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An Act To set apart a certain tract of land lying near the headwaters of the Yellowstone River as a public park, approved March 1, 1872 (17 Stat. 32)

Public park established near headwaters of Yellowstone River.

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 Territories of Montana and Wyoming, lying near the head-waters of the Yellowstone River, and described as follows, to wit, commencing at the junction of Gardiner's river with the Yellowstone river, and running east to the meridian passing ten miles to the eastward of the most eastern point of Yellowstone lake; thence south along said meridian to the parallel of latitude passing ten miles south of the most southern point of Yellowstone lake; thence west along said parallel to the meridian passing fifteen miles west of the most western point of Madison lake; thence north along said meridian to the latitude of the junction of the Yellowstone and Gardiner's rivers; thence east to the place of beginning, is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart as a public park or pleasuring-ground for the benefit and enjoyment of the people; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom. (U.S.C., title 16, sec. 21.)

Boundaries. (R.S., sec. 2474.)

(Amended by 45 Stat. 1435, see p. 43; and 46 Stat. 220, see p. 45.)

Certain persons locating, etc., thereon, to be trespassers.

Secretary of Interior to have control of park; to make rules for its care.

(Supplemented by 39 Stat. 535, as amended. See p. 9.)

(R.S., sec. 2475.)

May grant certain leases and expend proceeds thereof.

Amended by 39 Stat. 535, as amended. See p. 9.)

SEC. 2. That said public park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation, from injury or spoliation, of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition. The Secretary may in his discretion, grant leases for building purposes for terms not exceeding ten years, of small parcels of ground, at such places in said park as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases, and all other revenues that may be

derived from any source connected with said park, to be expended under his direction in the management of the same, and the construction of roads and bridle-paths therein. He shall provide against the wanton destruction of the fish and game found within said park, and against their capture or destruction for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and generally shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act. (U.S.C., title 16, sec. 22.)

Shall prevent wanton destruction of fish and game and remove trespassers.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes," approved March 3, 1883 (22 Stat. 626)

Yellowstone National Park.

For the protection and improvement of the Yellowstone National Park: For every purpose and object necessary for the protection, preservation, and improvement of the Yellowstone National Park, including compensation of superintendent and employees, forty thousand dollars, two thousand dollars of said amount to be paid annually to a superintendent of said park and not exceeding nine hundred dollars annually to each of ten assistants, all of whom shall be appointed by the Secretary of the Interior, and reside continuously in the park and whose duty it shall be to protect the game, timber, and objects of interest therein; the balance of the sum appropriated to be expended in the construction and improvement of suitable roads and bridges within said park, under the supervision and direction of an engineer officer detailed by the Secretary of War for that purpose.

Lease of grounds; conditions. (Repealed by 28 Stat. 222. See p. 84.)

The Secretary of the Interior may lease small portions of ground in the park, not exceeding ten acres in extent for each tract, on which may be erected hotels and the necessary outbuildings, and for a period not exceeding ten years; but such lease shall not include any of the geysers or other objects of curiosity or interest in said park, or exclude the public from the free and convenient approach thereto; or include any ground within one quarter of a mile of any of the geysers, or the Yellowstone Falls, nor shall there be leased more than ten acres to any one person or corporation; nor shall any hotel or other buildings be erected within the park until such lease shall be executed by the Secretary of the Interior, and all contracts, agreements, or exclusive privileges heretofore made or given in regard to said park or any part thereof, are hereby declared to be invalid; nor shall the Secretary of the Interior, in any lease which he may make and execute, grant any exclusive privileges within said park, except upon the ground leased.

Detail of troops, etc., for protection of park.

The Secretary of War, upon the request of the Secretary of the Interior, is hereby authorized and directed to

make the necessary details of troops to prevent trespassers or intruders from entering the park for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law, and to remove such persons from the park if found therein. (U.S.C., title 16, sec. 23.)

Excerpt from "An Act To provide for the admission of the State of Wyoming into the Union, and for other purposes," approved July 10, 1890 (26 Stat. 222)[3]

Limitations as to Yellowstone National Park, etc. ownership, etc., reserved.

Nothing in this act contained shall repeal or affect any act of Congress relating to the Yellowstone National Park, or the reservation of the Park as now defined, or as may be hereafter defined or extended, or the power of the United States over it; and nothing contained in this act shall interfere with the right and ownership of the United States in said park and reservation as it now is or may hereafter be defined or extended by law; but exclusive legislation, in all cases whatsoever, shall be exercised by the United States, which shall have exclusive control and jurisdiction over the same; but nothing in this proviso contained shall be construed to prevent the service within said park of civil and criminal process lawfully issued by the authority of said State.

Legislation.

Jurisdiction. Lawful State process may be served.

Act of Legislature of Idaho, approved February 7, 1891, ceding to the United States exclusive jurisdiction over all lands within the State of Idaho as may be included within the Yellowstone National Park. (Session Laws of Idaho, 1890–91, p. 40)

Be it enacted by the Legislature of the State of Idaho, That pursuant to article one, section eight, paragraph seventeen, of the Constitution of the United States, consent to purchase is hereby given and exclusive jurisdiction ceded to the United States over and with respect to all lands embraced within the military posts and reservations of Fort Sherman and Boise Barracks, together with such other lands in the State as may be now or hereafter acquired and held by the United States for military purposes, either as additions to the said posts or as new military posts or reservations which may be established for the common defense; and, also, all such lands within the State as may be included in the territory of the Yellowstone National Park, reserving, however, to this State a concurrent jurisdiction for the execution, upon said lands, or in the buildings erected thereon, of all process, civil or criminal, lawfully issued by the courts of the State and not incompatible with this cession.

SEC. 2. This act shall take effect from and after its passage, an emergency existing therefor.

[3] Amended by 28 Stat. 73 (see p. 30), and 43 Stat. 388 (see p. 42).

Act of Legislature of Montana, approved February 14, 1891, ceding to the United States exclusive jurisdiction over all lands which are or which may be embraced within the Yellowstone National Park, etc. (Laws of Montana, 1891, p. 262)

Be it enacted by the Legislative Assembly of the State of Montana, That pursuant to article I, section 8, paragraph 17, of the Constitution of the United States, consent to purchase is hereby given and exclusive jurisdiction ceded to the United States over and with respect to all lands within the State which are or may be embraced within the Yellowstone National Park, together with all such lands as are now or may hereafter be occupied and held by the United States for military purposes either as additions to the military posts over which jurisdiction is ceded by the constitution of Montana, or as new or other posts or reservations established within the State for the common defense, reserving, however, to this State a concurrent jurisdiction for the execution upon said lands or in the buildings erected thereon of all process, civil or criminal, lawfully issued by the courts of the State and not incompatible with this cession.

SEC. 2. This act shall take effect from and after its passage.

Act of the Legislature of Montana, approved March 3, 1917, ceding to the United States exclusive jurisdiction over that part of the Yellowstone National Park in the State of Montana, and for other purposes. (Revised Code of Montana, vol. I, 1921, p. 232)

Be it enacted by the Legislative Assembly of the State of Montana, That exclusive jurisdiction shall be, and the same is hereby, ceded to the United States over all that part of the territory situate in the State of Montana now embraced in the Yellowstone National Park, described as follows:

Beginning at the intersection of the east boundary of Yellowstone Park with the south boundary of Montana; thence north to the northeast corner of said Park; thence west along the north boundary of the Park to the northwest corner thereof; thence south along the west boundary of the Park to the boundary between Montana and Idaho; thence easterly along that boundary to the west boundary of Wyoming; thence north along the west boundary of Wyoming to the northwest corner thereof; thence east along the boundary between Wyoming and Montana to the east boundary of said Park, the place of beginning; containing an area of approximately 198 square miles, saving however, to the said State the right to serve civil or criminal process within the limits of the aforesaid described lands, as long as the lands herein described are used for a National Park and no other purposes, in suits or prosecutions for or on account of

rights acquired, obligations incurred, or crimes committed in said State, but outside the lands aforesaid, and saving further to the said State the right to tax persons and corporations, their franchises and property on said lands: *Provided, however*, That jurisdiction shall not vest until the United States, through the proper officer or officers, notifies the Governor of the State of Montana that they assume police or military jurisdiction over said lands.

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 3. This act shall be in force and effect from and after its passage and approval by the Governor.

An Act To protect the birds and animals in Yellowstone National Park, and to punish crimes in said park, and for other purposes, approved May 7, 1894 (28 Stat. 73)

Yellowstone National Park.

Sole jurisdiction of United States.

Proviso.

State process.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Yellowstone National Park, as its boundaries now are defined, or as they may be hereafter defined or extended, shall be under the sole and exclusive jurisdiction of the United States; and that all the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park: *Provided, however*, That nothing in this act shall be construed to forbid the service in the park of any civil or criminal process of any court having jurisdiction in the States of Idaho, Montana, and Wyoming. 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 Wyoming. (U.S.C., title 16, sec. 24.)

Jurisdiction of Wyoming judicial district. (Amended by 43 Stat. 388. See p. 42.)

SEC. 2. That said park, for all the purposes of this act, shall constitute a part of the United States judicial district of Wyoming, and the district and circuit courts of the United States in and for said district shall have jurisdiction of all offenses committed within said park.

Punishment of offenses under Wyoming laws.

SEC. 3. That if any offense shall be committed in said Yellowstone National Park, which offense is not prohibited or the punishment is not specially provided for by any law of the United States or by any regulation of the Secretary of the Interior, the offender shall be subject to the same punishment as the laws of the State of Wyoming in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of Wyoming shall affect any prosecution for said offense committed within said park. (U.S.C., title 16, sec. 25.)

SEC. 4. That all hunting, or the killing, wounding, or capturing at any time of any bird or wild animal, except dangerous animals, when it is necessary to prevent them from destroying human life or inflicting an injury, is

prohibited within the limits of said park; nor shall any fish be taken out of the waters of the park by means of seines, nets, traps, or by the use of drugs or any explosive substances or compounds, or in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such 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, or to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the park. Possession within the 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, or stage or express company or railway company, receiving for transportation any of the said animals, birds or fish so killed, taken or caught, shall be deemed guilty of a misdemeanor, and shall be fined for every such offense not exceeding three hundred dollars. Any person found guilty of violating any of the 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 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 the said park, shall be deemed guilty of a misdemeanor, and shall be subjected to a fine of not more than one thousand dollars or imprisonment not exceeding two years, or both, and be adjudged to pay all costs of the proceedings.

Prohibition of hunting, fishing, etc.

Fishing allowed. Regulations.

Evidence of violation.

Penalty for unlawful transportation, etc.

(Amended by 39 Stat. 238. See p. 33.)

That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or wild animals shall be forfeited to the United States, and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this act, and upon conviction under this act of such person or persons using said guns, traps, teams, horses, or other means of transportation such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this act. Such forfeited property

Forfeiture of guns, traps, etc.

shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (U.S.C., title 16, sec. 26.)

Commissioner. Appointment.

SEC. 5. That the United States circuit court in said district shall appoint a commissioner, who shall reside in the park, who shall have jurisdiction to hear and act upon all complaints made, of any and all violations of the 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 the violation of the rules and regulations, or with the violation of any provision of this act prescribed for the government of said park, and for the protection of the animals, birds, and fish in the said park, and to try the person so charged, and, if found guilty, to impose the punishment and 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 district of Wyoming, said appeal to be governed by the laws of the State of Wyoming providing for appeals in cases of misdemeanor from justices of the peace to the district court of said State; but the United States district court in said district may prescribe rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district court. Said commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission of any felony within the park, and to summarily hear the evidence introduced, and, if he shall determine 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 for confinement, within the jurisdiction of the United States district court in said State of Wyoming, and shall certify a transcript of the record of his proceedings and the testimony in the case to the said 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. All process issued by the commissioner shall be directed to the marshal of the United States for the district of Wyoming; but nothing herein contained shall be construed as preventing the arrest by any officer of the Government or employee of the United States in the park, without process, of any person taken in the act of violating the law or any regulation of the Secretary of the Interior: *Provided*, That

Duties.

Trials.

Appeals.

Process in felony cases.

Provisos.

Bail, etc.

Summary arrests.

the said commissioner shall only exercise such authority and powers as are conferred by this act. (U.S.C., title 16, sec. 27.) Limit of authority.

SEC. 6. That the marshal of the United States for the district of Wyoming may appoint one or more deputy marshals for said park, who shall reside in said park, and the said United States district and circuit courts shall hold one session of said courts annually at the town of Sheridan in the State of Wyoming, and may also hold other sessions at any other place in said State of Wyoming or in said National Park at such dates as the said courts may order. (U.S.C., title 16, sec. 28.) Deputy marshals. Terms of court.

SEC. 7. That the commissioner provided for in this act shall, in addition to the fees allowed by law to commissioners of the circuit courts of the United States, be paid an annual salary of one thousand dollars, payable quarterly, and the marshal of the United States and his deputies, and the attorney of the United States and his assistants in said district, shall be paid the same compensation and fees as are now provided by law for like services in said district. (U.S.C., title 16, sec. 29.) Fees, etc. (See vol. 31, p. 133; vol. 42, p. 1560; and vol. 43, p. 1028.)

SEC. 8. That all costs and expenses arising in cases under this act, and properly chargeable to the United States, shall be certified, approved, and paid as like costs and expenses in the courts of the United States are certified, approved, and paid under the laws of the United States. (U.S.C., title 16, sec. 31.) Costs, etc.

SEC. 9. That the Secretary of the Interior shall cause to be erected in the park a suitable building to be used as a jail, and also having in said building an office for the use of the commissioner, the cost of such building not to exceed five thousand dollars, to be paid out of any moneys in the Treasury not otherwise appropriated upon the certificate of the Secretary as a voucher therefor. (U.S.C., title 16, sec. 30.) Jail. Appropriation.

SEC. 10. That this act shall not be construed to repeal existing laws conferring upon the Secretary of the Interior and the Secretary of War certain powers with reference to the protection, improvement, and control of the said Yellowstone National Park. Existing laws.

An Act To amend "An act to protect the birds and animals in Yellowstone National Park, and to punish crimes in said park, and for other purposes," approved May seventh, eighteen hundred and ninety-four, approved June 28, 1916 (39 Stat. 238)[4]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following paragraph, forming part of section four of an Act entitled "An Act to protect the birds and animals in Yellowstone National Park, and to punish crimes in said park, and for other purposes," Yellowstone National Park.

[4] See 41 Stat. 732 (p. 11).

approved May seventh, eighteen hundred and ninety-four, to wit:

"Any person found guilty of violating any of the 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 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 the said park, shall be deemed guilty of a misdemeanor, and shall be subjected to a fine of not more than $1,000 or imprisonment not exceeding two years, or both, and be adjudged to pay all costs of the proceedings," be amended to read as follows:

Protection of property, etc., in. Vol. 28, p. 73. Amended. (See p. 30.)

Punishment for violations of law, etc. Former provision.

"Any person found guilty of violating any of the 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 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 the said park, shall be deemed guilty of a misdemeanor, and shall be subjected to a fine of not more than $500 or imprisonment not exceeding six months, or both, and be adjudged to pay all costs of the proceedings." (U.S.C., title 16, sec. 26.)

Punishment for violations of law, etc., in.

Penalty reduced.

An Act Concerning leases in the Yellowstone National Park, approved August 3, 1894 (28 Stat. 222)[5]

Yellowstone National Park.

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 empowered to lease to any person, corporation, or company, for a period not exceeding ten years, at such annual rental as the Secretary of the Interior may determine, parcels of land in the Yellowstone National Park, of not more than ten acres in extent for each tract and not in excess of twenty acres in all to any one person, corporation, or company, on which may be erected hotels and necessary outbuildings: *Provided*, That such lease or leases shall not include any of the geysers or other objects of curiosity or interest in said park, or exclude the public from free and convenient approach thereto or include any ground within one-eighth of a mile of any of the geysers or the Yellowstone Falls, the Grand Canyon, or the Yellowstone River, Mammoth Hot Springs, or any object of curiosity in the park: *And provided further*, That such leases shall not convey, either expressively or by implication, any exclusive privilege within the park except upon the premises held thereunder and for

Leases authorized.

(Amended by vol. 34, p. 207, and vol. 34, p. 1219. See pp. 35 and 36.)

Provisos.

Natural curiosities excluded.

Privileges granted.

[5] Amended by 39 Stat. 535, as amended (see pp. 9–12).

the time therein granted. Every lease hereafter made for any property in said park shall require the lessee to observe and obey each and every provision in any act of Congress, and every rule, order, or regulation made, or which may hereafter be made and published by the Secretary of the Interior concerning the use, care, management, or government of the park, or any object or property therein, under penalty of forfeiture of such lease, and every such lease shall be subject to the right of revocation and forfeiture, which shall therein be reserved by the Secretary of the Interior: *And provided further*, That persons or corporations now holding leases of ground in the park may, upon the surrender thereof, be granted new leases hereunder, and upon the terms and stipulations contained in their present leases, with such modifications, restrictions, and reservations as the Secretary of the Interior may prescribe.

New leases to present holders.

This act, however, is not to be construed as mandatory upon the Secretary of the Interior, but the authority herein given is to be exercised in his sound discretion. (U.S.C., title 16, sec. 32.)

Authority of Secretary of the Interior.

That so much of that portion of the act of March third, eighteen hundred and eighty-three, relating to the Yellowstone Park as conflicts with this act be, and the same is hereby, repealed.

Repeal. Vol. 22, p. 626. See p. 27.

An Act To amend an Act approved August 3, 1894, entitled "An Act Concerning leases in the Yellowstone National Park," approved June 4, 1906 (34 Stat. 207)

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 empowered to lease for a period not exceeding ten years, at an annual rental to be determined by him, to any person, corporation, or company he may authorize to transact business in the Yellowstone National Park separate tracts of land, not exceeding twenty acres each, at such places not to exceed ten in number to any one person, corporation, or company, in said park as the comfort and convenience of visitors may require, for the construction and maintenance of substantial hotel buildings and buildings for the protection of stage, stock, and equipment. (U.S.C., title 16, sec. 32.)

Yellowstone National Park. Leases of land for hotel purposes, etc., authorized. Vol. 28, p. 222, amended. See p. 34. (Amended also by 34 Stat. 1219. See. p. 36.)

Number limited.

Any person, corporation, or company holding a lease within said park for the purposes above described is hereby authorized, with the approval of the Secretary of the Interior, to execute mortgages upon his or its rights, properties, and franchises, including his or its contract or contracts with the Secretary of the Interior, and such mortgages, together with the approval of said Secretary of the Interior, may be filed for record in the office of the Secretary of the Interior, and when so recorded shall have all the effect of a public record.

Mortgages. (Amended by 39 Stat. 535, as amended. See pp. 9–12.)

Subject to leases.

Any mortgage, lien, or incumbrance created under the provisions hereof shall be subject to the rights of the Government to compel the enforcement of the terms of the lease or contract of the mortgagor, and any purchaser under a foreclosure of such incumbrance shall take subject to all the conditions assumed by the original lessee or contractor. (U.S.C., title 16, sec. 33.)

Existing law continued.

All provisions of existing law in relation to said park not in conflict herewith are hereby continued in full force and effect.

An Act To amend an act entitled "An act to amend an act approved August third, eighteen hundred and ninety-four, entitled 'An act concerning leases in the Yellowstone National Park,'" approved June fourth, nineteen hundred and six, approved March 2, 1907 (34 Stat. 1219)[6]

Yellowstone National Park. Leases of land for hotel purposes. Vol. 28, p. 222. See p. 34. Period extended. Vol. 34, p. 207, amended. See p. 35.

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 amend an act approved August third, eighteen hundred ninety-four, entitled 'An act concerning leases in the Yellowstone National Park,'" approved June fourth, nineteen hundred and six, be, and the same is hereby, so amended that the Secretary of the Interior shall be authorized and empowered to lease, according to the other terms of said amended act, for a period not exceeding twenty years. (U.S.C., title 16, sec. 32.)

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes," approved March 3, 1903 (32 Stat. 1130)

Yellowstone National Park. Use of electricity by private parties.

Private parties or companies doing business in the Yellowstone National Park under authority from the Government may be permitted, in the discretion of the Secretary of War, to use electricity furnished by the electric lighting and power plant of Fort Yellowstone and Mammoth Hot Springs at actual cost to the Government for operation, maintenance, and depreciation of the plant and ten per centum additional, under such regulations as may be prescribed by the Secretary of War. (U.S.C., title 16, sec. 35.)

Excerpt from "An Act To codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911 (36 Stat. 1094)

Yellowstone Park offenses in Wyoming district court. Vol. 28, p. 73. (See p. 30.)

SEC. 26. The district court for the district of Wyoming shall have jurisdiction of all felonies committed within the Yellowstone National Park and appellate jurisdiction of judgments in cases of conviction before the commissioner authorized to be appointed under section five of an Act entitled "An act to protect the birds and animals in Yellowstone National Park, and to punish crimes in said Park, and for other purposes," approved May seventh, eighteen hundred and ninety-four.

[6] See 45 Stat. 235, p. 11.

Excerpt from "An Act Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1913," approved August 10, 1912 (37 Stat. 293)

For the establishment of a winter game (elk) reserve in the State of Wyoming, which shall be located in that section of Wyoming lying south of the Yellowstone Park, and shall include not less than two thousand acres in township forty-one north, ranges one hundred and fifteen and one hundred and sixteen west, forty-five thousand dollars, to be available until expended, and the Secretary of Agriculture is hereby authorized to purchase said lands with improvements, to erect necessary buildings and inclosures, and to incur other expenses necessary for the maintenance of the reserve.

Elk reserve, Wyoming. Purchase of lands, etc., for establishing. (See 44 Stat. 1246, p. 40.)

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1924, and for other purposes," approved January 24, 1923 (42 Stat. 1214)[7]

The Secretary of the Interior is authorized, in his discretion and under regulations to be prescribed by him, to give surplus elk, buffalo, bear, beaver, and predatory animals inhabiting Yellowstone National Park to Federal, State, county, and municipal authorities for preserves, zoos, zoological gardens, and parks: *Provided*, That the said Secretary may sell or otherwise dispose of the surplus buffalo of the Yellowstone National Park herd, and all moneys received from the sale of any such surplus buffalo shall be deposited in the Treasury of the United States as miscellaneous receipts. (U.S.C., title 16, sec. 36.)

Surplus game animals. Gifts to Federal, State, etc., authorities authorized. *Proviso.* Sale of surplus buffalo.

An Act To make additions to the Absaroka and Gallatin National Forests, and the Yellowstone National Park, and to improve and extend the winter feed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent lands, and for other purposes, approved May 26, 1926 (44 Stat. 655)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as a means of providing within township 8 south, ranges 7 and 8 east, and township 9 south, ranges 7, 8, and 9 east, Montana principal meridian, the winter range and winter feed facilities indispensable for the adequate and proper protection, preservation, and propagation of the elk, antelope, and other game animals of the Yellowstone National Park and adjacent lands, the Secretary of the Interior, in his discretion, and subject to the limitation hereinafter prescribed may, and is hereby, authorized to perform the following acts:

Yellowstone National Park. Lands designated in Montana for preservation, etc., game animals in the park, etc. Authority of Secretary of the Interior.

(a) Accept and deposit in a special fund in the Treasury, and expend for the acquisition of lands as herein authorized, private funds donated for such purpose.

Acceptance of donations to purchase the lands.

(b) Acquire by purchase, or by acceptance of donations or bequests, such lands in private or State owner-

Acquire lands in private or State ownership.

[7] See p. 20. (Sec. 4, 46 Stat. 381.)

ship within the townships above described as he may deem necessary to carry out the purpose of this Act. (U.S.C., 6th supp., title 16, sec. 37.)

Exchanges for other forest lands may be made.

SEC. 2. That the Secretary of the Interior be, and is hereby, authorized in his discretion to accept, on behalf of the United States, title to any lands held in private or State ownership within the townships herein above described, and in exchange therefor may patent not to exceed an equal value of national forest land in the State of Montana, surveyed and nonmineral in character, or the Secretary of Agriculture may authorize the grantor to cut and remove not to exceed an equal value of timber within the national forests of said State, the values in each case to be determined by the Secretary of the Interior and the Secretary of Agriculture jointly: *Provided*, That before any such exchange is effected, notice of the contemplated exchange reciting the lands involved shall be published 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 some like newspaper published in any county in which may be situated any lands or timber to be given in such exchange. Timber given in exchange shall be cut and removed from national forests under the laws and regulations relating to the national forests and under the direction and supervision and in accordance with the requirements of the Secretary of Agriculture. (U.S.C., 6th supp., title 16, sec. 38.)

Timber from national forests.

Proviso. Notice of proposed exchanges to be published.

Removal of timber allowed.

Timber, minerals, etc., may be reserved by owners of land conveyed.

SEC. 3. That reservations of timber, minerals, or easements, the values of which shall be duly considered in determining the values of the lands conveyed, may be made by the owner or owners thereof in lands conveyed to the United States under the provisions of this Act. Where such reservations are made, 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 by the Secretary of the Interior or the Secretary of Agriculture, whichever may be responsible for the handling and use of the land as provided in this Act: *Provided*, That all property, rights, easements, and benefits authorized by this section to be retained by or reserved to owners of land conveyed to the United States shall be subject to the tax laws of the States where such lands are located. (U.S.C., 6th supp., title 16, sec. 39.)

Conditions and use.

Proviso. Property, etc., retained subject to State taxation.

Absaroka National Forest, Mont. Lands added to.

SEC. 4. That, subject to all valid existing claims and entries under the land laws of the United States, all unreserved and unappropriated public lands of the United States situated east of the Yellowstone River, in townships 8 and 9 south, ranges 7, 8, and 9 east, Montana principal meridian, State of Montana, and any lands acquired under the provisions of this Act are hereby added to and made parts of the Absaroka National For-

est, subject to all laws and regulations relating to the national forests, and the east bank of the Yellowstone River is hereby established as the western boundary of said Absaroka National Forest in the townships above described.

Gallatin National Forest, Mont. Lands added to.

SEC. 5. That, subject to all valid existing claims and entries under the land laws of the United States, all unreserved and unappropriated public lands of the United States situated west of the Yellowstone River, in townships 8 and 9 south, ranges 7 and 8 east, Montana principal meridian, State of Montana, and any lands acquired under the provisions of this Act, are hereby added to and made parts of the Gallatin National Forest, subject to all laws and regulations relating to the national forests, and the east bank of the Yellowstone River is hereby established as the eastern boundary of said Gallatin National Forest in the townships above described.

Yellowstone National Park. Lands added to. Description.

SEC. 6. That the President of the United States is hereby authorized, in his discretion, to add by Executive proclamation to Yellowstone National Park any or all of the lands within a certain territory or tract in township 9 south, ranges 7 and 8 east, Montana principal meridian, to wit: Beginning at a point on the north line of said Yellowstone National Park where said line crosses the divide between Reese Creek and Mol Heron Creek; thence northeasterly along said divide to the junction of said divide with the branch divide north and west of Reese Creek; thence along said branch divide in a northeasterly and easterly direction around the drainage of Reese Creek, to the Yellowstone River; thence southerly and southeasterly along the west bank of the Yellowstone River to the line marking the western limits of the town of Gardiner, Montana; thence south on said town limits line to the northern boundary of Yellowstone National Park; thence west along the north boundary of Yellowstone National Park to the point of beginning, which are unappropriated lands of the United States or which may be acquired by the United States under the provisions of this Act, within the territory described in this section, subject, however, to all valid existing claims and to reservations such as are authorized by section 3 of this Act; but, with the exception of valid existing claims, no land so added to Yellowstone National Park shall be subject to entry under the mining laws of the United States: *Provided*, That the Secretary of the Interior for such lands as are added to Yellowstone National Park may provide by rules and regulations for the management and use of the added lands as may in his discretion be necessary to accomplish the purposes of this Act: *And provided further*, That the lands of the United States acquired by donation or purchase within the area described in section 1 of this Act shall not be

Subject to valid claims, etc.

Proviso.

Rules for management, etc., of added lands.

Donated lands not subject to mining or homestead entries.

subject to location and entry under the mining laws of the United States nor the Act of June 11, 1906, authorizing homestead entries in national forests. (U.S.C., 6th supp.. title 16, sec. 40.)

An Act Authorizing an appropriation to enable the Secretary of the Interior to carry out the provisions of the Act of May 26, 1926 (Forty-fourth Statutes at Large, page 655), to make additions to the Absaroka and Gallatin National Forests, and to improve and extend the winter-feeding facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent lands, approved May 18, 1928 (45 Stat. 603)

Absaroka and Gallatin Forests, and Yellowstone Park.

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 of the United States not otherwise appropriated, the sum of $150,000, which sum shall continue available until expended, to enable the Secretary of the Interior to carry out the provisions of the Act of May 26, 1926 (Forty-fourth Statutes at Large, page 655), entitled "An Act to make additions to the Absaroka and Gallatin National Forests and the Yellowstone National Park, and to improve and extend the winter-feed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent land, and for other purposes": *Provided*, That the total expenditures from this appropriation shall not exceed the combined total of the sums contributed by private or other agencies under the provisions of clause (a) of section 1 of said Act, and the appraised values of land donated or bequeathed under the provisions of clause (b) of section 1 of said Act.

Sum authorized for additions to.

Vol. 44, p. 655. See p. 37.

Extensions of winter feed facilities for game animals.

Proviso.

Expenditures not to exceed contribution of combined total with private, etc., agencies.

Joint Resolution Authorizing the acceptance of title to certain lands in Teton County, Wyoming, adjacent to the winter elk refuge in said State established in accordance with the Act of Congress of August 10, 1912 (Thirty-seventh Statutes at Large, page 293), approved February 25, 1927 (44 Stat. 1246)

Resolved by the Senate and House of Representatives of the Un ted States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized to accept, on behalf of and without expense to the United States, from the Izaak Walton League of America, or its authorized trustees, a gift of certain lands in Teton County, Wyoming, described as the south half of section 4; the east half of the southeast quarter of section 5; the southwest quarter of the southeast quarter of section 5; the south half of the southwest quarter of section 5; the southeast quarter of the northeast quarter of section 7; the east half of the southeast quarter of section 7; the southwest quarter of the southeast quarter of section 7, and lot 4 of section 7; all of section 8; the north half of the northeast quarter of section 9; the north half of the northwest quarter of section 9; and the southwest quarter of the northwest quarter of section 9;

Elk refuge, Wyo. Additional land accepted for, in Teton County, Wyo.

Vol. 37, p. 293. See p. 37.

Description.

the north half of the northeast quarter of section 17; lot 1 of section 18; and the east half of the northwest quarter of section 18; all in township 41 north, range 115 west, of the sixth principal meridian, including all the buildings and improvements thereon, and all rights, easements, and appurtenances thereunto appertaining, subject to the conditions that they be used and administered by the United States, under the supervision and control of the Secretary of Agriculture, for the grazing of, and as a refuge for, American elk and other big game animals, and that they be known as the Izaak Walton League addition to the winter elk refuge: *Provided*, That upon the conveyance of said lands to the United States, as herein provided; they shall become a part of the winter elk refuge established pursuant to the authority contained in the Act of August 10, 1912 (Thirty-seventh Statutes at Large, page 293), and shall be subject to any laws governing the administration and protection of said refuge.

Proviso.

Added to winter elk refuge near Yellowstone Park.

Vol. 37, p. 293. See p. 37.

Excerpt from "An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1929, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1929, and June 30, 1930, and for other purposes," approved March 4, 1929 (45 Stat. 1644)[8]

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 elk from the Yellowstone National Park herd, and all moneys received from the sale of any such surplus elk shall be deposited in the Treasury of the United States as miscellaneous receipts. (U.S.C., 6th supp., title 16, sec. 36a.)

Yellowstone National Park. Disposal of surplus elk.

Excerpt from "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535)

The Secretary of the Interior may, under such rules and regulations and on such terms as he may prescribe, grant the privilege to graze live stock within any national park, monument, or reservation herein referred to when in his judgment such use is not detrimental to the primary purpose for which such park, monument, or reservation was created, except that this provision shall not apply to the Yellowstone National Park. (U.S.C., title 16, sec. 3.)

Grazing permits.

Yellowstone excepted.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes," approved July 1, 1918 (40 Stat. 678)

Yellowstone National Park, Wyoming: Hereafter road extensions and improvements shall be made in said park

Road extensions restricted.

[8] See p. 37. (42 Stat. 1214.)

under and in harmony with the general plan of roads and improvements to be approved by the Secretary of the Interior. (U.S.C., title 16, sec. 34.)

An Act To authorize the sale of certain lands at or near Yellowstone, Montana, for hotel and other purposes, approved February 25, 1919 (40 Stat. 1152)

Madison National Forest, Mont.

Sale of land in, near Yellowstone, to Oregon Short Line R.R. Co., for hotel, 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 be, and hereby is, authorized to sell and convey to Oregon Short Line Railroad Company, a corporation organized under the laws of the State of Utah and authorized to do business in the State of Montana, its successors and assigns, for hotel and other purposes, and at a price to be fixed by appraisement at not less than $25 per acre, and under such terms, conditions, and regulations as the Secretary of the Interior may prescribe, the following described lands, situated in Gallatin County, Montana: Lot three and the northeast quarter of the southwest quarter of section thirty-four, in township thirteen south, of range five east, Montana principal meridian, including the area at present covered by the right of way for the wye tracks of said Oregon Short Line Railroad Company; also all that portion of the southeast quarter of the northwest quarter of said section thirty-four lying south of the right of way and station grounds of said company, the entire tract above described consisting of eighty-eight and two one-hundredths acres; the right of way and station grounds of said Oregon Short Line Railroad Company and the right of way for the wye tracks of said company being designated in the filing map of the Yellowstone Park Railroad Company filed with the Secretary of the Interior, the land described being within the boundaries of the Madison National Forest: *Provided, however*, That any hotel erected on said lands shall be operated by the said Oregon Short Line Railroad Company, or its successors in interest, under such rules and regulations as the Secretary of the Interior may prescribe for the conduct and operation of hotels within the Yellowstone National Park.

Proviso.

Regulations for operation.

An Act To amend section 115 of the Act of March 3, 1911, entitled "An Act to codify, revise, and amend the laws relating to the judiciary," approved June 5, 1924 (43 Stat. 388)

United States courts.

Vol. 36, p. 1130 amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 115 of the Act approved March 3, 1911, entitled "An Act to codify, revise, and amend the laws relating to the judiciary," be, and the same is hereby, amended so as to read as follows:

"SEC. 115. The State of Wyoming shall constitute one judicial district, to be known as the district of Wyoming.

