



UNITED STATES DEPARTMENT OF THE INTERIOR

HAROLD L. ICKES, *Secretary*

NATIONAL PARK SERVICE

NEWTON B. DRURY, *Director*

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LAWS RELATING TO  
THE NATIONAL PARK SERVICE

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SUPPLEMENT I

July 1933 through April 1944

COMPILED BY

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## FOREWORD

This volume is the first printed supplement to the publication, *Laws Relating to the National Park Service, The National Parks and Monuments*, which was issued in 1933. The large number of enactments contained herein are indicative of the expanding interest of the people and the Congress of the United States in the areas administered by the National Park Service.

The growth of the National Park System in recent years denotes recognition by the American public of the need for preserving for all time the outstanding natural and historic values of their country.

NEWTON B. DRURY  
*Director, National Park Service*

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<sup>1</sup> For legislation relating to specific historic sites and national parkways, see VIII and XI, pages 131 and 183, respectively.

<sup>2</sup> See Executive Orders No. 6166 and 6228, pages 203 and 205, relating to transfer of functions over such areas from the War Department to the Interior Department.

<sup>3</sup> The Recreational Demonstration Areas were transferred from the Resettlement Administration to the Secretary of the Interior by Executive Order No. 7496, November 14, 1936 (1 Fed. Reg. 1946; 16 U. S. C. sec. 459r). They were acquired by the United States under the authority of Title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200) and the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115).

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**An Act To amend the Act of August 24, 1912 (37 stat. 460), as amended, with regard to the limitation of cost upon the construction of buildings in national parks, approved February 13, 1940 (54 Stat. 36)**

National Parks.  
Limitation of  
cost of certain  
buildings  
increased.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the limitation of cost upon the construction of any administration or other building in any national park without express authority of Congress, contained in the Act approved August 24, 1912 (37 Stat. 460), as amended by the Act of July 1, 1918 (40 Stat. 677), is hereby increased from \$1,500 to \$3,000. (16 U.S.C. sec. 451.)

**An Act To provide for the residence of the United States commissioners appointed for the national parks, and for other purposes, approved June 28, 1938 (52 Stat. 1213)**

National parks.

Residence  
requirements,  
United States  
commissioners.

Accrued salary  
payment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That any United States commissioner appointed for any of the several national parks shall reside within the exterior boundaries of the park for which he is appointed or at a place reasonably adjacent to such park, the place of residence to be designated by the Secretary of the Interior. (16 U.S.C. sec. 1a.)

SEC. 2. Any such commissioner heretofore appointed shall be entitled to receive the salary provided by law, which may have accrued at the date this Act becomes effective.

without regard to whether such commissioner may have resided within the exterior boundaries of the park for which appointed. (16 U.S.C. sec. 1a note.)

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency. (16 U.S.C. sec. 1a note.)

Inconsistent laws, etc., repealed.

**An Act To confer jurisdiction upon certain United States commissioners to try petty offenses committed on Federal reservations, approved October 9, 1940 (54 Stat. 1058)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any United States commissioner specially designated for that purpose by the court by which he was appointed shall have jurisdiction to try and, if found guilty, to sentence persons charged with petty offenses against the law, or rules and regulations made in pursuance of law, committed in any place over which the Congress has exclusive power to legislate or over which the United States has concurrent jurisdiction, and within the judicial district for which such commissioner was appointed. The probation laws shall be applicable to persons so tried before United States commissioners. For the purposes of this Act the term "petty offense" shall be defined as in section 335 of the Criminal Code (U.S.C., title 18, sec. 541). If any person charged with such petty offense shall so elect, however, he shall be tried in the district court of the United States which has jurisdiction over the offense. The commissioner before whom the defendant is arraigned shall apprise the defendant of his right to make such election and shall not proceed to try the case unless the defendant after being so apprised, signs a written consent to be tried before the commissioner. (18 U.S.C. sec. 576.)

U. S. Commissioners.

Jurisdiction to try petty offenses.

Probation laws.

"Petty offense" defined. 46 Stat. 1029.

Right of defendant to be tried in district court of U. S.

SEC. 2. In all cases of conviction by United States commissioners an appeal shall lie from the judgment of the commissioner to the district court of the United States for the district in which the offense was committed. The Supreme Court shall prescribe rules of procedure and practice for the trial of cases before commissioners and for taking and hearing of appeals to the said district courts of the United States. (18 U.S.C. sec. 576a.)

Appeal.

Rules of procedure, etc.

SEC. 3. United States commissioners specially designated under authority of section 1 of this Act shall receive for services rendered under this Act the same fees, and none other, as provided for like or similar services in other cases under section 21 of the Act of May 28, 1896 (29 Stat. 184; U.S.C., title 28, sec. 597). (18 U.S.C. sec. 576b.)

Fees.

SEC. 4. This Act shall not be construed as in any way repealing or limiting the existing jurisdiction, power, or authority of United States commissioners, including United States commissioners appointed for the several national parks and the United States commissioners in Alaska. (18 U.S.C. sec. 576c.)

Existing jurisdiction.

Nonapplication  
to D. C.

SEC. 5. The provisions of this Act shall not apply to the District of Columbia. (18 U.S.C. sec. 576d.)

Excerpt from "An Act To amend the Act entitled 'An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes', approved June 28, 1934," approved June 26, 1936 (49 Stat. 1976)

48 Stat. 1269.

SEC. 3. Section 8 of such Act is amended to read as follows:

Acceptance of  
lands within  
exterior bound-  
aries of grazing  
districts.

"SEC. 8. (a) That where such action will promote the purposes of the district or facilitate its administration, the Secretary is authorized, for the purpose of this Act only, to accept on behalf of the United States any lands within the exterior boundaries of a grazing district as a gift.

Exchanges for  
privately  
owned lands.

"(b) When public interests will be benefited thereby the Secretary is authorized to accept on behalf of the United States title to any privately owned lands within or without the boundaries of a grazing district, and in exchange therefor to issue patent for not to exceed an equal value of surveyed grazing district land or of unreserved surveyed public land in the same State or within a distance of not more than fifty miles within the adjoining State nearest the base lands.

Exchange of  
lands upon  
application of  
a State

"(c) Upon application of any State to exchange lands within or without the boundaries of a grazing district the Secretary of the Interior shall, and is hereby, directed to proceed with such exchange at the earliest practicable date and to cooperate fully with the State to that end, but no State shall be permitted to select lieu lands in another State. The Secretary of the Interior shall accept on behalf of the United States title to any State-owned lands within or without the boundaries of a grazing district, and in exchange therefor issue patent to surveyed grazing district land not otherwise reserved or appropriated or unappropriated and unreserved surveyed public land; and in making such exchange the Secretary is authorized to patent to such State, land either of equal value or of equal acreage: *Provided*, That no State shall select public lands in a grazing district in furtherance of any exchange unless the lands offered by the State in such exchange lie within such grazing district and the selected lands lie in a reasonably compact body which is so located as not to interfere with the administration or value of the remaining land in such district for grazing purposes as set forth in this Act.

*Proviso.*

Restriction on  
selection.

Mineral lands.  
Exchanges of,  
with a mineral  
reservation.

"When an exchange is based on lands of equal acreage and the selected lands are mineral in character, the patent thereto shall contain a reservation of all minerals to the United States; and in making exchanges of equal acreage the Secretary of the Interior is authorized to accept title to offered lands which are mineral in character, with a mineral reservation to the State.

"For the purpose of effecting exchanges based on lands of equal acreage the identification and area of unsurveyed school sections may be determined by protraction or otherwise. The selection by the State of lands in lieu of any such protracted school sections shall be a waiver of all of its right to such sections.

Determination of identification and area of school sections in effecting exchanges.

"(d) Before any such exchange under this section shall be effected, notice of the contemplated exchange, describing the lands involved, shall be published by the Secretary of the Interior once each week for four successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands to be accepted, and in the same manner in some like newspaper published in any county in which may be situated any lands to be given in such exchange; lands conveyed to the United States under this Act shall, upon acceptance of title, become public lands, and if located within the exterior boundaries of a grazing district they shall become a part of the district within the boundaries of which they are located: *Provided*, That either party to an exchange based upon equal value under this section may make reservations of minerals, easements, or rights of use. Where reservations are made in lands conveyed either to or by the United States the right to enjoy them shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary. Where mineral reservations are made by the grantor in lands conveyed by the United States, it shall be so stipulated in the patent, and any person who prospects for or acquires the right to mine and remove the reserved mineral deposits may enter and occupy so much of the surface as may be required for all purposes incident to the prospecting for, mining and removal of the minerals therefrom, and may mine and remove such minerals, upon payment to the owner of the surface for damages caused to the land and improvements thereon. No fee shall be charged for any exchange of land made under this Act except one-half of the cost of publishing notice of a proposed exchange as herein provided." (43 U.S.C. sec. 315g.)

Notice of contemplated exchange, by publication.

Lands conveyed to U. S. to be public lands.

*Proviso.*

Reservations of minerals. Ingress and egress.

Miners, right to enter and use surface for mining purposes.

Damages. Fee restriction; division of cost of publishing notices.

**An Act To amend section 1 of the Act providing punishment for the killing or assaulting of Federal officers, approved June 13, 1940 (54 Stat. 391)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of May 18, 1934 (ch. 299, 48 Stat. 780), as amended (U.S.C., title 18, sec. 253), be, and it is hereby, amended to read as follows:

"That whoever shall kill, as defined in sections 273 and 274 of the Criminal Code, any United States marshal or deputy United States marshal or person employed to assist a United States marshal or deputy United States marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, post-office inspector,

Punishment for killing Federal officers.

National  
Park Service.

18 U.S.C.  
sec. 454

Secret Service operative, any officer or enlisted man of the Coast Guard, any employee of any United States penal or correctional institution, any officer, employee, agent, or other person in the service of the customs or of the internal revenue, any immigrant inspector or any immigration patrol inspector, any officer or employee of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce any Act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty in, the field service of the Division of Grazing of the Department of the Interior, or any officer or employee of the Indian field service of the United States, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under section 275 of the Criminal Code." (18 U.S.C. sec. 253.)

**Excerpt from "An Act To provide for control and regulation of public-utility holding companies, and for other purposes," approved August 26, 1935 (49 Stat. 803, 847)**

41 Stat. 1063—  
1077.

*Proviso.*  
Acts not affected  
hereby.

SEC. 212. Sections 1 to 29, inclusive, of the Federal Water Power Act, as amended, shall constitute Part I of that Act and sections 25 and 30 of such Act, as amended, are repealed: *Provided*, That nothing in that Act, as amended, shall be construed to repeal or amend the provisions of the amendment to the Federal Water Power Act approved March 3, 1921 (41 Stat. 1353), or the provisions of any other Act relating to national parks and national monuments. (16 U.S.C. ch. 12 note, sec. 797 note.)

**An Act To amend the Criminal Code in respect to fires on the public domain or Indian lands or on certain lands owned or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States, approved November 15, 1941 (55 Stat. 763)**

Criminal Code  
amendments.

Setting fire to  
timber, etc., on  
designated lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 52 of the Criminal Code (Act of March 4, 1909, sec. 52; 35 Stat. 1098, United States Code, title 18, sec. 106) is hereby amended to read as follows:

"SEC. 52. Whoever shall willfully and without authority so to do set on fire or cause to be set on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned or leased by or under the partial, concurrent, or exclusive jurisdiction of the United States which are included in a park, forest, monument, historical park, military park, battlefield site, parkway, recreational area, seashore, lake shore, cemetery, recreational demonstration project, wildlife refuge, grazing district, or stock driveway, or upon any land title to which was revested in the United States under the Act of June 9,

1916 (39 Stat. 218), or upon any land reconveyed to the United States under the Act of February 26, 1919 (40 Stat. 1179), or upon any lands owned by the United States and under the jurisdiction of the Forest Service or the Bureau of Animal Industry or administered under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525), or upon any lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (36 Stat. 961), as amended, or title III of the said Bankhead-Jones Farm Tenant Act, or under statutory authority for addition to a park or wildlife refuge or upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, unless an allottee sets or causes to be set any fire in the reasonable exercise of his proprietary rights in the allotment, shall be fined not more than \$5,000 or imprisoned not more than five years, or both." (18 U.S.C. sec. 106.)

7 U.S.C. secs.  
1010-1013.

16 U.S.C. secs.  
513-519, 521.

Punishment.

SEC. 2. Section 53 of the Criminal Code, as amended (Act of June 25, 1910, sec. 6, 36 Stat. 857; United States Code, title 18, sec. 107), is hereby amended to read as follows:

"SEC. 53. Whoever shall build a fire or cause a fire to be built in or near any forest, timber, or other inflammable material upon any lands owned, controlled or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (36 Stat. 961), as amended, or under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525), or under statutory authority for addition to a park or wildlife refuge, any Indian reservation, or lands belonging to or occupied by any tribe or group of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the United States, or while the same shall remain inalienable by the allottee without the consent of the United States, shall, before leaving said fire, totally extinguish the same; and whoever shall neglect and omit totally to extinguish said fire or whoever shall permit or suffer said fire to burn or spread beyond his control or whoever shall leave or suffer said fire to burn unattended in such places, shall be fined not more than \$500 or imprisoned not more than six months without hard labor, or both." (18 U.S.C. sec. 107.)

Failure to extinguish fires.

16 U.S.C. secs.  
513-519, 521.  
7 U.S.C. secs.  
1010-1013.

Punishment.

**An Act To provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes, approved August 21, 1935 (49 Stat. 666)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Preservation of historic American sites, buildings, and objects.

Powers and duties of Secretary of the Interior.

Collating data, etc.

Surveys, etc., illustrating United States history.

Investigations and researches.

Acquisition of property, etc. ✓

*Provisos.*

Property owned by religious, etc., institutions.  
No Federal expense unless appropriation available.

Cooperative protection, etc., agreements.

*Proviso.*  
Federal obligation restriction.

Preserving antiquities and establishing museums.

Tablets marking historic places.

That it is hereby declared that it is a national policy to preserve for public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States. (16 U.S.C. sec. 461.)

SEC. 2. The Secretary of the Interior (hereinafter referred to as the Secretary), through the National Park Service, for the purpose of effectuating the policy expressed in section 1 hereof, shall have the following powers and perform the following duties and functions:

(a) Secure, collate, and preserve drawings, plans, photographs, and other data of historic and archaeologic sites, buildings, and objects.

(b) Make a survey of historic and archaeologic sites, buildings, and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States.

(c) Make necessary investigations and researches in the United States relating to particular sites, buildings, or objects to obtain true and accurate historical and archaeologic facts and information concerning the same.

(d) For the purpose of this Act, acquire in the name of the United States by gift, purchase, or otherwise any property, personal or real, or any interest or estate therein, title to any real property to be satisfactory to the Secretary: *Provided*, That no such property which is owned by any religious or educational institution, or which is owned or administered for the benefit of the public shall be so acquired without the consent of the owner: *Provided further*, That no such property shall be acquired or contract or agreement for the acquisition thereof made which will obligate the general fund of the Treasury for the payment of such property, unless or until Congress has appropriated money which is available for that purpose.

(e) Contract and make cooperative agreements with States, municipal subdivisions, corporations, associations, or individuals, with proper bond where deemed advisable, to protect, preserve, maintain, or operate any historic or archaeologic building, site, object, or property used in connection therewith for public use, regardless as to whether the title thereto is in the United States: *Provided*, That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

(f) Restore, reconstruct, rehabilitate, preserve, and maintain historic or prehistoric sites, buildings, objects, and properties of national historical or archaeological significance and where deemed desirable establish and maintain museums in connection therewith.

(g) Erect and maintain tablets to mark or commemorate historic or prehistoric places and events of national historical or archaeological significance.

(h) Operate and manage historic and archaeologic sites, buildings, and properties acquired under the provisions of this Act together with lands and subordinate buildings for the benefit of the public, such authority to include the power to charge reasonable visitation fees and grant concessions, leases, or permits for the use of land, building space, roads, or trails when necessary or desirable either to accommodate the public or to facilitate administration: *Provided*, That such concessions, leases, or permits, shall be let at competitive bidding, to the person making the highest and best bid.

Operating  
buildings, etc.

*Proviso.*  
Concessions, etc.

(i) When the Secretary determines that it would be administratively burdensome to restore, reconstruct, operate, or maintain any particular historic or archaeologic site, building, or property donated to the United States through the National Park Service, he may cause the same to be done by organizing a corporation for that purpose under the laws of the District of Columbia or any State.

Corporations to  
assist, may be  
organized.

(j) Develop an educational program and service for the purpose of making available to the public facts and information pertaining to American historic and archaeologic sites, buildings, and properties of national significance. Reasonable charges may be made for the dissemination of any such facts or information.

Educational  
program  
and service.

(k) Perform any and all acts, and make such rules and regulations not inconsistent with this Act as may be necessary and proper to carry out the provisions thereof. Any person violating any of the rules and regulations authorized by this Act shall be punished by a fine of not more than \$500 and be adjudged to pay all cost of the proceedings. (16 U.S.C. sec. 462.)

Rules to be  
prescribed.

Penalty for  
violation.

SEC. 3. A general advisory board to be known as the "Advisory Board on National Parks, Historic Sites, Buildings, and Monuments" is hereby established, to be composed of not to exceed eleven persons, citizens of the United States, to include representatives competent in the fields of history, archaeology, architecture, and human geography, who shall be appointed by the Secretary and serve at his pleasure. The members of such board shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as such members.

General  
advisory board  
established.  
Composition.

Expenses.

Duties.

It shall be the duty of such board to advise on any matters relating to national parks and to the administration of this Act submitted to it for consideration by the Secretary. It may also recommend policies to the Secretary from time to time pertaining to national parks and to the restoration, reconstruction, conservation, and general administration of historic and archaeologic sites, buildings, and properties. (16 U.S.C. sec. 463.)

SEC. 4. The Secretary, in administering this Act, is authorized to cooperate with and may seek and accept the assistance of any Federal, State, or municipal department or agency, or any educational or scientific institution, or any patriotic association, or any individual.

Cooperation of  
Government  
agencies.

Technical  
advisory  
committees.

(b) When deemed necessary, technical advisory committees may be established to act in an advisory capacity in connection with the restoration or reconstruction of any historic or prehistoric building or structure.

Professional,  
etc., services.

(c) Such professional and technical assistance may be employed without regard to the civil-service laws, and such service may be established as may be required to accomplish the purposes of this Act and for which money may be appropriated by Congress or made available by gifts for such purpose. (16 U.S.C. sec. 464.)

Jurisdiction.

SEC. 5. Nothing in this Act shall be held to deprive any State, or political subdivision thereof, of its civil and criminal jurisdiction in and over lands acquired by the United States under this Act. (16 U.S.C. sec. 465.)

Appropriation  
authorized.

SEC. 6. There is authorized to be appropriated for carrying out the purposes of this Act such sums as the Congress may from time to time determine. (16 U.S.C. sec. 466.)

Conflicting  
laws repealed.

SEC. 7. The provisions of this Act shall control if any of them are in conflict with any other Act or Acts relating to the same subject matter. (16 U.S.C. sec. 467.)

**Excerpt from "An Act To amend the Act entitled 'An Act to provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes', approved August 27, 1935 (Public, Numbered 351, Seventy-fourth Congress), and for other purposes," approved July 18, 1940 (54 Stat. 765)**

49 Stat. 885.

SEC. 2. Such Act of August 27, 1935, is further amended by adding at the end thereof the following sections:

\* \* \* \* \*

Demolition of  
surplus  
buildings.

Notice of  
intention to  
demolish.

Historic  
buildings,  
restriction.

Failure to give  
notification,  
effect.

"SEC. 7. The Commissioner of Public Buildings, with the approval of the Federal Works Administrator, is authorized, upon their determination that such action will be to the best interest of the Government, to demolish any building declared surplus to the needs of the Government in accordance with the provisions of this Act: *Provided*, That before proceeding with the demolition of any building, the Commissioner of Public Buildings shall inform the Secretary of the Interior in writing of his intention to demolish it, and shall not proceed with the demolition until he shall have received written notice from the Secretary of the Interior that said building is not an historic building of national significance within the meaning of the Act entitled 'An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes', approved August 21, 1935 (Public, Numbered 292, Seventy-fourth Congress; 49 Stat. 666): *Provided, however*, That if the Secretary of the Interior shall fail to notify the Commissioner of Public Buildings of his determination as to whether such building is an historic building of national significance within ninety days of the receipt of the notice of intention to demolish the Commissioner of Public Buildings may proceed to demolish said building." (40 U.S.C. sec. 304a-2.)

**Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1940, and for other purposes," approved May 10, 1939 (53 Stat. 685, 729)**

Appropriations herein and hereafter made for the National Park Service shall be available for the printing of information and directional signs made of cloth and required in the administration of areas under its jurisdiction. (16 U.S.C. sec. 14a.)

Information and directional signs.

**Excerpt from "An Act To amend section 355 of the Revised Statutes, as amended, to authorize the Attorney General to approve the title to low-value lands and interests in lands acquired by or on behalf of the United States subject to infirmities, and for other purposes," approved October 9, 1940 (54 Stat. 1084)**

Notwithstanding any other provision of law, the obtaining of exclusive jurisdiction in the United States over lands or interests therein which have been or shall hereafter be acquired by it shall not be required; but the head or other authorized officer of any department or independent establishment or agency of the Government may, in such cases and at such times as he may deem desirable, accept or secure from the State in which any lands or interests therein under his immediate jurisdiction, custody, or control are situated, consent to or cession of such jurisdiction, exclusive or partial, not theretofore obtained, over any such lands or interests as he may deem desirable and indicate acceptance of such jurisdiction on behalf of the United States by filing a notice of such acceptance with the Governor of such State or in such other manner as may be prescribed by the laws of the State where such lands are situated. Unless and until the United States has accepted jurisdiction over lands hereafter to be acquired as aforesaid, it shall be conclusively presumed that no such jurisdiction has been accepted. (40 U.S.C. sec. 255.)

Jurisdiction  
over lands.

Acceptance.

**An Act Authorizing the Secretary of the Interior to furnish mats for the reproduction in magazines and newspapers of photographs of national park scenery, approved August 27, 1940 (54 Stat. 861)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to have prepared mats which may be used for the reproduction in magazines and newspapers of photographs of such of the scenery in the national parks as, in the opinion of the Secretary, would be of interest to the people of the United States and foreign nations. Any such mats may be furnished, without charge and under such regulations as the Secretary may prescribe, to the publishers of magazines, newspapers, and any other publications which may carry photographic reproductions.

Photographs of national park scenery.

Preparation of mats for magazines, etc.

No charge for mats.

SEC. 2. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1941, the sum of \$3,000

Appropriation authorized.

for the purpose of carrying out the provisions of this Act. (16 U.S.C. sec. 458a.)

**Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1936, and for other purposes," approved May 9, 1935 (49 Stat. 176, 209)**

Credits of receipts for meals and quarters.

Hereafter cash collections and pay-roll deductions made for meals and quarters furnished by the National Park Service to employees of the Government in the field and to cooperating agencies may be credited as a reimbursement to the current appropriation for the administration of the park or monument in which the accommodations are furnished. (16 U.S.C. sec. 14b, 456a.)

**Excerpts from "An Act To amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by motor carriers operating in interstate or foreign commerce, and for other purposes," approved August 9, 1935 (49 Stat. 543, 545)**

49 Stat. 545.

Services excluded.

Busses in national parks, etc.

(b) Nothing in this part, except the provisions of section 204 relative to qualifications and maximum hours of service of employees and safety of operation or standards of equipment shall be construed to include \* \* \* (4) motor vehicles operated, under authorization, regulation, and control of the Secretary of the Interior, principally for the purpose of transporting persons in and about the national parks and national monuments. (49 U.S.C. sec. 303(b).)

\* \* \* \* \*

49 Stat. 546.

Regulation of common carriers, requirements.

**SEC. 204.** (a) It shall be the duty of the Commission—

(1) To regulate common carriers by motor vehicle as provided in this part, and to that end the Commission may establish reasonable requirements with respect to continuous and adequate service, transportation of baggage and express, uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment.

Regulation of contract carriers, requirements.

(2) To regulate contract carriers by motor vehicle as provided in this part, and to that end the Commission may establish reasonable requirements with respect to uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment.

Private carriers.

(3) To establish for private carriers of property by motor vehicle, if need therefor is found, reasonable requirements to promote safety of operation, and to that end prescribe qualifications and maximum hours of service of employees, and standards of equipment. In the event such requirements are established, the term "motor carrier" shall be construed to include private carriers of property by motor vehicle in the administration of sections 204 (d) and (e);<sup>1</sup> 205; 220; 221; 222 (a), (b), (d), (f), and (g); and 224. (49 U.S.C. sec. 304.)

<sup>1</sup>"204c" substituted for "204(d) and (e)" by Section 20(b), Act of Sept. 18, 1940 (54 Stat. 922).

**An Act To provide for the protection of national military parks, national parks, battlefield sites, national monuments, and miscellaneous memorials under the control of the War Department,<sup>2</sup> approved March 2, 1933 (47 Stat. 1420)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized to prescribe and publish such regulations as he deems necessary for the proper government and protection of, and maintenance of good order in, national military parks, national parks, battlefield sites, national monuments, and miscellaneous memorials as are now or hereafter may be under the control of the War Department; and any person who knowingly and willfully violates any such regulation shall be deemed guilty of a misdemeanor and punishable by a fine of not more than \$100 or by imprisonment for not more than three months, or by both such fine and imprisonment. (16 U.S.C. sec. 9a.)

National military parks, monuments, etc. Regulations for government.

Punishment for violation.

SEC. 2. That the commissioners, superintendents, caretakers, officers, or guards of such national military parks, national parks, battlefield sites, national monuments, and miscellaneous memorials, or any of them, are authorized to make arrests for violations of any of the regulations prescribed pursuant to this Act, and to bring the offenders before the nearest commissioner, judge, or court of the United States having jurisdiction in the premises. (16 U.S.C. sec. 10a.)

Arrest of offenders.

**Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1935, and for other purposes," approved March 2, 1934 (48 Stat. 362, 389)**

Hereafter the Office of National Parks, Buildings, and Reservations shall be known as the "National Park Service", and appropriations herein made for the Office of National Parks, Buildings, and Reservations shall be available to the National Park Service, and the services of the Director and personnel of the Office of National Parks, Buildings, and Reservations shall be continued in the National Park Service under their present appointments. (16 U.S.C. sec. 1.)

To be known as "National Park Service" hereafter.

**An Act To create a National Park Trust Fund Board, and for other purposes, approved July 10, 1935 (49 Stat. 477)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a board is hereby created and established, to be known as the National Park Trust Fund Board (hereinafter referred to as the Board), which shall consist of the Secretary of the Treasury, the Secretary of the Interior, the Director of the National Park Service, and two persons appointed by the President for a term of five years each (the first appoint-

National Park Trust Fund Board, created. Membership, terms of office, quorum, etc.

<sup>2</sup> See Executive orders in the Appendix providing for transfer of certain War Department areas to the Department of the Interior.

## Seal.

Procedural rules  
and regulations.

Compensation;  
expenses of  
members.

Acceptance, etc.,  
of gifts.

Investment of  
trust funds.

"National Park  
Trust Fund."

Restriction on  
investments.

Powers of  
Board.

Gifts for  
immediate dis-  
bursement, etc.

ments being for three and five years, respectively). Three members of the Board shall constitute a quorum for the transaction of business, and the Board shall have an official seal, which shall be judicially noticed. The Board may adopt rules and regulations in regard to its procedure and the conduct of its business.

No compensation shall be paid to the members of the Board for their services as such members, but they shall be reimbursed for the expenses necessarily incurred by them, out of the income from the fund or funds in connection with which such expenses are incurred. (16 U.S.C. sec. 19.)

SEC. 2. The Board is hereby authorized to accept, receive, hold, and administer such gifts or bequests of personal property for the benefit of, or in connection with, the National Park Service, its activities, or its service, as may be approved by the Board, but no such gift or bequest which entails any expenditure not to be met out of the gift, bequest or the income thereof shall be accepted without the consent of Congress.

The moneys or securities composing the trust funds given or bequeathed to the Board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments as the Board may from time to time determine. The income, as and when collected, shall be covered into the Treasury of the United States in a trust fund account to be known as the "National Park Trust Fund" subject to disbursement by the Division of Disbursement, Treasury Department, for the purposes in each case specified: *Provided, however,* That the Board is not authorized to engage in any business, nor shall the Secretary of the Treasury make any investment for account of the Board that may not lawfully be made by a trust company in the District of Columbia, except that the Secretary may make any investments directly authorized by the instrument of gift, and may retain any investments accepted by the Board. (16 U.S.C. sec. 19a.)

SEC. 3. The Board shall have perpetual succession, with all the usual powers and obligations of a trustee, including the power to sell, except as herein limited, in respect of all property, moneys, or securities which shall be conveyed, transferred, assigned, bequeathed, delivered or paid over to it for the purposes above specified. The Board may be sued in the Supreme Court of the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by it. (16 U.S.C. sec. 19b.)

SEC. 4. Nothing in this Act shall be construed as prohibiting or restricting the Secretary of the Interior from accepting, in the name of the United States, gifts or bequests of money for immediate disbursement or other property in the interest of the National Park Service, its activities, or its service, as heretofore authorized by law. (16 U.S.C. sec. 6a.)

SEC. 5. Gifts or bequests to or for the benefit of the National Park Service, including those to the Board, and the income therefrom, shall be exempt from all Federal taxes. (16 U.S.C. sec. 19c.)

Tax exemption.

SEC. 6. The Board shall submit to the Congress an annual report of the moneys or securities received and held by it and of its operations. (16 U.S.C. sec. 19d.)

Report to Congress.

**Excerpt from "An Act To amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes," approved September 5, 1940 (54 Stat. 867, 870)**

SEC. 9. \* \* \* That hereafter the location of such parkways upon public lands, national forests, or other Federal reservations shall be determined by agreement between the department having jurisdiction over such lands and the National Park Service: *Provided further*, That hereafter appropriations for the construction and maintenance of parkways shall be administered in conformity with regulations jointly approved by the Secretary of the Interior and the Federal Works Administrator. (16 U.S.C. secs. 460b, 460c.)

Location of parkways.

Appropriations for construction and maintenance of parkways, administration.

**An Act To authorize certain officers and employees to administer oaths to expense accounts, approved June 6, 1939 (53 Stat. 810)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 8 of the Sundry Civil Appropriation Act for the fiscal year ending June 30, 1913, approved August 24, 1912 (37 Stat. 487), be, and it is hereby, amended to read as follows:

Oaths to expense accounts.

"SEC. 8. Postmasters, assistant postmasters, collectors of customs, collectors of internal revenue, chief clerks of the various executive departments, independent establishments, and other Government agencies, or of bureaus thereof, the superintendent, the acting superintendent, custodian, and principal clerks of the various national parks and other Government reservations, superintendent, acting superintendent, and principal clerks of the different Indian superintendencies or Indian agencies, chiefs of field parties, and any officer or employee of any executive department, independent establishment, or other Government agency, in the District of Columbia or elsewhere, who shall have been designated in writing for such purpose by the head of the department, establishment, or agency concerned, are required, empowered, and authorized, when requested, to administer oaths, required by law or otherwise, to accounts for travel or other expenses against the United States, with like force and effect as officers having a seal; for such services when so rendered, or when rendered on demand by notaries public, who at the time are also salaried officers or employees of the United States, no charge shall be made;

Officers and employees authorized to administer.

and no fee or money paid for the services herein described shall be paid or reimbursed by the United States." (16 U.S.C. sec. 454.)

**Excerpt from "An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1944, and for other purposes," approved June 26, 1943 (57 Stat. 169, 196)**

Oaths for employment, designated officers or employees to administer.

SEC. 206. Hereafter any officer or employee of any of the executive departments or independent establishments, including any agency the majority of the stock of which is owned by the Government of the United States, designated in writing by the head thereof for such purpose, is hereby authorized to administer the oath required by section 1757, Revised Statutes, as amended (5 U.S.C. 16), incident to entrance into the executive branch of the Federal Government, or any other oath required by law in connection with employment therein, such oath to be administered without charge or fee and to have the same force and effect as oaths administered by officers having seals. (5 U.S.C. sec. 16a.)

**An Act To authorize a study of the park, parkway, and recreational-area programs in the United States, and for other purposes, approved June 23, 1936 (49 Stat. 1894)**

Study by National Park Service directed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to cause the National Park Service to make a comprehensive study, other than on lands under the jurisdiction of the Department of Agriculture, of the public park, parkway, and recreational-area programs of the United States, and of the several States and political subdivisions thereof, and of the lands throughout the United States which are or may be chiefly valuable as such areas, but no such study shall be made in any State without the consent and approval of the State officials, boards, or departments having jurisdiction over such lands and park areas. The said study shall be such as, in the judgment of the Secretary, will provide data helpful in developing a plan for coordinated and adequate public park, parkway, and recreational-area facilities for the people of the United States. In making the said study and in accomplishing any of the purposes of this Act, the Secretary is authorized and directed, through the National Park Service, to seek and accept the cooperation and assistance of Federal departments or agencies having jurisdiction of lands belonging to the United States, and may cooperate and make agreements with and seek and accept the assistance of other Federal agencies and instrumentalities, and of States and political subdivisions thereof and the agencies and instrumentalities of either of them. (16 U.S.C. sec. 17k.)

Consent of State required.

Cooperation of other agencies.

Assistance to States in planning, etc.

SEC. 2. For the purpose of developing coordinated and adequate public park, parkway, and recreational-area facili-

ties for the people of the United States, the Secretary is authorized to aid the several States and political subdivisions thereof in planning such areas therein, and in cooperating with one another to accomplish these ends. Such aid shall be made available through the National Park Service acting in cooperation with such State agencies or agencies of political subdivisions of States as the Secretary deems best. (16 U.S.C. sec. 17l.)

SEC. 3. The consent of Congress is hereby given to any two or more States to negotiate and enter into compacts or agreements with one another with reference to planning, establishing, developing, improving, and maintaining any park, parkway, or recreational area. No such compact or agreement shall be effective until approved by the legislatures of the several States which are parties thereto and by the Congress of the United States. (16 U.S.C. sec. 17m.)

SEC. 4. As used in sections 1 and 2 of this Act the term "State" shall be deemed to include Hawaii, Alaska, Puerto Rico, the Virgin Islands, and the District of Columbia. (16 U.S.C. sec. 17n.)

Consent of Congress granted to State compacts.

Approval by State legislatures and Congress.

"State" construed.

**An Act To authorize the disposition of recreational demonstration projects, and for other purposes, approved June 6, 1942 (56 Stat. 326)<sup>1</sup>**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, except as provided in section 2 hereof, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized, with the approval of the President, to convey or lease to the States or to the political subdivisions thereof, without consideration, any or all of the recreational demonstration projects and lands, improvements, and equipment comprised within such projects transferred to him by Executive Order Numbered 7496, dated November 14, 1936, or any parts of such projects, when in his judgment such grantees or lessees are adequately prepared to administer, operate, and maintain such project areas for public park, recreational, and conservation purposes, or he may, with the approval of the President, transfer to other Federal agencies any of the aforesaid recreational demonstration areas that may be of use to such agencies. (16 U.S.C. sec. 459r.)

Recreational demonstration projects.

Conveyance or lease to States.

1 F. R. 1946.

Transfer to other Federal agencies.

Addition of designated projects to other areas.

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided*, That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map

<sup>1</sup> See footnote 3, page 2.

of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

Deeds and  
leases;  
statement of  
conditions.

SEC. 3. The Secretary is authorized to execute on behalf of the United States all necessary deeds and leases to effect the purposes of this Act. Every such deed or lease shall contain the express condition that the grantee or lessee shall use the property exclusively for public park, recreational, and conservation purposes, and the further express condition that the United States assumes no obligation for the maintenance or operation of the property after the acceptance of such deed or during the term of such lease, and may contain such other conditions not inconsistent with such express conditions as may be agreed upon by the Secretary and the grantee or lessee: *Provided*, That the title and right to possession of any lands so conveyed or leased, together with the improvements thereon, shall revert to the United States upon a finding by the Secretary, after notice to such grantee or lessee and after an opportunity for a hearing, that the grantee or lessee has not complied with such conditions during a period of more than three years, which finding shall be final and conclusive, and such lands and improvements thereon, upon such reversion to the United States, shall be returned to the jurisdiction of the Department of the Interior and upon determination of the Secretary may be considered as surplus real property to be disposed of in accordance with the Act of August 27, 1935 (49 Stat. 885). (16 U.S.C. sec. 459t.)

*Proviso.*  
Failure to  
comply with  
conditions.

40 U.S.C.  
sec. 304a.

**Excerpt from "An Act To amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes," approved September 5, 1940 (54 Stat. 867, 870)**

Administration  
of national  
park and  
monument road  
appropriations.

SEC. 8. \* \* \* That hereafter appropriations for the construction, reconstruction, and improvement of such park and monument roads shall be administered in conformity with regulations jointly approved by the Secretary of the Interior and the Federal Works Administrator. (16 U.S.C. sec. 8—1.)

**An Act To authorize the use of certain facilities of Indian reservations, national parks, and national monuments for elementary school purposes, approved July 16, 1940 (54 Stat. 761)**

Use of Certain  
facilities for  
elementary  
school purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate the providing of educational opportunities for children of Government employees and other residents in Indian reservations, the national parks and national monuments the Secretary of the Interior is hereby authorized in his discretion to make available for elementary school purposes therein, without charge, space in Government-owned buildings, when such space may be available for such purposes without detriment to the official business of such Indian reservations, national parks and national monuments. (5 U.S.C. sec. 76a.)

**An Act To amend section 289 of the Criminal Code, approved June 6, 1940 (54 Stat. 234)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 289 of the Criminal Code (U.S.C., title 18, sec. 468) be, and it is hereby, amended to read as follows:

Criminal Code, amendment.

Certain offenses committed on Federal reservations.

"SEC. 289. Whoever, within the territorial limits of any State, organized Territory, or district, but within or upon any of the places now existing or hereafter reserved or acquired, described in section 272 of the Criminal Code (U.S. C., title 18, sec. 451), shall do or omit the doing of any act or thing which is not made penal by any laws of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or district in which such place is situated, by the laws thereof in force on February 1, 1940, and remaining in force at the time of the doing or omitting the doing of such act or thing, would be penal, shall be deemed guilty of a like offense and be subject to a like punishment." (18 U.S.C. sec. 468.)

Applicability of State, etc., laws.

**An Act To amend section 7 (a) of the Act of May 21, 1920 (41 Stat. 613), as amended by section 601 of the Act of June 30, 1932 (47 Stat. 417), to authorize interdepartmental procurement by contract, upon orders placed by the War Department, Navy Department, Treasury Department, Civil Aeronautics Administration, and the Maritime Commission, approved July 20, 1942 (56 Stat. 661) \***

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 7 (a) of the Act entitled "An Act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1921, and for other purposes", approved May 21, 1920 (41 Stat. 613), as amended by section 601 of the Act of June 30, 1932 (47 Stat. 417; 31 U.S.C. 686), entitled "An Act making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes", is hereby amended to read as follows:

"SEC. 7. (a) Any executive department or independent establishment of the Government, or any bureau or office thereof, if funds are available therefor and if it is determined by the head of such executive department, establishment, bureau, or office to be in the interest of the Government so to do, may place orders with any other such department, establishment, bureau, or office for materials, supplies, equipment, work, or services, of any kind that such requisitioned Federal agency may be in a position to supply or equipped to render, and shall pay promptly by check to such Federal agency as may be requisitioned, upon its written request, either in advance or upon the furnishing or per-

Interdepartmental procurement of supplies and services.

\* See also amended subsections (b) and (c) of section 7 of the Act of May 21, 1920, immediately following.

formance thereof, all or part of the estimated or actual cost thereof as determined by such department, establishment, bureau, or office as may be requisitioned; but proper adjustments on the basis of the actual cost of the materials, supplies, or equipment furnished, or work or services performed, paid for in advance, shall be made as may be agreed upon by the departments, establishments, bureaus, or offices concerned: *Provided*, That the War Department, Navy Department, Treasury Department, Civil Aeronautics Administration, and the Maritime Commission may place orders, as provided herein, for materials, supplies, equipment, work, or services, of any kind that any requisitioned Federal agency may be in a position to supply, or to render or to obtain by contract: *Provided further*, That if such work or services can be as conveniently or more cheaply performed by private agencies such work shall be let by competitive bids to such private agencies. Bills rendered, or requests for advance payments made, pursuant to any such order, shall not be subject to audit or certification in advance of payment." (31 U.S.C. sec. 686.)

