

## AUTHORIZING A NATIONAL MISSISSIPPI RIVER PARKWAY

MAY 4, 1939.—Committed to the Committee of the Whole House on the state of  
the Union and ordered to be printed

Mr. DEROUEN, from the Committee on the Public Lands, submitted  
the following

### REPORT

[To accompany H. R. 3759]

The Committee on the Public Lands, to whom was referred the bill (H. R. 3759) to authorize a National Mississippi River Parkway and matters relating thereto, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass and authorize the use of all parliamentary means to bring the bill before the House.

The amendment is as follows:

Strike out all language after the title and insert the following:

Whereas the Mississippi River for nearly four hundred years from the days of Indian trails and discovery routes has been used as a natural travel route of increasing historic, scenic, and general importance; and

Whereas interstate north and south travel trade from the ten States bordering on the Mississippi River, containing approximately thirty million people constituting one-fourth of the population of the Nation with over five million passenger automobiles, is continually increasing due to greater industrial leisure and tourist attractions; and

Whereas the recent creation of splendid lakes by construction of twenty-six locks and dams on the upper Mississippi River, the modernization of the levees along the river, and the great variety of its climate, agricultural, mineral, and industrial developments provide greater Nation-wide travel inducements than ever before along the Mississippi River; and

Whereas the demands and needs for a national park and rural trunk parkway through the Mississippi Valley with connections for future branch tributary valley parkways and public areas for recreational purposes as a part of the Nation-wide parkway system, justify the authorization of this particular parkway as timely; and

Whereas such authorization by Congress is desirable now in order that the States and political subdivisions, associations and citizens thereof, may plan for and procure public areas and historic sites en route while same may be readily available; and to provide creative employment of everlasting value; and

Whereas the Act of June 23, 1936 (49 Stat. 1894), authorized the Secretary of the Interior through the National Park Service to make a comprehensive study with the several States, with a view toward developing a coordinated, adequate public park, parkway and recreational area plan and program for the people of the United States; and

Whereas the ten States bordering the Mississippi River through their respective park, planning, and highway agencies have cooperated with the National Park Service and the National Resources Committee in developing a natural resource program and plan for a "Mississippi River Parkway" from its source to the Gulf of Mexico; and

Whereas such proposed parkway, because of its unusual topography and location along the "Father of Waters", under and over vertical bluffs, along levees, and around and cross river bends, necessitates certain special requirements and regulations; and

Whereas it is proposed to dedicate the first section of this parkway in 1941, as an appropriate part of the celebration of the quadricentennial of the discovery of the Mississippi River by Hernando De Soto in 1541: Therefore

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled That this Act may be cited as the "Mississippi River Parkway Act of 1939".*

#### DEFINITIONS

SEC. 2. That as used in this Act—

(a) The term "parkway" shall mean the Mississippi River Parkway provided for in this Act.

(b) The term "parkway purpose" shall mean any purpose required or permitted under this Act to be featured in connection with the parkway, and any other purpose incidental to the establishment, protection, construction, maintenance, or operation of the parkway.

(c) The term "parkway area" shall mean any lands or waters, and any interest in lands or waters, used or held for any parkway purpose, except "parkway easements".

(d) The term "parkway easement" shall mean a servitude whereby a control is placed over the present or future use of lands or waters in order to maintain their scenic, landscape, sightly, or safety values for parkway purposes, while at the same time such lands or waters are permitted to remain in private ownership for their normal agricultural, residential, or other uses consistent with the maintenance of their scenic, landscape, sightly, or safety values for parkway purposes.

(e) The term "parkway road" shall mean the public motor-vehicle roadway constructed exclusively for passenger-car traffic within the parkway, as distinguished from any other roads or ways constructed or existing within the parkway.

(f) The term "access" shall mean the right and facility to enter and leave the parkway.

(g) The term "frontage" shall mean the right of the private property owner whose property lies within or abuts upon the parkway to avail himself of the light, air, and access thereto.

(h) The term "Secretary" shall mean the Secretary of the Interior.