Terms of the district court for said district shall be held at Cheyenne on the second Mondays in May and November, at Casper on the first Monday in February, at Evanston on the second Tuesday in July, and at Lander on the first Monday in October; and the said court shall hold one session annually at Sheridan, on such date as the court may order. The marshal and clerk of the said court shall each, respectively, appoint at least one deputy to reside at Casper, and one to reside at Evanston, and one to reside at Lander, and shall also maintain an office at each of those places: *Provided*, That, until a public building is provided at Casper, suitable accommodations for holding court in said town shall be furnished free of expense to the United States. The marshal of the United States for the said district may appoint among others one or more deputy marshals, who shall reside in the Yellowstone National Park."

Wyoming judicial district. (Amends sec. 2, 28 Stat. 73. See p. 30.)

Terms.

Deputy marshals and clerks.

Proviso. **Rooms at Casper.**

Deputy marshals for Yellowstone Park.

Joint Resolution To authorize the President of the United States to appoint a Yellowstone National Park Boundary Commission to inspect the areas involved in the proposed adjustment of the southeast, south, and southwest boundaries of the Yellowstone National Park, approved February 28, 1929 (45 Stat. 1413)

Resolved 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 and directed to appoint a commission, consisting of five members, to be known as the Yellowstone National Park Boundary Commission, whose duty it shall be to inspect the areas involved in the proposed adjustment of the southeast, south, and southwest boundaries of the Yellowstone National Park, and report to the President its recommendations concerning such adjustment. The necessary expenses of such inspection shall be paid from any appropriation available for Yellowstone National Park: *Provided*, That said commission shall make a final report to the Congress on or before January 1, 1931.

Yellowstone National Park Boundary Commission. Appointment of, to inspect and report on adjustment of boundaries of the park.

Proviso. **Date of final report.**

An Act To revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming and for other purposes, approved March 1, 1929 (45 Stat. 1435)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Yellowstone National Park is hereby changed so as to read as follows:

"Beginning on the present north boundary line of Yellowstone National Park at its intersection with the hydrographic divide immediately north of Pebble Creek, approximately at park boundary monument 29 east; thence following said divide around the head of the drainage of Pebble Creek to its intersection with the

Yellowstone National Park. Boundaries changed. (Amends vol. 17, p. 32. See p. 26.)

Description. (Amended by vol. 46, p. 220. See p. 45.)

present east boundary line of Yellowstone National Park, at a point near park boundary monument 54 north; thence southerly along said boundary line to its intersection with the hydrographic divide between Soda Butte and Cache Creeks, at a point near park boundary monument 51 north; thence easterly along said hydrographic divide to its intersection with the crest of the Absaroka Range; thence southerly along said crest to its intersection with the main hydrographic divide between Little Lamar River and the North Fork of Shoshone River, passing over Republic and Hoodoo Peaks; thence westerly along said divide passing over Notch Mountain to its intersection with the present east boundary line of Yellowstone National Park, at a point near park boundary monument 26 north; thence continuing westerly along said divide, now between the headwaters of Lamar River and Jones Creek; headwaters of Sedge, Bear, Cub, and Clear Creeks, and the headwaters of Jones and Crow Creeks, and between Crow Creek and Middle Creek, to its intersection with the present east boundary line of Yellowstone National Park, approximately at park boundary monument 18 north, passing over Pyramid and Cathedral Peaks, Mount Chittenden, and Avalanche Peak, thence southerly along said boundary line to its intersection with the hydrographic divide immediately south of Middle Creek, approximately at park boundary monument 15 north; thence westerly along said divide, now between a southern tributary of Middle Creek, headwaters of Beaverdam, Trappers, and Mountain Creeks, and the headwaters of Canfield and Eagle Creeks, to its intersection with the present east boundary line of Yellowstone National Park, at a point near park boundary monument 5 north, passing over Reservation and Atkins Peaks, Mount Schurz, Mount Humphreys, and Eagle Peak; and

"Beginning on the present west boundary line of Yellowstone National Park at its intersection with the left bank of Gallatin River between park monuments 45 and 46 north; thence northwesterly along said bank to a point opposite the hydrographic divide between Daly and Tepee Creeks; thence northeasterly across the Gallatin River and along said divide, around the headwaters of Daly, Black Butte, Specimen, and Fan Creeks, to the intersection of said divide with the present north boundary line of Yellowstone National Park, at a point near park boundary monument 11 west.

"All of those lands lying within the boundary lines above described and the present north, east, and west boundary lines are hereby included in and made a part of the Yellowstone National Park; and all of those lands of the present Yellowstone National Park excluded from the park are hereby included in and made a part of the contiguous national forests subject to all laws and regulations applicable to national forests, and upon accept-

Excluded lands added to contiguous national forests.

ance thereof by appropriate action of the State, jurisdiction for all purposes whatsoever shall be, and is hereby, ceded over the land hereby excluded from the park to the State of Wyoming (U.S.C., 6th supp., title 16, sec. 21a): *Provided*, That whereas it is the purpose and intent of Congress to retain the areas hereby added to the park in its original wilderness character, therefore, no new roads shall be constructed and no hotels or permanent camps shall be authorized or permitted to be maintained on such lands."

Proviso. No new roads, hotels, etc., permitted on added areas. (Repealed by 46 Stat. 220. See p. 45 below.)

Laws made applicable. Vol. 17, p. 32. See p. 26. Vol. 26, p. 222. See p. 28. Vol. 28, p. 73. See p. 30. Vol. 39, p. 535. See p. 9.

SEC. 2. That the provisions of the Act of March 1, 1872, reserving lands for park purposes, the Act of July 10, 1890, admitting the State of Wyoming into the Union, the Act of May 7, 1894, entitled "An Act to protect the birds and animals in the Yellowstone National Park and to punish crimes in said park, and for other purposes," the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes," 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, 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 Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend over such lands. (U.S.C., 6th supp., title 16, sec. 21b.)

Proviso.

Water Power Act not applicable. Vol. 41, p. 1063.

SEC. 3. That the provisions of the Act of March 20, 1922 (title 16, section 485, United States Code), as amended, shall continue to be applicable to the areas included within the Yellowstone National Park by this Act, and any lands within such areas acquired by exchange thereunder shall thereupon become a part of the Yellowstone National Park. (U.S.C., 6th supp., title 16, sec. 21c.)

Exchange of lands with private owners, authorized. Vol. 42, p. 465.

SEC. 4. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral right of way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land. (U.S.C., 6th supp., title 16, sec. 21d.)

Valid existing claims, etc., not affected.

An Act To amend section 1 of an Act entitled "An Act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act Numbered 888 of the Seventieth Congress, approved April 19, 1930 (46 Stat. 220)

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 entitled "An Act to

Yellowstone National Park, Mont. and Wyo. Boundaries changed.
Vol. 45, p. 1435, and vol. 17, p. 32. See pp. 43 and 26.

revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act Numbered 888 of the Seventieth Congress, be, and the same is hereby, amended by striking out the proviso at the end of that section so that when so amended the section will read as follows: That the boundary of the Yellowstone National Park is hereby changed so as to read as follows:

Description.

"Beginning on the present north boundary line of Yellowstone National Park at its intersection with the hydrographic divide immediately north of Pebble Creek, approximately at park boundary monument 29 east; thence following said divide around the head of the drainage of Pebble Creek to its intersection with the present east boundary line of Yellowstone National Park, at a point near park boundary monument 54 north; thence southerly along said boundary line to its intersection with the hydrographic divide between Soda Butte and Cache Creeks, at a point near park boundary monument 51 north; thence easterly along said hydrographic divide to its intersection with the crest of the Absaroka Range; thence southerly along said crest to its intersection with the main hydrographic divide between Little Lamar River and the North Fork of Shoshone River, passing over Republic and Hoodoo Peaks; thence westerly along said divide passing over Notch Mountain to its intersection with the present east boundary line of Yellowstone National Park, at a point near park boundary monument 26 north; thence continuing westerly along said divide, now between the headwaters of Lamar River and Jones Creek; headwaters of Sedge, Bear, Cub, and Clear Creeks, and the headwaters of Jones and Crow Creeks, and between Crow Creek and Middle Creek, to its intersection with the present east boundary line of Yellowstone National Park, approximately at park boundary monument 18 north, passing over Pyramid and Cathedral Peaks, Mount Chittenden, and Avalanche Peak, thence southerly along said boundary line to its intersection with the hydrographic divide immediately south of Middle Creek, approximately at park boundary monument 15 north; thence westerly along said divide, now between a southern tributary of Middle Creek, headwaters of Beaverdam, Trappers, and Mountain Creeks, and the headwaters of Canfield and Eagle Creeks, to its intersection with the present east boundary line of Yellowstone National Park, at a point near park boundary monument 5 north, passing over Reservation and Atkins Peaks, Mount Schurz, Mount Humphreys, and Eagle Peak; and

"Beginning on the present west boundary line of Yellowstone National Park at its intersection with the left bank of Gallatin River between park monuments 45 and

46 north; thence northwesterly along said bank to a point opposite the hydrographic divide between Daly and Tepee Creeks; thence northeasterly across the Gallatin River and along said divide, around the headwaters of Daly, Black Butte, Specimen, and Fan Creeks, to the intersection of said divide with the present north boundary line of Yellowstone National Park, at a point near park boundary monument 11 west.

Described areas added to park. Excluded lands added to contiguous national forests.

"All of those lands lying within the boundary lines above described and the present north, east, and west boundary lines are hereby included in and made a part of the Yellowstone National Park; and all of those lands of the present Yellowstone National Park excluded from the park are hereby included in and made a part of the contiguous national forests subject to all laws and regulations applicable to national forests, and upon acceptance thereof by appropriate action of the State, jurisdiction for all purposes whatsoever shall be, and is hereby, ceded over the land hereby excluded from the park to the State of Wyoming." (U.S.C., 6th supp., title 16, sec. 21a.)

Jurisdiction of Wyoming.

2 and 3. Sequoia and General Grant National Parks

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An Act To set apart a certain tract of land in the State of California as a public park, approved September 25, 1890 (26 Stat. 478)[1]

Preamble.

Big trees.

Whereas, the rapid destruction of timber and ornamental trees in various parts of the United States, some of which trees are the wonders of the world on account of their size and the limited number growing, makes it a matter of importance that at least some of said forests should be preserved: Therefore

Public land in California reserved, etc., for a public park, etc.

Location, etc.

Reservation, etc.

Trespassers.

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 known and described as township numbered eighteen south, of range numbered thirty east, also township eighteen south range thirty-one east; and sections thirty-one, thirty-two, thirty-three, and thirty-four, township seventeen south range thirty east, all east of Mount Diablo meridian, is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart as a public park, or pleasure ground, for the benefit and enjoyment of the people; and all persons who shall locate or settle upon, or occupy the same or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom. (U.S.C., title 16, sec. 41.)

Secretary of Interior to control. Care, etc.

SEC. 2. That said public park shall be under the exclusive control of the Secretary of the Interior, whose duty

[1] (This act covers part of Sequoia National Park; the remainder of said park is reserved by sec. 3 of act of October 1, 1890, which follows.)

it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury of all timber, mineral deposits, natural curiosities or wonders within said park, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes for terms not exceeding ten years of small parcels of ground not exceeding five acres, at such places in said park as shall require the erection of buildings for the accommodation of visitors; (all of the proceeds of said leases and other revenues that may be derived from any source connected with said park to be expended under his direction in the management of the same and the construction of roads and paths therein.) He shall provide against the wanton destruction of the fish and game found within said park, and against their capture or destruction, for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same, after the passage of this act to be removed therefrom, and, generally, shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act. (U.S.C., title 16, sec. 43.)

Regulations.

Leases for buildings. (Amended by vol. 39, p. 535, as amended. See p. 9.)

Expenditure of revenues.

Destruction of fish and game.

Removal of trespassers, etc.

An Act To set apart certain tracts of land in the State of California as forest reservations, approved October 1, 1890 (26 Stat. 650)[2]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of land in the State of California known and described as follows: Commencing at the northwest corner of township two north, range nineteen east Mount Diablo meridian, thence eastwardly on the line between townships two and three north, ranges twenty-four and twenty-five east; thence southwardly on the line between ranges twenty-four and twenty-five east to the Mount Diablo base line; thence eastwardly on said base line to the corner to township one south, ranges twenty-five and twenty-six east; thence southwardly on the line between ranges twenty-five and twenty-six east to the southeast corner of township two south, range twenty-five east; thence eastwardly on the line between townships two and three south, range twenty-six east to the corner to townships two and three south, ranges twenty-six and twenty-seven east; thence southwardly on the line between ranges twenty-six and twenty-seven east to the first standard parallel south; thence westwardly

Forest reservations, California. Boundaries.

[2] Secs. 1 and 2 of this act relate to Yosemite National Park. Of the lands described in sec. 3 of the act, Tps. 15 and 16 S., Rs. 29 and 30 E., Mount Diablo base and meridian, and all of T. 17 S., R. 30 E., with the exception of secs. 31, 32, 33, and 34, form part of the Sequoia National Park, the lands forming the remainder of said park being reserved by the act of Sept. 25, 1890. The following lands, described in sec. 3 constitute General Grant National Park: Secs. 5 and 6, Tp. 14 S., R. 28 E., and secs. 31 and 32, T. 13 S., R. 28 E., Mount Diablo base and meridian.

on the first standard parallel south to the southwest corner of township four south, range nineteen east; thence northwardly on the line between ranges eighteen and nineteen east to the northwest corner of township two south, range nineteen east; thence westwardly on the line between townships one and two south to the southwest corner of township one south, range nineteen east; thence northwardly on the line between ranges eighteen and nineteen east to the northwest corner of township two north, range nineteen east, the place of beginning, are hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands; and all persons who shall locate or settle upon, or occupy the same or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom: *Provided, however*, That nothing in this act shall be construed as in anywise affecting the grant of lands made to the State of California by virtue of the act entitled "An act authorizing a grant to the State of California of the Yosemite Valley, and of the land embracing the Mariposa Big Tree Grove," approved June thirtieth, eighteen hundred and sixty-four; or as affecting any bona fide entry. (U.S.C., title 16, sec. 44.)

Withdrawn from settlement, etc. Trespassers.

Proviso. Grant of Yosemite Valley and Mariposa Big Tree Grove, not affected. Vol. 13, p. 325. See p. 64.

Bona fide prior entries not affected.

SEC. 2. That said reservation shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury of all timber, mineral deposits, natural curiosities, or wonders within said reservation, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes for terms not exceeding ten years of small parcels of ground not exceeding five acres; at such places in said reservation as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases and other revenues that may be derived from any source connected with said reservation to be expended under his direction in the management of the same and the construction of roads and paths therein. He shall provide against the wanton destruction of the fish and game found within said reservation, and against their capture or destruction, for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and, generally, shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act. (U.S.C., title 16, sec. 43.)

Secretary of Interior to have control.

Regulations.

Preservation of timber, etc.

Building leases, etc. (Amended by vol. 39, p. 535, as amended. See pp. 9–12.)

Distribution of proceeds.

Preservation of fish and game.

Removal of trespassers, etc. (Amended by vol. 41, p. 731. See p. 53.)

SEC. 3. There shall also be and is hereby reserved and withdrawn from settlement, occupancy, or sale under the

laws of the United States, and shall be set apart as reserved forest lands, as hereinbefore provided, and subject to all the limitations and provisions herein contained, the following additional lands, to wit: Township seventeen south, range thirty east of the Mount Diablo meridian, excepting sections thirty-one, thirty-two, thirty-three, and thirty-four of said township, included in a previous bill. And there is also reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as forest lands, subject to like limitations, conditions, and provisions, all of townships fifteen and sixteen south, of ranges twenty-nine and thirty east of the Mount Diablo meridian. And there is also hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands under like limitations, restrictions, and provisions, sections five and six in township fourteen south, range twenty-eight east of Mount Diablo meridian, and also sections thirty-one and thirty-two of township thirteen south, range twenty-eight east of the same meridian. Nothing in this act shall authorize rules or contracts touching the protection and improvement of said reservations beyond the sums that may be received by the Secretary of the Interior under the foregoing provisions, or authorize any charge against the Treasury of the United States. (U.S.C., title 16, sec. 45.)

Other lands reserved as forest lands. Description.

Limit upon contracts, expenditures, etc.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes," approved June 6, 1900 (31 Stat. 618)

The Secretary of War, upon the request of the Secretary of the Interior, is hereafter authorized and directed to make the necessary detail of troops to prevent trespassers or intruders from entering the Sequoia National Park, the Yosemite National Park, and the General Grant National Park, respectively, in California, for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law or regulation for the government of said reservations, and to remove such persons from said parks if found therein. (U.S.C., title 16, sec. 78.)

Protection of Sequoia, Yosemite, and General Grant National Parks, California.

An Act Relating to rights of way through certain parks, reservations, and other public lands, approved February 15, 1901 (31 Stat. 790)

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 hereby is, authorized and empowered, under general regulations to be fixed by him, to permit the use of rights of way through the public lands, forest and other reservations

Public lands. Rights of way through reservations, etc., authorized. (Amended by 36 Stat. 1253, See p. 3; and by Federal Water Power Act of June 10,

1920, 41 Stat. 1063, as amended by 41 Stat. 1353, see p. 4.)[3]
—width, etc.

of the United States, and the Yosemite, Sequoia, and General Grant national parks, California, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes, and for canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits, and for water plants, dams and reservoirs used to promote irrigation or mining or quarrying, or the manufacturing or cutting of timber or lumber, or the supplying of water for domestic, public, or any other beneficial uses to the extent of the ground occupied by such canals, ditches, flumes, tunnels, reservoirs, or other water conduits or water plants, or electrical or other works permitted hereunder, and not to exceed fifty feet on each side of the marginal limits thereof, or not to exceed fifty feet on each side of the center line of such pipes and pipe lines, electrical, telegraph, and telephone lines and poles, by any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted hereunder or any one or more of the purposes herein named: *Provided*, That such permits shall be allowed within or through any of said parks or any forest, military, Indian, or other reservation only upon the approval of the chief officer of the department under whose supervision such park or reservation falls and upon a finding by him that the same is not incompatible with the public interest: *Provided further*, That all permits given hereunder for telegraph and telephone purposes shall be subject to the provision of title sixty-five of the Revised Statutes of the United States, and amendments thereto, regulating rights of way for telegraph companies over the public domain: *And provided further*, That any permission given by the Secretary of the Interior under the provisions of this act may be revoked by him or his successor in his discretion, and shall not be held to confer any right, or easement, or interest in, to, or over any public land, reservation, or park. (U.S.C., title 16, sec. 79.)

Provisos.
Approval of permit.

Telegraph, etc. permits.

Revocation of permit.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes," approved July 1, 1916 (39 Stat. 308)

Sequoia National Park. Acceptance of donated lands. (Repealed by 46 Stat. 1028, but subject matter covered by U.S.C., title 16, sec. 6, 41 Stat. 917. See p. 13.)

The Secretary of the Interior is authorized to accept patented lands or rights of way whether over patented or other lands in the Sequoia National Park that may be donated for park purposes. (U.S.C., title 16, sec. 42.)

Act of Legislature of California, approved April 15, 1919, ceding to the United States exclusive jurisdiction over Yosemite, Sequoia, and General Grant National Parks in the State of California. (Statutes and amendments to Codes of California, 1919, p. 74)

The people of the State of California do enact as follows:

[3] See Solicitor's Opinion of June 6, 1932 (M. 27036)

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 those several tracts of land in the State of California set aside and dedicated for park purposes by the United States as "Yosemite National Park," "Sequoia National Park," and "General Grant National Park," respectively; saving however to the State of California the right to serve civil or criminal process within the limits of the aforesaid parks in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said parks; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said parks, and the right to fix and collect license fees for fishing in said parks; and saving also to the persons residing in any of said parks now or hereafter the right to vote at all elections held within the county or counties in which said parks are situate: *Provided, however*, That jurisdiction shall not vest until the United States through the proper officer notifies the State of California that they assume police jurisdiction over said parks.

An Act To accept the cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes, approved June 2, 1920 (41 Stat. 731)

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 California (approved April 15, 1919) ceding to the United States exclusive jurisdiction over the territory embraced and included within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the said State of California the right to serve civil or criminal process within the limits of the aforesaid parks or either of them in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said parks; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said parks, and the right to fix and collect license fees for fishing in said parks; and saving also to the persons residing in any of said parks now or hereafter the right to vote at all elections held within the county or counties in which said parks are situated. (U.S.C., title 16, sec. 57.) All the laws applicable to places under sole and exclusive jurisdiction of the United States shall have force and effect

National Parks, Calif. Cession of jurisdiction of State over designated, accepted.

Rights reserved to State.

United States laws applicable.

Extradition of criminals.

in said parks or either of them. All fugitives from justice taking refuge in said parks, or either of them, shall be subject to the same laws as refugees from justice found in the State of California. (U.S.C., title 16, sec. 58.)

Yosemite Park. Assigned to California northern district.

SEC. 2. That said Yosemite National Park shall constitute a part of the United States judicial district for the northern district of California, and the district court of the United States in and for said northern district shall have jurisdiction of all offenses committed within said boundaries of the Yosemite National Park. (U.S.C., title 16, sec. 76.)

Sequoia and General Grant Parks.

Assigned to California southern district.

SEC. 3. That said Sequoia National Park and General Grant National Park shall constitute part of the United States judicial district for the southern district of California, and the district court of the United States in and for said southern district shall have jurisdiction of all offenses committed within the boundaries of said Sequoia National Park and General Grant National Park. (U.S.C., title 16, sec. 77.)

Punishment of offenses against State laws.

SEC. 4. That if any offense shall be committed in the Yosemite National Park, Sequoia National Park, General Grant National Park, or either of them, which offense is not prohibited or the punishment is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of California in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of California shall affect any prosecution for said offense committed within said parks, or either of them. (U.S.C., title 16, sec. 59.)

Hunting, fishing, etc., prohibitions.

SEC. 5. 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 parks; or shall any fish be taken out of any of the waters of the said parks, or either of them, in any other way than by hook and line, and then only at such seasons and such times and manner as may be directed by the Secretary of the Interior. (U.S.C., title 16, sec. 60.) 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 other than those legally located prior to the passage of the respective Acts creating and establishing said parks, natural curiosities or wonderful objects within said parks, and for the protection of the animals in the park from capture or destruction, and to prevent their being frightened or driven from the said parks;

Regulations, etc., to be prescribed. (Amends vol. 26, p. 650. See p. 49.)

and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said parks or either of them. (U.S.C., title 16, sec. 61.) Possession within said parks, or either of them, of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that person or persons having same are guilty of violating this Act. (U.S.C., title 16, sec. 62.) 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 parks, or either of them, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, other than those legally located prior to the passage of the respective Acts creating and establishing said parks, natural curiosities, or wonderful objects within said parks, or either of them, or for the protection of the animals, birds, or fish in the said parks, or either of them, or who shall within said parks commit any damage, injury, spoliation to or upon any building, fence, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to the passage of the respective Acts creating and establishing said parks, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be subject to the penalty provided for the violation of rules and regulations of the Secretary of the Interior authorized by section 3 of the Act of Congress approved August 25, 1916 (Thirty-ninth Statutes, page 535), entitled "An Act to establish a National Park Service, and for other purposes," which section is hereby amended by striking therefrom the words "and any violations of any of the rules and regulations authorized by this Act shall be punished as provided for in section 50 of the Act entitled 'An Act to codify and amend the Penal Laws of the United States,' approved March 4, 1909, as amended by section 6 of the Act of June 25, 1910 (Thirty-sixth United States Statutes at Large, page 857)," and inserting in lieu thereof the words "and any violation of any of the rules and regulations authorized by this Act shall be punished by a fine of not more than $500 or imprisonment for not exceeding six months, or both, and be adjudged to pay all cost of the proceedings" (U.S.C., title 16, sec. 63): *Provided*, That nothing herein shall be construed as repealing or in any way modifying the authority granted the Secretary of the Interior by said section 3 of the said Act approved August 25, 1916, to

Evidence of violations.

Penalty for violating provisions hereof, etc.

Vol. 39, p. 535. See p. 9.

Punishment modified.

Proviso. Disposal of timber, destroying injurious animals, etc., not affected.

sell or dispose of timber in national parks in those cases where, in his judgment, the cutting of such timber is required in order to control the attacks of insects or diseases or otherwise conserve the scenery of the natural or historic objects in such parks and to provide for the destruction of such animals and such plant life as may be detrimental to the use of any of said parks, or the authority granted to said Secretary by the Act approved April 9, 1912, entitled "An Act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes," as amended by the Act approved April 16, 1914. (U.S.C., title 16, sec. 64.)

Vol. 37, p. 80. See p. 75. Vol. 38, p. 345. See p. 76.

Forfeiture of guns, traps, etc., illegally used.

SEC. 6. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said parks, or either of them, when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals, shall be forfeited to the United States and may be seized by the officers in said parks, or either of them, and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction 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. (U.S.C., title 16, sec. 65.)

Commissioner for Yosemite Park.

Appointment, authority etc.

SEC. 7. That the United States District Court for the Northern District of California shall appoint a commissioner for the Yosemite National Park, who shall reside in said park, 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 said Yosemite National Park, and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act. (U.S.C., title 16, sec. 66.)

Judicial powers in violations of rules, etc.

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 Yosemite National Park, and for the protection of the animals, birds, and fish in said park, and try persons so charged, and if found guilty impose punishment and to adjudge forfeiture prescribed. (U.S.C., title 16, sec. 67.)

Appeals.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States Court for the Northern District of California, and the United States district court in said district shall pre-

scribe rules and procedure and practice for said commissioner in the trial of cases and for appeals to said United States district court. (U.S.C., title 16, sec. 68.)

Commissioner for Sequoia and General Grant Parks.

Appointment, authority, etc.

SEC. 8. That the United States District Court for the Southern District of California shall appoint a commissioner for the Sequoia National Park and the General Grant National Park, who shall reside in one of said parks, and who shall have jurisdiction to hear and act upon all complaints made of any violations of the law or of the rules and regulations made by the Secretary of the Interior, for the government of the Sequoia National Park and the General Grant National Park, and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act.

Judicial powers in violation of rules, etc.

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 Sequoia National Park and General Grant National Park, or either of them, and for the protection of the animals, birds, and fish in said last-named parks, or either of them, and try persons so charged, and, if found guilty, impose punishment and to adjudge forfeiture prescribed. (U.S.C., title 16, sec. 67.)

Appeals.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States Court for the Southern District of California, and the United States district court in said district shall prescribe rules and procedure and practice for said commissioner in the trial of cases and for appeals to said United States district court. (U.S.C., title 16, sec. 68.)

Procedure in criminal cases.

SEC. 9. That any such commissioner within his jurisdiction shall also have the power to issue process as hereinbefore provided for the arrest of any person charged with commission within said boundaries of said parks, or either of them, as specified above in this Act, of any criminal offense not covered by the provisions of section 5 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, he shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States district court in and for the judicial district to which he belongs, and certify a transcript of the record of his proceedings and testimony in the case to the court, to which the park is attached as above specified in this Act, 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. (U.S.C., title 16, sec. 70.)

Proviso.

Bail.

Service of process.

SEC. 10. That all process issued by the commissioner of the Yosemite National Park shall be directed to the marshal of the United States for the northern district of California, and all process issued by the commissioner of the Sequoia National Park and the General Grant National Park shall be directed to the marshal of the United States for the Southern District of California, but nothing herein contained shall be so construed to prevent the arrest by any officer or employee of the Government or any person employed by the United States, in the policing of such reservation within the boundaries of said parks, or either of them, without process of any person taken in the act of violating the law or this Act or the regulation prescribed by said Secretary as aforesaid. (U.S.C., title 16, sec. 71.)

Summary arrests.

Pay of commissioners.

SEC. 11. That the commissioner provided for in this Act for the Yosemite National Park and the commissioner provided for in this Act for the Sequoia National Park and the General Grant National Park each shall be paid an annual salary of $1,500, payable monthly: *Provided*, That the said commissioner for the Yosemite National Park shall reside within the exterior boundaries of said Yosemite National Park, and the commissioner provided for the Sequoia National Park and the General Grant National Park shall reside within the exterior boundaries of one of the said last-named national parks and at a place to be designated by the court making such appointment. (U.S.C., title 16, secs. 69 and 72.) *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 13 of this Act. (U.S.C., title 16, sec. 73.)

Provisos.

Residence requirements.

Disposal of fees, etc.

United States fees.

SEC. 12. 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. (U.S.C., title 16, sec. 75.)

Deposits of fines and costs.

SEC. 13. That all fines and costs imposed and collected shall be deposited by said commissioners of the United States, or the marshal of the United States collecting the same, with the clerk of the United States district court to which said parks are attached, as provided in this Act. (U.S.C., title 16, sec. 74.)

Acceptance of cession.

SEC. 14. That the Secretary of the Interior shall notify in writing the governor of the State of California of the passage and approval of this Act and of the fact that the United States assumes police jurisdiction over said parks, as specified in said Act.

An Act To revise the boundary of the Sequoia National Park, California, approved July 3, 1926 (44 Stat. 818)

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

assembled, That the boundaries of the Sequoia National Park, California, are hereby changed as follows:

Sequoia National Park, Calif. Boundaries changed.

Beginning at the southwest corner of the present boundary of Sequoia National Park, being the southwest corner of township 18 south, range 30 east of the Mount Diablo base and meridian, California, thence easterly along the present south boundary of Sequoia National Park to its intersection with the hydrographic divide between the headwaters of South Fork Kaweah River and the headwaters of that branch of Little Kern River known as Pecks Canyon; thence southerly and easterly along the crest of the hydrographic divide between Pecks Canyon and Soda Creek to its intersection with a lateral divide at approximately the east line of section 2, township 19 south, range 31 east; thence northeasterly along said lateral divide to its intersection with the township line near the southeast corner of township 18 south, range 31 east of the Mount Diablo base and meridian; thence north approximately thirty-five degrees west to the summit of the butte next north of Soda Creek (United States Geological Survey altitude eight thousand eight hundred and eighty-eight feet); thence northerly and northwesterly along the crest of the hydrographic divide to a junction with the crest of the main hydrographic divide between the headwaters of the South Fork of the Kaweah River and the headwaters of Little Kern River; thence northerly along said divide now between Horse and Cow Creeks and the headwaters of East Fork Kaweah River to its intersection with the present east boundary of Sequoia National Park, approximately at Tar Gap, being the east line of township 17 south, range 30 east; thence northerly along said line to its intersection with the main hydrographic divide north of East Fork Kaweah River; thence easterly following said divide, passing through Timber Gap to the summit of Sawtooth Peak; thence southeasterly along the crest of the Great Western Divide to the summit of Coyote Peaks (United States Geological Survey bench mark, altitude ten thousand nine hundred and nineteen feet); thence northeasterly following the main hydrographic divide south of Coyote Creek to the junction of Coyote Creek and Kern River; thence due east across Kern River to the east bank; thence following said east bank of Kern River northerly to the junction of Golden Trout Creek and Kern River; thence northeasterly following the main hydrographic divide north of Golden Trout Creek, and between the headwaters of Golden Trout Creek and Rock Creek to a junction with the main crest of the Sierra Nevada, northwest of Cirque Peak; thence northerly and westerly along said main crest of the Sierra Nevada to Junction Peak (United States Geological Survey bench mark thirteen thousand nine hundred and three feet); thence westerly along the

Description.

crest of the Kings-Kern Divide to a junction with the crest of the Great Western Divide at Thunder Mountain (United States Geological Survey bench mark thirteen thousand five hundred and seventy-eight feet); thence southwesterly along the crest of the Great Western Divide to Triple Divide Peak (United States Geological Survey altitude twelve thousand six hundred and fifty-one feet); thence westerly and northwesterly along the crest of the hydrographic divide between the headwaters of Roaring River and the headwaters of the Middle and Marble Forks of the Kaweah River to Kettle Peak (United States Geological Survey altitude ten thousand and thirty-eight feet); thence westerly and southwesterly along the crest of the main hydrographic divide next north of Clover Creek and Dorst Creek to the junction of Stony Creek and Dorst Creek; thence following the west bank of the North Fork Kaweah River to its junction with Cactus Creek; thence easterly along the first hydrographic divide south of Cactus Creek to its intersection with the present west boundary of Sequoia National Park, being the west line of township 16 south, range 29 east; thence southerly along said west boundary to the southwest corner of said township; thence easterly along the present boundary of Sequoia National Park, being the north line of township 17 south, range 29 east, to the northeast corner of said township; thence southerly along the present boundary of Sequoia National Park, being the west lines of townships 17 and 18 south, range 30 east, to the place of beginning; and all of those lands lying within the boundary line above described are hereby included in and made a part of the Roosevelt-Sequoia National Park; and all of those lands excluded from the present Sequoia National Park are hereby included in and made a part of the Sequoia National Forest, subject to all laws and regulations applicable to the national forests. (U.S.C., 6th supp., title 16, sec. 45a.)

Area included in Roosevelt-Sequoia National Park. Excluded lands added to Sequoia National Forest.

Exclusive control of park under Secretary of Interior. Regulations to be made.

SEC. 2. That said park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such reasonable rules and regulations, not inconsistent with the laws of the United States, as he may deem necessary or proper for the care, protection, management, and improvement of the same, such regulations being primarily aimed at the freest use of said park for recreation purposes by the public and for the preservation from injury or spoliation of all timber, natural curiosities, or wonders within said park and their retention in their natural condition as far as practicable, and for the preservation of said park in a state of nature so far as is consistent with the purposes of this Act. Such rules and regulations shall permit the taking of fish by hook and line from the streams or lakes in said park, but at such seasons, during such times, and in such manner as may be

Fishing by hook and line permitted.

directed by the Secretary of the Interior. Such rules and regulations however, shall provide against the destruction of the wild life within said park, and the Secretary of the Interior is hereby authorized to take all such measures as shall be necessary to fully carry out the objects and purposes of this Act. Said Secretary may, in his discretion, execute leases to parcels of ground not exceeding ten acres in extent at any one place to any one person or persons or company for not to exceed twenty years, when such ground is necessary for the erection of buildings for the accommodation of visitors. Such leases or privileges may be renewed or extended at the expiration of the terms thereof: *Provided*, That existing leases from the Department of Agriculture may be continued, in the discretion of the Secretary of the Interior, for so long as such extension is not detrimental to the public purposes for which the park is created. (U.S.C., 6th supp., title 16, sec. 45b.)

Leases for accommodation of visitors.

Proviso. Existing leases continued.

