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THE HISTORY OF THE PROJECT TO BRIDGE  
THE CHESAPEAKE BAY

presented to

BETA CHAPTER OF MARYLAND  
of the  
TAU BETA PI ASSOCIATION

University of Maryland

by

Robert C. Horne

April 28, 1930

## FOREWORD

The object of this paper is to present the facts which are prominent and important in the history of the development of the project to bridge the Chesapeake Bay. The greater part of the information was obtained by interviewing prominent men interested in or opposed to having the Eastern and Western Shores of Maryland physically connected. All passages are original except as otherwise indicated. Difficulty was encountered in obtaining a great deal of this information because of the reluctance on the part of those who had information to discuss the subject during the investigation of the Governor's Committee.



## SUMMARY OF THESIS

For a great number of years men of vision have dreamed of some bridge link uniting the Eastern and Western Shores of Maryland. In 1908 the

MERCHANTS AND MANUFACTURERS ASSOCIATION appointed a committee to study such a project. In 1918

GOVERNOR HARRINGTON appointed a committee of prominent men to consider the proposition. In 1926 the

CHESAPEAKE BAY BRIDGE COMPANY was organized for the purpose of building a toll bridge from the Patapsco River Neck to Hart Island to Miller's Island and thence across the six and one-half miles of bay to Kent Island and the Eastern Shore. Finally, after obtaining permits to build the bridge from the Maryland State Legislature, the U. S. Congress, the War Department, and the State Roads Commission, the project has failed to materialize because of lack of financial backing. About the same time (in 1927) the

CHESAPEAKE TUNNEL AND BRIDGE COMPANY was chartered for the purpose of building a combination bridge and tunnel. This company failed to get permits, so in 1928 changed their charter to permit the operation of ferries.

A COMMISSION TO STUDY THE CHESAPEAKE BAY BRIDGE PROJECT was appointed March 18, 1930 by Governor Ritchie.

Upon the report of this committee will probably rest the decision of whether or not the bridge project will be aided by the State.



## THE HISTORY OF THE PROJECT TO BRIDGE THE CHESAPEAKE BAY

Maryland, probably the richest of all the States in natural resources, is physically divided into two parts by the waters of the Chesapeake Bay. The Eastern Shore which is primarily an agricultural district is shipping the products of its fertile soil to markets outside the State, while Baltimore which is ideally located to serve them is losing their business because, possibly, of the lack of physical connection across the Bay. Observing this condition growing worse because of the advent of fast motor-truck transportation, business men of Baltimore have proposed a bridge across the Bay.

### PRESENT FACILITIES BETWEEN THE EASTERN AND THE WESTERN SHORES

To travel by land from the Eastern Shore to Baltimore, it is necessary to proceed north to Elkton and thence south across the bridge at the Susquehanna River at Havre de Grace--this being a wide and consequently expensive detour.

There are three regular ferries crossing the Bay in the vicinity of Baltimore and Annapolis.

The Tolchester Beach Ferry operates an average of three round trips per day between Baltimore and Tolchester Beach.

The Annapolis-Claiborne Ferry operates five round trips per day between Annapolis and Claiborne, each passage taking about one and one-half hours; and they operate a ferry

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1. See attached State Road Map.

every hour to Kent Island from Annapolis.<sup>2</sup>

In addition to the ferry lines there is a general steamboat service between points of importance on navigable waters of the Eastern Shore and Baltimore. This service is conducted by the Baltimore, Chesapeake and Atlantic Railroad Co. which employs eighteen boats in its service on each side of the Bay.

In addition to the regular steamboat and ferry service, there is a large fleet of small boats carrying freight, mostly produce and sea foods, from the Eastern Shore to Baltimore estimated to carry approximately 200,000 tons during the year.

#### INDUSTRY

The counties of the Eastern Shore are particularly noted for agricultural productivity, in the northerly counties grain and dairy products are the most important, in the middle section fruits and berries predominate and in the southern section the most important products are white potatoes, sweet potatoes, corn, onions and strawberries.

The Eastern Shore does about 20% of the dairy business of the entire state, as the farm land of this section is particularly well adapted to the production of dairy products.