#### PRELIMINARY STUDIES

SEC. 3. That the Secretary is hereby authorized to make surveys and prepare maps for the location and development of an appropriate national parkway following the general course of the Mississippi River from its source in Itasca State Park in Minnesota to the Gulf of Mexico. From such surveys and maps an estimate of the cost of establishing and maintaining an appropriate national parkway in accordance with the provisions of this Act and the cost of constructing and maintaining an adequate parkway road therein, and such other data as will be valuable, shall be obtained with the objective of determining matters concerning the desirability, feasibility, and routing of various portions of such a parkway. If, as a result of such surveys, maps, and estimates, the Secretary shall be satisfied that one or more desirable routes for such a parkway are available, the Secretary shall designate the route of the parkway, subject to such future alterations in location and boundaries as he may subsequently find desirable

## LAND DONATIONS TO FEDERAL GOVERNMENT

SEC. 4. That upon the designation of the route for the parkway, the Secretary shall be, and he hereby is, authorized to accept donations of lands, waters, interests in lands or waters, easements, and other property, conveyed to the United States by any of the States bordering the Mississippi River, which he may deem necessary or convenient for parkway purposes. Title to any such lands, waters, interests, easements, or other property shall not be finally accepted until the Secretary is satisfied that sufficient acreage in parkway areas and parkway easements will be donated by the State to justify the construction and maintenance of a usable unit of the projected parkway in connection therewith.

## ESTABLISHMENT OF THE PARKWAY

SEC. 5. That all lands, waters, interests in lands or waters, easements, or other property, title to which has been finally accepted for parkway purposes under this Act shall constitute, and be known as, the Mississippi River Parkway. The parkway areas and parkway easements so acquired shall be located principally in rural areas. The parkway shall feature a parkway road designed and intended exclusively for the use of passenger-car traffic, and specifically adapted to leisurely travel as a tour-way for outdoor recreation and "market-to-farm" use by tourists. The parkway shall also feature sites of scenic, naturalistic, historic, archaeologic, or scientific interest, and facilities for recreation, conservation, wayside development, and other appropriate services which are in the public interest. Sites and facilities needed for any purpose incidental to the establishment, protection, construction, maintenance, or operation of the parkway, such as quarry, gravel, dredging, or borrow pits, and revetment, levee, bank protection, or flowage rights, may also be included in the parkway. All parkway areas, parkway easements, and other property accepted for inclusion in the parkway shall conform to such standards with respect to their suitability for the purposes of this Act, which shall include, among other things, location, size, width, boundaries, character, quality, topography, interest, usefulness, and adaptability, as the Secretary may deem appropriate under the circumstances of the particular case. The parkway shall be administered, constructed, and maintained by the Secretary through the National Park Service. The provisions of the Act of Congress, approved August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended and supplemented, are hereby extended over and made applicable to the parkway and all facilities thereof, insofar as not inconsistent with this Act.

## RELATION TO ADJACENT FACILITIES OF OTHER FEDERAL AGENCIES

SEC. 6. That the Secretary of Agriculture is hereby authorized, with the concurrence of the Secretary of the Interior, to connect with the parkway such roads and trails as may be necessary or convenient for the protection, administration, or utilization of adjacent or nearby national forests, agricultural tracts, waterfowl or game refuges, and the resources thereof, and to apply to the parkway the provisions of the Federal-aid Highway Acts, as amended and supplemented, which are applicable to national parkways, insofar as not inconsistent with this Act.

That the Secretaries of War, Agriculture, Commerce, and the Interior, and any other Federal agency having jurisdiction over lands or waters along or near the parkway, shall, by mutual agreement or other appropriate means, coordinate and correlate, insofar as practicable, all conservation, recreation, waterway, and other Federal areas, easements, developments, or improvements which any of them may control, plan, or permit to be constructed or established on lands or waters along or near the parkway, whenever such lands or waters are mutually determined to be susceptible of appropriate special treatment for parkway purposes. The cost of any changes in existing Government facilities necessitated by reason of the location and construction of the parkway road shall be a proper charge against any appropriations made for the parkway.

That the Secretary of the Interior is hereby authorized to establish the parkway across any lands, waters, interests in lands or waters, easements, or other property belonging to the United States which he may deem necessary or convenient for parkway purposes: *Provided, however,* That the department or agency having jurisdiction of such lands may require such adjustment in the location of such parkway within the boundaries of the lands under their jurisdiction as may be necessary to avoid undue interference with the proper use of such lands for the purposes for which they are being administered: *And provided further,* That any

such federally owned area included within the parkway shall not exceed two hundred feet in width unless the department or other agency having jurisdiction thereof shall consent to the inclusion of a larger area.

