
BRIDGE OR VIADUCT, DAUPHIN ISLANDS

JUNE 7, 1912.—Ordered to be printed.

Mr. MARTIN of Virginia, from the Committee on Commerce, submitted the following

REPORT.

[To accompany H. R. 23799.]

The Committee on Commerce, to whom was referred the bill (H. R. 23799) to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge, or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands, having considered the same, report thereon with a recommendation that it pass without amendment.

The bill has the approval of the Department of War, as will appear by the following copy of House report which contains a communication from the Secretary favoring passage of the same with certain amendments, which have been made:

(House Report No. 744, Sixty-second Congress, second session.)

The Committee on Interstate and Foreign Commerce, to whom was referred H. R. 23799, having considered the same, report thereon with amendment, and as so amended recommend that it pass.

The bill as amended has the approval of the War Department, as will appear by the letter attached and which is made a part of this report.

Amend the bill as follows:

Page 1, line 3, strike out the word "six" and insert in lieu thereof the word "one."
Strike out section 6 and insert in lieu thereof the following:

"That the Dauphin Island Railway and Harbor Company, a corporation existing under the laws of the State of Alabama, be, and it is hereby, authorized to construct, maintain, and operate a bridge or bridges, and approaches thereto, between the mainland at a point suitable to the interests of navigation at or near Cedar Point and Dauphin Island, both Little and Big, situated in Mobile County, State of Alabama, in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March twenty-third, nineteen hundred and six: *Provided*, That the authority hereby granted shall be considered as withdrawn and deemed to be revoked if the said bridge or bridges and approaches thereto be not constructed and put in operation by or before the eighteenth day of September, nineteen hundred and sixteen."

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[Second indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, May 14, 1912.

1. Respectfully returned to the Secretary of War.

2. By an act approved June 25, 1910, Congress made two distinct grants to the Dauphin Island Railway & Harbor Co., as follows:

(a) By section 1 the company is authorized to construct a bridge or bridges across the waterway between Cedar Point and Dauphin Island, in accordance with the provisions of the general bridge act of March 23, 1906. By the terms of the act it is provided that the right to build the bridge or bridges shall cease if actual construction be not begun within one year and be completed within three years from date of approval of the act.

(b) By sections 2 and 3 consent is given to the execution of certain work of harbor development and improvement, including the construction of docks and wharves and the dredging of channels; and section 6 provides that this consent shall be considered as withdrawn and revoked if actual construction of said work be not commenced within two years and completed within five years from the date of approval of the act.

3. It will be seen from the foregoing that the time fixed for commencing construction of the bridge or bridges authorized by section 1 of the act expired June 25, 1911, and that the time fixed for completion will expire June 25, 1913.

4. The object of the accompanying bill, H. R. 23799, is understood to be to so amend the original act as to extend the time for constructing the authorized bridge or bridges to September 18, 1916, a period of a little more than three years. While this extension is somewhat longer than is usually granted in such cases, I am aware of no objection to it from the standpoint of navigation interests.

5. If, however, the act is amended as proposed in the bill, the result will be not only to extend the time for constructing the bridges but to wholly remove the time limit fixed by the act for the construction of the work of harbor development. This was probably not intended by the proponents of the measure, but if it was, the proposition is objectionable, and I recommend that it be not given favorable consideration by Congress. Under the terms of the act, the company has until June 25, 1912, to begin this work, and until June 25, 1915, to complete it, and there is no apparent reason why this provision should be changed at the present time.

6. To accomplish what I understand to be the purpose of the bill, to wit, an extension of the time for constructing the bridges, I have indicated certain amendments thereon in red, and if thus amended I am of the opinion that the passage of the bill will not be hurtful to the interests of navigation.

W. H. BIXBY,
Chief of Engineers, United States Army.

[Third indorsement.]

WAR DEPARTMENT, May 16, 1912.

Respectfully returned to the chairman Committee on Interstate and Foreign Commerce, House of Representatives, inviting attention to the foregoing report of the Chief of Engineers, United States Army, and to the accompanying copy of amended bill referred to.

ROBERT SHAW OLIVER,
Assistant Secretary of War.

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