The Eastern Shore is the greatest fish and oyster region of the Eastern United States and ships great quantities

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2. This service to be inaugurated June 15, 1930.



of sea foods.

It is estimated that the railroads on the Eastern Shore carry annually eight hundred thousand tons of freight. A very small percentage of this tonnage originates in or is destined for Baltimore.

Baltimore ranks in the first six cities of the United States as an industrial center. It is the greatest canning center and has large steel mills and clothing factories. Located favorably on the Bay it has developed into a large shipping center. There is no doubt that Baltimore is well located to do business with the Eastern Shore.

#### HISTORY

About twenty-five years ago, an engineer, while working under contract with the United States Government placing fortifications at Fort Henry conceived the idea of a bridge across the Chesapeake Bay connecting the eastern and the western shores. This man was Mr. W. Roscoe Bonsal. Mr. Bonsal was a native of Baltimore and knew the benefit that Baltimore would derive from a physical connection with the shore, but he did nothing then to realize his vision. Since that time it has been one of his plans to build such a bridge and now he is prominently connected with a project as the president of the Chesapeake Bay Bridge Company.

Several years later in the Spring of 1908 Mr. W. A. Weatherly, a member of the Merchants and Manufacturers Association of Baltimore, placed before that body a "scheme to



make Baltimore one of the greatest seaboard cities of the East." His plans were:

Five improvements that would double the trade of Baltimore.

1. A bridge across the Chesapeake Bay, giving Baltimore direct communication by rail with the Eastern Shore.
2. A canal across the Eastern Shore reducing Baltimore's distance from the Atlantic by 180 miles.
3. A trunk line of railroad via the Western Maryland and the Wabash systems to San Francisco.
4. A thirty-five foot ship channel from deep water in the bay to the city docks.
5. A new system of docks owned by the city.

The Association recognized the great value these five projects would have in raising Baltimore to a position of greater importance. They took positive action to foster each of these plans and succeeded in accomplishing the last two in a few years.

The bridge scheme seemed to be of such great importance that a special committee was appointed to investigate the matter. Mr. Frank N. Hoen acted as chairman and the committee submitted its report for publication in the January-February number of the Merchants and Manufacturers Bulletin for 1909. The report stated "the plan has been submitted to leading engineers whose opinion points out its practicallity. If a complete survey demonstrates this fact, we are told it can be financed." The engineer's report to the committee



alization of a bridge was made until:

THE CHESAPEAKE BAY BRIDGE CO. was incorporated on November 22, 1926 by Robert France, Charles B. Hoffman, and Charles R. Wharton Smith. The purposes for which this corporation was formed, the business and objects to be carried on and promoted by it are--

"To construct or cause to be constructed a bridge across the waters of the Chesapeake Bay connecting the Eastern and Western Shores of said Bay; and when constructed to maintain, operate and control said bridge as a toll bridge for foot and vehicular traffic of every kind, and to fix, demand and receive the tolls to be charged for the use of said bridge for such purposes or for any purposes whatsoever, and to collect all revenues resulting therefrom."<sup>5</sup>

This company was organized and financed by Mr. W. Roscoe Bonsal who had conceived the idea twenty-one years before. The board of Directors, all of whom are prominent men in Baltimore interested in building the bridge are: J. J. Melligan, President of Safe Deposit Co.; W. J. Baker, of Baker, Watts and Co., Bankers; A. H. S. Post, President of Mercantile Trust Co.; S. Bonsul Brooks, of Sanford and Brooks, Engineers; Merion Harjis, Snow Hill, Md.; and Steward S. Janney, Attorney.

Immediately negotiations with financiers and engineers in New York and Chicago were opened by the company for



financial and engineering assistance. Ford, Bacon and Davis Co., New York; Coverdale and Colpetts Co., New York; and J. E. Greiner and Co. of Baltimore, Consulting Engineers, were engaged to make traffic surveys. Mr. James L. Parker, Engineer and Designer, was engaged to design the bridge.