**Excerpts from "An Act Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes," approved June 30, 1932 (47 Stat. 382, 417, 418)**

SEC. 601. Section 7 of the Act entitled "An Act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1921, and for other purposes", approved May 21, 1920 [U.S.C., title 31, sec. 686], is amended to read as follows:

<p>Credit of receipts. Advance payments. Other payments.</p> <p>Special working funds established.</p> <p>Supplies, etc., furnished from stocks on hand.</p> <p>Disposition of receipts.</p>	<p style="text-align: center;">* * * * *</p> <p>(b) Amounts paid as provided in subsection (a) shall be credited, (1) in the case of advance payments, to special working funds, or (2) in the case of payments other than advance payments, to the appropriations or funds against which charges have been made pursuant to any such order, except as hereinafter provided. The Secretary of the Treasury shall establish such special working funds as may be necessary to carry out the provisions of this subsection. Such amounts paid shall be available for expenditure in furnishing the materials, supplies, or equipment, or in performing the work or services, or for the objects specified in such appropriations of funds. Where materials, supplies, or equipment are furnished from stocks on hand, the amounts received in payment therefor shall be credited to appropriations or funds, as may be authorized by other law, or, if not so authorized, so as to be available to replace the materials, supplies, or equipment, except that where the head of any such department, establishment, bureau, or office determines that such replacement is not necessary the amounts paid shall be covered into the Treasury as miscellaneous receipts. (31 U.S.C. sec. 686.)</p> <p style="text-align: center;">* * * * *</p>
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SEC. 602. (a) Notwithstanding the provisions of this title, such section 7, as in force prior to the date of the enactment of this Act, shall remain in force with respect to the disposition of funds transferred thereunder prior to such date.

Disposition of funds transferred prior to date.

(b) Nothing in this title shall be construed to authorize any Government department or independent establishment, or any bureau or office thereof, to place any orders for material, supplies, equipment, work, or services to be furnished or performed by convict labor, except as otherwise provided by existing law.

Convict labor, materials, etc.

(c) The provisions of this title are in addition to and not in substitution for the provisions of any other law relating to working funds. (31 U.S.C. sec. 686b.)

Foregoing provisions considered additions to existing laws.

**Excerpt from "An Act To amend section 7 (c) of the Act of May 21, 1920 (41 Stat. 613), as amended by section 601 of the Act of June 30, 1932 (47 Stat. 417)," approved June 26, 1943 (57 Stat. 219)**

(c) Orders placed as provided in subsection (a) shall be considered as obligations upon appropriations in the same manner as orders or contracts placed with private contractors. Advance payments credited to special working funds shall remain available to the procuring agency for entering into contracts and other uses during the fiscal year or years for which the appropriation involved was made and thereafter until said appropriation lapses under the law to the surplus fund of the Treasury. (31 U.S.C. sec. 686.)

**Excerpt from "An Act To consolidate certain exceptions to section 3709 of the Revised Statutes and to improve the United States Code," approved October 10, 1940 (54 Stat. 1110)**

SEC. 2. Section 3709 of the Revised Statutes shall not be construed to apply under any appropriation Act to the following departments and independent offices under the circumstances specified herein:

\* \* \* \* \*

(g) Department of the Interior, the bureaus and offices thereof, Howard University, and the Columbia Institution for the Deaf, at the seat of the government, as well as those located in the field outside the District of Columbia—to the purchase of supplies and equipment or the procurement of services made in open markets in the manner common among businessmen when the aggregate amount of the purchase or the service does not exceed \$100 in any instance. (41 U.S.C. sec. 6a.)

Open market purchases. Department of the Interior.

**Excerpt from "An Act To amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes," approved June 16, 1936 (49 Stat. 1519, 1521)**

\* \* \* \* \*

Gasoline, etc.,  
taxes.  
Levy extended  
to agencies on  
United States  
reservations;  
exception.

Collection of.

Report to  
be made.

SEC. 10. (a) That all taxes levied by any State, Territory or the District of Columbia upon sales of gasoline and other motor vehicle fuels may be levied, in the same manner and to the same extent, upon such fuels when sold by or through post exchanges, ship stores, ship service stores, commissaries, filling stations, licensed traders, and other similar agencies, located on United States military or other reservations, when such fuels are not for the exclusive use of the United States. Such taxes, so levied, shall be paid to the proper taxing authorities of the State, Territory or the District of Columbia, within whose borders the reservation affected may be located.

(b) The officer in charge of such reservation shall, on or before the fifteenth day of each month, submit a written statement to the proper taxing authorities of the State, Territory or the District of Columbia within whose borders the reservation is located, showing the amount of such motor fuel not sold for the exclusive use of the United States during the preceding month.<sup>5</sup> (4 U.S.C. sec. 12.)

Excerpt from "An Act To permit the States to extend their sales, use, and income taxes to persons residing or carrying on business, or to transactions occurring, in Federal areas, and for other purposes," approved October 9, 1940 (54 Stat. 1060)

Federal  
Highway Act,  
amendment.  
49 Stat. 1521.

\*       \*       \*       \*       \*       \*

SEC. 7. (a) Subsection (a) of section 10 of the Federal Highway Act, approved June 16, 1936, is amended—

(1) By striking out the words "upon sales of gasoline and other motor vehicle fuels" and inserting in lieu thereof the words "upon, with respect to, or measured by, sales, purchases, storage, or use of gasoline or other motor vehicle fuels"; and

(2) By striking out the words "upon such fuels" and inserting in lieu thereof the words "with respect to such fuels".

(b) Subsection (b) of such section 10 is amended by striking out the words "not sold for the exclusive use of the United States during" and inserting in lieu thereof the words "with respect to which taxes are payable under subsection (a) for". (4 U.S.C. sec. 12.)

Excerpt from "An Act To permit the States to extend their sales, use, and income taxes to persons residing or carrying on business, or to transactions occurring, in Federal areas, and for other purposes," approved October 9, 1940 (54 Stat. 1059)

Extension of  
State sales or  
use tax to  
Federal areas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) no person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, on

<sup>5</sup> Amended, see excerpt immediately following.

the ground that the sale or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

(b) The provisions of subsection (a) shall be applicable only with respect to sales or purchases made, receipts from sales received, or storage or use occurring, after December 31, 1940. (4 U.S.C. sec. 13.)

Applicability.

SEC. 2. (a) No person shall be relieved from liability for any income tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, by reason of his residing within a Federal area or receiving income from transactions occurring or services performed in such area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

Extension of State income tax to Federal areas.

(b) The provisions of subsection (a) shall be applicable only with respect to income or receipts received after December 31, 1940. (4 U.S.C. sec. 14.)

Applicability.

SEC. 3. (a) The provisions of sections 1 and 2 of this Act shall not be deemed to authorize the levy or collection of any tax on or from the United States or any instrumentality thereof, or the levy or collection of any tax with respect to sale, purchase, storage, or use of tangible personal property sold by the United States or any instrumentality thereof to any authorized purchaser.

Tangible personal property sold by U.S.

(b) A person shall be deemed to be an authorized purchaser under this section only with respect to purchases which he is permitted to make from commissaries, ship's stores, or voluntary unincorporated organizations of Army or Navy personnel, under regulations promulgated by the Secretary of War or the Secretary of the Navy. (4 U.S.C. sec. 15.)

Authorized purchaser.

SEC. 4. The provisions of this Act shall not for the purposes of any other provision of law be deemed to deprive the United States of exclusive jurisdiction over any Federal area over which it would otherwise have exclusive jurisdiction or to limit the jurisdiction of the United States over any Federal area. (4 U.S.C. sec. 16.)

Jurisdiction of U.S. over Federal areas.

SEC. 5. Nothing in sections 1 and 2 of this Act shall be deemed to authorize the levy or collection of any tax on or from any Indian not otherwise taxed. (4 U.S.C. sec. 17.)

Taxation of Indians.

SEC. 6. As used in this Act—

(a) The term "person" shall have the meaning assigned to it in section 3797 of the Internal Revenue Code.

Definitions. 26 U.S.C. sec. 3797.

(b) The term "sales or use tax" means any tax levied on, with respect to, or measured by, sales, receipts from sales, purchases, storage, or use of tangible personal prop-

"Sales or use" tax.

49 Stat. 1521.  
4 U.S.C. sec. 12.

erty, except a tax with respect to which the provisions of section 10 of the Federal Highway Act, approved June 16, 1936, are applicable.

"Income tax."

(c) The term "income tax" means any tax levied on, with respect to, or measured by, net income, gross income, or gross receipts.

"State."

(d) The term "State" includes any Territory or possession of the United States.

"Federal Area."

(e) The term "Federal area" means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; and any Federal area, or any part thereof, which is located within the exterior boundaries of any State shall be deemed to be a Federal area located within such State. (4 U.S.C. sec. 18.)

**Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes," approved June 28, 1941 (55 Stat. 303, 350)**

Title evidence,  
donated lands.

Hereafter appropriations made for the National Park Service shall be available for any expenses incident to the preparation and recording of title evidence covering lands to be donated to the United States for administration by the National Park Service. (16 U.S.C. sec. 14c.)

**An Act To encourage travel in the United States, and for other purposes, approved July 19, 1940 (54 Stat. 773)**

Encouragement  
of travel  
within U. S.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed, through the National Park Service, to encourage, promote, and develop travel within the United States, its Territories and possessions, providing such activities do not compete with the activities of private agencies; and to administer all existing travel promotion functions of the Department of the Interior through such Service. (16 U.S.C. sec. 18.)

Cooperation with  
tourist, etc.,  
agencies.

SEC. 2. In carrying out the purposes of this Act, the Secretary is authorized to cooperate with public and private tourist, travel, and other agencies in the display of exhibits, and in the collection, publication, and dissemination of information with respect to places of interest, routes, transportation facilities, accommodations, and such other matters as he deems advisable and advantageous for the purpose of encouraging, promoting, or developing such travel. Nothing in this Act shall prohibit the preparation of graphic materials in foreign languages, designed to call attention to the attractions and places of interest in the United States and to encourage the use of American registered ships and planes. The existing facilities of the United States Government in foreign countries are hereby authorized to assist in the distribution of this material. The Secretary may

Graphic  
materials in  
foreign  
languages;  
distribution.

enter into contracts with private publishers for such printing and binding as he may deem advisable in carrying out the purposes of this Act. The Secretary is also authorized to make charges for any publications made available to the public pursuant to this Act; and any proceeds from the sale of publications produced by the expenditure of contributed funds shall continue to be available for printing and binding as aforesaid. (16 U.S.C. sec. 18a.)

Printing and binding.

SEC. 3. The Secretary of the Interior is authorized to create an advisory committee to consist of a representative from each of the Departments of State, Agriculture, and Commerce, the Interstate Commerce Commission, the Civil Aeronautics Authority, and the United States Maritime Commission, as may be designated by such Departments or agencies, respectively, and such additional members, representatives of the various sections of the Nation, including transportation and accommodations agencies, not to exceed six members, to be appointed by the Secretary of the Interior to serve at his pleasure. Meetings of the committee shall be held at the request of the Secretary for the purpose of making recommendations concerning the promotion of tourist travel under the provisions of this Act. The members of the committee shall receive no compensation for their services as members, but shall be entitled to reimbursement for such necessary travel and other expenses in connection with their attendance at committee meetings as may be authorized or approved by the Secretary. (16 U.S.C. sec. 18b.)

Advisory committee.

Meetings.

SEC. 4. In the performance of his functions and duties under the provisions of this Act, the Secretary of the Interior is authorized—

(a) To prescribe, amend, and repeal such rules and regulations as he may deem necessary, and to accept contributions for carrying out the purposes of this Act; and

Rules; contributions.

(b) To employ without regard to the civil-service laws, but subject to the Classification Act of 1923, as amended, one special assistant and not to exceed five artists and illustrators. (16 U.S.C. sec. 18c.)

Personnel.  
42 Stat. 1488,  
5 U.S.C.  
secs. 661-674.

SEC. 5. There is authorized to be appropriated annually not to exceed the sum of \$100,000 to carry out the provisions of this Act. (16 U.S.C. sec. 18d.)

Appropriation authorized.

**Excerpt from "An Act To promote the conservation of wild life, fish, and game, and for other purposes," approved March 10, 1934 (48 Stat. 402)**

SEC. 5. The Bureau of Biological Survey and the Bureau of Fisheries are hereby authorized to make surveys of the wild-life resources of the public domain, or of any lands owned or leased by the Government, to conduct such investigations as may be necessary for the development of a program for the maintenance of an adequate supply of wild life in these areas, to establish thereon game farms and fish-cultural stations commensurate with the need for replenish-

Studies of wild-life, etc., resources to be made by designated bureaus.

Cooperation of  
other agencies.

ing the supply of game and fur-bearing animals and fish, and, in cooperation with the National Park Service, The Forest Service, or other Federal agencies, the State agencies, to coordinate and establish adequate measures for wild-life control on such game farms and fish-cultural stations: *Provided*, That no such game farm shall hereafter be established in any State without the consent of the legislature of that State. (16 U.S.C. sec. 665.)

## II. LEGISLATION RELATING TO THE NATIONAL PARKS

### 1. Acadia National Park

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Acadia Recreational Demonstration Project, addition to park.....	28
.....Excerpt from Act of June 6, 1942	28

**An Act To authorize the transfer of the Green Lake Fish Cultural Station in Hancock County, Maine, as an addition to Acadia National Park, approved May 29, 1935 (49 Stat. 312)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Commerce be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park, established under the Act of February 26, 1919 (40 Stat. 1178), and Acts supplemental thereto, all that tract of land containing eight hundred and twenty acres, more or less, with improvements thereon if any, comprising the abandoned Green Lake Fish Cultural Station, in Hancock County, Maine, said tract being no longer needed for fish-cultural purposes: *Provided,* That such action shall be in full recognition of any outstanding lease, license, or permit, affecting said land.

Green Lake Fish Cultural Station, Maine.

Transfer of, to Acadia National Park authorized. 40 Stat. 1178; 45 Stat. 1083.

Outstanding leases, permits, etc., recognized.

**An Act To authorize the transfer of the Otter Cliffs Radio Station on Mount Desert Island in the State of Maine as an addition to the Acadia National Park, and for other purposes, approved August 24, 1935 (49 Stat. 795)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That upon the removal of the Otter Cliffs Radio Station and its relocation on lands within the Acadia National Park as authorized by the Act of April 22, 1932 (47 Stat. 91), the Secretary of the Navy be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park all that tract of land containing approximately twelve acres on Mount Desert Island in the State of Maine now occupied by and used by the Navy Department for the purposes of the said Otter Cliffs Radio Station, and the Secretary of the Interior shall be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Navy for naval radio purposes the site of the relocated radio station, with the buildings and improvements thereon, and such surrounding area

Otter Cliffs Radio Station, Mount Desert Island, Maine.

Transfer of, as addition to Acadia National Park. 47 Stat. 126.

Jurisdiction.

Approval of  
design of  
buildings, etc.

Bridge across  
the inlet to the  
Black Woods,  
authorized.

as may be agreed upon by the Secretary of the Interior and the Secretary of the Navy: *Provided*, That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon including any additions or alterations to the present radio station.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to construct or cause to be constructed in connection with and as a part of the road system of the Acadia National Park, a bridge or causeway and approaches thereto across the inlet or bay lying between the Otter Cliffs and the Black Woods, in the State of Maine, at a point which he may designate as most suitable to the interests of the Federal Government.

**Excerpt from "An Act To authorize the disposition of recreational demonstration projects, and for other purposes," approved June 6, 1942 (56 Stat. 327)**

Addition of  
designated  
projects to  
other areas.

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided*, That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

*Proviso.*

## 2. Big Bend National Park

Establishment of park authorized.....	Act of June 20, 1935	Page 29
Jurisdiction, cession to U. S.....	State Act of May 12, 1939	29

**An Act To provide for the establishment of the Big Bend National Park in the State of Texas, and for other purposes, approved June 20, 1935 (49 Stat. 393)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That when title to such lands as may be determined by the Secretary of the Interior as necessary for recreational park purposes within the boundaries to be determined by him within the area of approximately one million five hundred thousand acres, in the counties of Brewster and Presidio, in the State of Texas, known as the "Big Bend" area, shall have been vested in the United States, such lands shall be, and are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the "Big Bend National Park": *Provided*, That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public and private donations. (16 U.S.C. sec. 156.)

Big Bend  
National Park,  
Texas.

Establishment.

Area, location,  
etc.

*Proviso.*

Lands secured by  
donation only.

Acceptance  
of title.

*Proviso.*

Exclusive juris-  
diction required.

National Park  
Service to  
administer, etc.

Water Power  
Act not ap-  
plicable.  
41 Stat. 1063.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept, on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: *Provided*, That no land for said park shall be accepted until exclusive jurisdiction over the entire area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Texas to the United States. (16 U.S.C. sec. 157.)

SEC. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided*, That the provisions of the Act of June 10, 1920, known as the "Federal Water Power Act", shall not apply to this park. (16 U.S.C. sec. 158.)

**Excerpt from An Act of the Legislature of Texas, approved May 12, 1939, authorizing the cession to the United States of exclusive jurisdiction over lands conveyed to the United States for the Big Bend National Park. (Art. 6077e, Vernon's Annotated Revised Civil Statutes of the State of Texas)**

The United States Government, through the Secretary of the Interior or any other Agency, is hereby authorized to

acquire title, to hold, occupy and possess the area herein defined as the Big Bend National Park and the Governor of the State of Texas is hereby authorized to execute a deed of conveyance to the United States Government covering the area acquired under the terms of this Act as the Big Bend National Park for the use of the public for recreational park purposes, in consideration of the United States Government agreeing to establish and maintain said area as a National Park under an Act of Congress, being Public—No. 157, enacted by the Seventy-fourth Congress of the United States and to cede to the United States jurisdiction over said lands in conformity with the provisions of Article 5247, of the Revised Civil Statutes of Texas, 1925; reserving, however, to the State of Texas, the right to retain concurrent jurisdiction with the United States over every portion of the lands so ceded, so far, that all process, civil or criminal, issuing under the authority of this State or any of the courts or judicial officers thereof, may be executed by the proper officers of the State, upon any person amenable to the same within the limits of the land so ceded as the area for the Big Bend National Park, in like manner and like effect as if no such cession had taken place; and, reserving further, to the State the right to levy and collect taxes on sales of products or commodities upon which a sales tax is levied in this State, and to tax persons and corporations, their franchises and properties, on land or lands deeded and conveyed under the terms of this Act; and reserving also, to persons residing in or on any of the land or lands deeded or conveyed under the terms of this Act to the United States Government the right to vote at all elections within the counties, in which said land or lands are located, upon like terms and conditions and to the same extent as they would be entitled to vote in such counties had not such lands been deeded or conveyed as aforesaid to the United States of America.

### 3. Bryce Canyon National Park

Correction of land description.....	Act of March 7, 1942	Page 31
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An Act To correct the description of land added to the Bryce Canyon National Park pursuant to the Act of February 17, 1931, approved March 7, 1942 (56 Stat. 141)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That the tract of land located in sections 17, 19, 20, and 22, township 36 south, range 3 west, Salt Lake meridian, described in section 1 of the Act approved February 17, 1931 (46 Stat. 1166), and also described in the Proclamation of the President dated May 4, 1931 (47 Stat. 2455), issued pursuant thereto, be, and the same is hereby corrected to read as follows: "east half, northeast quarter northwest quarter, east half northwest quarter northwest quarter, north half southeast quarter northwest quarter, south half northeast quarter southwest quarter, north half south half southeast quarter northwest quarter, and north half southeast quarter southwest quarter section 17, south half south half section 19, south half northwest quarter section 20, west half, west half east half and northeast quarter northeast quarter section 22". (16 U.S.C. sec. 402f.)

Bryce Canyon  
National Park,  
Utah.

Description of  
tract of land.

16 U.S.C.  
sec. 402f.

#### 4. Carlsbad Caverns National Park

	Page
Acquisition of land within park in exchange for use of park land for the purpose of removing guano.....	32

**An Act To authorize the exchange of the use of certain Government land within the Carlsbad Caverns National Park for certain privately owned land therein, approved May 4, 1934 (48 Stat. 664)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That the Secretary of the Interior be, and he is hereby, authorized to acquire for and on behalf of the United States for park purposes title to the northeast quarter northwest quarter section 31, township 24 south, range 25 east, New Mexico principal meridian, within the Carlsbad Caverns National Park, and to grant to the owner thereof in exchange therefor, under such regulations as may be deemed by said Secretary necessary and in the interest of the United States, the privilege to use a shaft or tunnel located in the northwest quarter northeast quarter section 31, township 24 south, range 25 east, of the same meridian, for the purpose of mining and removing guano from the said northeast quarter northwest quarter section 31, the right to said guano to be reserved to the owner in the transfer of title to said land to the United States pursuant to this Act: *Provided*, That in addition to said privilege the Secretary of the Interior may also authorize the removal, under such terms and conditions as he deems fair, of any guano located within or on Government lands adjacent to said deposit: *Provided further*, That evidence of title to the land to be conveyed to the United States hereunder, satisfactory to the Secretary of the Interior, shall be furnished without cost to the Government.

Carlsbad Caverns National Park, N. Mex. Exchange of certain land within, authorized.

Privilege to use tunnel to remove guano.

*Provisos.*

Removing other deposits.

Title without Federal cost.

<sup>1</sup> See proclamations No. 2031 of February 21, 1933 (47 Stat. 2556), and No. 2321 of February 3, 1939 (3 CFR, CUM. SUPP., 76; 53 Stat. 2523), adding certain lands to the park pursuant to the Act of May 14, 1930 (46 Stat. 279).

## 5. Crater Lake National Park

Commissioner, place of residence and payment of accrued salary.....	Page
.....Act of June 25, 1935	33

**An Act To amend an Act entitled "An Act to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced within the Crater Lake National Park, and for other purposes," approved June 25, 1935 (49 Stat. 422)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 6, paragraph 1, of an Act entitled "An Act to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced within the Crater Lake National Park, and for other purposes", approved August 21, 1916 (39 Stat. L. 523), be amended so as to read:

Crater Lake  
National Park,  
Oregon.

"SEC. 6. That the United States District Court for Oregon shall appoint a commissioner, who shall reside within the exterior boundaries of the Crater Lake National Park or at a place reasonably adjacent to the park, the place of residence to be designated by the Secretary of the Interior, and who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act."<sup>1</sup> (16 U.S.C. sec. 129.)

Commissioner.  
Appointment,  
residence,  
authority, etc.

SEC. 2. That section 9 of the said Act be amended by striking out the words, "*Provided*, That the said commissioner shall reside within the exterior boundaries of said Crater Lake National Park, at a place to be designated by the court making such appointment." (16 U.S.C. sec. 132.)

Payment of  
accrued salary.

SEC. 3. Any commissioner heretofore appointed under authority of the said Act shall be entitled to receive the salary provided by law, which may have accrued at the date this Act becomes effective, without regard to whether such commissioner or commissioners may have resided within the exterior boundaries of the Crater Lake National Park. (16 U.S.C. sec. 132a.)

<sup>1</sup> See also general Act of June 28, 1938 (52 Stat. 1213, 16 U.S.C. sec. 1a), page 2 relating to residence of national park commissioners.

## 6. Everglades National Park project

Establishment of park authorized.....	Act of May 30, 1934	Page 34
Jurisdiction, State cession to U. S.....	State Act of June 7, 1935	35
Amend Act of May 30, 1934, by striking out proviso that prohibited expenditure of public moneys within five year period for administration, protection, or development.....	Act of August 21, 1937	36

### An Act To provide for the establishment of the Everglades National Park in the State of Florida and for other purposes, approved May 30, 1934 (48 Stat. 816)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That when title to all the lands within boundaries to be determined by the Secretary of the Interior within the area of approximately two thousand square miles in the region of the Everglades of Dade, Monroe, and Collier Counties, in the State of Florida, recommended by said Secretary, in his report to Congress of December 3, 1930, pursuant to the Act of March 1, 1929 (45 Stat., pt. 1, p. 1443), shall have been vested in the United States, said lands shall be, and are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Everglades National Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public or private donation. (16 U.S.C. sec. 410.)

*Everglades National Park, Fla. Establishment, when title to lands is vested in United States.*

*Proviso.*

Lands secured only by donation.

Acceptance of title.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: *Provided*, That no land for said park shall be accepted until exclusive jurisdiction over the entire park area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Florida to the United States. (16 U.S.C. sec. 410a.)

*Proviso.*

Restriction, until exclusive jurisdiction over entire area is ceded.

SEC. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided*, That the provisions of the Act approved June 10, 1920, known as the Federal Water Power Act, shall not apply to this park: *Provided further*, That nothing in this Act shall be construed to lessen any existing rights of the Seminole Indians which are not in conflict with the purposes for which the Everglades National Park is created: *And provided further*, That the United States shall not expend any public moneys for the administration, protection, or develop-

*National Park Service to administer, etc.*

*Provisos.*

Water Power Act not applicable.  
41 Stat. 1063.  
Rights of Indians.

No Federal expense for first 5 years.

ment of the aforesaid park within a period of five years from the date of approval of this Act. (16 U.S.C. sec. 410b.)

SEC. 4. The said area or areas shall be permanently reserved as a wilderness, and no development of the project or plan for the entertainment of visitors shall be undertaken which will interfere with the preservation intact of the unique flora and fauna and the essential primitive natural conditions now prevailing in this area. (16 U.S.C. sec. 410c.)

Permanently  
reserved as a  
wilderness.

**Excerpt from An Act of the Legislature of Florida, approved June 7, 1935, ceding to the United States exclusive jurisdiction over lands to be deeded or conveyed to the United States for the Everglades National Park. (Ch. 16996, Acts of 1935, sec. 4; Florida Statutes, 1941, sec. 264.08)**

That the United States of America is authorized to acquire by conveyance, and said Commission is authorized to convey to the United States, pursuant to this Act all lands hereinabove mentioned and for the purposes set out in the Act of Congress approved May 30, 1934, (Public No. 267, 73rd Congress) and exclusive jurisdiction shall be, and the same is hereby ceded to the United States of America over and within all the territory in the State of Florida thus deeded or conveyed; saving, however, to the State of Florida, the right to serve criminal or civil process within the limit of the land or lands thus acquired in suits or prosecutions for or on account of rights acquired, obligations incurred, or crime committed, in said State outside of said land or lands, and on account of rights acquired, obligations incurred, or crimes committed on or within said lands, prior to the date of the giving or service of notice, as hereinafter provided, of the assumption of police jurisdiction over such land or lands by the United States; and, saving further, to the said State the right to tax sales of gasoline and other motor vehicle fuels and oil for use in motor vehicles, and to tax persons and corporations, their franchises and properties, on land or lands deeded or conveyed as aforesaid, and saving, also, to persons residing in or on any of the land or lands deeded or conveyed as aforesaid the right to vote at all elections within the county in which said land or lands are located upon like terms and conditions and to the same extent as they would be entitled to vote in such county had not such lands been deeded or conveyed, as aforesaid, to the United States of America: Provided, nevertheless, that such jurisdiction shall not vest in the United States of America unless and until it, through the proper officer or officers, notifies the Governor and through him the State of Florida, that the United States of America assumes police jurisdiction over the land or lands thus deeded.

**An Act To amend an Act entitled "An Act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes," approved May 30, 1934, approved August 21, 1937 (50 Stat. 742)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act entitled "An Act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes", approved May 30, 1934, be, and the same is hereby, amended by striking therefrom the following words: "*And provided further, That the United States shall not expend any public moneys for the administration, protection, or development of the aforesaid park within a period of five years from the date of approval of this Act.*" (16 U.S.C. sec. 410b.)

Everglades  
National Park,  
Fla.  
48 Stat. 816.  
16 U.S.C.  
sec. 410b.

Provision  
prohibiting  
expenditure of  
public moneys  
eliminated.

## 7. General Grant National Park

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Excerpt from "An Act To establish the Kings Canyon National Park, California, to transfer thereto the lands now included in the General Grant National Park, and for other purposes," approved March 4, 1940 (54 Stat. 43)

SEC. 2. That the General Grant National Park is hereby abolished, and the west half of section 33, township 13 south, range 28 east, and west half of section 4, all of section 8 and the northwest quarter of section 9, township 14 south, range 28 east, Mount Diablo meridian, California, together with the lands formerly within the General Grant National Park, California, and particularly described as follows, to wit: All of sections 31 and 32, township 13 south, range 28 east, and sections 5 and 6, township 14 south, range 28 east, of the same meridian, are, subject to valid existing rights, hereby added to and made a part of the Kings Canyon National Park and such lands shall be known as the General Grant grove section of the said park. The General Grant grove section of the Kings Canyon National Park may, by proclamation of the President, be extended to include the following described lands; to wit: Section 9, south half, section 10, southwest quarter, and that part of the east half south of Generals Highway; section 11, that part south of Generals Highway; section 13, that part south of Generals Highway; section 14, that part south of Generals Highway, section 15, east half, northwest quarter, and the southeast quarter of the southwest quarter, section 21, southeast quarter of the northeast quarter, and the east half of the southeast quarter; section 22, east half, east half of the northwest quarter, southwest quarter of the northwest quarter and southwest quarter; section 23; section 24, that part south of Generals Highway; sections 25 and 26; section 27, east half, northwest quarter, and that part of the southwest quarter north and east of the crest of Redwood Mountain; section 34, that part east of the crest of Redwood Mountain; sections 35 and 36, township 14 south, range 28 east; all of sections 1 and 2; section 3, that part east of the crest of Redwood Mountain; section 11, that part east and north of the crest of Redwood Mountain; all of section 12; section 13, that part north of the Sequoia National Park boundary, township 15 south, range 28 east, Mount Diablo meridian, which shall be subject to all laws, rules, and regulations applicable to the said park. Such extension of the General Grant grove section of the said park shall not interfere with the movement of stock and vehicular traffic without charge, under general regulations to be prescribed by the Secretary of the Interior, to and

General Grant  
National Park,  
abolishment.

General Grant  
grove section;  
extension.

Movement of  
stock and ve-  
hicular traffic.

from national forest lands on either side of the said park extension. The Kings Canyon National Park shall receive and use all moneys heretofore or hereafter appropriated for General Grant National Park.<sup>1</sup> (16 U.S.C. sec. 80a.)

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<sup>1</sup> Boundaries extended by proclamation No. 2411 of June 21, 1940 (3 CFR, CUM. SUPP., 163).

## 8. Glacier National Park

Fish hatchery, acquisition of property for establishment.....	Page
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**An Act To authorize the addition to Glacier National Park, Montana, of certain property acquired for the establishment of a fish hatchery, and for other purposes, approved July 31, 1939 (53 Stat. 1142)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
 That the Secretary of the Interior is hereby authorized to administer as a part of the Glacier National Park, in the State of Montana, subject to all laws and regulations applicable thereto, the lands, or interests in lands, within the State of Montana, in township 28 north, range 20 west, Montana meridian, which may be acquired by the United States for the establishment by the National Park Service of a fish hatchery for restocking the waters of the said park. (16 U.S.C. sec. 161c.)

Glacier National  
Park, Mont.

Lands acquired  
for fish hatchery  
added to.

## 9. Great Smoky Mountains National Park

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Exchange of park lands (Boundary Tree, Ravensford, and Tight Run tracts) for lands within Cherokee Indian Reservation, right-of-way for Blue Ridge Parkway across reservation to be granted. <sup>1</sup>	
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Parkway, authorizing acceptance of donations of land for construction generally parallel to the north boundary of the park.....	
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### An Act To establish a minimum area for the Great Smoky Mountains National Park, and for other purposes, approved June 15, 1934 (48 Stat. 964)

Great Smoky  
Mountains  
National Park.  
Minimum area  
for, estab-  
lished.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an area of four hundred thousand acres within the minimum boundaries of the Great Smoky Mountains National Park, acquired one half by the peoples and States of North Carolina and Tennessee, and the United States, and one half by the Laura Spelman Rockefeller Memorial in memory of Laura Spelman Rockefeller, be, and the same is hereby, established as a completed park for administration, protection, and development by the United States, and so much of the Act of May 22, 1926 (44 Stat. 616), as is inconsistent herewith is hereby repealed. (16 U.S.C. secs. 403b, 403g.)

Land purchased  
from emergency  
work funds,  
made part  
of park.

SEC. 2. That all lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, or which hereafter may be allocated and made available for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Great Smoky Mountain<sup>3</sup> National Park as authorized by the Act of May 22, 1926, be, and the same are hereby, made a part of the said park as fully as if originally acquired for that purpose. (16 U.S.C. sec. 403h.)

Excerpt from "An Act To provide for the acquisition of certain lands for and the addition thereof to the Tahoe National Forest, in the State of Nevada, and the acquisition of certain other lands for the completion of the acquisition of the remaining lands within the limits of the Great Smoky Mountains National Park, in east Tennessee," approved February 12, 1938 (52 Stat. 29)

Great Smoky  
Mountains  
National Park,  
Tenn.

SEC. 5. The Secretary of the Interior is hereby authorized to acquire on behalf of the United States by purchase.

<sup>1</sup> See Blue Ridge Parkway, Act of August 19, 1937 (50 Stat. 699), page 184.

<sup>2</sup> Act printed in full under Blue Ridge Parkway, page 186.

<sup>3</sup> So in U. S. Statutes at Large.

at prices deemed by him to be reasonable, the lands needed to complete the Great Smoky Mountains National Park in the State of Tennessee, in accordance with the provisions of the Act of Congress approved May 22, 1926 (44 Stat. 616); and the Secretary of the Interior is further authorized, when in his opinion unreasonable prices are asked for any of such lands, to acquire the same by condemnation under the provisions of the Act of August 1, 1888. (16 U.S.C. sec. 403i.)

Acquisition of  
lands for  
completion of.

44 Stat. 616  
16 U.S.C.  
sec. 403.  
25 Stat. 357.  
40 U.S.C.  
secs. 257-258e.

SEC. 6. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$743,265.29 to complete the acquisition of lands within the limits of said park, such funds to be available until expended. (16 U.S.C. sec. 403j.)

Appropriation  
authorized.  
52 Stat. 1134.

**Excerpt from "An Act To authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina," approved June 11, 1940 (54 Stat. 300)**

SEC. 4. The Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the Boundary Tree tract, containing approximately eight hundred and eighty-four acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from any funds in the United States Treasury to the credit of said band, including funds made available under section 3 hereof, to the credit of the fund "National Park Service, donations", which transfer the Secretary of the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians under authority contained in this Act shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band, and shall be nontaxable, nonalienable to the same extent as other lands within said reservation.

Eastern Band of  
Cherokee  
Indians.  
Granting to of  
interest in des-  
ignated lands,  
authorized.

Payment by  
transfer of  
funds.

Availability of  
transferred  
funds.

Inclusion of  
acquired lands in  
reservation.

**An Act To accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes, approved April 29, 1942 (56 Stat. 258)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Great Smoky  
Mountains  
National Park.Acceptance of  
cession of  
exclusive  
jurisdiction.Rights reserved  
to States.Designation as  
parts of judicial  
districts.Fugitives from  
justice.Hunting and  
fishing  
restrictions.Rules and  
regulations.

That the provisions of the act of the Legislature of the State of North Carolina, approved March 18, 1929, and the act of the Legislature of the State of Tennessee, approved April 12, 1929, ceding to the United States exclusive jurisdiction over and within certain lands within said States as may be acquired for the Great Smoky Mountains National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such lands, saving, however, to the State of North Carolina and to the State of Tennessee, respectively, the right to serve civil or criminal process within the limits of the area ceded by such State in suits or prosecutions for or on account of any rights acquired, obligations incurred, or crimes committed in such State outside of said park; and saving further to each such State the right to tax persons and corporations, their franchises and property on the lands included in such ceded area; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county in which they reside; and saving further to each such State the right to tax sales in such ceded area of gasoline and other motor-vehicle fuels and oil for use in motor vehicles. Nothing in this section shall be construed as a consent by the United States to the taxation by the States of such sales for the exclusive use of the United States. (16 U.S.C. sec. 403h-1.)

SEC. 2. That the portion of said park located in the State of North Carolina shall constitute a part of the United States judicial district for the western district of North Carolina and the portion of said park located in the State of Tennessee shall constitute a part of the United States judicial district for the eastern district of Tennessee, and the district court of the United States in and for each such district shall have jurisdiction over all offenses committed within the ceded area of the said park in such district. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in either the State of North Carolina or Tennessee. (16 U.S.C. sec. 403h-2.)

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park, nor shall any fish be taken out of any of the waters of the said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the pro-

tection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this Act, or the rules and regulations, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 403h-3.)

Evidence of violation.

Penalties.

SEC. 4. That all guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior and the proceeds paid into the Treasury of the United States: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court. (16 U.S.C. sec. 403h-4.)

Forfeiture of property used for unlawful purposes.

*Provido.*

Appointment of  
park commis-  
sioner.

SEC. 5. That the United States District Court for the Western District of North Carolina and the United States District Court for the Eastern District of Tennessee shall jointly appoint a commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of North Carolina, or the United States District Court for the Eastern District of Tennessee, respectively, depending upon the district in which the particular land in said park on which the offense shall have taken place is located; and the United States district courts in the aforementioned district shall jointly prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district courts. (16 U.S.C. sec. 403h-5.)

Judicial powers.

Appeals.

Rules of procedure  
and practice.

Jurisdiction over  
other offenses.

SEC. 6. That the park commissioner provided for in this Act shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall commit such person for further appropriate action, and certify a transcript of the record of his proceedings, and the testimony in such case to the particular district court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner may grant bail in all cases according to the laws of the United States. (16 U.S.C. sec. 403h-6.)

*Proviso.*

Pay of  
commissioner.

SEC. 7. That the park commissioner provided for in this Act shall be paid an annual salary, as appropriated for by Congress. (16 U.S.C. sec. 403h-7.)

Fees, costs, and  
expenses.

SEC. 8. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 403h-8.)

Deposits.

SEC. 9. That all fees, fines, and costs and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same,

with the clerk of the respective United States district courts for either the western district of North Carolina or the eastern district of Tennessee, depending upon the district in which the offense for which collection is made shall have taken place. (16 U.S.C. sec. 403h-9.)

SEC. 10. That the Secretary of the Interior shall notify in writing the Governors of the States of North Carolina and Tennessee of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over said park as specified in said acts of the States of North Carolina and Tennessee. Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Great Smoky Mountains National Park, the provisions of sections 2 to 9, inclusive, shall apply to such lands. (16 U.S.C. sec. 403h-10.)

Notice of  
passage of Act.

Application of  
provisions.

**An Act To authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park from the Tennessee side of the park, and for other purposes, approved February 22, 1944 (Public Law 232-78th Congress)**  
(L 8 Stat. 19)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land and interests in land in the State of Tennessee for the construction of a scenic parkway to be located generally parallel to the boundary of the Great Smoky Mountains National Park and connecting with the park, in order to provide an appropriate view of the park from the Tennessee side. The right-of-way to be acquired for the parkway shall be of such width as to comprise an average of one hundred and twenty-five acres per mile for its entire length. The title to real property acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior. All property acquired pursuant to this Act shall become a part of the Great Smoky Mountains National Park upon acceptance of title thereto by the Secretary, and shall be subject to all laws, rules, and regulations applicable thereto.

## 10. Hawaii National Park

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Transfer of land to War Department for military purposes authorized .....	51
.....Act of July 16, 1940	

**An Act To add certain lands on the island of Hawaii to the Hawaii National Park, and for other purposes, approved June 20, 1938 (52 Stat. 781)**

Hawaii National  
Park.  
Lands added.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That when title to all or any of the following-described lands on the island of Hawaii, in the Territory of Hawaii, shall be vested in the United States, such lands shall be, and the same are hereby, added to and made a part of the Hawaii National Park:

Description.  
Kalapana  
extension.

