 was an open bridge, and therefore presented but slight if any obstruction to the flow of the river; and yet in 1834, Congress, having determined to erect a permanent bridge, directed that the solid embankment or causeway now complained of should be constructed *because of the existence of these very flats, upon which it could be advantageously constructed.*

Whilst the traditionary and historical evidence is so full, yet the proofs drawn from the operation of physical laws, confirmed by actual explorations of the river, are still more satisfactory, and, in fact, conclusive.

The surface earthy material of a very extensive region, loosened and exposed under a greatly expanding cultivation, and borne off in vast quantities by the current waters, must seek a resting-place, a place of deposite, as soon as the currents in which it is suspended begin to slacken their speed, which they must do, when forced through a narrow gorge they suddenly expand over a wide field, flanked by eddies, and met by the reflux force of the flood-tides from below. This is a just description of the Potomac; and it would indeed present a solitary exception in the history of rivers, if these results, both as to the depths and courses of its bed and channels, did not exist. Again, the explorations of the river demonstrate the fact that these deposits have been gradually accumulating for years past, previous to any certain period which can now be ascertained and fixed. Colonel Kearney, in his report, says, "We have penetrated the alluvial deposite to a depth of forty feet." In a subsequent report by Colonel Hughes, it is stated that, "from a critical examination of the bed of the river along the line of the site proposed for a new construction, there has been found a much greater deposite than could have been supposed previous to such examination. At some points it has been ascertained, from borings made along the whole section, that the alluvial formation has increased from the original gravel-bed of the stream from *forty to sixty feet in depth.*"

On the 2d of April last a communication was laid before the Senate from the topographical bureau in relation to this very subject, (Ex. Doc. No. 52,) from which the following extract, confirmatory of previous reports, and so conclusive in its character, is taken:

"The obstructions to navigation consist, in general, of an extension of flat lying in front of the city of Washington, dividing the river into two channels, and which, from the nature of the laws controlling and fixing the regimen of rivers, must always remain, but subject to certain modifications, which artificial works or time may effect. The existence of this flat dates as far back as the existence of authentic surveys, and since 1809 has been taken advantage of to connect the Maryland and Virginia shores by means of a bridge.

"A well-known law exists in relation to all streams whose sides



and bottoms are subject to abrasion. It is, in general terms, that the depth varies inversely as the width of the stream. Keeping this law in mind, we see that in front of Washington there must necessarily exist a shoal similar to an island, having distinctly-marked channels on either side, or a general shallowness of water, admitting of no navigation whatever. This shoal or obstruction has always existed, and the more completely and perfectly it divides the river, the more distinct, well defined, and useful will be the two channels formed by it. In fact, could it be elevated into an island, subject to no overflow during high tides or freshets, its effect would be still more beneficial, for the width of stream would be further reduced and its depth correspondingly increased."

By further reference to this report (pages 2 and 3) it will be seen that the depth of the channels on both sides of the river has been increased since the erection of the causeway, and that this is due to the influence of the flats and causeway. In this view of the subject, the objection that the causeway has accelerated the formation of the flats, and precipitated the action of natural causes, more slow, but not less certain, in their final results, loses its importance. If, however, it should be deemed advisable that a different mode of improving the navigation should be adopted, and the flow of the river be left free to pass over the flats, rendering the partial or total removal of the causeway necessary, such a condition of the matter would not impair, in the slightest degree, the necessity or propriety of a suitable bridge at the present site. Beyond this, and a modification of the draws, we have seen no opinion of a reliable character adverse to the present structure, and none in favor of a change of site.

From these undeniable facts and professional opinions of the highest authority the following conclusions are inevitable: that deposits and obstructions existed in the channel of Georgetown before the erection of the bridge; that the deposits and obstructions forming in the channel are not produced by the bridge, but by natural causes; that the bridge does not cause the formation of the flats; that they have been forming in ages past, and must exist; that if it be true that the flats injure the channel, yet the removal of the bridge would not remedy the evil; that the removal of the flats, if possible, is not desirable; that the flats must be used in conjunction with artificial means to restore and preserve the channels.