It was necessary to obtain permission of the Maryland State Legislature, U.S. Congress, War Department, and the State Roads Commission to build the bridge. Permission of the U. S. Congress was obtained by acts approved on February 15, 1927, April 10, 1920, and June 21, 1929.<sup>6</sup>

The Maryland Legislature gave permission in an act passed in February, 1927.<sup>6</sup>

The War Department would not permit the construction of the bridge below the mouth of the Patapsco River because of the hinderence of traffic to Baltimore; and furthermore the department would not allow the bridge to be constructed at its proposed position from Miller's Island to Kent Island because the shells from the Army proving grounds at Aberdeen fall into the Bay at that point. General Clarence Williams, Chief of Ordinance, a public-spirited officer, arranged with the Navy Department to test the guns on the Navy proving grounds. Thus the objections of the War Department were removed.

At the public hearing the shipping companies backed by Philadelphia protested on the grounds the drawbridges were not adequate. The design was altered and the permit to

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6. Copies attached.



build the bridge was given by T. T. Davison, acting Secretary of War, on July 26, 1928.

Subsequently the State Roads Commission gave their approval. Immediately the Chesapeake Bay Bridge Co. drove several piles to satisfy the legal requirements that the construction be started with two years after the Act of Congress authorizing the building of the bridge.

In the session of the 1929 Legislature, at Governor Ritchie's suggestion, a subsidy of \$70,000 was authorized for the fiscal year 1931 in the event the company showed a deficit to that extent. At the same time an appropriation of \$450,000 for the building of approaches to the bridge was authorized, provided the bonds were not issued before February 15, 1930.

Bids were opened and twenty bids ranging up from \$10,000,000 were received. Actual construction was about to begin when the stock market crashed (Fall of 1929) causing the financial backers<sup>7</sup> to withdraw because of the slow movement of the stock and bond market and the high rates on call money.

The Chesapeake Bay Bridge Co. is now unable to secure financial support and has become inactive awaiting the report of Governor Ritchie's Special Committee.

THE CHESAPEAKE TUNNEL AND BRIDGE CO. was incorporated on February 17, 1927 by Clarence Soper, Eugene A. West, and Nowell P. Chapman. The purposes for which the corporation

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7. Names not disclosed.



was formed are:

"To construct, build, maintain and operate a combination bridge and tunnel across and under the waters of the Chesapeake Bay in the State of Maryland, connecting the eastern and western shores thereof; and to maintain, operate and control a combination toll bridge and tunnel for freight and passenger traffic."<sup>8</sup>

The Legislature failed to pass a bill<sup>9</sup> introduced on February 22, 1927 to allow this company to construct a combination bridge and tunnel.

On April 12, 1928 the Chesapeake Tunnel and Bridge Co. altered its charter to permit the construction and operation of a ferry from Anne Arundel County to Kent Island.<sup>10</sup>

This company has not made any plans to do as they are authorized to in their charter. No stock has ever been issued and the Board of Directors are the three incorporators.

#### THE BRIDGE

The bridge proposed by the Chesapeake Bay Bridge Co. is a series of steel trusses supported on concrete piers. The approach<sup>is</sup> over the North Point Road, down the Patapsco River Neck,<sup>over</sup> a short trussel to Hart Island where the road is on top of an embankment, across another trussel to Miller Island where also the road is raised, thence to the bridge proper. The total length of the project is 36,000 feet of

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8. Book 70 Folio 260 State Tax Commission.

9. Bill attached.

10. Book 80 Folio 195 State Tax Commission.



which 33,100 feet are the bridge proper. The bridge is designed with 122 spans, 115 spans 250 feet long, 2 spans 440 feet long, 2 spans 840 feet long, 1 span 680 feet long and a short approach span at each end. The 250 foot spans are Inclined Chord Pratt Trusses having 10 panels and being 37 feet high. The depth of the water is between 15 and 20 feet except at the channels where it is about 50 feet. The east and west channels are each spanned by a vertical lift Draw Bridge of 440 feet in length, providing 140 feet clearance above the surface of the water. The roadway is 20 feet wide providing ample room for a lane of traffic in each direction. The bridge was designed by Mr. James L. Parker of Charleston, S. C. and will cost about \$10,000,000.

#### COMMITTEES

THE BALTIMORE ASSOCIATION OF COMMERCE CHESAPEAKE BAY BRIDGE COMMITTEE which was appointed over a year ago consists of Donald Symington, Chairman; J. S. Wilson, Jr.; Bernard L. Crozier; Louis S. Hutzler; Walter A. Frey; Harry F. White; William F. Schluderberg; and John M. Nelson, Jr. The object of this committee is to keep in touch with the activities of the bridge companies and to render any service possible.