Kalapana extension (being portions of the lands of Kahaualea, Panaunui, and Apua and all of the lands of Pou-pou, Pulama, Kamoamoa, Laeapuki, Panauiki, Kealakomo, and Kahue, in the district of Puna, and portion of the land of Keauhou, in the district of Kau): Beginning at the United States Coast and Geodetic Survey triangulation station Kupapau (marked by a survey tablet set in large rock), the true azimuth and distance from said point of beginning to the United States Coast and Geodetic Survey triangulation station Hakuma (marked by a United States Coast and Geodetic Survey tablet set in smooth lava outcrop and surrounded by a circular patch of cement near edge of sea pali) being two hundred and forty-four degrees forty minutes and fifty seconds exactly fourteen thousand four hundred and thirteen feet and running as follows, all azimuths being measured clockwise from true south (note azimuths of courses 1 to 4, inclusive, are referred to Hakuma meridian):

Along the seacoast at high-water mark, in a general southwesterly direction for the first five courses, the true azimuths and distances between points on said seacoast being—

1. Exactly sixty-six degrees and fifteen minutes twenty-six thousand three hundred and thirty-six and six-tenths feet to United States Coast and Geodetic Survey station Laeapuki, marked by a survey tablet set in mound and covered by a small cairn;

2. Exactly sixty degrees and ten minutes eighteen thousand seven hundred feet to Kaena Point;

3. Exactly seventy-one degrees and fifty-six minutes, twenty-one thousand three hundred and fifty feet to Apua Point;

4. Exactly ninety-eight degrees and forty-five minutes seven thousand four hundred feet to a pipe in concrete at a place called Okiokiahau (note: azimuths of courses 5 to 11, inclusive, are referred to Uwekahuna meridian);

5. One hundred and nine degrees fifty-seven minutes and twenty-two seconds ten thousand seven hundred and seventeen and nine-tenths feet to a pipe in concrete at a place called Makaloa; thence

6. One hundred and seventy degrees four minutes and thirty-nine seconds exactly six thousand eight hundred feet along Hawaii National Park, Kilauea section, to the foot of the Puueo pali;

7. Two hundred and forty-three degrees five minutes and thirty seconds exactly one thousand nine hundred and seventy-three feet along the foot of Puueo pali along portion of the land of Keauhou;

8. Exactly two hundred and eighty-six degrees fifty minutes exactly nine thousand seven hundred feet along portion of the land of Keauhou;

9. One hundred and seventy-eight degrees thirty-eight minutes and twenty-five seconds exactly twelve thousand five hundred feet along portion of the land of Keauhou to a pipe in concrete at top of the Poliokeawe pali;

10. One hundred and sixty-six degrees twenty-two minutes and twenty-four seconds twelve thousand four hundred and sixty-seven and nine-tenths feet along portion of the land of Keauhou to a pipe in concrete on the south boundary of Hawaii National Park, Kilauea section;

11. Exactly two hundred and sixty-nine degrees and ten minutes twenty-one thousand one hundred forty-six and five-tenths feet along Hawaii National Park, Kilauea section, to a pipe (note: azimuths of courses 12 and 13 are referred to Puu Huluhulu meridian);

12. Exactly two hundred and eleven degrees and thirty minutes thirteen thousand seventy-four and seven-tenths feet along Hawaii National Park, Kilauea section, to a pipe;

13. Exactly two hundred and eighty-one degrees exactly two thousand nine hundred and thirty-one feet along portion of the land of Kahaualea (note: azimuths of courses 14 to 24, inclusive, are referred to Hakuma meridian);

14. Exactly two hundred and twelve degrees and thirty minutes exactly eight thousand and fifteen feet along the land of Kahaualea;

15. Exactly two hundred and ninety-seven degrees and fifteen minutes exactly twenty-four thousand five hundred and fifty-two feet along the land of Kahaualea;

16. Exactly two hundred and forty-five degrees and fifty-eight minutes exactly six thousand one hundred and sixty-eight feet along the land of Kahaualea;

17. Exactly three hundred and twenty-six degrees and thirty-one minutes exactly five thousand two hundred and forty-eight feet along the land of Kahaualea;

18. Exactly three hundred and fifty-nine degrees and fifteen minutes exactly four hundred and forty-five feet along the land of Kahaualea;

19. Exactly three hundred and twenty-nine degrees exactly two thousand two hundred and eleven feet along the land of Kahaualea;

20. Two hundred and thirty-four degrees thirty-nine minutes and forty seconds exactly three thousand two hundred and eighty-three feet across portion of the land of Kahaualea;

21. Exactly three hundred and thirty-eight degrees and twelve minutes three thousand nine hundred and twenty-seven and five-tenths feet along the land of Kapaahu;

22. Exactly three hundred and thirty-four degrees and thirty minutes exactly one thousand seven hundred and eighty feet along the land of Kapaahu to the south corner of grant 3208 to West Kaloi;

23. Exactly three hundred and thirty-one degrees and thirty minutes five thousand and ninety-seven and eight-tenths feet along the land of Kapaahu to a point near seacoast; thence

24. To and along the seacoast at high-water mark to the point of beginning, the true azimuth and distance being: Exactly fifty-three degrees and eighteen minutes three thousand three hundred and sixty-four feet.

Area, forty-nine thousand three hundred and forty acres.

Footprint  
extension.

Footprint extension: Beginning at the northeast corner of this tract of land, at a point on the west edge of the Keamoku Aa Flow (lava flow of 1823), and on the westerly boundary of Hawaii National Park, Kilauea section, as described in Governor's Executive Order 86, the coordinates of said point of beginning referred to Government survey triangulation station Uwekahuna, being four thousand seven hundred and six and six-tenths feet south and seventeen thousand nine hundred and seventy and three-tenths feet west, and the true azimuth and distance from said point of beginning to Government survey triangulation station Ohaikea being one hundred and sixty-six degrees and twenty minutes exactly six thousand three hundred and fifty feet, as shown on Government survey registered map 2388, and running by azimuths measured clockwise from true south—

1. Three hundred and forty-six degrees and twenty minutes exactly fourteen thousand two hundred and fifty-eight feet along Hawaii National Park, Kilauea section, as described in Governor's Executive Order 86;

2. Fifty degrees and twenty-five minutes exactly twenty-seven thousand six hundred and fifteen feet along Hawaii National Park, Kilauea section, as described in Governor's Executive Order 81, thence along the remainder of the Government land of Kapapala to the point of beginning as follows:

3. One hundred and ninety-one degrees no minutes and twenty seconds thirteen thousand five hundred and forty-four and five-tenths feet to a pipe at fence corner a little southwest of the old halfway house and about twenty feet southeast of the edge of the Government main road;

4. Two hundred and thirty-four degrees and twenty-five minutes one thousand three hundred and seventy-seven and five-tenths feet to a pipe on a mound of pahoehoe about ninety feet southeast of the Government main road;

5. Two hundred and twenty degrees and forty minutes exactly one thousand seven hundred and eighty-seven feet crossing the Government main road to a spike in large boulder in stone wall about one hundred and twenty-five feet north of the Government main road; thence

6. Along stone wall over the lava flows, the boundary following the wall in its turns and windings, the direct azimuth and distance being: two hundred and nineteen degrees twenty-two minutes and forty-five seconds exactly eighteen thousand one hundred and twenty-one feet to a point in said stone wall;

7. Two hundred and thirty-eight degrees and seven minutes exactly two hundred and fifty feet partly along stone wall to a pipe in the middle of a corral;

8. Two hundred and thirty-four degrees and two minutes exactly two hundred feet across corral and along stone wall to a point in said wall;

9. Two hundred and thirty-nine degrees and thirty minutes exactly three hundred and fifteen feet along stone wall to a pipe at end of wall and on the south side of the old Peter Lee Road;

10. One hundred and eighty-five degrees and thirty minutes exactly three hundred and eighty feet crossing old Peter Lee Road and along fence to a pipe at fence corner on the west bank of a ravine; thence

11. Following along the west bank of ravine, the direct azimuth and distance being: two hundred and three degrees and twenty-three minutes four hundred seventy-five and seven-tenths feet to a pipe on the west bank of the ravine;

12. Two hundred and twenty degrees and fifty-four minutes exactly two hundred and forty-five feet across ravine and along fence to a spike in stone pile;

13. Two hundred and twelve degrees and forty-four minutes exactly two hundred feet along fence to a spike in stone pile;

14. Two hundred and twenty-two degrees and fifty-three minutes exactly two hundred and forty feet along fence to a spike in stone pile;

15. Two hundred and twenty-five degrees and forty-six minutes three hundred and forty and six-tenths feet to the point of beginning and containing an area of five thousand seven hundred and thirty acres, more or less;

and, in addition, any lands adjacent or contiguous to the Hawaii National Park as hereby extended which, in the discretion of the Secretary of the Interior, are necessary for the

Additional  
adjacent or  
contiguous  
lands.

*Proviso.*

Lands to be  
secured by do-  
nation only.

Acceptance of  
title authorized.

Leases for home  
site purposes in  
the Kalapana  
extension to  
natives.

*Provisos.*

Residence  
requirements.

Fishing  
restrictions.

"Native  
Hawaiian"  
defined.

Provisions of  
designated Acts  
extended to  
additions.

39 Stat. 432.  
16 U.S.C.  
sec. 391.  
39 Stat. 535.  
16 U.S.C. sec. 1.  
41 Stat. 452.  
16 U.S.C.  
sec. 392.

*Provisos.*

Designated  
provisions  
inapplicable.  
41 Stat. 1063.  
16 U.S.C.,  
ch. 12.

Conveyance  
authorized.

proper rounding out of the boundaries of the park: *Provided*, That the United States shall not purchase, by appropriation of public moneys, any land within the aforesaid area, but such lands shall be secured by the United States only by public and private donations. (16 U.S.C. sec. 391b.)

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of satisfactory title to him, to accept, on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes. (16 U.S.C. sec. 396.)

SEC. 3. (a) That the Secretary of the Interior is authorized to lease, under such rules and regulations as he may deem proper, land ascertained by him to be suitable for home site purposes in the Kalapana extension as described herein, to native Hawaiians when such occupancy does not encroach on or prevent free access to any points of historic, scientific, or scenic interest or in any manner obstruct or interfere with protection and preservation of said area as a part of the Hawaii National Park: *Provided, however*, That occupants of homesites shall reside on the land not less than six months in any one year: *And provided further*, That fishing shall be permitted in said area only by native Hawaiian residents of said area or of adjacent villages and by visitors under their guidance.

(b) The term "native Hawaiian", as used in this section, means any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to 1778. (16 U.S.C. sec. 396a.)

SEC. 4. That the provisions of the Act of August 1, 1916 (39 Stat. 432), entitled "An Act to establish a national park in the Territory of Hawaii"; the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes"; the Act of February 27, 1920 (41 Stat. 452), entitled "An Act to authorize the Governor of the Territory of Hawaii to acquire privately owned lands and rights-of-way within the boundaries of the Hawaii National Park"; and all Acts supplementary to and amendatory of said Acts are made applicable to and extended over the lands hereby added to the park: *Provided*, That the provisions of the Act of June 10, 1920, as amended, entitled "An Act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriations Act, approved August 8, 1917, and for other purposes", shall not apply to or extend over such lands (U.S.C., title 16, sec. 391): *And provided further*, That the Governor of the Territory of Hawaii is authorized to convey to the United States any and all lands and interests in lands acquired by the Territorial Government under the provisions of this Act. (16 U.S.C. secs. 391b—1, 392b.)

**An Act To amend an Act entitled "An Act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes," approved April 19, 1930, approved June 25, 1938 (52 Stat. 1164)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 6 of the Act entitled "An Act providing for the exercise of sole and exclusive jurisdiction by the United States over Hawaii National Park in the Territory of Hawaii, and for other purposes", approved April 19, 1930 (46 Stat. 228; U.S.C., title 16, sec. 395e), be amended by adding at the end thereof the following:

Hawaii National Park.

"That during such time or times as the office of the Commissioner for the Hawaii National Park shall be or remain unfilled, or when the presence of such Commissioner cannot be conveniently procured, any United States commissioner duly appointed by the United States District Court for the Territory of Hawaii and residing in such district shall have full power, authority, and jurisdiction to hear and act upon all complaints made with respect to offenses or violations of law or regulations occurring within the limits of the Hawaii National Park, as the United States Commissioner for the Hawaii National Park may now act with respect to offenses or violations of law or regulations occurring within the limits of said park." (16 U.S.C. sec. 395e.)

Acting Commissioner; power, jurisdiction, etc.

SEC. 2. That section 9 of the said Act of April 19, 1930 (46 Stat. 229; U.S.C., title 16, sec. 395h), be amended by adding at the end thereof the following:

"That any United States commissioner in and for the Territory of Hawaii, while acting in such capacity as United States Commissioner for the Hawaii National Park as authorized by section 6 hereof, shall be allowed the fees prescribed by section 21 of the Act of May 28, 1896 (29 Stat. 184), upon the rendition of an itemized account." (16 U.S.C. sec. 395h.)

Fees allowed.

28 U.S.C. sec. 597.

SEC. 3. All laws or parts of laws, either Federal or Territorial, in conflict herewith are hereby repealed. (16 U.S.C. sec. 395h note.)

Repeal of conflicting laws.

**An Act To withdraw certain portions of land within the Hawaii National Park and to transfer the same to the jurisdiction and control of the Secretary of War for military purposes, approved July 16, 1940 (54 Stat. 761)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That within a tract of land containing six thousand four hundred fifty acres, more or less, on the island of Hawaii in the Territory of Hawaii, located in the Hawaii National Park, created by the Act of August 1, 1916 (39 Stat. 432), as amended, and described as follows, to wit:

Hawaii National Park.  
Transfer of land for military purposes authorized.  
16 U.S.C. secs. 391-394.

Beginning at a place called Na Puu O na Elemakule located at the southeastern corner of the Hawaii National Park, said point being marked by a triangle on a large flat

Description.

Transfer  
provision.

stone, thence by azimuth (measured clockwise from true south) and distances as follows: Eighty-nine degrees twenty-seven minutes thirty seconds, three thousand three hundred feet along the southern boundary of Hawaii National Park; one hundred and seventy-nine degrees twenty-seven minutes thirty seconds, fourteen thousand five hundred and fifty feet over and across Pali to a point on Kau Desert Plateau; two hundred and forty-three degrees fifty-seven minutes no seconds, eighteen thousand four hundred and fifty feet to a point located above Hilima Pali; three hundred and fifty-nine degrees twenty-seven minutes thirty seconds, twelve thousand nine hundred and ninety feet more or less to high-water line; thence in southwesterly direction along the high-water line to the point of beginning; containing an area of six thousand four hundred and fifty acres, more or less; there shall be withdrawn from the control and jurisdiction of the Secretary of the Interior and transferred to the jurisdiction and control of the Secretary of War so much thereof as may be agreed upon between the Secretaries of War and Interior for use as an Air Corps bombing target range, and for such other military purposes and uses as may be prescribed by the Secretary of War. (16 U.S.C. sec. 391c.)

## 11. Hot Springs National Park

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### **An Act Ceding jurisdiction to the United States of Certain Lands in Hot Springs National Park, approved March 25, 1933 (Act 166, Acts of Arkansas, 1933)**

*Be It Enacted by the General Assembly of the State of Arkansas:* That exclusive jurisdiction over all lands now or hereafter included in Hot Springs National Park in the State of Arkansas and which have not heretofore been included in acts of the General Assembly of the State of Arkansas is hereby ceded and granted to the United States of America, to be exercised so long as the same shall remain the property of the United States. *Provided,* that this grant of jurisdiction shall not prevent the execution of any process of the State, civil or criminal, or any person who may be in the park or on park premises; provided further, that the right to tax all structures and other property in private ownership on the Hot Springs National Park is hereby reserved to the State of Arkansas.

Whereas, there is an immediate need for jurisdiction of the lands herein, an emergency is declared to exist, and this act shall take effect and be in full force from and after its passage.

### **An Act To provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes, approved June 15, 1936 (49 Stat. 1516)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the boundaries of the Hot Springs National Park in the State of Arkansas be, and the same are hereby, extended to include the following land, to wit: Lot 11, block 101; lot 5, block 185; lot 6, block 186; lots 5, 6, and 7, block 187; and lots 1, 2, 3, 6, and 15, block 188, United States Hot Springs Reservation, as surveyed, mapped, and plotted by the United States Hot Springs Commission, and any of such lands when acquired by the Secretary of the Interior on behalf of the United States shall be and remain a part of the Hot Springs National Park, subject to all laws and regulations applicable thereto: *Provided,* That the lands hereinabove described may be acquired within funds already

Hot Springs  
National Park.  
Ark.  
Boundaries  
extended.

*Proviso.*  
Purchase: cost  
limitation.

appropriated and at a cost not to exceed \$15,000.<sup>1</sup> (16 U.S.C. sec. 361c.)

**An Act Increasing the penalty for making false oaths for the purpose of bathing at the Government free bathhouse at Hot Springs, Arkansas, approved June 26, 1936 (49 Stat. 1979)**

Hot Springs,  
Ark.  
36 Stat. 1015.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act limiting the privileges of the Government free bathhouse on the public reservation at Hot Springs, Arkansas, to persons who are without and unable to obtain the means to pay for baths", approved March 2, 1911 (U.S.C., 1934 edition, title 16, sec. 371), is hereby amended to read as follows:

Use of Govern-  
ment free bath-  
house restricted

"That only persons who are without and unable to obtain the means to pay for baths and are suffering from ailments for which bathing in the water of the Hot Springs Reservation will afford relief or effect a cure shall be permitted to bathe at the free bathhouse on the public reservation at Hot Springs, Arkansas, and before any person shall be permitted to bathe at the free bathhouse on the reservation he shall be required to make oath, before such officer duly authorized to administer oaths for general purposes as the superintendent of the Hot Springs Reservation shall designate, that he is without and unable to obtain the means to pay for baths, and any person desiring to bathe at the free bathhouse on the Hot Springs Reservation making a false oath as to his financial condition shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$25 nor more than \$300 and be imprisoned for not more than sixty days." (16 U.S.C. sec. 371.)

Oath of in-  
ability to pay.

Punishment for  
false oath.

**An Act To accept the cession by the State of Arkansas of jurisdiction over all lands now or hereafter included within the Hot Springs National Park, Arkansas, and for others<sup>2</sup> purposes, approved June 2, 1937 (50 Stat. 243)**

Hot Springs  
National Park,  
Ark.

Jurisdiction  
accepted.

16 U.S.C.  
sec. 376.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of an Act of the Legislature of the State of Arkansas, approved March 25, 1933 (numbered 166), ceding to the United States jurisdiction over all lands now or hereafter included within the Hot Springs National Park, are hereby accepted, and the provisions of the Act approved April 20, 1904 (33 Stat. 187), as amended by the Acts of March 2, 1907 (34 Stat. 1218), and March 3, 1911 (36 Stat. 1086), relating to the Hot Springs Mountain Reservation, Arkansas, are hereby extended to all lands now or hereafter included within said park.

<sup>1</sup> Amended by Act of August 10, 1939 (53 Stat. 1341), page 57.

<sup>2</sup> So in original.

**An Act To provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes, approved June 24, 1938 (52 Stat. 1038)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the boundaries of the Hot Springs National Park in the State of Arkansas be, and the same are hereby, extended to include the following lands, to wit:

Hot Springs  
National Park,  
Ark.  
Boundaries  
extended  
Description.

So much of the northeast quarter section 33, township 2 south, range 19 west, as is now privately owned;

The northwest quarter section 34, township 2 south, range 19 west;

All privately owned land in the west half section 27, township 2 south, range 19 west;

The southeast quarter section 27, south half northeast quarter section 27, all privately owned lands in the northwest quarter northeast quarter section 27, west half section 22, southwest quarter section 15, southeast quarter section 16, northeast quarter section 21, south half section 21, southeast quarter southeast quarter section 20, east half northeast quarter section 28, northwest quarter northeast quarter section 28, northwest quarter northwest quarter section 28, east half southwest quarter northeast quarter section 28, east half northeast quarter section 29, southeast quarter northwest quarter northeast quarter section 29, southwest quarter northeast quarter section 29, west half northwest quarter southeast quarter section 29, southeast quarter southeast quarter northwest quarter section 29, northeast quarter northwest quarter southeast quarter section 29, all privately owned land in northeast quarter southwest quarter section 29, south half southeast quarter section 30, northeast quarter southeast quarter section 30, southeast quarter southwest quarter section 30, west half section 31, north half northeast quarter section 31, southwest quarter northeast quarter section 31, west half southeast quarter northeast quarter section 31, all lying and being situated in township 2 south, range 19 west;

All of section 36, southeast quarter section 35, southeast quarter northeast quarter section 35, all lying and being situated in township 2 south, range 20 west;

Northeast quarter section 2, north half southeast quarter section 2, north half section 1, north half southwest quarter section 1, north half southeast quarter section 1, all lying and being situated in township 3 south, range 20 west;

North half section 6, north half southwest quarter section 6, northwest quarter southeast quarter section 6, all lying and being situated in township 3 south, range 19 west;

Blocks 27, 189, 195, and 196, city of Hot Springs;

Lots 8 to 13, inclusive, block 125, city of Hot Springs; lots 4, 5, 7, 8, 9, 10, 11, 12, 13, and 14, block 188, city of Hot Springs;

Fountain Street adjoining lots 13, block 125, and blocks 195 and 196, city of Hot Springs;

Reserve Avenue in city of Hot Springs from Palm Street to Cypress Street. Two unnamed streets, twenty feet wide, extending from Fountain Street to Government boundary and running between blocks 125 and 195 and blocks 195 and 196, respectively.

All or any part of such lands above described, when acquired by the Secretary of the Interior on behalf of the United States, shall be and remain a part of the Hot Springs National Park, subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 361d.)

Lands granted to  
city of Hot  
Springs.

Description.

SEC. 2. The following-described lands are hereby granted to the city of Hot Springs, Arkansas, for the purpose of straightening Whittington Avenue in said city: Tract A, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue fifty-two and six-tenths feet easterly from Government monument numbered 131; run thence westerly along said line two hundred and thirty-six feet to a point one hundred and seven and one-tenth feet westerly from Government monument numbered 132; run thence easterly across the United States Hot Springs Reservation on an included angle of eight degrees fifty-three minutes seventy-four feet; thence easterly a distance of one hundred and fifty-seven and four-tenths feet to the place of beginning; tract B, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue twelve and five-tenths feet easterly from Government monument numbered 134; run thence westerly along said line a distance of two hundred and fourteen and three-tenths feet to a point twelve and three-tenths feet westerly from Government monument numbered 135; run thence easterly across the United States Hot Springs Reservation on a seven degree thirty minute curve to the left (R-763.94) a distance of two hundred and five feet more or less to the place of beginning; tract C, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue ten and seven-tenths feet easterly from Government monument numbered 136; run thence westerly along said line a distance of two hundred and five and seven-tenths feet to a point eleven and eight-tenths feet westerly from Government monument numbered 137; run thence easterly in a straight line across the United States Hot Springs Reservation to the place of beginning; tract D, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue nineteen feet easterly from Government monument numbered 139; run thence westerly along said line one hundred and seventy-four feet to a point twenty-six and five-tenths feet westerly from Government monument numbered 140; run thence easterly in a straight line across the United States Hot Springs Reservation one hundred and seventy and two-tenths feet, more or less, to the place of beginning; tract E, beginning at a point on the dividing line between

the United States Hot Springs Reservation and Whittington Avenue twenty-five feet easterly from Government monument numbered 142; run thence westerly along said dividing line one hundred and seventy-two and five-tenths feet to a point fifteen and eight-tenths feet westerly from Government monument numbered 143; run thence easterly across the United States Hot Springs Reservation on a twelve-degree thirty-minute curve to the left (R-458.37) a distance of one hundred and sixty-three and six-tenths feet, more or less, to the place of beginning; tract F, beginning at a point on the dividing line between the United States Hot Springs Reservation and the north branch of Whittington Avenue six and six-tenths feet westerly from Government monument numbered 124; run thence easterly along said line fifty feet; run thence southerly across the United States Hot Springs Reservation to a point on the north line of the south branch of Whittington Avenue fifty-nine and six-tenths feet westerly from Government monument numbered 133; run thence westerly along said line fifty and two-tenths feet; run thence northerly across the United States Hot Springs Reservation in a straight line to the place of beginning.

SEC. 3. There is hereby authorized to be appropriated for the acquisition of lands described in section 1 hereof such sums as the Congress may from time to time determine.

Appropriation  
authorized for  
land acquisition.

**An Act To amend the Act of June 15, 1936 (49 Stat. 1516), authorizing the extension of the boundaries of the Hot Springs National Park, in the State of Arkansas, and for other purposes, approved August 10, 1939 (53 Stat. 1341)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proviso in the Act of June 15, 1936 (49 Stat. 1516), reading as follows: “: *Provided*, That the lands hereinabove described may be acquired within funds already appropriated and at a cost not to exceed \$15,000”, is hereby repealed, and the said Act of June 15, 1936, is hereby further amended by the addition thereto of the following new sections:

Hot Springs  
National Park,  
Ark.

Proviso repealed.

“SEC. 2. That there is hereby authorized to be appropriated a sum not to exceed \$8,000 to supplement funds in the amount of \$15,000 heretofore made available for the purchase of the lands described in section 1 hereof.

Supplementary  
appropriation  
for purchase  
of lands  
authorized.

“SEC. 3. The Secretary of the Interior is hereby authorized, in his discretion, to accept on behalf of the United States donations of lands or interests in land within the city limits of Hot Springs, Arkansas, the title to such lands or interests in land to be satisfactory to said Secretary. Upon the acquisition of such lands or interests in land, they shall become a part of the Hot Springs National Park and shall be subject to all laws and regulations applicable thereto.” (16 U.S.C. sec. 361c, 361c-1 note, 361e.)

Acceptance of  
donations of  
lands, etc.

Acquisition to  
become part  
of park.

## 12. Isle Royale National Park

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**An Act To make available for national-park purposes certain lands within the boundaries of the proposed Isle Royale National Park, and for other purposes, approved June 20, 1938 (52 Stat. 785)**

Isle Royale  
National Park,  
Mich.

Certain acquired  
lands made a  
part of.

16 U.S.C.  
sec. 408.

Use of allocated  
funds in acqui-  
sition of lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Isle Royale National Park, as authorized by the Act of March 3, 1931 (46 Stat. 1514), be, and the same are hereby, made a part of the said park as fully as if originally acquired for that purpose and the proviso at the end of section 1 of the said Act of March 3, 1931, shall not be construed so as to prohibit the acquisition of lands in the park area with the aforesaid funds. (16 U.S.C. sec. 408d.)

**Act of Legislature of Michigan, approved February 27, 1939, ceding jurisdiction over the Isle Royale National Park to the United States (Act 8, Michigan Public Acts, 1939)**

*The People of the State of Michigan enact:*

SECTION 1. Exclusive jurisdiction shall be and the same is hereby ceded to the United States over and within all the territory which is now or may hereafter be included in that area in the state of Michigan set aside and dedicated for park purposes by the United States as Isle Royale National Park; saving, however, to the state of Michigan the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred or crimes committed in said state outside of said park; and saving further to the said state the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now or hereafter the right to vote at all elections held within the county or counties in which said park is situate: *Provided, however,* that jurisdiction shall not vest until the United States through the proper officer notifies the state of Michigan that they assume police jurisdiction over said park.

SECTION 2. All acts and parts of acts only insofar as inconsistent with the provisions of this act are hereby repealed. This act is ordered to take immediate effect.

**An Act To accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes, approved March 6, 1942 (56 Stat. 133)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act of the Legislature of the State of Michigan, approved February 27, 1939, ceding to the United States exclusive jurisdiction over and within all the territory that is now or may hereafter be included in that area in the State of Michigan set aside and dedicated for park purposes by the United States as the Isle Royale National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such lands, saving, however, to the State of Michigan the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county in which they reside. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Michigan. (16 U.S.C. sec. 408i.)

Isle Royale  
National Park,  
Mich.

Cession of jurisdiction to U. S.

SEC. 2. That said park shall constitute a part of the United States judicial district for the western district of Michigan, and the district court of the United States in and for said district shall have jurisdiction over all offenses committed within the boundaries of the said park. (16 U.S.C. sec. 408j.)

Assignment to  
Michigan western  
judicial  
district.

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park, nor shall any fish be taken out of any of the waters of the said park, except at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and

Hunting, fishing,  
etc., prohibitions.

Rules and  
regulations.

## Penalties.

regulations governing the taking of fish from the waters in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this Act, or the rules and regulations, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 408k.)

Forfeiture of property used for unlawful purposes.

SEC. 4. That all guns, traps, nets, seines, fishing tackle; teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court. (16 U.S.C. sec. 408l.)

## Proviso.

Park commissioner.

Appointment and jurisdiction.

SEC. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of Michigan shall appoint a commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by

the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of Michigan; and the United States district court in the aforementioned district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to the said United States district court. (16 U.S.C. sec. 408m.)

Judicial powers.

Appeals.

SEC. 6. That the park commissioner provided for in this Act shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall commit such person for further appropriate action, and certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner may grant bail in all cases according to the laws of the United States. (16 U.S.C. sec. 408n.)

Procedure in other cases.

*Proviso.*

SEC. 7. That the park commissioner provided for in this Act shall be paid an annual salary, as appropriated for by Congress. (16 U.S.C. sec. 408o.)

Pay of commissioner.

SEC. 8. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 408p.)

Fees, costs, and expenses.

SEC. 9. That all fees, fines, and costs and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Michigan. (16 U.S.C. sec. 408q.)

Deposit of collections.

SEC. 10. That the Secretary of the Interior shall notify in writing the Governor of the State of Michigan of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over said park as specified in said act of the State of Michigan. (16 U.S.C. sec. 408i note.)

Notice of acceptance of jurisdiction.

**An Act To provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes, approved March 6, 1942 (56 Stat. 138)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subject to valid existing rights the following-described lands, in addition to the lands established as the Isle Royale National Park pursuant to the Act of March 3, 1931 (46 Stat. 1514), are hereby made a part of the park:

Isle Royale  
National Park,  
Mich.

Addition of  
lands.  
16 U.S.C.  
secs. 408-408b.

Description.

Proviso.

Passage Island, containing approximately one hundred and eighty-two acres, located in sections 3, 4, and 9, township 67 north, range 32 west, in Keweenaw County, Michigan: *Provided*, That the Secretary of the Treasury shall retain control and jurisdiction over the following portions of the Island for lighthouse and boathouse purposes:

(a) All that part of Passage Island lying south of a true east and west line located four hundred and twenty-five feet true north of the center of the Passage Island Light containing approximately six and five-tenths acres.

(b) Beginning at the center of Passage Island Light, thence north thirty-three degrees fifty-two minutes east three thousand five hundred and fifteen feet to a point from which this description shall begin to measure, being the southwest corner of said boathouse site; thence north two hundred feet to a point being the northwest corner of said site; thence east one hundred and seventy-five feet more or less to the harbor shore; thence southeasterly following the harbor shore to a point on the shore being a point on the south boundary of the boathouse site; thence two hundred feet more or less west to the point of beginning, containing approximately seventy-eight one-hundredths acre.

(c) A right-of-way between the sites described in the preceding subparagraphs, to be defined by the Secretary of the Treasury within a reasonable length of time after the approval of this Act. (16 U.S.C. sec. 408e.)

Siskiwit Islands  
Bird  
Reservation.

Submerged  
lands.

SEC. 2. The Siskiwit Islands Bird Reservation is hereby abolished and shall hereafter be a part of the Isle Royale National Park. (16 U.S.C. sec. 408f.)

SEC. 3. The boundaries of the Isle Royale National Park are hereby extended to include any submerged lands within four and one-half miles of the shore line of Isle Royale and the immediately surrounding islands, and the Secretary of the Interior is hereby authorized, in his discretion, to acquire title by donation to any such lands not now owned by the United States, the title to be satisfactory to him. (16 U.S.C. sec. 408g.)

Federally  
owned lands.

Proviso.

Aids to  
navigation.

SEC. 4. All federally owned lands within the boundaries of the Isle Royale National Park are hereby made a part of the park: *Provided*, That the Secretary of the Treasury shall retain control and jurisdiction, for lighthouse purposes, over Menagerie Island, located in township 64 north, range 35 west, and an unsurveyed island known as Rock of Ages,

situated in approximate sections 7 and 18, township 63 north, range 39 west, and also shall retain the right to maintain existing floating and shore aids to navigation and to establish and maintain additional aids to navigation within the established park area when so required by general navigation.<sup>1</sup> (16 U.S.C. sec. 408h.)

**An Act Relating to the jurisdiction over certain lands in the Isle Royale National Park, approved July 27, 1942 (56 Stat. 722)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes", approved March 6, 1942, is hereby amended by striking out the words "Secretary of the Treasury", wherever they appear in such Act, and inserting in lieu thereof the words "Secretary of the Navy". (16 U.S.C. secs. 408e, 408h.)

Isle Royale  
National Park.  
Mich.

Jurisdiction of  
Secretary of  
the Navy.

<sup>1</sup> Amended by Act of July 27, 1942, immediately following.

### 13. Kings Canyon National Park

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**An Act To establish the Kings Canyon National Park, California, to transfer thereto the lands now included in the General Grant National Park, and for other purposes, approved March 4, 1940 (54 Stat. 41)**

Kings Canyon  
National Park,  
Calif.,  
establishment.

Description  
of tract.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That the tract of land in the State of California particularly described as follows, to wit: Beginning at the summit of Junction Peak, being a point on the present north boundary of Sequoia National Park, also a point on the Tulare and Inyo County line; thence westerly along said north boundary of said park to the crest of the hydrographic divide between Boulder Creek and Sugarloaf Creek; thence in a northerly direction along the crest of the hydrographic divide between Boulder Creek and Sugarloaf Creek to the intersection of said divide with the section line between sections 3 and 4 of township 14 south, range 30 east, Mount Diablo base and meridian; thence northerly along the section line between said sections 3 and 4 and between sections 33 and 34, and sections 27 and 28 of township 13 south, range 30 east, to the northwest corner of southwest quarter of section 27; thence northwesterly along the ridge immediately adjacent to and lying northeast from the headwaters of the east fork of Lightning Creek to the intersection of said ridge with the section line between sections 21 and 28, township 13 south, range 30 east, which point lies on the said section line three quarters of a mile more or less westerly from the northeast corner of said section 28; thence in a northerly direction across the easterly branch of the east fork of Lightning Creek at Summit Meadow to the ridge north of said creek branch; thence northeasterly along said ridge to Lookout Peak; thence in a northeasterly direction along the ridge from said peak, being also the crest of the hydrographic divide between Sheep Creek and Lightning Creek to the intersection of said ridge, with the line between section 15 and 22, township 13 south, range 30 east, which point lies one quarter of a mile more or less westerly of the northeast corner of said section 22; thence easterly along said section line to the corner of sections 14, 15, 22, and 23; thence north along the line between sections 14 and 15 to the southwest corner of the northwest quarter of the northwest quarter of section 14; thence east to the southeast corner of the northeast quarter of the northwest quarter of the

said section; thence south to the southwest corner of the northeast quarter of the said section; thence east to the southeast corner of the southwest quarter of the northeast quarter of the said section; thence south to the southwest corner of the northeast quarter of the southeast quarter of the said section; thence east to the northeast corner of the southeast quarter of the southeast quarter of the said section; thence south to the southwest corner of section 13; thence east on the line between sections 13 and 24 to the southeast corner of section 13; thence south to southwest corner of the northwest quarter of the northwest quarter of section 19, township 13 south, range 31 east; thence east along the north latitudinal one-sixteenth section line of sections 19, 20, and 21 to the southeast corner of the northeast quarter of the northwest quarter of said section 21; thence north to the quarter section corner of sections 16 and 21; thence east along the line between sections 16 and 21 to the southeast corner of said section 16; thence north along the section line to the quarter section corner of sections 15 and 16; thence west along the latitudinal quarter section line of sections 16, 17, and 18 to the northwest corner of the southeast quarter of section 18; thence north to the northeast corner of the southeast quarter of the northwest quarter of said section 18; thence west to the northwest corner of the southwest quarter of the northwest quarter of said section 18; thence north along the range line between ranges 30 and 31 east, township 13 south to the northeast corner of section 13, township 13 south, range 30 east; thence west along the line between sections 12 and 13 to the southeast corner of the southwest quarter of the southwest quarter of section 12; thence north to the northeast corner of the southwest quarter of the southwest quarter of said section 12; thence west to the northwest corner of the southeast quarter of the southeast quarter of section 11; thence north to the northeast corner of the northwest quarter of the northeast quarter of said section 11; thence west along the line between sections 2 and 11 to the northwest corner of the northeast quarter of the northwest quarter of said section 11; thence south to the southwest corner of the northeast quarter of the northwest quarter of said section 11; thence west to the northwest corner of the southwest quarter of the northwest quarter of said section 11; thence north along the line between sections 10 and 11 and 2 and 3 to the intersection with the ridge of southeast spur of Stag Dome; thence in a northwesterly direction along the crest of said spur to the summit of Stag Dome; thence in a northerly direction along the crest of the hydrographic divide between Lewis Creek and Deer Cove and Grizzly Creek to its intersection with Monarch Divide at Hog-Back Peak; thence in a westerly direction along the crest of Monarch Divide, to its junction with the northwesterly spur of Mount Harrington; thence northwesterly along the crest of hydrographic divide on the southwest side of the Gorge of Despair to the intersection

with the line between sections 12 and 13, township 12 south, range 29 east; thence continuing west along the line between sections 12 and 13, 11 and 14 to the southwest corner of the southeast quarter of the southeast quarter of said section 11; thence northerly to the southwest corner of the southeast quarter of the northeast quarter of said section 11; thence east to the quarter section corner of sections 11 and 12; thence north to the southeast corner of the northeast quarter of the northeast quarter of said section 11; thence east to the southeast corner of the northwest quarter of the northwest quarter of section 12; thence north to the northeast corner of the northwest quarter of the northwest quarter of said section 12; thence east to the quarter section corner of sections 1 and 12; thence north to the northeast corner of the southeast quarter of the southwest quarter of said section 1; thence east to the southeast corner of the northwest quarter of the southeast quarter of said section 1; thence north to the northeast corner of the northwest quarter of the southeast quarter of said section 1; thence east to the quarter section corner of sections 1 and 6; thence north along the range line between the ranges 29 and 30 east, township 12 south, to the northeast corner of said section 1, township 12 south, range 29 east; thence east along the township line between townships 11 and 12 south, range 30 east to the southeast corner of the southwest quarter of the southwest quarter of section 31, township 11 south, range 30 east; thence north to the northeast corner of the southwest quarter of the southwest quarter of said section 31; thence west to the northwest corner of the southwest quarter of the southeast quarter of section 36, township 11 south, range 29 east; thence south to the quarter section corner of sections 1 and 36; thence west along the township line between townships 11 and 12 south, range 29 east to the northwest corner of section 1, township 12 south, range 29 east; thence south to the southwest corner of the northwest quarter of the northwest quarter of said section 1; thence west to the northwest corner of the southwest quarter of the northwest quarter of section 2; thence south to the northwest corner of the southwest quarter of the southwest quarter of said section 2; thence west to the northwest corner of the southeast quarter of the southeast quarter of section 3; thence south to the southwest corner of the southeast quarter of the southeast quarter of section 3; thence continuing south to the intersection with the four thousand four hundred contour; thence along the four thousand four hundred-foot contour in a southwesterly direction to its intersection with Tombstone Ridge; thence in a northwesterly direction along the crest of the Tombstone Ridge to the summit of the Obelisk; thence in a straight line in a northeasterly direction crossing Crown Creek to the summit of Kettle Dome; thence in a northeasterly direction along the crest of Kettle Ridge to the summit of Finger Peak in the White Divide; thence northwesterly along the crest of the

said White Divide and the Le Conte Divide, passing over the summits of Mount Reinstein and Red Mountain to the summit of Mount Henry; thence in a northerly direction along the crest of the north spur of Mount Henry to the junction of the South Fork San Joaquin River and Piute Creek; thence across the South Fork San Joaquin River and in a northeasterly direction along the hydrographic divide between Piute Creek and the South Fork San Joaquin River to the summit of Pavillion Dome; thence in an easterly direction along the crest of said hydrographic divide to its intersection with Glacier Divide; thence continuing southeasterly along the crest of said Glacier Divide to a point of intersection with the crest of the Sierra Nevada Range, also the boundary line between Inyo County and Fresno County; thence continuing southeasterly along the crest of said Sierra Nevada Range, passing over the summits of Mount Lamarack, Mount Darwin, Mount Haeckel, Mount Wallace, Mount Powell, Mount Thompson, Mount Gilbert, Mount Johnson, Mount Goode, Mount Winchell, North Palisade, The Thumb, Mount Bolton Brown, Split Mountain, Cardinal Mountain, Striped Mountain, Mount Perkins, Coliseum Mountain, Mount Baxter, Diamond Peak, Black Mountain, Dragon Peak, Mount Bixford, Mount Gould, University Peak, Mount Bradley, and Mount Keith to the summit of Junction Peak, being the point of beginning; is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and dedicated and set apart as a public park, to be known as the Kings Canyon National Park, for the benefit and enjoyment of the people: *Provided*, That nothing in this Act shall be construed to affect or abridge any right acquired by any citizen of the United States in the above-described area: *And provided further*, That no grazing permits heretofore issued and in effect on January 15, 1939, affecting the area described in this section, for whose renewal an application is made before the date of expiration, shall be affected by this Act, except that they shall be subject to such terms and conditions to insure protection of the lands and for other purposes as may be prescribed by the Secretary of the Interior. (16 U.S.C. sec. 80.)

SEC. 2. That the General Grant National Park is hereby abolished, and the west half of section 33, township 13 south, range 28 east, and west half of section 4, all of section 8 and the northwest quarter of section 9, township 14 south, range 28 east, Mount Diablo meridian, California, together with the lands formerly within the General Grant National Park, California, and particularly described as follows, to wit: All of sections 31 and 32, township 13 south, range 28 east, and sections 5 and 6, township 14 south, range 28 east, of the same meridian, are, subject to valid existing rights, hereby added to and made a part of the Kings Canyon National Park and such lands shall be known as the General Grant grove section of the said park. The

*Provisos.*

Acquired rights not affected.

Grazing permits in effect Jan. 15, 1939.

General Grant National Park. abolishment.

General Grant  
grove section;  
extension  
permitted.

General Grant grove section of the Kings Canyon National Park may, by proclamation of the President, be extended to include the following described lands, to wit: Section 9, south half, section 10, southwest quarter, and that part of the east half south of Generals Highway; section 11, that part south of Generals Highway; section 13, that part south of Generals Highway; section 14, that part south of Generals Highway, section 15, east half, northwest quarter, and the southeast quarter of the southwest quarter, section 21, southeast quarter of the northeast quarter, and the east half of the southeast quarter; section 22, east half, east half of the northwest quarter, southwest quarter of the northwest quarter and southwest quarter; section 23; section 24, that part south of Generals Highway; sections 25 and 26; section 27, east half, northwest quarter, and that part of the southwest quarter north and east of the crest of Redwood Mountain; section 34, that part east of the crest of Redwood Mountain; sections 35 and 36, township 14 south, range 28 east; all of sections 1 and 2; section 3, that part east of the crest of Redwood Mountain; section 11, that part east and north of the crest of Redwood Mountain; all of section 12; section 13, that part north of the Sequoia National Park boundary, township 15 south, range 28 east, Mount Diablo meridian, which shall be subject to all laws, rules, and regulations applicable to the said park. Such extension of the General Grant grove section of the said park shall not interfere with the movement of stock and vehicular traffic without charge, under general regulations to be prescribed by the Secretary of the Interior, to and from national forest lands on either side of the said park extension. The Kings Canyon National Park shall receive and use all moneys heretofore or hereafter appropriated for General Grant National Park.<sup>1</sup> (16 U.S.C. sec. 80a.)