The memorial sets forth two other special causes of complaint, viz: the resistance which the bridge presents to the passage of water during freshets, and the dangers and delays to which vessels are exposed when approaching and passing through its contracted draw. The first of these objections is unimportant. It is not at all strange that the wharves and warehouses in Georgetown, located near the margin of the river, should be overflowed during extraordinary freshets, in view of the narrowness of the river in front of the town and the nature of its banks. The river at Georgetown originally discharged a large portion of its volume through the very channel which was closed up by the act of 1805, passed at the instance of Georgetown itself. This causeway was swept away a few years since by the immense pressure of the water seeking its natural vent. It has been again rebuilt by

Georgetown, and the undoubted result of its construction has been to compress the stream by deflecting it from the causeway, and cause it to overflow, in times of freshets, the opposite banks. If the fact be true as alleged, it furnishes, however, no reason for the entire removal of the structure. The evil would be remedied by the substitution of open water-ways for the solid embankment.

The remaining objection is the inconvenience of the draw ; and this is certainly worthy of consideration. The general principle is correct, that navigable streams should not be obstructed ; but it has not been recognised, in the legislation of the several States, that this prohibition should extend to the highest point of tide-water. Examples of such exceptions are familiar. Even in cases where the commerce is large, and the obstructions therefore positively injurious, (of which there are numerous instances,) the use of suitable draws has been adopted and sustained by the courts of law, as a necessary compromise between conflicting interests. What are they in this particular case? Georgetown once enjoyed a flourishing commerce and business. The source of this prosperity was in the supplies of every kind which it furnished to various counties of Virginia and Maryland. This commerce is now greatly reduced, and is still diminishing. From what has this reduction of its business proceeded except that there is no longer a market for its imports? It once possessed this activity in business, notwithstanding the obstructions to its navigation, before the erection of the bridge. The loss of it is not to be ascribed to the bridge, or any cause connected with the river. The growth, capital, and enterprise of Baltimore and other places, with the facilities of rapid intercommunication by railway, have changed the channels of trade, and revolutionized the business of numerous places. In these causes is to be found the decline of Georgetown, as also of Alexandria, which once enjoyed a business and commerce even more prosperous, but lost it, even with superior advantages, and is now seeking to regain her former trade by the same means by which she principally lost it. Washington city was for many years a purchaser from Georgetown, but now sells largely to it. It is manifest that if any commercial emporium can be built up nearer than Baltimore, Alexandria, with the advantages of her navigation, her railway connexions, and widely-expanding markets, must hold pre-eminence over Georgetown and Washington.

Admit, however, that Georgetown could recover and increase her former business, is not the inconvenience of a draw of proper width, suitable construction, with prompt attention, far less than the injury which the removal of the bridge would inflict upon the public generally? The necessity of the bridge was felt as early as 1804, and it was authorized in 1808, after much debate and special reports in both houses of Congress. In 1832 it came into possession of the government by purchase, and then Congress determined to erect, and did erect, what was intended to be a permanent structure. With this view, it called for and received from the Topographical Bureau elaborate reports in relation to the subject in all its relations. There have been, also, subsequent reports from the same source, and from one of these the following extract is taken :

"REPORT OF COL. KEARNEY TO THE DISTRICT COMMITTEE OF THE SENATE.

" *Memorandum on the selection of a site for a bridge across the Potomac river, in the District of Columbia, above the site of the present Long bridge.*

"There is no doubt that the piers of the Potomac aqueduct, at Georgetown, are capable of sustaining the additional weight of a bridge; but it is questionable whether the causeway of earth at its southern end is equally capable of doing so, and it is also questionable whether the erection of a bridge over that portion of the aqueduct would not interfere with the navigation of the canal.

"Another objection to the erection of a bridge over the aqueduct is, that it would prevent free access to the truss-work of the aqueduct for repairs, &c.; and also that the jar caused by the travel on the bridge might be injurious to the trunk of the aqueduct. There is really no good and eligible site for a bridge between the aqueduct and the present Long bridge, which is on the shortest line between the city post office and Alexandria, and is the main mail-route south; neither Georgetown, nor Washington, nor the mail-service, would be benefited by an extension of New York avenue across the river, as has been proposed; nor is there any eligible site for a bridge above the aqueduct, excepting the rocks known as the 'Sisters,' and that is doubtful, until you come to the site of the bridge recently swept away at the Little Falls. At this point a bridge can be built, perfectly secure against freshets, by extending it across the entire valley of the river, and avoiding the inclined planes of the former bridge.

"The distance from the Georgetown post office to the northern boundary of Alexandria, crossing the river at the 'Sisters,' is eight miles one hundred and fifty-three yards; whilst the distance between the same points, crossing the river by the Long bridge, is but seven miles two hundred and twenty-six yards.