GOVERNOR RICHIE'S COMMISSION ON THE BAY BRIDGE was appointed on March 18, 1930.

"The province of the commission will not be restricted, the Governor said in making the announcement, and its study and report on the \$10,000,000



project is to include the entire subject of transportation between the Eastern and Western shores.

"The commission will be asked to recommend the plan or plans which should be undertaken and carried out by the State in cooperation with private capital, by the State alone in the event capital withdraws, and to suggest the best and soundest method of State aid or State financing."

The commission is to study the entire matter of transportation between the Eastern and Western Shores of the Bay by bridge, ferries, and roadways, taking into consideration convenience, rapidity, future demands, cost, and all other factors.

Different sections of the State have different viewpoints with regard to the proposed bridge. This is because trade and traffic needs and conditions are different in the various localities. For this reason every locality is represented on the commission which is composed of:

Mr. Griswold, of Alexander Brown and Sons, Bankers.

Donald Symington, president of the Baltimore Trust Co.

Frederick A. Dolfeld, president of the Canton National Bank.

James H. Preston, former Mayor and president of the Port Development Commission.

William G. Baker, Jr., of Baker, Watts and Co., bankers.

Randolph Barton, Jr., attorney.

William Lee Rawls, attorney and president of the School Board.

Cleveland R. Bealmear, president of the Real Estate Board.

Edgar Allan Poe, former Attorney-General of Maryland.

Emerson C. Harrington, of Cambridge, former Governor of Maryland.

S. Scott Beck, of Cambridge, State Senator from Kent county and president of the Chestertown Bank of Maryland.

W. Mason Shehan, of Easton, attorney.

James M. Crockett, Pocomoke City, State Senator from Worcester county.

W. B. Copper, of Chestertown, president of the Third National Bank of Chestertown and former State Senator from Kent County.

J. Frank Harper, Centreville, member of the Public Service Commission and former State Senator from Queen Anne's county.

L. M. Milbourne, of Marion, president of the Bank of Marion, former State Senator from Somerset county, former Deputy Collector of Internal Revenue and former State Auditor.

Hooper S. Miles, of Salisbury, president of the Salisbury-Wicomico Chamber of Commerce and president of the Eastern Shore Trust Company at Salisbury.

Dr. Winder W. Goldsborough, of Greensboro, Carolina county.

G. Clinton Uhl, Cumberland, Allegany county.

John K. Shaw, Eccleston, Baltimore county.

Howard Bruce, Elkridge, Howard county.

W. Preston Lane, Jr., of Hagerstown, chairman of the executive committee of Hagerstown Banking and Trust Co., and attorney.



Walter J. Mitchell, of La Plata, State Senator from Charles county and president of the Eastern Shore Trust Co. at La Plata.

The job of the commission is a tremendous one. First, it must decide if there is a economic demand for the bridge and if the bridge will be of sufficient value to justify its cost; and secondly, it must decide how the bridge is to be financed, by private capital and state aid with tolls, by the State with reimbursement thru tolls, or by the State as a free bridge.

A difference of opinion on the first question is clearly shown by Ex-governor Harrington speaking before the commission.

"Some have advocated the bridge on the ground that Baltimore then would become the market for our crops. I fear this opinion shows a great lack of knowledge of trade conditions. The Eastern Shore products are not being kept away from Baltimore either by means of cost or transportation, for as a matter of fact, we have by water the cheapest transportation facilities available, but Eastern Shore shippers do what all other producers do--ship to the best market."

Assume the bridge is to be built. How should it be financed? A State-built bridge without tolls would kill the ferries and transportation companies, both freight and passenger, operating on the Bay.

It is possible that no very large proportion of the business of the Eastern Shore will ever be brought to Baltimore but certainly with a direct highway route the door of opportunity, heretofore closed, will be opened wide. And, for those who look ahead into the future of the State, the bridge will surely open up potentialities in trade and social intercourse between the Eastern and Western Shores.