Movement of  
stock and ve-  
hicular traffic.

Transfer  
of funds.

Use for recrea-  
tional purposes.

SEC. 3. That the National Park Service shall, under the rules and regulations to be prescribed by the Secretary of the Interior, administer for public recreational purposes the lands withdrawn. (16 U.S.C. sec. 80b.)

Motor-vehicle  
licenses.

*Proviso.*

Privilege  
limitation.

SEC. 4. That any motor-vehicle license issued for Sequoia National Park shall be applicable to Kings Canyon National Park, and vice versa: *Provided*, That in order to insure the permanent preservation of the wilderness character of the Kings Canyon National Park the Secretary of the Interior may, in his discretion, limit the character and number of privileges that he may grant within the Kings Canyon National Park. No privileges shall be granted for a period in excess of five years. (16 U.S.C. sec. 80c.)

Administra-  
tion, etc.

SEC. 5. That the administration, protection, and development of the Kings Canyon National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes" as amended. (16 U.S.C. sec. 80d.)

<sup>1</sup> Boundaries extended by proclamation No. 2411 of June 21, 1940 (3 CFR, CUM.SUPP.,163).

**An Act To authorize the adjustment of land-ownership lines within the General Grant grove section of the Kings Canyon National Park, California, in order to protect equities established by possession arising in conformity with a certain survey, and for other purposes, approved June 5, 1942 (56 Stat. 310)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior shall so adjust the boundaries of the privately-owned lands in the General Grant grove section of the Kings Canyon National Park, California, as to recognize existing equities based on possession or claim established in reliance upon a survey made by the county surveyor of Tulare County, California, and recorded in volume 17 of Maps, page 2, Official Records of the County Records of Tulare County, California. To effectuate the purposes of this Act the Secretary may amend existing patents or relinquish or grant parcels of land within the area to claimants whose equities the Secretary determines are entitled to recognition.

Kings Canyon  
National Park,  
Calif.  
Boundary ad-  
justments in  
General Grant  
grove section.

SEC. 2. The Secretary of the Interior is authorized to pay from funds appropriated or hereafter appropriated for the use of his Department, the costs of surveys, investigations, and other services necessary to accomplish the purpose of this Act. (16 U.S.C. sec. 80a note.)

Costs of  
surveys, etc.

**Act of the Legislature of California, approved April 7, 1943, ceding to the United States exclusive jurisdiction over Kings Canyon National Park. (Sec. 119 of the Government Code of California)**

119. Exclusive jurisdiction shall be and the same is hereby ceded to the United States over and within all of the territory which is now or may hereafter be included in those several tracts of land in the State of California set aside and dedicated for park purposes by the United States as "Kings Canyon National Park"; saving however to the State of California the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park, and the right to fix and collect license fees for fishing in said park; and saving also to the persons residing in said park now or hereafter the right to vote at all elections held within the county or counties in which said park is situate. The jurisdiction granted by this section shall not vest until the United States through the proper officer notifies the State of California that it assumes police jurisdiction over said park.

## 14. Mammoth Cave National Park

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**Excerpt from An Act ceding to the United States exclusive jurisdiction over the Mammoth Cave National Park in the State of Kentucky, approved March 22, 1930 (Acts of 1930, ch. 132, p. 405; Carroll's Kentucky Statutes, sec. 3766e-17)**

SEC. 2. That the exclusive jurisdiction shall be, and the same is, hereby ceded to the United States over, within, and under all the territory in the State of Kentucky, thus to be, and as, deeded or conveyed to, or acquired by, the United States; saving and reserving, however, to the State of Kentucky the right to serve civil and criminal process, issued under its authority, within the limits of the land or lands thus deeded or conveyed to, or acquired, by the United States, in suits or prosecutions for, or on account of, rights acquired, obligations incurred, or crimes committed in said State outside of said land or lands; and on account of rights acquired, obligations incurred, or crimes committed on, or within, said land or lands, prior to the date of the giving or service of notice as hereinafter provided, of the assumption of police jurisdiction over such land or lands by the United States; and further saving and reserving to the said State the right to tax sales of gasoline and other motor conveyance fuels, and oils for use in motor conveyances, except to the extent that such gasoline and other fuels and oils may be used by the United States Government and its agents in the administration, protection, improvement, maintenance, development, and operation of the said land or lands deeded or conveyed as aforesaid; and, also, further saving and reserving to the said State of Kentucky the right to tax persons, firms, and corporations, their franchises and properties, on the said land or lands, deeded or conveyed as aforesaid; and saving and reserving, also, to persons residing in or on any of the land or lands deeded or conveyed as aforesaid, the right to vote at all elections within the respective counties of their residence, upon like terms and conditions, and to the same extent, as they would be entitled to vote in such counties had not such land or lands been deeded or conveyed, as aforesaid, to the United States; *Provided, however,* that such jurisdiction shall not invest in the United States unless, until, and as, the United States, through the Secretary of the Interior, notifies the Governor of the State of Kentucky, and through him the said State, that the said United States assumes police jurisdiction over the land or lands thus deeded or conveyed.

**An Act To amend the Act of May 25, 1926, entitled "An Act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes," approved May 14, 1934 (48 Stat. 775)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second and third provisos of section 3 of the Act of May 25, 1926, entitled "An Act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes" be, and the same are hereby, amended to read as follows: "*And provided further*, That the minimum area to be administered and protected by the National Park Service shall be, for the said Mammoth Cave National Park, twenty thousand acres: *Provided further*, That no general development of said area shall be undertaken until a major portion of the remainder in such area, including all the caves thereof, shall have been accepted by said Secretary, and he shall have established a schedule of fees for admission to such caves." (16 U.S.C. sec. 404b.)

SEC. 2. That in the establishment of the said Mammoth Cave National Park the Secretary of the Interior is hereby authorized to accept donations of money for the acquisition of lands and rights therein and to acquire the same by purchase, condemnation, or otherwise. (16 U.S.C. sec. 404e.)

**An Act To make available for national-park purposes certain lands within the area of the proposed Mammoth Cave National Park, Kentucky, approved August 28, 1937 (50 Stat. 871)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Mammoth Cave National Park as authorized by the Act of May 25, 1926 (44 Stat. 635), be, and the same are hereby, made a part of the said park as fully as if originally acquired for that purpose and the proviso at the end of section 1 of said Act of May 25, 1926, shall not be construed so as to prohibit the acquisition of lands in said area under funds made available as aforesaid. (16 U.S.C. sec. 404f.)

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to exclude the Great Onyx Cave and the Crystal Cave, or either of them, from the maximum boundaries of the said park, and the area required for general development of the said park by section 1 of the Act of May 14, 1934 (48 Stat. 775), is hereby modified accordingly. (16 U.S.C. sec. 404b-1.)

Mammoth Cave National Park, Ky.  
44 Stat. 636.  
amended.

Minimum area.

Development contingent upon acceptance.

Schedule of admission fees.

Acquisition of lands.

Mammoth Cave National Park, Ky.  
Certain lands added.

44 Stat. 635.  
16 U.S.C. sec. 404.

Acquisition other than by donation.

Exclusion of certain caves authorized.

48 Stat. 775.  
16 U.S.C. sec. 404b.

**An Act To accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the Act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes, approved June 5, 1942 (56 Stat. 317)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act of the General Assembly of the Commonwealth of Kentucky, approved March 22, 1930 (Acts of 1930, ch. 132, p. 405), ceding to the United States exclusive jurisdiction over, within, and under such territory in the Commonwealth as may be acquired for the Mammoth Cave National Park, are hereby accepted. Subject to the reservations made by the Commonwealth in the act of cession, the United States hereby assumes sole and exclusive jurisdiction over such territory. (16 U.S.C. sec. 404c-1.)

Mammoth Cave National Park, Ky.  
Acceptance of cession of exclusive jurisdiction.

Assignment to Kentucky western judicial district.

Fugitives from justice.

Hunting and fishing restrictions.

Rules and regulations.

Evidence of violation.

Persons violating provisions of Act, etc.

SEC. 2. The park shall constitute a part of the United States judicial district for the western district of Kentucky, and the district court of the United States in and for said district shall have jurisdiction over all offenses committed within the boundaries of the park. All fugitives from justice taking refuge in the park shall be subject to the same laws as fugitives from justice found in the Commonwealth of Kentucky. (16 U.S.C. sec. 404c-2.)

SEC. 3. All hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park, nor shall any fish be taken out of any of the waters of the park, except at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within the park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the waters in the park. Possession within the park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary

of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this Act, or the rules and regulations, with reference to the management and care of the park, or for the protection of the property therein, for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within the park, or for the protection of the animals, birds, and fish in the park, or who shall within the park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 404c-3.)

Penalty.

SEC. 4. All guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of the park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior shall be forfeited to the United States and may be seized by the officers in the park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court. (16 U.S.C. sec. 404c-4.)

Forfeiture of property used for unlawful purposes.

*Provido.*

SEC. 5. Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the United States District Court for the Western District of Kentucky shall appoint a park commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the gov-

Park commissioner. Appointment and jurisdiction.

Judicial powers.

Appeals.	ernment of the park and for the protection of the animals, birds, and fish in the park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of the commissioner to the United States District Court for the Western District of Kentucky; and the district court shall prescribe the rules and procedure and practice for the commissioner in the trial of cases and for appeal to the district court. (16 U.S.C. sec. 404c-5.)
Rules and procedure and practice.	SEC. 6. The park commissioner shall also have power to issue process, as hereinbefore provided, for the arrest of any person charged with the commission within the park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged, for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Western District of Kentucky, and certify a transcript of the record of his proceedings and the testimony in such case to the said district court, which court shall have jurisdiction of the case. The park commissioner shall have authority to grant bail in all cases according to the laws of the United States. (16 U.S.C. sec. 404c-6.)
Jurisdiction over other offenses.	SEC. 7. The park commissioner shall be paid an annual salary as appropriated for by Congress. (16 U.S.C. sec. 404c-7.)
Bail.	SEC. 8. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 404c-8.)
Pay of commissioner	SEC. 9. All fees, fines, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Kentucky. (16 U.S.C. sec. 404c-9.)
Fees, costs, and expenses.	SEC. 10. The Secretary of the Interior shall notify in writing the Governor of the Commonwealth of Kentucky of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over the park. Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Mammoth Cave National Park, the provisions of sections 2 to 9, inclusive, shall apply to such lands. (16 U.S.C. sec 404c-10.)
Deposits.	SEC. 11. The Secretary of the Interior is hereby authorized in his discretion to acquire for inclusion within the Mammoth Cave National Park by purchase, condemnation, or otherwise, any lands, interests in lands, and other property within the maximum boundaries thereof as authorized by the Act of May 25, 1926 (44 Stat. 635), notwithstanding
Notice of passage of Act.	
Acquisition of additional property.	
16 U.S.C. secs. 404-404c, 404f.	

the provisions of the Act of August 28, 1937 (50 Stat. 871), or any action taken thereunder to exclude certain caves from the park area.

For the purpose of enabling the Secretary of the Interior to acquire property on behalf of the United States, as authorized by this section, there shall be reserved and set aside in the Treasury a special fund of not to exceed \$350,000. Said fund shall consist of the annual revenues of the Federal Government from the Mammoth Cave National Park which are in excess of the annual appropriations made for the administration, protection, and maintenance of said park. At the close of each fiscal year, the Secretary of the Interior shall certify to the Secretary of the Treasury the excess of revenues over appropriations for the preceding fiscal year.

Special fund from excess of revenues over appropriations.

The title to lands, interests in lands, and other property to be acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior. Any property acquired pursuant to this Act upon acquisition by the Federal Government, shall become a part of the park, and shall be subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 404c-11.)

Title to acquired property.

SEC. 12. For the purpose of developing a proper and suitable entrance road to the Mammoth Cave National Park, the Secretary of the Interior is hereby authorized in his discretion to accept on behalf of the United States donations of lands, buildings, structures, and other property or interests therein, or to acquire such property with donated funds by purchase, condemnation, or otherwise, within an area or areas to be determined by him, but (a) not to exceed one mile in width, extending from the exterior boundary of the Mammoth Cave National Park to a point to be selected by him on United States Highway Numbered 31-W, and (b) not to exceed one-half mile in width on either side of United States Highway Numbered 31-W and running for a distance of not to exceed two miles along said highway. Lands acquired for purposes of protecting such entrance roads shall not be less than five hundred feet in width on either side of said roads: *Provided*, That only one such entrance road shall be established between United States Highway Numbered 31-W and Mammoth Cave National Park pursuant to this Act. (16 U.S.C. sec. 404c-12.)

Development of entrance road.

Acceptance of donations.

*Proviso.*

## 15. Mount McKinley National Park

Accommodations for housing, feeding, and transporting visitors and residents.....	Page Act of March 29, 1940    76
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**An Act To amend the Act authorizing the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes, approved March 29, 1940 (54 Stat. 80)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That section 1 of the Act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes, approved March 12, 1914 (38 Stat. 305), as amended, be, and the same is hereby, amended by adding thereto the following:

48 U.S.C. secs.  
301-305, 307.

Mount McKinley  
National Park,  
Alaska.  
Tourist  
facilities, etc.  
Appropriation  
authorized.

Purchase of  
Mount McKinley  
Tourist and  
Transportation  
Co., equities,  
etc.

Motor vehicles.

“That in order to provide for the adequate housing, feeding, and transportation of the visiting public and residents of Mount McKinley National Park in Alaska, there is authorized to be appropriated out of the general funds of the Treasury a sum not to exceed the sum of \$30,000; and the President of the United States be, and he is hereby, authorized and empowered, through such agency or agencies as he may designate, to construct, reconstruct, maintain, and operate lodges, and other structures and appurtenances incident thereto; to purchase, upon such terms as he may deem proper, the personal property, structures, and buildings of the Mount McKinley Tourist and Transportation Company that are operated and used in said park under contract authorization by the Department of the Interior, and the equities of the Mount McKinley Tourist and Transportation Company in the business developed and conducted in connection therewith; to purchase or otherwise acquire motor-propelled passenger-carrying vehicles and all necessary fixtures and equipment, and to operate, repair, recondition, and maintain the same in order to carry out the purpose of this Act, notwithstanding the restrictions imposed by law with regard to the purchase, maintenance, repair, or operation of motor-propelled, passenger-carrying vehicles; and to operate or sell the equipment and facilities herein authorized, directly or by contract or contracts with any individual, company, firm, or corporation, under such schedule of rates, terms, and conditions, as he may deem proper.” (16 U.S.C. sec. 353a.)

## 16. Olympic National Park

Establishment of park.....	Act of June 29, 1938	77
Jurisdiction, State cession over area included in park on March 8, 1941.....	State Act of Mar. 8, 1941	79
Jurisdiction, State cession of 1941 accepted.....	Act of Mar. 6, 1942	79
Acquisition of non-Federal land within park in exchange for national forest land.....	Act of Dec. 22, 1942	82

**An Act To establish the Olympic National Park, in the State of Washington, and for other purposes, approved June 29, 1938 (52 Stat. 1241)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Mount Olympus National Monument established pursuant to proclamation of the President dated March 2, 1909, is hereby abolished, and the tracts of land in the State of Washington particularly described as follows, to wit: Township 25 north, range 4 west, sections 5 to 8, 17 to 20, and 29 to 32, inclusive (unsurveyed); township 26 north, range 4 west, sections 1 to 12, 17 to 20, and 29 to 32, inclusive (unsurveyed); township 27 north, range 4 west, sections 5 to 8, 17 to 20, and 29 to 36, inclusive (unsurveyed); township 28 north, range 4 west, sections 17 to 22, and 27 to 34, inclusive (unsurveyed); townships 25, 26, and 27 north, range 5 west (unsurveyed); township 28 north, range 5 west, sections 7 to 36, inclusive (unsurveyed); township 24 north, range 6 west, sections 3 to 10, 15 to 22, and 27 to 34, inclusive (unsurveyed); townships 25, 26, and 27 north, range 6 west (unsurveyed); township 28 north, range 6 west, sections 7 to 36, inclusive (unsurveyed); townships 24, 25, 26, and 27 north, range 7 west (unsurveyed); township 28 north, range 7 west, sections 5 to 36 inclusive (unsurveyed); township 24 north, range 8 west, sections 1 to 18, inclusive (partly surveyed); townships 25, 26, 27, and 28 north, range 8 west (unsurveyed); township 29 north, range 8 west, sections 6, 7, 18, 19 to 21, and 28 to 33, inclusive (unsurveyed); township 30 north, range 8 west, sections 18, 19, 30, and 31 (partly surveyed); township 24 north, range 9 west, sections 1, 2, 11, 12, 13, and 14 (partly surveyed); township 25 north, range 9 west (unsurveyed); township 26 north, range 9 west, sections 1 to 18, inclusive (unsurveyed), each half of section 19 (unsurveyed), sections 20 to 29, and 32 to 36, inclusive (surveyed); townships 27 and 28 north, range 9 west (unsurveyed); township 29 north, range 9 west (partly surveyed); township 30 north, range 9 west, sections 13, 14, and 23 to 36, inclusive (partly surveyed); township 26 north, range 10 west, sections 1, 12, and 13 (surveyed); township 27 north, range 10 west, sections 1 to 6, inclusive, 12, 13, 24, 25, and 36 (surveyed); township 28 north, range 10 west, south half section 7, south half

Olympic National Park, Wash., established.  
Mount Olympus National Monument abolished.  
35 Stat. 2247.  
Lands transferred to park.

Lands transferred to Olympic National Forest.

section 8, south half section 9, south half section 10, south half section 11, south half section 12, sections 13 to 36, inclusive (unsurveyed) all west of the Willamette meridian, in Washington, are hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and dedicated and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Olympic National Park, and all lands formerly included in the Mount Olympus National Monument and not included in the above description are hereby transferred to and made a part of the Olympic National Forest. (16 U.S.C. sec. 251.)

Mineral deposits..

SEC. 2. That in the areas of said park lying east of the range line between ranges 9 and 10 and north of the seventh standard parallel, and east of the range line between ranges 4 and 5 west, Willamette meridian, all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws for a period of five years from the date of approval of this Act, with rights of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior. (16 U.S.C. sec. 252.)

Division of receipts for schools and roads.  
16 U.S.C.  
sec. 500.

SEC. 3. The income of each county receiving moneys from the Olympic National Forest, under the Act of May 23, 1908 (35 Stat. 260, ch. 192), as amended, shall be proportional to the total area of each county in the Olympic National Forest and the Olympic National Park combined. (16 U.S.C. sec. 253.)

Administration,  
etc.

16 U.S.C., ch. 1.

SEC. 4. The administration, protection, and development of the Olympic National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 254.)

Existing claims,  
etc., not affected.

SEC. 5. Nothing herein contained shall affect any valid existing claim, location, or entry made under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purpose whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land, nor the rights reserved by treaty to the Indians of any tribes.

Additions to  
park.

The President may after eight months from the approval of this Act by proclamation add to the Olympic National Park any lands within the boundaries of the Olympic National Forest, and any lands which may be acquired by the Government by gift or purchase, which he may deem it advisable to add to such park; and any lands so added to such park shall, upon their addition thereto, become

subject to all laws and regulations applicable to other lands within such park: *Provided*, That the total area of the said park shall not exceed eight hundred and ninety-eight thousand two hundred and ninety-two acres: *Provided further*, That before issuing any such proclamation, the President shall consult with the Governor of the State of Washington, the Secretary of the Interior, and the Secretary of Agriculture and advise them of the lands which he proposes to add to such park, and shall afford them a reasonable opportunity to consult with and communicate to him their views and recommendations with respect to the addition of such lands to such park.<sup>1</sup> (16 U.S.C. sec. 255.)

*Provisos.  
Limitation.*

*Consultation  
before issuance  
of proclama-  
tion.*

**Excerpt from an Act of the Legislature of Washington, approved March 8, 1941, ceding to the United States exclusive jurisdiction over the territory then included in the Olympic National Park. (Chapter 51 of the Laws of 1941 of the State of Washington)**

Exclusive jurisdiction shall be, and the same is hereby ceded to the United States over and within all the territory that is now included in that tract of land in the State of Washington, set aside for the purposes of a national park, and known as the Olympic National Park; saving, however, to the said state, the right to serve civil and criminal process within the limits of the aforesaid park, in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said state, but outside of said park; and saving further to the said state the right to tax persons and corporations, their franchises and property on the lands included in said park: **PROVIDED, HOWEVER,** This jurisdiction shall not vest until the United States through the proper officer, notifies the Governor of this state that they assume police or military jurisdiction over said park.

**An Act To accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes, approved March 6, 1942 (56 Stat. 135)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act of the Legislature of the State of Washington, approved March 8, 1941 (Chapter 51 of the Laws of 1941 of the State of Washington), ceding to the United States exclusive jurisdiction over and within all the territory included on March 8, 1941, in the tract of land in the State of Washington, set aside for the purposes of a national park and known as the Olympic National Park, are hereby accepted. Subject to the reservations made by the State in the act of cession, the United States hereby assumes sole and exclusive jurisdiction over such territory. (16 U.S.C. sec. 256.)

*Olympic Na-  
tional Park,  
Wash.  
Cession of juris-  
diction to U.S.*

<sup>1</sup> See proclamations No. 2380 of January 2, 1940 (3 CFR, CUM.SUPP., 140), and No. 2587 of May 29, 1943 (3 CFR, CUM.SUPP., 333), adding land to the park.

Assignment to  
Washington  
western judicial  
district.

SEC. 2. The park shall constitute a part of the United States judicial district for the western district of Washington, and the district court of the United States in and for said district shall have jurisdiction over all offenses committed within the boundaries of the park. All fugitives from justice taking refuge in the park shall be subject to the same laws as refugees from justice found in the State of Washington. (16 U.S.C. sec. 256a.)

Hunting, fishing,  
etc., prohibitions.

SEC. 3. All hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park, nor shall any fish be taken out of any of the waters of the park, except at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within the park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the waters in the park. Possession within the park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this Act, or the rules and regulations, with reference to the management and care of the park, or for the protection of the property therein, for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within the park, or for the protection of the animals, birds, and fish in the park, or who shall within the park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 256b.)

Rules and  
Regulations.

Penalties.

SEC. 4. All guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of the park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior shall be forfeited to the United States and may be seized by the officers in the park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court. (16 U.S.C. sec. 256c.)

Forfeiture of property used for unlawful purposes.

*Proviso.*

SEC. 5. Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the United States District Court for the Western District of Washington shall appoint a park commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of the park and for the protection of the animals, birds, and fish in the park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of the commissioner to the United States District Court for the Western District of Washington; and the district court shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court. (16 U.S.C. sec. 256d.)

Park commissioner.

Appointment and jurisdiction.

Judicial powers.

Appeals.

SEC. 6. The park commissioner shall also have power to issue process, as hereinbefore provided, for the arrest of any person charged with the commission within the park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged, for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District

Procedure in other cases.

Bail.

Pay of  
commissioner.Fees, costs, and  
expenses.Deposit of  
collections.Notice of  
acceptance of  
jurisdiction.Olympic  
National Park,  
Wash.  
Exchange  
of lands.

Court for the Western District of Washington, and certify a transcript of the record of his proceedings and the testimony in such case to the said district court, which court shall have jurisdiction of the case. The park commissioner shall have authority to grant bail in all cases according to the laws of the United States. (16 U.S.C. sec. 256e.)

SEC. 7. The park commissioner shall be paid an annual salary as appropriated for by Congress. (16 U.S.C. sec. 256f.)

SEC. 8. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 256g.)

SEC. 9. All fees, fines, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Washington. (16 U.S.C. sec. 256h.)

SEC. 10. The Secretary of the Interior shall notify in writing the Governor of the State of Washington of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over the park. Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Olympic National Park, the provisions of sections 2 to 9, inclusive, shall apply to such lands. (16 U.S.C. sec. 256i.)

**An Act To authorize the exchange of lands not in Federal ownership within the Olympic National Park, Washington, for national forest lands in the State of Washington, approved December 22, 1942 (56 Stat. 1070)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title to State, county, and private lands situated north of the line between townships 27 and 28 north, Willamette base and meridian, Washington, and within the boundaries of the Olympic National Park as now or hereafter established by proclamation of the President of the United States, shall be subject to acceptance under the provisions of the Act approved March 20, 1922 (42 Stat. 465; 16 U.S.C. 485), and such lands when vested in the ownership of the United States shall be a part of the Olympic National Park subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 251a.)

## 17. Platt National Park

Addition of lands to park.....	Excerpt from Act of June 18, 1940	Page 83
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**Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes," approved June 18, 1940 (54 Stat. 406, 447)**

Platt National Park, Oklahoma: For administration, protection, maintenance, and improvement, \* \* \* and including not exceeding \$3,500 for the purchase of land.<sup>1</sup>

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<sup>1</sup> Pursuant to this provision, 63.75 acres of land were acquired and added to the park. See Solicitor's opinion (M.32041) of Feb. 4, 1943.

## 18. Sequoia National Park

	Page
Addition to park authorized—lands to be acquired by exchange.....	84
.....Act of December 21, 1943	

### **An Act To authorize the acquisition by exchange of certain lands for addition to the Sequoia National Park, approved December 21, 1943 (57 Stat. 606)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized, in his discretion, to accept title to lands and interests in lands near the entrance to the Sequoia National Park, subject to existing easements for public highways and public utilities, within the following described tracts:

Tract A. A portion of tract 37, township 17 south, range 29 east, Mount Diablo meridian, Tulare County, California, comprising approximately two acres.

Tract B. A portion of the east half of the northeast quarter of section 4, township 17 south, range 29 east, Mount Diablo meridian, Tulare County, California, comprising approximately thirty-eight acres.

Tract C. A portion of the south half of tract 37, township 17 south, range 29 east, Mount Diablo meridian, Tulare County, California, comprising approximately sixty one-hundredths acre.

The owners of the lands to be conveyed to the United States, before any exchange is effective, shall furnish to the Secretary of the Interior evidence satisfactory to him of title to such lands. Such property shall become a part of the Sequoia National Park upon the acceptance of title thereto by the Secretary, and shall thereafter be subject to all laws and regulations applicable to the park. (16 U.S.C. sec. 45a-1.)

SEC. 2. That in exchange for the conveyance to the United States of tract A, as provided in section 1 of this Act, the Secretary is authorized, in his discretion, to patent to the owner of tract A, subject to such terms and conditions as the Secretary may deem necessary, certain lands of approximately equal value described as follows:

Tract D. A portion of the southeast quarter of section 33, township 16 south, range 29 east, Mount Diablo meridian, Tulare County, California, comprising approximately two and fifty one-hundredths acres.

In exchange for the conveyance to the United States of tracts B and C, as provided in section 1 of this Act, the Secretary is authorized to patent, in a similar manner, to the owner of tracts B and C certain lands of approximately equal value described as follows:

Tract E. The southwest quarter of the northwest quarter of section 4, which shall be subject to section 24 of the Federal Power Act (16 U.S.C., sec. 818); the south half of the northeast quarter of section 5; and approximately

sixty-eight acres of the north half of the southeast quarter of section 5, which shall not include the surveyed two-hundred-foot strip as shown on map "D" of exhibit "K", entitled "Detailed Map of Kaweah Project of the Southern California Edison Company, Ltd.", and filed in the office of the Federal Power Commission on December 12, 1923; all of said lands in tract E being situated in township 17 south, range 29 east, Mount Diablo meridian, comprising approximately one hundred and eighty-eight acres. (16 U.S.C. sec. 45a-2.)

SEC. 3. Nothing in this Act shall be construed to alter or affect in any manner the provisions, or extend the term, of the permit heretofore granted to the Southern California Edison Company and predecessors thereof for the use of lands in the Sequoia National Park for electric power development purposes, or to relieve the company of any financial or other obligation under said permit, or under agreements or orders relating or supplementary thereto. (16 U.S.C. sec. 45a-1 note.)

## 19. Shenandoah National Park

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**An Act To direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes, approved August 19, 1937 (50 Stat. 700) <sup>1</sup>**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and is hereby, directed to give notice to the State of Virginia through its Governor, as contemplated by the Act of the General Assembly of the State of Virginia approved March 28, 1928, that the United States assumes police jurisdiction over lands lying in the State of Virginia and included within the Shenandoah National Park, title to and exclusive jurisdiction over said lands having been conveyed and ceded under and by authority of said Act and accepted by the Secretary of the Interior, saving, however, to the State of Virginia the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county or counties in which said park is situated; and saving further to the said State the right to tax sales of gasoline and other motor vehicle fuels and oil for use in motor vehicles. The Secretary is further directed to give like notice as to lands hereafter conveyed to the United States under like authority at such time or times as he shall determine to be consistent with the interests of the United States. All the laws applicable to places under sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking

Shenandoah National Park, Va.

Police jurisdiction assumed by United States.

Exceptions.

Service of process, suits, etc., arising outside.

State tax powers. Franchise.

Gasoline, etc., tax.

Provisions applicable to future conveyances.

Application of laws.

Fugitives from justice.

<sup>1</sup> Section 1 of this Act was amended by the Act of June 5, 1942 (56 Stat. 321), page 95.

refuge in said park shall be subject to the same laws as refugees from justice found in the State of Virginia. (16 U.S.C. 403c-1.)

SEC. 2. That said park shall constitute a part of the United States judicial district for the western district of Virginia, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within the boundaries of the said park. (16 U.S.C. sec. 403c-2.)

District court  
for western dis-  
trict of Virginia,  
jurisdiction of.

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of any of the waters of the said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima-facie evidence that the person or persons having same are guilty of violating this Act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other provisions of this Act, or any rule or regulation that may be promulgated by the Secretary of the Interior, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the said park, or who shall within said park commit any damage, injury or spoliation to or upon any building, fence, sign, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 403c-3.)

Protection of  
birds and  
animals.

Unlawful  
fishing.

Administrative  
rules, etc.

Unlawful acts,  
evidence of  
violations.

Penalty  
provisions.

Guns, traps,  
teams, etc., for  
forfeiture or seizure  
for violations.

SEC. 4. That all guns, traps, nets, seines, teams, horses, or means of transportation of every nature or description, used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild beasts, birds, fish, or animals, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (16 U.S.C. sec. 403c-4.)

Disposition of.

United States  
commissioner.  
Appointment,  
jurisdiction.

SEC. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of Virginia shall appoint a commissioner who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of Virginia and the United States District Court in the aforementioned district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States District Court. (16 U.S.C. sec. 403c-5.)

Judicial powers  
in violation of  
rules, etc.

Appeals.

Duties,  
powers, etc.

SEC. 6. That any and all United States commissioners now or hereafter authorized to act within the western district of Virginia and any and all persons who shall hereafter succeed to the duties, powers, and authority of United States commissioners in and for said district shall have full power, authority, and jurisdiction to act, with respect to offenses or violations of law occurring within the limits of the Shenandoah National Park, as the United States commissioner for the Shenandoah National Park may act with respect to offenses or violations of law occurring within the limits of said park. (16 U.S.C. sec. 403c-6.)

SEC. 7. That such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Western District of Virginia, and certify a transcript of the record of his proceedings and the testimony in such case to court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State. (16 U.S.C. sec. 403c-7.)

Arrest and confinement of persons charged with crime.

*Proviso.*  
Bail.

SEC. 8. That processes issued by the commissioner shall be directed to the marshal of the United States for the western district of Virginia but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States, without process of any person taken in the act of violating the law or this Act or the regulations prescribed by the said Secretary as aforesaid. (16 U.S.C. sec. 403c-8.)

Processes directed to marshal.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary, as appropriated for by Congress: *Provided*, That the said commissioner shall reside within the exterior boundaries of the Shenandoah National Park or at a place reasonably adjacent to the park, the place of residence to be designated by the Secretary of the Interior: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 11 of this Act. (16 U.S.C. sec. 403c-9.)

Salary.

*Provisos.*  
Residence.

SEC. 10. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 403c-10.)

Disposal of fees, etc.

Fees chargeable to United States, payment of.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Virginia. (16 U.S.C. sec. 403c-11.)

Deposit of fines and costs.

**An Act To add certain lands of the Front Royal Quartermaster Depot Military Reservation, Virginia, to the Shenandoah National Park, and for other purposes, approved June 13, 1939 (53 Stat. 815)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following-described lands of the Front Royal Quartermaster Depot Military Reservation, Virginia, are

Shenandoah National Park, Va.

Certain lands of  
Front Royal  
Quartermaster  
Depot Military  
Reservation  
added to.  
Description.

hereby made a part of the Shenandoah National Park, subject to all laws and regulations applicable thereto: Beginning at concrete monument numbered 10 in the boundary line of the Front Royal Remount Depot, and running thence along said boundary line, north 70 degrees 00 minutes west 3,465.0 feet to monument numbered 11, thence north 40 degrees 30 minutes west 1,881.0 feet to monument numbered 12, thence north 2 degrees 00 minutes west 792.0 feet to monument numbered 13, thence north 78 degrees 00 minutes west 693.0 feet to monument numbered 14, thence south 1 degree 30 minutes west 379.5 feet to monument numbered 15, thence south 61 degrees 15 minutes west 2,244.0 feet to monument numbered 16, thence south 16 degrees 00 minutes east 2,640.0 feet to monument numbered 17, thence south 61 degrees 15 minutes west 3,333.0 feet to monument numbered 18, thence south 15 degrees 00 minutes east 646.8 feet to monument numbered 19, thence south 63 degrees 00 minutes west 627.0 feet to monument numbered 20, thence south 15 degrees 00 minutes west 1,254.0 feet to monument numbered 21, thence south 48 degrees 00 minutes east 3,267.0 feet to monument numbered 22, thence north 34 degrees 00 minutes east 297.0 feet to monument numbered 23, thence north 25 degrees 00 minutes west 1,551.0 feet to monument numbered 24, thence north 67 degrees 00 minutes east 1,716.0 feet to monument numbered 25, thence north 58 degrees 00 minutes east 2,862.75 feet to monument numbered 26, thence north 79 degrees 00 minutes east 2,377.15 feet to monument numbered 27, thence south 28 degrees 30 minutes west 338.25 feet to monument numbered 28 (offset 4 feet west), thence south 30 degrees 00 minutes west 462.0 feet to monument numbered 29 (offset 14 feet east), thence south 40 degrees 00 minutes west 396.0 feet to monument numbered 30 (offset 9.0 feet east), thence south 54 degrees 00 minutes west 132.0 feet to monument numbered 31 (offset 10.0 feet east), thence south 75 degrees 00 minutes west 429.0 feet to monument numbered 32, thence south 62 degrees 00 minutes west 297.0 feet to monument numbered 33 (offset 3.0 feet south-east), thence south 41 degrees 00 minutes west 462.0 feet to monument numbered 34 (offset 5.0 feet south), thence south 53 degrees 00 minutes west 264.0 feet to monument numbered 35 (offset 4 feet south), thence south 80 degrees 00 minutes west 165.0 feet to monument numbered 36 (offset 8.0 feet south), thence north 85 degrees 00 minutes west 396.0 feet to monument numbered 37 (offset 9.0 feet north), south 40 degrees 00 minutes west 354.75 feet to monument numbered 38, thence south 27 degrees 00 minutes east 1,023.0 feet to monument numbered 39, thence north 73 degrees 30 minutes east, 1,518.0 feet to monument numbered 40, thence north 52 degrees 00 minutes east 330.0 feet to monument numbered 41, thence along a proposed boundary line north 19 degrees 51 minutes east 1,684.5 feet to point A.1, thence north 52 degrees 20 minutes east

1,107.0 feet to point A.2, thence north 39 degrees 26 minutes east 717.5 feet to a point A.3, thence north 26 degrees 11 minutes east 1,978.0 feet to concrete monument numbered 10, the point of beginning, it being the intent of this Act to add to the Shenandoah National Park all that portion of the Front Royal Quartermaster Depot Military Reservation lying west of a line between monuments numbered 41 and 10, as described by the last four courses of the above description. The tract as described contains an area 977½ acres, more or less. (16 U.S.C. sec. 403-1.)

**Act of the General Assembly of Virginia, approved April 1, 1940, to provide for the respective jurisdictions and powers of the United States and the Commonwealth of Virginia over lands in the Shenandoah National Park acquired by the United States, the effect of which is to modify the jurisdiction ceded to the United States over certain parts of said lands as set forth in Section 7 of Chapter 371 of the Acts of 1928, and over other parts as set forth in Section 19-a of the Code of Virginia. (Chapter 402, Acts of the General Assembly, 1940; sec. 585(58)a, Virginia Code of 1942)<sup>2</sup>**

Whereas, the United States of America has acquired from time to time various tracts of lands in Virginia which form and constitute the Shenandoah National Park; and,

Whereas, the jurisdiction and powers of the United States over certain parts of said lands has been ceded to the United States in accordance with the provisions of section seven of chapter three hundred and seventy-one of the Acts of nineteen hundred and twenty-eight, and the jurisdiction and powers of the United States over certain other parts of said lands are vested in the United States by virtue of the provisions of section nineteen-a of the Code of Virginia, as enacted by chapter three hundred and eighty-two of the Acts of nineteen hundred and thirty-six; and,

Whereas, it is desired that the jurisdiction and powers of the United States over all of said lands comprising the said Shenandoah National Park shall be uniform, and shall be as hereinafter provided; now, therefore,

1. Be it enacted by the General Assembly of Virginia, That from and after the time of the acceptance by the Congress of the United States of the jurisdiction and powers hereby ceded and the modification of the jurisdiction and powers heretofore ceded by the Commonwealth of Virginia and accepted by the United States over lands in the Shenandoah National Park, the respective jurisdiction and powers of the Commonwealth of Virginia and the United States of America over all lands within the Shenandoah National Park as it is now constituted or may hereafter be extended shall be as follows:

(a) The United States shall have exclusive jurisdiction, legislative, executive and judicial, with respect to the commission of crimes, and the arrest, trial, and punishment therefor, and exclusive general police jurisdiction thereover.

<sup>2</sup> Amended by State Act of April 4, 1942, page 93

(b) The United States shall have the power to regulate or prohibit the sale of alcoholic beverages on said lands, provided, however, that, if the sale of alcoholic beverages is prohibited by general law in the Commonwealth of Virginia outside of said lands, no such alcoholic beverages shall be sold on said lands contained in said park area, and provided, further, that, if the general laws of the Commonwealth of Virginia permit the sale of alcoholic beverages, then the regulations of the United States relating to such sales on said lands shall conform as nearly as possible to the regulatory provisions in accordance with which such sales are permitted in the Commonwealth of Virginia outside of said park lands. Nothing in this subsection shall be construed as reserving in the Commonwealth power to require licenses of persons engaged in the sale of intoxicating beverages on said lands, nor the power to require that any sales be made through official liquor stores.

(c) The Commonwealth of Virginia reserves the right and shall have jurisdiction to serve civil process within the limits of said park in any suits properly instituted in any of the courts of the Commonwealth of Virginia, and to serve criminal process within said limits in any suits or prosecutions for or on account of crimes committed in said Commonwealth but outside of said park.

(d) The Commonwealth of Virginia shall have the jurisdiction and power to levy a nondiscriminatory tax on all unalcoholic beverages possessed or sold on said lands.

(e) The Commonwealth of Virginia shall have jurisdiction and power to tax the sales of oil and gasoline, and other motor vehicle fuels and lubricants for use in motor vehicles.

(f) The Commonwealth of Virginia shall have the jurisdiction and power to levy nondiscriminatory taxes on private individuals, associations, and corporations, their franchises and properties, on said lands, and on their businesses conducted thereon.

(g) The courts of the Commonwealth of Virginia shall have concurrent jurisdiction with the courts of the United States of all civil causes of action arising on said lands to the same extent as if the cause of action had arisen in the county or city in which the land lies outside the park area, and the State officers shall have jurisdiction to enforce on said lands the judgments of said State courts and the collection of taxes by appropriate process.

(h) Persons residing in or on any of the said lands embraced in said Shenandoah National Park shall have the right to establish a voting residence in Virginia by reason thereof, and the consequent right to vote at all elections within the county or city in which said land or lands upon which they reside are located upon like terms and conditions, and to the same extent as they would be entitled to vote in such county or city if the said lands on which they reside had not been deeded or conveyed to the United States of America.