SEC. 3. That nothing herein contained shall affect any valid existing claim, location, or entry heretofore established under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: *Provided*, That under rules and regulations to be prescribed by him the Secretary of the Interior may issue permits to any bona fide claimant, entryman, landowner, or lessee of land within the boundaries herein established to secure timber for use on and for the improvement of his land; and he shall also have authority to issue, under rules and regulations to be prescribed by him, grazing permits and authorize the grazing of livestock on the lands within said park at fees not to exceed those charged by the Forest Service on adjacent areas, so long as such timber cutting and grazing are not detrimental to the primary purpose for which such park is created: *Provided*, That no permit, license, lease, or authorization for dams, conduits, reservoirs, power houses, transmission lines, or other works for storage or carriage of water, or for the development, transmission, or utilization of power within the limits of said park as herein constituted, shall be granted or made without specific authority of Congress. (U.S.C., 6th supp., title 16, sec. 45c.)

Valid claims, etc., not affected.

Provisos. Use of timber.

Grazing permits.

Restriction on dams, etc., for power.

SEC. 4. That no exclusive privilege shall be granted within said park, or on or over the roads and trails therein, except upon ground leased for the erection of buildings or camps thereon. (U.S.C., 6th supp., title 16, sec. 45d.)

Privileges limited.

SEC. 5. That any person found guilty of violating any of the 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 park,

Punishment for violating rules, etc.

or for the protection of the property therein, for the preservation from injury or spoliation of timber, natural curiosities, or other objects within said park or for the protection of the animals, birds, and fish in said park, shall be deemed guilty of a misdemeanor, and shall be subjected to a fine of not more than $500 or imprisonment not exceeding six months or both. (U.S.C., 6th supp., title 16, sec. 45e.)

Sequoia National Game Refuge. Lands designated as.

SEC. 6. That all parts of township 17 south, ranges 31 and 32 east, and township 18 south, range 31 east, Mount Diablo base and meridian, which are north of the hydrographic divide passing through Farewell Gap, and which are not added to and made part of the Sequoia National Park by the provisions of this Act, are hereby designated as the Sequoia National Game Refuge, and the hunting, trapping, killing, or capturing of birds and game or other wild animals upon the lands of the United States within the limits of the said area shall be unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture; and any persons violating such regulations or the provisions of this section shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding $1,000, or by imprisonment for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court: *Provided*, That it is the purpose of this section to protect from trespass the public lands of the United States and the game animals which may be thereon, and not to interfere with the operation of the local game laws as affecting private or State lands: *Provided further*, That the lands included in said game refuge shall continue to be parts of the Sequoia National Forest and nothing contained in this section shall prevent the Secretary of Agriculture from permitting other uses of said lands under and in conformity with the laws and the rules and regulations applicable thereto so far as may be consistent with the purposes for which said game refuge is established.

Unauthorized hunting, etc., in, of birds or wild animals, unlawful.

Punishment for.

Provisos.

Purposes of section declared.

Lands to continue in Sequoia National Forest, for uses thereof.

4. Yosemite National Park

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An Act Authorizing a grant to the State of California of the "Yo-Semite Valley," and of the land embracing the "Mariposa Big Tree Grove," approved June 30, 1864 (13 Stat. 325)

The "Yo-semite Valley" granted to California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and is hereby, granted to the State of California the "cleft" or "gorge" in the granite peak of the Sierra Nevada Mountains, situated in the county of Mariposa, in the State aforesaid, and the headwaters of the Merced River, and known as the Yo-Semite Valley, with its branches or spurs, in estimated length fifteen miles, and in average width one mile back from the main edge of the precipice, on each side of the valley, with the stipulation, nevertheless, that the said State shall accept this grant upon the express conditions that the premises shall be held for public use, resort, and recreation; shall be inalienable for all time; but leases not exceeding ten years may be granted for portions of said premises. All incomes derived from leases of privileges to be expended in the preservation and improvement of the property, or the roads leading thereto; the boundaries to be established at the cost of said State by the United States surveyor-general of California, whose official plat, when affirmed by the Commissioner of the General Land Office, shall constitute the evidence of the locus, extent, and limits of the said cleft or gorge; the premises to be managed by the governor of the State with eight other commissioners, to be appointed by the executive of California, and who shall receive no compensation for their services.

Conditions of grant.

Leases and income therefrom.

Boundaries, how established.

(Amended by vol. 34, p. 831. See p. 72.)

"Mariposa Big Tree Grove" granted to California.

SEC. 2. *And be it further enacted*, That there shall likewise be, and there is hereby, granted to the said State of California the tracts embracing what is known as the "Mariposa Big Tree Grove," not to exceed the area of four sections, and to be taken in legal subdivisions of one quarter section each, with the like stipulation as expressed in the first section of this act as to the State's acceptance, with like conditions as in the first section of this act as to inalienability, yet with same lease privilege; the income to be expended in preservation, improvement, and protection of the property; the premises to be managed by commissioners as stipulated in the first section of this act, and to be taken in legal subdivisions as aforesaid; and the official plat of the United States surveyor-general, when affirmed by the Commissioner of the General Land Office, to be the evidence of the locus of the said Mariposa Big Tree Grove. (U.S.C., title 16, sec. 48.)

Conditions of grant.

An Act To set apart certain tracts of land in the State of California as forest reservations, approved October 1, 1890 (26 Stat. 650)[1]

Forest reservations, California. Boundaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

[1] Secs. 1 and 2 of this act pertain to the Yosemite National Park, while Sec. 3 sets apart General Grant National Park, and also a portion of Sequoia National Park.

bled, That the tracts of land in the State of California known and described as follows: Commencing at the northwest corner of township two north, range nineteen east Mount Diablo meridian, thence eastwardly on the line between townships two and three north, ranges twenty-four and twenty-five east; thence southwardly on the line between ranges twenty-four and twenty-five east to the Mount Diablo base line; thence eastwardly on said base line to the corner to township one south, ranges twenty-five and twenty-six east; thence southwardly on the line between ranges twenty-five and twenty-six east to the southeast corner of township two south, range twenty-five east; thence eastwardly on the line between townships two and three south, range twenty-six east to the corner to townships two and three south, ranges twenty-six and twenty-seven east; thence southwardly on the line between ranges twenty-six and twenty-seven east to the first standard parallel south; thence westwardly on the first standard parallel south to the southwest corner of township four south, range nineteen east; thence northwardly on the line between ranges eighteen and nineteen east to the northwest corner of township two south, range nineteen east; thence westwardly on the line between townships one and two south to the southwest corner of township one south, range nineteen east; thence northwardly on the line between ranges eighteen and nineteen east to the northwest corner of township two north, range nineteen east, the place of beginning, are hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands; and all persons who shall locate or settle upon, or occupy the same or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom: *Provided, however*, That nothing in this act shall be construed as in anywise affecting the grant of lands made to the State of California by virtue of the act entitled, "An act authorizing a grant to the State of California of the Yosemite Valley, and of the land embracing the Mariposa Big-Tree Grove, approved June thirtieth, eighteen hundred and sixty-four; or. as affecting any bona-fide entry of land made within the limits above described under any law of the United States prior to the approval of this act.

Withdrawn from settlement, etc. Trespassers.

Proviso.

Grant of Yosemite Valley and Mariposa Big-Tree Grove, not affected.
Vol. 13, p. 325.
See p. 64.
Bonafide prior entries not affected.

SEC. 2. That said reservation shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury of all timber, mineral deposits, natural curiosities, or wonders within said reservation, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes for terms not exceeding ten years of small parcels of ground not

Secretary of Interior to have control.

Regulations.

Preservation of timber, etc.

Building leases, etc.
(Amended by vol. 38, p. 554.

See p. 66 below.) (Amended by vol. 40, p. 158, as amended. See p. 12.)

Distribution of proceeds.

exceeding five acres; at such places in said reservation as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases and other revenues that may be derived from any source connected with said reservation to be expended under his direction in the management of the same and the construction of roads and paths therein. He shall provide against the wanton destruction of the fish, and game found within said reservation, and against their capture or destruction, for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and, generally, shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act. (U.S.C., title 16, sec. 55.)

Preservation of fish and game.

Removal of trespassers, etc.

Other lands reserved as forest lands.

SEC. 3. There shall also be and is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and shall be set apart as reserved forest lands, as hereinbefore provided, and subject to all the limitations and provisions herein contained, the following additional lands, to wit: Township seventeen south, range thirty east of the Mount Diablo meridian, excepting sections thirty-one, thirty-two, thirty-three, and thirty-four of said township, included in a previous bill. And there is also reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as forest lands, subject to like limitations, conditions, and provisions, all of townships fifteen and sixteen south, of ranges twenty-nine and thirty east of the Mount Diablo meridian. And there is also hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands under like limitations, restrictions, and provisions, sections five and six in township fourteen south, range twenty-eight east of Mount Diablo meridian, and also sections thirty-one and thirty-two of township thirteen south, range twenty-eight east of the same meridian. Nothing in this act shall authorize rules or contracts touching the protection and improvement of said reservations, beyond the sums that may be received by the Secretary of the Interior under the foregoing provisions, or authorize any charge against the Treasury of the United States.

Descriptions.

Limit upon contracts, expenditures, etc.

An Act To amend an Act approved October first, eighteen hundred and ninety, entitled "An Act to set apart certain tracts of land in the State of California as forest reservations," approved July 23, 1914 (38 Stat. 554)[2]

Yosemite National Park, Calif.

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

[2]Amends 26 Stat. 650. See p. 64.

authorized and empowered to grant leases, for periods of not exceeding twenty years, at annual rentals, and under terms and conditions to be determined by him, to any person, corporation, or company he may authorize to transact business in the Yosemite National Park, for separate tracts of land, not exceeding twenty acres each, at such places, not to exceed ten in number, to any person, corporation, or company in said park, as the comfort and convenience of visitors may require, for the construction and maintenance of substantial hotel buildings and buildings for the protection of motor cars, stages, stock and equipment, and so forth. Such leases may, at the option of the Secretary of the Interior, contain appropriate provisions for the appraisement, at the expiration of the lease, of the value of such hotel and other buildings (or portions thereof) as may be constructed by the lessees, respectively, and the payment of the same to the lessees in case a new lease be made to persons other than said lessees, such payments to be made by such new lessees, respectively.

Leases of land for hotel purposes, etc., authorized. (Amended by 39 Stat. 535, as amended. See pp. 9–12.)

Vol. 26, p. 650. See p. 64.

Number limited.

Appraisement, etc., on termination.

That any person or corporation or company holding a lease or leases within said park for the purposes above described is hereby authorized, with the approval of the Secretary of the Interior, to execute mortgages upon his or its rights and properties, including his or its contract or contracts with the Secretary of the Interior; such mortgages shall be executed in duplicate and delivered to the Secretary of the Interior for his approval, and upon his approval thereof he shall retain one of said duplicates and file the same for record in his office.

Mortgages allowed.

Any mortgage, lien, or encumbrance created under the provisions hereof shall be subject to the rights of the Government to compel the enforcement of the terms of the lease or contract of the mortgagor, and any purchaser under a foreclosure of such encumbrance shall take subject to all the conditions assumed by the original lessee or contractor. (U.S.C., title 16, sec. 55.)

Subject to leases.

All provisions of existing law in relation to said park not in conflict herewith are hereby continued in full force and effect.

Nonconflicting laws continued.

An Act Granting to the county of Mariposa, in the State of California, the right of way for a free wagon road or turnpike across the Yosemite National Park, in said State, approved July 18, 1892 (27 Stat. 235)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the county of Mariposa, in the State of California, a right of way, not exceeding one hundred feet in width, on that portion of the Yosemite National Park, in said State, commencing near the southwest corner of said national park as now established and running from thence to the Merced River, thence across same to the western boundary line of the

Yosemite Park, Calif.

Right of way across, granted to Mariposa County.

Free wagon road.

Yosemite Valley grant to a junction with the Coulterville road, for the purpose of constructing a free wagon road or turnpike leading from the town of Mariposa, in said county and State, to the Yosemite Valley, upon the express condition that the said road shall be completed in five years from the passage of this act.

Completion.

Nonliability of United States.

SEC. 2. That the United States shall in no wise be liable for any expense, at any time, on account of the building of said free wagon road or turnpike, or for keeping the same in repair, and if the said road should be forfeited or abandoned, or cease to be free of toll, the land covered by the right of way shall revert to the United States if the land over which it ran is kept for park purposes, or if sold, to the owners of the land through which the road runs, or whose property abuts the same.

Reversion.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes," approved June 6, 1900 (31 Stat. 618)

Protection of Sequoia, Yosemite, and General Grant national parks, California.

The Secretary of War, upon the request of the Secretary of the Interior, is hereafter authorized and directed to make the necessary detail of troops to prevent trespassers or intruders from entering the Sequoia National Park, the Yosemite National Park, and the General Grant National Park, respectively, in California, for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law or regulation for the government of said reservations, and to remove such persons from said parks if found therein. (U.S.C., title 16, sec. 78.)

An Act Relating to rights of way through certain parks, reservations, and other public lands, approved February 15, 1901 (31 Stat. 790)

Public lands. Rights of way through reservations, etc., authorized. (Amended by 36 Stat. 1253, see p. 3; and by Federal Water Power Act of June 10, 1920, 41 Stat. 1063, as amended by 41 Stat. 1358, See p. 4.)[8]

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 hereby is, authorized and empowered, under general regulations to be fixed by him, to permit the use of rights of way through the public lands, forest and other reservations of the United States, and the Yosemite, Sequoia, and General Grant national parks, California, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes, and for canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits, and for water plants, dams and reservoirs used to promote irrigation or mining or quarrying, or the manufacturing or cutting of timber or lumber, or the supplying of water for domestic, public, or any other beneficial uses to the extent of the ground occupied by such canals, ditches, flumes, tunnels, reservoirs, or other water conduits or water plants, or

[8] See Solicitor's Opinion of June 6, 1932 (M. 27036).

electrical or other works permitted hereunder, and not to exceed fifty feet on each side of the marginal limits thereof, or not to exceed fifty feet on each side of the center line of such pipes and pipe lines, electrical, telegraph, and telephone lines and poles, by any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted hereunder or any one or more of the purposes herein named: *Provided*, That such permits shall be allowed within or through any of said parks or any forest, military, Indian, or other reservation only upon the approval of the chief officer of the department under whose supervision such park or reservation falls and upon a finding by him that the same is not incompatible with the public interest: *Provided further*, That all permits given hereunder for telegraph and telephone purposes shall be subject to the provision of title sixty-five of the Revised Statutes of the United States, and amendments thereto, regulating rights of way for telegraph companies over the public domain: *And provided further*, That any permission given by the Secretary of the Interior under the provisions of this act may be revoked by him or his successor in his discretion, and shall not be held to confer any right, or easement, or interest in, to, or over any public land, reservation, or park. (U.S.C., title 16, sec. 79.)

—width, etc.

Provisos. Approval of permit.

Telegraph, etc., permits.

Revocation of permit.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes," approved April 28, 1904 (33 Stat 487)

The Secretary of the Interior is hereby directed to examine into the conditions and situations in the United States Yosemite Park in the State of California for the purpose of ascertaining what portions of said park are not necessary for park purposes but can be returned to the public domain, and also at what place a good and substantial road can be built from the boundary of said park to the Yosemite Valley grant, including the length and cost of the same; and for the purposes of said examination the sum of three thousand dollars is hereby appropriated, to be immediately available.

Yosemite Park. Report on reducing area, etc. (See 33 Stat. 702, p. 69 below.)

An Act To exclude from the Yosemite National Park, California, certain lands therein described, and to attach and include the said lands in the Sierra Forest Reserve, approved February 7, 1905 (33 Stat. 702)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of land in the State of California known and described as follows: Beginning at the point where the middle of the channel of the South Fork of the Merced River intersects the line between sections three and four, township four south, range twenty east, Mount Diablo base and meridian; thence northerly along section lines through the middle of townships three and

Yosemite National Park, Calif. Part of, attached to Sierra Forest Reserve. New boundaries.

four south, range twenty east, to the northwest corner of section three, township three south, range twenty east; thence westerly along township line to the southwest corner of section thirty-three, township two south, range twenty east; thence northerly along section lines to the northwest corner of section twenty-one, said township: thence westerly along section lines to the southwest corner of section eighteen, said township; thence southerly along range line to the southeast corner of the northeast quarter of section twenty-four, township two south, range nineteen east; thence westerly to the southwest corner of the northeast quarter of section twenty-four, said township; thence southerly to the southeast corner of the southwest quarter of section twenty-four, said township; thence westerly along section lines to the southwest corner of section twenty-three, said township; thence northerly along section lines to the northwest corner of the southwest quarter of section fourteen, said township; thence easterly to the northeast corner of the southeast quarter of section fourteen, said township; thence northerly along section line to the northwest corner of section thirteen, said township; thence easterly along section line to the northeast corner of section thirteen, said township; thence northerly along range line to the northwest corner of the southwest quarter of section seven, township two south, range twenty east; thence easterly to the northeast corner of the southeast quarter of section seven, said township; thence southerly along section line to the northwest corner of section seventeen, said township; thence easterly along section lines to the northeast corner of section sixteen, said township; thence northerly along section lines to the northwest corner of section three, said township; thence westerly along township line to the southwest corner of section thirty-three, township one south, range twenty east; thence northerly along section lines to the northwest corner of section twenty-one, said township; thence westerly along section lines to the southwest corner of section eighteen, said township; thence northerly along range line to the northwest corner of section six, said township; thence westerly along Mount Diablo base line to the southwest corner of section thirty-four, township one north, range nineteen east; thence northerly along section lines through the middle of townships one and two north, range nineteen east, to the point of intersection with the summit of the divide between Cherry Creek on the west and Eleanor and Fall creeks on the east; thence along the summit of said divide in a northeasterly direction to the summit of the Sierra Nevada Mountains; thence southeasterly along the summit of the Sierra Nevada Mountains to the divide between the Merced and San Joaquin rivers; thence southwesterly along said divide to the point of intersection with the south boundary of township four south, range twenty-three east, Mount Diablo base and meridian;

thence westerly along township line to the point of intersection with the middle of the channel of the South Fork of the Merced River; thence westerly down the middle of said river to the place of beginning, are hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands, subject to all the provisions of the act of Congress approved October first, eighteen hundred and ninety, entitled "An act to set apart certain tracts of land in the State of California as forest reservations": *Provided*, That all those tracts or parcels of land described in section one of the said act of October first, eighteen hundred and ninety, and not included within the metes and bounds of the land above described, be, and the same are hereby, included in and made part of the Sierra Forest Reserve: *And provided further*, That the Secretary of the Interior may require the payment of such price as he may deem proper for privileges on the land herein segregated from the Yosemite National Park and made a part of the Sierra Forest Reserve accorded under the act approved February fifteenth, nineteen hundred and one, relating to rights of way over certain parks, reservations, and other lands, and other acts concerning rights of way over public lands; and the moneys received from the privileges accorded on the lands herein segregated and included in the Sierra Forest Reserve shall be paid into the Treasury of the United States, to be expended, under the direction of the Secretary of the Interior, in the management, improvement, and protection of the forest lands herein set aside and reserved, which shall hereafter be known as the "Yosemite National Park." (U.S.C., title 16, sec. 46.)

Vol. 26, p. 650. See. p. 64.

Provisos. Remainder made part of Sierra Forest Reserve.

Rights of way. Vol. 31, p. 790. See p. 68.

Receipts used to improve, etc., Yosemite National Park.

SEC. 2. That none of the lands patented and in private ownership in the area hereby included in the Sierra Forest Reserve shall have the privileges of the lieu-land scrip provisions of the land laws, but otherwise to be in all respects under the laws and regulations affecting the forest reserves, and immediately upon the passage of this act all laws, rules, and regulations affecting forest reservations, including the right to change the boundaries thereof by Executive proclamation, shall take effect and be in force within the limits of the territory excluded by this act from the Yosemite National Park, except as herein otherwise provided.

Private lands in, subject to forest reserve laws, etc.

SEC. 3. That this act shall take effect and be in force from and after its passage.

Act of Legislature of California, approved March 3, 1905, regranting to the United States of America the Yosemite Valley and the land embracing the "Mariposa Big Tree Grove" (Statutes of California, 1905, p. 54)

The people of the State of California do enact as follows:

SECTION 1. The State of California does hereby recede and regrant unto the United States of America the "cleft"

or "gorge" in the granite peak of the Sierra Nevada Mountains, situated in the county of Mariposa, State of California, and the headwaters of the Merced River, and known as the Yosemite Valley, with its branches and spurs, granted unto the State of California in trust for public use, resort, and recreation by the act of Congress entitled "An act authorizing a grant to the State of California of the Yosemite Valley and of the land embracing the Mariposa Big Tree Grove," approved June thirtieth, eighteen hundred and sixty-four; and the State of California does hereby relinquish unto the United States of America and resign the trusts created and granted by the said act of Congress.

SEC. 2. The State of California does hereby recede and regrant unto the United States of America the tracts embracing what is known as the "Mariposa Big Tree Grove," granted unto the State of California in trust for public use, resort, and recreation by the act of Congress referred to in section one of this act, and the State of California does hereby relinquish unto the United States of America and resign the trusts created and granted by the said act of Congress.

SEC. 3. This act shall take effect from and after acceptance by the United States of America of the recessions and regrants herein made, thereby forever releasing the State of California from further cost of maintaining the said premises, the same to be held for all time by the United States of America for public use, resort, and recreation, and imposing on the United States of America the cost of maintaining the same as a national park: *Provided, however*, That the recession and regrant hereby made shall not affect vested rights and interests of third persons.

Joint Resolution accepting the recession by the State of California of the Yosemite Valley grant and the Mariposa Big Tree Grove, and including the same, together with fractional sections five and six, township five south, range twenty-two east, Mount Diablo meridian, California, within the metes and bounds of the Yosemite National Park, and changing the boundaries thereof, approved June 11, 1906 (34 Stat. 831)[4]

Yosemite Valley and Mariposa Big Tree Grove. Recession of, by California to the United States ratified. Reserved as forest lands, etc. Vol. 18, p. 325. Se p. 64.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the recession and regranting unto the United States by the State of California of the cleft or gorge in the granite peak of the Sierra Nevada Mountains, situated in the county of Mariposa, State of California, and the headwaters of the Merced River, and known as the Yosemite Valley, with its branches or spurs, granted unto the State of California in trust for public use, resort, and recreation by the act of Congress entitled "An act au-

[4] The wording of the bill introduced in the House of Representatives, providing for the acceptance of the recession as indicated in the above title, was struck out in the Senate, and the bill as passed carried an appropriation without accepting the recession of Yosemite Valley and Mariposa Big Tree Grove.

thorizing a grant to the State of California of the Yosemite Valley and of the land embracing the Mariposa Big Tree Grove," approved June thirtieth, eighteen hundred and sixty-four (Thirteenth Statutes, page three hundred and twenty-five), as well as the tracts embracing what is known as the "Mariposa Big Tree Grove," likewise granted unto the State of California by the aforesaid act of Congress, is hereby ratified and accepted, and the tracts of land embracing the Yosemite Valley and the Mariposa Big Tree Grove, as described in the act of Congress approved June thirtieth, eighteen hundred and sixty-four, together with that part of fractional sections five and six, township five south, range twenty-two east, Mount Diablo meridian, California, lying south of the South Fork of Merced River and almost wholly between the Mariposa Big Tree Grove and the south boundary of the Yosemite National Park, be, and the same are hereby, reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States and set apart as reserved forest lands, subject to all the limitations, conditions, and provisions of the act of Congress approved October first, eighteen hundred and ninety, entitled "An act to set apart certain tracts of land in the State of California as forest reservations," as well as the limitations, conditions, and provisions of the act of Congress approved February seventh, nineteen hundred and five, entitled "An act to exclude from the Yosemite National Park, California, certain lands therein described, and to attach and include the said lands in the Sierra Forest Reserve," and shall hereafter form a part of the Yosemite National Park. (U.S.C., title 16, sec. 48.)

Vol. 26, p. 650. See p. 64.

Vol. 33, p. 702. See p. 69.

Yosemite National Park. Boundaries changed. Description.

The south and west boundary lines of the Yosemite National Park are hereby changed as follows: Beginning at the point on the line between sections thirty-five and thirty-six, township four south, range twenty-one east, where the same intersects the middle of the channel of the South Fork of the Merced River; thence north on section line to the southwest corner of section twenty-five; thence west on section lines to the southwest corner of section twenty-eight; thence north on section line to the northwest corner of section twenty-eight; thence west on section line to the quarter-section corner between sections twenty and twenty-nine; thence north through the middle of section twenty to the center thereof; thence east through the middle of section twenty to the quarter-section corner between sections twenty and twenty-one; thence north on section line to the quarter-section corner between sections sixteen and seventeen; thence west through middle of section seventeen to the center thereof; thence north through the middle of sections seventeen, eight, and five to the quarter-section corner of north boundary of section five on township boundary, all in

township four south, range twenty-one east; thence north through the middle of section thirty-two, township three south, range twenty-one east, to the center thereof; thence west through the middle of section thirty-two, said township, and section thirty-six, township three south, range twenty east, to the quarter-section corner between sections thirty-five and thirty-six; thence north on section line to the quarter-section corner between sections twenty-five and twenty-six; thence east through the middle of section twenty-five to the center thereof; thence north through the middle of sections twenty-five and twenty-four to the center of section twenty-four; thence west through the middle of sections twenty-four, twenty-three, and twenty-two to the quarter-section corner between sections twenty-one and twenty-two, township three south, range twenty east, on the present western boundary of the Yosemite National Park. And all that portion of the Yosemite National Park lying between the boundary line last above mentioned and the present boundary line of said national park is excluded from said park; and the said lands so excluded, and all thereof, are added to and made a part of the Sierra Forest Reserve, and shall hereafter form a part of said Sierra Forest Reserve, and shall be subject to all of the acts of Congress with relation thereto: *Provided*, That the Secretary of the Interior may require the payment of such price as he may deem proper for privileges on the land herein segregated from the Yosemite National Park and made a part of the Sierra Forest Reserve accorded under the act approved February fifteenth, nineteen hundred and one, relating to rights of way over certain parks, reservations, and other lands, and other acts concerning rights of way over public lands: *And provided further*, That in the grant of any right of way for railway purposes across the lands placed under this measure within the Sierra Forest Reserve it shall be stipulated that no logs or timber shall be hauled over the same without the consent of the Secretary of the Interior, and under regulations to be promulgated by him. (U.S.C., title 16, sec. 47.)

Lands excluded and made part of Sierra Forest Reserve.

Provisos. Payment for privileges. Vol. 31, p. 790. See p. 68. Right of way to railroads. Restriction.

Patented lands, etc.

SEC. 2. That none of the lands patented and in private ownership in the area hereby included in the Sierra Forest Reserve shall have the privileges of the lieu-land scrip provisions of the land laws, but otherwise to be in all respects under the laws and regulations affecting the forest reserves, and immediately upon the passage of this act all laws, rules, and regulations affecting forest reservations, including the right to change the boundaries thereof by Executive proclamation, shall take effect and be in force within the limits of the territory excluded by this act from the Yosemite National Park, except as herein otherwise provided. (U.S.C., title 16, sec. 49.)

Revenues expended for improvements, etc.

SEC. 3. That all revenues derived from privileges in the park authorized under the act of October first, eighteen

hundred and ninety, the act of February seventh, nineteen hundred and five, as well as under this measure, or from privileges accorded on the lands herein segregated from said park and included within the Sierra Forest Reserve, shall be paid into the Treasury of the United States, to be expended under the direction of the Secretary of the Interior in the management, protection, and improvement of the Yosemite National Park. (U.S.C., title 16, sec. 50.)

Vol. 26, p. 650. See p. 64.
Vol. 33, p. 702. See p. 69. (Repealed by 46 Stat. 1028, but subject matter covered by U.S.C., title 16, sec. 452, 42 Stat. 590, as amended. See p. 12.)

An Act To authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes, approved April 9, 1912 (37 Stat. 80)

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 for the purpose of eliminating private holdings within the Yosemite National Park and the preservation intact of the natural timber along the roads in the scenic portions of the park, both on patented and park lands, is hereby empowered, in his discretion, to obtain for the United States the complete title to any or all of the lands held in private ownership within the boundaries of said park, by the exchange of decayed or matured timber, that can be removed from such parts of the park as will not affect the scenic beauty thereof, for lands of equal value held in private ownership therein, and also, in his discretion, to exchange for timber standing near the public roads on patented lands timber of equal value on park lands in other parts of the park. (U.S.C., title 16, sec. 51.)

Yosemite National Park. Exchange of timber for private lands within.
Vol. 34, p. 831. See p. 72. (Amended by 38 Stat. 345. See p. 76.)
Preservation of timber near public roads.

SEC. 2. That the value of patented lands within the park offered in exchange, and the value of the timber on park lands proposed to be given in exchange for such patented lands, shall be ascertained in such manner as the Secretary of the Interior may, in his discretion, direct, and all expenses incident to ascertaining such values shall be paid by the owners of said patented lands, and such owners shall, before any exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the patented lands offered in exchange, and if the value of the timber on park lands exceeds the value of the patented lands deeded to the Government in the exchange such excess shall be paid to the Secretary of the Interior by the owners of the patented lands before any of the timber is removed from the park, and shall be deposited and covered into the Treasury as miscellaneous receipts. The same course shall be pursued in relation to exchange for timber standing near public roads on patented lands for timber to be exchanged on park lands: *Provided*, That the lands conveyed to the Government under this Act shall become a part of the Yosemite National Park. (U.S.C., title 16, sec. 52.)

Determination of values.
Payment for timber in excess of value of land.
Proviso. Lands added to park.

Regulations for cutting and removal.

SEC. 3. That all timber must be cut and removed from the park under regulations to be prescribed by the Secretary of the Interior, and any damage which may result to the roads or any part of the park in consequence of the cutting and removal of the timber from the reservation shall be borne by the owners of the patented lands, and bond satisfactory to the Secretary of the Interior must be given for the payment of such damages, if any, as shall be determined by the Secretary of the Interior. (U.S.C., title 16, sec. 53.)

Sale of matured, etc., timber in park.

SEC. 4. That the Secretary of the Interior may also sell and permit the removal of such matured or dead or down timber as he may deem necessary or advisable for the protection or improvement of the park, and the proceeds derived therefrom shall be deposited and covered into the Treasury as miscellaneous receipts. (U.S.C., title 16, sec. 54.)

An Act To amend section one of an Act of Congress approved April ninth, nineteen hundred and twelve (Thirty-seventh Statutes, page eighty), entitled "An Act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes," approved April 16, 1914 (38 Stat. 345)

Yosemite National Park, Calif. Vol. 37, p. 80, amended. See p. 75.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of an Act of Congress approved April ninth, nineteen hundred and twelve (Thirty-seventh Statutes, page 80), entitled "An Act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes," be, and the same is hereby, amended to read as follows:

Exchange of timber, etc., for acquiring private lands.

"SECTION 1. That the Secretaries of the Departments of Interior and Agriculture, for the purpose of eliminating private holdings within the Yosemite National Park and to preserve intact timber along and adjoining the roads in the scenic portion of the park on patented lands, are hereby empowered in their discretion to obtain and accept for the United States a complete title to any and all patented lands within the boundaries of said park by the exchange of timber or timber and lands within the Yosemite National Park and the Sierra and Stanislaus National Forests for such lands and the timber thereon within the park, necessary conveyances of park and national forest timber or timber and lands to be made by said secretaries, respectively. That the secretaries of the said departments may, and are hereby authorized to, acquire title in fee by the exchange of lands of the United States for patented lands not exceeding six hundred and forty acres in the Sierra and Stanislaus National Forests, adjacent and contiguous to the Yosemite National Park, and when such patented lands are thus acquired.

Exchange for patented land in Sierra and Stanislaus National Forests.

said lands shall become a part of the Yosemite National Park and be subject to all the provisions of the Act of October first, eighteen hundred and ninety, entitled 'An Act to set apart certain tracts of land in the State of California as forest reservations.'" (U.S.C., title 16, sec. 51.)

Vol. 26, p. 650. See p. 64.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913 (38 Stat. 49)

Yosemite Park.

Yosemite National Park, California: For protection and improvement, construction and repair of bridges, fences, and trails, and improvement of roads other than toll roads: *Provided, however*, That the Secretary of the Interior is hereby authorized and empowered to grant a lease for the construction and maintenance of a substantial hotel and buildings in connection therewith in accordance with and under the provisions of the Act of June fourth, nineteen hundred and six (34 Stat. 207), relating to concessions in Yellowstone National Park, and the Act of March second, nineteen hundred and seven (34 Stat. 1219), amendatory thereof, and any part of section two of the Act of October first, eighteen hundred and ninety, concerning the Yosemite National Park in conflict herewith is hereby repealed, $125,000.

Proviso. Lease for hotel authorized.

Vol. 34, p. 207. See p. 35.

Vol 34, p. 1219. See p. 36.

Restrictions removed. Vol. 26, p. 650. See p. 64.

An Act Granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes, approved December 19, 1913 (38 Stat. 242)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the city and county of San Francisco, a municipal corporation in the State of California, all necessary rights of way along such locations and of such width, not to exceed two hundred and fifty feet, as in the judgment of the Secretary of the Interior may be required for the purposes of this Act, in, over, and through the public lands of the United States in the counties of Tuolumne, Stanislaus, San Joaquin, and Alameda, in the State of California, and in, over, and through the Yosemite National Park and the Stanislaus National Forest, or portions thereof, lying within the said counties, for the purpose of constructing, operating, and maintaining aqueducts, canals, ditches, pipes, pipe lines, flumes, tunnels, and conduits for conveying water for domestic purposes and uses to the city and county of San Francisco and such other municipalities and water districts as, with the consent of the city and county of San Francisco, or in

San Francisco, Calif. Right of way granted to, through public lands, etc., for water uses.

accordance with the laws of the State of California in force at the time application is made, may hereafter participate in the beneficial use of the rights and privileges granted by this Act; for the purpose of constructing, operating, and maintaining power and electric plants, poles, and lines for generation and sale and distribution of electric energy; also for the purpose of constructing, operating, and maintaining telephone and telegraph lines, and for the purpose of constructing, operating, and maintaining roads, trails, bridges, tramways, railroads, and other means of locomotion, transportation, and communication, such as may be necessary or proper in the construction, maintenance, and operation of the works constructed by the grantee herein; together with such lands in the Hetch Hetchy Valley and Lake Eleanor Basin within the Yosemite National Park, and the Cherry Valley within the Stanislaus National Forest, irrespective of the width or extent of said lands, as may be determined by the Secretary of the Interior to be actually necessary for surface or underground reservoirs, diverting and storage dams; together with such lands as the Secretary of the Interior may determine to be actually necessary for power houses, and all other structures or buildings necessary or properly incident to the construction, operation, and maintenance of said water-power and electric plants, telephone and telegraph lines, and such means of locomotion, transportation, and communication as may be established; together with the right to take, free of cost, from the public lands, the Yosemite National Park, and the Stanislaus National Forest adjacent to its right of way, within such distance as the Secretary of the Interior and the Secretary of Agriculture may determine, stone, earth, gravel, sand, tufa, and other materials of like character actually necessary to be used in the construction, operation, and repair of its said water-power and electric plants, its said telephone and telegraph lines, and its said means of locomotion, transportation, or communication, under such conditions and regulations as may be fixed by the Secretary of the Interior and the Secretary of Agriculture, within their respective jurisdictions, for the protection of the public lands, the Yosemite National Park, and the Stanislaus National Forest: *Provided*, That said grantee shall file, as hereinafter provided, a map or maps showing the boundaries, location, and extent of said proposed rights of way and lands for the purposes hereinabove set forth: *Provided further*, That the Secretary of the Interior shall approve no location or change of location in the national forests unless said location or change of location shall have been approved in writing by the Secretary of Agriculture.