#### USE OF AREAS UNDER EASEMENT

SEC. 7. That areas under parkway easement shall be generally prohibited from uses that would be detrimental to their scenic, landscape, sightly, or safety values for parkway purposes; such easements shall restrict the use of areas covered thereby to uses consistent with their scenic, landscape, sightly, or safety values for parkway purposes, and shall provide that—

(a) Existing buildings, poles, wires, and other structures may remain on such areas, and existing lawful uses of such areas may continue, subject to the other provisions of this section.

(b) New buildings, poles, wires, and other structures may be erected on such areas to serve individual farms or residences, or to serve such other needs as the Secretary may determine to be consistent with parkway purposes, subject to the other provisions of this section.

(c) All new buildings, poles, wires, or other structures on such areas, and all major alterations to existing buildings, poles, wires, or other structures, shall conform to plans previously approved by the Secretary.

(d) All alterations, improvements, or enlargements in any established uses of such areas for commercial, industrial, or public utility enterprises or operations shall be subject to the prior approval of the Secretary.

(e) No commercial, industrial, or public utility enterprises, buildings, structures, facilities or uses, and no lines or works for power, light, communication, or other similar purposes shall be established, constructed, or maintained within such areas, except as permitted under the preceding paragraphs of this section.

(f) No mature trees, shrubs, or other flora shall be removed or destroyed on such areas without the consent of the Secretary. Seedling shrubbery or trees may be removed or cut, and cultivated crops and orchard fruits may be pruned, sprayed, harvested, and otherwise maintained in accordance with good farming or residential maintenance practices.

(g) No dump of ashes, trash, sawdust, metals, or any other unsightly or offensive material shall be placed upon such areas.

(h) No sign, billboard, or advertisement shall be displayed or placed upon such areas except where zoned for commercial uses by the Secretary. The owner or occupant of any property shall, however, have the right to place upon it one sign, not larger than four square feet and not illuminated, advertising the sale of the property or products raised or produced upon it.

#### AMOUNT AND WIDTH OF PARKWAY AREA

SEC. 8. That a parkway area averaging not less than one hundred acres per mile in fee simple, plus parkway easement control averaging fifty acres per mile, for a distance equal to the gross length of the main route of the parkway in each State except where it passes through Federally owned areas, shall be provided for parkway purposes by such State. At no point shall the width of any parkway area so provided be less than two hundred feet. The parkway area boundaries need not be mechanically determined or measured by a uniform distance from the center line of the parkway road. The variation of the width shall be dependent upon topographic and other natural conditions, requirements of design, easements, and time and cost of acquisition. In view of the proximity in numerous locations of vertical picturesque bluffs close to the Mississippi River at high-water stages and the narrow range of location of existing railway facilities, the parkway may be constructed over or under such precipitous cliffs and caverns and around and across river bends and through back country, as will best diversify the rugged, wooded, and open pastoral scenery and water vistas, and also tend toward economical cost of land acquisitions and parkway road construction and maintenance. In addition to the main route of the parkway, the Secretary may designate subsidiary, branch, or alternate routes for the purposes of providing connections to the approaches of trans-Mississippi River bridges, for the purpose of reaching sites of scenic, naturalistic, historic, archeologic, or scientific interest or sites suited for recreational or other parkway purposes, or for the purpose of bypassing urban areas when the main route designated by the Secretary runs through such an area.

## STATES TO OBTAIN TITLES AND ADJUST LOCAL ROADS

SEC. 9. That the States shall acquire and convey to the United States in fee simple in such a way as may be agreeable to the Secretary of the Interior at least the minimum acreage in parkway areas and parkway easements required by the first sentence of the preceding section, together with such additional parkway areas and parkway easements as the Secretary may deem necessary or convenient for connections to the approaches of trans-Mississippi River bridges or for the purpose of by-passing urban areas; subject to such flowage, revetment, bank protection, levee or other river control, harbor line and navigation reservations or rights as the Secretary of War may approve for navigation or flood-control purposes. The titles and evidences of titles to all parkway areas and parkway easements acquired under this Act, and the instruments by which the same are conveyed to the United States shall be satisfactory to the Secretary. Deeds shall be accompanied by abstracts or other acceptable evidences of title, land maps, survey notes, and closure computations. All parkway areas and parkway easements donated by the States shall be in accordance with location and development maps, approved by the Secretary and submitted to the respective States. The States or their respective political subdivisions will be required to construct, relocate, or abandon any local, public, or service road, crossing or parallel to the parkway road on parkway land, when requested by the Secretary.