2. An emergency existing, this act shall be in force from its passage.

Act of the General Assembly of Virginia, approved April 4, 1942, to amend and re-enact an Act designated as Chapter 402 of the Acts of 1940, approved April 1, 1940, entitled "An Act to provide for the respective jurisdictions and powers of the United States and the Commonwealth of Virginia over lands in the Shenandoah National Park acquired by the United States, the effect of which is to modify the jurisdiction ceded to the United States over certain parts of said lands as set forth in Section 7 of Chapter 371 of the Acts of 1928, and over other parts as set forth in Section 19-a of the Code of Virginia." (Chapter 414, Acts of the General Assembly, 1942; sec. 585(58)a, Virginia Code of 1942)

Whereas, the United States of America has acquired from time to time various tracts of land in Virginia which form and constitute the Shenandoah National Park; and

Whereas, the jurisdiction and powers of the United States over certain parts of said lands has been ceded to the United States in accordance with the provisions of section seven of chapter three hundred and seventy-one of the Acts of nineteen hundred and twenty-eight, and the jurisdiction and powers of the United States over certain other parts of said lands are vested in the United States by virtue of the provisions of section nineteen-a of the Code of Virginia, as enacted by chapter three hundred and eighty-two of the Acts of nineteen hundred and thirty-six; and

Whereas, it is desired that the jurisdiction and powers of the United States over all of said lands comprising the said Shenandoah National Park shall be uniform, and shall be as hereinafter provided; now, therefore,

1. Be it enacted by the General Assembly of Virginia, That from and after the time of the acceptance by the Congress of the United States of the jurisdiction and powers hereby ceded and the modification of the jurisdiction and powers heretofore ceded by the Commonwealth of Virginia and accepted by the United States over lands in the Shenandoah National Park, the respective jurisdiction and powers of the Commonwealth of Virginia and the United States of America over all lands within the Shenandoah National Park as it is now constituted or may hereafter be extended shall be as follows:

(a) The United States shall have exclusive jurisdiction, legislative, executive and judicial, with respect to the commission of crimes, and the arrest, trial, and punishment therefor, and exclusive general police jurisdiction thereover.

(b) The United States shall have the power to regulate or prohibit the sale of alcoholic beverages on said lands; Provided, however, that, if the sale of alcoholic beverages is prohibited by general law in the Commonwealth of Virginia outside of said lands, no such alcoholic beverages shall be sold on said lands contained in said park area; And provided further, That if the general laws of the Commonwealth of Virginia permit the sale of alcoholic beverages, then the regulations of the United States relating to

such sales on said lands shall conform as nearly as possible to the regulatory provisions in accordance with which such sales are permitted in the Commonwealth of Virginia outside of said park lands. Nothing in this subsection shall be construed as reserving in the Commonwealth power to require licenses of persons engaged in the sale of intoxicating beverages on said lands, nor the power to require that any sales be made through official liquor stores.

(c) The Commonwealth of Virginia shall have jurisdiction to serve civil process within the limits of said park in any suits properly instituted in any of the courts of the Commonwealth of Virginia, and to serve criminal process within said limits in any suits or prosecutions for or on account of crimes committed in said Commonwealth but outside of said park.

(d) The Commonwealth of Virginia shall have the jurisdiction and power to levy a nondiscriminatory tax on all alcoholic beverages possessed or sold on said lands.

(e) The Commonwealth of Virginia shall have jurisdiction and power to tax the sales of oil and gasoline, and other motor vehicle fuels and lubricants for use in motor vehicles. This subsection shall not be construed as a consent by the United States to the taxation by the Commonwealth of such sales for the exclusive use of the United States.

(f) The Commonwealth of Virginia shall have the jurisdiction and power to levy nondiscriminatory taxes on private individuals, associations, and corporations, their franchises and properties, on said lands, and on their businesses conducted thereon.

(g) The courts of the Commonwealth of Virginia shall have concurrent jurisdiction with the courts of the United States of all civil causes of action arising on said lands to the same extent as if the cause of action had arisen in the county or city in which the land lies outside the park area, and the State officers shall have jurisdiction to enforce on said lands the judgments of said State courts and the collection of taxes by appropriate process.

(h) Persons residing in or on any of the said lands embraced in said Shenandoah National Park shall have the right to establish a voting residence in Virginia by reason thereof, and the consequent right to vote at all elections within the county or city in which said land or lands upon which they reside are located upon like terms and conditions, and to the same extent as they would be entitled to vote in such county or city if the said lands on which they reside had not been deeded or conveyed to the United States of America. All fugitives from justice taking refuge in the park shall be subject to the same laws as refugees from justice found in the Commonwealth of Virginia.

2. An emergency existing, this act shall be in force from its passage.

An Act To amend section 1 of the Act approved August 19, 1937 (50 Stat. 700), entitled "An Act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes," approved June 5, 1942 (56 Stat. 321)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of August 19, 1937 (50 Stat. 700), entitled "An Act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes", is hereby amended to read as follows:

Shenandoah  
National  
Park, Va.  
16 U.S.C.  
secs. 403c-1.

"That in order to provide for uniform Federal jurisdiction over all of the lands now or hereafter embraced within the Shenandoah National Park, the provisions of the Act of the General Assembly of the Commonwealth of Virginia, approved April 1, 1940 (Acts of 1940, ch. 402, p. 725), fixing and defining the respective jurisdiction and powers of the Commonwealth of Virginia and the United States and ceding to the United States exclusive police jurisdiction over all lands now or hereafter included within the park are hereby accepted and such exclusive jurisdiction is assumed by the United States over such lands. From the effective date of this Act the respective jurisdiction and powers of the Commonwealth of Virginia and the United States over all lands within the Shenandoah National Park as it is now constituted or may hereafter be extended shall be as follows:

Assumption by  
U. S. of exclu-  
sive police  
jurisdiction.

State and Fed-  
eral powers  
defined.

"(a) The United States shall have exclusive jurisdiction, legislative, executive, and judicial, with respect to the commission of crimes, and the arrest, trial, and punishment therefor, and exclusive general police jurisdiction thereover.

U. S. jurisdic-  
tion and powers.  
Commission  
of crimes.

"(b) The United States shall have the power to regulate or prohibit the sale of alcoholic beverages on said lands: *Provided, however,* That, if the sale of alcoholic beverages is prohibited by general law in the Commonwealth of Virginia outside of said lands, no such alcoholic beverages shall be sold on said lands contained in said park area: *And provided further,* That, if the general laws of the Commonwealth of Virginia permit the sale of alcoholic beverages, then the regulations of the United States relating to such sales on said lands shall conform as nearly as possible to the regulatory provisions in accordance with which such sales are permitted in the Commonwealth of Virginia outside of said park lands. Nothing in this subsection shall be construed as reserving in the Commonwealth power to require licenses of persons engaged in the sale of intoxicating beverages on said lands, nor the power to require that any sales be made through official liquor stores.

Sale of alcoholic  
beverages.

*Provisos.*

Effect of gen-  
eral laws of  
Virginia.

"(c) The Commonwealth of Virginia shall have jurisdiction to serve civil process within the limits of said park

Jurisdiction and  
powers of  
Virginia.

Service of process.	in any suits properly instituted in any of the courts of the Commonwealth of Virginia, and to serve criminal process within said limits in any suits or prosecutions for or on account of crimes committed in said Commonwealth but outside of said park.
Beverage tax.	“(d) The Commonwealth of Virginia shall have the jurisdiction and power to levy a nondiscriminatory tax on all alcoholic beverages possessed or sold on said lands.
Motor-vehicle fuel, etc., taxes.	“(e) The Commonwealth of Virginia shall have jurisdiction and power to tax the sales of oil and gasoline, and other motor-vehicle fuels and lubricants for use in motor vehicles. This subsection shall not be construed as a consent by the United States to the taxation by the Commonwealth of such sales for the exclusive use of the United States.
Taxes on individuals, corporations, etc.	“(f) The Commonwealth of Virginia shall have the jurisdiction and power to levy nondiscriminatory taxes on private individuals, associations, and corporations, their franchises and properties, on said lands, and on their businesses conducted thereon.
Concurrent jurisdiction in civil actions.	“(g) The courts of the Commonwealth of Virginia shall have concurrent jurisdiction with the courts of the United States of all civil causes of action arising on said lands to the same extent as if the cause of action has arisen in the county or city in which the land lies outside the park area, and the State officers shall have jurisdiction to enforce on said lands the judgments of said State courts and the collection of taxes by appropriate process.
Enforcement of judgments; collection of taxes.	“(h) Persons residing in or on any of the said lands embraced in said Shenandoah National Park shall have the right to establish a voting residence in Virginia by reason thereof, and the consequent right to vote at all elections within the county or city in which said land or lands upon which they reside are located upon like terms and conditions, and to the same extent, as they would be entitled to vote in such county or city if the said lands on which they reside had not been deeded or conveyed to the United States of America. All fugitives from justice taking refuge in the park shall be subject to the same laws as refugees from justice found in the Commonwealth of Virginia.” (16 U.S.C. sec. 403c-1.)
Right to vote.	
Fugitives from justice.	

**Excerpt from “An Act To authorize the disposition of recreational demonstration projects, and for other purposes,” approved June 6, 1942 (56 Stat. 327)**

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recrea-

tional demonstration projects are added: *Provided*, That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

## 20. Wind Cave National Park

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Excerpt from "An Act To amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other Acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes," approved June 15, 1935 (49 Stat. 378, 383)

Wind Cave  
National Game  
Preserve.  
S. Dak.

Abolished: trans-  
fer of property  
to Interior  
Department.

### TITLE VI—TRANSFER OF WIND CAVE NATIONAL GAME PRESERVE TO THE DEPARTMENT OF THE INTERIOR.

SECTION 601. That, effective July 1, 1935, the Wind Cave National Game Preserve in the State of South Dakota, be, and the same is hereby, abolished, and all the property, real or personal, comprising the same is hereby transferred to and made a part of the Wind Cave National Park and the same shall hereafter be administered by the Secretary of the Interior as a part of said park, subject to all laws and regulations applicable thereto, for the purposes expressed in the Act of August 10, 1912 (37 Stat. 268-293), establishing said game preserve. (16 U.S.C. sec. 141b.)

An Act To authorize the Secretary of the Interior to dispose of surplus buffalo and elk of the Wind Cave National Park herd and for other purposes, approved June 16, 1938 (52 Stat. 708)

Wind Cave  
National Park.

Disposition of  
surplus buffalo  
and elk.

Deposit of  
receipts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized, in his discretion and under regulations to be prescribed by him, to sell or otherwise dispose of the surplus buffalo and elk of the Wind Cave National Park herd.

SEC. 2. All moneys received from the sale of any such surplus animals, or products thereof, shall be deposited in the Treasury of the United States as miscellaneous receipts. (16 U.S.C. sec. 141c.)

## 21. Yellowstone National Park <sup>1</sup>

Division of the waters of the Yellowstone River.....	Page
.....Act of June 15, 1940	99

**An Act Granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River, approved June 15, 1940 (54 Stat. 399)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of Congress approved August 2, 1937 (50 Stat. 551), granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River be, and it is hereby, amended to provide that the consent of Congress is given to the State of North Dakota to negotiate and to enter into the compact or agreement therein authorized providing for an equitable division and an apportionment between the States of the water supply of the Yellowstone River and of the streams tributary thereto, upon condition that the representative appointed by the President of the United States under the Act of August 2, 1937, to participate in said negotiations as the representative of the United States and to report to Congress of proceedings and of any compact or agreement entered into, shall continue to represent the United States and to report under this Act: *Provided*, That such Act of August 2, 1937, is amended by striking out "June 1, 1939" and inserting in lieu thereof "June 1, 1943":<sup>2</sup> *Provided*, That such compact or agreement shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been approved by the legislatures of each of the said States and by the Congress of the United States: *Provided further*, That nothing in this Act shall apply to any waters within or tributary to the Yellowstone National Park or shall establish any right or interest in or to any lands within the boundaries thereof.

Yellowstone River.  
Consent given to N. Dak. to negotiate, etc., for division of waters.

Federal representative: report to Congress.

*Provisos.*  
Time extension.  
Approval.

Yellowstone National Park, nonapplication to waters within, etc.

<sup>1</sup> See proclamation No. 2013 of October 20, 1932 (47 Stat. 2537), adding certain lands to Yellowstone National Park, pursuant to Act of May 26, 1926 (44 Stat. 655, 657).

<sup>2</sup> Act of March 16, 1944 (Public Law 257—78th Congress) amended this Act by striking out "June 1, 1943" and inserting in lieu thereof "June 1, 1947."

## 22. Yosemite National Park <sup>1</sup>

Authorization to acquire additional lands for park..Act of July 9, 1937 <sup>2</sup> Page  
100

**An Act To provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes, approved July 9, 1937 (50 Stat. 485)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to acquire, by purchase when purchasable at prices deemed by him reasonable—otherwise by condemnation under the provisions of the Act of August 1, 1888, on behalf of the United States under any fund or moneys available for such purpose, at the time of the passage of this Act, except from the general fund of the Treasury, any of the following-described lands in the State of California now in private ownership, to wit: Section 25, lots 3, 4, 5, 8, and 9, section 34, northeast quarter, southeast quarter of the northwest quarter, lots 1 to 10, inclusive, section 35, section 36, township 1 south, range 19 east; southeast quarter northwest quarter, east half southwest quarter, southeast quarter, lots 2, 3, and 4, section 30, section 31, township 1 south, range 20 east; sections 1, 2, and 3, east half section 10, sections 11 and 12, north half section 14, northeast quarter section 15, township 2 south, range 19 east; southeast quarter northwest quarter, east half southwest quarter, lots 3 to 7, inclusive, section 6, township 2 south, range 20 east, Mount Diablo meridian. (16 U.S.C. sec. 47e.)

SEC. 2. When title to the aforesaid privately owned lands has been vested in the United States, all of the lands described in section 1 hereof shall be added to and become a part of the Yosemite National Park and shall be subject to all laws and regulations applicable thereto: *Provided*, That nothing in this Act shall be construed to affect any valid existing rights. (16 U.S.C. sec. 47e.)

SEC. 3. The provisions of the Act approved June 10, 1920, as amended, known as the Federal Water Power Act, shall not apply to any of the lands added to the Yosemite National Park pursuant to the provisions of this Act. (16 U.S.C. sec. 47f.)

Yosemite  
National Park,  
Calif.  
Lands added.  
Condemnation  
proceedings.  
25 Stat. 357.  
40 U.S.C.  
sec. 257.

Description.

Additions to  
become part  
of park.

*Proviso.*

Existing rights  
not affected.

Federal Water  
Power Act of  
1920.  
Provisions not  
to apply.  
41 Stat. 1063.  
16 U.S.C.  
secs. 791-823.

<sup>1</sup> See proclamations No. 1904 of April 14, 1930 (46 Stat. 3017) and No. 2005 of August 13, 1932 (47 Stat. 2527), adding certain lands to Yosemite National Park, pursuant to Acts of March 2, 1929 (45 Stat. 1486) and February 14, 1931 (46 Stat. 1115, 1154).

<sup>2</sup> See Executive order No. 7898 of May 26, 1938 (3 Fed. Reg. 1028), relating to withdrawal of public land authorized to be added to the park.

## 23. Zion National Park

Virgin River Bridge property, conveyance to Washington County, Utah	Page
.....Act of June 3, 1941	101
Springdale, Utah, use of water from springs in park.....	
.....Act of July 8, 1943	101

**An Act To authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes, approved June 3, 1941 (55 Stat. 237)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the Secretary of the Interior, in his discretion, is hereby authorized to convey, by quitclaim deed, to Washington County, Utah, or the authorized agents or representatives of said county, certain land and the improvements thereon, said land being described as follows:

Washington  
County, Utah.  
Conveyance to.

### SALT LAKE MERIDIAN

A part of lot 1 in block 9, and a part of lot 2 in block 3 of Rockville Townsite Survey, described as follows: Beginning at the southeast corner of said lot 2 in block 3, which point is approximately north six hundred and thirty-nine feet and west nine hundred and twenty-three feet from the southeast corner of section 1, township 42 south, range 11 west, and running thence north thirty feet, thence west eighty feet, thence south three hundred and twenty-five feet, thence east eighty feet, thence north two hundred and ninety-five feet to the place of beginning, containing twenty-six thousand square feet, more or less.

Description.

**An Act To amend the description of the area affected by the Act of May 28, 1928, entitled "An Act for the relief of the town of Springdale, Utah," and for other purposes, approved July 8, 1943 (Public Law 122—78th Congress)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the Act of May 28, 1928 (45 Stat. 787, ch. 818), is hereby amended by substituting the following language in lieu of the language in the Act following the words "to grant permission to the town of Springdale, Utah," "to convey through such piping facilities as may be necessary, for domestic and other uses within the limits of said town of Springdale, Utah, water from certain springs in the Zion National Park, Utah, located in sections 17, 22, and 27, township 41 south, range 10 west, Salt Lake base and meridian".

### III. LEGISLATION RELATING TO THE NATIONAL HISTORICAL PARKS

#### 1. Abraham Lincoln National Historical Park

Name changed, "Abraham Lincoln National Historical Park" substituted for "Abraham Lincoln National Park"..Act of August 11, 1939	Page 103
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**An Act To change the designations of the Abraham Lincoln National Park, in the State of Kentucky, and the Fort McHenry National Park, in the State of Maryland, approved August 11, 1939 (53 Stat. 1405)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Abraham Lincoln National Park, in the State of Kentucky, authorized by the Act of July 17, 1916 (39 Stat. 385), and the Fort McHenry National Park, in the State of Maryland, authorized by the Act of March 3, 1925 (43 Stat. 1109), shall hereafter be called and known as the "Abraham Lincoln National Historical Park", and the "Fort McHenry National Monument and Historic Shrine," respectively, and all moneys heretofore or hereafter appropriated for these areas under previous designations may be used in these areas as redesignated. (16 U.S.C. secs. 214, 215, 217.)

Abraham  
Lincoln National  
Park, Ky., and  
Fort McHenry  
National  
Park, Md.  
16 U. S. C. secs.  
211-214, 437-440.

Designations  
changed.

## 2. Chalmette National Historical Park

Establishment of park.....Act of August 10, 1939 104

### An Act To provide for the establishment of the Chalmette National Historical Park in the State of Louisiana, and for other purposes, approved August 10, 1939 (53 Stat. 1342)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That the lands in Federal ownership located in Chalmette, Louisiana, in sections 10 and 21, township 13 south, range 12 east, Saint Helena meridian, on which there has been erected a monument pursuant to the provisions of the Act of Congress approved March 4, 1907 (34 Stat. 1411), as amended by the Act of June 2, 1930 (46 Stat. 489), to the memory of the soldiers who fell in the Battle of New Orleans in the War of 1812, including the national cemetery at Chalmette, Louisiana, are hereby designated as the Chalmette National Historical Park. (16 U.S.C. sec. 231.)

**SEC. 2.** That upon the vesting of title in the United States to such additional lands as may be designated by the Secretary of the Interior as necessary and desirable for the purposes of the Chalmette National Historical Park, such lands shall become a part of the said park and shall be subject to all laws, rules, and regulations applicable thereto: *Provided, however,* That the total area included within the said park and any enlargement thereof shall not exceed five hundred acres. (16 U.S.C. sec. 231a.)

**SEC. 3.** That the Secretary of the Interior is authorized, in his discretion, to acquire in behalf of the United States, through donations or by purchase at prices deemed by him reasonable, or by condemnation in accordance with the Act of August 1, 1888 (25 Stat. 357), lands, buildings, structures, and other property, or interests therein, located within the boundaries of the Chalmette National Park as fixed and determined hereunder, the title to such property and interests to be satisfactory to the Secretary of the Interior, and to accept donations of funds for the acquisition and maintenance thereof: *Provided,* That payment for such property or interests shall be made solely from donated funds. (16 U.S.C. sec. 231b.)

**SEC. 4.** The administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes." (16 U.S.C. sec. 231c.)

**SEC. 5.** All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency. (16 U.S.C. sec. 231d.)

Chalmette  
National Histor-  
ical Park, La.

Establishment of.

16 U.S.C.  
sec. 450a.

Additional lands.

*Proviso.*  
Limitation.

Acquisition of  
property located  
within park.

40 U.S.C.  
secs. 257, 258.

*Proviso.*  
Payment from  
donated funds.

Administration.

39 Stat. 535.  
16 U.S.C.  
secs. 1-4.

Inconsistent  
laws repealed.

### 3. Colonial National Historical Park <sup>1</sup>

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Additions authorized, monument redesignated as "Colonial National Historical Park".....	105
Cape Henry Memorial site in Fort Story, Va., transfer and addition to park authorized.....	105
Boundaries revised, acquisitions for rounding out boundaries authorized.....	106
Transfer of park land to Navy Department authorized.....	107

#### An Act To provide for the addition or additions of certain lands to the Colonial National Monument in the State of Virginia, approved June 5, 1936 (49 Stat. 1483)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to acquire by purchase and/or accept by donation, in behalf of the United States, such lands, easements, and buildings comprising the former Governor Berkeley's mansion and homestead in James City County and Carter's Grove mansion and homestead in the same county, and the Rosewell mansion and homestead in Gloucester County as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial National Monument, and such lands as are necessary for parkways, not to exceed five hundred feet wide, to connect said mansions to the said Colonial National Monument, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That the said acquisition of lands and/or improvements shall be made only from such funds as may be appropriated pursuant to the authorization of the Act of March 3, 1931 (46 Stat. 1490). (16 U.S.C. sec. 81c.)

Colonial  
National  
Monument, Va.  
Lands, etc.,  
added to.

Parkways.

Limitation on  
expenditures.

SEC. 2. That the area now within the Colonial National Monument, together with such additions as may hereafter be made thereto, pursuant to section 1 hereof, shall be known as the "Colonial National Historical Park", under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Colonial National Monument. (16 U.S.C. secs. 81, 81a, 81c, 81e, 81f, 81g, 81h.)

To be known  
hereafter as  
"Colonial Na-  
tional Historical  
Park."

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

#### Joint Resolution To provide for the transfer of the Cape Henry Memorial site in Fort Story, Virginia, to the Department of the Interior, approved June 15, 1938 (52 Stat. 695)

Whereas the Colonial National Historical Park (formerly the Colonial National Monument) established under the

Cape Henry  
Memorial,  
Fort Story, Va.

<sup>1</sup> See proclamation No. 2055 of August 22, 1933 (48 Stat. 1706), adding certain lands to the area pursuant to Act of July 3, 1930 (46 Stat. 855).

Preamble.  
46 Stat. 855.

Act of Congress approved July 3, 1930, includes Jamestown, Yorktown, and Williamsburg; and

Whereas the Jamestown colonists who established the first permanent English settlement in America first landed and set up a cross on April 26, 1607, at the First Landing Dune in Fort Story, Cape Henry, Virginia, which is now a shrine marked by a cross memorial: Therefore be it

Transfer of  
proposed site to  
Secretary of the  
Interior.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized in his discretion, subject to such terms and conditions as he may deem essential for the protection of military interests, to transfer to the Secretary of the Interior such part of the Fort Story Military Reservation, Cape Henry, Virginia, as the Secretary of War may select, but not to exceed an area of one hundred feet square, as a proposed site for the Cape Henry Memorial (First Landing Dune), including the site on which the Daughters of the American Colonies have heretofore erected a monument under authority of the War Department. The Secretary of the Interior, through the National Park Service, shall exercise jurisdiction over and maintain such site and memorial as a part of the Colonial National Historical Park, under the provisions of the Act establishing the National Park Service, approved August 25, 1916, as amended and supplemented: *Provided*, That the use of any property transferred under the provisions of this Act shall be subject to the paramount needs of national defense.

Jurisdiction, etc.

39 Stat. 535.  
16 U.S.C. ch. 1.

Use of trans-  
ferred property.

**An Act To revise the boundaries of the Colonial National Historical Park in the State of Virginia, and for other purposes, approved June 28, 1938 (52 Stat. 1208)**

Colonial  
National  
Historical  
Park, Va.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subject to all the laws and regulations applicable to the Colonial National Historical Park, the boundaries of said historical park as established by the Act of June 5, 1936 (49 Stat. 1483), and as defined by Presidential Proclamation Numbered 2055, dated August 22, 1933 (48 Stat. 1706), are hereby revised by the elimination of the parkway area described in said proclamation as running north and west of the city of Williamsburg to Jamestown Island, and the substitution therefor of a parkway area running southerly through or around the city of Williamsburg, thence continuing south of said city to the James River and thence along said river and connecting waters to Jamestown Island, the exact location of which shall be determined by the Secretary of the Interior: *Provided*, That said parkway area shall not exceed an average of five hundred feet in width outside the city of Williamsburg: *And provided further*, That condemnation proceedings shall not be had, exercised, or resorted to as to any lands in the city of Williamsburg except such lands as may be required for a

Parkway  
changes.

Maximum width.  
Condemnation  
proceedings;  
restriction.

right-of-way not exceeding two hundred feet in width through said city to connect with highways or parkways leading from Williamsburg to Jamestown and Yorktown. (16 U.S.C. sec. 81b.)

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to acquire by purchase, donation, or otherwise, in behalf of the United States, such lands or interests in lands, easements, and buildings comprising the following: Glass House Point, in James City County; the area known as "The Hook", including the site of the action of October 3, 1781, in Gloucester County; and such additional lands as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial National Historical Park: *Provided*, That the total acreage of lands to be added to the park, with the exception of parkways under the terms hereof shall not exceed seven hundred and fifty acres: *Provided further*, That the said acquisition of lands or improvements shall be made from such funds as may be appropriated pursuant to the authorization of the Act of March 3, 1931 (46 Stat. 1490). (16 U.S.C. sec. 81d.)

Acquisitions for rounding out boundaries.

Maximum addition.

Funds available.

**An Act To authorize the transfer of jurisdiction of a portion of the Colonial National Historical Park, Yorktown, Virginia, from the Department of the Interior to the Department of the Navy, approved December 24, 1942 (56 Stat. 1085)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Department of the Navy a portion of the Colonial National Historical Park, Yorktown, Virginia, south of Ballards Creek and adjacent to the east boundary of the naval mine depot, containing approximately sixteen acres.

Colonial National Historical Park, Va.

Transfer of jurisdiction of portion to Navy Department.

SEC. 2. The President of the United States is authorized by Executive order to retransfer jurisdiction over the property to the Secretary of the Interior upon his application when, in the judgment of the President, the property has become surplus to the needs of the Department of the Navy, in which event it again shall become a part of the Colonial National Historical Park. (16 U.S.C. sec. 81 note.)

Provision for retransfer.

#### 4. Cumberland Gap National Historical Park project

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Establishment of park authorized.....	Act of June 11, 1940	108
Amend Act of June 11, 1940, concerning requirements for establishment of the park.....	Act of May 26, 1943	109

#### An Act To provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia, approved June 11, 1940 (54 Stat. 262)<sup>1</sup>

Cumberland Gap National Historical Park, Tenn., Ky., and Va.	<p><i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i></p> <p>That when title to all the lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas, being portions of the Warriors Path of the Indians and Wilderness Road of Daniel Boone, within Bell and Harlan Counties, Kentucky; Lee County, Virginia; and Claiborne County, Tennessee; as may be determined by the Secretary of the Interior as necessary or desirable for national historical park purposes, shall have been vested in the United States such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Cumberland Gap National Historical Park": <i>Provided</i>, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas: <i>Provided further</i>, That such area or areas shall include, at least, the following features and intervening lands: Cumberland Gap, The Pinnacle, the remaining fortifications of the War between the States, Soldiers Cave, King Solomon's Cave, Devils Garden, Sand Cave, The Doublings, White Rocks, Rocky Face, Moore Knob, and that portion of the Warriors Path and Daniel Boone's Wilderness Road extending from the city of Cumberland Gap, Tennessee, to Cumberland Ford, near Pineville, Kentucky. (16 U.S.C. sec. 261.)</p> <p>SEC. 2. The total area of the Cumberland Gap National Historical Park, as determined pursuant to this Act, shall not exceed fifty thousand acres, and shall not include any land within the city limits of Middlesboro and Pineville, Kentucky; Cumberland Gap, Tennessee; or any lands adjacent thereto which the proper officials thereof shall indicate to the Secretary of the Interior prior to the establishment of said park are required for expansion of said cities. (16 U.S.C. sec. 262.)</p> <p>SEC. 3. That the Secretary of the Interior be, and he is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said historical park as determined and fixed hereunder, and donations of funds for the purchase</p>
Establishment of, upon acquisition of title to lands etc., by U. S.	
Provisos.	
Restriction on use of funds.	
Lands, etc., to be included.	
Limitation on area.	
Lands excluded.	
Acceptance of donations of land, etc., authorized.	

<sup>1</sup> Sections 1 and 2 of this Act were amended by Act of May 26, 1943, immediately following.

and maintenance thereof: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within said historical park as may be necessary for the completion thereof. The title to any lands or interests in lands to be acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior. (16 U.S.C. sec. 263.)

*Proviso.*

Acquisition of certain lands from donated funds.

25 Stat. 357.  
40 U.S.C.  
secs. 257, 258.

SEC. 4. The administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 264.)

Administration, etc.

16 U.S.C.  
secs. 1-4.

**An Act To amend sections 1 and 2 of the Act approved June 11, 1940 (54 Stat. 262) relating to the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia, and to grant the consent of Congress to such States to enter into a compact providing for the acquisition of property for such park, approved May 26, 1943 (57 Stat. 85)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That sections 1 and 2 of the Act approved June 11, 1940 (54 Stat. 262; 16 U.S.C., 1940 edition, title 16, secs. 261, 262), relating to the establishment of the Cumberland Gap National Historical Park, are hereby amended to read as follows:

"That when title to such lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas, being portions of the Warriors Path of the Indians and Wilder-ness Road of Daniel Boone, within Bell and Harlan Counties, Kentucky; Lee County, Virginia; and Claiborne County, Tennessee; as may be determined by the Secretary of the Interior as necessary or desirable for national historical park purposes, shall have been vested in the United States, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the Cumberland Gap National Historical Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas. (16 U.S.C. sec. 261.)

Establishment.

"SEC. 2. The total area of the Cumberland Gap National Historical Park, as determined pursuant to this Act, shall comprise not less than six thousand acres and shall not exceed fifty thousand acres, and lands may be added to the park following its establishment within the aforesaid limitations. The park shall not include any land within the city limits of Middlesboro and Pineville, Kentucky; Cumberland Gap, Tennessee; which the proper officials

Total area.

Land excluded.

thereof shall indicate to the Secretary of the Interior prior to the establishment of said park are required for expansion of said cities.

Interstate  
compact.

“(a) The consent of Congress is hereby given to the States of Tennessee, Kentucky, and Virginia to enter into a compact providing for (1) the acquisition of the lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas referred to in section 1 of such Act of June 11, 1940, as amended by this Act, and (2) the transfer of title to such lands, structures, and other property to the United States.

“(b) The right to alter, amend, or repeal this section is hereby expressly reserved.” (16 U.S.C. sec. 262.)

## 5. Saratoga National Historical Park project

Establishment of park authorized.....Act of June 1, 1938 Page  
111

### **An Act To provide for the creation of the Saratoga National Historical Park in the State of New York and for other purposes, approved June 1, 1938 (52 Stat. 608)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That when title to all the lands, structures, and other property in the area at Saratoga, New York, whereon was fought the Battle of Saratoga during the War of the Revolution, shall have been vested in the United States, such area shall be, and it is hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the Saratoga National Historical Park: *Provided*, That such area shall include that part of the Saratoga Battlefield now belonging to the State of New York and any additional lands in the immediate vicinity thereof which the Secretary of the Interior may, within six months after the approval of this Act, designate as necessary or desirable for the purposes of this Act. (16 U.S.C. sec. 159.)

Saratoga  
National  
Historical  
Park, N. Y.

Establishment,  
when title to  
lands is vested  
in United  
States.

*Proviso.*

Inclusion of  
battlefield, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said historical park as determined and fixed hereunder and donations of funds for the purchase or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States, out of any donated funds, by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said historical park as may be necessary for the completion thereof. (16 U.S.C. sec. 159a.)

Acceptance of  
donations, etc.

*Proviso.*

Purchase of  
lands from  
donated funds.

25 Stat. 357.  
40 U.S.C.  
sec. 257.

SEC. 3. That the administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 159b.)

Supervision by  
National Park  
Service.

39 Stat. 535.  
16 U.S.C. sec. 1.

## IV. LEGISLATION RELATING TO THE NATIONAL MILITARY PARKS

### 1. Chickamauga and Chattanooga National Military Park

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Addition to park authorized.....Act of May 4, 1934	113
Conveyance of land to New Salem School district authorized.....	
.....Excerpt from Act of August 9, 1939	113
Addition of land on Signal Mountain authorized and conveyance of cer- tain property to State of Georgia.....Act of March 5, 1942	114

**An Act To provide for the addition of certain lands to the Chickamauga and Chattanooga National Military Park in the States of Tennessee and Georgia, approved May 4, 1934 (48 Stat. 666)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept in behalf of the United States lands, easements, and buildings as may be donated for an addition to the Chickamauga and Chattanooga National Military Park lying within what is known as the "Chattanooga-Lookout Mountain Park" (a corporation, Adolph S. Ochs, president) and/or any lands within one mile of said Chattanooga-Lookout Mountain Park in the States of Tennessee and Georgia. (16 U.S.C. sec. 424a.)

Chickamauga and  
Chattanooga  
National Military  
Park,  
Tenn.-Ga.  
Addition  
authorized.

SEC. 2. That all laws affecting the Chickamauga and Chattanooga National Military Park, shall be extended and apply to any addition or additions which may be added to said park under the authority of this Act. (16 U.S.C. sec. 424b.)

Laws extended.

**Excerpt from "An Act To amend the Act approved June 26, 1935, entitled 'An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes,' approved August 9, 1939 (53 Stat. 1275)**

SEC. 3. That the Secretary of the Interior, in his discretion, is hereby authorized to convey without consideration, but under such terms and conditions as he may deem advisable, to the New Salem School district of Dade County, Georgia, not to exceed ten acres of land located within lot numbered 114, eleventh district, fourth section, of Dade County, Georgia, now a part of the Chickamauga-Chattanooga National Military Park.

New Salem  
School district,  
Dade County,  
Ga., conveyance  
of land.

**An Act To revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee, approved March 5, 1942 (56 Stat. 133)**

Chickamauga-  
Chattanooga  
National Military Park,  
Ga.-Tenn.

Addition of certain property.

Conveyance to State of Georgia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior, in his discretion, is hereby authorized to accept, on behalf of the United States, donations of lands, buildings, structures, and other property, or interests therein, on Signal Mountain near Chattanooga, Tennessee, for addition to the Chickamauga-Chattanooga National Military Park, the title to such property or interests to be satisfactory to him. Upon acquisition, such lands shall be a part of the Chickamauga-Chattanooga National Military Park and shall be subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 424a-1.)

SEC. 2. The Secretary of the Interior, in his discretion, is hereby authorized to convey, without consideration but under such terms and conditions as he may deem advisable, to the State of Georgia all of lot 78 and approximately one hundred and fifty acres of lot 114, Eleventh District, fourth section, of Dade County, Georgia, now a part of the Chickamauga-Chattanooga National Military Park. (16 U.S.C. 424a-2.)

## 2. Fort Donelson National Military Park

Addition of lands to park.....	Act of Aug. 30, 1937	Page 115
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**An Act To provide for the addition of certain lands to the Fort Donelson National Military Park in the State of Tennessee, and for other purposes, approved August 30, 1937 (50 Stat. 881)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following-described tracts or parcels of land, lying and being within the seventh civil district of Stewart County, Tennessee, are hereby transferred from the jurisdiction of the Secretary of War to the jurisdiction of the Secretary of the Interior as additions to the Fort Donelson National Military Park, and shall hereafter be subject to all laws and rules and regulations applicable to said park:

Tract numbered 1, a right-of-way, fifty feet wide, lying twenty-five feet on each side of a center line, beginning at a point in the southerly boundary line of lock D reservation, seven hundred and thirty-four and eight-tenths feet from the southwest corner of this reservation; thence south thirty-one degrees five minutes west seventy-seven and one-tenth feet, thence south eighty-six degrees twenty-one minutes west four hundred and seventy-nine and nine-tenths feet, thence south sixty-three degrees fifty-three minutes west two hundred and sixty-two and three-tenths feet, thence south thirty-nine degrees thirty-six minutes west one hundred and eighty-six and seven-tenths feet, thence south exactly forty minutes east exactly one hundred and ninety-four feet, thence south thirty degrees fifty-eight minutes east three hundred and fourteen and five-tenths feet, thence south twenty-eight degrees fifteen minutes east exactly eighty-five feet, thence south twenty-eight degrees thirty-seven minutes east two hundred and fifty and five-tenths feet, thence south four degrees six minutes east two hundred and sixty-one and seven-tenths feet, thence south thirty-six degrees twenty-seven minutes east two hundred and eighty-two and three-tenths feet, thence south twenty-three degrees forty-five minutes east one hundred and seventy-eight and three-tenths feet to center line of county road, reserving, however, to the War Department the right to the continued use of the road over this tract as a means of access to lock D.

Tract numbered 2, beginning at a point in the southern boundary line of lock D reservation, seven hundred and fifty-three and five-tenths feet from the southwest corner of this reservation, thence north seventy-four degrees twenty-eight minutes east one hundred and ninety-one and ninety-eight one-hundredths feet, thence south eighty-five degrees twelve minutes east fifty-two and nine-tenths feet, thence south

Fort Donelson  
National Military  
Park, Tenn.  
Certain lands  
added.

Description.

fifty-one degrees thirty-six minutes east thirty-two and nine-tenths feet, thence south nine degrees thirty-three minutes east one hundred and seventeen and two one-hundredths feet, thence south thirty-one degrees three minutes west sixty-nine and eighty-two one-hundredths feet, thence north fifty-eight degrees fifty-seven minutes west two hundred and eighty-eight and eight one-hundredths feet to beginning.

Tract numbered 3, beginning at a point in the southern boundary line of lock D reservation, five hundred and ninety feet from the southwest corner of this reservation, this point being marked by an iron fence post, thence north fifty-eight degrees fifty-seven minutes west five hundred and ninety feet along the southern boundary line of lock D reservation, thence north thirty-one degrees three minutes east four hundred and eighty-eight feet along the western boundary line of the lock D reservation to low-water mark on bank of Cumberland River, thence along low-water line of Cumberland River in a southeasterly direction three hundred and thirty-five feet, thence south thirty-four degrees five minutes west one hundred and twenty-three feet to an iron pin, thence south fifty-five degrees fifty-five minutes east three hundred and seven and five-tenths feet to an iron pin, thence south forty degrees five minutes west three hundred and ten and five-tenths feet to beginning. (16 U.S.C. sec. 428d-1.)

Acceptance of  
donations, etc.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within a distance of one mile from the boundaries of said Fort Donelson National Military Park, as hereby extended, and donations of funds for the purchase or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable or by condemnation, such tracts of land within a distance of one mile from the boundaries of the said national military park as may be necessary for the completion thereof. Upon the acquisition of such land, the same shall become a part of the Fort Donelson National Military Park and shall be subject to the laws and rules and regulations applicable to said park. (16 U.S.C. sec. 428d-2.)

*Proviso.*

Acquisition  
of land.

Administra-  
tion, etc.

SEC. 3. The administration, protection, and development of the lands hereby authorized to be added to the Fort Donelson National Military Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U. S. C. sec. 428d-3.)

39 Stat. 535.  
16 U.S.C. sec. 1.

### 3. Guilford Courthouse National Military Park

Commission abolished.....	Act of October 9, 1942	Page 117.
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**An Act To abolish the Guilford Courthouse National Military Park Commission, and for other purposes, approved October 9, 1942 (56 Stat. 778)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Guilford Courthouse National Military Park Commission, established pursuant to the Act of March 2, 1917 (39 Stat. 996; 16 U.S.C. 430i), is abolished effective at the expiration, on October 13, 1941, of the current appointment of the resident commissioner. (16 U.S.C. sec. 430i note.)*

Guilford Court-  
house National  
Military Park  
Commission,  
abolishment.

#### 4. Monocacy National Military Park project

	Page
Establishment of park authorized.....	Act of June 21, 1934 118

**An Act To establish a national military park at the battlefield of Monocacy, Maryland, approved June 21, 1934 (48 Stat. 1198)**

Monocacy National Military Park, Md.

Establishment, when title to land, etc. acquired.

Condemnation proceedings to acquire lands.

Purchase from owners.

Acceptance of donations.

Title.

Leases with owners for lands unnecessary to purchase.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to commemorate the Battle of Monocacy, Maryland, and to preserve for historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein, the battlefield at Monocacy, in the State of Maryland, is hereby declared a national military park to be known as the "Monocacy National Military Park", whenever the title to the lands deemed necessary by the Secretary of the Interior shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Maryland. (16 U.S.C. sec. 430j.)

SEC. 2. The Secretary of the Interior is hereby authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of the Act of August 1, 1888, entitled "An Act to authorize condemnation of lands for sites for public buildings and for other purposes" (25 Stat.L. 357), to acquire title to the lands, interests therein, or rights pertaining thereto within the said Monocacy National Military Park, and the United States shall be entitled to immediate possession upon the filing of the petition in condemnation in the United States District Court for the District of Maryland: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which in the opinion of the Secretary of the Interior shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of lands, interests therein, or rights pertaining thereto required for the Monocacy National Military Park: *And provided further*, That title and evidence of title to lands and interests therein acquired for said park shall be satisfactory to the Secretary of the Interior. (16 U.S.C. sec. 430k.)