Electric plants, etc.

Lands for reservoirs, etc., in Hetch Hetchy Valley, etc.

Power houses, etc.

Construction material from Yosemite Park, Stanislaus Forest, etc.

Conditions, etc.

***Provisos.* Maps to be filed.**

Approval of location.

Maps to be filed in land offices.

SEC. 2. That within three years after the passage of this Act said grantee shall file with the registers of the

United States land offices, in the districts where said rights of way or lands are located, a map or maps showing the boundaries, locations, and extent of said proposed rights of way and lands required for the purposes stated in section one of this Act; but no permanent construction work shall be commenced on said land until such map or maps shall have been filed as herein provided and approved by the Secretary of the Interior: *Provided, however*, That any changes of location of any of said rights of way or lands may be made by said grantee before the final completion of any of said work permitted in section one hereof, by filing such additional map or maps as may be necessary to show such changes of location, said additional map or maps to be filed in the same manner as the original map or maps; but no change of location shall become valid until approved by the Secretary of the Interior, and the approval by the Secretary of the Interior of said map or maps showing changes of location of said rights of way or lands shall operate as an abandonment by the city and county of San Francisco to the extent of such change or changes of any of the rights of way or lands indicated on the original maps: *And provided further*, That any rights inuring to the grantee under this Act shall, on the approval of the map or maps referred to herein by the Secretary of the Interior, relate back to the date of the filing of said map or maps with the register of the United States Land Office as provided herein, or to the date of the filing of such maps as they may be copies of as provided for herein: *And provided further*, That with reference to any map or maps heretofore filed by said city and county of San Francisco or its grantor with any officer of the Department of the Interior or the Department of Agriculture, and approved by said department, the provisions hereof will be considered complied with by the filing by said grantee of copies of any of such map or maps with the register of the United States Land Office as provided for herein, which said map or maps and locations shall as in all other cases be subject to the approval of the Secretary of the Interior.

Commencement of construction.

Provisos. Changes.

Approval required.

Rights relate back to date of filing.

Acceptance of previous maps.

SEC. 3. That the rights of way hereby granted shall not be effective over any lands upon which homestead, mining, or other existing valid claim or claims shall have been filed or made and which now in law constitute prior rights to any claim of the grantee until said grantee shall have purchased such portion or portions of such homestead, mining, or other existing valid claims as it may require for right-of-way purposes and other purposes herein set forth, and shall have procured proper relinquishments of such portion or portions of such claims, or acquired title by due process of law and just compensation paid to said entrymen or claimants, and caused proper evidence of such fact to be filed with the

Rights of way subject to purchase of valid grants, etc.

Commissioner of the General Land Office, and the right of such entrymen or claimants to sell and of said grantee to purchase such portion or portions of such claims are hereby granted: *Provided, however*, That this Act shall not apply to any lands embraced in rights of way heretofore approved under any Act of Congress for the benefit of any parties other than said grantee or its predecessors in interest.

Proviso. Lands in former rights of way not affected.

Park and forest regulations to govern.

SEC. 4. That the said grantee shall conform to all regulations adopted and prescribed by the Secretary of the Interior governing the Yosemite National Park and by the Secretary of Agriculture governing the Stanislaus National Forest, and shall not take, cut, or destroy any timber within the Yosemite National Park or the Stanislaus National Forest, except such as may be actually necessary in order to construct, repair, and operate its said reservoirs, dams, power plants, water-power and electric works, and other structures above mentioned, but no timber shall be cut or removed from lands outside of the right of way until designated by the Secretary of the Interior or the Secretary of Agriculture, respectively; and it shall pay to the United States the full value of all timber and wood cut, injured, or destroyed on or adjacent to any of the rights of way and lands, as required by the Secretary of the Interior or the Secretary of Agriculture: *Provided*, That no timber shall be cut by the grantee in the Yosemite National Park except from land to be submerged or which constitutes an actual obstruction to the right or rights of way or to any road or trail provided in this Act: *Provided further*, That for and in consideration of the rights and privileges hereby granted to it the said grantee shall construct and maintain in good repair such bridges or other practicable crossings over its rights of way within the Stanislaus National Forest as may be prescribed in writing by the Secretary of Agriculture, and elsewhere on public lands along the line of said works, and within the Yosemite National Park as may be prescribed in writing by the Secretary of the Interior; and said grantee shall, as said waterworks are completed, if directed in writing by the Secretary of the Interior or the Secretary of Agriculture, construct and maintain along each side of said right of way a lawful fence of such character as may be prescribed by the proper Secretary, with such suitable lanes or crossings as the aforesaid officers shall prescribe: *And provided further*, That the said grantee shall clear its rights of way within the Yosemite National Park and the Stanislaus National Forest and over any public land of any débris or inflammable material as directed by the Secretary of the Interior and the Secretary of Agriculture, respectively; and said grantee shall permit any road or trail which it may construct over the public lands, the Yosemite National Park, or the Stanislaus National For-

Timber regulations.

Provisos. In Yosemite Park.

Bridges, fences, and roads required.

Removal of débris, etc.

Public use of roads, etc.

est to be freely used by the officials of the Government and by the public, and shall permit officials of the Government, for official business only, the free use of any telephone or telegraph lines, or equipment, or railroads that it may construct and maintain within the Yosemite National Park and the Stanislaus National Forest, or on the public lands, together with the right to connect with any such telephone or telegraph lines private telephone wires for the exclusive use of said Government officials: *And provided further*, That all reservoirs, dams, conduits, power plants, water power and electric works, bridges, fences, and other structures not of a temporary character shall be sightly and of suitable exterior design and finish so as to harmonize with the surrounding landscape and its use as a park; and for this purpose all plans and designs shall be submitted for approval to the Secretary of the Interior.

Structures, etc., to be sightly and suitable.

SEC. 5. That all lands over which the rights of way mentioned in this Act shall pass shall be disposed of only subject to such easements: *Provided, however*, That the construction of the aforesaid works shall be prosecuted diligently, and no cessation of such construction shall continue for a period of three consecutive years, and in the event that the Secretary of the Interior shall find and determine that there has not been diligent prosecution of the work or of some integral and essential part thereof, or that there has been a cessation of such construction for a period of three consecutive years, then he may declare forfeited all rights of the grantee herein as to that part of the works not constructed, and request the Attorney General, on behalf of the United States, to commence suit in the United States District Court for the Northern District of California for the purpose of procuring a judgment declaring all such rights to that part of the works not constructed to be forfeited to the United States, and upon such request it shall be the duty of the said Attorney General to cause to be commenced and prosecuted to a final judgment such suit: *Provided further*, That the Secretary of the Interior shall make no such finding and take no such action if he shall find that the construction or progress of the works has been delayed or prevented by the act of God or the public enemy, or by engineering or other difficulties that could not have been reasonably foreseen and overcome, or by other special or peculiar difficulties beyond the control of the said grantee: *Provided further*, That, in the exercise of the rights granted by this Act, the grantee shall at all times comply with the regulations herein authorized, and in the event of any material departure therefrom the Secretary of the Interior or the Secretary of Agriculture, respectively, may take such action as may be necessary in the courts or otherwise to enforce such regulations.

Restriction of easements.

***Provisos.* Progress of construction required.**

Forfeiture on failure.

Determination by Secretary of the Interior.

Compliance with regulations required.

Selling of water, etc., restricted.

SEC. 6. That the grantee is prohibited from ever selling or letting to any corporation or individual, except a municipality or a municipal water district or irrigation district, the right to sell or sublet the water or the electric energy sold or given to it or him by the said grantee: *Provided*, That the rights hereby granted shall not be sold, assigned, or transferred to any private person, corporation, or association, and in case of any attempt to so sell, assign, transfer, or convey, this grant shall revert to the Government of the United States.

Proviso. Prohibition on assignment of grant.

Roads and trails to be assigned to the United States.

SEC. 7. That for and in consideration of the grant by the United States as provided for in this Act the said grantee shall assign, free of cost to the United States, all roads and trails built under the provisions hereof; and further, after the expiration of five years from the passage of this Act the grantee shall pay to the United States the sum of $15,000 annually for a period of ten years, beginning with the expiration of the five-year period before mentioned, and for the next ten years following $20,000 annually, and for the remainder of the term of the grant shall, unless in the discretion of Congress the annual charge should be increased or diminished, pay the sum of $30,000 annually, said sums to be paid on the first day of July of each year. Until otherwise provided by Congress, said sums shall be kept in a separate fund by the United States, to be applied to the building and maintenance of roads and trails and other improvements in the Yosemite National Park and other national parks in the State of California. The Secretary of the Interior shall designate the uses to be made of sums paid under the provisions of this section under the conditions specified herein.

Annual cash payments.

Application of fund.

"Grantee" construed.

SEC. 8. That the word "grantee" as used herein shall be understood as meaning the city and county of San Francisco and such other municipalities or water district or water districts as may, with the consent of the city and county of San Francisco or in accordance with the laws of the State of California, hereafter participate in or succeed to the beneficial rights and privileges granted by this Act.

Specified conditions.

SEC. 9. That this grant is made to the said grantee subject to the observance on the part of the grantee of all the conditions hereinbefore and hereinafter enumerated:

Yosemite Park. Sanitary regulations.

(a) That upon the completion of the Hetch Hetchy Dam or the Lake Eleanor Dam, in the Yosemite National Park, by the grantee, as herein specified, and upon the commencement of the use of any reservoirs thereby created by said grantee as a source of water supply for said grantee, the following sanitary regulations shall be made effective within the watershed above and around said reservoir sites so used by said grantee:

First. No human excrement, garbage, or other refuse shall be placed in the waters of any reservoir or stream or within three hundred feet thereof. Refuse, etc.

Second. All sewage from permanent camps and hotels within the watershed shall be filtered by natural percolation through porous earth or otherwise adequately purified or destroyed. Sewage.

Third. No person shall bathe, wash clothes or cooking utensils, or water stock in, or in any way pollute, the water within the limits of the Hetch Hetchy Reservoir or any reservoir constructed by the said grantee under the provisions of this grant, or in the streams leading thereto, within one mile of said reservoir; or, with reference to the Hetch Hetchy Reservoir, in the waters from the reservoir or waters entering the river between it and the "Early intake" of the aqueduct, pending the completion of the aqueduct between "Early intake" and the Hetch Hetchy Dam site. Pollution of waters.

Fourth. The cost of the inspection necessary to secure compliance with the sanitary regulations made a part of these conditions, which inspection shall be under the direction of the Secretary of the Interior, shall be defrayed by the said grantee. Expense of inspection.

Fifth. If at any time the sanitary regulations provided for herein shall be deemed by said grantee insufficient to protect the purity of the water supply, then the said grantee shall install a filtration plant or provide other means to guard the purity of the water. No other sanitary rules or restrictions shall be demanded by or granted to the said grantee as to the use of the watershed by campers, tourists, or the occupants of hotels and cottages. Filtration plant, etc.

(b) That the said grantee shall recognize the prior rights of the Modesto Irrigation District and the Turlock Irrigation District as now constituted under the laws of the State of California, or as said districts may be hereafter enlarged to contain in the aggregate not to exceed three hundred thousand acres of land, to receive two thousand three hundred and fifty second-feet of the natural daily flow of the Tuolumne River, measured at the La Grange Dam, whenever the same can be beneficially used by said irrigation districts, and that the grantee shall never interfere with said rights. Modesto and Turlock Irrigation Districts. Prior rights recognized.

(c) That whenever said irrigation districts receive at the La Grange Dam less than two thousand three hundred and fifty second-feet of water, and when it is necessary for their beneficial use to receive more water the said grantee shall release free of charge, out of the natural daily flow of the streams which it has intercepted, so much water as may be necessary for the beneficial use of said irrigation districts not exceeding an amount which, with the waters of the Tuolumne and its tribu- Additional water flow. Tuolumne River supply.

taries, will cause a flow at La Grange Dam of two thousand three hundred and fifty second-feet; and shall also recognize the rights of the said irrigation districts to the extent of four thousand second-feet of water out of the natural daily flow of the Tuolumne River for combined direct use and collection into storage reservoirs as may be provided by said irrigation districts, during the period of sixty days immediately following and including April fifteenth of each year, and shall during such period release free of charge such quantity of water as may be necessary to secure to the said irrigation districts such four thousand second-feet flow or portion thereof as the said irrigation districts are capable of beneficially directly using and storing below Jawbone Creek: *Provided, however*, That at such times as the aggregate daily natural flow of the watershed of the Tuolumne and its tributaries measured at the La Grange Dam shall be less than said districts can beneficially use and less than two thousand three hundred and fifty second-feet, then and in that event the said grantee shall release, free of charge, the entire natural daily flow of the streams which it has under this grant intercepted.

Proviso. Release of daily flow.

Delivery of stored water.

(d) That the said grantee whenever the said irrigation districts desire water in excess of that to which they are entitled under the foregoing, shall on the written demand of the said irrigation districts sell to the said irrigation districts from the reservoir or reservoirs of the said grantee such amounts of stored water as may be needed for the beneficial use of the said irrigation districts at such a price as will return to the grantee the actual total costs of providing such stored water, such costs to be computed in accordance with the currently accepted practice of public cost accounting as may be determined by the Secretary of the Interior, including, however, a fair proportion of the cost to said grantee of the conduit, lands, dams, and water-supply system included in the Hetch Hetchy and Lake Eleanor sites; upon the express condition, however, that the said grantee may require the said irrigation districts to purchase and pay for a minimum quantity of such stored water, and that the said grantee shall be entitled to receive compensation for a minimum quantity of stored water and shall not be required to sell and deliver to the said irrigation districts more than a maximum quantity of such stored water to be released during any calendar year: *Provided, however*, That if the said irrigation districts shall develop sufficient water to meet their own needs for beneficial use and shall so notify in writing the Secretary of the Interior, the said grantee shall not be required to sell or deliver to said irrigation districts the maximum or minimum amount of stored waters hereinbefore provided for, and shall release the said districts from the obliga-

Determination of compensation, etc.

Provisos. Restriction.

tion to pay for such stored water: *And provided further*, That said grantee shall without cost to said irrigation districts return to the Tuolumne River above the La Grange Dam for the use of the said irrigation districts all surplus or waste water resulting from the development of hydroelectric energy generated by the said grantee.

Return of waste water.

(e) That such minimum and maximum amounts of such stored water to be so released during any calendar year as hereinbefore provided and the price to be paid therefor by the said irrigation districts are to be determined and fixed by the Secretary of the Interior in accordance with the provisions of the preceding paragraph.

Amounts of stored water to be released.

(f) That the Secretary of the Interior shall revise the maximum and minimum amounts of stored water to be supplied to said irrigation districts by said grantee as hereinbefore provided, whenever the said irrigation districts have properly developed the facilities of the Davis Reservoir of the Turlock Irrigation District and the Warner-Dallas Reservoir of the Modesto Irrigation District to the fullest practicable extent up to a development not exceeding in cost $15 per acre-foot storage capacity, and whenever additional storage has been provided by the said irrigation districts which is necessary to the economical utilization of the waters of said watershed, and also after water losses and wastes have been reduced to such reasonable minimum as will assure the economical and beneficial use of such water.

Revision of maximum and minimum.

(g) That the said grantee shall not be required to furnish more than the said minimum quantity of stored water hereinbefore provided for until the said irrigation districts shall have first drawn upon their own stored water to the fullest practicable extent.

Restriction of water to be furnished.

(h) That the said grantee shall not divert beyond the limits of the San Joaquin Valley any more of the waters from the Tuolumne watershed than, together with the waters which it now has or may hereafter acquire, shall be necessary for its beneficial use for domestic and other municipal purposes.

Limit of diversion beyond San Joaquin Valley.

(i) That the said grantee shall, at its own expense, locate and construct, under the direction of the Secretary of the Interior, such weirs or other suitable structures on sites to be granted, if necessary, by the United States, for accurately measuring the flow in the said river at or above La Grange Dam, and measuring the flow into and out from the reservoirs or intakes of said districts, and into and out from any reservoirs constructed by the said grantee, and at any other point on the Tuolumne River or its tributaries, which he may designate, and fit the same with water-measuring apparatus satisfactory to said Secretary and keep such hydrographic records as he may direct, such apparatus and records to be open to inspection by any interested party at any time.

Gaging water flow.

Terms construed.

(j) That by "the flow," "natural daily flow," "aggregate daily natural flow," and "what is naturally flowing," as are used herein, is meant such flow as on any given day would flow in the Tuolumne River or its tributaries if said grantee had no storage or diversion works on the said Tuolumne watershed.

Hetch Hetchy Reservoir.

(k) That when the said grantee begins the development of the Hetch Hetchy Reservoir site, it shall undertake and vigorously prosecute to completion a dam at least two hundred feet high, with a foundation capable of supporting said dam when built to its greatest economic and safe height.

Dam to be built.

Sale of excess electrical energy within irrigation districts.

(l) That the said grantee shall, upon request, sell or supply to said irrigation districts, and also to the municipalities within either or both said irrigation districts, for the use of any land owner or owners therein for pumping subsurface water for drainage or irrigation, or for the actual municipal public purposes of said municipalities (which purposes shall not include sale to private persons or corporations) any excess of electrical energy which may be generated, and which may be so beneficially used by said irrigation districts or municipalities, when any such excess of electric energy may not be required for pumping the water supply for said grantee and for the actual municipal public purposes of the said grantee (which purposes shall not include sale to private persons or corporations) at such price as will actually reimburse the said grantee for developing and maintaining and transmitting the surplus electrical energy thus sold; and no power plant shall be interposed on the line of the conduit except by the said grantee, or the lessee, as hereinafter provided, and for the purposes and within the limitations in the conditions set forth herein: *Provided*, That said grantee shall satisfy the needs of the landowners in said irrigation districts for pumping subsurface water for drainage or irrigation, and the needs of the municipalities within such irrigation districts for actual municipal public purposes, after which it may dispose of any excess electrical energy for commercial purposes.

Power plants limited.

Proviso. Priority for irrigation, municipal, etc., uses.

Conditions of grant for municipal or commercial use.

(m) That the right of said grantee in the Tuolumne water supply to develop electric power for either municipal or commercial use is to be made conditional for twenty years following the completion of any portion of the works adapted to the generation of electrical energy, as follows: The said grantee shall within three years from the date of completion of said portion of the works install, operate, and maintain apparatus capable of developing and transmitting not less than ten thousand horsepower of electric power for municipal and commercial use, said ten thousand horsepower to be actually used or offered for use; and within ten years from the completion of said portion of the works not

Minimum power in 3 years.

In 10 years.

less than twenty thousand horsepower; and within fifteen years therefrom not less than thirty thousand horsepower; and within twenty years therefrom not less than sixty thousand horsepower, unless in the judgment of the Secretary of the Interior the public interest will be satisfied with a lesser development. The said grantee shall develop and use hydroelectric power for the use of its people and shall, at prices to be fixed under the laws of California or, in the absence of such laws, at prices approved by the Secretary of the Interior, sell or supply such power for irrigation, pumping, or other beneficial use, said prices not to be less than will return to said grantee the actual total costs of providing and supplying said power, which costs shall be computed in accordance with the currently accepted practice of public cost accounting, as shall be determined by the Secretary of the Interior, including, however, a fair proportion of cost of conduit, lands, dams, and water-supply system; and further, said grantee shall, before using any of said water for the purpose of developing hydroelectric power, file such maps, surveys, field notes, or other data as may be required by law, and shall conform to any law existing and applicable to said subject of development of said hydroelectric power for municipal or commercial uses.

In 20 years.

Sale of power for irrigation, etc.

Computation of price.

(n) That after the period of twenty years hereinbefore provided for the development, transmission, use, and sale of electric power, the Secretary of the Interior, under authorization hereby given, may require the grantee, within a time fixed by the Secretary, to develop, transmit, and use, or offer for sale, such additional power, and also such power less than sixty thousand horsepower as the grantee may have failed to develop, transmit, use, or sell, within the twenty years aforesaid, as in the judgment of said Secretary the grantee may or ought to develop under this grant, and which in his judgment the public interest demands or convenience requires; and in case of the failure of the grantee to carry out any such requirements of the Secretary of the Interior the latter is hereby authorized so to do, and he may, in such manner and form and upon such terms and conditions as he may determine, provide for the development, transmission, use, and sale of such additional power and such power not so developed, transmitted, or used by the grantee at the end of said twenty years up to sixty thousand horsepower; and for that purpose the Secretary of the Interior may take possession of and lease to such person or persons as he may designate such portion of the rights of way, structures, dams, conduits, and other property acquired or constructed by the grantee hereunder as may be necessary for the development, transmission, use, and sale of such power.

Electric power requirement after 20 years.

Procedure on failure.

Leases authorized.

(o) That the rates or charges to be made by the grantee or by any lessee under the last preceding paragraph for

Rates to conform to State laws, etc.

the use of power for commercial purposes shall at all times conform to the laws of the State of California or, in the absence of any such statutory law, be subject to the approval of the Secretary of the Interior, and in the absence of such law no rates or charges shall be made, fixed, or collected without such approval, and the grantee shall at any time, upon the demand of the Secretary of the Interior allow the latter or such person or persons as he may designate full and free access, right, and opportunity to examine and inspect all of the grantee's books, records, and accounts, and all the works constructed and property occupied hereunder by the grantee.

Roads, trails, etc., to be built.

(p) That this grant is upon the further condition that the grantee shall construct on the north side of the Hetch Hetchy Reservoir site a scenic road or trail, as the Secretary of the Interior may determine, above and along the proposed lake to such point as may be designated by the said Secretary, and also leading from said scenic road or trail a trail to the Tiltill Valley and to Lake Vernon, and a road or trail to Lake Eleanor and Cherry Valley via McGill Meadow; and likewise the said grantee shall build a wagon road from Hamilton or Smiths Station along the most feasible route adjacent to its proposed aqueduct from Groveland to Portulaca or Hog Ranch and into the Hetch Hetchy Dam site, and a road along the southerly slope of Smiths Peak from Hog Ranch past Harden Lake to a junction with the old Tioga Road, in section four, township one south, range twenty-one east, Mount Diablo base and meridian, and such roads and trails made necessary by this grant, and as may be prescribed by the Secretary of the Interior. Said grantee shall have the right to build and maintain such other necessary roads or trails through the public lands, for the construction and operation of its works, subject, however, to the approval of the Secretary of Agriculture in the Stanislaus National Forest, and the Secretary of the Interior in the Yosemite National Park. The said grantee shall further lay and maintain a water pipe, or otherwise provide a good and sufficient supply of water for camp purposes at the Meadow, one-third of a mile, more or less, southeasterly from the Hetch Hetchy Dam site.

Approval, etc.

Water supply for camp purposes.

Approval of roads, etc.

That all trail and road building and maintenance by the said grantee in the Yosemite National Park and the Stanislaus National Forest shall be done subject to the direction and approval of the Secretary of the Interior or the Secretary of Agriculture according to their respective jurisdictions.

Water to occupants of lands. Reimbursement for road maintenance, etc. Investigation expenses.

(q) That the said grantee shall furnish water at cost to any authorized occupant within one mile of the reservoir and in addition to the sums provided for in section seven it shall reimburse the United States Government for the actual cost of maintenance of the above roads

and trails in a condition of repair as good as when constructed.

(r) That in case the Department of the Interior is called upon, by reason of any of the above conditions, to make investigations and decisions respecting the rights, benefits, or obligations specified in this Act, which investigations or decisions involve expense to the said Department of the Interior, then such expense shall be borne by said grantee.

Formal acceptance.

(s) That the grantee shall file with the Secretary of the Interior, within six months after the approval of this Act, its acceptance of the terms and conditions of this grant.

Lands to be conveyed to United States.

(t) That the grantee herein shall convey to the United States, by proper conveyance, a good and sufficient title free from all liens and encumbrances of any nature whatever, to any and all tracts of land which are now owned by said grantee within the Yosemite National Park or that part of the national forest adjacent thereto not actually required for use under the provisions of this Act, said conveyance to be approved by and filed with the Secretary of the Interior within six months after the said grantee ceases to use such lands for the purpose of construction or repair under the provisions of this Act.

Sale of water to War Department.

(u) That the city and county of San Francisco shall sell to the United States, for the use of the War Department, such water as the War Department may elect to take, and shall deliver the same through its system in or near the city of San Francisco to the mains or systems of such military reservations in that vicinity as may be designated by the Secretary of War, under such rules and regulations as he may prescribe. In payment for such water and the delivery thereof the United States shall pay to the said city and county of San Francisco a rental, to be calculated at a fixed rate per one thousand gallons, said rate not to exceed the actual cost of said water to said city and county for all the water so furnished, as determined by meter measurements: *And provided further*, That payment of said rental shall be made by the local disbursing officer of the War Department in the usual manner: *Provided, however*, That the grantee shall at all times comply with and observe on its part all the conditions specified in this Act, and in the event that the same are not reasonably complied with and carried out by the grantee, upon written request of the Secretary of the Interior, it is made the duty of the Attorney General in the name of the United States to commence all necessary suits or proceedings in the proper court having jurisdiction thereof, for the purpose of enforcing and carrying out the provisions of this Act.

Annual rental.

Provisos. Payment. Compliance with all conditions required.

Rights of irrigation districts.

SEC. 10. That this grant, so far as it relates to the said irrigation districts, shall be deemed and held to constitute a binding obligation upon said grantee in favor of the

said irrigation districts which said districts, or either of them, may judicially enforce in any court of competent jurisdiction.

State laws not affected.

SEC. 11. That this Act is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this Act, shall proceed in conformity with the laws of said State.

An Act To consolidate certain forest lands in the Sierra National Forest, and Yosemite National Park, California, approved May 13, 1914 (38 Stat. 376)

Sierra National Forest, Calif. Exchange of lands in, with private owners.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving scenic features and consolidating certain forest lands belonging to the United States within the Sierra National Forest and the Yosemite National Park, California, the Secretary of the Interior be, and he hereby is, authorized and empowered, upon the recommendation of the Secretary of Agriculture, and after obtaining and accepting for the Government of the United States of America a valid title to the land to be acquired, which title shall be approved by said Secretary of the Interior, to exchange lands belonging to the United States which are a part of the Sierra National Forest for privately owned timber lands of approximately equal value lying within the boundaries of said Sierra National Forest and the said Yosemite National Park: *Provided*, That upon the consummation of an exchange hereunder the lands acquired by the United States within the boundaries of the Sierra Forest shall become a part of that national forest and that within the boundaries of the Yosemite National Park shall become a part of that park: *Provided further*, That only the following privately owned lands in the Sierra National Forest may be acquired by the United States under the exchange: North half southeast quarter and southeast quarter southeast quarter section thirty-four, southwest quarter southwest quarter section thirty-five, and all of section thirty-six, township four south, range twenty east, Mount Diablo meridian; east half northeast quarter and south half southwest quarter section thirty-two, west half northwest quarter section thirty-three, township four south, range twenty-one east, Mount Diablo meridian; southeast quarter section one, southeast quarter southeast quarter (lot sixteen) section eleven, lots three and four, southwest quarter northwest quarter, southwest quarter, and southeast quarter section twelve, lots two, five, six, and seven, section thirteen,

Provisos. Distribution of acquired lands. Description. Lands for Sierra Forest.

township five south, range twenty east, Mount Diablo meridian; lots two and six, section five, portion northwest quarter northwest quarter south of traverse, southwest quarter northwest quarter, portion southeast quarter northwest quarter west of traverse, northeast quarter southwest quarter, southeast quarter southwest quarter, and that portion of the southeast quarter west of the traverse, section eight, portion of northwest quarter, northeast quarter west of traverse, southwest quarter northeast quarter, portion of southeast quarter northeast quarter west of traverse, and portion of east half southeast quarter west of traverse, section seventeen, portion of northeast quarter northeast quarter west of traverse, portion southeast quarter northeast quarter west of traverse, and portion of east half southeast quarter west of traverse, section twenty, township five south, range twenty-one east, Mount Diablo meridian; and that only the northeast quarter section thirty-six, township four south, range twenty-one east, Mount Diablo meridian, in the Yosemite National Park, may be acquired by the United States under the exchange; and that only the following lands may be given in exchange by the United States: West half lot nine and west half southwest quarter section three; portion of lots four and five south of traverse, section five; portions of lots one, two, three, and five south of the traverse; portion of lot six east of traverse; lots seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, and portions of lot twenty north of traverse, section six; portion of the north half northeast quarter north of traverse line, section seven; north half northeast quarter, southwest quarter northeast quarter, and north half northwest quarter, section ten; southwest quarter northwest quarter and northwest quarter southwest quarter, section eleven, southwest quarter northeast quarter and southeast quarter northwest quarter, section thirteen, portion of southwest quarter northeast quarter east of traverse, section twenty, township five south, range twenty-one east, Mount Diablo meridian; southwest quarter southwest quarter section nine, northeast quarter northeast quarter (lot one) section seventeen, lot five, section eighteen, southwest quarter southwest quarter and southeast quarter southwest quarter, section nineteen, southwest quarter northwest quarter section twenty-eight, northwest quarter northeast quarter section twenty-nine, southwest quarter northeast quarter, northeast quarter northwest quarter, southwest quarter northwest quarter, southeast quarter northwest quarter, lot one, northeast quarter southwest quarter, northwest quarter southwest quarter, southeast quarter southwest quarter, west half southeast quarter, and southeast quarter southeast quarter, section thirty, township five south, range twenty-two east, Mount Diablo meridian; northeast quarter

Lands for Yosemite Park. Lands given in exchange.

southeast quarter and south half southeast quarter, section two, north half northeast quarter section eleven, northwest quarter northeast quarter, south half northeast quarter, and northwest quarter, section twelve, township six south, range twenty-one east, Mount Diablo meridian; northeast quarter northwest quarter and south half northwest quarter, section seven, township six south, range twenty-two east, Mount Diablo meridian.

Excerpts from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes," approved July 1, 1916 (39 Stat. 308)

Yosemite National Park. Acceptance of donated lands. (Repealed by 46 Stat. 1028, but subject matter covered by U.S.C., title 16, sec. 6, 41 Stat. 917. See p. 13.)

The Secretary of the Interior is authorized to accept patented lands or rights of way whether over patented or other lands in the Yosemite National Park that may be donated for park purposes. (U.S.C., title 16, sec. 56.)

Act of Legislature of California, approved April 15, 1919, ceding to the United States exclusive jurisdiction over Yosemite National Park in the State of California. (Statutes and amendments to Codes of California, 1919, p. 74)

The people of the State of California do enact as follows, 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 those several tracts of land in the State of California set aside and dedicated for park purposes by the United States as "Yosemite National Park," "Sequoia National Park," and "General Grant National Park," respectively; saving however to the State of California the right to serve civil or criminal process within the limits of the aforesaid parks in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said parks; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said parks, and the right to fix and collect license fees for fishing in said parks; and saving also to the persons residing in any of said parks now or hereafter the right to vote at all elections held within the county or counties in which said parks are situate: *Provided, however*, That jurisdiction shall not vest until the United States through the proper officer notifies the State of California that they assume police jurisdiction over said parks.

An Act To accept the cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes, approved June 2, 1920 (41 Stat. 731)

National Parks, Calif.

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 California (approved April 15, 1919) ceding to the United States exclusive jurisdiction over the territory embraced and included within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the said State of California the right to serve civil or criminal process within the limits of the aforesaid parks or either of them in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said parks; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said parks, and the right to fix and collect license fees for fishing in said parks; and saving also to the persons residing in any of said parks now or hereafter the right to vote at all elections held within the county or counties in which said parks are situated. (U.S.C., title 16, sec. 57.) All the laws applicable to places under sole and exclusive jurisdiction of the United States shall have force and effect in said parks or either of them. All fugitives from justice taking refuge in said parks, or either of them, shall be subject to the same laws as refugees from justice found in the State of California. (U.S.C., title 16, sec. 58.)

Cession of jurisdiction of State over designated, accepted. Rights reserved to State.

United States laws applicable. Extradition of criminals.

SEC. 2. That said Yosemite National Park shall constitute a part of the United States judicial district for the northern district of California, and the district court of the United States in and for said northern district shall have jurisdiction of all offenses committed within said boundaries of the Yosemite National Park. (U.S.C., title 16, sec. 76.)

Yosemite Park. Assigned to California northern district.

SEC. 3. That said Sequoia National Park and General Grant National Park shall constitute part of the United States judicial district for the southern district of California, and the district court of the United States in and for said southern district shall have jurisdiction of all offenses committed within the boundaries of said Sequoia National Park and General Grant National Park. (U.S.C., title 16, sec. 77.)

Sequoia and General Grant Parks. Assigned to California southern district.

SEC. 4. That if any offense shall be committed in the Yosemite National Park, Sequoia National Park, General Grant National Park, or either of them, which offense is not prohibited or the punishment is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of California in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of California shall affect any prosecution for said offense committed within said parks, or either of them. (U.S.C., title 16, sec. 59.)

Punishment of offenses against State laws.

Hunting, fishing, etc., prohibitions.

SEC. 5. 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 parks; or shall any fish be taken out of any of the waters of the said parks, or either of them, in any other way than by hook and line, and then only at such seasons and such times and manner as may be directed by the Secretary of the Interior. (U.S.C., title 16, sec. 60.) 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 other than those legally located prior to the passage of the respective Acts creating and establishing said parks, natural curiosities or wonderful objects within said parks, and for the protection of the animals in the park from capture or destruction, and to prevent their being frightened or driven from the said parks; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said parks or either of them. (U.S.C., title 16, sec. 61.) Possession within said parks, or either of them, of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that person or persons having same are guilty of violating this Act. (U.S.C., title 16, sec. 62.) 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 parks, or either of them, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, other than those legally located prior to the passage of the respective Acts creating and establishing said parks, natural curiosities, or wonderful objects within said parks, or either of them, or for the protection of the animals, birds, or fish in the said parks, or either of them, or who shall within said parks commit any damage, injury, spoliation to or upon any building, fence, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to the passage of the respective Acts creating and establishing said parks, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be subject to the penalty provided for the violation of rules and regulations of the Secretary of the Interior

Regulations, etc., to be prescribed.