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Mr. H. H. Allen.
5. The Chesapeake Bay Bridge Co.  
Mr. W. Roscoe Bonsal, President.
6. The Chesapeake Tunnel and Bridge Co.  
Mr. Clarence Soper.
7. Baltimore Association of Commerce (formerly Merchants and Manufacturers Association)  
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12. The J. G. White Engineering Co. of New York City.



IN THE SENATE OF THE UNITED STATES

JUNE 17, 1929

Mr. TYDINGS introduced the following bill; which was read twice and referred to the Committee on Commerce

JUNE 17, 1929

Reported by Mr. SHEPPARD, without amendment; considered, read the third time, and passed

A BILL

To extend the time for the construction of the bridge across the Chesapeake Bay.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 That the times for commencing and completing the construc-  
4 tion of a bridge authorized by Act of Congress approved  
5 February 15, 1927, to be built by the Chesapeake Bay  
6 Bridge Company, a corporation, across the Chesapeake Bay  
7 are hereby extended one and three years, respectively, from  
8 the date of approval hereof.

9 SEC. 2. That the right to alter, amend, or repeal this  
10 Act is hereby expressly reserved.

*Approved by President June 21/29*

## A BILL

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By Mr. TYDINGS

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Read twice and referred to the Committee on  
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JUNE 17, 1929

Reported by Mr. Tydings, without amendment; considered, read the third  
time, and passed

71st Congress  
1st Session

S. 1535



[PUBLIC—No. 623—69TH CONGRESS]

[S. 4553]

An Act Granting the consent of Congress to the Chesapeake Bay Bridge Company 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.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the said Chesapeake Bay Bridge Company, a corporation organized and existing under the laws of the State of Maryland, 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 3 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 tolls 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 said 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 said 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.

Approved, February 15, 1927.



[PUBLIC—No. 250—70TH CONGRESS]

[S. 1498]

An Act To extend the time for the construction of a bridge across the Chesapeake Bay, and to fix the location of said bridge.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge authorized by Act of Congress approved February 15, 1927, to be built by the Chesapeake Bay Bridge Company, a corporation, across the Chesapeake Bay, is hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the consent of Congress is hereby granted to the Chesapeake Bay Bridge Company, its successors and assigns, to construct, maintain, and operate said bridge and its approaches across the Chesapeake Bay at a point suitable to the interests of navigation, from a point in Baltimore County, Maryland, south of Back River, to Hart Island, to Miller Island, and thence to some point in Kent County, Maryland, between thirty-nine degrees and twelve minutes and thirty-nine degrees and thirteen minutes and thirty seconds north latitude.

SEC. 3. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 10, 1928.



# Senate of Maryland

No. 62

MR. BECK—BECK, McINTOSH, HARRISON

And the State Roads and Highways.

By the SENATE, January 25, 1927.

Introduced, Read First Time and Referred to Messrs. Beck, McIntosh, Harrison and the State Roads and Highways.

By Order, E. R. CROTHERS, Secretary.

## A BILL

ENTITLED

AN ACT to authorize the Chesapeake Bay Bridge Company its successors and assigns to construct and operate a bridge over the Chesapeake Bay according to plans to be approved by the State Roads Commission, to grant consent to the use of certain lands under the waters of the bay, to authorize said company its successors and assigns to collect tolls for the use of said bridge, to fix a gross receipts tax to be paid by said company its successors and assigns in lieu of all other taxation, to confer upon said company its successors and assigns the power of condemnation, to prohibit the construction of any other bridge over said bay within ten miles of said bridge, and to provide the further terms and conditions on which said bridge may be constructed and operated.

WHEREAS, it will promote the prosperity of the people of this State that a bridge be constructed across the Chesapeake Bay, joining the western and eastern shores of said Bay; and

WHEREAS, The Chesapeake Bay Bridge Company, a corporation duly created and existing under the laws of this State, has offered to construct such bridge and to maintain it as a toll bridge, on the conditions hereinafter provided;

- 1 SECTION 1. Be it enacted by the General Assembly of Mary-
- 2 land, That The Chesapeake Bay Bridge Company, a corpora-
- 3 tion duly created and existing under the general laws of
- 4 this State, is hereby authorized to construct a bridge over the
- 5 Chesapeake Bay from that part of Baltimore County known
- 6 as Patapsco River Neck, to a point in Kent County between

*Passed*

*Amendments  
in pencil*

*and other changes.*

*a pt. in Balt. County  
near the mouth of Black  
River*



7 Rock Hall and Tolechester Beach, together with appropriate  
8 fills, approaches and appurtenant structures, and to maintain,  
9 operate, repair and rebuild the same.