SEC. 3. The Secretary of the Interior is hereby authorized to enter into leases with the owners of such of the lands, works, defenses, and buildings thereon within the Monocacy National Military Park, as in his discretion it is unnecessary to forthwith acquire title to, and such leases shall be on such terms and conditions as the Secretary of the Interior may prescribe, and may contain options to purchase, subject to later acceptance, if, in the judgment of the Secretary of the

Interior, it is as economical to purchase as condemn title to the property: *Provided*, That the Secretary of the Interior may enter into agreements upon such nominal terms as he may prescribe, permitting the present owners or their tenants to occupy or cultivate their present holdings, upon condition that they will preserve the present breastworks, earthworks, walls, defenses, shelters, buildings and roads, and the present outlines of the battlefields, and that they will only cut trees or underbrush or disturb or remove the soil, under such regulations as the Secretary of the Interior may prescribe, and that they will assist in protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority. (16 U.S.C. sec. 430l.)

Cultivation of holdings.

Condition.

SEC. 4. The affairs of the Monocacy National Military Park shall, subject to the supervision and direction of the Office of National Parks, Buildings, and Reservations of the Interior Department, be in charge of a superintendent, to be appointed by the Secretary of the Interior. (16 U.S.C. sec. 430m.)

Supervision of National Parks, etc., office.

SEC. 5. It shall be the duty of the superintendent, under the direction of the Office of National Parks, Buildings, and Reservations of the Interior Department, to superintend the opening or repair of such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of the Interior may determine, all breastworks, earthworks, walls, or other defenses or shelters, lines of battle, location of troops, buildings, and other historical points of interest within the parks or in its vicinity. (16 U.S.C. sec. 430n.)

Duties prescribed.

SEC. 6. The said Office of National Parks, Buildings, and Reservations, acting through the Secretary of the Interior, is authorized to receive gifts and contributions from States, Territories, societies, organizations, and individuals for the Monocacy National Military Park: *Provided*, That all contributions of money received shall be deposited in the Treasury of the United States and credited to a fund to be designated "Monocacy National Military Park fund", which fund shall be applied to and expended under the direction of the Secretary of the Interior, for carrying out the provisions of this Act. (16 U.S.C. sec. 430o.)

Acceptance of gifts, etc., authorized.

Contributions to be deposited to credit of special fund.

SEC. 7. It shall be lawful for the authorities of any State having had troops at the Battle of Monocacy to enter upon the lands and approaches of the Monocacy National Military Park for the purpose of ascertaining and marking the line of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise, including the design and inscription for the same, shall be submitted to the Secretary of the Interior and shall first receive written approval of the Secretary, which approval shall be based upon formal written reports to be made to him in each case by the Office

States may mark lines of battle of their troops.

Approval of marking, etc.

No discrimination in designating lines.

of National Parks, Buildings, and Reservations: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of the Interior may be used by any other State. (16 U.S.C. sec. 430p.)

Penalty for destroying, injuring, etc., property.

SEC. 8. If any person shall, except by permission of the Secretary of the Interior, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, enclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park, or hunt within the limits of the park; or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States commissioner or court, of the jurisdiction in which the offense may be committed, shall for each and every such offense forfeit and pay a fine, in the discretion of the United States commissioner or court, according to the aggravation of the offense, of not less than \$5 nor more than \$500. (16 U.S.C. sec. 430q.)

Rules, etc., to be prescribed.

SEC. 9. The Secretary of the Interior shall have the power to make all needful rules and regulations for the care of the park, and for the establishment and marking of lines of battle and other historical features of the park. (16 U.S.C. sec. 430r.)

Appropriation authorized.

SEC. 10. For the purposes of carrying out the provisions of this Act, the sum of \$50,000 is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated. (16 U.S.C. sec. 430s note.)

## 5. Petersburg National Military Park

Transfer of park lands to War Department.....	Act of June 5, 1942	Page 121
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**An Act Relating to the transfer to the Secretary of War of certain lands owned by the United States, approved June 5, 1942 (56 Stat. 322)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the Secretary of the Interior shall transfer to the Secretary of War jurisdiction over all lands owned by the United States lying south and east of the Hickory Hill Road within the Petersburg National Military Park in the Commonwealth of Virginia. Upon the date of the transfer, the lands shall cease to be a part of the Petersburg National Military Park and the Secretary of War shall thereafter administer the lands for military purposes. (16 U.S.C. sec. 423 note.)

Petersburg National Military Park, Va.

Transfer of portion to Secretary of War.

## 6. Vicksburg National Military Park

Donations of property within one mile from park boundaries—author-	Page
ity to accept.....	Act of October 9, 1940 122

**An Act To authorize the acceptance of donations of property for the Vicksburg National Military Park, in the State of Mississippi, and for other purposes, approved October 9, 1940 (54 Stat. 1061)**

Vicksburg National Military Park, Miss.

Acceptance of property donations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized, in his discretion, to accept, in behalf of the United States, donations of lands, buildings, structures, and other property, or interests therein, within a distance of one mile of the present boundaries of the Vicksburg National Military Park, which he may determine to be of historical interest in connection with said park, the title to such property or interests therein to be satisfactory to the Secretary of the Interior.

Applicability of specified laws and regulations.

All such property or interests therein, upon acceptance thereof, shall become a part of the Vicksburg National Military Park and shall be subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 430h-1.)

## V. LEGISLATION RELATING TO THE NATIONAL BATTLEFIELD PARKS

### 1. Kennesaw Mountain National Battlefield Park project

Establishment of park authorized.....	Act of June 26, 1935	Page 123
Amend Act of June 26, 1935, acquisition of additional land authorized	.....Act of August 9, 1939	124

An Act To create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes, approved June 26, 1935 (49 Stat. 423)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That when title to all the lands, structures, and other property within the military battlefield area and other areas of Civil War interest at and in the vicinity of Kennesaw Mountain in the State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national battlefield park purposes, shall have been vested in the United States, such areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Kennesaw Mountain National Battlefield Park." (16 U.S.C. sec. 430t.)

Kennesaw Mountain National Battlefield Park, Ga.  
Establishment; condition.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said national battlefield park as determined and fixed hereunder, the title and evidence of title to lands purchased to be satisfactory to the Secretary of the Interior: *Provided*, That under such funds available therefor he may acquire on behalf of the United States by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national battlefield park as may be necessary for the completion thereof. (16 U.S.C. sec. 430u.)

Acceptance of donations, etc.

SEC. 3. Upon creation of the national battlefield park the Secretary of the Interior shall—

(a) Allow monuments and memorials to be erected in the park by and to the various organizations and individuals of either the Union or Confederate Armies, subject to the written approval of said Secretary as to the location and character of such monuments and memorials.

Acquisition of land.

Erection of monuments, etc.

(b) Make such regulations as are necessary from time to time for the care and protection of the park. Any person violating such regulations shall be guilty of an offense

Regulations.

Punishment for violations.

Marking battle lines, etc.

National Park Service to administer, etc.

Appropriation authorized.

Inconsistent Acts repealed.

Kennesaw Mountain National Battlefield Park, Ga.  
49 Stat. 424.

*Proviso.*

Acquisition of additional lands authorized.

Appropriation authorized.

New Salem School district, Dade County, Ga., conveyance of land.

punishable by a fine of not more than \$500, or imprisonment not exceeding six months, or both.

(c) Provide for the ascertainment and marking of the route of march of the Union and Confederate armies from Chattanooga, Tennessee, through Georgia, and of principal battle lines, breastworks, fortifications, and other historical features along such route, and for the maintenance of such markers to such extent as deemed advisable and practicable. (16 U.S.C. sec. 430v.)

SEC. 4. That the administration, protection, and development of the aforesaid national battlefield park shall be exercised under the direction of the Secretary of the Interior by the National Park Service subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 430w.)

SEC. 5. The sum of \$100,000 is hereby authorized, to be appropriated out of any sums in the Treasury not otherwise appropriated for the purposes herein designated. (16 U.S.C. sec. 430x.)<sup>1</sup>

SEC. 6. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

**An Act To amend the Act approved June 26, 1935, entitled "An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes," approved August 9, 1939 (53 Stat. 1274)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5 of the Act approved June 26, 1935, entitled "An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes", be, and the same is hereby, amended by striking the period at the end thereof and inserting a colon and the following proviso: "*Provided*, That if, after the expenditure of the funds herein authorized, the Secretary of the Interior shall determine that the acquisition of additional lands is necessary in order to perfect the symmetry of the park area or to acquire locations of historic interest adjacent to the park area already acquired upon which fortifications or entrenchments are located which are likely to deteriorate or be destroyed under private ownership, he is authorized to acquire additional lands for such purposes." (16 U.S.C. sec. 430x.)

SEC. 2. There is hereby authorized to be appropriated to carry out the purposes of this Act not to exceed the sum of \$55,000. (16 U.S.C. sec. 430x note.)

SEC. 3. That the Secretary of the Interior, in his discretion, is hereby authorized to convey without consideration, but under such terms and conditions as he may deem

<sup>1</sup> Section 5 amended by Act of August 9, 1939, immediately following.

advisable, to the New Salem School district of Dade County, Georgia, not to exceed ten acres of land located within lot numbered 114, eleventh district, fourth section, of Dade County, Georgia, now a part of the Chickamauga-Chattanooga National Military Park.

## 2. Richmond National Battlefield Park

	Page 126
Establishment of park authorized.....	Act of March 2, 1936

**An Act To provide for the establishment of the Richmond National Battlefield Park, in the State of Virginia, and for other purposes, approved March 2, 1936 (49 Stat. 1155)**

Richmond  
National Battle-  
field Park. Va.  
Establishment,  
when title to  
land, etc.,  
acquired.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to all such lands, structures, and other property in the military battlefield area or areas in the city of Richmond, Virginia, or within five miles of the city limits of said city or within five miles of the boundary of the present Richmond Battlefield State Park, as shall be designated by the Secretary of the Interior, in the exercise of his discretion as necessary or desirable for national battlefield park purposes, shall have been vested in the United States, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Richmond National Battlefield Park": *Provided*, That such area or areas shall include, at least, the Richmond Battlefield Parks now belonging to the State of Virginia. (16 U.S.C. sec. 423j.)

Certain State  
parks to be  
included.

Acceptance  
of donations.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept in behalf of the United States donations of lands, interest in lands, buildings, structures and other property within the boundaries of the said park as herein authorized and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands purchased or otherwise acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national battlefield park as may be necessary for the completion thereof. (16 U.S.C. sec. 423k.)

Acquisition by  
purchase, etc.

Administra-  
tion, etc.

SEC. 3. The administration, protection, and development of the aforesaid national battlefield park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 423l.)

39 Stat. 535.

# VI. LEGISLATION RELATING TO NATIONAL MEMORIAL PARK

## 1. Spanish War Memorial Park project

	Page
Establishment of park authorized.....Act of August 20, 1935	127

**An Act To provide for the creation of a memorial park at Tampa, in the State of Florida, to be known as "The Spanish War Memorial Park," and for other purposes, approved August 20, 1935 (49 Stat. 661)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to such lands located on Davis Island in the city of Tampa, Florida, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary and suitable for the purpose, shall have been vested in the United States, said area shall be set apart as The Spanish War Memorial Park, for the benefit and inspiration of the people: *Provided*, That said lands shall be donated without cost to the United States by the city of Tampa, Florida, and the Secretary of the Interior is authorized to accept such conveyance of lands. (16 U.S.C. sec. 430y.)

The Spanish War Memorial Park, Tampa, Fla.; establishment.

No Federal cost.

SEC. 2. That there is hereby authorized to be located and constructed within said memorial park a suitable monument or memorial to commemorate the patriotic services of the American forces in the War with Spain. The cost of establishing such monument or memorial, of constructing suitable side walks and approaches, and of landscaping such site, may be paid from any fund or moneys available for such purpose, except from the general fund of the Treasury; and the Secretary is for that purpose further authorized and empowered to determine upon a suitable location, plan, and design for said monument or memorial, by and with the advice of the National Commission of Fine Arts. (16 U.S.C. sec. 430z.)

Erection of monument.

Cost.

Location, design.

SEC. 3. In the discharge of his duties hereunder, the Secretary of the Interior, through the National Park Service, is authorized to employ, in his discretion, by contract or otherwise, landscape architects, architects, artists, engineers, and/or other expert consultants in accordance with the usual customs of the several professions without reference to civil-service requirements or to the Classification Act of 1923, as amended, and that expenditures for such employment shall be construed to be included in any appropriations hereafter authorized for any work under the objectives of this Act. (16 U.S.C. sec. 430z-1.)

Expert services.

Other  
memorials  
permitted.

SEC. 4. The Secretary of the Interior is further authorized, by and with the advice of the National Commission of Fine Arts, to authorize and permit the erection in said memorial park of suitable memorials in harmony with the monument and/or memorial herein authorized that may be desired to be constructed by Spanish War organizations, States, and/or foreign governments: *Provided*, That the design and location of such memorials must be approved by the Secretary of the Interior, by and with the advice of the National Commission of Fine Arts, before construction is undertaken. (16 U.S.C. sec. 430z-2.)

Approval  
required.

Supervision, etc.

SEC. 5. The administration, protection, and development of the aforesaid Spanish War Memorial Park, including any and all memorials that may hereafter be erected thereon, shall be exercised under the direction of the Secretary of the Interior by the National Park Service. (16 U.S.C. sec. 430z-3.)

## VII. LEGISLATION RELATING TO NATIONAL BATTLEFIELD SITES

### 1. Antietam National Battlefield Site

Acquisition of property authorized.....	Act of May 14, 1940	Page 129
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· An Act To authorize the Secretary of the Interior to acquire property for the Antietam Battlefield site in the State of Maryland, and for other purposes, approved May 14, 1940 (54 Stat. 212)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the Secretary of the Interior is hereby authorized, in his discretion, to acquire in behalf of the United States, through donations or by purchase at prices deemed by him reasonable or by condemnation in accordance with the Act of August 1, 1888 (25 Stat. 357), lands, buildings, structures, and other property, or interests therein, which he may determine to be of historical interest in connection with the Antietam Battlefield site, the title to such property or interests to be satisfactory to the Secretary of the Interior: *Provided*, That payment for such property or interests shall be made solely from donated funds. All such property and interests shall be a part of the Antietam Battlefield site and shall be subject to all laws and regulations applicable thereto.

Antietam Battlefield site, Md.

Acquisition of lands, property, etc., for.

Condemnation proceedings authorized.

40 U.S.C. secs. 257, 258.

*Proviso.*

Payment from donated funds.

## 2. Eutaw Springs Battlefield Site project

Establishment of area authorized.....Act of June 26, 1936 130

### An Act To provide for the commemoration of the Battle of Eutaw Springs, in the State of South Carolina, approved June 26, 1936 (49 Stat. 1975)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Battle of Eutaw Springs, S. C.

Designation of lands on site of, for battlefield-site purposes.

Name designated.

Acceptance of land, etc., donations.

Purchases from donated funds.

Condemnation.

Administration, etc., by National Park Service.

That for the purpose of commemorating the battle which occurred at Eutaw Springs, in the State of South Carolina, during the Revolutionary War, when title to such lands on the site of the Battle of Eutaw Springs as may be designated by the Secretary of the Interior in the exercise of his discretion as necessary or desirable for battlefield-site purposes, shall be vested in the United States, said area shall be set apart as a battlefield site for the benefit and inspiration of the people and shall be called the Eutaw Springs Battlefield Site. (16 U.S.C. sec. 423m.)

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, and/or buildings, structures, and other property within the boundaries of the said battlefield site as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land on the said battlefield site as may be necessary for the completion thereof. (16 U.S.C. sec. 423n.)

SEC. 3. The administration, protection, and development of the aforesaid battlefield site shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 423o.)

# VIII. LEGISLATION RELATING TO NATIONAL HISTORIC SITES

## 1. Home of Franklin D. Roosevelt National Historic Site <sup>1</sup>

Authorizing acceptance by Federal Government of title to any part of Hyde Park estate which shall be donated to the United States.....	Page
.....Excerpt from Joint Resolution of July 18, 1939	131

Excerpt from "Joint Resolution To provide for the establishment and maintenance of the Franklin D. Roosevelt Library, and for other purposes," approved July 18, 1939 (53 Stat. 1062)

### TITLE III—FRANKLIN D. ROOSEVELT RESIDENCE

SEC. 301. The head of any executive department, pursuant to agreement between him and the donor, may accept for and in the name of the United States from the donor, or from such person or persons as shall be empowered to act for the donor, title to any part or parts of the said Hyde Park estate of the donor and his family which shall be donated to the United States for use in connection with any designated function of the Government administered in such department. The title to any such property may be accepted under this section notwithstanding that it may be subject to the life estate of the donor or of any other person or persons now living: *Provided*, That during the continuance of any life estate reserved therein no expense to the United States in connection with the ordinary maintenance of the property so acquired shall be incurred: *Provided further*, That the acceptance hereunder by the United States of the title to property in which any life estate is reserved shall not during the existence of such life estate exempt the property, except to the extent provided in section 304 of this title, from taxation by the town of Hyde Park, Dutchess County, or the State of New York as other real property in the said town, county, or State is taxed under the applicable laws relating to taxation of real property.

Acceptance of parts of Hyde Park estate of donor for use designated, subject to life estate, etc.

No Federal expense during continuance of life estate reserved therein.

Local and State taxes.

SEC. 302. Upon the expiration of all life estates reserved in any property acquired under this title for use in connection with a designated function of the Government, or, if no life estate is reserved, immediately upon the acceptance of title thereto, the head of the department administering the said function shall assume jurisdiction and control over the property so acquired and administer it for the purpose designated, subject to the applicable provisions of law.

Jurisdiction and control upon expiration of all life estates reserved.

<sup>1</sup> So designated on Jan. 15, 1944 (9 Fed.Reg. 977).

Rights reserved  
by Congress.

SEC. 303. The right is reserved in the Congress to take such action and to make such changes, modifications, alterations, and improvements in connection with and upon any property acquired under this title, during or after the expiration of any life estate reserved therein, as the Congress shall deem proper and necessary to protect and preserve the same; but neither the improvements so made nor any increase in the value of the property by reason thereof shall be subject to taxation during the existence of any life estate reserved in the property.

## 2. Hopewell Village National Historic Site

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**Excerpt from "An Act To authorize the disposition of recreational demonstration projects, and for other purposes," approved June 6, 1942 (56 Stat. 327)**

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided*, That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

Addition of designated projects to other areas.

### 3. Salem Maritime National Historic Site <sup>1</sup>

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Act of May 26, 1936	

**An Act To authorize the transfer of the customhouse at Salem, Massachusetts, from the jurisdiction of the Treasury Department to the Department of the Interior, approved May 26, 1936 (49 Stat. 1374)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the Secretary of the Treasury be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior the customhouse at Salem, Massachusetts, and such adjoining property, both real and personal, as may now be under the jurisdiction of the Secretary of the Treasury.

Salem, Mass.  
Transfer of customhouse to Department of Interior, authorized.

Preserving of, as an historic site.

Space for Customs Bureau.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to acquire the above property for the purpose of establishing same as an historic site or otherwise preserving the buildings and grounds in connection therewith: *Provided*, That the Secretary of the Treasury may retain sufficient space in the building for the necessary operation of the Bureau of Customs.

<sup>1</sup> Designated by Order of the Secretary of the Interior on March 17, 1933 (3 Fed. Reg. 671).

## IX. LEGISLATION RELATING TO NATIONAL AND INTERNATIONAL MEMORIALS

### 1. Mount Rushmore National Memorial

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#### An Act Creating the Mount Rushmore National Memorial Commission and defining its purposes and powers, approved February 25, 1929 (45 Stat. 1300)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a commission is hereby created and established, to be known as the Mount Rushmore National Memorial Commission (hereafter referred to as the commission), to consist of twelve members, who shall be appointed by the President. The members shall serve at the pleasure of the President, who shall fill all vacancies that from time to time occur.

Mount Rushmore National Memorial Commission.  
Creation and composition of.

The members of the commission shall serve without compensation, except that their actual expenses in connection with the work of the commission may be paid from any funds appropriated for the purposes of this Act or acquired by other means hereafter authorized: *Provided*, That the secretary may be paid such salary for his services as may be determined by the commission. The commission is also authorized to pay such actual and necessary expenses as the secretary may incur in the performance of his duties. Such salary and expenses shall be paid by the treasurer of the commission upon the order of the secretary thereof and then only when approved and countersigned by the chairman of the executive committee.

Allowance only for expenses.

*Proviso.*

Secretary, etc.

SEC. 2. The commission when appointed shall organize by electing a chairman, a vice chairman, a secretary, and a treasurer: *Provided*, That a treasurer may be selected

Organization.

*Proviso.*

## Treasurer.

outside of the commission and may be a bank or trust company. Such treasurer shall execute a bond so conditioned and in such amount as shall insure the protection of funds coming into his possession.

## Executive committee.

The commission may also create from its own membership an executive committee of five, which shall exercise such powers and functions within the purview of this Act as may be authorized by the commission.

## Completion of memorial.

SEC. 3. The purpose of the commission is to complete the carving of the Mount Rushmore National Memorial to consist of heroic figures of Washington, Jefferson, Lincoln, and Roosevelt, together with an entablature upon which there shall be cut a suitable inscription to be indited by Calvin Coolidge, and to landscape the contiguous grounds and construct the entrances thereto. Such memorial is to be constructed according to designs and models by Gutzon Borglum, now owned or contracted for by the Mount Harney Memorial Association of South Dakota. No charge shall ever be made for admission to the memorial grounds or for viewing the memorial.

## Authority.

Receive all property, etc., of Mount Harney Memorial Association.

SEC. 4. The commission is authorized—

(a) To receive and take over all property, contracts, rights, and moneys now in the hands of and possessed by the Mount Harney Memorial Association, including memoranda, records, sketches, models, and the incompletd figures on Mount Rushmore.

## Receive and disburse funds.

(b) To receive funds and pledges to cover the expense of finishing such memorial, and to pay out the same upon properly receipted vouchers to persons entitled.

## Employ artists, sculptors, etc.

(c) To employ the services of such artists, sculptors, landscape architects, and others as it shall determine to be necessary to complete said memorial, including the landscaping of the grounds and construction of the entrances thereto.

## Other powers.

(d) To exercise such powers and functions as are necessary and proper to carry out the purposes of this Act.

## Federal contribution limited.

SEC. 5. That not more than one-half of the cost of such memorial and landscaping shall be borne by the United States, and not to exceed \$250,000 is hereby authorized to be appropriated for the purpose. Upon requisition of the executive committee herein provided for, the proportionate share of the United States shall be advanced to the treasurer of said commission from time to time by the Secretary of the Treasury out of any available appropriation, and in sufficient amounts to match the funds advanced from other sources to said commission, whether such funds are in the hands of its treasurer or have already been expended upon such memorial by the commission or by its predecessor, the Mount Harney Memorial Association: *Provided*, That the Secretary of the Treasury shall first be satisfied that the funds received from sources other than the United States are actually available in the hands of the treasurer of the commission or have been properly expended in carrying out the purposes of this Act.

## Advance to treasurer from funds appropriated.

## Proviso.

## Condition.

SEC. 6. That such commission, on or before the 1st day of December of each year, shall transmit to Congress a report of its activities and proceedings for the preceding year, including a full and complete statement of its receipts and expenditures.

Report to Congress.

**An Act To amend the Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its powers and purposes", approved February 25, 1929, and for other purposes, approved June 26, 1934 (48 Stat. 1223)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its powers and purposes", approved February 25, 1929, is amended by adding at the end thereof the following new sentence: "If by reason of death, disability, or other cause, any individual to whom functions are assigned under this section has been or shall be rendered unable to perform such functions, the Commission is authorized to designate or employ such other person as it deems competent to perform such functions."

Mount Rushmore National Memorial Commission.

Successor to be appointed in case of death, disability, etc.

SEC. 2. Section 5 of such Act of February 25, 1929, is amended to read as follows:

Federal contribution.

"SEC. 5. There is hereby authorized to be appropriated the sum of not to exceed \$250,000 for the purpose of defraying the cost of such memorial and landscaping. Such sums as may be appropriated pursuant to this Act shall be advanced to the treasurer of said Commission from time to time by the Secretary of the Treasury upon requisition of the executive committee provided for by this Act."

Appropriation authorized.

Advances, from sums available.

SEC. 3. Any funds heretofore made available for expenditure under the provisions of such Act of February 25, 1929, are hereby made available for expenditure under such Act as amended by this Act.

Continuation of appropriations.

**An Act To provide additional funds for the completion of the Mount Rushmore National Memorial, in the State of South Dakota, and for other purposes, approved August 29, 1935 (49 Stat. 962)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$200,000, in addition to the amount previously authorized, for the purpose of defraying the cost of completing the Mount Rushmore National Memorial, in the State of South Dakota, including landscaping of the contiguous grounds thereof, constructing the entrances thereto, and constructing a suitable museum room in connection therewith.

Mount Rushmore National Memorial.

Appropriation authorized for completing.

SEC. 2. The Mount Rushmore National Memorial Commission, with the approval of the Secretary of the Interior,

Contracts authorized.

is hereby authorized to enter into contract for the execution and completion of the work and to fix the compensations to be paid to artists, sculptors, landscape architects, and others, who may be employed by the Mount Rushmore National Memorial Commission, in the completion of the said Mount Rushmore National Memorial pursuant to the provisions of section 3 of Public Law Numbered 805, Seventieth Congress, approved February 25, 1929, as amended by section 1 of Public Law Numbered 471, Seventy-third Congress, approved June 26, 1934.

**An Act To amend the Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its purposes and powers", approved February 25, 1929, as amended, approved June 15, 1938 (52 Stat. 694)**

*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 "Mount Rushmore Memorial Act of 1938".

Mount Rushmore Memorial Act of 1938.

Mount Rushmore National Memorial Commission.

45 Stat. 1300.

Quorum.

Restriction on compensation; payment of expenses.

*Proviso.*

Secretary or treasurer, compensation.

Organization, etc.

Treasurer may be a bank; bond required.

Executive committee.

Completion of memorial.

SEC. 2. The Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its purposes and powers", approved February 25, 1929 (45 Stat. 1300), as amended, is amended as follows: Strike out all of such Act, after the first paragraph of section 1, and insert the following: "Any six members of the Commission shall constitute a quorum. No member of the Commission shall receive compensation for his services, but the actual expenses of any member in connection with the work of the Commission may be paid from any appropriations available for the purpose of carrying out the provisions of this Act: *Provided*, That nothing in this section shall be deemed to prohibit the payment to any member of the Commission who may be elected secretary or treasurer of the Commission of such compensation for the performance of his duties as secretary or treasurer, as may be determined by the Commission.

"SEC. 2. The Commission shall elect its chairman, vice chairman, secretary, and treasurer. The chairman and the vice chairman shall, and the secretary and the treasurer may but need not, be elected from among the members of the Commission. The treasurer may be a bank or trust company. The treasurer shall execute a bond so conditioned and in such amount as shall insure the protection of funds coming into his possession. The Commission may create from its own membership an executive committee of five, which shall exercise such powers and functions within the purview of this Act as may be authorized by the Commission.

"SEC. 3. The Commission shall, in accordance with designs and models prepared by the designer-sculptor, complete the Mount Rushmore National Memorial, including an entablature upon which shall be cut a suitable inscription, construction of a museum and a stairway to the mu-

seum hall, reconstruction of the studio for preservation of the models, landscaping of contiguous grounds, and construction of the entrance to the memorial. No charge shall ever be made for admission to the memorial grounds or for viewing the memorial.

"SEC. 4. The Commission is authorized—

"(a) To designate and describe by metes and bounds an area of not more than fifteen hundred acres of the public lands of the United States within the Harney National Forest, State of South Dakota, immediately surrounding the Mount Rushmore National Memorial. Upon such designation such area is hereby reserved for and declared to be a part of the Mount Rushmore National Memorial, and withdrawn from location or entry under the mining or other laws of the United States. The Commission shall prepare a survey of such area and shall furnish a plat thereof to the Secretary of Agriculture, the Secretary of the Interior, and the United States land office at Pierre, South Dakota: *Provided*, That this Act shall not defeat or affect any vested right under the mining or other laws of the United States and which is hereafter maintained in accordance therewith.

"(b) To receive and take over all property, contracts, rights, and moneys heretofore possessed by the Mount Harney Memorial Association, including memoranda, records, sketches, models, and the incompleted figures on Mount Rushmore.

"(c) To administer funds appropriated, or obtained by gifts, the acceptance of which is hereby authorized, for the purpose of completing, developing, and maintaining the memorial, and to pay out the same upon properly receipted vouchers to persons entitled thereto.

"(d) To employ, without regard to the civil-service laws and the Classification Act of 1923, as amended, such artists, sculptors, landscape architects, and other employees as it shall determine to be necessary to carry out the purposes of this Act.

"(e) To administer, protect, and develop the memorial.

"(f) To exercise such other powers and functions, including the promulgation of such rules and regulations, as may be necessary and proper to carry out the purposes of this Act.

"SEC. 5. For the purpose of carrying out the provisions of this Act, there is hereby authorized to be appropriated, in addition to any sums authorized to be appropriated prior to the date of approval of this Act, the sum of \$300,000, or so much thereof as may be necessary. Upon requisition of the Commission, the Secretary of the Treasury shall advance to the treasurer of the Commission out of any amounts appropriated for such purpose, such sums as may be needed by the Commission to exercise its functions.

"SEC. 6. The Commission shall, on or before the first day of each regular session of Congress, transmit to Con-

No admission charge.

Authority of Commission.  
Designation of area within Harney National Forest, S. Dak.

Reservation as part of memorial.

*Proviso.*

Vested rights under mining, etc., laws not affected.

Receipt of property heretofore possessed by Mount Harney Memorial Association.

Administration of funds.

Employment of artists, sculptors, etc.

Administration, etc., of memorial.

Other powers.

Additional sum authorized.

Advance to treasurer from funds appropriated.

Report to Congress.

gress a report of its activities and proceedings for the preceding fiscal year, including a full and complete statement of its receipts and expenditures."

Transmitted  
May 9, 1939.

Effective  
July 1, 1939.

5 U.S.C. sec.  
133s.

Mount Rush-  
more National  
Memorial  
Commission.

**Excerpt from "Reorganization Plan No. II, Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 9, 1939, pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939." (4 Fed. Reg. 2731; 53 Stat. 1431, 1434)**

(i) *Mount Rushmore National Memorial Commission.*—The Mount Rushmore National Memorial Commission and its functions are hereby transferred to the National Park Service in the Department of the Interior. The functions vested in the Commission by section 3 and 4 (a) of the Act of June 15, 1938, (c. 402, 52 Stat. 694) shall continue to be exercised by the Commission. All other functions of the Mount Rushmore National Memorial Commission shall be administered by the National Park Service under the direction and supervision of the Secretary of the Interior. (5 U.S.C. sec. 133t note, p. 90.)

**An Act To amend the Mount Rushmore Memorial Act of 1938, approved May 22, 1940 (54 Stat. 218)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4 of the Mount Rushmore Memorial Act of 1938, approved June 15, 1938, is amended as follows:

Mount Rush-  
more National  
Memorial,  
S. Dak.  
52 Stat. 694.  
Area enlarged.  
*Proviso.*

Strike out the words "fifteen hundred acres" and insert in lieu thereof the words "eighteen hundred acres: *Provided*, That while appropriations necessary to complete the Memorial as authorized by law may be made, no part of any funds appropriated to the Rushmore Memorial Commission may be used for the development of the three hundred acres herein proposed to be added to the Memorial Reserve and no part of any funds appropriated under any Act may be used to pay a royalty or percentage to the sculptor for any work other than that necessarily incident to the sculpturing project."

Restrictions on  
use of funds.

**Excerpt from "An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes," approved July 3, 1941 (55 Stat. 541, 553)**

#### NATIONAL PARK SERVICE

National historical parks and monuments: \* \* \* *Provided*, That the Mount Rushmore National Memorial Commission shall cease to exist or function on June 30, 1942.<sup>1</sup>

*Proviso.*  
Mount Rush-  
more National  
Memorial  
Commission.

<sup>1</sup> Amended by Act of July 12, 1943, p. 141.

**An Act Authorizing the construction of a crypt for the remains of Gutzon and Mary Borglum, approved July 11, 1941 (55 Stat. 584)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Mount Rushmore National Memorial Commission, organized under the authority of Public, Numbered 629, Seventy-fifth Congress, is hereby authorized to construct a crypt which shall serve as the permanent resting place for the remains of Gutzon and Mary Borglum, of such a design and at such place in Mount Rushmore National Memorial as the Commission deems appropriate after consultation with the Secretary of the Interior: *Provided*, That such crypt shall not be located in the immediate vicinity of the central figures of such Memorial.

SEC. 2. The cost of the tomb authorized by this Act shall be borne entirely from funds privately subscribed.

**Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1944, and for other purposes," approved July 12, 1943 (57 Stat. 451, 486)**

Mount Rushmore National Memorial Commission: Notwithstanding the proviso under this head in the Second Deficiency Appropriation Act, 1941, approved July 3, 1941, the Commission is hereby revived for performing, without any expense to the United States, the functions authorized by the Act of July 11, 1941 (Public Law 164), and when such functions are accomplished the Commission shall cease to exist or function.

Gutzon and Mary Borglum.

Construction of Crypt for remains of.

52 Stat. 694.

*Proviso.*

Commission revived for certain purposes.  
55 Stat. 553.

55 Stat. 584.  
Termination of Commission.

## 2. Coronado International Memorial project

Establishment of memorial authorized.....Act of August 18, 1941 142

**An Act To provide for the establishment of the Coronado International Memorial, in the State of Arizona, approved August 18, 1941 (55 Stat. 630)**

Coronado Inter-  
national  
Memorial,  
Establishment.

Description  
of area.

*Proviso.*

Establishment of  
adjoining area  
by Mexico.

Regulation, etc.,  
by National  
Park Service.

16 U.S.C.  
secs. 1-4.

*Proviso.*

Development  
within strip  
north of inter-  
national  
boundary.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purpose of permanently commemorating the explorations of Francisco Vásquez de Coronado, the President of the United States is authorized to declare, by proclamation, any lands within the following-described area, subject to all valid existing rights, to be established as the "Coronado International Memorial":

Gila and Salt River meridian: Township 24 south, range 20 east, section 10, south half southwest quarter, south half southeast quarter; section 11, south half southwest quarter; section 13, southwest quarter northwest quarter, south half; section 14, northwest quarter, south half, northwest quarter northeast quarter, south half northeast quarter; section 15, all; section 22, all; section 23, all; section 24, all; township 24 south, range 21 east, section 17, south half southwest quarter; section 18, southwest quarter, south half southeast quarter; section 19, all; section 20, lots 3 and 4; aggregating approximately two thousand eight hundred and eighty acres: *Provided*, That said proclamation shall not be issued until the President of the United States shall have been advised through official channels that the Government of Mexico has established, or provided for the establishment of, an area of similar type and size adjoining the area described herein. (16 U.S.C. sec. 450y.)

SEC. 2. The National Park Service, under the direction of the Secretary of the Interior, shall promote and regulate the use of the Coronado International Memorial for the benefit and enjoyment of the people of the United States. Insofar as applicable and not in conflict with this Act, the Act of August 25, 1916 (39 Stat. 535), providing for the establishment of a National Park Service, as amended and supplemented, shall govern the promotion and regulation of the designated memorial area: *Provided*, That nothing in this Act shall be construed to authorize any recreational or other development by the National Park Service within the sixty-foot strip north of the international boundary between the United States and Mexico withdrawn by proclamation of the President dated May 27, 1907 (35 Stat., part II, p. 2136), unless such development has received the prior approval of the Secretary of State. (16 U.S.C. sec. 450y-1.)

SEC. 3. The Secretary of the Interior, under such regulations as shall be prescribed by him, which regulations shall be substantially similar to those now in effect, shall permit—

(a) Grazing of livestock within the memorial area to the extent now permitted within the said area when such grazing will not interfere with recreational development authorized by this Act; and

Grazing, mining, etc., within memorial area.

(b) Prospecting and mining within the memorial area, when not inconsistent with the public uses thereof. Rights to minerals in the area shall *not* extend to the lands containing such minerals, but the Secretary of the Interior shall grant rights to use so much of the surface of the lands as may be required for all purposes reasonably incident to the mining and removal of the minerals. (16 U.S.C. sec. 450y-2.)

SEC. 4. In the administration of the memorial area the Secretary shall not permit the construction of fences except (a) along the international boundary, (b) beside memorial roads or approach roads, and (c) around memorial areas within which improvements have been located by the National Park Service: *Provided*, That any roads constructed within the memorial area by the National Park Service shall include necessary cattle underpasses properly located for the passage of cattle across such roads: *And provided further*, That the right to the exclusive beneficial consumptive use for stock-watering purposes of any water heretofore developed or used for such purposes within the memorial area shall remain in the present holders thereof, their heirs, assigns, successors, and administrators, so long as such water continues to be used exclusively for such purposes: *And provided further*, That nothing in this Act shall be construed to alter or affect any water right in the State of Arizona or the jurisdiction of said State over its waters: *And provided further*, That neither roads nor public campgrounds shall be constructed by the National Park Service within the south half southwest quarter of said section 10. (16 U.S.C. sec. 450y-3.)

Construction of fences, roads, etc.

*Provisos.*

Cattle underpasses.

Stock-watering rights.

Water rights, Arizona.

Restriction.

SEC. 5. Upon submission of title satisfactory to him, the Secretary of the Interior, on behalf of the United States, may accept lands and interests in lands which are within the memorial area but are not in Federal ownership and which are offered to the United States without cost. (16 U.S.C. sec. 450y-4.)

Acceptance of non-Federal lands, etc.

X. LEGISLATION RELATING TO NATIONAL MONUMENTS

1. Ackia Battleground National Monument

Establishment of monument authorized.....Act of August 27, 1935 145

An Act To provide for the commemoration of the two hundredth anniversary of the Battle of Ackia, Mississippi, and the establishment of the Ackia Battleground National Monument, and for other purposes, approved August 27, 1935 (49 Stat. 897)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a national commission to be known as the "Ackia Battle Memorial Commission" and which shall be composed of five commissioners to be appointed by the Secretary of the Interior, one member to represent the Chickasaw Indians and one the French-speaking people of the United States, be, and is hereby, authorized and established to prepare plans and programs for the commemoration in May 1936 of the two hundredth anniversary of the Battle of Ackia. That said commissioners shall receive no compensation for their services.

Ackia Battleground National Monument; establishment; Commission; appointment; composition.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized in his discretion to acquire, by purchase or by condemnation and/or accept by donation in behalf of the United States, such lands, easements, and buildings not to exceed fifty acres, and when title satisfactory to the Secretary of the Interior shall have been vested in the United States such area or areas shall be, upon proclamation of the President, established, dedicated, and set apart as a public monument for the benefit and enjoyment of the people and shall be known as the "Ackia Battleground National Monument": *Provided*, That such area shall include the site of the Battle of Ackia.<sup>1</sup> (16 U.S.C. sec. 450r.)

Acquisition of site.

SEC. 3. That there is hereby authorized to be appropriated, out of moneys in the Treasury not otherwise appropriated, the sum of \$15,000 to carry out the provisions of this Act. (16 U.S.C. sec. 450s note.)

*Proviso.* Area to include battleground. Sum authorized.

SEC. 4. The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 450t.)

Supervision, etc.

<sup>1</sup> See proclamation No. 2307 of Oct. 25, 1938 (3 CFR, CUM.SUPP., 56; 53 Stat. 2494), establishing the monument.

## 2. Andrew Johnson National Monument

	Page
Establishment of monument authorized.....	Act of August 29, 1935 146

### **An Act To provide for the Andrew Johnson Homestead National Monument, approved August 29, 1935 (49 Stat. 958)**

Andrew Johnson National Monument; establishment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to the site of the Andrew Johnson Homestead and the site of the tailor shop in which Andrew Johnson worked (now owned and administered by the State of Tennessee), located in Greeneville, Tennessee, together with such buildings and property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national-monument purposes shall have been vested in the United States, said area and improvements, if any, together with the burial place of Andrew Johnson, now administered as a national cemetery, shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people and shall be called the "Andrew Johnson National Monument."<sup>1</sup> (16 U.S.C. sec. 450o.)

Acquisition of land, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to acquire on behalf of the United States out of any funds allotted and made available for this project by proper authority or out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888 (25 Stat. 357), or to accept by donation, such land, interest in land, and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and he is further authorized to accept donations of funds for the purchase and/or maintenance thereof. (16 U.S.C. sec. 450p.)

Administration.

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 450q.)

<sup>1</sup> See proclamation No. 2554 of April 27, 1942 (3 CFR, CUM.SUPP., 302), establishing the monument.

### 3. Appomattox Court House National Historical Monument

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Establishment of monument authorized, Act of June 18, 1930 amended	
.....Act of August 13, 1935	147

An Act To amend sections 1, 2, and 3 of the Act entitled "An Act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Virginia," approved June 18, 1930, and to establish the Appomattox Court House National Historical Monument, and for other purposes, approved August 13, 1935 (49 Stat. 613)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 1, 2, and 3 of the Act entitled "An Act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Virginia," approved June 18, 1930, are hereby amended to read as follows:

Appomattox  
Court House  
National His-  
torical Monu-  
ment.

46 Stat. 777.

Establishment.

