

River and this has been affirmed by the President in his various statements on behalf of making the Potomac River a national river.

In addition, I feel some local responsibility because Mallow's Bay is Maryland State waters. So I have proposed legislation for a primarily federal removal program with financial participation by the State of Maryland. In reply to my request, Governor Agnew wrote me on August 16, 1967, of his support of my bill and stated that, "These hulls are indeed a blight on a great natural waterway and an occasional menace to navigation. In my judgment, the principal responsibility for eliminating this condition rests with the federal government, which has a measure of control over the vessels at the time they were sold. I can see also a degree of state responsibility in light of the benefits which would accrue upon removal. Therefore, I would look with favor upon federal action in this area and some degree of cost sharing by Maryland. It is upon this basis that I endorse H.R. 2402."

The report from the Secretary of the Army of February 9, 1968, on my bill recommends that section 2 authorizing him to receive a contribution from the state be deleted and add the phrase "Provided, That local interests shall contribute one-half of the cost of such work." I would interpret this to indicate participation by the State of Maryland. I have talked with the owner of the adjacent property in Mallow's Bay and he is agreeable to this recommendation by amendment. Therefore, I would support it.

I feel very strongly that this legislation should be enacted because of the serious threat these hulls pose to water traffic and because of the blight on the River they represent. There is no question that these hulls are a real eyesore and since we are to make the Potomac River a model for the nation, a goal which was stated several years ago by President Johnson, these hulls must be removed and destroyed.

Mr. Chairman, I request favorable consideration by the committee and I would be very grateful if the subcommittee could include my language along with the amendment recommended by the Secretary of the Army in the upcoming Rivers and Harbors Act of 1968.

Thank you for your time and consideration.

STEINBRAKER v. CROUSE

No. 46

COURT OF APPEALS OF MARYLAND, JAN. 15, 1936.

1. *Shipping* Ⓒ213

Salvage company which ceased salvaging scrap metals from its vessels submerged in bay, conveyed land used in connection therewith to itself under different name, sold equipment to outsiders, and for over two years permitted persons living near bay to procure and sell scrap from such vessels without compensation or permission, abandoned vessels, precluding its assignees from enjoining removal of scrap from vessels by those so engaged.

2. *Abandonment* Ⓒ2

Property is abandoned when owner walks off and leaves it with no intention to again claim it or exercise rights of ownership over it, and it then belongs to any one who takes possession of it.

3. *Navigable waters* Ⓒ36(1)

Interest of federal government in navigable waters extends only to control of waters over land and not to soil.

Appeal from Circuit Court, Charles County; Walter J. Mitchell, Judge.

Bill by Harry Steinbraker against Lorenzo D. Crouse. Decree for defendant, and plaintiff appeals.

Affirmed.

Argued before Bond, C. J., and Urner, Offutt, Parke, Sloan, Shehan, and Johnson, JJ.

Hilary W. Gans and Joseph T. Brennan, both of Baltimore (Brown & Brune, of Baltimore on the brief), for appellant.

Joseph A. Wilmer and John F. Mudd, both of La Plata (F. DeSales Mudd, of La Plata, and Ida Taxis Fox, of Washington, D.C., on the brief), for appellee.

Sloan, Judge.

ⒸFor other cases see same topic and Key Number in all Key Number Digests and Indexes.