1 SEC. 2. *Be it further enacted*, That the driveway of, said  
2 bridge shall be of a width of at least twenty (20) feet and  
3 that said bridge shall be constructed with at least two draws  
4 suitable for the passage of vessels, one of which draws shall  
5 be located in the main channel of said Bay and shall be at  
6 least two hundred (200) feet in width, and the other of which  
7 draws shall be located at a convenient point on the western  
8 side of the main channel and shall be at least forty (40) feet  
9 in width; and that before said Company shall undertake the  
10 construction of said bridge the plans and specifications there-  
11 of, including the specifications of the draws to be included in  
12 said bridge, shall be submitted to and approved by the State  
13 Roads Commission.

*said bridge shall  
be a highway bridge  
for vehicular  
traffic and.*

1 SEC. 3 *Be it further enacted*, That said Company may agree  
2 with the owners for the land, water rights, or other property  
3 and for the earth, stone or other material necessary for the  
4 construction, protection, maintenance, repair or rebuilding of  
5 said bridge, roads and ways thereto, toll houses, lodges and  
6 other buildings or structures necessary for the proper opera-  
7 tion of said bridge, and the rights acquired by agreement  
8 shall be conveyed by deed duly acknowledged and recorded.  
9 In case of failure to agree, or of disability of the owners to  
10 contract, or of their absence from the State, the corporation  
11 may obtain the lands, water rights or other property, ~~earth,~~  
12 ~~stone or other material~~ by condemnation. The State of Mary-  
13 land hereby consents to the use and occupation of the lands  
14 lying under the waters of the Chesapeake Bay, necessary for  
15 the construction and operation of said bridge and the approaches  
16 and appurtenances thereto.

*so*

*necessary as  
above described*

*but said co. shall have  
no power to condemn land  
or other property not  
reasonably necessary for the  
location, construction and  
operation of the said bridge  
and appurtenant and  
needed toll houses and  
appurtenant structures,  
and the necessary approaches  
and ways to said bridge.*

1 SEC. 4. *Be it further enacted*, That said Company shall  
2 grant to the State Roads Commission or to its authorized rep-  
3 resentatives, at all reasonable times, free access to the work  
4 to be carried on in the construction of said bridge, and to all  
5 maps, profiles, contracts, reports of engineers, accounts, books,  
6 records, and all other papers and documents relating thereto.



1 SEC. 5 *Be it further enacted*, that said Company is here-  
 2 by authorized to fix and to revise from time to time tolls for  
 3 transit over said bridge and to charge and collect the same,  
 4 and to fix by contract with any person, partnership, associa-  
 5 tion, or corporation desiring the use of said bridge, approaches,  
 6 appurtenances and works, or any part thereof, for placing  
 7 thereon water, gas or oil pipe line, telephone, telegraph, elec-  
 8 tric light or power line or for any other purpose, the terms,  
 9 conditions and rates of charges for such use. The rates of  
 10 tolls and charges so fixed shall be the legal rates, unless and  
 11 until changed by order of the Public Service Commission, as  
 12 may be authorized by Law.

*except for tracks for  
 railroad or railway  
 use.*

1 SEC. 6. *Be it further enacted*, that no person, partnership,  
 2 association or corporation, private or public, shall be authorized  
 3 to, and it shall be unlawful for any person, partnership, asso-  
 4 ciation or corporation, private or public, to construct or oper-  
 5 ate any bridge over the waters of the Chesapeake Bay at a  
 6 distance less than ten miles from the bridge to be erected in  
 7 pursuance of this Act, except such other bridge be erected  
 8 after the acquisition by the State of the bridge to be erected,  
 9 pursuant hereto, and with the consent of the General Assembly.