"That when title to all the land, structures, and other property within a distance of one and one-half miles from the Appomattox Court House site, Virginia, as shall be designated by the Secretary of the Interior in the exercise of his discretion as necessary or desirable for national-monument purposes, shall have been vested in the United States in fee simple, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public monument for the benefit and enjoyment of the people and shall be known as the 'Appomattox Court House National Historical Monument.'"<sup>1</sup>

"SEC. 2. That there is hereby authorized to be appropriated the sum of \$100,000, or so much thereof as may be necessary, to carry out the provisions of this Act as amended hereby.

Appropriation  
authorized.

"SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land and/or buildings, structures, and so forth, within the boundaries of said park as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof: *Provided*, That he may acquire on behalf of the United States, by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said park as may be necessary for the completion thereof within the limits of the appropriation as authorized in Section 2." (16 U.S.C. sec. 450b, 450c note, 450d.)

Acquisition  
of land.

Purchases; con-  
demnation  
proceedings.

SEC. 2. Such Act of June 18, 1930, is amended by adding at the end thereof a new section to read as follows:

<sup>1</sup> See Executive order No. 8057 of February 23, 1939 (3 CFR, CUM.SUPP., 460), transferring land from Department of Agriculture for monument purposes; also Order of the Secretary of the Interior of April 10, 1940 (5 Fed. Reg. 1520), designating area to comprise the monument.

## Jurisdiction.

"SEC. 4. The administration, protection, and development of the Appomattox Court House National Historical Monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled 'An Act to establish a National Park Service, and for other purposes', as amended." (16 U.S.C. sec. 450e.)

#### 4. Badlands National Monument <sup>1</sup>

Extension of boundaries authorized..Excerpt from Act of June 26, 1936 Page  
149

Excerpt from "An Act To amend the Act entitled 'An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes', approved June 28, 1934 (48 Stat. 1269)," approved June 26, 1936 (49 Stat. 1979)

#### TITLE II — BADLANDS NATIONAL MONUMENT

SECTION 1. The boundaries of the Badlands National Monument, as established by the Act of March 4, 1929 (45 Stat. 1553), shall be, and are hereby, extended to include such lands adjacent or contiguous thereto, in the State of South Dakota, including, but not being restricted to, lands designated as submarginal by the Resettlement Administration, as may be determined by the President, by proclamation, within five years following the approval of this Act, to be necessary for the proper rounding out of the boundaries of said Monument or the administration thereof, providing the entire area of such Monument shall not exceed 250,000 acres. Boundary  
extension  
authorized.

SEC. 2. That the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service and for other purposes", as amended, are hereby made applicable to and extended over such lands as may be added to the Monument under the authority of the foregoing section. (16 U.S.C. sec. 441a note.) Supervision.

<sup>1</sup> See proclamation No. 2320 of Jan. 25, 1939 (3 CFR, CUM.SUPP., 74), establishing the national monument.

## 5. Castillo de San Marcos National Monument

	Page
Boundary adjustment authorized.....	Act of June 29, 1936 150
Name of area changed.....	Act of June 5, 1942 150

**An Act To authorize the adjustment of the boundary of the Fort Marion National Monument, Florida, in the vicinity of Fort Marion Circle, and for other purposes, approved June 29, 1936 (49 Stat. 2029)**

Fort Marion  
National Monu-  
ment, Fla.  
Adjustment of  
boundary.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to adjust the boundary of the Fort Marion National Monument, Florida, in the vicinity of Fort Marion Circle, and for said purpose is authorized to convey to adjacent property owners, upon such terms and conditions as may be deemed satisfactory to him, title to such portions of monument land as he may determine to be no longer necessary for said monument, or he may accept in consideration therefor title to such portion of any adjacent property as he may deem desirable to satisfactorily adjust the boundary of said monument.

Acceptance of  
donations.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land or buildings, structures, and other property adjacent to and within a distance of one thousand five hundred feet of the boundary of the Fort Marion National Monument in the vicinity of Fort Marion Circle and the Old City Gates, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land adjacent to the boundary of the Fort Marion National Monument in the vicinity of Fort Marion Circle and the Old City Gates as may be deemed desirable by him for addition to the monument.

Acquisition  
of lands.

Addition of  
acquired lands  
to monument.

SEC. 3. That any lands acquired on behalf of the United States under the provisions of this Act shall be, and the same are hereby, added to the Fort Marion National Monument and shall be subject to the laws, rules, and regulations applicable to said monument.

**An Act To change the designation of the Fort Marion National Monument, in the State of Florida, and for other purposes, approved June 5, 1942 (56 Stat. 312)**

Castillo de San  
Marcos National  
Monument, Fla.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the area now within the Fort Marion National Monu-

ment, in the State of Florida, shall hereafter be known as the "Castillo de San Marcos National Monument", under which name the aforesaid national monument shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Fort Marion National Monument.

## 6. Cedar Breaks National Monument

	Page
Boundary adjustment between the monument and the Dixie National Forest .....	152
Act of March 7, 1942	

**An Act To adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes, approved March 7, 1942 (56 Stat. 141)**

Dixie National Forest, Utah.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subject to valid existing rights the following-described lands in the State of Utah are hereby eliminated from the Dixie National Forest and included in and made a part of the Cedar Breaks National Monument, subject to all laws and regulations applicable thereto, to wit:

Salt Lake meridian: Township 36 south, range 9 west, west half southwest quarter section 22, west half west half section 27, west half west half section 34, west half of lot 8, section 36; township 37 south, range 9 west, west half of lot 3, section 1, lot 4, section 3, comprising four hundred and sixty-five and eighty-one one-hundredths acres.

Cedar Breaks National Monument, Utah.

SEC. 2. That subject to valid existing rights the following-described lands in the State of Utah are hereby eliminated from the Cedar Breaks National Monument and included in and made a part of the Dixie National Forest, subject to all laws and regulations applicable thereto, to wit:

Salt Lake meridian: Township 36 south, range 9 west, northwest quarter northeast quarter, north half northeast quarter northwest quarter, northeast quarter northwest quarter northwest quarter, east half northwest quarter northwest quarter northwest quarter section 24, northwest quarter northeast quarter section 36, comprising one hundred and fifteen acres.

## 7. Craters of the Moon National Monument

Lands eliminated from monument.....	Act of June 5, 1936	Page 153
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**An Act To eliminate certain lands from the Craters of the Moon National Monument, Idaho, approved June 5, 1936 (49 Stat. 1484)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the north half and north half of the south half section 16, township 2 north, range 24 east, Boise meridian, Idaho, be, and the same are hereby, eliminated from the Craters of the Moon National Monument.

Craters of the Moon National Monument.

Lands eliminated from.

## 8. Death Valley National Monument

	Page
Patent of certain monument land to Johnson and Scott authorized.....	154
.....Act of August 22, 1935	154
Exchange of monument lands authorized.....	155
.....Act of October 17, 1940	155
Exchange of monument lands authorized.....	155
.....Act of July 8, 1943	155

### An Act To grant a patent to Albert M. Johnson and Walter Scott, approved August 22, 1935 (49 Stat. 2159)

Albert M. Johnson and Walter Scott. Land patent to.	<p><i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i></p> <p>That subject to prior valid existing rights the Secretary of the Interior is hereby authorized to issue a patent to Albert M. Johnson and/or Walter Scott (Death Valley Scotty) for the following-described land in the Death Valley National Monument upon payment therefor at the rate of \$1.25 per acre or under any applicable public-land law subject, however, to the reservation of such rights-of-way as the said Secretary may determine to be necessary or advisable for use in connection with the administration of said monument, to wit:</p>
Payment.	
Description.	<p>Those parts of sections 1, 2, 3, 4, 10, 11, and 12, township 11 south, range 42 east; and those parts of sections 5, 6, and 7, township 11 south, range 43 east, Mount Diablo meridian, California, occupied by Albert M. Johnson and/or Walter Scott in the form of Upper and Lower Grapevine Ranches and marked on the ground by concrete fence posts according to the Roger Wilson survey of 1931 and on file in the General Land Office; also the remainder of the southwest quarter northwest quarter section 10, township 11 south, range 42 east, and south half northwest quarter (lots 11 and 12) section 6, township 11 south, range 43 east; containing, in all, approximately one thousand five hundred acres: <i>Provided</i>, That such patent shall contain a reservation to the United States of all the minerals the land may contain, together with the right to prospect for, mine, and remove the same; such minerals to be subject to disposal by the United States only as may hereafter be expressly authorized by law: <i>And provided further</i>, That such land shall not be used for any purpose inconsistent with the rules and regulations governing national monuments: <i>And provided further</i>, That in the event of transfer of title to the whole of this property or any estate therein by either one or both patentees, by voluntary conveyance or by operation of law, the Secretary of the Interior shall be authorized to reacquire the land by purchase, condemnation, or otherwise out of such funds as may be made available by Congress for this purpose.</p>
Minerals reserved.	
Limitation on use.	
Transfer provisions.	

**An Act To authorize the exchange of certain patented lands in the Death Valley National Monument for Government lands in the monument, approved October 17, 1940 (54 Stat. 1193)<sup>1</sup>**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the owner of the east half of the northeast quarter, section 35, township 15 south, range 44 east, of the Mount Diablo meridian, Inyo County, California, within the Death Valley National Monument, is hereby permitted and authorized to convey the fee-simple title thereto to the United States, and select in lieu thereof the west half of the southeast quarter, section 36, township 15 south, range 44 east, of the Mount Diablo meridian; and the Secretary of the Interior is hereby authorized and empowered to accept such conveyance, and thereafter cause a patent for the lands so selected to be issued to such owner, reserving to the United States, however, such rights-of-way as may be needed for the construction and maintenance of roads in the national monument: *Provided*, That the lands so conveyed to the United States shall become and be a part of the said national monument, and also subject to all laws and regulations relating to other lands therein: *And provided further*, That the owner of such privately owned lands within said national monument shall, before any exchange is effective, furnish to the Secretary of the Interior evidence satisfactory to him of title to the patent lands offered in exchange.

Death Valley National Monument, Calif.

Lands in, Conveyed to United States.

Selection in lieu thereof.

*Providos.*

Lands to become part of monument.

Evidence of title.

**An Act To authorize the exchange of certain patented lands in the Death Valley National Monument for Government lands in the monument, approved July 8, 1943 (57 Stat. 389)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to authorize the exchange of certain patented lands in the Death Valley National Monument for Government lands in the monument", approved October 17, 1940, is hereby amended to read as follows:

Death Valley National Monument, Calif.  
54 Stat. 1193.

"That the owner of the east half of the northeast quarter, section 35, township 15 south, range 44 east, of the Mount Diablo meridian, Inyo County, California, within the Death Valley National Monument, is hereby permitted and authorized to convey the title thereto to the United States, and select in lieu thereof the west half of the southeast quarter, section 36, township 15 south, range 44 east, of the Mount Diablo meridian; and the Secretary of the Interior is hereby authorized and empowered to accept such conveyance for said land, subject to the reservations contained in the patent issued by the State of California, to H. W. Eichbaum, dated March 8, 1928, recorded December 12, 1934, in book 32, page 308, of Official Records of Inyo County, California,

Exchange of lands.

<sup>1</sup> Amended by Act of July 8, 1943, immediately following.

and subject to an easement for State highway, as granted to the State of California by deed dated December 21, 1934, and recorded January 16, 1935, in book 32, page 396, of Official Records, and by deed dated December 19, 1934, recorded December 20, 1934, in book 32, page 338, of Official Records of Inyo County, and thereafter cause a patent for the land so selected in lieu thereof to be issued to such owner, reserving to the United States, however, such rights-of-way as may be needed for the construction and maintenance of roads in the national monument: *Provided*, That the land so conveyed to the United States shall become and be a part of the said national monument, and also subject to all laws and regulations relating to other land therein: *And provided further*, That the owner of such privately owned land within said national monument shall, before any exchange is effective, furnish to the Secretary of the Interior evidence satisfactory to him of title to the patented land offered in exchange."

## 9. Fort Frederica National Monument project

Establishment of monument authorized.....Act of May 26, 1936 157

### An Act To provide for the establishment of the Fort Frederica National Monument, at Saint Simon Island, Georgia, and for other purposes, approved May 26, 1936 (49 Stat. 1373)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to the site of Fort Frederica, on Saint Simon Island, Georgia, and such other related sites located thereon, as may be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-monument purposes, shall have been vested in the United States, said area not to exceed eighty acres shall be, and is hereby, set apart as a national monument for the benefit and inspiration of the people, and shall be called the "Fort Frederica National Monument". (16 U.S.C. sec. 433g.)

Fort Frederica National Monument, Saint Simon Island, Ga.

Establishment.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said national monument as determined and fixed hereunder, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 433h.)

Acceptance of donations.

Purchase of land from donated funds.  
25 Stat. 357.

SEC. 3. (a) The Secretary of the Interior is authorized, in his discretion, to maintain in some suitable structure within the national monument a museum for relics and records pertaining to Fort Frederica, and for other articles of national and patriotic interest, and in his discretion to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum.

Maintenance of museum.

(b) Any State or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets commemorating historic events or persons connected with the history of the area, within the boundaries of the Fort Frederica National Monument. (16 U.S.C. sec. 433i.)

Erection of monuments or placing of tablets.

SEC. 4. The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National

Administration.

Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 433j.)

## 10. Fort McHenry National Monument and Historic Shrine

Land description changed, amend Act of March 3, 1925.....	Page
.....Act of June 5, 1936	159
Name of area changed.....Act of August 11, 1939	159

### **An Act To amend the Act of March 3, 1925, relating to Fort McHenry, approved June 5, 1936 (49 Stat. 1484)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of Congress entitled "An Act to repeal and reenact chapter 100 (1914, Public, Numbered 108), to provide for the restoration of Fort McHenry, in the State of Maryland, and its permanent preservation as a national park and perpetual national memorial shrine as the birthplace of the immortal 'Star-Spangled Banner', written by Francis Scott Key, for the appropriation of the necessary funds, and for other purposes", approved March 3, 1925 (43 Stat. 1109), be, and the same is hereby, amended by striking out from the third paragraph the words "six hundred and fifty feet" and inserting in lieu thereof the following words "six hundred and eighty feet". (16 U.S.C. sec. 439.)

Fort McHenry,  
Md.  
43 Stat.1109.

Land descrip-  
tion revised.

### **An Act To change the designations of the Abraham Lincoln National Park, in the State of Kentucky, and the Fort McHenry National Park, in the State of Maryland, approved August 11, 1939 (53 Stat. 1405)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Abraham Lincoln National Park, in the State of Kentucky, authorized by the Act of July 17, 1916 (39 Stat. 385), and the Fort McHenry National Park, in the State of Maryland, authorized by the Act of March 3, 1925 (43 Stat. 1109), shall hereafter be called and known as the "Abraham Lincoln National Historical Park", and the "Fort McHenry National Monument and Historic Shrine", respectively, and all moneys heretofore or hereafter appropriated for these areas under previous designations may be used in these areas as redesignated. (16 U.S.C. sec. 440a.)

16 U.S.C. secs.  
437-440.

Designations  
changed.

## 11. Fort Pulaski National Monument

	Page
Boundary extension, acceptance of donations, reservations for special uses.....	Act of June 26, 1936 160

### **An Act To extend the boundaries of the Fort Pulaski National Monument, Georgia, and for other purposes, approved June 26, 1936 (49 Stat. 1979)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the boundaries of the Fort Pulaski National Monument on Cockspur Island, Georgia, be, and they are hereby, extended to include all of the lands on said island now or formerly under the jurisdiction of the Secretary of War.

Fort Pulaski  
National Monu-  
ment, Ga.  
Boundaries  
extended.

Acceptance of  
donations of  
land, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept in behalf of the United States, lands, interest in lands, easements, and improvements located on McQueens and Tybee Islands, in Chatham County, Georgia, as may be donated for an addition to the Fort Pulaski National Monument, and upon acceptance thereof the same shall be a part of said monument, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior.

Bridge con-  
struction.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to construct, or cause to be constructed, in connection with and as a part of the road system of Fort Pulaski National Monument, a bridge or causeway and approaches thereto across the South Channel of the Savannah River from Cockspur Island to McQueens Island in Chatham County, Georgia, at a point which he may designate as most suitable to the interests of the Federal Government.

Administration  
by National  
Park Service.

SEC. 4. That the administration, protection, and development of the aforesaid national monument as extended by this Act shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes": *Provided*, That there is permanently reserved for the unlimited use of the Corps of Engineers, United States Army, for deposit of dredging materials and other purposes, a strip of land along the north shore of Cockspur Island extending shoreward two hundred feet from the present high water line: *And provided further*, That the portion of Cockspur Island bounded on the east by a north and south line across the island, and distant two thousand and nine hundred feet west from the north-westerly salient angle of Fort Pulaski, and extending from Savannah River on the north to the South Channel on the south; on the west by a north and south line, parallel with said east boundary, distant one thousand and seven hun-

Reservation for  
Corps of  
Engineers.

Reservation for  
Treasury quar-  
antine station.

dred feet therefrom, and likewise extending from the Savannah River on the north to the South Channel on the south, is reserved to the Treasury Department for use for a quarantine station.

## 12. Fort Stanwix National Monument project

Establishment of monument authorized.....Act of August 21, 1935 162

**An Act To provide for the establishment of a national monument on the site of Fort Stanwix in the State of New York, approved August 21, 1935 (49 Stat. 665)**

Fort Stanwix  
National  
Monument;  
establishment

Proclamation.

Area to  
include State  
reservation.

Acceptance  
of donations.

Acquisition  
of land.

Administra-  
tion, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to the site or portion thereof at Fort Stanwix, in the State of New York, together with such buildings and other property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes, shall have been vested in the United States, said area and improvements, if any, shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people and shall be called the "Fort Stanwix National Monument": *Provided*, That such area shall include at least that part of Fort Stanwix now belonging to the State of New York. (16 U.S.C. sec. 450l.)

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 450m.)

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 450n.)

### 13. George Washington Carver National Monument project

Establishment of monument authorized.....Act of July 14, 1943      Page  
163

#### An Act To provide for the establishment of the George Washington Carver National Monument, approved July 14, 1943 (57 Stat. 563)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by gift or purchase, the site of the birthplace of George Washington Carver, distinguished Negro scientist, located near Diamond, Missouri, together with such additional land or interests in land and any improvements thereon as the Secretary may deem necessary to carry out the purposes of this Act. In the event the Secretary is unable to acquire such property, or any part thereof, at a reasonable price, he is authorized and directed to condemn such property, or any part thereof, in the manner provided by law. (16 U.S.C. sec. 450aa.)

George Washington Carver National Monument. Acquisition of site.

SEC. 2. The property acquired under the provisions of section 1 of this Act shall constitute the George Washington Carver National Monument and shall be a public national memorial to George Washington Carver. The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national monument, and shall maintain and preserve it in a suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States. (16 U.S.C. sec. 450aa-1.)

Establishment; maintenance.

SEC. 3. The Secretary of Interior is authorized to—

(1) Maintain, either in an existing structure acquired under the provisions of section 1 of this Act or in a building constructed by him for the purpose, a museum for relics and records pertaining to George Washington Carver, and for other articles of national and patriotic interest, and to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum; and

Museum.

(2) Construct roads and mark with monuments, tablets, or otherwise, points of interest within the boundaries of the George Washington Carver National Monument. (16 U.S.C. sec. 450aa-2.)

Roads, etc.

SEC. 4. There are authorized to be appropriated such sums not to exceed \$30,000 as may be necessary to carry out the provisions of this Act. (16 U.S.C. sec. 450aa note.)

Appropriation authorized.

## 14. Glacier Bay National Monument

	Page
Mining permitted within monument.....	Act of June 22, 1936 164

### **An Act To permit mining within the Glacier Bay National Monument, approved June 22, 1936 (49 Stat. 1817)**

Glacier Bay  
National  
Monument,  
Alaska.

Permission for  
mining within,  
granted.

Use of  
surface land.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the area within the Glacier Bay National Monument in Alaska, or as it may hereafter be extended, all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior.

## 15. The Homestead National Monument of America

Establishment of monument authorized.....Act of March 19, 1936 Page  
165

### An Act To establish The Homestead National Monument of America in Gage County, Nebraska, approved March 19, 1936 (49 Stat. 1184)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to acquire, on behalf of the United States, by gift, purchase, or condemnation, the south half of the northwest quarter, the northeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter section 26, township 4 north, range 5 east, of the sixth principal meridian, Gage County, Nebraska, the same being the first homestead entered upon under the General Homestead Act of May 20, 1862, by Daniel Freeman, and that when so acquired, the said area be designated "The Homestead National Monument of America."<sup>1</sup> (16 U.S.C. sec. 450u.)

SEC. 2. That there is authorized to be appropriated a sum not to exceed \$24,000, out of any money in the Treasury not otherwise appropriated, for the purpose of acquiring said tract. (16 U.S.C. sec. 450v note.)

SEC. 3. It shall be the duty of the Secretary of the Interior to lay out said land in a suitable and enduring manner so that the same may be maintained as an appropriate monument to retain for posterity a proper memorial emblematical of the hardships and the pioneer life through which the early settlers passed in the settlement, cultivation and civilization of the great West. It shall be his duty to erect suitable buildings to be used as a museum in which shall be preserved literature applying to such settlement and agricultural implements used in bringing the western plains to its present high state of civilization, and to use the said tract of land for such other objects and purposes as in his judgment may perpetuate the history of the country mainly developed by the homestead law. (16 U.S.C. sec. 450w.)

SEC. 4. For the purpose of carrying out the suggestions and recommendations of the Secretary of the Interior, the necessary annual appropriations therefor are hereby authorized. (16 U.S.C. sec. 450x.)

The Homestead  
National  
Monument of  
America, Nebr.  
Establishment.  
Description.

Appropriation  
authorized.

Design,  
purpose, etc.

Erection of  
buildings, etc.

Annual  
appropriations  
authorized.

<sup>1</sup> So designated by Order of Jan. 3, 1939 (4 Fed. Reg. 402)

## 16. Lewis and Clark Cavern National Monument

	Page
Conveyance of monument lands to State of Montana for purposes of a State public park and recreational site.....Act of August 24, 1937	166

**An Act Authorizing the Secretary of the Interior to convey certain land to the State of Montana to be used for the purposes of a public park and recreational site, approved August 24, 1937 (50 Stat. 746)**

Montana.  
Conveyance of  
certain lands  
to, for public  
park, etc.,  
purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to convey to the State of Montana, upon the conditions and limitations hereinafter expressed, the following-described land of the United States in the State of Montana, to be held and used by such State for the purposes of a State public park and recreational site:

### MONTANA PRINCIPAL MERIDIAN

Description.

Township 1 north, range 2 west, section 7, west half; section 8, south half southwest quarter and southwest quarter southeast quarter; section 17, lots 1, 2, 10, 11, and 12, and north half northwest quarter; section 18, northeast quarter northeast quarter, northwest quarter, northeast quarter southwest quarter, lot 3 or northwest quarter southwest quarter, and north half southeast quarter; section 20, northwest quarter northeast quarter northeast quarter and northwest quarter northeast quarter.

Township 1 north, range 3 west, section 12, southeast quarter northeast quarter and east half southeast quarter (lots 7 and 12); section 13, east half northeast quarter (lots 1 and 4), and northwest quarter northeast quarter lot 2).

Reversionary  
provisions.

In the event the State shall fail to devote such lands to the purposes of a State public park and recreational site within five years after the date of enactment of this Act, or fail to maintain such land as a public park and recreational site for any period of five consecutive years subsequent to its devotion to such use, or devote such lands or any part thereof to another use, such land and all improvements thereon shall revert to the United States; and in such event the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant, and to assume jurisdiction of lot 12, section 17, township 1 north, range 2 west, for national-monument purposes under the Act of June 8, 1906 (34 Stat. 225). Any patent issued hereunder shall contain a reservation to the United States of all mineral deposits in the land patented: *Provided*, That such minerals so reserved shall be prospected for, mined, and removed only in accordance with regulations to be prescribed by the Secretary of the Interior.

16 U.S.C.  
sec. 431.

Mineral  
reservation.

## 17. Montezuma Castle National Monument

Addition of "Montezuma Well property" to monument authorized.....	Page
.....Act of October 19, 1943	167

### An Act To provide for the addition of certain land in the State of Arizona to the Montezuma Castle National Monument, approved October 19, 1943 (57 Stat. 572)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Secretary of the Interior, on behalf of the United States, is authorized to acquire, in his discretion, certain lands located in the State of Arizona known as the Montezuma Well property, containing approximately one hundred and eighty acres and situated within section 36, township 15 north, range 5 east, and section 31, township 15 north, range 6 east, Gila and Salt River meridian. Such lands, when acquired, shall become a detached unit of Montezuma Castle National Monument.

Montezuma  
Castle National  
Monument,  
Addition of  
lands.

(b) Effective on the date of the acquisition of such property, the south half of the northwest quarter of section 31, township 15 north, range 6 east, Gila and Salt River meridian, containing eighty acres of land owned by the United States, shall also become a part of such national monument.

SEC. 2. All laws, rules, and regulations applicable to such national monument shall be applicable with respect to the lands described in the first section of this Act upon the addition of such lands to such national monument. The title to real property acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior.

Administration.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary but not to exceed \$25,000 to carry out the provisions of this Act.

Appropriation  
authorized.

## 18. Muir Woods National Monument

Federal cooperation in acquisition of "Muir Wood Toll Road" authorized.....	Page 168
Act of June 28, 1938	

**An Act To authorize Federal cooperation in the acquisition of the "Muir Wood Toll Road", located in Marin County, State of California, and for other purposes, approved June 28, 1938 (52 Stat. 1214)**

Muir Wood  
Toll Road,  
Marin County,  
Calif.

Expenditure  
authorized  
for Federal  
cooperation in  
acquiring, as  
part of free-  
road system.

Conditions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to expend, out of any roads and trails funds available to the National Park Service, Department of the Interior, the sum of not to exceed \$25,000 to match, dollar for dollar, such sum as may be required to be expended by the Department of Public Works, State of California, for the purpose of acquiring, as a part of the State or county free-road system, the road known as the "Muir Wood Toll Road", extending from the Marin County Panorama Highway to the Muir Woods National Monument and from there down the Frank Valley to its junction with the State highway near Muir Beach, Marin County, California: *Provided*, That no such funds shall be expended until the State or county shall have taken action necessary to insure that title to the road will be acquired and until the State or county shall have agreed to assume full responsibility for the future maintenance and operation of the road in proper condition to accommodate the traffic thereon.

## 19. Ocmulgee National Monument

Establishment of monument authorized.....Act of June 14, 1934 Page  
169

**An Act To authorize the establishment of the Ocmulgee National Monument in Bibb County, Georgia, approved June 14, 1934 (48 Stat. 958)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to lands commonly known as the "Old Ocmulgee Field", upon which certain Indian mounds of great historical importance are located, comprising approximately two thousand acres, in and around the city of Macon, County of Bibb, State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary for national-monument purposes, shall have been vested in the United States, said area shall be set aside as a national monument, by proclamation of the President, and shall be known as the "Ocmulgee National Monument": *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.<sup>1</sup> (16 U.S.C. sec. 447a.)

Ocmulgee,  
National  
Monument,  
Bibb County,  
Ga., set apart  
when lands  
therefor vest in  
United States.

Lands to be  
acquired by  
donation only.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national monument as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States under any donated funds by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 447b.)

Acceptance of  
lands, funds,  
etc.

Purchases from  
donated funds.

SEC. 3. The administration, protection, and development of the Ocmulgee National Monument shall be under the supervision of the Secretary of the Interior subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended. (16 U.S.C. sec. 447c.)

Administration.

<sup>1</sup> See proclamation No. 2212 of December 23, 1936 (50 Stat. 1798, 1 Fed. Reg. 2228) establishing monument.

## 20. Organ Pipe Cactus National Monument

Mining permitted within monument.....	Act of October 27, 1941	Page 170
---------------------------------------	-------------------------	-------------

**An Act To permit mining within the Organ Pipe Cactus National Monument in Arizona, approved October 27, 1941 (55 Stat. 745)**

Organ Pipe  
Cactus National  
Monument, Ariz.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That within the Organ Pipe Cactus National Monument in Arizona all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior. (16 U.S.C. sec. 450z.)

## 21. Patrick Henry National Monument project

	Page
Establishment of monument on site of Red Hill, estate of Patrick Henry, authorized.....	Act of August 15, 1935 171
Providing for acquisition of Red Hill estate.....	Act of January 29, 1940 172

### An Act To provide for the establishment of a national monument on the site of Red Hill, estate of Patrick Henry, approved August 15, 1935 (49 Stat. 652)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to the estate known as Red Hill, the estate of Patrick Henry, located in Charlotte County, Virginia, together with such buildings and other property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes shall have been vested in the United States, said area and improvements shall be designated and set apart by proclamation of the President for the preservation as a national monument for the benefit and inspiration of the people, and shall be called the "Patrick Henry National Monument." (16 U.S.C. sec. 450f.)

SEC. 2. That the Secretary of the Interior be and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1808, such tracts of land within said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 450g.)

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 450h.)

SEC. 4. The Secretary of the Interior is authorized and directed to make such alterations and repairs to the cottage used as a law office by Patrick Henry and to install therein such furniture and furnishings as may be necessary to (1) restore such cottage to the approximate condition and appearance possessed by it at the time of Patrick Henry's death, and (2) permit the use of such cottage as a museum for relics and records pertaining to Patrick Henry, and for other articles of national and patriotic in-

Patrick Henry National Monument, Va.; establishment.  
Location.

Proclamation.

Acceptance of donations of land and other property.

Acquisition by condemnation.

Administration, etc.

Rehabilitation of Patrick Henry's law office.

Use of, as a museum permitted.

Acceptance of  
articles for.

terest. The Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States, for installation in such cottage, articles which may be offered as additions to the museum. (16 U.S.C. sec. 450i.)

Marking his-  
toric points.

SEC. 5. The Secretary of the Interior is authorized, in his discretion, to mark with monuments, tablets, or otherwise, historical points of interest within the boundaries of the Patrick Henry National Monument. (16 U.S.C. sec. 450j.)

Appropriation  
authorized.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. sec. 450k.)

**An Act To provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Virginia, known as Red Hill, approved January 29, 1940 (54 Stat. 18)**

Estate of Pat-  
rick Henry,  
acquisition of;  
cost.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to acquire by purchase, or otherwise, on behalf of the United States, at a cost not to exceed \$100,000, the estate of Patrick Henry in Charlotte County, Virginia, known as Red Hill. (16 U.S.C. sec. 450f-1.)

Use; adminis-  
tration.  
49 Stat. 652.  
16 U.S.C. secs.  
450f-450k.  
Appropriation  
authorized.

SEC. 2. The property acquired under the provisions of this Act shall be a permanent public memorial to Patrick Henry, and shall be administered as the Patrick Henry National Monument, as provided in the Act entitled "An Act to provide for the establishment of a national monument on the site of Red Hill, estate of Patrick Henry", approved August 15, 1935. (16 U.S.C. sec. 450f-2.)

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. sec. 450f-1 note.)

## 22. Perry's Victory and International Peace Memorial National Monument

Establishment of monument authorized.....Act of June 2, 1936 Page 173

**An Act To provide for the creation of the Perry's Victory and International Peace Memorial National Monument, on Put-in-Bay, South Bass Island, in the State of Ohio, and for other purposes, approved June 2, 1936 (49 Stat. 1393)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby authorized to establish by proclamation the following-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio, as the "Perry's Victory and International Peace Memorial National Monument", for the preservation of the historical associations connected therewith, to inculcate the lessons of international peace by arbitration and disarmament, and for the benefit and enjoyment of the people: Commencing at the intersection of the middle line of Delaware Avenue and Chapman Avenue, in the village of Put-in-Bay, and running thence south eighty-eight degrees fifty-nine minutes east in the middle line of said Delaware Avenue, and the same extended four hundred and ninety-five feet to Lake Erie; thence north forty-nine degrees fifty-nine minutes east along said lake shore three hundred and forty-six feet; thence north forty-three degrees fourteen minutes east along said lake shore two hundred and twelve feet; thence north fifty-three degrees thirteen minutes east four hundred feet along said lake shore; thence north forty-six degrees six minutes west about seven hundred and thirty feet to Lake Erie; thence southwesterly and westerly along said lake shore to the middle line, extended, of said Chapman Avenue; thence south one degree thirty minutes west along said middle line, and the same extended, about five hundred and twenty feet to the place of beginning, and containing fourteen and twenty-five one-hundredths acres of land and known as a part of lots numbered 1 and 2, range south of county road, and a part of lot numbered 12, East Point, in South Bass Island, in the township of Put-in-Bay, county of Ottawa, State of Ohio.<sup>1</sup> (16 U.S.C. sec. 433a.)

SEC. 2. That the administration, protection and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the

Perry's Victory and International Peace Memorial National Monument, Put-in-Bay, Ohio.

Purposes declared.

Description.

Supervision.

<sup>1</sup> See proclamation No. 2182 of July 6, 1936 (50 Stat. 1734; 1 Fed. Reg. 748) establishing monument.

Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 433b.)

Purchase, etc.,  
of tracts from  
donated funds.

SEC. 3. After the said national monument has been established as provided in section 1 hereof, the Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property as may be donated for the extension and improvement of the said national monument, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 433c.)

Commission  
members to act  
as board of  
advisers.

SEC. 4. The members of the Perry's Victory Memorial Commission created by Act of Congress March 3, 1919, having by their patriotic and active interest faithfully conserved for posterity this important historical area and objects, shall hereafter act as a board of advisers, and with such other powers as the Secretary of the Interior may direct, in the maintenance of such national monument and shall consist of the present surviving and active members of the Commission provided for in said Act, namely on the part of the United States, John A. Johnston and Hugh Rodman, and on the part of the several States: Ohio, Webster P. Huntington, Carl B. Johannsen, and A. V. Donahey; Pennsylvania, Milton W. Shreve, Thomas C. Jones, and George M. Mason; Michigan, James E. Degan; Illinois, Chesley R. Perry, William Hale Thompson, and Richard S. Folsom; Wisconsin, Charles B. Perry, A. W. Sanborn, and S. W. Randolph; New York, Charles H. Wiltzie, and Jacob Schifferdecker; Rhode Island, Harry E. Davis; Kentucky, Samuel M. Wilson, W. J. Moore, and Robert H. Winn: *Provided*, That as vacancies occur in the Commission on the part of the United States, they shall remain unfilled until only one Commissioner of the United States remains; thereafter there shall be only one Commissioner of the United States: *Provided further*, That as vacancies occur in the Commission on the part of the several States, they shall remain unfilled until only one Commissioner from each State remains; thereafter there shall be only one Commissioner from each State. After the membership of the Commission has been reduced in accordance with the provisions of this Act, vacancies shall be filled in the manner set forth in the Act of March 3, 1919. The members of the Commission shall receive no compensation or expenses, except actual traveling expenses incurred in attending meetings of the Commission upon call of the Secretary of the Interior. (16 U.S.C. sec. 433d.)

Personnel.

Vacancies on  
part of United  
States.

Vacancies on  
part of States.

Traveling  
expenses.

SEC. 5. Employees of the Perry's Victory Memorial Commission at the time of the enactment of this legislation, may, in the discretion of the Secretary of the Interior, be employed by the National Park Service, in the administration, protection, and development of said national monument. (16 U.S.C. sec. 433e.)

SEC. 6. That the provisions of the Act of March 3, 1919 (40 Stat. 1322-1324), and Acts supplemental thereof and amendatory thereto and all other Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency. (16 U.S.C. sec. 433f.)

Employees.

Inconsistent  
provisions  
repealed.

## 23. Pioneer National Monument project

Establishment of monument authorized.....Act of June 18, 1934 176

### An Act To provide for the creation of the Pioneer National Monument in the State of Kentucky, and for other purposes, approved June 18, 1934 (48 Stat. 982)

Pioneer Nation-  
al Monument,  
Ky.

Preamble.

Whereas no provision has been made to preserve some of the great shrines of pioneer history that played their part in the drama of the American Revolution, both in resistance to the efforts of the British and their Indian allies to wipe out the American colonists west of the Alleghenies and thus close in on the colonists along the Atlantic seaboard and in waging a counteroffensive that resulted in the conquest and acquisition of the Old Northwest; and

Whereas four of these shrines in Kentucky represent in continuity a counterpart of the American Revolution east of the Alleghenies, to wit: (1) Boonesborough, where the first fort "in the West" was erected, the first highway to "the West, the Wilderness Road", terminated, the first colonization was effected, and the first legislature met; (2) Boones Station, whence Daniel Boone, as lieutenant colonel of the Fayette County Militia, rushed troops to the assistance of various other besieged stations as well as joined in the retaliatory campaigns under General George Rogers Clark into the Old Northwest, and where he buried his son and nephew who fell at the Battle of Blue Licks; (3) Bryans Station, where the women of the fort sallied forth under the rifles of some six hundred Indians to procure water for the besieged pioneers on August 18, 1782, contributing in large measure to the successful defense of the fort; and (4) Blue Licks Battlefield, scene of the accredited "Last Battle of the Revolution", August 19, 1782, which aroused all of the western colonists to unitedly launch a devastating campaign into the Ohio country under the leadership of General George Rogers Clark, that effectually stopped further invasion of Kentucky by the British and Indians and was the forerunner of the final conquest of the entire Northwest Territory for the United States: Therefore

Designated lands  
to be set apart  
as, when title  
vested in  
United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to the sites of Fort Boonesborough, Boones Station, Bryans Station, and Blue Licks Battlefield, in the State of Kentucky, comprising noncontiguous tracts to be united by a Memorial Highway, together with such historical structures and remains thereon, as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes and for the proper commemoration of the valor and sacrifices of the pioneers of "the West", shall have been vested in the United States,

said areas and improvements shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people, and shall be called the "Pioneer National Monument". (16 U.S.C. sec. 448.)

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 449.)

Acceptance of  
donations, etc.

Purchase of  
tracts from  
funds donated.

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 450.)

Administration.

## 24. Pipestone National Monument

Monument established.....Act of August 25, 1937 Page  
178

### **An Act To establish the Pipestone National Monument in the State of Minnesota, approved August 25, 1937 (50 Stat. 804)**

Pipestone Na-  
tional Monu-  
ment, Minn.  
Establishment.

Description.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the lands lying in Pipestone County, Minnesota, within the area hereinafter described are hereby dedicated and set apart as a national monument for the benefit and enjoyment of the people of the United States, under the name of the "Pipestone National Monument": Beginning at a point twenty-two and four-tenths feet north and forty-five and eight one-hundredths feet west of the southwest corner of section 1, township 106 north, range 46 west, fifth principal meridian; thence north one thousand six hundred and fifty-five feet; thence north eighty-nine degrees fifteen minutes east seven hundred and eight feet; thence north no degrees forty-five minutes west, six hundred and seven and three-tenths feet; thence north sixty-two degrees five minutes east, nine hundred and eighty-seven and one-tenth feet; thence south twenty-seven degrees fifty-five minutes east, two hundred and sixty-four and five-tenths feet; thence south eighty-eight degrees nineteen minutes east, nine hundred and sixty-seven and five-tenths feet; thence south no degrees twenty-four minutes east, one hundred and forty-four and three-tenths feet; thence south eighty-three degrees forty-three minutes west, four hundred and seventy-two and four-tenths feet; thence south two degrees seventeen minutes east, two thousand two hundred and forty-nine feet; thence south eighty-nine degrees twenty minutes west, four hundred and fifty-eight and two-tenths feet; thence south no degrees no minutes east, one hundred and one and one-tenth feet; thence south ninety degrees no minutes west, one hundred and thirty-seven and two-tenths feet; thence north no degrees no minutes west, one hundred feet; thence south eighty-nine degrees twenty minutes west, one thousand six hundred and eighty-three and eight-tenths feet to the point of beginning; containing approximately one hundred and fifteen and eighty-six one-hundredths acres, including concourse, excluding from the area described herein forty-seven one-hundredths acres, constituting a right-of-way of the Chicago, Rock Island and Pacific Railway. (16 U.S.C. sec. 445c.)

Administration.

SEC. 2. The administration, protection, and development of such monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other pur-

39 Stat. 535.  
16 U.S.C. sec. 1.

poses", approved August 25, 1916, as amended. (16 U.S.C. sec. 445c.)

SEC. 3. The quarrying of the red pipestone in the lands described in section 1 is hereby expressly reserved to Indians of all tribes, under regulations to be prescribed by the Secretary of the Interior. (16 U.S.C. sec. 445c.)

## 25. White Sands National Monument

White Sands Recreational Demonstration Project, addition to monument.....	Page 180
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**Excerpt from "An Act To authorize the disposition of recreational demonstration projects, and for other purposes," approved June 6, 1942 (56 Stat. 327)**

Addition of designated projects to other areas.

*Proviso.*

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided*, That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

## 26. Whitman National Monument

Establishment of monument authorized.....Act of June 29, 1936      Page  
181

### An Act To provide for the establishment of the Whitman National Monument, approved June 29, 1936 (49 Stat. 2028)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by gift, the site of the Indian mission established in 1836 by Marcus Whitman on the Walla Walla River in what is now Walla Walla County, Washington, together with such additional land, including a right-of-way to the nearest highway, as the Secretary may deem necessary to carry out the purposes of this Act. (16 U.S.C. sec. 433k.)