(Amends vol. 26, p. 650. See p. 64.)

Evidence of violations.

Penalty for violating provisions hereof, etc.

authorized by section 3 of the Act of Congress approved August 25, 1916 (Thirty-ninth Statutes, page 535), entitled "An Act to establish a National Park Service, and for other purposes," which section is hereby amended by striking therefrom the words "and any violations of any of the rules and regulations authorized by this Act shall be punished as provided for in section 50 of the Act entitled 'An Act to codify and amend the Penal Laws of the United States," approved March 4, 1909, as amended by section 6 of the Act of June 25, 1910 (Thirty-sixth United States Statutes at Large, page 857)," and inserting in lieu thereof the words "and any violation of any of the rules and regulations authorized by this Act shall be punished by a fine of not more than $500 or imprisonment for not exceeding six months, or both, and be adjudged to pay all cost of the proceedings" (U.S.C., title 16, sec. 63): *Provided*, That nothing herein shall be construed as repealing or in any way modifying the authority granted the Secretary of the Interior by said section 3 of the said Act approved August 25, 1916, to sell or dispose of timber in national parks in those cases where, in his judgment, the cutting of such timber is required in order to control the attacks of insects or diseases or otherwise conserve the scenery of the natural or historic objects in such parks and to provide for the destruction of such animals and such plant life as may be detrimental to the use of any of said parks, or the authority granted to said Secretary by the Act approved April 9, 1912, entitled "An Act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes," as amended by the Act approved April 16, 1914. (U.S.C., title 16, sec. 64.)

Vol. 39, p. 535. pp. 9–12. Punishment modified.

Vol. 39, p. 585, amended. See See pp. 9–12.

Proviso. Disposal of timber, destroying injurious animals, etc., not affected.

Vol. 37, p. 80. See p. 75. Vol. 38, p. 345. See p. 76.

SEC. 6. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said parks, or either of them, when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals, shall be forfeited to the United States and may be seized by the officers in said parks, or either of them, and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction 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. (U.S.C., title 16, sec. 65.)

Forfeiture of guns, traps, etc., illegally used.

SEC. 7. That the United States District Court for the Northern District of California shall appoint a commissioner for the Yosemite National Park, who shall reside in said park, 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

Commissioner for Yosemite Park. Appointment, authority, etc.

Interior, for the government of said Yosemite National Park, and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act. (U.S.C., title 16, sec. 66.)

Judicial powers in violations of rules, etc.

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 Yosemite National Park, and for the protection of the animals, birds, and fish in said park, and try persons so charged, and if found guilty impose punishment and to adjudge forfeiture prescribed. (U.S.C., title 16, sec. 67.)

Appeals.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States Court for the Northern District of California, and the United States district court in said district shall prescribe rules and procedure and practice for said commissioner in the trial of cases and for appeals to said United States district court. (U.S.C., title 16, sec. 68.)

Commissioner for Sequoia and General Grant Parks. Appointment, authority, etc.

SEC. 8. That the United States District Court for the Southern District of California shall appoint a commissioner for the Sequoia National Park and the General Grant National Park, who shall reside in one of said parks, and who shall have jurisdiction to hear and act upon all complaints made of any violations of the law or of the rules and regulations made by the Secretary of the Interior, for the government of the Sequoia National Park and the General Grant National Park, and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act.

Judicial powers in violations of rules, etc.

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 Sequoia National Park and General Grant National Park, or either of them, and for the protection of the animals, birds, and fish in said last-named parks, or either of them, and try persons so charged, and, if found guilty, impose punishment and to adjudge forfeiture prescribed. (U.S.C., title 16, sec. 67.)

Appeals.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States Court for the Southern District of California, and the United States district court in said district shall prescribe rules and procedure and practice for said commissioner in the trial of cases and for appeals to said United States district court. (U.S.C., title 16, sec. 68.)

SEC. 9. That any such commissioner within his jurisdiction shall also have the power to issue process as hereinbefore provided for the arrest of any person charged with commission within said boundaries of said parks, or either of them, as specified above in this Act, of any criminal offense not covered by the provisions of section 5 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, he shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States district court in and for the judicial district to which he belongs, and certify a transcript of the record of his proceedings and testimony in the case to the court, to which the park is attached as above specified in this Act, 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. (U.S.C., title 16, sec. 70.)

Procedure in criminal cases.

Proviso. Bail.

SEC. 10. That all process issued by the commissioner of the Yosemite National Park shall be directed to the marshal of the United States for the northern district of California, and all process issued by the commissioner of the Sequoia National Park and the General Grant National Park shall be directed to the marshal of the United States for the southern district of California, but nothing herein contained shall be so construed to prevent the arrest by any officer or employee of the Government or any person employed by the United States, in the policing of such reservation within the boundaries of said parks, or either of them, without process of any person taken in the act of violating the law or this Act or the regulation prescribed by said Secretary as aforesaid. (U.S.C., title 16, sec. 71.)

Service of process.

Summary arrests.

SEC. 11. That the commissioner provided for in this Act for the Yosemite National Park and the commissioner provided for in this Act for the Sequoia National Park and the General Grant National Park each shall be paid an annual salary of $1,500, payable monthly: *Provided*, That the said commissioner for the Yosemite National Park shall reside within the exterior boundaries of said Yosemite National Park, and the commissioner provided for the Sequoia National Park and the General Grant National Park shall reside within the exterior boundaries of one of the said last-named national parks and at a place to be designated by the court making such appointment (U.S.C., title 16, secs. 69 and 72): *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 13 of this Act. (U.S.C., title 16, sec. 73.)

Pay of commissioners.

Provisos.

Residence requirements.

Disposal of fees, etc.

SEC. 12. 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

United States fees.

are like fees, costs, and expenses in the courts of the United States. (U.S.C., title 16, sec. 75.)

Deposits of fines and costs.

SEC. 13. That all fines and costs imposed and collected shall be deposited by said commissioners of the United States, or the marshal of the United States collecting the same, with the clerk of the United States district court to which said parks are attached, as provided in this Act. (U.S.C., title 16, sec. 74.)

Acceptance of cession.

SEC. 14. That the Secretary of the Interior shall notify in writing the governor of the State of California of the passage and approval of this Act and of the fact that the United States assumes police jurisdiction over said parks, as specified in said Act.

An Act To authorize the acquisition of certain patented land adjoining the Yosemite National Park boundary by exchange, and for other purposes, approved May 28, 1926 (45 Stat. 787)

Yosemite National Park. Acquisition of lands in private ownership to be added to, for protecting park deer. Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of protecting park deer along the western boundary of the Yosemite National Park, the Secretary of the Interior be, and he is hereby, authorized to acquire as part of said park, by exchange as hereinafter provided, title in fee for and on behalf of the United States of America to all that land in sections 21 and 28 in township 3 south, range 20 east, Mount Diablo meridian, lying between the abandoned railroad grade running from a point in the Wawona Road near Chinquapin to the top of the abandoned incline hoist in the northeast quarter of the southwest quarter of section 21, and the east and west center line of section 21, and in sections 22, 23, 24, 25, 26, and 27 lying between said abandoned railroad grade and the existing park boundary, containing one thousand three hundred and fifty acres, more or less, now held in private ownership, which lands upon acquisition shall be, and are hereby, added to the park; and in exchange therefor the said Secretary be, and he is hereby, authorized to issue patent to the owner of said lands, for the Government lands described as follows: That part of the north half of northeast quarter lying south of abandoned railroad grade hereinbefore mentioned, north half of southwest quarter of northeast quarter, southwest quarter of southwest quarter of northeast quarter, southwest quarter, west half of northeast quarter of southeast quarter, and southwest quarter of southeast quarter of section 25, township 3 south, range 20 east; north half section 36, township 3 south, range 20 east; southwest quarter northeast quarter, south half northeast quarter northwest quarter, west half northwest quarter, southeast quarter northwest quarter, northwest quarter southeast quarter, and west half southwest quarter southeast quarter section 32, township 3 south, range 21 east; and northwest quarter section 5, township 4 south, range 21 east; containing one thousand and ten acres, more or less, which lands upon issuance of patent shall

Lands in exchange, to be eliminated from the park.

Description.

be, and are hereby, eliminated from said park. (U.S.C., 6th supp., title 16, sec. 47d.)

An Act To provide for the preservation and consolidation of certain timber stands along the western boundary of the Yosemite National Park, and for other purposes, approved March 2, 1929 (45 Stat. 1486)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving and consolidating certain timber stands along the western boundary of the Yosemite National Park, the President of the United States is hereby authorized, upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to said park by Executive proclamation any or all of the following-described lands: Sections 19, 20, 29, 30, 31, and 32, township 1 south, range 20 east, Mount Diablo meridian; east half section 1; east half section 12; southeast quarter section 24, township 2 south, range 19 east, Mount Diablo meridian; sections 4, 5, and 6; north half section 7; sections 8 and 9, and 19 and 20, township 2 south, range 20 east, Mount Diablo meridian, approximately nine thousand acres. (U.S.C., 6th supp., title 16, sec. 47c.)

Yosemite National Park. Additions to, by proclamation, of adjacent timber stands.

Description.

An Act To provide for the addition of certain lands to the Yosemite National Park, California, and for other purposes, approved May 9, 1930 (46 Stat. 265)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving and consolidating timber stands along the western boundary of the Yosemite National Park the President of the United States is hereby authorized, upon the joint recommendation of the Secretaries of Interior and Agriculture, to add to the Yosemite National Park, in the State of California, by Executive proclamation, section 1 and the north half of section 12, township 1 south, range 19 east, Mount Diablo meridian. (U.S.C., 6th supp., title 16, sec. 47a.)

Yosemite National Park, Calif. Lands added to.

SEC. 2. That the provisions of the Act of June 10, 1920, known as the Federal Water Power Act, shall not apply to any lands added to the Yosemite National Park under the authority of this Act. (U.S.C., 6th supp., title 16, sec. 47b.)

Water Power Act not applicable. Vol. 41, p. 1063.

* * * * *

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes," approved February 14, 1931 (46 Stat. 1154)

* * * * *

For the acquisition of privately owned lands and/or standing timber within the boundaries of existing national parks and national monuments to be expended only when matched by equal amounts by donation from

Acquisition of privately owned lands, etc., within parks and monuments.

other sources for the same purpose, to be available until expended, $1,000,000: *Provided*, That the appropriation herein made shall be available to the extent of one-half the actual purchase price of the certain private holdings within sections 33, 34, 35, and 36, township 4 south, range 21 east, Mount Diablo meridian, and sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, township 5 south, range 21 east Mount Diablo meridian, California, and traversed in part by the Yosemite-Mariposa Grove Road, and the President by proclamation may add any or all of such lands and/or Government lands to Yosemite National Park: *Provided*, That the public lands herein authorized to be withdrawn shall not exceed 5,664 acres, the same being within present national forests: *Provided further*, That in addition to the amount herein appropriated, the authority granted to the Secretary of the Interior in the Interior Department Appropriation Act for the fiscal year 1930, to incur obligations and enter into contracts for additional acquisition of such lands and/or timber is, to the extent of $1,000,000, hereby continued until availed of as matching funds from outside sources are donated for the same purpose, and his action in doing so shall be considered contractual obligations of the Federal Government: *Provided further*, That the sum herein appropriated shall be available to reimburse any future donor of privately owned lands and/or standing timber within the boundaries of any existing national park or national monument to the extent of one half the actual purchase price thereof: *Provided further*, That as part consideration for the purchase of lands, the Secretary of the Interior may, in his discretion and upon such conditions as he deems proper, lease lands purchased to the grantors for periods, however, not to exceed the life of the particular grantor, and the matching of funds under the provisions hereof shall not be governed by any cash value placed upon such leases: *Provided further*, That appropriations heretofore and herein made for the purchase of privately owned lands and/or standing timber in the national parks and national monuments shall be available for the payment in full of expenses incident to the purchase of said lands and/or standing timber: *Provided further*, That not to exceed $200,000 of this appropriation shall be, and is hereby, authorized to be used in the fiscal year 1931 and thereafter for the payment in full of the purchase price of any said lands and/or standing timber as may be agreed to by the Secretary of the Interior, said amount to be matched by subsequent donations which are not allotted for the purchase of any specific lands by the donor, the total expenditure of the Federal Government in any one national park or monument for acquisition of such lands therein not to exceed 50 per centum of the total cost of such lands acquired hereafter in any such park or monument.

Provisos.

One half purchase price for designated holdings.

Addition to Yosemite National Park, by proclamation.

Acreage withdrawn.

Additional amount contracted for.

Availability for future donations.

Leases permitted.

Use of funds for expenses.

Payment in full of purchase price.

Matched by subsequent donations.

Limit on any one project.

* * * * *

5. Mount Rainier National Park

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An Act To set aside a portion of certain lands in the State of Washington, now known as the "Pacific Forest Reserve," as a public park to be known as "Mount Rainier National Park," approved March 2, 1899 (30 Stat. 993)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all those certain tracts, pieces, or parcels of land lying and being in the State of Washington, and within the boundaries particularly described as follows, to wit: Beginning at a point three miles east of the northeast corner of township numbered seventeen north, of range six east of the Willamette meridian; thence south through the central parts of townships numbered seventeen, sixteen, and fifteen north, of range seven east of the Willamette meridian, eighteen miles more or less, subject to the proper easterly or westerly offsets, to a point three miles east of the northeast corner of township numbered fourteen north, of range six east of the Willamette meridian; thence east on the township line between townships numbered fourteen and fifteen north, eighteen miles more or less to a point three miles west of the northeast corner of township fourteen north, of range ten east of the Willamette meridian; thence northerly, subject to the proper easterly or westerly offsets, eighteen miles more or less, to a point three miles west of the northeast corner of township numbered seventeen north, of range ten east of the Willamette meridian (but in locating said easterly boundary, wherever the summit of the Cascade Mountains is sharply and well defined, the

Mount Rainier National Park, Wash., established.

Location.

said line shall follow the said summit, where the said summit line bears west of the easterly line as herein determined); thence westerly along the township line between said townships numbered seventeen and eighteen to the place of beginning, the same being a portion of the lands which were reserved from entry or settlement and set aside as a public reservation by proclamation of the President on the twentieth day of February, in the year of our Lord eighteen hundred and ninety-three, and of the Independence of the United States the one hundred and seventeenth, are hereby dedicated and set apart as a public park, to be known and designated as the "Mount Rainier National Park," for the benefit and enjoyment of the people; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereafter provided, shall be considered trespassers and be removed therefrom. (U.S.C., title 16, sec. 91.)

Vol. 27, p. 1063.

Secretary of the Interior to make regulations, etc.

SEC. 2. That said public park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be to make and publish, as soon as practicable, such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition. The Secretary may, in his discretion, grant parcels of ground at such places in said park as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases, and all other revenues that may be derived from any source connected with said park, to be expended under his direction in the management of the same and the construction of roads and bridle paths therein. And through the lands of the Pacific Forest Reserve adjoining said park rights of way are hereby granted, under such restrictions and regulations as the Secretary of the Interior may establish, to any railway or tramway company or companies, through the lands of said Pacific Forest Reserve, and also into said park hereby created, for the purpose of building, constructing, and operating a railway, constructing and operating a railway or tramway line or lines, through said lands, also into said park.[1] He shall provide against the wanton destruction of the fish and game found within said park, and against their capture or destruction for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and generally shall be authorized to take all such measures as shall be necessary to fully carry out the objects and purposes of this act. (U.S.C., title 16, sec. 92.)

Leases; disposition of funds. (Amended by 39 Stat. 535, as amended. See pp. 9–12.)

Rights of way to park granted through Pacific Forest Reserve.

Protection of fish and game. Trespassers.

[1] Repealed, so far as relates to lands within Mount Rainier National park, by 46 Stat. 1044. See p. 109.

SEC. 3. That upon execution and filing with the Secretary of the Interior, by the Northern Pacific Railroad Company, of proper deed releasing and conveying to the United States the lands in the reservation hereby created, also the lands in the Pacific Forest Reserve which have been heretofore granted by the United States to said company, whether surveyed or unsurveyed, and which lie opposite said company's constructed road, said company is hereby authorized to select an equal quantity of nonmineral public lands, so classified as nonmineral at the time of actual Government survey, which has been or shall be made, of the United States not reserved and to which no adverse right or claim shall have attached or have been initiated at the time of the making of such selection, lying within any State into or through which the railroad of said Northern Pacific Railroad Company runs, to the extent of the lands so relinquished and released to the United States: *Provided*, That any settlers on lands in said national park may relinquish their rights thereto and take other public lands in lieu thereof, to the same extent and under the same limitations and conditions as are provided by law for forest reserves and national parks. (U.S.C., title 16, sec. 93.)

Grant of land to Northern Pacific railroad in exchange for land relinquished.

Proviso. Lieu lands to settlers.

SEC. 4. That upon the filing by the said railroad company at the local land office of the land district in which any tract of land selected and the payment of the fees prescribed by law in analogous cases, and the approval of the Secretary of the Interior, he shall cause to be executed, in due form of law, and deliver to said company a patent of the United States conveying to it the lands so selected. In case the tract so selected shall at the time of selection be unsurveyed, the list filed by the company at the local land office shall describe such tract in such manner as to designate the same with a reasonable degree of certainty; and within the period of three months after the lands including such tract shall have been surveyed and the plats thereof filed by said local land office, a new selection list shall be filed by said company, describing such tract according to such survey; and in case such tract, as originally selected and described in the list filed in the local land office, shall not precisely conform with the lines of the official survey, the said company shall be permitted to describe such tract anew, so as to secure such conformity.

Patent.

Description in selection list of unsurveyed land, etc.

SEC. 5. That the mineral-land laws of the United States are hereby extended to the lands lying within the said reserve and said park.

Mineral land laws extended to park. (Amended by 35 Stat. 365. See p. 107.)

Act of Legislature of Washington, approved March 16, 1901, ceding to the United States exclusive jurisdiction over Mount Rainier National Park in the State of Washington. (Laws of Washington, 1901, p. 192)

Exclusive jurisdiction shall be, and the same is hereby, ceded to the United States over and within all the terri-

tory which is now or may hereafter be included in that tract of land in the State of Washington set aside for the purposes of a national park and known as "Rainier National Park," saving, however, to the said State 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, 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*, That 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 Mount Rainier National Park, and for other purposes, approved June 30, 1916 (39 Stat. 243)

Mount Rainier National Park, Wash. Sole jurisdiction over, ceded by Washington to United States. State process, etc.

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 sixteenth, nineteen hundred and one, ceding to the United States exclusive jurisdiction over the territory embraced within the Mount Rainier National Park, are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the said State the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecution 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. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. 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 Washington. (U.S.C., title 16, sec. 95.)

Jurisdiction of Washington western district.

SEC. 2. That said 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 of all offenses committed within said boundaries. (U.S.C., title 16, sec. 96.)

Punishment under Washington laws.

SEC. 3. That if any offense shall be committed in the Mount Rainier National Park, which offense is not prohibited or the punishment for which is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of Washington in force at the time of the commission of the offense may provide for a like

offense in said State; and no subsequent repeal of any such law of the State of Washington shall affect any prosecution for said offense committed within said park. (U.S.C., title 16, sec. 97.)

Hunting, fishing, etc., prohibited.

SEC. 4. 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 the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such 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 other than those legally located prior to the passage of the Act of May twenty-seventh, nineteen hundred and eight (Thirty-fifth Statutes, page three hundred and sixty-five), 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 park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the 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, 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 park or for the protection of the property therein, for the preservation from injury or spoliation of timber, mineral deposits other than those legally located prior to the passage of the Act of May twenty-seventh, nineteen hundred and eight (Thirty-fifth Statutes, page three hundred and sixty-five), natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to the passage of the Act of May twenty-seventh, nineteen hundred and eight (Thirty-fifth Stat-

Regulations, etc.

Vol. 35, p. 365. See p. 107.

Evidence of violations.

Punishment for violations.

Vol. 35, p. 365. See p. 107.

utes, page three hundred and sixty-five), 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 costs of the proceedings. (U.S.C., title 16, sec. 98.)

Forfeiture of guns, traps, etc.

SEC. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (U.S.C., title 16, sec. 99.)

Commissioner. Appointment, authority, etc.

SEC. 6. That the United States District Court for the Western District of Washington shall appoint a commissioner who shall reside in the park 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.

Judicial powers in violations of rules, etc.

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.

Appeals.

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 Washington, and the United States district court in said 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. (U.S.C., title 16, sec. 100.)

Procedure in criminal cases.

SEC. 7. That any such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said boundaries of any criminal offense not covered by

the provisions of section four of this Act to hear the evidence introduced, and if he is of 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 Washington, and certify a transcript of the record of his proceedings and the testimony in the case to said 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. (U.S.C., title 16, sec. 101.)

Proviso. Bail.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the western district of Washington, 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 in the policing of said reservation within said boundaries without process of any person taken in the act of violating the law or this Act or the regulations prescribed by said Secretary as aforesaid. (U.S.C., title 16, sec. 102.)

Service of process.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary of $1,500, payable quarterly: *Provided*, That the said commissioner shall reside within the exterior boundaries of said Mount Rainer National Park, at a place to be designated by the court making such appointment: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section eleven of this Act. (U.S.C., title 16, sec. 103.)

Salary.[2]

Provisos. Residence.

Disposal of fees.

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. (U.S.C., title 16, sec. 105.)

United States fees, etc.

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 Washington. (U.S.C., title 16, sec. 104.)

Deposit of fines and costs.

SEC. 12. That the Secretary of the Interior shall notify, in writing, the governor of the State of Washington of the passage and approval of this Act.

Acceptance of cession.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1909, and for other purposes," approved May 27, 1908 (35 Stat. 365)[3]

The location of mining claims under the mineral land laws of the United States is prohibited within the area

Mount Rainier National Park, Wash.

[2] Salary of United States commissioner amended by current Appropriation Acts.
[3] Amends section 5, 30 Stat. 993. See p. 103.

Mining locations prohibited.

Proviso. Prior rights not affected.

of the Mount Rainier National Park, in the State of Washington: *Provided, however*, That this provision shall not affect existing rights heretofore acquired in good faith under the mineral land laws of the United States to any mining location or locations in said Mount Rainier National Park. (U.S.C., title 16, sec. 94.)

Mount Rainier National Park. Acceptance of donated lands, etc. (Repealed by 46 Stat. 1028, but subject matter covered by U.S.C., title 16, sec. 6, 41 Stat. 917. See p. 13.)

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes," approved June 12, 1917 (40 Stat. 152)

The Secretary of the Interior is authorized to accept patented lands or rights of way over patented lands in the Mount Rainier National Park that may be donated for park purposes. (U.S.C., title 16, sec. 106.)

An Act To revise the boundary of the Mount Rainier National Park in the State of Washington, and for other purposes, approved May 28, 1926 (44 Stat. 668)

Mount Rainier National Park, Wash. Boundary modified. Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Mount Rainier National Park is hereby changed so as to read as follows: Beginning at park boundary monument numbered 1, established on the east line of section 4, township 17 north, range 7 east, Willamette meridian, by a survey of the boundaries of Mount Rainier National Park, Washington, by the General Land Office, plat dated April 17, 1909; thence southerly along the present west park boundary line as established by said survey, being the midtownship line of range 7 east, to its intersection with the south bank of Nisqually River; thence easterly along said bank to its intersection with the present south park boundary line at a point east of park boundary monument numbered 28, as established by said survey, being the township line between townships 14 and 15 north; thence easterly along said south park boundary line to the southeast corner of the present park boundary; thence northerly along the present east park boundary line to park boundary monument numbered 59 as established by said survey, being the midtownship line of range 10 east; thence due north to the south bank of White River; thence northeasterly along said bank to a point due east of park boundary monument numbered 67; thence due west to said monument numbered 67; thence westerly along the present north park boundary line, as established by said survey, being the township line between townships 17 and 18 north, to its intersection with the north bank of Carbon River; thence westerly along said bank to a point due north of park boundary monument numbered 1; thence due south to place of beginning; and all of those lands lying within the boundary above described are hereby included in and made a part of the Mount Rainier National Park; and all of those

lands of the present Mount Rainier National Park excluded from the park are hereby included in and made a part of the Rainier National Forest, subject to all national forest laws and regulations. (U.S.C., 6th supp., title 16, sec. 107.)

Excluded lands added to Rainier National Forest.

SEC. 2. That the provisions of the Act of March 2, 1899, entitled, "An Act to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve,' as a public park, to be known as the 'Mount Rainier National Park,'" the Act of June 10, 1916, entitled "An Act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Mount Rainier National Park, and for other purposes," the Act of August 25, 1916, entitled "An Act to establish a national park service, and for other purposes," 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, 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 Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend over such lands. (U.S.C., 6th supp., title 16, sec. 108.)

Laws extended to. Vol. 30, p. 993. See p. 101.

Vol. 39, p. 243. See p. 104.

Vol. 39, p. 535. See p. 9.

Proviso.

Federal Power Act not applicable. Vol. 41, p. 1063.

Excerpt from "An Act To provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes," approved January 26, 1931 (46 Stat. 1044)

The provisions of the Act of March 2, 1899 (30 Stat. 993), granting rights of way, under such restrictions and regulations as the Secretary of the Interior may establish, to any railway or tramway company or companies for the purpose of building, constructing, and operating a railway, constructing and operating a railway or tramway line or lines, so far as the same relate to lands within the Mount Rainier National Park, Washington, are hereby repealed: *Provided, however*, That nothing herein shall be construed so as to prohibit the Secretary of the Interior from authorizing the use of land in said park under contract, permit, lease, or otherwise, for the establishment and operation thereon of a tramway or cable line, or lines, for the accommodation or convenience of visitors and others. (U.S.C., 6th supp., title 16, sec. 92a.)

Grants of rights of way, repealed. Within Mount Rainier, Wash. Vol. 30, p. 993, repealed. See p. 101.

Proviso. Exception.

An Act To extend the south and east boundaries of the Mount Rainier National Park, in the State of Washington, and for other purposes, approved January 31, 1931 (46 Stat. 1047)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land within the following-described boundaries be, and the same is hereby, excluded

Mount Rainier National Park, Wash. Lands added to.

from the Rainier National Forest and is hereby added to and made a part of the Mount Rainier National Park, in the State of Washington:

Description.

Beginning at a point on the present east boundary of Mount Rainier National Park one and one quarter miles southerly from the northeast corner of the said park as fixed by the Act of May 28, 1926 (44 Stat. 668); thence extending east to the summit of the hydrographic divide between Silver Creek and White River; thence along the summit of Crystal Mountain to the summit of the Cascade Mountains; thence southerly along the summit of the Cascade Mountains to a point in section 20, township 15 north, range 11 east, Willamette meridian, whence flow the waters of Bumping River to the east and Carlton and Cougar Creeks to the south and west; thence southwesterly along the summit of the divide between Carlton Creek and the waters flowing into the main fork of Ohanapecosh River to the quarter section line of section 9, township 14 north, range 10 east, Willamette meridian; thence westerly along the quarter section line of sections 9, 8, and 7 to the west boundary of said township; thence due west to the right or west bank of Muddy Fork of the Cowlitz River; thence northerly along the right bank of said Muddy Fork to a point exactly due east of post numbered 34 on the south boundary of Mount Rainier National Park as surveyed in 1908; thence due west to said post numbered 34; thence along the boundary of said park as surveyed in 1908 to post numbered 35; thence easterly along the south boundary of said national park as surveyed in 1908 to the southeast corner thereof; thence northerly along the east boundary of said national park as surveyed in 1908 to post numbered 59; thence along the east boundary of said park as revised by the Act of May 28, 1928, supra, northerly to the point of beginning. (U.S.C., 6th supp., title 16, sec. 109.)

Regulations applicable to additions.

SEC. 2. All laws applicable to and in force within the Mount Rainier National Park as of the date hereof, and all regulations issued pursuant thereto, are hereby made applicable to and extended over the land added to the said park by this Act: *Provided*, That no fee or charge shall be made by the United States for the use of any roads in said park built or maintained exclusively by the State of Washington. (U.S.C., 6th supp., title 16, sec. 110.)

Proviso. Free roadways.

6. Crater Lake National Park

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An Act Reserving from the public lands in the State of Oregon, as a public park for the benefit of the people of the United States, and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land herein described, and so forth, approved May 22, 1902 (32 Stat. 202)

Public lands. Crater Lake National Park, Oreg., established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land bounded north by the parallel forty-three degrees four minutes north latitude, south by forty-two degrees forty-eight minutes north latitude, east by the meridian one hundred and twenty-two degrees west longitude, and west by the meridian one hundred and twenty-two degrees sixteen minutes west longitude, having an area of two hundred and forty-nine square miles, in the State of Oregon, and including Crater Lake, is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart forever as a public park or pleasure ground for the benefit of the people of the United States, to be known as "Crater Lake National Park." (U.S.C., title 16, sec. 121.)

Boundaries.

Regulations, etc., by Secretary of Interior.

SEC. 2. That the reservation established by this act shall be under the control and custody of the Secretary of the Interior, whose duty it shall be to establish rules and regulations and cause adequate measures to be taken for the preservation of the natural objects within said park, and also for the protection of the timber from wanton depredation, the preservation of all kinds of game and fish, the punishment of trespassers, the removal of unlawful occupants and intruders, and the prevention and extinguishment of forest fires. (U.S.C., title 16, sec. 122.)

Settlement in, etc., prohibited.

SEC. 3. That it shall be unlawful for any person to establish any settlement or residence within said reserve, or to engage in any lumbering, or other enterprise or business occupation therein, or to enter therein for any speculative purpose whatever, and any person violating the provisions of this act, or the rules and regulations established thereunder, shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than one year, and shall further be liable for all destruction of timber or other property of the United States in consequence of any such unlawful act: *Provided*, That said reservation shall be open, under such regulations as the Secretary of the Interior may prescribe, to all scientists, excursionists, and pleasure seekers and to the location of mining claims and the working of the same: *And provided further*, That restaurant and hotel keepers, upon application to the Secretary of the Interior, may be permitted by him to establish places of entertainment within the Crater Lake National Park for the accommodation of visitors, at places and under regulations fixed by the Secretary of the Interior, and not otherwise. (U.S.C., title 16, sec. 123.)

Penalties.

Provisos.

Admission of visitors, etc.

Hotels, etc., permitted. (Amended by 39 Stat. 535, as amended. See pp. 9–12.)

Act of Legislature of Oregon, approved January 25, 1915, ceding to the United States exclusive jurisdiction over Crater Lake National Park in the State of Oregon. (Oregon Laws, 1920, vol. II, p. 3487.)

Be it enacted by the people of the State of Oregon, That 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 tract of land in the State of Oregon set aside by an act of Congress, approved May 22, 1902, entitled "An Act reserving from the public lands in the State of Oregon, as a public park for the benefit of the people of the United States, and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land herein described, and so forth," for the purposes of a national park, known and designated as Crater Lake National Park; saving, however, to the said State the right to serve civil or criminal process within the limits of the aforesaid park in any 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 lands included in said park: *Provided, however*, That jurisdiction shall not vest until the United States, through the proper officers, notifies the Governor of said State that they assume police and military jurisdiction over said park.

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 3. Inasmuch as at this time there exists confusion concerning the jurisdiction of the Federal and State courts over the property and within the territory in this Act described, the passage of this Act is declared to be immediately necessary for the immediate protection of the peace, health, and safety of the State, and an emergency is hereby declared to exist, and this Act shall go into immediate force and effect from and after its passage and approval by the Governor.

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. 521)

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 Oregon, approved January twenty-fifth, nineteen hundred and fifteen, ceding to the United States exclusive jurisdiction over the territory embraced within the Crater Lake National Park, are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the said State the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecution 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. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. 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 Oregon. (U.S.C., title 16, sec. 124.)

Crater Lake National Park, Oreg. Sole jurisdiction over, ceded by Oregon to United States. State process, etc.

SEC. 2. That said park shall constitute a part of the United States judicial district for Oregon, and the district court of the United States in and for Oregon shall have jurisdiction of all offenses committed within said boundaries. (U.S.C., title 16, sec. 125.)

Jurisdiction of Oregon judicial district.

SEC. 3. That if any offense shall be committed in the Crater Lake National Park, which offense is not prohibited or the punishment for which is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of Oregon in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of Oregon shall affect any prosecution for said offense committed within said park. (U.S.C., title 16, sec. 126.)

Punishment under Oregon laws.

SEC. 4. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except

Hunting, fishing, etc., prohibited.

dangerous animals when it is necessary to prevent them from destroying human lives or inflicting injury, is prohibited within the limits of said park; nor shall any fish be taken out of the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such 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 other than those legally located prior to the passage of this Act, 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 park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the 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, 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 park or for the protection of the property therein, for the preservation from injury or spoliation of timber, mineral deposits other than those legally located prior to the passage of this Act, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, spring, mineral deposits other than those legally located prior to the passage of this Act, natural curiosities, or other matter or thing growing or being thereon or situate 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 costs of the proceedings. (U.S.C., title 16, sec. 127.)

Regulations, etc.

Evidence of violations.

Punishment for violations.

Forfeiture of guns, traps, etc.

SEC. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States and may be seized by the officers in said park and

held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (U.S.C., title 16, sec. 128.)

Commissioner. Appointment, authority, etc.

SEC. 6. That the United States District Court for Oregon shall appoint a commissioner who shall reside in the park 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.

Judicial power in violations of rules, etc.

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.

Appeals.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for Oregon, and the United States court in said 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. (U.S.C., title 16, sec. 129.)

Procedure in criminal cases.

SEC. 7. That any such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said boundaries of any criminal offense not covered by the provisions of section four of this Act to hear the evidence introduced, and if he is of 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 Oregon, and certify a transcript of the record of his proceedings and the testimony in the case to said 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. (U.S.C., title 16, sec. 130.)

Proviso. Bail.

Service of process.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for

the district of Oregon, 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 in the policing of said reservation within said boundaries without process of any person taken in the act of violating the law or this Act or the regulations prescribed by said Secretary as aforesaid. (U.S.C., title 16, sec. 131.)

Salary.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary of $1,500, payable quarterly: *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: *Provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section eleven of this Act. (U.S.C., title 16, sec. 132.)

Provisos.

Residence.

Disposal of fees, etc.

United States fees, etc.

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. (U.S.C., title 16, sec. 133.)

Deposit of fines and costs.

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 Oregon. (U.S.C., title 16, sec. 134.)

Acceptance of cession.