1 SEC. 7. *Be it further enacted*, that a State tax, as a fran-  
 2 chise tax, is hereby levied annually upon the gross receipts  
 3 of said company, its successors and assigns, derived from the  
 4 tolls and revenues from said bridge; such State tax being as  
 5 follows, to wit: <sup>2 1/2%</sup> ~~one-half of one per cent of~~ so much of such  
 6 gross receipts as shall be not in excess of \$500,000.00 in any  
 7 one year, and in addition thereto <sup>3 1/2%</sup> ~~one per cent of~~ so much of  
 8 such gross receipts as shall be in excess of \$500,000.00 for such  
 9 year, and that for the purpose of determining said tax said  
 10 Company, its successors and assigns, shall make the appropriate  
 11 reports and be subject to the appropriate penalties provided  
 12 in Sections 172 to 191, inclusive, of Article 81 of the Code of  
 13 Public General Laws of this State. Said tax shall be in lieu  
 14 of all taxes which might otherwise be levied by this State, or  
 15 by any county, municipality or other taxing authority therein  
 16 upon said Company, its successors or assigns, based upon the  
 17 the ownership of said bridge, its fills, approaches and rights  
 18 of way or other properties serviceable in the operation of said  
 19 bridge or based upon the receipt of incomes derived directly or

*Amended*

*provided, however,  
 that any such contract  
 for the use of said  
 bridge for such  
 purposes or purposes  
 shall in every case  
 provide for adequate  
 compensation to  
 said company,  
 its successors  
 and assigns.*

*5 1/2% of all over  
 1,000,000*



indirectly from the operation thereof or based upon the franchises granted in connection therewith, and shall also be in lieu of all such other taxes upon the holders of the capital stock of said company, its successors or assigns, based upon the ownership by said Company, its successors or assigns of said bridge and its appurtenances or based upon the receipt by said company, its successors or assigns, of the tolls and revenues thereof, it being hereby declared that said Company, its successors and assigns, and the holders of said stock shall be forever free and exempt from all of said taxes.

SEC. 8. *Be it further enacted*, that the right to sell, assign, transfer and mortgage all or any part of its property, including all or any part of the franchises, rights, powers, privileges and immunities conferred by this Act or otherwise acquired is hereby granted to said Company, and to its successors and assigns; and that any person, partnership, association or corporation to which such property, franchises, rights, powers, privileges and immunities or any thereof may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to own said property and to hold, exercise and have such franchises, right, powers, privileges and immunities as fully as though conferred herein directly upon such person, partnership, association or corporation.

SEC. 9. *Be it further enacted*, that in addition to its power to acquire said bridge and appurtenant property by condemnation upon payment of just compensation as now provided by statutory and constitutional authority, the State of Maryland shall have the right upon or after the expiration of twenty years from the date of the opening of said bridge to traffic and upon not less than two years' notice in writing from the Chairman of the State Roads Commission to the Company, its successors or assigns, to take over by purchase, at cost, said bridge together with all other property, rights, and appurtenances owned and held by said Company, its successors or assigns then valuable and serviceable in the maintenance and operation of said bridge. Such cost shall be determined by agreement between the State Roads Commission and the said Company, its successors or assigns, and in case of failure



16 to agree, by a proceeding in Equity to be instituted by the  
17 State of Maryland in the Circuit Court of Baltimore County,  
18 with the right of either party to appeal to the Court of Ap-  
19 peals of Maryland.

1 SEC. 10. *Be it further enacted*, that none of the provisions  
2 contained in Sections 153 to 160, inclusive, of Article 23 of  
3 the Code of Public General Laws of this State shall be deemed  
4 to be applicable to said bridge or to said Company, its suc-  
5 cessors and assigns with respect thereto.

1 SEC. 11. *Be it further enacted*, that the authority hereby  
2 granted shall cease and be null and void, unless the construc-  
3 tion of said bridge be commenced within two years and com-  
4 pleted within five years from the date of approval hereof.

1 SEC. 12. *Be it further enacted*, that the provisions of this  
2 Act are subject to all valid and applicable provisions of laws  
3 of the United States, concerning bridges over navigable waters  
4 of the United States.



not passed

# Senate of Maryland

No. 255

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MR. ROE—Roads and Highways

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By the SENATE, February 22, 1927.