## USE OF EXISTING HIGHWAYS

SEC. 10. That with the concurrence of the State or local public authority concerned, the Secretary may, in his discretion, temporarily use existing sections of streets, highways, other roads, bridges, as connecting links between sections of the parkway, but no parkway area credits shall be allowed the State therefor. In the event the Secretary determines to use such a connecting link, a cooperative agreement with respect to the use thereof, and the maintenance, control, or reconstruction thereof, may be entered into by the Secretary with the State or local public authority concerned.

## LICENSES, PERMITS, RESERVATIONS, AND LEASES

SEC. 11. That in the administration of the parkway, the Secretary may issue revocable licenses or permits, or he may accept lands with reservations, for rights-of-way over, under, along, across, or upon parkway areas, or he may lease parkway lands or accept lands subject to lease, for agricultural or other purposes, pending or after the construction of the parkway road, all under such nondiscriminatory terms, regulations, and conditions as he may determine to be not inconsistent with the use of such lands for parkway purposes: *Provided, however,* That no license, permit, or reservation shall be made or accepted for any private road intersecting the parkway road at grade.

## FEDERAL JURISDICTION TO REGULATE

SEC. 12. That the United States shall be vested with jurisdiction to regulate the use of the parkway areas, parkway easements, parkway road, and sections of State or local highway systems used as connecting links between parkway areas; to regulate the traffic thereon; to protect from damage, depreciation, and destruction all property and facilities used or held by the United States for parkway purposes; and all State or local property and facilities used or held by the United States in connection with such connecting links; and to operate and administer as a national parkway all such property and facilities. The several district courts of the United States having jurisdiction over the places in which the parkway, or the sections of State or local highway systems used as connecting links, may be located shall have jurisdiction over violations of laws or regulations applicable to the parkway, or to such connecting links, committed at any place within their respective jurisdictions.

## STATE AND LOCAL JURISDICTION TO REGULATE

SEC. 13. That there is hereby reserved to the respective States and political subdivisions thereof in which the parkway may be located all such criminal and civil jurisdiction and other powers as may be consistent with the exercise of the jurisdiction and powers to be vested in the United States under this Act; including the authority to levy and collect taxes on all motor-vehicle fuel and lubricants and other products or services sold within the parkway, except in connection

with sales to and for the exclusive use of the Federal Government; also the authority to tax and license, or to prohibit, the sale of intoxicating liquors within the parkway; also the authority to levy and collect a tax on all buildings or other property, not belonging to the United States, within the parkway; and including also the authority to require licenses for and impose license taxes upon any business conducted within the parkway under lease or other concession from the United States: *Provided, however*, That no State shall impose any tax, license, restriction, or prohibition within the parkway which discriminates against any person, property, or business on account of his, her, or its location within the parkway. By mutual agreement between Federal and State or local authorities, their respective patrolmen may cooperate in the enforcement of Federal, State, or local laws or regulations within the parkway, or within federally controlled sections of State or local highway systems temporarily used in connection with the parkway.

#### STATE POWERS NECESSARY

SEC. 14. That the availability of the benefits of this Act to the respective States bordering the Mississippi River shall be conditioned upon the enactment of adequate enabling legislation by each State in which the parkway route designated by the Secretary is located. Such legislation shall provide for the acceptance of the provisions of this Act by the State and for the making of any transfer of jurisdiction requisite to effectuate the provisions of sections 12 and 13. As a part of such legislation the State shall designate and empower an appropriate agency of the State to exercise the following functions in connection with the parkway, and shall from time to time appropriate such funds as may be necessary for the exercise of the following functions by such State agency, namely:

(a) Acquire and convey to the United States, lands, waters, interests in lands or waters, easements, and other property, for parkway purposes, in accordance with the provisions of this Act.

(b) Construct or rearrange fencing along parkway area boundaries; provide cattle passes; change or remove overhead wires; construct underground wire and pipe crossings or lines; reconstruct public and private roads; make land and topographic surveys; provide and set permanent land-boundary markers; prepare land and topographic maps; and conduct condemnation suits; all without cost to the United States.

(c) Exercise, within constitutional limitations, the right of eminent domain to appropriate and condemn lands, waters, interests in lands or waters, easements, and other property for parkway purposes (including, when desired by the Secretary, exercise of the right to vest in the State upon the institution of the proceedings title to the property to be taken); and convey the same to the United States when title has vested in the State.