SEC. 12. That the Secretary of the Interior shall notify, in writing, the governor of the State of Oregon of the passage and approval of this Act.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes," approved June 12, 1917 (40 Stat. 152)

Crater Lake National Park. Acceptance of donated lands, etc. (Repealed by 46 Stat. 1028, but subject matter covered by U.S.C., title 16, sec. 6, 41 Stat. 917. See p. 13.)

The Secretary of the Interior is authorized to accept patented lands or rights of way over patented lands in the Crater Lake National Park that may be donated for park purposes. (U.S.C., title 16, sec. 135.)

An Act Accepting certain tracts of land in the city of Medford, Jackson County, Oregon, approved June 7, 1924 (43 Stat. 606)

Crater Lake National Park, Oreg. Acceptance from city of Medford of lots, as sites for buildings in.

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 accept certain tracts of land in the city of Medford, Jackson County, Oregon, described as lots numbered 15 and 16, block 9, amended plat to Queen Ann Addition to the city of Medford; and lot 3, block 2, central subdivision to the city of Medford, which have been tendered to the United States of America in fee simple by the city of Medford, Oregon, as sites for buildings to be used in connection with the administration of Crater Lake National Park, Oregon.

An Act To add certain land to the Crater Lake National Park in the State of Oregon, and for other purposes, approved May 14, 1932 (47 Stat. 155)

Crater Lake National Park, Oreg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of that certain tract described as follows: Beginning on the south boundary line of Crater Lake National Park at four mile post numbered 112; thence west along the south boundary line of said park four and twenty-six one-hundredths chains which is the northwest corner of this tract; thence south one hundred and fourteen and forty-two one-hundredths chains; thence south forty degrees fifty-nine minutes east, eighty-four and thirty-nine one-hundredths chains; thence east fifteen and thirteen one-hundredths chains to highway stake numbered 130; thence north eighty-nine degrees thirty minutes east, eighteen and six one-hundredths chains; thence north twenty and eighty-three one-hundredths chains; thence north nineteen degrees and forty minutes west, one hundred and twenty-six and four one-hundredths chains; thence north twenty-seven degrees fifty-two minutes west forty-three and fifty one-hundredths chains to the south boundary of Crater Lake National Park; thence west twenty-four chains following the south boundary of said park to the place of beginning, in the State of Oregon be, and the same is hereby, excluded from the Crater National Forest and made a part of the Crater Lake National Park subject to all laws and regulations applicable to and governing said park. (U.S.C., 6th supp., title 16, sec. 121a.)

Land added to. Description.

Transferred from Crater National Forest.

An Act To authorize the acquisition of additional land in the city of Medford, Oregon, for use in connection with the administration of the Crater Lake National Park, approved May 14, 1932 (47 Stat. 156)

Crater Lake National Park, Oreg.

Purchase of certain tract from Medford, Oreg., as addition to, authorized.

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 on behalf of the United States for use in connection with the present administrative headquarters of the Crater Lake National Park, that certain tract of land in the city of Medford, Jackson County, Oregon, adjoining the present headquarters site and described as lot 4, block 2, central subdivision to said city of Medford, Oregon, which tract of land has been offered to the United States for the purpose aforesaid by the city of Medford, Oregon, free and clear of all encumbrances for the consideration of $300.

Price.

Fund available. Vol. 46, p. 1154.

SEC. 2. That not to exceed the sum of $300 from the unexpended balance of appropriations heretofore made for the acquisition of privately owned lands and/or standing timber within the national parks and national monuments be, and the same is hereby, made available for the acquisition of land herein authorized.

7. Platt National Park

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Excerpt from "An Act To ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," approved July 1, 1902 (32 Stat. 655)

Commission to the Five Civilized Tribes. Ratification of agreement with the Choctaw and Chickasaw Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following agreement, made by the Commission to the Five Civilized Tribes with the commissions representing the Choctaw and Chickasaw tribes of Indians on the twenty-first day of March, nineteen hundred and two, be, and the same is hereby, ratified and confirmed, to wit:

* * * * *

Sulphur Springs. Cession of adjacent lands.

Limit of acreage.

64. The two tribes hereby absolutely and unqualifiedly relinquish, cede, and convey unto the United States a tract or tracts of land at and in the vicinity of the village of Sulphur, in the Chickasaw Nation, of not exceeding six hundred and forty acres, to be selected, under the direction of the Secretary of the Interior, within four months after the final ratification of this agreement, and to embrace all the natural springs in and about said village and so much of Sulphur Creek, Rock Creek, Buckhorn Creek, and the lands adjacent to said natural springs and creeks as may be deemed necessary by the Secretary of the Interior for the proper utilization and control of said springs and the waters of said creeks, which lands shall be so selected as to cause the least interference with the contemplated town site at that place consistent with the purposes for which said cession is made, and when selected the ceded lands shall be held, owned, and controlled by the United States absolutely and without any restriction, save that no part thereof shall be platted or disposed of for town-site purposes during the existence of the two tribal governments. Such other lands as may be embraced in a town site at that point shall be disposed

Vol. 30, p. 508.
Vol. 31, p. 237.

of in the manner provided in the Atoka agreement for the disposition of town sites. Within ninety days after the selection of the lands so ceded there shall be deposited in the Treasury of the United States, to the credit of the two tribes, from the unappropriated public moneys of the United States, twenty dollars per acre for each acre so selected, which shall be in full compensation for the lands so ceded, and such moneys shall, upon the dissolution of the tribal governments, be divided per capita among the members of the tribes, freedmen excepted, as are other funds of the tribes. All improvements upon the lands so selected which were lawfully there at the time of the ratification of this agreement by Congress shall be appraised, under the direction of the Secretary of the Interior, at the true value thereof at the time of the selection of said lands, and shall be paid for by warrants drawn by the Secretary of the Interior upon the Treasurer of the United States. Until otherwise provided by law the Secretary of the Interior may, under rules prescribed for that purpose, regulate and control the use of the water of said springs and creeks and the temporary use and occupation of the lands so ceded. No person shall occupy any portion of the lands so ceded, or carry on any business thereon, except as provided in said rules, and until otherwise provided by Congress the laws of the United States relating to the introduction, possession, sale, and giving away of liquors or intoxicants of any kind within the Indian country or Indian reservations shall be applicable to the lands so ceded, and said lands shall remain within the jurisdiction of the United States court for the southern district of Indian Territory: *Provided, however*, That nothing contained in this section shall be construed or held to commit the Government of the United States to any expenditure of money upon said lands or the improvements thereof, except as provided herein, it being the intention of this provision that in the future the lands and improvements herein mentioned shall be conveyed by the United States to such territorial or state organization as may exist at the time when such conveyance is made. (U.S.C., title 16, sec. 151.)

Price to credit of tribes.

Improvements.

Use of water, etc.

Sale, etc., of intoxicants forbidden.

Proviso. Expenditures.

Excerpt from "An Act Making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes," approved April 21, 1904 (33 Stat. 220)

Sulphur, Indian Territory.

SEC. 18. That the Secretary of the Interior is hereby authorized and directed to withhold from sale or other disposition the irregular tract of land containing seventy-eight and sixty-eight one-hundredths acres, more or less, lying in the northwest quarter of section two and the northeast quarter of section three, township one south, range three east, and being within the exterior bound-

Additional land for reservation.

Description.

aries of the proposed town site of Sulphur, in the Chickasaw Nation, Indian Territory, and excluded from said town site by order of the Secretary of the Interior, of October twentieth, nineteen hundred and three, and also to withdraw and withhold from disposition the tract of land within the exterior boundaries of said proposed town site, lying south of and adjacent to the tract above mentioned, containing in the aggregate one hundred and thirty-eight acres, more or less, and mentioned in the report of Gerard H. Matthes, of December twenty-seventh, nineteen hundred and three, to F. H. Newell, Chief Engineer United States Geological Survey, and shown upon the map accompanying said report by a yellow line.

Price per acre.

The land hereby reserved shall be paid for by the United States at the rate of sixty dollars per acre and in the same manner as the land acquired in accordance with paragraph sixty-four of the act of Congress approved July first, nineteen hundred and two, entitled "An act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," and such money as may be necessary to carry out this provision is hereby appropriated, from any money in the United States Treasury not otherwise appropriated, and made immediately available.

Vol. 32, p. 655. (See p. 118.)

Improvements. Vol. 32, p. 655. (See p. 118.)

All improvements upon said land, at the passage of this act, shall be appraised and paid for as provided in said paragraph sixty-four of the act of July first, nineteen hundred and two.

Management, control, etc.

The land hereby reserved shall, immediately upon payment therefor by the United States, be and become a part of the reservation heretofore established at the said village of Sulphur, and shall be subject to all the provisions of said section sixty-four of the act of July first, nineteen hundred and two, respecting the care, control, direction, use, and occupancy thereof, as if they had been included in the original segregation: *Provided*, That the Secretary of the Interior is hereby authorized, in the absence of other provisions for the care and management thereof, to designate an officer or employee of his department to take charge of the land, whether acquired under said section sixty-four of the act of July first, nineteen hundred and two, or under this act, and to enforce rules and regulations for the control and use thereof, and of the waters of the springs and creeks within the reservation: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion, to sell or dispose of any buildings upon the land hereby reserved and upon the land originally reserved, and all money received from such sales, as well as all money heretofore received or that may hereafter be realized for the use of said waters or for the use and occupancy of the land or the buildings thereon, through leases, permits, or otherwise, may be expended under the

Vol. 32, p. 655. (See p. 118.)

Provisos.

Enforcement of regulations.

Sale of improvements.

(Amended by 40 Stat. 153, as amended. See p. 12.)

direction of the Secretary of the Interior for the care and management of said lands, and the preservation of the improvements thereon: *And provided further*, That if any person, firm, or corporation shall willfully violate any of the rules and regulations prescribed by the Secretary of the Interior relative to the use of the waters of said springs and creeks and the use and occupation of the lands in said reservation, such person, firm, corporation, or members or agents thereof, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars and not more than one hundred dollars, and may be imprisoned for a term of not more than six months for each offense. (U.S.C., title 16, sec. 152.)

Violation of regulations.

Penalty.

Excerpt from "An Act To enable the people of Oklahoma and of the Indian Territory to form a constitution and State government, etc.," approved June 16, 1906 (34 Stat. 267)

SEC. 7.[1] * * * *Provided*, That nothing in this act contained shall repeal or affect any act of Congress relating to the Sulphur Springs Reservation as now defined or as may be hereafter defined or extended, or the power of the United States over it or any other lands embraced in the State hereafter set aside by Congress as a national park, game preserve, or for the preservation of objects of archæological or ethnological interest; and nothing contained in this act shall interfere with the rights and ownership of the United States in any land hereafter set aside by Congress as national park, game preserve. or other reservation, or in the said Sulphur Springs Reservation, as it now is or may be hereafter defined or extended by law; but exclusive legislation, in all cases whatsoever, shall be exercised by the United States, which shall have exclusive control and jurisdiction over the same; but nothing in this proviso contained shall be construed to prevent the service within said Sulphur Springs Reservation or national parks, game preserves, and other reservations hereafter established by law, of civil and criminal processes lawfully issued by the authority of said State, and said State shall not be entitled to select indemnity school lands for the thirteenth, sixteenth, thirty-third, and thirty-sixth sections that may be embraced within the metes and bounds of the national park, game preserve, and other reservation or the said Sulphur Springs Reservation, as now defined or may be hereafter defined. (U.S.C., title 16, sec. 153.)

Proviso.

Sulphur Springs and other reservations reserved.

Exclusive jurisdiction retained.

Service of process, etc.

Indemnity selections excluded from parks, etc.

Joint Resolution Directing that the Sulphur Springs Reservation be named and hereafter called the "Platt National Park," approved June 29, 1906 (34 Stat. 837)

Resolved 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,

Sulphur Springs Reservation.

[1] The above provision was substantially covered by the State constitution of Oklahoma, adopted July 16, 1907, as art. 1, sec. 3.

Name changed to Platt National park, in honor of the late Senator Platt, of Connecticut.

authorized and directed to change the name of the Sulphur Springs Reservation, an Indian reservation now in the State of Oklahoma, formerly in the Indian Territory, so that said reservation shall be named and hereafter called the "Platt National Park," in honor of Orville Hitchcock Platt, late and for twenty-six years a Senator from the State of Connecticut, and for many years a member of the Committee on Indian Affairs, in recognition of his distinguished services to the Indians and to the country. (U.S.C., title 16, sec. 151.)

8. Wind Cave National Park

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An Act To set apart certain lands in the State of South Dakota as a public park to be known as the "Wind Cave National Park," approved January 9, 1903 (32 Stat. 765)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby reserved from settlement, entry, sale, or other disposal, and set apart as a public park, all those certain tracts, pieces, or parcels of land lying and being situate in the State of South Dakota and within the boundaries particularly described as follows: Beginning at the southeast corner of section thirteen, township six south, range five east, Black Hills meridian, South Dakota; thence westerly, to the southwest corner of the southeast quarter of section sixteen, said township; thence northerly along the quarter-section lines to the northwest corner of the northeast quarter of section four, said township; thence easterly to the southwest corner of section thirty-four, township five south, range five east; thence northerly to the northwest corner of said section; thence easterly to the northeast corner of section thirty-one, township five south, range six east; thence southerly along the section lines to the southeast corner of section seven, township six south, range six east; thence westerly to the southwest corner of said section; thence southerly to the southeast corner of section thirteen, township six south, range five east, the place of beginning: *Provided*, That nothing herein contained shall be construed to affect any valid rights acquired in connection with any of the lands embraced within the limits of said park. (U.S.C., title 16, sec. 141.)

Public lands. Wind Cave National Park, S.Dak., established.

Boundaries.

Proviso. Valid rights not affected.

SEC. 2. That said park shall be known as the "Wind Cave National Park" and shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be to prescribe such rules and regulations and establish such service as he may deem necessary for the care and management of the same. (U.S.C., title 16, sec. 142.)

Regulations, etc., by Secretary of Interior.

SEC. 3. That the Secretary of the Interior be, and is hereby, authorized, in the exercise of his discretion, to rent or lease, under rules and regulations to be made by him, the cavern underlying the above-described lands, and also pieces and parcels of ground within said park

Lease of cavern, etc. (Repealed by 46 Stat. 1028, but subject matter covered by U.S.C., title 16, sec. 3, 39 Stat. 535, as amended. See pp. 9–12.)

for the erection of such buildings as may be required for the accommodation of visitors. (U.S.C., title 16, sec. 143.)

Use of funds. (Repealed by 46 Stat. 1028, but subject matter covered by U.S.C., title 16, sec. 452.)[1]

SEC. 4. That all funds arising from such rentals or leases shall be covered into the Treasury of the United States as a special fund to be expended in the care and improvement of said park. (U.S.C., title 16, sec. 144.)

Lands for tracts relinquished.

SEC. 5. That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of this park, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government and secure other land, outside of the park, in accordance with the provisions of the law relating to the subject of such relinquishment of lands in forest reserves in the State of South Dakota. (U.S.C., title 16, sec. 145.)

Penalty for unlawful intrusions, etc.

SEC. 6. That all persons who shall unlawfully intrude upon said park, or who shall without permission appropriate any object therein or commit unauthorized injury or waste in any form whatever upon the lands or other public property therein, or who shall violate any of the rules and regulations prescribed hereunder, shall upon conviction, be fined in a sum not more than one thousand dollars or be imprisoned for a period not more than twelve months, or shall suffer both fine and imprisonment, in the discretion of the court. (U.S.C., title 16, sec. 146.)

An Act To extend the boundaries of Wind Cave National Park, South Dakota, approved March 4, 1931 (46 Stat. 1518)

Wind Cave National Park, S.Dak.

Boundaries of, extended.

Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of Wind Cave National Park in the State of South Dakota are hereby extended to include the lands within the east half of the southwest quarter, southeast quarter section 26, south half of section 25, east half of section 33, township 5 south, range 5 east, and south half section 30, township 5 south, range 6 east, Black Hills meridian, South Dakota, comprising in part a part of the Harney National Forest. Such lands are hereby made a part of Wind Cave National Park, and shall hereafter be subject to all laws and regulations applicable to such park. (U.S.C., 6th supp., title 16, sec. 141a.)

[1] 42 Stat. 590, as amended. See p. 12.

9. Mesa Verde National Park

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An Act Creating the Mesa Verde National Park, approved June 29, 1906 (34 Stat. 616)

Mesa Verde National Park, Com. Establishment of. Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby reserved from settlement, entry, sale, or other disposal, and set apart as a public reservation, all those certain tracts, pieces, and parcels of land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows: Beginning at the northwest corner of section twenty-seven, township thirty-five north, range sixteen west, New Mexico principal meridian; thence easterly along the section lines to the southwest corner of the southeast quarter of section twenty, township thirty-five north, range fifteen west; thence northerly to the northwest corner of the southeast quarter of said section; thence easterly to the northeast corner of the southeast quarter of said section; thence northerly to the northwest corner of section twenty-one, said township; thence easterly to the northeast corner of the northwest quarter of said section; thence northerly to the northwest corner of the southeast quarter of section sixteen, said township; thence easterly to the northeast corner of the southeast quarter of section fifteen, said township; thence southerly to the southeast corner of said section; thence easterly to the southwest corner of section thirteen, said

township; thence northerly to the northwest corner of the southwest quarter of said section; thence easterly to the northeast corner of the southwest quarter of said section; thence northerly to the northwest corner of the northeast quarter of said section; thence easterly to the northeast corner of said section; thence northerly to the northwest corner of the southwest quarter of section seven, township thirty-five north, range fourteen west; thence easterly to the northeast corner of the southwest quarter of said section; thence northerly to the northwest corner of the southeast quarter of section six, said township; thence easterly to the northeast corner of the southwest quarter of section four, said township; thence southerly to the northwest corner of the southeast quarter of section nine, said township; thence easterly to the northeast corner of the southeast quarter of said section; thence southerly to the northwest corner of section twenty-two, said township; thence easterly to the northeast corner of the northwest quarter of said section; thence southerly to the northwest corner of the southeast quarter of said section; thence easterly to the northeast corner of the southeast quarter of said section; thence southerly to the northwest quarter of section twenty-six, said township; thence easterly to the northeast corner of the northwest quarter of said section; thence southerly to the southeast corner of the southwest quarter of section thirty-five, said township; thence easterly to the northeast corner of section two, township thirty-four north, range fourteen west; thence southerly along the section line between sections one and two and between sections eleven and twelve to the northern boundary of the southern Ute Indian Reservation; thence westerly along the northern boundary of said reservation to the center of section nine, township thirty-four north, range sixteen west; thence northerly along the quarter-section lines to the northwest corner of the southeast quarter of section twenty-eight, township thirty-five north, range sixteen west; thence easterly to the northeast corner of the southeast quarter of said section; thence northerly to the northwest corner of section twenty-seven, said township, the place of beginning. (U.S.C., title 16, sec. 111.)

Name.

SEC. 2. That said public park shall be known as the Mesa Verde National Park, and shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be to prescribe such rules and regulations and establish such service as he may deem necessary for the care and management of the same. Such regulations shall provide specifically for the preservation from injury or spoliation of the ruins and other works and relics of prehistoric or primitive man within said park (U.S.C., title 16, sec. 112): *Provided*, That all prehistoric ruins that are situated within five miles of the boundaries of said park, as herein described, on Indian lands and not

Regulations.

Proviso. Prehistoric ruins.

on lands alienated by patent from the ownership of the United States, are hereby placed under the custodianship of the Secretary of the Interior, and shall be administered by the same service that is established for the custodianship of the park.

Excavations, etc.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to permit examinations, excavations, and other gathering of objects of interest within said park by any person or persons whom he may deem properly qualified to conduct such examinations, excavations, or gatherings, subject to such rules and regulations as he may prescribe: *Provided always*, That the examinations, excavations, and gatherings are undertaken only for the benefit of some reputable museum, university, college, or other recognized scientific or educational institution, with a view to increasing the knowledge of such objects and aiding the general advancement of archæological science. (U.S.C., title 16, sec. 113.)

Proviso. Restriction.

Penalty for destroying ruins, etc.

SEC. 4. That any person or persons who may otherwise in any manner willfully remove, disturb, destroy, or molest any of the ruins, mounds, buildings, graves, relics, or other evidences of an ancient civilization or other property from said park shall be deemed guilty of a misdemeanor, and upon conviction before any court having jurisdiction of such offenses shall be fined not more than one thousand dollars or imprisoned not more than twelve months, or such person or persons may be fined and imprisoned, at the discretion of the judge, and shall be required to restore the property disturbed, if possible. (U.S.C., title 16, sec. 114.)

Excerpt from "An Act Making appropriations to supply deficiencies in appropriations for the fiscal year 1910, and for other purposes," approved June 25, 1910 (36 Stat. 796)

Mesa Verde National Park. Leases, etc., permitted. (Amended by 46 Stat. 1048. See p. 185.)

The Secretary of the Interior may, upon terms and conditions to be fixed by him, grant leases and permits for the use of the land or development of the resources thereof, in the Mesa Verde National Park, and the funds derived therefrom shall be covered into the Treasury of the United States: *Provided*, That such leases or grants shall not include any of the prehistoric ruins in said park or exclude the public from free or convenient access thereto; * * *

Proviso. Conditions. Expenses.

Excerpt from "An Act Making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914," approved June 30, 1913 (38 Stat. 82)

Agreement with Wiminuche Band of Southern Ute Indians, Colo.

That an agreement, made at the Navajo Springs Indian Agency, in the State of Colorado, on the tenth day of May, in the year of our Lord nineteen hundred and eleven, with the Wiminuche Band of Southern Ute In-

dians, belonging to the jurisdiction of the Navajo Springs Indian Agency, be, and the same is hereby, modified and amended to read as follows:

"ARTICLE I

Lands relinquished.

"The said Wiminuche Band of Southern Ute Indians hereby agrees to relinquish and surrender to the United States of America all its right, title, and interest in and to that portion of its reservation described as follows:

"Beginning at a point on the north boundary of the Southern Ute Indian Reservation in southwestern Colorado where the north quarter corner of unsurveyed fractional section two (2), township thirty-four (34) north, range fifteen (15) west, 'south of the Ute boundary,' intersects the same; thence south to the south quarter corner of unsurveyed section twenty-six (26), said township; thence west to the southwest corner of unsurveyed section twenty-five (25), township thirty-four (34) north, range sixteen (16) west; thence north to the northwest corner of unsurveyed fractional section one (1), said township; thence east to the north quarter corner of unsurveyed fractional section two (2), township thirty-four (34) north, range fifteen (15) west, 'south of the Ute boundary,' the place of beginning; fourteen thousand five hundred and twenty (14,520) acres, more or less, lying and being in Montezuma County, State of Colorado.

"ARTICLE II

Lands to be conveyed in exchange.

"In consideration for the lands relinquished and surrendered as aforesaid the United States hereby agrees to convey to said Wiminuche Band of Southern Ute Indians in exchange therefor lands lying within the present boundaries of the Mesa Verde National Park and from the public domain, said lands to become a part of the reservation of said Wiminuche Band of Southern Ute Indians and to take on the same character and title as the rest of the land of the said reservation, of which they become a part by virtue of this agreement, and described as follows:

"Sections one (1), two (2), three (3), four (4), five (5), fractional sections eight (8), nine (9), ten (10), eleven (11), twelve (12), in township thirty-four (34) north, range sixteen (16), west, 'north of the Ute boundary'; also sections twenty-five (25), twenty-six (26), twenty-seven (27), southeast quarter section twenty-eight (28), sections thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), and thirty-six (36), township thirty-five (35) north, range sixteen (16) west, containing ten thousand and eighty (10 080) acres, more or less.

"Also sections five (5) and six (6) and fractional sections seven (7) and eight (8) (unsurveyed) in township

thirty-four (34) north, range seventeen (17) west, 'north of the Ute boundary,' and sections one (1), two (2), three (3), four (4), five (5), and fractional sections eight (8), nine (9), ten (10), eleven (11), and twelve (12) (unsurveyed), in township thirty-four (34) north, range eighteen (18) west, 'north of the Ute boundary,' and sections nineteen (19), twenty (20), twenty-nine (29), thirty (30), thirty-one (31), and thirty-two (32), in township thirty-five (35) north, range seventeen (17) west, and sections twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), and thirty-six (36) in township thirty-five (35) north, range eighteen (18), west, New Mexico principal meridian, containing twenty thousand one hundred and sixty (20,160) acres, more or less.

Additional.

"And in case it be found that any portion of the lands herein described have been entered or patented under any of the land laws of the United States, then, and in that event, it is stipulated and agreed that public lands of an equal amount and like character and lying adjacent to the lands herein described be substituted and given to said Wiminuche Band of Southern Ute Indians, to make the total area of lands to be given in amount equal to the above-described lands, the total area in said western tract to contain twenty thousand one hundred and sixty (20,160) acres.

"ARTICLE III

Annuities, etc., not impaired.

"Nothing in this agreement shall be construed to deprive the Indians parties hereto of any annuities or benefits to which they are entitled under existing laws and treaties.

"ARTICLE IV

Ratification required.

"This agreement shall become effective and binding on the parties hereto when ratified by the Congress of the United States."

Agreement confirmed.

That the said agreement be, and the same is hereby, accepted, ratified, and confirmed as herein amended.

Additional lands to be conveyed.

That the Secretary of the Interior is hereby authorized to add to the area conveyed to the Indians in exchange for the lands relinquished any tracts of unappropriated public land adjoining thereto which may be necessary to make the total area of the acreage ceded to the Indians in lieu of that lost to them by any prior existing valid rights attaching thereto.

Mesa Verde National Park. Boundaries extended. Vol. 34, p. 615.

That the boundary of the Mesa Verde National Park, created by the Act of Congress approved June twenty-ninth, nineteen hundred and six (Thirty-fourth Statutes at Large, page six hundred and sixteen), is hereby extended on the south so as to include the land relinquished

by the Indians in the foregoing agreement as herein provided and the boundaries of said park shall hereafter be defined as follows:

Description.

Beginning at a point on the north boundary of the Southern Ute Indian Reservation in southwestern Colorado where the north quarter corner of unsurveyed fractional section two (2), township thirty-four (34) north, range fifteen (15) west, "south of the Ute boundary," intersects the same; thence south to the south quarter corner of unsurveyed section twenty-six (26), said township; thence west to the southwest corner of unsurveyed section twenty-five (25), township thirty-four (34) north, range sixteen (16) west; thence north to the northwest corner of unsurveyed fractional section one (1), said township and range; thence west to the southeast corner of fractional section twelve (12), township thirty-four (34) north, range sixteen (16) west, "north of the Ute boundary"; thence north to the northwest corner of section nineteen (19), township thirty-five (35) north, range fifteen (15) west; thence east to the southwest corner of the southeast quarter of section sixteen (16), said township; thence north to the northwest corner of the southeast quarter of said section; thence east to the southwest corner of the northeast quarter of section thirteen (13), said township; thence north to the northwest corner of the northeast quarter of said section; thence east to the southwest corner of section seven (7), township thirty-five (35) north, range fourteen (14) west; thence north to the northwest corner of said section; thence east to the southwest corner of section five (5), said township; thence north to the northwest corner of said section; thence east to the northeast corner of said section; thence south to the southeast corner of the northeast quarter of said section; thence east to the northeast corner of the southwest quarter of section four (4), said township; thence south to the northwest corner of the southeast quarter of section sixteen (16), said township; thence east to the northeast corner of the southeast quarter of said section; thence south to the northwest corner of section twenty-two (22), said township; thence east to the northeast corner of said section; thence south to the northwest corner of section twenty-six (26), said township; thence east along the north section line of section twenty-six (26) to the east bank of the Rio Mancos; thence in a southeasterly direction along the east bank of the Rio Mancos to its intersection with the northern boundary line of the Southern Ute Indian Reservation; thence west along said Indian reservation boundary to its intersection with the range line between ranges fourteen (14) and fifteen (15) west, the place of beginning. (U.S.C., title 16, sec. 111.)

Included in Park control, etc.

And the provisions of the Act of June twenty-ninth, eighteen hundred and ninety-six, creating the park, are hereby extended over the same.

So much of the Act of June twenty-ninth, nineteen hundred and six, as provides that the custodianship of the Secretary of the Interior shall extend over all prehistoric ruins situated within five miles of the eastern, western, and northern boundaries of the park, as described in said Act, not on lands alienated by patent from the ownership of the United States, is hereby repealed.

Custody of adjoining prehistoric ruins repealed. Vol. 37, p. 617.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes," approved June 12, 1917 (40 Stat. 152)

The Secretary of the Interior is authorized to accept patented lands or rights of way over patented lands in the Mesa Verde National Park that may be donated for park purposes. (U.S.C., title 16, sec. 116.)

Mesa Verde National Park, Colo. Acceptance of donated lands, etc. (Repealed by 46 Stat. 1028, but subject matter covered by U.S.C., title 16, sec. 6, 41 Stat. 917. See p. 13.)

Act of General Assembly of Colorado, approved May 2, 1927, ceding to the United States exclusive jurisdiction over the Mesa Verde National Park in the State of Colorado (Session Laws of Colorado, 1927, p. 481)

Be it enacted by the General Assembly of the State of Colorado:

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 tract of land in the State of Colorado set aside and dedicated for park purposes by the United States, known as Mesa Verde National Park, saving, however, to the State of Colorado 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 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 tracts, 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 tracts are situated: *Provided, however*, That jurisdiction shall not vest in the United States now or hereafter over any lands included within said park until the United States, through its proper officer, notifies the State of Colorado, through its Governor, that the United States assumes police jurisdiction over the respective tracts involved.

An Act To accept the cession by the State of Colorado of exclusive jurisdiction over the lands embraced within the Mesa Verde National Park, and for other purposes, approved April 25, 1928 (45 Stat. 458)

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 Colorado, approved May 2, 1927, ceding to the United States exclusive jurisdiction over the territory

Mesa Verde National Park, Colo. Acceptance of jurisdiction of Colorado over territory included in.

Rights reserved to State.

embraced and included within the Mesa Verde National Park, are hereby accepted, and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the State of Colorado 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 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 tracts; 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 tracts are situated. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. 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 Colorado. (U.S.C., 6th supp., title 16, sec. 117.)

Application of United States laws. Extradition of criminals.

Assigned to Colorado judicial district.

SEC. 2. That said park shall constitute a part of the United States judicial district for the State of Colorado, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within said boundaries. (U.S.C., 6th supp., title 16, sec. 117a.)

Punishment of offenses against State laws.

SEC. 3. That if any offense shall be committed in the Mesa Verde National Park, which offense is not prohibited or the punishment for which is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of Colorado in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of Colorado shall affect any prosecution for said offense committed within said park. (U.S.C., 6th supp., title 16, sec. 117b.)

Hunting, fishing, etc., prohibition.

SEC. 4. 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 the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and 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 the ruins and other works and relics of prehistoric or primitive man, all timber, natural curiosities, or wonderful objects

Regulations, etc., to be prescribed.

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 park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the 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, 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 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 park or for the protection of the property therein, for the preservation from injury or spoliation of the ruins and other works and relics of prehistoric or primitive man, and timber, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, 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 costs of the proceedings: *Provided, however*, That any person or persons who may, without permission from the Secretary of the Interior, in any manner willfully remove, disturb, destroy, or molest any of the ruins, mounds, buildings, graves, relics, or other evidences of an ancient civilization from said park shall upon conviction before any court having jurisdiction of such offenses be fined not more than $1,000 or imprisoned not more than twelve months, or such person or persons may be fined and imprisoned, at the discretion of the judge, and shall be required to restore the property disturbed, if possible. (U.S.C., 6th supp., title 16, sec. 117c.)

Evidence of violations.

Punishment for violating provisions hereof, etc.

***Proviso.* Additional punishment for molesting ruins, etc.**

SEC. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses,

Forfeiture of guns, traps, etc., illegally used.

or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (U.S.C., 6th supp., title 16, sec. 117d.)

Commissioner for. Appointment, authority, etc.

SEC. 6. That the United States District Court for the State of Colorado shall appoint a commissioner who shall reside in the park 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.

Judicial powers in violations of rules, etc.

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.

Appeals to district court.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the State of Colorado, and the United States district court in said 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. (U.S.C., 6th supp., title 16, sec. 117e.)

Procedure in criminal cases.

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 boundaries of any criminal offense not covered by the provisions of section 4 of this Act to hear the evidence introduced, and if he is of 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 State of Colorado, and certify a transcript of the record of his proceedings and the testimony in the case to said 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. (U.S.C., 6th supp., title 16, sec. 117f.)

Proviso. Bail.

Service of process.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the district of Colorado, 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 in the policing of said reser-

Summary arrests.

vation within said boundaries without process of any person taken in the act of violating the law or this Act or the regulations prescribed by said Secretary as aforesaid. (U.S.C., 6th supp., title 16, sec. 117g.)

Pay of commissioner.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary as appropriated for by Congress, payable quarterly: *Provided*, That the said commissioner shall reside within the exterior boundaries of said Mesa Verde National Park, at a place to be designated by the court making such appointment: *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. (U.S.C., 6th supp., title 16, sec. 117h.)

Provisos. Residence required. Disposal of fees, etc.

United States fees.

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. (U.S.C., 6th supp., title 16, sec. 117i.)

Deposit of fines and costs

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 State of Colorado. (U.S.C., 6th supp., title 16, sec. 117j.)

Acceptance of cession.

SEC. 12. That the Secretary of the Interior shall notify, in writing, the Governor of the State of Colorado of the passage and approval of this Act.

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes," approved May 14, 1930 (46 Stat. 315)

Mesa Verde National Park, Colo. Operation of Aileen Nusbaum Hospital.

Appropriations made for Mesa Verde National Park shall be available for the operation of the Aileen Nusbaum Hospital and the furnishing of the necessary service in connection therewith at rates to be fixed by the Secretary of the Interior. (U.S.C., 6th supp., title 16, sec. 118.)

Excerpt from "An Act To provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes," approved January 26, 1931 (46 Stat. 1043)

National parks, administration. Mineral prospecting, etc., Mesa Verde, Colo., forbidden. (Amends 36 Stat. 796. See p. 127.)

No permit, license, lease, or other authorization for the prospecting, development, or utilization of the mineral resources within the Mesa Verde National Park, Colorado, * * * shall be granted or made. (U.S.C., 6th supp., title 16, sec. 115.)

An Act To provide for the addition of certain lands to the Mesa Verde National Park, Colorado, and for other purposes, approved February 26, 1931 (46 Stat. 1422)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of protecting the scenery

along the Point Lookout Road between the north boundary of the Mesa Verde National Park and this road's juncture with the Cortez-Mancos Road, the President of the United States is hereby authorized, upon the recommendation of the Secretary of the Interior, to add to the said Mesa Verde National Park, Colorado, by executive proclamation, a strip of land two hundred and sixty feet wide along and including said Point Lookout Road, and the triangle formed by the fork in said road and such other public land along or adjacent to said road and right of way and lands as may be acquired by gift or by exchanges as hereinafter provided, which lands shall thereupon become and be a part of said park subject to all laws and regulations applicable thereto. (U.S.C., 6th supp., title 16, sec. 111.)