Introduced, Read First Time and Referred to the Committee on  
Roads and Highways.

By Order,

E. R. CROTHERS, Secretary.

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## A BILL

### ENTITLED

AN ACT to authorize the Chesapeake Tunnel and Bridge Company  
to construct, maintain and operate a tunnel and bridge under  
and over the waters of the Chesapeake Bay from a point at or  
near Sandy Point in Anne Arundel County to a point on Kent  
Island in Queen Anne's County.

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*  
2 *land,* That the Chesapeake Tunnel and Bridge Company a  
3 Corporation existing under the Laws of the State of Maryland  
4 is hereby authorized to construct, maintain and operate a bridge,  
5 consisting partly of a bridge over and partly of a tunnel under  
6 the waters of the Chesapeake Bay from Anne Arundel County  
7 to Kent Island in Queen Anne's County together with the  
8 appropriate fills, approaches and appurtenant structures and  
9 to maintain, operate, repair and rebuild the same; and that  
10 the said tunnel and bridge Company be granted also the rights  
11 and privileges for a distance of seven hundred and fifty feet  
12 (750') on both sides of said bridge.

1 SEC. 2. *Be it further enacted,* That the width of the clear  
2 roadway of said tunnel and bridge shall not be less than eighteen  
3 feet (18'), and that the tunnel shall be under the channel of  
4 said Bay and shall be one thousand five hundred feet (1,500')  
5 in width, and the depth of it shall be forty-five feet (45') below  
6 the mean low tide of said Chesapeake Bay; and said tunnel  
7 and bridge shall be so located and constructed so as to provide  
8 an unobstructed ship channel of approximately one thousand  
9 five hundred feet (1,500') in width and forty-five feet (45') in



10 depth below the mean tide of said Chesapeake Bay, to be deter-  
11 mined by the tidal conditions at Sandy point Light; and said  
12 Company shall submit its plans for the construction of said  
13 tunnel and bridge and all specifications thereof to the State  
14 Roads Commission of Maryland for its approval.

1 SEC. 3. *Be it further enacted*, That said Company shall  
2 have the power to acquire the land, water rights or other  
3 property appropriate and necessary for its corporate purposes  
4 either by private purchase or by condemnation, in accordance  
5 with the procedure of the General Laws of the State of Mary-  
6 land.

7 The State of Maryland hereby consents to the use and opera-  
8 tion of the lands lying under the waters of the Chesapeake Bay  
9 necessary or appropriate for the construction, maintenance,  
10 operation and repair of said tunnel and bridge and the  
11 approaches thereto, and of such lands and waters lying con-  
12 tiguous thereto reasonably necessary or appropriate to prevent  
13 damage to said tunnel or bridge.

1 SEC. 4. *Be it further enacted*, That said Company is author-  
2 ized to fix and charge tolls for transit through said tunnel or  
3 over said bridge, and to collect the same, and make contracts  
4 for the use of the facilities of said tunnel and bridge and the  
5 approaches thereto,—said rates shall always be subject to the  
6 approval of the Public Service Commission of Maryland; and  
7 said Company shall be required to place buoys at a distance  
8 of five hundred feet (500') away from said bridge and to  
9 place and put up such signals, buoys and lights as the Federal  
10 Government may require to protect navigation in the Chesa-  
11 peake Bay.

1 SEC. 5. *Be it further enacted*, That said Company shall not  
2 be liable for any gross receipt tax to the State of Maryland  
3 until it shall have earned eight per cent. (8%) on the capital  
4 invested.

1 SEC. 6. *Be it further enacted*, That the Company shall have  
2 the right to sell, assign, transfer and mortgage any part of its  
3 property, and shall have the further right and power to transfer,



4 assign, mortgage and dispose of any of its franchises, privileges  
5 and powers.

1 SEC. 7. *Be it further enacted*, That the Authority hereby  
2 granted shall cease and be null and void unless the construction  
3 of said bridge be commenced within two years after the passage  
4 of this Act.

1 SEC. 8. *Be it further enacted*, That the privileges of this  
2 Act are always subject to the Laws of the United States con-  
3 cerning tunnels under and bridges over the navigable waters  
4 of said United States.