Whitman National Monument, Wash. Acquisition of site of Indian Mission, etc.

SEC. 2. The property acquired under the provisions of section 1 of this Act shall constitute the Whitman National Monument and shall be a public national memorial to Marcus Whitman and his wife, Narcissa Prentiss Whitman, who here established their Indian mission and school, and ministered to the physical and spiritual needs of the Indians until massacred with twelve other<sup>1</sup> persons in 1847. The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national monument, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States. (16 U.S.C. sec. 433k.)

Establishment.

Administration, etc.

SEC. 3. Any State, or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets within the boundaries of the Whitman National Monument. (16 U.S.C. sec. 433l.)

Erection of monuments or placing of tablets.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. sec. 433m.)

Appropriation authorized.

<sup>1</sup> So in original.

## XI. LEGISLATION RELATING TO NATIONAL PARKWAYS<sup>1</sup>

### 1. Blue Ridge Parkway<sup>2</sup>

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Administration and maintenance of the parkway by the National Park Service.....	183
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**An Act To provide for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes, approved June 30, 1936 (49 Stat. 2041) <sup>3</sup>**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter all lands and easements conveyed or to be conveyed to the United States by the States of Virginia and North Carolina for the right-of-way for the projected parkway between the Shenandoah and Great Smoky Mountains National Parks, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of two hundred feet through Government-owned lands as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to 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", the provisions of which Act, as amended and supplemented, are hereby extended over and made applicable to said parkway: *Provided*, 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 for the protection, administration, or utilization of adjacent and nearby national

Blue Ridge Parkway, Va., and N. C. Projected parkway between the Shenandoah and Great Smoky Mountains National Parks, etc., to be known as.

Administration, etc., by National Park Service.

Roads and trails.

<sup>1</sup> For general statutory provisions relating to national parkways, see page 15.

<sup>2</sup> Construction was commenced under authority of Title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 195). See Attorney General's Opinion of June 20, 1935, to the Secretary of the Interior.

<sup>3</sup> Amended by Act of June 8, 1940 (54 Stat. 249), p. 185.

Coordination of recreational development by Forest Service and National Park Service.

forests and the resources thereof: *And provided further*, That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational development as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions which, by mutual agreement, should be given special treatment for recreational purposes. (16 U.S.C. sec. 460a-2.)

**An Act To authorize the exchange of certain lands within the Great Smoky Mountains National Park for lands within the Cherokee Indian Reservation, North Carolina, and for other purposes, approved August 19, 1937 (50 Stat. 699)**

Great Smoky Mountains National Park, N. C.

Exchange of certain lands within, for lands within the Cherokee Indian Reservation authorized.

Conditions.

Right-of-way grant to State.

Consent of Indians to be determined by ballot.

Consent by State.

Lands transferred to Indians to be held in trust; non-taxable, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is hereby authorized, under such terms and conditions as he may deem proper, to exchange a tract of land of approximately one thousand two hundred and two acres, near Smokemont, North Carolina, known as the Towstring tract and forming a part of the Cherokee Indian Reservation, for three tracts of land, totaling approximately one thousand five hundred and forty-seven acres, in the vicinity of Ravensford, North Carolina, known as the Boundary Tree, Ravensford, and Tight Run tracts and forming a part of the Great Smoky Mountains National Park, conditioned upon the consent of the Eastern Band of Cherokee Indians to this exchange and to the acquisition by the State of North Carolina of a right-of-way, which shall vary in width between two hundred feet and eight hundred feet, for the Blue Ridge Parkway across the said reservation, and further conditioned upon payment to the said Cherokee Indians by the said State of North Carolina of such compensation as shall have been determined by the said Secretary as just and reasonable for the said right-of-way. When the foregoing conditions have been complied with, the Secretary of the Interior is hereby further authorized to grant to the State of North Carolina a right-of-way as hereinbefore provided for.

SEC. 2. The consent of the said Cherokee Indians to any proposed exchange and the acquisition of a right-of-way by the State of North Carolina as provided for herein shall be expressed by secret ballot in a general election, in which a majority vote in favor thereof. Such election to be arranged and supervised by the tribal council within sixty days after the passage of this Act, and the results of such election shall be final.

SEC. 3. No exchange shall be consummated pursuant to the provisions of this Act unless and until the consent of the State of North Carolina is first had and obtained thereto as indicated by an Act of its legislature.

SEC. 4. Upon the consummation of the exchange made pursuant to the provisions of this Act, the lands transferred to the Indians shall be held in trust by the United States

for the said Eastern Band of Cherokee Indians and shall be nontaxable and nonalienable the same as the balance of the Indian land of the aforesaid reservation, and the lands transferred to the United States for park purposes shall become and be a part of the Great Smoky Mountains National Park and shall be subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), as amended: *Provided*, That should any of the exchanged area or parkway right-of-way herein dealt with cease to be used for park or parkway purposes, the title thereto shall revert to its status prior to the exchange.

Acquisition by United States for park purposes.  
16 U.S.C. sec. 1.

Reversionary provision.

**An Act To amend the Act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes, approved June 8, 1940 (54 Stat. 249)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to provide for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes", approved June 30, 1936 (49 Stat. 2041), be amended to read as follows:

Blue Ridge Parkway, Va. and N. C.

"That all lands and easements heretofore or hereafter conveyed to the United States by the States of Virginia and North Carolina for the right-of-way for the projected parkway between the Shenandoah and Great Smoky Mountains National Parks, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of two hundred feet through Government-owned lands (except that where small parcels of Government-owned lands would otherwise be isolated, or where topographic conditions or scenic requirements are such that bridges, ditches, cuts, fills, parking overlooks, landscape development, recreational and other facilities requisite to public use of said parkway could not reasonably be confined to a width of two hundred feet, the said maximum may be increased to such width as may be necessary, with the written approval of the department or agency having jurisdiction over such lands) as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to 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', the provisions of which Act, as amended and supplemented, are hereby extended over and made applicable to said parkway: *Provided*, That the Secretary of

Projected parkway between Shenandoah and Great Smoky Mountains National Parks to be known as.

Administration, etc.

16 U.S.C. secs. 1-4.

*Provisos.*

- Roads and trails. 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 for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: *And Provided further*, That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational development as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions which, by mutual agreement, should be given special treatment for recreational purposes. (16 U.S.C. sec. 460a-2.)
- Coordination of recreational development. "SEC. 2. In the administration of the Blue Ridge Parkway, the Secretary of the Interior may issue revocable licenses or permits for rights-of-way over, across, and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands, for such purposes and under such nondiscriminatory terms, regulations, and conditions as he may determine to be not inconsistent with the use of such lands for parkway purposes. (16 U.S.C. sec. 460a-3.)
- Issuance of revocable licenses for rights-of-way. "SEC. 3. The Secretary of the Interior is hereby authorized, in his discretion, to approve and accept, on behalf of the United States, title to any lands and interests in land heretofore or hereafter conveyed to the United States for the purposes of the Blue Ridge or the Natchez Trace Parkways, or for recreational areas in connection therewith." (16 U.S.C. sec. 460a-1.)
- Acceptance by U. S. of lands, etc., for Blue Ridge or Natchez Trace Parkways.

**An Act To authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina, approved June 11, 1940 (54 Stat. 299)**

- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is authorized and directed to convey to the State of North Carolina for use as a right-of-way in connection with the Blue Ridge Parkway in the State of North Carolina all right, title, and interest of the United States and the Eastern Band of Cherokee Indians in such land and the timber thereon, to be determined as hereinafter provided, within the Cherokee Indian Reservation in the State of North Carolina as may be necessary for the construction and maintenance of such parkway over the following course: Beginning at a point in State Highway Numbered 293 near Soco Gap and extending to a junction with State Highway Numbered 107, near the mouth of the Ravens Fork of the Oconoluftee River by way of the following approximate controls: Leaving Soco Gap and following the east and northerly slopes of Soco and Bunches Bald ridge and crossing through Docks Gap to the south and west side of Soco and Bunches Bald; thence crossing Lickstone Ridge and entering Bunches Gap from the south;
- Blue Ridge Parkway, N. C. Conveyance of land to State of N. C., authorized.
- Description.

thence from Bunches Gap, following the south slopes of the main ridge, crossing Jenkins Divide ridge and entering Big Witch Gap from the southeast; thence leaving Big Witch Gap in a northwesterly direction and keeping on the northerly and westerly slopes of the main ridge, but crossing the various spur ridges circling around the heads of Mingo Creek and Sherrills Cove, and around the north end of the ridge lying immediately northeast of the Ravensford Mill site, crossing the Oconoluftee River to the junction with State Highway Numbered 107, previously referred to, and in addition, starting in a northeasterly direction from Bunches Gap passing about one-half mile north of Soco Bald; thence turning north and intersecting the boundary between the Qualla Indian Reservation and the Great Smoky Mountains National Park at a point approximately one mile northeast of Bunches Gap.

SEC. 2. Before making such conveyance, the Secretary of the Interior shall have the lands along such course surveyed and shall determine the exact location and boundaries of the land to be conveyed for use as such right-of-way, which shall not exceed one hundred and twenty-five acres per mile. The deed of conveyance for such land shall contain an accurate description of the location and boundaries of such land in order that the interests of the United States and the Eastern Band of Cherokee Indians may be properly protected.

Survey before conveyance.

Deed of conveyance.

SEC. 3. In consideration of conveyance, the State of North Carolina shall pay to the United States the sum of \$40,000 or \$30 per acre for the lands embraced in the right-of-way described in section 1, whichever sum is the largest, which shall be deposited in the Treasury to the credit of the Eastern Band of Cherokee Indians and held in trust by the United States for the Eastern Band of Cherokee Indians. It is understood and agreed that the State of North Carolina shall build without further payment for right-of-way, and without expense to the United States or the Cherokee Indians, a suitable State highway between Soco Gap and Cherokee Village, subject to the same laws, rules and regulations applicable to all State highways of North Carolina.

Payment by State to U. S.

Deposit.

Construction of State highway; location.

SEC. 4. The Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the Boundary Tree tract, containing approximately eight hundred and eighty-four acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from any funds in the United States Treasury to the credit of said band, including funds made avail-

Eastern Band of Cherokee Indians.

Granting to, of interest in designated lands, authorized.

Payment by transfer of funds.

Availability of  
transferred  
funds.

Inclusion of ac-  
quired lands in  
reservation.

able under section 3 hereof, to the credit of the fund "National Park Service, donations", which transfer the Secretary of the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians under authority contained in this Act shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band and shall be nontaxable, nonalienable to the same extent as other lands within said reservation.

## 2. Natchez Trace Parkway

Survey authorized with a view of constructing the "Natchez Trace Parkway".....	Act of May 21, 1934	189
Administration and maintenance of the parkway by the National Park Service.....	Act of May 18, 1938	190
Authorizing acceptance of title to lands conveyed to United States for parkway.....	Excerpt from Act of June 8, 1940	191
Modification of restrictions upon use of parkway lands in French Camp, Miss.....	Act of January 7, 1941	191

**An Act To provide for an appropriation of \$50,000 with which to make a survey of the Old Indian Trail known as the "Natchez Trace", with a view of constructing a national road on this route to be known as the "Natchez Trace Parkway", approved May 21, 1934 (48 Stat. 791)**

Whereas the Natchez Trace was one of the most ancient and important Indian roads leading from the territory in the section of Tennessee about Nashville in a southwest course, crossing the Tennessee River at Colbert Shoals a few miles below Muscle Shoals, thence passing in a southwest course through the Chickasaw and Choctaw Indian lands in what is now Mississippi, in an almost direct course by Jackson, Mississippi, to Natchez; and

Natchez Trace  
Parkway.  
Preamble.

Whereas the Natchez Trace is located throughout almost its entire length on highlands between watersheds on the most suitable route over which to establish the national parkway through a section of the country greatly in need of such road facilities from a national standpoint to connect the North and East directly with the Natchez, New Orleans, and southwest section of the country; and

Whereas the Natchez Trace was made famous for the service it rendered in affording General Jackson a route over which much of his forces moved to take part in Jackson's famous victory over the British at New Orleans, and also by reason of the fact that General Jackson returned with his army over this Trace to Nashville after the Battle of New Orleans; and

Whereas the Natchez Trace is known as one of the Nation's most famous old roads, and has been marked by handsome boulders with suitable inscriptions by the Daughters of the American Revolution at great expense, these boulders being placed every few miles from one end of the Trace to the other; and

Whereas unusual interest is being manifested in the building of a national parkway by the Government, Natchez Trace organizations having been perfected in almost every county through which the Trace passes; and

Whereas the Government has recently adopted a policy and set up a division in the Department of the Interior, known as the "National Park Service" to engage in a national way in laying out parks, reservations, and building parkways: Therefore

Appropriation  
authorized for  
surveying.

Cost of con-  
struction to be  
estimated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That there is hereby authorized to be appropriated out of the Treasury of the United States, a sum not exceeding \$50,000 to be used by the Department of the Interior through the National Park Service with which to make a survey of the Old Natchez Trace throughout its entire length leading from the section of Tennessee about Nashville to Natchez, Mississippi, the same to be known as the "Natchez Trace Parkway." The said survey shall locate the Natchez Trace as near as practicable in its original route. An estimate of cost of construction of an appropriate national parkway over this route, and such other data as will be valuable shall be obtained by said survey with the objective of determining matters concerning the construction of the Natchez Trace Parkway.

**An Act To provide for the administration and maintenance of the Natchez Trace Parkway, in the States of Mississippi, Alabama, and Tennessee, by the Secretary of the Interior, and for other purposes, approved May 18, 1938 (52 Stat. 407)**

Natchez Trace  
Parkway, Miss.,  
Ala., and Tenn.

Administration  
and maintenance  
of right-of-way,  
etc.

Sites for recrea-  
tional areas.

Right-of-way  
width.

Name.

16 U.S.C. sec.  
1-4.

*Provisos.*

Connection of  
roads and trails  
with parkway.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all lands and easements heretofore and hereafter conveyed to the United States by the States of Mississippi, Alabama, and Tennessee for the right-of-way for the projected parkway between Natchez, Mississippi, and Nashville, Tennessee, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of two hundred feet through Government-owned lands (except that where small parcels of Government-owned lands would otherwise be isolated, or where topographic conditions or scenic requirements are such that bridges, ditches, cuts, fills, parking overlooks, and landscape development could not reasonably be confined to a width of two hundred feet, the said maximum may be increased to such width as may be necessary, with the written approval of the department or agency having jurisdiction over such lands) as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Natchez Trace Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to 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", the provisions of which Act, as amended and supplemented, are hereby extended over and made applicable to said parkway: *Provided*, That the Secretary of Agriculture is hereby authorized, with the concurrence of the Secretary of the Interior, to connect with said parkway such

roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: *And provided further*, That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational developments as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions, which, by mutual agreement, should be given special treatment for recreational purposes. (16 U.S.C. sec. 460.)

Coordination of recreational developments with Forest Service.

SEC. 2. In the administration of the Natchez Trace Parkway, the Secretary of the Interior may issue revocable licenses or permits for rights-of-way over, across, and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands, for such purposes and under such nondiscriminatory terms, regulations, and conditions as he may determine to be not inconsistent with the use of such lands for parkway purposes. (16 U.S.C. sec. 460a.)

Revocable licenses of permits for rights-of-way, etc.

**Excerpt from "An Act To amend the Act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes," approved June 8, 1940 (54 Stat. 250)**

SEC. 3. The Secretary of the Interior is hereby authorized, in his discretion, to approve and accept, on behalf of the United States, title to any lands and interests in land heretofore or hereafter conveyed to the United States for the purposes of the Blue Ridge or the Natchez Trace Parkways, or for recreational areas in connection therewith. (16 U.S.C. sec. 460a-1.)

Acceptance by U. S. of lands, etc., for Blue Ridge or Natchez Trace Parkways.

**An Act To permit the relinquishment or modification of certain restrictions upon the use of lands along the Natchez Trace Parkway in the village of French Camp, Mississippi, approved January 7, 1941 (54 Stat. 1227)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior, in his discretion, is hereby authorized to relinquish or modify certain restrictions upon the use of privately owned lands in the village of French Camp along the Natchez Trace Parkway, which restrictions have been imposed thereon by the scenic easement deed dated May 19, 1938, which is recorded in book 24, pages 333-336, of the Record of Deeds in the office of the clerk of the chancery court of Choctaw County, Mississippi, said lands being situated in section 31, township 17 north, range 9 east, Choctaw County, Mississippi.

Natchez Trace Parkway.

Use of privately owned lands in village of French Camp.

SEC. 2. The Secretary of the Interior is authorized to execute such instruments of conveyance as may be necessary for the purposes of this Act. The cost of recording such instrument shall be paid out of any funds available for the Natchez Trace Parkway. (16 U.S.C. sec. 460 note.)

Execution of instruments of conveyance. Cost of recording.

### 3. The Oglethorpe National Trail and Parkway project

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Survey authorized with a view of constructing "The Oglethorpe National Trail and Parkway".....	192
Act of June 16, 1938	

**An Act To authorize a survey of the old Indian trail and the highway known as "Oglethorpe Trail" with a view of constructing a national roadway on this route to be known as "The Oglethorpe National Trail and Parkway", approved June 16, 1938 (52 Stat. 752)**

Oglethorpe National Trail and Parkway.

Preamble.

Whereas the ancient Indian trail, extending from Savannah, the scene of the English colonization of Georgia, northwestwardly along the route of the Savannah River in the direction of the city of Augusta, and thence in a northwesterly direction, furnished a trail along which passed the great Indian migrations and also furnished a means of communication between the Indian tribes traveling from the Middle West and North to the Southeast; and

Whereas General Oglethorpe, in establishing a thoroughfare from Savannah to Augusta (upon returning, in September 1739, from his famous treaty conference with the Creek Nation, which was held at Coweta), followed this ancient Indian trail—this thoroughfare having been used thereafter by the colonists of Georgia in establishing their trading posts and outposts along the banks of the Savannah River into the great heart of the southeastern territory of the United States; and

Whereas this thoroughfare from Savannah to Augusta was designated in 1780 as a British military road; and

Whereas for nearly three-quarters of a century this thoroughfare was used as a stage road, President George Washington having traveled this road during his southern tour in 1791 in going from Savannah to Augusta; and

Whereas many important and historic sites are located on or near this road, including (ascending from Savannah) Old Yamacraw; the Hermitage Plantation; New Yamacraw; the Indian Mound Irene (site of John Wesley's Mission); Mrs. Musgroves Cowpen; Joseph's Town; Mulberry Grove (Nathanael Greene's plantation and site of invention of the cotton gin by Eli Whitney); the town of Abercorn; Dacre's Tavern; New Ebenezer; Old Ebenezer (site of the Salzburger settlement in 1734); the Palachocolas river crossing; Mount Pleasant (site of the trading post and fort); Hudson's Ferry; Uchee Town; Brier Creek Battlefield (site of important Revolutionary War battle); Burton's Ferry; Telfare's Saw Mill; Telfare's Plantation; Stony Bluff (site of prehistoric Indian stone implement factory); Gorham's Ferry; Shell Bluff (site of deposits of gigantic fossilized oysters five inches wide by twenty-four inches long); and

Whereas not only is the area traversed rich in historic and prehistoric sites but it contains tremendous scenic value, passing through deep, junglelike river swamps which abound in game; over small blackwater creeks well stocked with bass, perch, and bream; across flat pine barren lands and rolling hills, and along commanding bluffs on the banks of the Savannah River; and in the springtime when dogwood, laurel, and magnolias are in bloom the area becomes a veritable garden; and

Whereas the entire Indian trail and the original thoroughfare from Savannah to Augusta lends itself particularly well to treatment as a national historic parkway (aside from its own significance it appears entirely feasible and desirable to link this proposed parkway to other national parkways, now under construction, by developing the Cherokee Indian trail from Augusta over the mountains to Tennessee); and

Whereas the cities and counties located in the area through which this roadway passes are interested in the building of this national parkway—numerous organizations, associations, and private citizens having already sponsored many projects to mark various of the historic sites along the roadway; and

Whereas the Government has recently adopted a policy and set up a division in the Department of the Interior known as the "National Park Service" to engage in a national way in laying out parks, reservations, and building parkways: Therefore

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to use a sum not in excess of \$10,000 of the regular roads and trails or parkway appropriations available to the National Park Service, with which to make a survey of the old Indian and Oglethorpe Trail throughout its entire length leading from the city of Savannah to the city of Augusta, Georgia, the same to be known as "The Oglethorpe National Trail and Parkway." The said survey shall locate the parkway as nearly as practicable in its original route. An estimate of cost of construction of an appropriate national parkway on this route, and such other data as would be valuable, shall be obtained by said survey, with the objective of determining matters concerning the construction of the parkway.

Use of funds  
authorized for  
survey of old  
Indian and Ogle-  
thorpe Trail.

Location of  
parkway.

## XII. LEGISLATION RELATING TO NATIONAL RECREATIONAL AREA

### 1. Cape Hatteras National Seashore Recreational Area project

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Establishment of "Cape Hatteras National Seashore" authorized.....	195
Amend Act of August 17, 1937, so as to redesignate area as the Cape Hatteras National Seashore Recreational Area, hunting to be permitted within a portion of the area.....	197

**An Act To provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes, approved August 17, 1937 (50 Stat. 669) <sup>1</sup>**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That when title to all the lands except those within the limits of established villages, within boundaries to be designated by the Secretary of the Interior within the area of approximately one hundred square miles on the islands of Chicamacomico, Ocracoke, Bodie, Roanoke, and Collington, and the waters and the lands beneath the waters adjacent thereto shall have been vested in the United States, said area shall be, and is hereby, established, dedicated, and set apart as a national seashore for the benefit and enjoyment of the people and shall be known as the Cape Hatteras National Seashore: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation. (16 U.S.C. sec. 459.)

Cape Hatteras  
National Sea-  
shore, N. C.

Establishment;  
area, location,  
etc.

*Proviso.*

Donations of  
lands.

Acceptance of  
donations, etc.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national seashore as determined and fixed hereunder and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States under any donated funds by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national seashore as may be necessary for the completion thereof. (16 U.S.C. sec. 459a.)

*Proviso.*

Acquisition of  
land.

25 Stat. 357.  
40 U.S.C. sec.  
257.

SEC. 3. The administration, protection, and development of the aforesaid national seashore shall be exercised under the direction of the Secretary of the Interior by the National

Administration,  
etc., by National  
Park Service.

<sup>1</sup> Amended by Act of June 29, 1940 (54 Stat. 702), p. 197.

16 U.S.C. sec. 1.

*Provisos.*

Jurisdiction of  
other agencies  
not divested.

Federal Water  
Power Act not  
applicable.

41 Stat. 1063.  
16 U.S.C. sec.  
791.

Rights of village  
residents.

Permanent res-  
ervation as a  
wilderness.

*Proviso.*

Minimum area.

Reversionary  
provision.

Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided*, That except as hereinafter provided nothing herein shall be construed to divest the jurisdiction of other agencies of the Government now exercised over Federal-owned lands within the area of the said Cape Hatteras National Seashore: *Provided further*, That the provisions of the Act of June 10, 1920, known as the "Federal Water Power Act", shall not apply to this national seashore: *And provided further*, That the legal residents of villages referred to in section 1 of this Act shall have the right to earn a livelihood by fishing within the boundaries to be designated by the Secretary of the Interior, subject to such rules and regulations as the said Secretary may deem necessary in order to protect the area for recreational use as provided for in this Act. (16 U.S.C. sec. 459a-1.)

SEC. 4. Except for certain portions of the area, deemed to be especially adaptable for recreational uses, particularly swimming, boating, sailing, fishing, and other recreational activities of similar nature, which shall be developed for such uses as needed, the said area shall be permanently reserved as a primitive wilderness and no development of the project or plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing in this area: *Provided*, That the Secretary of the Interior may, in his discretion, accept for administration, protection, and development by the National Park Service a minimum of ten thousand acres within the area described in section 1 of this Act, including the existing Cape Hatteras State Park, and, in addition, any other portions of the area described in section 1 hereof if the State of North Carolina shall agree that if all the lands described in section 1 of this Act shall not have been conveyed to the United States within ten years from the passage of this Act, the establishment of the aforesaid national seashore may, in the discretion of the said Secretary, be abandoned, and that, in the event of such abandonment, the said State will accept a reconveyance of title to all lands conveyed by it to the United States for said national seashore. The lands donated to the United States for the purposes of this Act by parties other than said State shall revert in the event of the aforesaid abandonment to the donors, or their heirs, or other persons entitled thereto by law.

In the event of said abandonment, the Secretary of the Interior shall execute any suitable quitclaim deeds, or other writings entitled to record in the proper counties of North Carolina stating the fact of abandonment, whereupon title shall revert to those entitled thereto by law and no further conveyance or proof of reversion of title shall be required. (16 U.S.C. sec. 459a-2.)

SEC. 5. Notwithstanding any other provisions of this Act, lands and waters now or hereafter included in any migratory bird refuge under the jurisdiction of the Secretary of Agriculture, within the boundaries of the national seashore as designated by the Secretary of the Interior under section 1 hereof, shall continue as such refuge under the jurisdiction of the Secretary of Agriculture for the protection of migratory birds, but such lands and waters shall be a part of the aforesaid national seashore and shall be administered by the National Park Service for recreational uses not inconsistent with the purposes of such refuge under such rules and regulations as the Secretaries of the Interior and Agriculture may jointly approve. The proviso to section 1 of this Act shall not limit the power of the Secretary of Agriculture to acquire lands for any migratory bird refuge by purchase with any funds made available therefor by applicable law. (16 U.S.C. sec. 459a-3.)

Migratory bird  
refuge contin-  
ued.

Additions to  
refuges.

**An Act To amend the Act entitled "An Act to provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina and for other purposes," approved August 17, 1937 (50 Stat. 669), approved June 29, 1940 (54 Stat. 702)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the words "national seashore recreational area" are hereby substituted in lieu of the words "national seashore" wherever such words occur in the Act of August 17, 1937 (50 Stat. 669). (16 U.S.C. sec. 459, 459a, 459a-1, 459a-2, 459a-3.)

Cape Hatteras  
National Sea-  
shore, N. C.  
Redesignation  
of area.

SEC. 2. That section 3 of the aforesaid Act is hereby amended by striking out the period at the end thereof and the addition of the following: "*: And provided further, That hunting shall be permitted, under such rules and regulations as may be prescribed by the Secretary of the Interior in conformity with the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as follows: (a) Upon the waters of the sounds included within the national seashore recreational area, (b) in the area north of the Currituck County line, (c) on Ocracoke Island, and (d) within not more than two thousand acres of land in the remaining portion of said national seashore recreational area, as shall be designated by the Secretary of the Interior; except on lands and waters included in any existing or future wildlife or migratory bird refuge and adjacent closed waters.*" (16 U.S.C. sec. 459a-1.)

*Provisos.*

Hunting per-  
mitted in des-  
ignated areas.

16 U.S.C. secs.  
703-711.

### XIII. LEGISLATION RELATING TO NATIONAL CEMETERY

#### 1. Custer Battlefield National Cemetery<sup>1</sup>

Museum authorized to be erected.....	Act of August 10, 1939	Page 199
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An Act To provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Montana, approved August 10, 1939 (53 Stat. 1337)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized and directed (1) to select a site within the Custer Battlefield National Cemetery, Montana; (2) to erect and maintain thereon, as a memorial to Lieutenant Colonel George A. Custer and the officers and soldiers under his command at the Battle of Little Big Horn River, June 25, 1876, a public museum suitable for housing a collection of historical relics; (3) to accept on behalf of the United States for exhibit in such museum the collection of relics now a part of the estate of Mrs. George A. Custer, deceased, the wife of such Lieutenant Colonel George A. Custer; and (4), in his discretion, to accept such other historical relics as he may deem appropriate for exhibit therein.

Custer Battlefield National Cemetery, Mont.  
Erection, etc., of public museum within, authorized.

Acceptance for exhibit of historical relics.

SEC. 2. The Secretary of War is authorized and directed, notwithstanding any provision of law to the contrary, to do all things necessary to carry out the provisions of this Act, by contract or otherwise, with or without advertising, under such conditions as he may prescribe, including the engagement by contract of services of such architects, sculptors, artists, or firms, and such other technical and professional personnel as he may deem necessary, without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States.

Administrative duties.

Engagement of technical services.

SEC. 3. There is hereby authorized to be appropriated the sum of \$25,000, or so much thereof as may be necessary to carry out the provisions of this Act.

Appropriation authorized.

<sup>1</sup> Transferred from War Department to National Park Service by Executive Order No. 8428 of June 3, 1940 (5 Fed. Reg. 2131; 3 CFR, CUM.SUPP., 664; 5 U.S.C. secs. 124-132).

## XIV. LEGISLATION RELATING TO MISCELLANEOUS AREAS

### 1. Belvoir Military Reservation

	Page
Portion of Lord Fairfax estate within the military reservation au- thorized to be transferred to the Department of the Interior.....	
.....Act of August 29, 1935	201

**An Act To authorize the transfer of a certain military reserva-  
tion to the Department of the Interior, approved August  
29, 1935 (49 Stat. 967)**

*Be it enacted by the Senate and House of Representatives  
of the United States of America in Congress assembled,*  
That the Secretary of War be, and he is hereby, authorized  
to transfer to the Department of the Interior the mansion  
site and such portions of the grounds of Belvoir, part of the  
estate of Lord Fairfax, located within the Belvoir Military  
Reservation, Virginia, as may be necessary for the restora-  
tion and operation of the historic home and grounds for the  
benefit and inspiration of the people: *Provided*, That upon  
cessation of such use the premises so transferred shall re-  
vert to the jurisdiction of the War Department: *Provided*,  
*however*, That nothing in this Act shall be construed as  
authorizing the transfer of any part of the said reservation  
which, in the judgment of the Secretary of War, is needed  
for the proper development, control, or use of the reserva-  
tion for military purposes: *Provided further*, That upon  
cessation of such use the premises so transferred shall  
revert to the jurisdiction of the War Department: *And pro-  
vided further*, That the transfer authorized by this Act shall  
not require discontinuance of the operation of the Fort  
Belvoir Fish Cultural Station, however, its removal and  
establishment elsewhere on the Belvoir Military Reserva-  
tion, Virginia, as may be agreed upon by the Secretary of  
Commerce and the Secretary of War, is hereby authorized.

Belvoir Military  
Reservation, Va.  
Transfer of part  
of Lord Fairfax  
estate author-  
ized.

*Providos.*

Reverter pro-  
vision.

Restriction.

Reverter  
provision.

Fish cultural  
station.

## 2. Chopawamsic Recreational Demonstration Project

	Page
Administration as part of the park system of the National Capital and its environs.....	Act of August 13, 1940 202

**An Act To provide for the operation of the recreational facilities within the Chopawamsic recreational demonstration project, near Dumfries, Virginia, by the Secretary of the Interior through the National Park Service, and for other purposes, approved August 13, 1940 (54 Stat. 785)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That hereafter the lands comprising the Chopawamsic recreational demonstration project transferred to the Secretary of the Interior by Executive Order Numbered 7496, dated November 14, 1936, shall be administered by the Secretary of the Interior through the National Park Service as part of the park system of the National Capital and its environs.

Chopawamsic recreational demonstration project.

Administration through National Park Service.

Fees.

SEC. 2. The Director of the National Park Service, under the direction of the Secretary of the Interior, is authorized—

(a). To prescribe and collect fees and charges for such recreational and other facilities, conveniences, and services as may be furnished by the National Park Service for the accommodation of the public within the said area.

Contracts for operation of facilities, etc.

(b) To enter into a contract or contracts with any reliable person, organization, or corporation, without advertising and without securing competitive bids for the operation or performance of any such recreational or other facilities, conveniences, and services within the said area.

Revenues.

All revenues collected by the National Park Service, pursuant to the authority of this section, shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

Powers and duties of Director, National Park Service.

SEC. 3. The director of the National Park Service, under the direction of the Secretary of the Interior, is authorized to exercise and perform with respect to the said area all the powers and duties that are conferred and imposed upon him by law in relation to the construction, maintenance, care, custody, policing, upkeep, and repair of the public buildings and parks in the District of Columbia.

## APPENDIX

1. Reorganization of Government, excerpts from Executive Order No. 6166 of June 10, 1933 (5 U.S.C. secs. 124-132).

# Executive Order

## ORGANIZATION OF EXECUTIVE AGENCIES

WHEREAS section 16 of the act of March 3, 1933 (Public, No. 428, 47 Stat. 1517), provides for reorganizations within the executive branch of the Government; requires the President to investigate and determine what reorganizations are necessary to effectuate the purposes of the statute; and authorizes the President to make such reorganizations by Executive order; and

WHEREAS I have investigated the organization of all executive and administrative agencies of the Government and have determined that certain regroupings, consolidations, transfers, and abolitions of executive agencies and functions thereof are necessary to accomplish the purposes of section 16;

NOW, THEREFORE, by virtue of the aforesaid authority, I do hereby order that:

\* \* \* \* \*

### SECTION 2.—*National Parks, Buildings, and Reservations*

All functions of administration of public buildings, reservations, national parks, national monuments, and national cemeteries are consolidated in an Office of National Parks, Buildings, and Reservations<sup>1</sup> in the Department of the Interior, at the head of which shall be a Director of National Parks, Buildings, and Reservations; except that where deemed desirable there may be excluded from this provision any public building or reservation which is chiefly employed as a facility in the work of a particular agency. This transfer and consolidation of functions shall include, among others, those of the National Park Service of the Department of the Interior and the National Cemeteries and Parks of the War Department which are located within the continental limits of the United States. National cemeteries located in foreign countries shall be transferred to the Department of State, and those located in insular possessions under the jurisdiction of the War Department shall be administered by the Bureau of Insular Affairs of the War Department.

The functions of the following agencies are transferred to the Office of National Parks, Buildings, and Reservations of the Department of the Interior, and the agencies are abolished:

Arlington Memorial Bridge Commission  
Public Buildings Commission  
Public Buildings and Public Parks of the National Capital  
National Memorial Commission  
Rock Creek and Potomac Parkway Commission

<sup>1</sup> "National Park Service" was substituted for "Office of National Parks, Buildings, and Reservations" by Act of March 2, 1934 (48 Stat. 389), see excerpt, page 13.

Expenditures by the Federal Government for the purposes of the Commission of Fine Arts, the George Rogers Clark Sesquicentennial Commission, and the Rushmore National Commission shall be administered by the Department of the Interior.

\* \* \* \* \*

#### SECTION 19.—*General Provisions*

Each agency, all the functions of which are transferred to or consolidated with another agency, is abolished.

The records pertaining to an abolished agency or a function disposed of, disposition of which is not elsewhere herein provided for, shall be transferred to the successor. If there be no successor agency, and such abolished agency be within a department, said records shall be disposed of as the head of such department may direct.

The property, facilities, equipment, and supplies employed in the work of an abolished agency or the exercise of a function disposed of, disposition of which is not elsewhere herein provided for, shall, to the extent required, be transferred to the successor agency. Other such property, facilities, equipment, and supplies shall be transferred to the Procurement Division.

All personnel employed in connection with the work of an abolished agency or function disposed of shall be separated from the service of the United States, except that the head of any successor agency, subject to my approval, may, within a period of four months after transfer or consolidation, reappoint any of such personnel required for the work of the successor agency without reexamination or loss of civil-service status.

#### SECTION 20.—*Appropriations*

Such portions of the unexpended balances of appropriations for any abolished agency or function disposed of shall be transferred to the successor agency as the Director of the Budget shall deem necessary.

Unexpended balances of appropriations for an abolished agency or function disposed of, not so transferred by the Director of the Budget, shall, in accordance with law, be impounded and returned to the Treasury.

#### SECTION 21.—*Definitions*

As used in this order—

“Agency” means any commission, independent establishment, board, bureau, division, service, or office in the executive branch of the Government.

“Abolished agency” means any agency which is abolished, transferred, or consolidated.

“Successor agency” means any agency to which is transferred some other agency or function, or which results from the consolidation of other agencies or functions.

“Function disposed of” means any function eliminated or transferred.

#### SECTION 22.—*Effective Date*

In accordance with law, this order shall become effective 61 days from its date; *Provided*, That in case it shall appear to the President that the interests of economy require that any transfer, consolidation, or elimination be delayed beyond the date this order becomes effective, he may, in

his discretion, fix a later date therefor, and he may for like cause further defer such date from time to time.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,  
*June 10, 1933.*

[No. 6166]

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2. Reorganization of Government, Executive Order No. 6228 of July 28, 1933, to make more explicit and to interpret Section 2 of Executive Order No. 6166 of June 10, 1933 (5 U.S.C. secs. 124-132)

## Executive Order

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### ORGANIZATION OF EXECUTIVE AGENCIES

WHEREAS executive order No. 6166 dated June 10, 1933, issued pursuant to the authority of Section 16 of the Act of March 3, 1933 (Public No. 428—47 Stat. 1517) provides in Section 2 as follows:

“All functions of administration of public buildings, reservations, national parks, national monuments, and national cemeteries are consolidated in an office of National Parks, Buildings, and Reservations in the Department of the Interior, at the head of which shall be a Director of National Parks, Buildings, and Reservations; except that where deemed desirable there may be excluded from this provision any public building or reservation which is chiefly employed as a facility in the work of a particular agency. This transfer and consolidation of functions shall include, among others, those of the National Park Service of the Department of the Interior and the National Cemeteries and Parks of the War Department which are located within the continental limits of the United States. National Cemeteries located in foreign countries shall be transferred to the Department of State, and those located in insular possessions under the jurisdiction of the War Department shall be administered by the Bureau of Insular Affairs of the War Department.”

and;

WHEREAS to facilitate and expedite the transfer and consolidation of certain units and agencies contemplated thereby, it is desirable to make more explicit said Section 2 of the aforesaid executive order of June 10, 1933, insofar as the same relates to the transfer of agencies now administered by the War Department:

NOW, THEREFORE, said executive order No. 6166, dated June 10, 1933, is hereby interpreted as follows:

1. The cemeteries and parks of the War Department transferred to the Interior Department are as follows:

## NATIONAL MILITARY PARKS

Chickamauga and Chattanooga National Military Park, Georgia and Tennessee.  
Fort Donelson National Military Park, Tennessee.  
Fredericksburg and Spotsylvania County Battle Fields Memorial, Virginia.  
Gettysburg National Military Park, Pennsylvania.  
Guilford Courthouse National Military Park, North Carolina.  
Kings Mountain National Military Park, South Carolina.  
Moore's Creek National Military Park, North Carolina.  
Petersburg National Military Park, Virginia.  
Shiloh National Military Park, Tennessee.  
Stones River National Military Park, Tennessee.  
Vicksburg National Military Park, Mississippi.

## NATIONAL PARKS

Abraham Lincoln National Park, Kentucky.  
Fort McHenry National Park, Maryland.

## BATTLEFIELD SITES

Antietam Battlefield, Maryland.  
Appomattox, Virginia.  
Brices Cross Roads, Mississippi.  
Chalmette Monument and Grounds, Louisiana.  
Cowpens, South Carolina.  
Fort Necessity, Wharton County,<sup>2</sup> Pennsylvania.  
Kenesaw Mountain, Georgia.  
Monocacy, Maryland.  
Tupelo, Mississippi.  
White Plains, New York.

## NATIONAL MONUMENTS

Big Hole Battlefield, Beaverhead County, Montana.  
Cabrillo Monument, Ft. Rosecrans, California.  
Castle Pinckney, Charleston, South Carolina.  
Father Millet Cross, Fort Niagara, New York.  
Fort Marion, St. Augustine, Florida.  
Fort Matanzas, Florida.  
Fort Pulaski, Georgia.  
Meriwether Lewis, Hardin County, Tennessee.  
Mound City Group, Chillicothe, Ohio.  
Statue of Liberty, Fort Wood, New York.

## MISCELLANEOUS MEMORIALS

Camp Blount Tablets, Lincoln County, Tennessee.  
Kill Devil Hill Monument, Kitty Hawk, North Carolina.  
New Echota Marker, Georgia.  
Lee Mansion, Arlington National Cemetery, Virginia.

<sup>2</sup> Wharton Township, Fayette County.

## NATIONAL CEMETERIES

Battleground, District of Columbia.  
Antietam, (Sharpsburg) Maryland.  
Vicksburg, Mississippi.  
Gettysburg, Pennsylvania.  
Chattanooga, Tennessee.  
Fort Donelson, (Dover) Tennessee.  
Shiloh, (Pittsburg Landing) Tennessee.  
Stones River, (Murfreesboro) Tennessee.  
Fredericksburg, Virginia.  
Poplar Grove, (Petersburg) Virginia.  
Yorktown, Virginia.

2. Pursuant to Section 22 of said executive order it is hereby ordered that the transfer from the War Department of national cemeteries other than those named above be, and the same is hereby postponed until further order.

3. Also pursuant to Section 22 of said executive order it is hereby ordered that the transfer of national cemeteries located in foreign countries from the War Department to the Department of State and the transfer of those located in insular possessions under the jurisdiction of the War Department to the Bureau of Insular Affairs of said Department be, and the same are hereby postponed until further order.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,  
*July 28, 1933.*

[No. 6228]