Mesa Verde National Park, Colo. Additions to, authorized.

Acceptance of donations.

Exchange authorized.

Value ascertained.

Title.

SEC. 2. That for the purpose of carrying out the provisions of this Act the Secretary of the Interior is hereby authorized to accept donations of land or right of way, or to acquire title to any land along or adjacent to the said Point Lookout Road as may be deemed desirable by him for the protection of said road. by exchange for any unappropriated public lands within sections 29 and 32, township 36 north, range 14 west, New Mexico principal meridian, of equal value; the value of the lands offered for exchange hereunder and the value of the lands of the United States to be selected therefor shall be ascertained in such manner as the Secretary of the Interior may direct; and the owners of lands offered to the United States pursuant hereto shall, before the exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the lands offered in exchange.

10. Glacier National Park

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Glacier National Park, Mont. Lands set aside as. Description.

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 Montana particularly described by metes and bounds as follows, to wit: Commencing at a point on the international boundary between the United States and the Dominion of Canada at the middle of the Flathead River; thence following southerly along and with the middle of the Flathead River to its confluence with the Middle Fork of the Flathead River; thence following the north bank of said Middle Fork of the Flathead River to where it is crossed by the north boundary of the right of way of the Great Northern Railroad; thence following the said right of way to where it intersects the west boundary of the Blackfeet Indian Reservation; thence northerly along said west boundary to its intersection with the international boundary; thence along said international boundary to the place 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 or pleasure ground for the benefit and enjoyment of the people of the United States under the name of "The Glacier National Park;" and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States or the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: *Provided further*, That rights of way through the valleys of the North and Middle forks of the Flathead River for steam or electric railways may be acquired within said Glacier National Park under filings or proceedings heretofore or hereafter made or instituted under the laws applicable to the acquisition of such rights over or upon the unappropriated public domain of the United States, and that the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a Government reclamation project: *And provided further*, That no lands within the limits of said park hereby created belonging to or claimed by any railroad or other corporation now having or claiming the right of indemnity selection by virtue of any law or contract whatsoever shall be used as a basis for indemnity selection in any State or Territory whatsoever for any loss sustained by reason of the creation of said park. (U.S.C., title 16, sec. 161.)

Removal of trespassers. *Provisos.* Valid rights not affected. Rights of way for railways. (Repealed by 46 Stat. 1043. See p. 151.)

No indemnity selections allowed corporations.

Regulations for protection, etc.

SEC. 2. That said park shall be under the executive control of the Secretary of the Interior, whose duty it

shall be, as soon as practicable, to make and publish such rules and regulations not inconsistent with the laws of the United States as he may deem necessary or proper for the care, protection, management, and improvement of the same, which regulations shall provide for the preservation of the park in a state of nature so far as is consistent with the purposes of this act, and for the care and protection of the fish and game within the boundaries thereof. Said Secretary may, in his discretion, execute leases to parcels of ground not exceeding ten acres in extent at any one place to any one person or company, for not to exceed twenty years, when such ground is necessary for the erection of buildings for the accommodation of visitors, and to parcels of ground not exceeding one acre in extent and for not to exceed twenty years to persons who have heretofore erected or whom he may hereafter authorize to erect summer homes or cottages; he may also sell and permit the removal of such matured or dead or down timber as he may deem necessary or advisable for the protection or improvement of the park. (U.S.C., title 16, sec. 162.)

Leases for hotels, etc. (This act so far as it relates to use of Glacier National Park land for summer homes and cottages repealed by 46 Stat. 1043, sec. 3. See p. 151.)

Removal of dead, etc., timber.

Act of Legislature of Montana, approved February 17, 1911, ceding to the United States exclusive jurisdiction over the Glacier National Park in the State of Montana (Laws of Montana, 1911, p. 51)

Be it enacted by the Legislative Assembly of the State of Montana, 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 tract of land in the State of Montana set aside by the Act of Congress, approved May 11, 1910, for the purposes of a national park, and known and designated as "The Glacier National Park," saving, however, to the said State the right to serve civil or criminal process within the limits of the aforesaid park in any suits or prosecution 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*, That jurisdiction shall not vest until the United States, through the proper officers, notifies the Governor of this State that they assume police or military jurisdiction over said park.

SEC. 2. All Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC. 3. This Act shall be in force and effect from and after its passage and approval by the Governor.

An Act To accept the cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park, and for other purposes, approved August 22, 1914 (38 Stat. 699)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

Glacier National Park, Mont. Sole jurisdiction of United States over, ceded by Montana. State process, etc.

bled, That the provisions of the act of the Legislature of the State of Montana, approved February seventeenth, nineteen hundred and eleven, ceding to the United States exclusive jurisdiction over the territory embraced within the Glacier National Park, are hereby accepted, and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the said State the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecution 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. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. 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 Montana. (U.S.C., title 16, sec. 163.)

Jurisdiction of Montana judicial district.

SEC. 2. That said park shall constitute a part of the United States judicial district of Montana, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within said boundaries. (U.S.C., title 16, sec. 168.)

Punishment of offenses under Montana laws.

SEC. 3. That if any offense shall be committed in the Glacier National Park, which offense is not prohibited or the punishment is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of Montana in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of Montana shall affect any prosecution for said offense committed within said park. (U.S.C., title 16, sec. 169.)

Hunting, fishing, etc., prohibited.

SEC. 4. That all hunting or the killing, wounding, or capturing at any time of any bird or wild 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 the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such 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 other than those legally located prior to the passage of the Act of May eleventh, nineteen hundred and ten (Thirty-sixth Statutes, page three hundred and

Regulations, etc.

Vol. 36, p. 354. See p. 138.

fifty-four), 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 park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the 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, 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 park or for the protection of the property therein, for the preservation from injury or spoliation of timber, mineral deposits, other than those legally located prior to the passage of the Act of May eleventh, nineteen hundred and ten (Thirty-sixth Statutes, page three hundred and fifty-four), natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to the passage of the Act of May eleventh, nineteen hundred and ten (Thirty-sixth Statutes, page three hundred and fifty-four), 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 costs of the proceedings. (U.S.C., title 16, sec. 170.)

Evidence of violations.

Punishment for violations.

Sec. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or wild animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such for-

Forfeiture of guns, traps, horses, etc.

feited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (U.S.C., title 16, sec. 171.)

Commissioner. Appointment, authority, etc.

SEC. 6. That the United States district court for the district of Montana shall appoint a commissioner, who shall reside in the park, 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.

Judicial powers, in violation of rules, etc.

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.

Appeals.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States district court for the district of Montana, and the United States district court in said 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. (U.S.C., title 16, sec. 172.)

Procedure in criminal cases.

SEC. 7. That any such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission, within said boundaries, of any criminal offense not covered by the provisions of section four of this Act, to hear the evidence introduced, and if he is of 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 district of Montana, and certify a transcript of the record of his proceedings and the testimony in the case to said 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. (U.S.C., title 16, sec. 173.)

Proviso. Bail.

Service of process.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the district of Montana, 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 in the policing of said reservation, within said boundaries, without process, of any person taken in the act of violating the law or this

Act, or the regulations prescribed by said Secretary as aforesaid. (U.S.C., title 16, sec. 174.)

Salary. Provisos. Residence.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary of $1,500, payable quarterly: *Provided*, That the said commissioner shall reside within the exterior boundaries of said Glacier National Park, at a place to be designated by the court making such appointment: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in sections eleven and twelve of this Act. (U.S.C. title 16, sec. 175.)

Deposits of fees, etc.

United States fees, etc.

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. (U.S.C., title 16, sec. 177.)

Disposal of fines, and costs.

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 district of Montana. (U.S.C., title 16, sec. 176.)

Acceptance of cession.

SEC. 12. That the Secretary of the Interior shall notify, in writing, the governor of the State of Montana of the passage and approval of this Act.

Act of Legislature of Montana, approved March 6, 1919, amending State General Fish and Game Laws to provide that licenses issued thereunder shall not entitle holder to hunt in any National Park within the State of Montana (Laws of Montana, 1919, p. 276)

Be it enacted by the Legislative Assembly of the State of Montana, That Chapter 173 of the laws of the Fifteenth Legislative Assembly of the State of Montana, be and the same is hereby amended by adding thereto a section numbered 5A, as follows:

"SEC. 5A. All licenses issued under the provisions of this Act shall have printed upon the face thereof in large black-faced type the following words:

"'This license does not authorize the holder to hunt within the boundaries of any national park within the State of Montana.'"

SEC. 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its passage and approval.

Act of the Legislature of Montana, approved February 27, 1929, to grant to the United States concurrent police jurisdiction over the rights of way of the Blackfeet Highway, and over the rights of way of its connections with the Glacier Park road system on the Blackfeet Indian Reservation in the State of Montana (Laws of Montana, 1929, p. 63)

Be it enacted by the Legislative Assembly of the State of Montana, That concurrent police jurisdiction shall be, and the same is hereby granted to the United States of

America, over and within all the territory which is now or may hereafter be included in the rights of way of the Blackfeet Highway, including the highway itself throughout its length between Glacier Park Station and the Canadian boundary line, and including also the rights of way of the highways on the Blackfeet Indian Reservation connecting the Blackfeet Highway with the Glacier Park road system, including the highways themselves.

SEC. 2. That jurisdiction herein granted shall not vest until the United States of America through the proper officers, notifies the Governor of the State of Montana that they assume concurrent police jurisdiction over the said rights of way and the said highways.

SEC. 3. This Act shall be in full force and effect from and after its passage and approval and upon compliance by the United States of America with section two of this Act.

An Act To accept the grant by the State of Montana of concurrent police jurisdiction over the rights of way of the Blackfeet Highway, and over the rights of way of its connections with the Glacier National Park road system on the Blackfeet Indian Reservation in the State of Montana, approved May 2, 1932 (47 Stat. 144)

Rights of way, Blackfeet Highway, Mont. Acceptance of grant by Montana of concurrent jurisdiction over, and connections with, Glacier National Park.

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 Montana, approved February 27, 1929, granting to the United States concurrent police jurisdiction over and within all the territory which is now or may hereafter be included in the rights of way of the Blackfeet Highway, including the highway itself throughout its length between Glacier Park Station and the Canadian boundary line, and including also the rights of way of the highways on the Blackfeet Indian Reservation connecting the Blackfeet Highway with the Glacier National Park road system, including the highways themselves, are hereby accepted, and the laws and regulations of the United States relating to and while in force within the Glacier National Park, so far as applicable, are hereby extended over and within the territory of said rights of way and highways. (U.S.C., 6th supp., title 16, sec. 181.)

Applicability of Federal laws, etc.

Notice to Governor.

SEC. 2. The Secretary of the Interior shall notify, in writing, the Governor of the State of Montana of the passage and approval of this Act, and so far as the interests of the United States shall require, the said Secretary shall exercise administrative control and jurisdiction over said rights of way and highways through the National Park Service. (U.S.C., 6th supp., title 16, sec. 181a.)

Administrative control.

Commissioner for Glacier National Park.

SEC. 3. The United States commissioner for the Glacier National Park shall have jurisdiction under the provi-

sions of the Act of August 22, 1914 (38 Stat. 699), of violations of law or the rules and regulations of the Secretary of the Interior in force within said rights of way and highways. (U.S.C., 6th supp., title 16, sec. 181b.)

Jurisdiction extended. Vol. 38, p. 699, amended. See p. 139.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1912, and for other purposes," approved March 4, 1911 (36 Stat. 1421)

All proceeds of leases and other revenues that may be derived from any source connected with the Glacier National Park, Montana, shall be expended under the direction of the Secretary of the Interior in the administration and improvement of the park, and the construction of roads, trails, bridges, and so forth, therein. (U.S.C., title 16, sec. 180.)

Glacier National Park, Mont. Proceeds of leases, etc., to be expended in administration of roads, etc., in park. (Repealed by 46 Stat. 1028, but subject matter covered by U.S.C., title 16, sec. 452, 42 Stat. 590, as amended. See p. 12.)

An Act To authorize the sale of land within or near the town site of Midvale, Montana, for hotel purposes, approved February 10, 1912 (37 Stat. 64)

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 sell and convey to Louis W. Hill, his heirs, executors, or administrators, for hotel purposes, at a price to be fixed by appraisement, at not less than twenty-five dollars per acre, and under such terms, conditions and regulations as the Secretary of the Interior may prescribe, not to exceed one hundred and sixty acres of land, not heretofore sold or allotted, within or near the town site of Midvale, Montana, within the Blackfeet Indian Reservation, the proceeds from the sale of said lands to be deposited in the Treasury to the credit of the Blackfeet Tribe of Indians: *Provided, however*, That any hotel erected on said lands shall be operated by the said Louis W. Hill, his executors, administrators, heirs, or assigns, under such rules and regulations as the Secretary of the Interior may prescribe for the conduct and operation of hotels within the "Glacier National Park": *And provided also*, That the Secretary of the Interior may, in his discretion, add to the said town site of Midvale from the unallotted tribal lands not to exceed forty acres of land to be disposed of for town-site purposes in accordance with the provisions of the Act of March first, nineteen hundred and seven (Thirty-fourth Statutes at Large, page ten hundred and thirty-nine).

Blackfeet Indian Reservation, Mont. Sale of land in, for hotel purposes. *Provisos.* Regulations.

Addition to town site.

Vol. 34, p. 1039.

SEC. 2. That the Secretary of the Interior is hereby authorized and directed, at his discretion, to withdraw from entry and sale not to exceed five acres of the lands embraced within the said town site of Midvale, or any addition thereto, for use in administrative purposes of the said Glacier National Park.

Withdrawal for Glacier National Park.

An Act To authorize the Great Northern Railway Company to revise the location of its right of way, and for other purposes, approved February 27, 1915 (38 Stat. 814)

Montana. Great Northern Railway Company may change location of right of way in.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, with the consent and approval of the Secretary of the Interior and upon the filing with the Interior Department and the approval thereof by said Secretary of maps of definite location within three years from the passage of this Act, the Great Northern Railway Company, a corporation of the State of Minnesota, be, and it is hereby, authorized to revise the location of that part of its line of railway along the southern boundary of the Glacier National Park, in the State of Montana, on the terms and conditions and subject to the limitations and restrictions granted by and contained in an Act of Congress entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875 (18 Stat. 482), as amended by an Act of Congress entitled "An Act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes," approved March 3, 1899 (30 Stat. 1233): *Provided*, That all lands north of the north line of the revised right of way, when said revised line of right of way shall have been approved as aforesaid, shall be excluded from the Lewis and Clark National Forest, and become and remain part of the Glacier National Park, and be subject to all the provisions of an Act of Congress entitled "An Act to establish 'the Glacier National Park' in the Rocky Mountains south of the international boundary line in the State of Montana, and for other purposes," approved May 11, 1910 (36 Stat. 354), and to all the provisions of any Act of Congress that may hereafter be passed relative to said park, and the regulations of the Secretary of the Interior heretofore or hereafter prescribed in accordance with law for the government of the Park, and that any and all lands south of the north line of such revised line of right of way which may now be within the Glacier National Park, shall become and remain a part of the Lewis and Clark National Forest and be subject to and be governed by the laws heretofore or hereafter enacted by Congress and the regulations heretofore or hereafter prescribed by the Secretary of Agriculture for the control of national forests: *Provided further*, That before the Secretary of the Interior shall consent to and approve the revision of location herein authorized, the Great Northern Railway Company shall file with the said Secretary a relinquishment of all claims of whatever nature to that portion of its right of way affected by said revised location.

Restrictions, etc.

Vol. 18, p. 482.

Vol. 30, p. 1233.

Provisos. Lands added to Glacier National Park.

Vol. 36, p. 354. See p. 138.)

Lands added to Lewis and Clark National Forest. Vol. 37, p. 1753.

Relinquishment of former right of way.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes," approved July 1, 1916 (39 Stat. 308)

The Secretary of the Interior is authorized to accept patented lands or rights of way over patented lands in the Glacier National Park that may be donated for park purposes. (U.S.C., title 16, sec. 179.)

Glacier National Park, Montana. Acceptance of donated lands, etc.

An Act For the relief of certain homestead entrymen for land within the limits of the Glacier National Park, approved July 3, 1916 (39 Stat. 342)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the homestead entries heretofore made by Howard E. Jones, Ernest R. Henthorn, Daniel C. Doverspike, Ora Reeves, Louis N. Fournier, Pat Doyle, Walter E. Barricklow, and Frank Kelly for lands within the limits of the Glacier National Park, in the Kalispell, Montana, land district, which entries were allowed under orders issued by the Secretary of the Interior on May twenty-first and twenty-fifth, nineteen hundred and ten, based upon lists approved by the Secretary of Agriculture prior to the passage of the Act of May eleventh, nineteen hundred and ten (36 Stat. 354), creating the said Glacier National Park, be, and they are hereby, excepted from the force and effect of said Act of May eleventh, nineteen hundred and ten: *Provided*, That should said entries not be perfected as required by law the lands embraced therein shall revert to and become a part of the said Glacier National Park.

Glacier National Park. Confirmation of designated prior homestead entries within.

Vol. 36, p. 354. See p. 138.

Proviso. Entries not perfected to revert to park.

An Act To authorize the sale of certain lands at or near Belton, Montana, for hotel purposes, approved March 2, 1917 (39 Stat. 994)

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 hereby is, authorized to sell and convey to the Glacier Park Hotel Company, a corporation organized under the laws of the State of Minnesota and authorized to do business in the State of Montana, its successors and assigns, for hotel purposes, and at a price to be fixed by appraisement at not less than $25 per acre, and under such terms, conditions, and regulations as the Secretary of the Interior may prescribe, all that part of the south half of the northwest quarter of section thirty-six, in township thirty-two north, of range nineteen west, Montana principal meridian, within the following-described area: Beginning at a point on the southerly line of the right of way of the Great Northern Railway Company, one hundred feet southerly from and at right angles to the

Glacier Park Hotel Company. Lands at Belton, Mont., may be sold to.

Description.

center line of the main track of said railway at a point in said center line four hundred and eighty-four feet easterly from its intersection with the west line of said section thirty-six; thence southerly at right angles to said center line three hundred and thirty feet, this course following approximately the line of the westerly fence constructed by the United States Forestry Service in nineteen hundred and nine; thence easterly at right angles to the last-described course six hundred and seventy-two feet; thence northerly at right angles to the last-described course to the said southerly line of right of way, this course following, approximately, the line of the easterly fence constructed by the United States Forestry Service in nineteen hundred and nine; thence westerly along the said southerly line of the right of way of the Great Northern Railway to the place of beginning, excepting therefrom that portion within lot eight, containing five acres, more or less, within the Flathead National Forest, at or near Belton, Montana: *Provided, however*, That any hotel erected on said land shall be operated by the said Glacier Park Hotel Company, its successors and assigns, under such rules and regulations as the Secretary of the Interior may prescribe for the conduct and operation of hotels within the Glacier National Park. (U.S.C., title 16, sec. 178.)

Proviso. Subject to park regulations. Vol. 36, p. 354. See p. 138.

An Act To authorize an exchange of lands with owners of private holdings within the Glacier National Park, approved March 3, 1917 (39 Stat. 1122)

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, for the purpose of eliminating private holdings within the Glacier National Park and the preservation intact of the natural forest along the roads in the scenic portions of the park, both on patented and park lands, is hereby empowered, in his discretion, to obtain for the United States the complete title to any or all of the lands held in private or State ownership within the boundaries of said park within townships thirty-two and thirty-three north, ranges eighteen and nineteen west of Montana principal meridian, by the exchange of dead, decadent, or matured timber of approximately equal values that can be removed from any part of the park without injuriously affecting the scenic beauty thereof; or upon the approval of the Secretary of Agriculture, the timber to be selected or exchanged may be taken from the Government lands within the metes and bounds of the national forests within the State of Montana. (U.S.C., title 16, sec. 164.)

Glacier National Park, Montana. Privately owned lands in, to be obtained by exchange of timber, etc.

SEC. 2. That the value of all patented lands within said park, including the timber thereon, offered for exchange, and the value of the timber on park lands, or on Government lands within the metes and bounds of the

Ascertainment of value of lands and of timber offered in exchange.

national forests within the State of Montana, proposed to be given in exchange for such patented lands, shall be ascertained in such manner as the Secretary of the Interior and the Secretary of Agriculture may jointly in their discretion direct, and all expenses incident to ascertaining such values shall be paid by the owners of said patented lands; and such owners shall, before any exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the patented lands offered in exchange; and if the value of timber on park lands or on the Government lands in the national forests within the State of Montana exceeds the value of the patented lands deeded to the Government in exchange, such excess shall be paid to the Secretary of the Interior by the owners of the patented lands before any timber is removed, and shall be deposited and covered into the Treasury as miscellaneous receipts: *Provided*, That the lands conveyed to the Government under this Act shall become a part of the Glacier National Park. (U.S.C., title 16, sec. 166.)

Payment for excess value of timber.

***Proviso.* Lands added to Glacier Park.**

SEC. 3. That all timber on Government lands in the park must be cut and removed under regulations to be prescribed by the Secretary of the Interior, and any damage which may result to the roads or any part of the park or the national forests in consequence of the cutting and removal of the timber therefrom shall be borne by the owners of the patented lands, and bonds satisfactory to the Secretary of the Interior and the Secretary of Agriculture, jointly, must be given for the payment of such damages, if any, as shall be determined by the Secretary of the Interior so far as the same relates to lands within a national park and by the Secretary of Agriculture where the same relates to lands in the national forests: *Provided further*, That the Secretary of Agriculture and the Secretary of the Interior shall jointly report to Congress in detail the factors upon which valuations were made. (U.S.C., title 16, sec. 167.)

Removal of timber from the park.

Damages to be paid.

Proviso.

Joint reports of valuation.

An Act To authorize an exchange of lands with owners of private land holdings within the Glacier National Park, approved February 28, 1923 (42 Stat. 1324)

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, for the purpose of eliminating private holdings of land within the Glacier National Park, is hereby empowered, in his discretion, to obtain for the United States the complete title to any or all of the lands held in private ownership within the boundaries of said park by accepting from the owners of such privately owned lands complete relinquishment thereof and by granting and patenting to such owners, in exchange therefor, in each instance, like public land of equal value situate in the State of Montana, after

Glacier National Park, Montana. Exchange with private owners of lands within.

due notice of the proposed exchange has been given by publication for not less than thirty days in the counties where the lands proposed to be exchanged or taken in exchange are located. (U.S.C., title 16, sec. 164.)

Ascertainment of values, etc.

SEC. 2. That the value of all patented lands within said park, including the timber thereon, offered for exchange, and the value of other lands of the United States elsewhere situate, to be given in exchange therefor, shall be ascertained in such manner as the Secretary of the Interior may direct; and the owners of such privately owned lands within said park shall, before any exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the patented lands offered in exchange; and lands conveyed to the Government under this Act shall be and remain a part of the Glacier National Park. (U.S.C., title 16, sec. 165.)

Title.
Lands added to national park.

Excerpts from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes," approved June 12, 1917 (40 Stat. 151)

Glacier National Park, Montana. Acceptance of donations.

The Secretary of the Interior is authorized, in his discretion, to accept buildings, moneys, or other property which may be useful in the betterment of the administration and affairs of the Glacier National Park under his supervision, and which may be donated for park purposes. (U.S.C., title 16, sec. 179.)

An Act For the relief of Fannie M. Hollingsworth, approved March 23, 1928 (45 Stat. 1711)

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 empowered to grant permission to Fannie M. Hollingsworth to divert, through a one-inch pipe, for use for domestic purposes and fire protection on the property hereinafter described, water from a spring in a westerly direction from the said property approximately four hundred and fifty yards, the said spring being the only one within such distance of the house on the said property, which is described as follows: Lot 4 of section 15 in township 33 north of range 18 west of the Montana principal meridian, in Flathead County, State of Montana, containing approximately eleven acres, according to the Government survey thereof, subject to such conditions as the Secretary of the Interior may prescribe and subject further to the right of said Secretary to terminate any permit granted hereunder when, in his judgment, the particular water shall be needed by the Government in the administration and protection of Glacier National Park.

Fannie M. Hollingsworth.

May divert water from spring within Glacier National Park, for domestic, etc., uses.
Description.

Subject to Government needs.

Excerpts from "An Act To provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes," approved January 26, 1931 (46 Stat. 1043)

Glacier National Park, Montana. Permits for summer homes, etc., prohibited. (Repeals 36 Stat. 354, sec. 2, insofar as it relates to summer homes. See p. 138.

SEC. 3. No permit, license, lease, or other authorization for the use of land within the Glacier National Park, Montana, * * * for the erection and maintenance of summer homes or cottages shall be granted or made: *Provided, however*, That the Secretary of the Interior may, in his discretion, renew any permit, license, lease, or other authorization for such purpose heretofore granted or made. (U.S.C., 6th supp., title 16, sec. 162a.)

Proviso. Renewal of present leases, etc.

Certain valleys of Flathead River, Glacier, Mont. (Repeals 36 Stat. 354, U.S.C., title 16, sec. 161, insofar as relates to steam or electric railway rights of way. See p. 138.)

SEC. 5. The acquisition of rights of way through the valleys of the north and middle forks of the Flathead River for steam or electric railways in the Glacier National Park, Montana, under filings or proceedings under the laws applicable to the acquisition of such rights over or upon the unappropriated public domain of the United States is prohibited. (U.S.C., 6th supp., title 16, sec. 161.)

An Act For establishment of the Waterton-Glacier International Peace Park, approved May 2, 1932 (47 Stat. 145)

Waterton-Glacier International Peace Park. Establishment of. Concurrent action by Canada.

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 long-existing relationship of peace and good will existing between the people and Governments of Canada and the United States and upon the enactment by the proper authority of the Canadian Government of a similar provision respecting the Waterton Lakes National Park in the Province of Alberta and upon the proclamation of the President of the United States, who is hereby authorized to issue such a proclamation, the Glacier National Park in the State of Montana shall become a part of an international park to be known as the Waterton-Glacier International Peace Park. (U.S.C., 6th supp., title 16, sec. 161a.)

Proclamation to issue.

Glacier National Park to become a part.

Designation of portion within the United States.

SEC. 2. For purposes of administration, promotion, development, and support by appropriations that part of the said Waterton-Glacier International Peace Park within the territory of the United States shall be designated as the Glacier National Park. (U.S.C., 6th supp., title 16, sec. 161b.)

11. Rocky Mountain National Park

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An Act To establish the Rocky Mountain National Park in the State of Colorado, and for other purposes, approved January 26, 1915 (38 Stat. 798)

Rocky Mountain National Park, Colo., established.

Description.

(Amended by vol. 39, p. 916. See p. 155.)

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 Colorado particularly described by and included within metes and bounds as follows, to wit: Beginning at the southeast corner of section thirty-four, township three north, range seventy-three west of the sixth principal meridian, Colorado, thence north along the section lines to the northeast corner of section three, said township; thence west to the northwest corner of said section; thence north along the section lines to the northeast corner of section sixteen, township four north, range seventy-three west; thence west to the northwest corner of said section; thence north to the northeast corner of section eight, said township;

thence west along the section lines to the northwest corner of section seven, said township; thence north to the northeast corner of township four north, range seventy-four west; thence west along the first correction line north, to the southeast corner of section thirty-six, township five north, range seventy-four west; thence north along the range line to the northeast corner of the southeast quarter of the southeast quarter of section thirteen, said township; thence west to the northwest corner of the southeast quarter of the southeast quarter of section fourteen, said township; thence north to the northwest corner of the northeast quarter of the southeast quarter of section eleven, said township; thence east to the northeast corner of the northeast quarter of the southeast quarter of section twelve, said township; thence south along the range line to the southeast corner of said section; thence east along the section lines to the southeast corner of the southwest quarter of section ten, township five north, range seventy-three west; thence north to the northeast corner of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of said section; thence north to the northeast corner of said section; thence east to the southeast corner of the southwest quarter of the southwest quarter of section two, said township; thence north to the northeast corner of the southwest quarter of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of the southwest quarter, said section; thence north to the northeast corner of the northeast quarter of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of section one, said township; thence north along the range line to the northeast corner of section thirty-six, township seven north, range seventy-three west; thence west along the section lines to the intersection with the west bank of the Big South Cache la Poudre River in township seven north, range seventy-five west; thence southeasterly along the west bank of said river to the mouth of a tributary of said river, probably in section one, township six north, range seventy-five west; said tributary heading at La Poudre Pass in section twenty, township six north, range seventy-five west; thence southwesterly along the west bank of said tributary to its head; thence across the continental divide to the headwaters of the North Fork of the Grand River, which also heads at La Poudre Pass; thence down the west bank of the North Fork of the Grand River to its intersection with the section line between sections twenty-nine and thirty, township six north, range seventy-five west; thence south along the section lines to the southeast corner of section eighteen, township five north, range seventy-five west; thence west along the section line to its intersection with the west bank of the North Fork of the Grand River; thence down

the west bank of the North Fork of the Grand River to its intersection with the section line between sections twenty-five and thirty-six, township four north, range seventy-six west; thence east to the northeast corner of section thirty-six, said township; thence south along the range line to the southeast corner of said township; thence east along the township line to the northeast corner of the northwest quarter of section four, township three north, range seventy-five west; thence south to the southwest corner of the northeast quarter of section nine, said township; thence west along the quarter section line to its intersection with a creek in section seven, said township, this creek being an outlet of Grand Lake, and flowing into the North Fork of the Grand River; thence southerly along the said creek to its junction with the North Fork of the Grand River; thence southerly along the west bank of the North Fork of the Grand River to its intersection with the township line between townships two and three north; thence east along the township line to the southeast corner of section thirty-four, township three north, range seventy-three west of the sixth principal meridian, Colorado, the place of beginning, all of said above-described tract now being included within the boundaries of the counties of Grand, Boulder, and Larimer, in the State of Colorado, is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tract is dedicated and set apart as a public park for the benefit and enjoyment of the people of the United States, under the name of the Rocky Mountain National Park: *Provided*, That the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a Government reclamation project. (U.S.C., title 16, sec. 191.)

Proviso. Reclamation Service use allowed.

Existing entries, etc., not impaired.

Rights of way. Vol. 31, p. 790.

SEC. 2. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. Whenever consistent with the primary purposes of the park the Act of February fifteenth, nineteen hundred and one, applicable to the location of rights of way in certain national parks and the national forests for irrigation and other purposes, shall be and remain applicable to the lands included within the park. The Secretary of the Interior may, in his discretion and upon such conditions as he may deem wise, grant easements or rights of way for steam, electric, or similar transportation upon or across the park. (U.S.C., title 16, sec. 193.)

(Last provision repealed by 46 Stat. 1043. See p. 168.)

Present ownership not affected.

SEC. 3. That no lands located within the park boundaries now held in private, municipal, or State ownership

shall be affected by or subject to the provisions of this Act. (U.S.C., title 16, sec. 194.)

SEC. 4. That the said park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of the said executive authority, as soon as practicable, to make and publish such reasonable rules and regulations, not inconsistent with the laws of the United States, as the said authority may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation of the natural conditions and scenic beauties thereof. The said authority may, in his discretion, execute leases to parcels of ground not exceeding twenty acres in extent in any one place to any person or company for not to exceed twenty years whenever such ground is necessary for the erection of establishments for the accommodation of visitors, may grant such other necessary privileges and concessions as he deems wise for the accommodation of visitors, and may likewise arrange for the removal of such mature or dead or down timber as he may deem necessary and advisable for the protection and improvement of the park. The regulations governing the park shall include provisions for the use of automobiles therein (U.S.C., title 16, sec. 195): *Provided*, That no appropriation for the maintenance, supervision or improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law. (Repealed by 40 Stat. 1270. See p. 155 below.)

Regulation of control, etc.

Leases for accommodations of visitors etc. (Amended by 39 Stat. 535, as amended. See pp. 9–12.)

Proviso. Limit on appropriations.

An Act To repeal the last proviso of section four of an Act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January twenty-sixth, nineteen hundred and fifteen, approved March 1, 1919 (40 Stat. 1270)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso of section four of an Act entitled "An Act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes," approved January twenty-sixth, nineteen hundred and fifteen, which is in the words and figures following: "*Provided*, That no appropriation for the maintenance, supervision, or improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed. (U.S.C., title 16, sec. 195.)

Rocky Mountain National Park, Colo.

Vol. 38, p. 798, amended. See p. 152.

Limitation on appropriations for, repealed.

An Act To add certain lands to the Rocky Mountain National Park, Colorado, approved February 14, 1917 (39 Stat. [illegible])

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

Rocky Mountain National Park, Colo. Boundaries changed. Vol. 38, p. 798, amended. See p. 152.

bled, That the eastern boundary line of the Rocky Mountain National Park between the section corner common to sections two and three, township three north, and sections thirty-four and thirty-five, township four north, range seventy-three west, and the township corner common to townships five and six north, ranges seventy-two and seventy-three west, is hereby changed so as to read as follows:

Description.

"Beginning at a point on the present eastern boundary line of the Rocky Mountain National Park, Colorado, which is the northwest corner of section two and the northeast corner of section three, township three north, range seventy-three west of the sixth principal meridian, Colorado, running thence east along the township line to its intersection with the main hydrographic divide east of Cow Creek, between section thirty-one, township four north, and section six, township three north, range seventy-two west; thence northwesterly following along said hydrographic divide, passing over Twin Sisters, The Crags, passing west of Lily Lake, and continuing along said hydrographic divide, now between Aspen Brook and Fish Creek and passing over Lily Mountain and Giant-track Mountain to a point which is the southeast corner of section thirty-four and the southwest corner of section thirty-five, township five north, range seventy-three west; thence north along the section lines between sections thirty-four and thirty-five, twenty-six and twenty-seven, twenty-two and twenty-three, fourteen and fifteen, to the quarter corner common to sections fourteen and fifteen, all in township five north, range seventy-three west; thence east along quarter-section line, through sections fourteen and thirteen, township five north, range seventy-three west and along the continuation of said quarter-section line through section eighteen to the quarter corner common to sections eighteen and seventeen, township five north, range seventy-two west; thence north along the section line between sections eighteen and seventeen, seven and eight, five and six, all in township five north, range seventy-two west, to that point which is the northeast corner of section six and the northwest corner of section five in said township and range; thence west along the township line to the township corner common to townships five and six north, ranges seventy-two and seventy-three west, which is on the present eastern boundary line of the Rocky Mountain National Park, Colorado."

Lands added to, withdrawn from settlement, etc.