(d) Authorize representatives of the State and the United States to enter upon private property for the purpose of making surveys; hold the United States free and harmless from claims arising from such entries, or arising from the failure of the State or its agencies to make full compensation for property acquired by eminent domain, or arising in any manner from the survey, location, development, construction, maintenance, operation, or establishment of parkway areas or parkway easements on private property; and protect by State authority parkway areas and parkway easements accepted by the Secretary until such time prior or subsequent to construction as the former owner shall have received full compensation therefor from the State.

(e) Provide for the relocation or abandonment, without cost to the United States, of sections of local, public, and private roads, and subject to the jurisdiction of the Interstate Commerce Commission and the State public service commission, of railroads, when such relocation or abandonment will facilitate parkway design or construction and will not interfere with flood-control projects.

(f) Authorize the conveyance to the United States of such lands, waters, interests in lands or waters, easements, or other property owned by the State as may be suited for parkway purposes.

(g) Provide for the discharge or release, or for the assumption by the State, of indebtedness of irrigation, flood control, drainage, or other political districts or subdivisions, wherever such indebtedness is secured by a lien or charge on property acquired or to be acquired for parkway purposes.

(h) Authorize, as soon as the route of the parkway shall be determined, the immediate payment of premiums on standing timber, pending final purchase, in order to discourage timber cutting by owners during the negotiation period.

(i) Authorize the elimination of existing and the denial of new frontage or access rights to the parkway area and parkway road to landowners whose land lies within

or abuts the parkway, by one or more of the following remedies: Purchase or acquisition of residual tracts by excess condemnation, provision of other means of access to public highways, acquisition of private rights-of-way, and adjustment of damages.

(j) Require the elimination of stock grazing on parkway areas, or the unrestricted use thereof of such areas, in a manner satisfactory to the Secretary.

(k) Authorize preliminary surveys and the preparation of topographic plats of the flagged locations of the parkway road, for the purpose of aiding the Federal engineers in determining the final location of the parkway road and the parkway boundaries.

(l) Authorize the leasing of property acquired for parkway purposes on terms satisfactory to the Secretary during the period of negotiation, from the time the property is acquired by the State until the time when it is transferred to the United States.

Pending the enactment by the respective States concerned of adequate enabling legislation as outlined in this section, general Federal surveys, plans and estimates for the Parkway may proceed, but no Federal funds shall be expended for parkway road construction within any State unless and until the States in which the parkway route designated by the Secretary is located have complied and continue to comply with the conditions of this section.

#### STATEMENT

In its revised form, the bill—

1. Clarifies the intent of the original bill;
2. Eliminates qualifying phrases which might tend to defeat the purpose of the bill;
3. Reserves to the Secretary of the Interior the authority to determine, on the basis of a survey authorized by the bill, the route of the parkway and the lands and waters to be included in the parkway;
4. Definitely establishes the amount and width of lands to be provided for the parkway by the States;
5. Provides that there shall be only one agency in each State responsible for the acquisition and conveyance of lands and waters or interests in lands for parkway purposes to the Federal Government;
6. Provides definite control of private access to the parkway;
7. Excludes the mileage of parkway through Federal lands in computing acreage of parkway area and parkway easement to be provided by each State;
8. Provides for the temporary use of existing streets, highways, and bridges in parks as connecting links between sections of the parkway road but does not provide for the use of parkway funds for maintenance of such;
9. Requires that no Federal funds shall be expended for parkway road construction within any State unless and until the States in which the parkway route designated by the Secretary of the Interior is located have enacted adequate enabling legislation;
10. While the parkway may go through Federal-owned lands the department or agency having jurisdiction may require changes within the boundaries of the lands under their jurisdiction in order to avoid undue interference with the purposes for which they are administering said lands.

The Mississippi River has been used as a route of travel ever since the early settlement of North America. Many of the early explorers, De Soto, Marquette, Joliet, Ponce de Leon, LaSalle, Hennepin, Lewis and Clark, and Pike followed this river. The first white settlements west of the Atlantic seaboard were along the Mississippi River.

Among the historic old settlements are New Orleans; Natchez, Miss.; Arkansas Post; St. Genevieve and St. Louis, Mo.; Cahokia and Kaskaskia, Ill.; and Prairie du Chien, Wis. There are numerous other historical sites scattered along the Mississippi River from old plantations in Louisiana, such as Greenwood, founded by Dr. Samuel Flower on land granted to him by Spain in 1779, and the famous battle-field sites, such as Vicksburg National Military Park and Cemetery, to Nauvoo, the Old Mormon settlement in Illinois.