"The distance from the city post office, through Georgetown, and crossing the river at the 'Sisters,' and thence to the northern boundary of Alexandria, is ten and one-half miles; whilst the distance between the same points, crossing the river by the Long bridge, is but five and three-quarter miles. The length of a railway to cross the river at the 'Sisters,' in consequence of the nature of the ground it would have to pass over, would greatly exceed that by the Long bridge."

The extract from the report of Col. Kearney shows that the distance between the post office in Washington and the northern boundary in Alexandria, by the way of the Long bridge, is *but five and three-quarter miles*; whilst that between the same places by Georgetown, across the "Three Sisters," is *ten and a half miles*. It also suggests that any site for a bridge above Georgetown is of doubtful propriety until you reach the Little Falls, where the government is reconstructing one, as the most suitable site, for the benefit of that town. By this latter bridge, the above distance between Washington and Alexandria would be increased several miles. Admit, however, the entire feasibility of a bridge over the aqueduct, the distance will be but slightly diminished



below that by the way of the "Sisters." The city of Washington draws a large portion of its market supplies of fuel and produce from certain counties in Virginia; and to this increased distance, and therefore greater expense, must the entire travel and traffic between it and these places, as also Alexandria, be subjected, if the Long bridge be removed. The interruption of travel over this bridge, by its partial destruction some years ago, largely increased, as we are credibly informed, the price of living in the city of Washington.

The report of Colonel Abert, made in 1852, discussing the propriety of changing the site of the present Long bridge, speaks of its great national importance, as forming a most important link in the chain of communication between the North and South, and one which cannot be well supplied but by the government. It proceeds to say:

"When, in 1832-3, General Jackson and his legal advisers had this subject of a bridge before them, the object of which was to supply a link which was wanting to unite an interrupted chain of communication between the North and South, they wisely deemed it the policy of the government in supplying that want to fill the breach with a permanent work, which should accomplish its purposes for all time without interruption. They thought also that it was due to the character of the government and of the nation that so important a work should have a stability and permanency indicative of confidence in the permanency of our institutions.

"If the views which governed them were entitled to consideration at that time, they are eminently so at this moment, when we have so much more reason than we have ever had before for undoubting confidence in the stability of the Union and the permanency of the constitution. Moreover, the reasons which justified the erection of a solid structure at that period have received a vast accession of force in consequence of the great and increasing extension of our system of railroads and of railway transportation—a system which at that time was barely awakening to existence, and of the importance and prospective magnitude of which we had not at that time begun to entertain a thought. This is a most important link in that system, and one which cannot well be supplied but by the government.

"It is not a sensible objection, that the time to be saved in taking the shortest of all the lines proposed is a matter of but little consequence, and insignificant in comparison with its enhanced cost, if executed upon the scale proposed by General Jackson. This objection might have some weight if the question concerned the mail communication between Washington and Alexandria alone. But this is but a very small part only of the mail route between the State of Maine and New Orleans; and the same principle of economizing time and distance, or of treating these as of little importance over all that great distance, would have a very appreciable influence upon the time to be occupied in traversing it. It is clear that any material departure from the present locality of the bridge—the crossing of the river at a point higher up the stream—must be more or less to the prejudice of the public generally, and a sacrifice of the general to a local interest."

It is quite certain that the distance and difficulties of a railroad route from the Baltimore and Ohio railroad depot, by the way of George-

town, with the expense of its construction, preclude the use of this or any other point above Georgetown for such purposes; and that with the removal of the Long bridge the vastly increasing trade and travel, both local and national, between the two shores of the Potomac, must be subjected to the inconvenience, expense, and delay of river navigation, as a choice of evils, over any route by the way of Georgetown.

If the positions, then, have been clearly established, that a suitable bridge is proper and necessary, both for national and local objects at the present site, and that the draw is the only inconvenience which it imposes upon Georgetown, ought this structure to be removed? In the opinion of Chief Justice Taney, delivered in the case of the State of Pennsylvania *vs.* the Wheeling Bridge and others, the following considerations, strikingly applicable to the present case, are presented:

“It is sufficient to say that, in all questions of this kind, the general convenience and interest of the public in the travel and trade *across the river, as well as on its waters*, must be taken into consideration. The cases in the State courts, and in the circuit courts of the United States, referred to in the argument, which I shall not stop here to examine, in my opinion maintain this doctrine; and upon principle independently of adjudications, it cannot be otherwise. A structure which promotes the convenience of the public cannot be a nuisance to it; and the public whose interests are to be looked to in this case is not the public of any particular town, or district of country, or State or States, but the great public of the whole Union.”

Upon such reasons, in the opinion of your committee, ought this case to be decided.

There is one other view of this subject worthy of great consideration. *The faith of the government has been plighted to permit a bridge at the present site of the Long bridge.* The first act authorizing a bridge was passed February 10, 1808, after a very full discussion, and on the 21st of April, 1808, Congress passed an act for the establishment of a turnpike in the county of Alexandria. This road extended from the town of Alexandria to the foot of the Long bridge. It was built at private expense, at a cost of \$25,000. On the 20th of April, 1810, Congress passed an act for the construction of the Columbia turnpike road from the point near the foot of the Long bridge, running, in connexion with other roads, to Fairfax and other places in Virginia. This road was also constructed by private subscriptions of stock to the amount of \$25,000. Both of these companies were to be reimbursed by the collection of tolls. These acts show that Congress at a very early period in the history of the city authorized a bridge at the present site as necessary and proper; that it encouraged the construction of costly roads leading to it at private expense, and with the just conviction on the part of the subscribers to these roads that the bridge would be permanent. It is also not less true, that the occupancy and improvement of lands in the neighboring counties of Virginia have been induced by the facilities of communication with Washington city through these turnpikes and the bridge; and that in general, the existence of this structure has encouraged and directed the investments of private capital both in Washington and Virginia. It is now proposed that Congress shall impair the value of some of these

interests, and utterly destroy others. The obligation of the government is, however, far stronger than this view presents. On the 14th of July, 1832, Congress passed an act providing for the purchase by the United States of the rights of the Washington Bridge Company in the District of Columbia, and for the erection of a public bridge on the site thereof. The charter of the bridge company was to continue for sixty years from the day of its completion, and there yet remain from 12 to 14 years of that term. Is it just that the government should buy out any portion of this unexpired term, and, before its full determination, destroy it entirely? The bridge company neither surrendered nor forfeited its charter. The act of sale and purchase was a transfer of obligations as well as rights.

It is not a sufficient answer to say, that by the terms of the charter the bridge would have become the property of the United States at the expiration of the sixty years; and equally untenable is the ground that the government, having paid a consideration for it, rebuilt and made it free, is now justified in its removal. The public had ample security under the charter that the bridge would be kept up by the company in proper repair, for upon such default the corporation was liable to a penalty of \$500, and also specially in damages to any one injured thereby. If out of repair for two years, so as to be unsafe for travelling, then the charter became absolutely forfeited. Admit that the company professed to be unable to repair it, and seemed disposed to abandon their charter; is it reasonable to suppose that the owners of the turnpike roads and the citizens of Alexandria and Washington would have permitted the bridge to have passed into the hands of the government for the sum of \$20,000, if such an act as is now proposed could have been deemed possible? The very terms of the act for the purchase of the bridge, its reconstruction, and declaring it free, constituted a positive declaration of its future permanency, and the subsequent action of Congress confirms this view. The 2d section of the act of 1832, "the act of purchase," authorizes the "President to cause to be erected *upon the site of the present bridge a good and sufficient bridge across the Potomac river*, of such materials and upon such plan of construction as he shall approve and direct;" and then follow various provisions for the preservation of the navigation of the river. To carry out this law careful surveys were made, and elaborate reports presented to Congress. On the 2d of March, 1833, Congress appropriated \$200,000 for a bridge, again declaring that it should be built *on or adjoining the site of the old bridge*. By subsequent acts, in 1834 and 1835, Congress directed the flats and shoals to be filled up by a solid embankment, or what is known as the causeway, clearly indicative of the intended permanency of the structure. Congress has made repeated appropriations subsequently for the repair of the bridge, and annually since for its incidental expenses. Stopping, however, with the legislation in 1835, when the bridge was completed, could the faith of government, in the absence of words of express perpetuity, be more unequivocally pledged that a bridge should be maintained at the present site? No objections are now presented which were then not weighed, whilst, on the other hand, considerations not then suggested, of an overruling character, now present themselves.