The route has a wealth of scenery ranging from the pine-bordered lakes and oak-clad palisades at the north, through the fields of corn and cotton, the cypress bayous, and the live oaks to the Gulf coast.

There are 36 State parks, 4 recreational demonstration areas, a national memorial, a national military park and cemetery, and national battlefield site along or near the river. There are also 5 State forests, 3 national forests, 4 national wildlife areas, and numerous State wildlife areas. A parkway connecting these areas and the cities on the river would be of great recreational value. Such a parkway development, however, should include the acquisition and preservation of many of the fine scenic areas which are now in private ownership. It should stimulate the conservation of natural resources. With the Mississippi River as the main feature of the parkway, attention will be directed to the need for pollution abatement, erosion control, preservation and reforestation of the river banks, and the need for further control of valuable wildlife areas.

The proposed Mississippi River Parkway is one of the direct results of cooperative planning for recreation which was authorized by the act of June 23, 1936 (49 Stat. 1894). The act directed the National Park Service to make a comprehensive study of the park, parkway, and recreational area programs of the United States and of the several States and political subdivisions thereof, with a view toward developing a coordinated and adequate public park, parkway, and recreational area plan. A bill passed by the Seventy-fourth Congress (Public, No. 686) to amend the Federal Highway Act, approved July 11, 1916, as amended and supplemented, which provides—

for the construction and maintenance of parkways to give access to national parks and monuments or to become connecting sections of a national parkway plan over lands to which title has been transferred to the United States by the States or private individuals.

Similar national parkways and surveys for parkways have been authorized by Congress. The act of May 23, 1928, provided for the Mount Vernon Memorial Highway. The act of May 29, 1930, authorized the establishment of the George Washington Memorial Parkway. The act establishing the Colonial National Monument provided for a parkway connecting Yorktown and Jamestown Island. The act of May 21, 1934, authorizes a survey of the Natchez Trace Parkway. Public Resolution 19, Seventy-fourth Congress, approved May 20, 1936, authorized the establishment of a commission for the construction of a Washington-Lincoln Gettysburg Boulevard. The National Industrial Recovery Act, approved June 16, 1933, provided for the preparation of a program of public works including construction, repair, and improvement of public highways and parkways, etc. The Blue Ridge Parkway was undertaken as a result of this act. The act of Congress approved June 16, 1938 (52 Stat. 752), authorized a

survey of the old Oglethorpe Trail, with a view toward construction of a national roadway.

The Blue Ridge and Natchez Trace Parkways are being developed under the parkways land requirements of 100 acres per mile in fee simple, plus 50 acres per mile under scenic easement control, for the length of the parkway in each State. At no point is the width of the parkway land less than 200 feet. These requirements have proved feasible and desirable and should be applied to all national parkways.

VALIDATING CONVEYANCES HERETOFORE MADE BY SOUTHERN PACIFIC RAILROAD CO. AND ITS LESSEE, SOUTHERN PACIFIC CO., ACQUIRED UNDER SECTION 23 OF ACT OF MARCH 3, 1871 (16 STAT. 573)

MAY 4, 1939.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. ELLIOTT, from the Committee on the Public Lands, submitted the following

## REPORT

(To accompany H. R. 3560)

The Committee on the Public Lands, to whom was referred the bill (H. R. 3560) validating a certain conveyance, heretofore made by the Southern Pacific Railroad Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way in the town of Indio, in the county of Riverside, State of California, acquired under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356), having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass, and authorize the use of all parliamentary means to bring the bill before the House.

The amendments are as follows:

Amend the title to read:

A bill validating a certain conveyance, heretofore made by the Southern Pacific Railroad Company, a corporation, and its lessee, Southern Pacific Company, a corporation involving certain portions of right-of-way in the town of Indio, in the county of Riverside, State of California, acquired under section 23 of the Act of March 3, 1871 (16 Stat. 573).

Page 2, line 4, strike out all after the word "by" to and including the parenthesis on line 15, and insert in lieu thereof "section 23 of the Act of March 3, 1871 (16 Stat. 573)."

The favorable report of the Department of the Interior is hereinbelow set forth in full and made a part of this report