In conclusion, it is undeniable that Georgetown itself regarded the act of July 14, 1832, as a final settlement of the question of the permanency or removal of the bridge, and that it sought and received from Congress the sum of \$150,000 as a just equivalent or compensation. On the 2d January, 1833, following the date of the act of July 14, 1832, for the purchase of the bridge, the *authorities of Georgetown presented a memorial to Congress praying an appropriation for removing of obstructions in the river, and making free the road to the bridge over the Little Falls.* In this memorial (Doc. No. 32, House of Reps., 22d Congress 2d session, Ex. Docs., vol. 1) they say: "Without at all complaining that Congress has appropriated money to erect a new bridge and make it free of tolls—for since it is considered necessary that a bridge must be erected there, "at the site of the Long bridge," no doubt it ought to be free of tolls—your memorialists must nevertheless take leave respectfully to invite the attention of your honorable body to the fact that a free bridge must unavoidably deprive them of their remaining trade with the neighboring counties of Virginia, unless *corresponding facilities* are afforded for reaching Georgetown; since none will choose to pay a toll across the river when it can be crossed free of toll." *They then ask for the sum of \$150,000 for the objects set forth in the memorial, viz: to improve the navigation of the Potomac river between Georgetown and Alexandria, for the making free the bridge over the Little Falls and the road leading to it.*

On the 2d day of March, 1833, Congress passed an act in relation to the Potomac bridge, giving \$200,000 for its construction. *On the same day it passed, in compliance with the prayer of the above memorial, an act to improve the navigation of the Potomac river, between Georgetown and Alexandria, and for the other purposes above named. The law recites the same objects as the memorial.*

Are not these facts conclusive to show that Congress, Washington, and Georgetown all regarded the bridge question as settled?

In presenting these views, this committee will take occasion to remark, that it disclaims all party or local prejudice, and shall at all times be ready to promote, through proper measures of Congress, the substantial interests of every portion of the District, but at no time will it lend its co-operation in any effort to sacrifice the general good to interests merely local.

The committee therefore respectfully recommend that the prayer of the memorial be not granted.

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#### REFERENCES.

*Peters' edition of the United States Statutes at Large.*

Vol. 2, page 310.—An act authorizing the corporation of Georgetown to make a dam or causeway from Mason's island to the western shore of the river Potomac. Approved January 19, 1805.

Vol. 2, page 457.—Charter of the Potomac Bridge Company. Approved February 5, 1808.

Vol. 4, page 582.—An act providing for the purchase by the United States of the rights of the Washington Bridge Company in the District of Columbia, and for the erection of a public bridge on the site thereof. Approved July 14, 1832.

Vol. 4, page 646.—An act in relation to the Potomac bridge. It appropriates \$200,000. Approved March 2, 1833.

Vol. 4, page 646.—An act to improve the navigation of the Potomac river between Georgetown and Alexandria. It appropriates \$150,000 for the above purpose and for the making free the bridge over the Little Falls and the road leading to it. Approved March 2, 1833.

Vol. 4, page 727.—An act in relation to the Long bridge. It authorizes the causeway over the flats. Approved June 30, 1834.

Vol. 4, page 773.—An act to amend an act in relation to the Long bridge. It extends the causeway over the swash channel. Approved March 3, 1835.

Vol. 2, page 485.—An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia. Approved April 21, 1808.

Vol. 2, page 570.—An act to incorporate a company for making certain turnpike roads in the District of Columbia. Approved April 20, 1810.

*American State Papers.*

Vol. 1, miscellaneous, No. 191.—Report of House committee in favor of the construction of a bridge at the present site.

Same, No. 200.—Report of Senate committee to the same effect.

*Congressional.*

Doc. No. 22, House of Reps., 22d Congress 2d session, (Ex. Docs., vol. 1.)—Report of James Kearney, Lt. Col. T. E. December 28, 1832.

Same vol., Doc. No. 32.—Memorial of the authorities of Georgetown. January 2, 1833.

Report of Colonel Hughes. 1834.

32d Congress, 1st session, Senate, Miss. No. 107.—Report of J. J. Abert in relation to the construction of a bridge across the Potomac river. May 18, 1852.

34th Congress, 1st session, Senate, Ex. Doc. No. 52.—Report of the Secretary of War, communicating, in compliance with a resolution of the Senate, information respecting obstructions to the navigation of the Potomac river, and the expediency of measures for removing the same. March 31, 1856.