And the lands lying between the present existing eastern boundary and the eastern boundary as changed by this Act between said section corner common to sections two and three, township three north, and sections thirty-four and thirty-five, township four north, range seventy-three west, and said township corner common to townships five and six north, ranges seventy-two and seventy-

three west, are hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tracts are hereby made a part of and included in the Rocky Mountain National Park, and all the provisions of the Act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes, approved January twenty-sixth, nineteen hundred and fifteen, are hereby made applicable to and extended over the lands hereby added to the park. (U.S.C., title 16, sec. 192.)

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes," approved June 12, 1917 (40 Stat. 152)

Rocky Mountain National Park. Acceptance of donated lands, etc.

The Secretary of the Interior is authorized to accept patented lands or rights of way over patented lands in the Rocky Mountain National Park that may be donated for park purposes. (U.S.C., title 16, sec. 195.)

An Act To authorize the Secretary of the Interior to accept a certain tract of land donated as a site for an administration building for the Rocky Mountain National Park, approved September 18, 1922 (42 Stat. 847)

Rocky Mountain National Park. Site for administration building in, accepted.

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 accept a certain tract of land in the town of Estes Park, Colorado, described as lot five, Buena Vista Terrace, in the southeast quarter of the northwest quarter, section twenty-five, township five north, range seventy-three west of the sixth principal meridian, Larimer County, Colorado, donated by the Estes Park Woman's Club as a site for an administration building for the Rocky Mountain National Park.

An Act To transfer certain lands of the United States from the Rocky Mountain National Park to the Colorado National Forest, Colorado, approved June 2, 1924 (43 Stat. 252)

Colorado National Forest, Colo. Tracts transferred to, from Rocky Mountain National Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those portions of the following-described tracts now within the Rocky Mountain National Park be, and are hereby, transferred to the Colorado National Forest and shall hereafter be subject to all laws relating to the use and administration of the national forests: Section 10; northwest quarter of southeast quarter, southwest quarter of the northeast quarter, and the southwest quarter of section 11; northwest quarter of the northeast quarter, north half of the northwest quarter, and the southwest quarter of the northwest quarter of section 15; and the northeast quarter of section 16; township 6 north, range 75 west, sixth principal meridian.

An Act To authorize the exchange of certain patented lands in the Rocky Mountain National Park for Government lands in the park, approved February 24, 1925 (43 Stat. 973)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the owner of the northeast quarter southeast quarter section 22; northwest quarter southwest quarter, east half southeast quarter section 23; and northeast quarter northeast quarter section 26, township 4 north, range 74 west, sixth principal meridian, Colorado, within the Rocky Mountain National Park, is hereby permitted and authorized to convey the fee-simple title thereto to the United States, and select in lieu thereof the south half southeast quarter, south half northeast quarter southeast quarter, south half southeast quarter southwest quarter, south half south half northwest quarter southeast quarter, south half north half southeast quarter southwest quarter, section 7, township 4 north, range 73 west, and the north half north half northwest quarter northeast quarter, north half north half northeast quarter northwest quarter, section 18, township 4 north, range 73 west of said 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 park: *Provided*, That the lands so conveyed shall become and be a part of said park and be subject to all laws and regulations relating to other lands therein.

Rocky Mountain National Park, Colo. Exchange of lands of private owners and added to the park.

Proviso. Conveyed lands made part of park.

An Act To eliminate certain privately owned lands from the Rocky Mountain National Park and to transfer certain other lands from the Rocky Mountain National Park to the Colorado National Forest, Colorado, approved June 9, 1926 (44 Stat. 712)

Rocky Mountain National Park, Colo.

Boundaries modified.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That portions of the north and east boundary of the Rocky Mountain National Park are hereby revised as follows:

North boundary.

North boundary, beginning at the northwest corner of the northeast quarter of the northeast quarter of section 33, township 7 north, range 74 west, being a point on the present north boundary line of the Rocky Mountain National Park; thence southerly to the southwest corner of the northeast quarter of the northeast quarter of said section; thence westerly to the southeast corner of the northwest quarter of the northwest quarter of said section; thence northerly to the northeast corner of the northwest quarter of the northwest quarter of said section, being a point on the present north boundary line of the Rocky Mountain National Park and the end of the above-described change of said boundary; and

East boundary.

East boundary, beginning at the northeast corner of section 3, township 3 north, range 73 west of the sixth principal meridian, Colorado, being a point on the present east boundary line of Rocky Mountain National Park; thence westerly along the township line to the northwest corner of said section; thence northerly along section line to the southwest corner of the northwest quarter of section 34, township 4 north, range 73 west; thence easterly to the southeast corner of the southwest quarter of the northwest quarter of said section, thence northerly to the northeast corner of the northwest quarter of the northwest quarter of said section; thence westerly to the northwest corner of said section; thence northerly along section lines to the southwest corner of the northwest quarter of the southwest quarter of section 22, said township; thence easterly to the southeast corner of the northeast quarter of the southwest quarter of said section; thence northerly to the southwest corner of the northwest quarter of the northeast quarter of said section; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of said section; thence northerly along section lines to the northeast corner of the southeast quarter of the southeast quarter of section 15, said township; thence westerly to the northwest corner of the southwest quarter of the southeast quarter of said section; thence northerly passing through the northeast corner of the northwest quarter of said section, to the northeast corner of the southeast quarter of the southwest quarter of section 10, said township; thence westerly to the northwest corner of the southeast quarter of the southwest quarter of said section; thence northerly to the northeast corner of the northwest quarter of the southwest quarter of said section; thence westerly, passing through the northwest corner of the southwest quarter of said section, to the northwest corner of the northeast quarter of the southwest quarter of section 9, said township; thence southerly to the northeast corner of the southwest quarter of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southwest quarter of said section; thence northerly along section lines to the northeast corner of the southeast quarter of the southeast quarter of section 5, said township; thence westerly to the northwest corner of the southeast quarter of the southeast quarter of said section; thence southerly to the southwest corner of the southeast quarter of the southeast quarter of said section; thence westerly along section line to the southeast corner of the southwest quarter of said section; thence northerly to the northeast corner of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of said section; thence northerly along section line to the northeast corner of section 6, said township; thence easterly along the first

correction line north to the southeast corner of the southwest quarter of section 32, township 5 north, range 73 west; thence northerly to the northeast corner of the northwest quarter of said section; thence westerly along section line to the northwest corner of said section; thence northerly along section lines to the southwest corner of the northwest quarter of the southwest quarter of section 20, said township; thence easterly to the northwest corner of the southeast quarter of the southeast quarter of said section; thence southerly, passing through the southwest corner of the southeast quarter of the southeast quarter of said section, to the southwest corner of the northeast quarter of the northeast quarter of section 29, said township; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of said section; thence southerly to the southwest corner of the northwest quarter of section 28, said township; thence easterly to the southeast corner of the southwest quarter of the northwest quarter of said section; thence northerly to the northeast corner of the southwest quarter of the northwest quarter of said section; thence easterly, passing through the southeast corner of the northeast quarter of the northeast quarter of said section, to the southeast corner of the northeast quarter of the northeast quarter of section 27, said township; thence northerly along section line to the northeast corner of said section; thence westerly along section line to the southeast corner of the southwest quarter of the southwest quarter of section 22, said township; thence northerly to the northeast corner of the northwest quarter of the northwest quarter of said section; thence westerly along section lines to the southeast corner of the southwest quarter of section 16, said township; thence northerly to the northeast corner of the southeast quarter of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southwest quarter of said section; thence northerly along section line to the center line of the north branch of Fall River; thence northwesterly along the center line of the north branch of Fall River to the west line of the east half of the east half of section 17, said township; thence southerly to the northeast corner of the southwest quarter of the southeast quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southeast quarter of said section; thence southerly to the southwest corner of the southeast quarter of said section; thence westerly along section line to the southeast corner of section 18, said township; thence northerly along section line to the northeast corner of said section; thence easterly along section line to the northwest corner of section 16, said township; thence southerly along section line to the southwest corner of the northwest quarter of the northwest quarter of said section; thence easterly to the northwest

corner of the southwest quarter of the northeast quarter of said section; thence southerly to the southwest corner of the northeast quarter of said section; thence easterly, passing through the southeast corner of the northeast quarter of said section, to the northwest corner of the northeast quarter of the southwest quarter of section 15, said township; thence southerly to the southwest corner of the northeast quarter of the southwest quarter of said section; thence easterly to the southeast corner of the northeast quarter of the southwest quarter of said section; thence northerly to the southwest corner of the northeast quarter of said section; thence easterly on mid-section lines to the southeast corner of the northwest quarter of section 18, township 5 north, range 72 west; thence northerly to the southwest corner of the northwest quarter of the northeast quarter of said section; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of said section; thence northerly along section lines to the northeast corner of section 7, said township; thence westerly along section line to the southeast corner of the southwest quarter of section 6, said township; thence northerly to the northeast corner of the southeast quarter of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southwest quarter of said section; thence northerly to the northwest corner of said section, being a point on the present east boundary line of Rocky Mountain National Park and the end of the change of said boundary: *Provided, however*, That the following lands shall remain and be a part of the Rocky Mountain National Park: The northwest quarter of the northeast quarter and the east half of the northeast quarter of the northwest quarter of section 34, township 5 north, range 73 west; all of that portion of the following described lands located in township 4 north, range 73 west, lying west of the hydrographic divide that forms the eastern boundary of the watershed of Cow Creek and of Aspen Brook; the east half of the northeast quarter of section 35; the east half of the southeast quarter and the southeast quarter of the northeast quarter of section 26; section 24; section 25; the east half of section 23: *Provided further*, That those portions of the following-described lands that are hereby excluded from the Rocky Mountain National Park, are hereby transferred to and made a part of the Colorado National Forest, subject to all laws and regulations applicable to National Forests; the northwest quarter of the northeast quarter and northeast quarter of the northwest quarter, section 33, township 7 north, range 74 west; section 6, township 5 north, range 72 west; the southeast quarter of the southeast quarter of section 34, township 5 north, range 73 west; sections 3, 10, and 15, township 4 north, range 73 west. (U.S.C., 6th supp., title 16, sec. 192a.)

Provisos.
Lands remaining in the park.

Lands excluded, and transferred to Colorado National Forest.

Maintenance of Arbuckle No. 2 Reservoir permitted.

SEC. 2. The Secretary of the Interior is hereby authorized in his discretion to permit, by license, lease, or other authorization, the use of the necessary land in the Rocky Mountain National Park for the maintenance and operation in its present height and capacity, of the Arbuckle Number 2 Reservoir. (U.S.C., 6th supp., title 16, sec. 196.)

Provisions of former acts applicable. Vol. 38, p. 798. See p. 152. Vol. 39, p. 535. See. p. 9.

SEC. 3. That the provisions of the Act of January 26, 1915, entitled "An Act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes," and Act of August 25, 1916, entitled "An Act to establish a national-park service, and for other purposes," 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, 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 Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend over such lands. (U.S.C., 6th supp., title 16, sec. 197.)

Proviso. Water Power Act not applicable. Vol. 41, p. 1063.

Act of General Assembly of Colorado, approved February 19, 1929, ceding to the United States exclusive jurisdiction over the Rocky Mountain National Park in the State of Colorado (Session Laws of Colorado, 1929, p. 475)

Be it enacted by the General Assembly of the State of Colorado, Exclusive jurisdiction shall be, and the same is hereby ceded to the United States of America over and within all of the territory which is now included in that tract of land in the State of Colorado set aside and dedicated for park purposes by the United States, known as the Rocky Mountain National Park, saving, however, to the State of Colorado 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 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 tracts, 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 tracts are situated; and saving to all persons residing within said park upon lands now privately owned within said park access to and from such lands, and all rights and privileges as citizens of the United States and saving to the people of Colorado all vested, appropriated and existing water rights and rights of way connected therewith, including all existing irrigation conduits and ditches: *Provided, however*, That jurisdiction shall not vest in the

United States now or hereafter over any lands included within said park until the United States, through its proper officers, notifies the State of Colorado, through its Governor, that the United States assumes police jurisdiction over the respective tracts involved.

An Act To accept the cession by the State of Colorado of exclusive jurisdiction over the lands embraced within the Rocky Mountain National Park, and for other purposes, approved March 2, 1929 (45 Stat. 1536)

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 Colorado, approved February 19, 1929, ceding to the United States exclusive jurisdiction over the territory embraced and included within the Rocky Mountain National Park, are hereby accepted, and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the State of Colorado 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 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 tract; 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 tracts are situated; and saving to all persons residing within said park upon lands now privately owned within said park access to and from such lands, and all rights and privileges as citizens of the State of Colorado; and saving to the people of Colorado all vested, appropriated, and existing water rights and rights of way connected therewith, including all existing irrigation conduits and ditches. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. 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 Colorado. (U.S.C., 6th supp., title 16, sec. 198.)

Rocky Mountain National Park, Colo.

Acceptance of jurisdiction of Colorado, over territory included in.

Rights reserved to the State and citizens thereof.

Application of United States laws.

Extradition of criminals.

SEC. 2. That said park shall constitute a part of the United States judicial district for the State of Colorado, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within said boundaries. (U.S.C., 6th supp., title 16, sec. 198a.)

Assigned to Colorado judicial district.

SEC. 3. That if any offense shall be committed in the Rocky Mountain National Park, which offense is not prohibited or the punishment for which is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of Colorado in force at the time of the

Punishment of offenses against State laws.

commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of Colorado shall affect any prosecution for said offense committed within said park. (U.S.C., 6th supp., title 16, sec. 198b.)

Hunting, fishing, etc., prohibitions.

SEC. 4. 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 the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and 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, 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 park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the 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, 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 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 park or for the protection of the property therein, for the preservation from injury or spoliation of timber, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, 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 costs of the proceedings. (U.S.C., 6th supp., title 16, sec. 198c.)

Regulations, etc., to be prescribed.

Evidence of violations.

Punishment for violating specified provisions hereof, etc.

Penalty.

Forfeiture of guns, traps, etc., illegally used.

SEC. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by

any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (U.S.C., 6th supp., title 16, sec. 198d.)

Commissioner for. Appointment, authority, etc.

SEC. 6. That the United States District Court for the State of Colorado shall appoint a commissioner who shall reside in the park 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.

Judicial powers in violations of rules, etc.

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 animals, birds, and fish in said park, and to try the persons so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed.

Appeals to district court.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the State of Colorado, and the United States district court in said 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. (U.S.C., 6th supp., title 16, sec. 198e.)

Procedure in criminal cases.

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 boundaries of any criminal offense not covered by the provisions of section 4 of this Act to hear the evidence introduced, and if he is of 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 State of Colorado, and certify a transcript of the record of his proceedings and the testimony in the case to said court, which court shall have jurisdiction of the case: *Provided*, That the said commis-

***Proviso.* Bail allowed.**

sioner shall grant bail in all cases bailable under the laws of the United States or of said State. (U.S.C., 6th supp., title 16, sec. 198f.)

Service of process.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the district of Colorado, 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 in the policing of said reservation within said boundaries 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. (U.S.C., 6th supp., title 16, sec. 198g.)

Summary arrests.

Pay of commissioner.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary as appropriated for by Congress, payable quarterly: *Provided*, That the said commissioner shall reside within the exterior boundaries of said Rocky Mountain National Park, at a place to be designated by the court making such appointment: *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. (U.S.C., 6th supp., title 16, sec. 198h.)

Provisos. Residence required.

Disposal of fees.

United States fees.

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. (U.S.C., 6th supp., title 16, sec. 198i.)

Deposit of fines and costs.

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 State of Colorado. (U.S.C., 6th supp., title 16, sec. 198j.)

Acceptance of cession.

SEC. 12. That the Secretary of the Interior shall notify, in writing, the Governor of the State of Colorado of the passage and approval of this Act.

An Act To provide for the addition of certain lands to the Rocky Mountain National Park, in the State of Colorado, approved June 21, 1930 (46 Stat. 791)

Rocky Mountain National Park, Colo. Addition of lands to, authorized.

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 is hereby authorized, upon the recommendation of the Secretary of the Interior, and with respect to lands located in a national forest upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to the Rocky Mountain National Park, in the State of Colorado, by Executive proclamation any or all of the following-described lands, to wit:

Sections 5 and 6, township 3 north, range 75 west.

Description.

All of section 3 except the northeast quarter northeast quarter; all of section 4; north half, north half southeast

quarter, southwest quarter southeast quarter section 5; north half, northwest quarter southwest quarter section 9; north half, northeast quarter southwest quarter, southeast quarter section 10; northeast quarter, north half southeast quarter section 15, in township 4 north, range 73 west.

North half, southwest quarter, northwest quarter southeast quarter section 17; south half southwest quarter, southwest quarter southeast quarter section 20; south half northeast quarter, southeast quarter northwest quarter, south half section 28; all of section 29 except northeast quarter northeast quarter; east half section 32; all of section 33; southwest quarter northeast quarter, northwest quarter northwest quarter, south half northwest quarter, southwest quarter, west half southeast quarter, southeast quarter southeast quarter section 34, in township 5 north, range 73 west.

All of sections 6, 7, and 18; that portion of section 19 lying outside of park boundary, in township 5 north, range 75 west.

All of sections 1, 2, 11, 12, 13, 14, 23, and 24; those portions of sections 3 and 10 lying east of the Continental Divide; that portion of section 15 lying east of the Continental Divide and on the eastern slope of Mount Nimbus; and that portion of section 22 lying on the eastern slope of Baker Mountain, in township 5 north, range 76 west.

All of sections 19, 30, and 31; that portion of section 20 lying outside of the park boundary and south of the boundary line between Larimer and Grand Counties; that part of sections 17 and 18 lying south of the boundary line between Larimer and Grand Counties and the Continental Divide and that part of section 29 lying outside the park boundary, in township 6 north, range 75 west.

All of sections 25, 26, 35, and 36; those portions of sections 13, 22, 23, 24, 27, and 34 lying east of the Continental Divide, in township 6 north, range 76 west; and all the lands added to said park pursuant hereto shall be, and are hereby, made subject to all laws, rules, and regulations applicable to and in force in the Rocky Mountain National Park. (U.S.C., 6th supp., title 16, sec. 192b.)

Prior rights of ownership, etc., protected.

SEC. 2. That nothing herein contained shall affect any vested and accrued rights of ownership of lands or any valid existing claim, location, or entry existing under the land laws of the United States at the date of passage of this Act, whether for homestead, mineral, rights of way, or any other purposes whatsoever, or any water rights and or rights of way connected therewith, including reservoirs, conduits, and ditches, as may be recognized by local customs, laws, and decisions of courts, or shall affect the right of any such owner, claimant, locator, or entryman to the full use and enjoyment of his land. (U.S.C., 6th supp., title 16, sec. 192c.)

Excerpt from "An Act To provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes," approved January 26, 1931 (46 Stat. 1043)

Grants of rights of way within Rocky Mountain National Park, repealed.
Last provision of Vol. 38, p. 798, repealed.
See p. 152.

SEC. 7. The provision of the Act of January 26, 1915 (38 Stat. 798), authorizing the Secretary of the Interior, in his discretion and upon such conditions as he may deem wise, to grant easements or rights of way for steam, electric, or similar transportation upon or across the lands within the Rocky Mountain National Park, is hereby repealed. (U.S.C., 6th Supp., title 16, sec. 193.)

12. Hawaii National Park

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An Act To establish a national park in the Territory of Hawaii, approved August 1, 1916 (39 Stat. 432)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of land on the island of Hawaii and on the island of Maui, in the Territory of Hawaii, hereinafter described, shall be perpetually dedicated and set apart as a public park or pleasure ground for the benefit and enjoyment of the people of the United States, to be known as Hawaii National Park. Said tracts of land are described as follows:

Hawaii National Park. Established on islands of Hawaii and Maui.

First. All that tract of land comprising portions of the lands of Kapapala and Keauhou, in the district of Kau, and Kahaualea, Panaunui, and Apua, in the district of Puna, on the island of Hawaii, containing approximately thirty-five thousand eight hundred and sixty-five acres, bounded as follows: Beginning at a point on the west edge of the Keamoku Aa Flow (lava flow of eighteen hundred and twenty-three), from which point the true azimuth and distance to Government survey trigonometrical station Ohaikea is one hundred and sixty-six degrees twenty minutes, six thousand three hundred and fifty feet, and running by true azimuths: (First) Along the west edge of the Keamoku lava flow in a northeasterly and northwesterly direction, the direct azimuth and distance being one hundred and ninety-eight degrees ten minutes, fourteen thousand seven hundred feet; (second) two hundred and fifty-six degrees, eleven thousand four

Description. On Hawaii.

hundred feet, more or less, across the land of Kapapala and Keauhou to a marked point on the Humuula trail; (third) three hundred and twenty-eight degrees fifteen minutes, eight thousand seven hundred and twenty-five feet, across the land of Keauhou to the top of the fault north of the Kau road; (fourth) along the fault in a northeasterly direction, the direction azimuth and distance being two hundred and fifty-one degrees and thirty minutes, four thousand three hundred and thirty feet; (fifth) two hundred and forty-five degrees, six thousand feet, to a point near the southwest boundary of the land of Olaa; (sixth) three hundred and thirty-seven degrees ten minutes, eight thousand six hundred and fifty feet, more or less, to the junction of the Hilo and Keauhou roads; (seventh) three hundred and thirty-three degrees and twenty minutes, three thousand three hundred feet, more or less, to the southwest corner of the land of Keaau; (eighth) three hundred and thirty-two degrees and ten minutes, seven thousand feet, along the land of Kahaualea; (ninth) two hundred and eighty-one degrees, thirty thousand three hundred and seventy-five feet, more or less, across the land of Kahaualea, passing through the north corner of the land of Panaunui, to the north corner of the land of Laeapuki; (tenth) thirty-one degrees thirty minutes, thirteen thousand two hundred feet, more or less, along the land of Laeapuki and across the land of Panaunui; (eleventh) eighty-nine degrees and ten minutes, thirty-two thousand nine hundred feet, more or less, across the land of Panaunui, Apua, and Keauhou to "Palilele-o-Kalihipaa", the boundary point of the Keauhou-Kapapala boundary; (twelfth) fifty-one degrees and thirty minutes, five thousand and five hundred feet, across the land of Kapapala; (thirteenth) one hundred and two degrees and fifty minutes, nineteen thousand one hundred and fifty feet, across the land of Kapapala to a small cone about one thousand five hundred feet southwest of Puu Koae trigonometrical station; (fourteenth) one hundred and sixty-six degrees twenty minutes, twenty-one thousand feet, across the land of Kapapala to the point of beginning.

Second. All that tract of land comprising portions of the lands of Kapapala and Kahuku, in the district of Kau, island of Hawaii; Keauhou second, in the district of North Kona; and Kaohe, in the district of Hamakua, containing seventeen thousand nine hundred and twenty acres, bounded as follows: Beginning at Pohaku Hanalei of Humuula, a small cone on the brow of Mauna Loa, and at the common boundary points of the lands of Humuula, Kapapala, and Kaohe, from which the true azimuth and distance to Government survey trigonometrical station Omaokoili is one hundred and ninety-five degrees twelve minutes eighteen seconds, seventy-eight thousand two hundred and eighty-six feet, and running by true azi-

muths: First, two hundred and ninety-eight degrees, five thousand two hundred and forty feet; second, twenty-eight degrees, thirty-six thousand nine hundred and sixty feet; third, one hundred and eighteen degrees, twenty-one thousand one hundred and twenty feet; fourth, two hundred and eight degrees, thirty-six thousand nine hundred and sixty feet; fifth, two hundred and ninety-eight degrees, fifteen thousand eight hundred and eighty feet, to the point of beginning.

Third. A strip of land of sufficient width for a road to connect the two tracts of land on the island of Hawaii above described, the width and location of which strip shall be determined by the Secretary of the Interior.

On Maui.

Fourth. All that tract of land comprising portions of the lands of Honuaula and Kula, in the district of Makawao, and Kipahulu, Kaupo, and Kahikinui, in the district of Hana, on the island of Maui, containing approximately twenty-one thousand one hundred and fifty acres, bounded as follows: Beginning at a point called Kolekole, on the summit near the most western point of the rim of the crater of Haleakala, and running by approximate azimuths and distances: First, hundred and ninety-three degrees forty-five minutes nineteen thousand three hundred and fifty feet along the west slope of the crater of Haleakala to a point called Puu-o-Ili; second, two hundred and sixty-eight degrees twenty-three thousand feet up the western slope and across Koolau Gap to the point where the southwest boundary of Koolau Forest Reserve crosses the east rim of Koolau Gap; third, three hundred and six degrees thirty minutes seventeen thousand one hundred and fifty feet along the southwest boundary of Koolau Forest Reserve to a point called Palalia, on the east rim of the crater of Haleakala; fourth, along the east rim of the crater of Haleakala, the direct azimuth and distance being three hundred and fifty-four degrees fifteen minutes eighteen thousand three hundred feet to a point on the east rim of Kaupo Gap, shown on Hawaiian Government survey maps at an elevation of four thousand two hundred and eight feet; fifth, eighty-eight degrees forty-five minutes three thousand three hundred feet across Kaupo Gap to a point called Kaumikaohu, on the boundary line between the lands of Kipahulu and Kahikinui; sixth, one hundred and two degrees and thirty minutes forty thousand seven hundred and fifty feet along the south slope of the crater of Haleakala to the point of beginning. (U.S.C., title 16, sec. 391.)

Existing land claims not affected.

SEC. 2. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. Whenever consistent with the primary purposes of the

park the Act of February fifteenth, nineteen hundred and one, applicable to the location of rights of way in certain national parks and the national forests for irrigation and other purposes, shall be and remain applicable to the lands included within the park. The Secretary of the Interior may, in his discretion and upon such conditions as he may deem wise, grant easements or rights of way for steam, electric, or similar transportation upon or across the park. (U.S.C., title 16, sec. 393.)

Rights of way. Vol. 31, p. 790.

Private ownership not affected.

SEC. 3. That no lands located within the park boundaries now held in private or municipal ownership shall be affected by or subject to the provisions of this Act. (U.S.C., title 16, sec. 393.)

Administration, etc.

SEC. 4. That the said park shall be under the executive control of the Secretary of the Interior whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury of all timber, birds, mineral deposits, and natural curiosities or wonders within said park, and their retention in their natural condition as nearly as possible. The Secretary may in his discretion grant leases for terms not exceeding twenty years, at such annual rental as he may determine, of parcels of land in said park of not more than twenty acres in all to any one person, corporation, or company for the erection and maintenance of buildings for the accommodation of visitors; but no such lease shall include any of the objects of curiosity or interest in said park or exclude the public from free and convenient approach thereto or convey, either expressly or by implication, any exclusive privilege within the park except upon the premises held thereunder and for the time granted therein; and every such lease shall require the lessee to observe and obey each and every provision in any Act of Congress and every rule, order, or regulation of the Secretary of the Interior concerning the use, care, management, or government of the park, or any object or property therein, under penalty of forfeiture of such lease. The Secretary may in his discretion grant to persons or corporations now holding leases of land in the park, upon the surrender thereof, new leases hereunder, upon the terms and stipulations contained in their present leases, with such modifications, restrictions, and reservations as he may prescribe. All of the proceeds of said leases and other revenues that may be derived from any source connected with the park shall be expended under the direction of the Secretary, in the management and protection of the same and the construction of roads and paths therein. The Secretary may also, in his discretion, permit the erection and maintenance of build-

Leases for accommodating visitors. (Superseded by 39 Stat. 535, as amended. See See pp. 9–12.)

Proceeds for park uses.

ings in said park for scientific purposes: *Provided*, That no appropriation for the maintenance, supervision, and improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law: *And provided further*, That no appropriation shall be made for the improvement or maintenance of said park until proper conveyances shall be made to the United States of such perpetual easements and rights of way over private lands within the exterior boundaries of said park as the Secretary of the Interior shall find necessary to make said park reasonably accessible in all its parts, and said Secretary shall when such easements and rights of way have been conveyed to the United States report the same to Congress. (U.S.C., title 16, sec. 394.)

Provisos. Limit on expenses. (Repealed by 43 Stat. 390. See p. 173 below.)

Conveyances of easements from private owners.

An Act To repeal the first proviso of section 4 of an Act to establish a national park in the Territory of Hawaii, approved August 1, 1916, approved June 5, 1924 (43 Stat. 390)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso of section 4 of an Act entitled "An Act to establish a national park in the Territory of Hawaii," approved August 1, 1916, which is in words and figures following: "*Provided*, That no appropriation for the maintenance, supervision, and improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed. (U.S.C., title 16, sec. 394.)

Hawaii National Park. Vol. 30, p. 432, amended. See p. 173 above. Restriction on maintenance, etc., expenses, repealed.

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, approved February 27, 1920 (41 Stat. 452)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the governor of the Territory of Hawaii is hereby authorized to acquire, at the expense of the Territory of Hawaii, by exchange or otherwise, all privately owned lands lying within the boundaries of the Hawaii National Park as defined by "An Act to establish a national park in the Territory of Hawaii," approved August 1, 1916, and all necessary perpetual easements and rights of way, or roadways, in fee simple, over or to said land or any part thereof.

Hawaii National Park. Acquiring additional lands for, authorized. Vol. 39, p. 432. See p. 169.

SEC. 2. That the provisions of section 73 of an Act entitled "An Act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended by an Act approved May 27, 1910, relating to exchanges of public lands, shall not apply in the acquisition, by exchange, of the privately owned lands herein referred to. (U.S.C., title 16, sec. 392.)

General restrictions not applicable.

Vol. 31, p. 155; vol. 36, p. 444.

An Act To add a certain tract of land on the island of Hawaii to the Hawaii National Park, approved May 1, 1922 (42 Stat. 503)

Hawaii.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land on the island of Hawaii, in the Territory of Hawaii, set aside for park purposes on the 29th day of October, 1920, by executive order numbered eighty-one of the governor of the Territory of Hawaii, and hereinafter described, is hereby added to and made a part of the Hawaii National Park. Said tract of land is described as follows, to wit:

Tract added to Hawaii National Park.

Vol. 39, p. 432. See p. 169.

Description.

All that tract of land comprising a portion of the Kau Desert, Kapapala, in the district of Kau, on the island of Hawaii, containing forty-three thousand four hundred acres, more or less, bounded as follows:

Beginning at a galvanized iron nail driven into the pahoehoe at the northeast corner of this tract of land, at a place called Palilele-o-Kalihipaa, and on the boundary between the lands of Kapapala and Keauhou, the coordinates of said point of beginning referred to Government survey trigonometrical station Uwekahuna, being twenty-six thousand and ten and four tenths feet south and nine thousand nine hundred and thirty-two and four tenths feet east, as shown on Government survey registered map numbered twenty-three hundred and eighty-eight and running by true azimuths: First, three hundred and fifty degrees forty-three minutes, thirty thousand and twenty-three feet along the land of Kapapala to a point at seacoast; second, thence in a west and southwesterly direction along the seacoast to a station on a large flat stone, at a place called Na-Puu-o-na-Elemakule, at the seacoast boundary point of the lands of Kapapala and Kaalaala, the direct azimuth and distance being sixty-nine degrees thirty-four minutes thirty seconds, thirty-two thousand and forty-three feet; third, eighty-nine degrees twenty-seven minutes thirty seconds, thirty thousand six hundred and ninety feet along the land of Kaalaala to the main eighteen hundred and sixty-eight lava crack, said point being by true azimuth and distance two hundred and ninety-six degrees twenty-seven minutes thirty seconds, twenty-one hundred feet from Government survey trigonometrical station Puu Nahala; fourth, thence up along the main eighteen hundred and sixty-eight lava crack, along the Kapapala pastoral lands to a small outbreak of lava from the eighteen hundred and sixty-eight lava crack, opposite the Halfway House, the direct azimuth and distance being one hundred and ninety-eight degrees, thirty-two thousand five hundred and fifty feet; fifth, two hundred and thirty degrees twenty-five minutes, twenty-seven thousand six hundred and fifteen feet along the Kapapala pastoral lands to the west boundary of the Kilauea section, Hawaii National Park; sixth, three hundred and forty-six degrees twenty

minutes, six thousand seven hundred and forty-two feet along said west boundary to a small cone; seventh, two hundred and eighty-two degrees fifty minutes, nineteen thousand one hundred and fifty feet along the south boundary of said Kalauea section, Hawaii National Park; eighth, two hundred and thirty-one degrees fifty minutes thirty seconds, five thousand four hundred and thirty feet along said south boundary to the point of beginning.

National park laws, etc., applicable. Vol. 39, pp. 432, 535. See pp. 169 and 9.

SEC. 2. That the provisions of the Act of August 1, 1916, entitled "An Act to establish a national park in the Territory of Hawaii"; the Act of August 25, 1916, entitled "An Act to establish a national park service, and for other purposes," 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, 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 Appropriation 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.)

Proviso.

Federal Water Power Act provisions not applicable.

Vol. 41, p. 1063.

An Act To extend the provisions of certain laws to the Territory of Hawaii, approved March 10, 1924 (43 Stat. 17)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That beginning with the fiscal year ending June 30, 1925, the Territory of Hawaii shall be entitled to share in appropriations now or which may hereafter become available for apportionment under the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, known as the Federal Highway Act, and any Act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States, and such Territory shall be included in the calculations to determine the basis of apportionment of such funds: *Provided*, That in approving road projects in such Territory to receive Federal aid, the Secretary of Agriculture shall give preference to such projects as will expedite the completion of an adequate system of highways for the national defense or which will connect seaports with units of the national parks. (U.S.C., title 23, sec. 41.)

Hawaii.

Federal Highway Act appropriations extended to. Vol. 39, p. 355; vol. 42, p. 212.

Proviso.

Preference to road projects to complete system, etc.

SEC. 2. The provisions of the Federal Farm Loan Act, and any Act amendatory thereof or supplementary thereto, are extended to the Territory of Hawaii. The Federal Farm Loan Board shall include the Territory in a Federal land bank district, and such Federal land bank as the board may designate is authorized to establish branch banks in the Territory.

Federal Farm Loan Act provisions extended to. Vol. 39, p. 360; vol. 42, p. 1454.

Branch banks authorized.

Maternity and Infancy Act benefits extended to. Vol. 42, p. 224.

SEC. 3. The Territory of Hawaii shall be entitled to share in the benefits of the Act entitled "An Act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, and any Act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. For the fiscal year ending June 30, 1925, there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $13,000, to be available for apportionment under such Act to the Territory, and annually thereafter such sum as would be apportioned to the Territory if such Act had originally included the Territory. (U.S.C., title 42, sec. 175.)

Apportionment of funds.

Vocational education provisions extended to. Vol. 39, p. 929.

SEC. 4. The Territory of Hawaii shall be entitled to share in the benefits of the Act entitled "An Act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917, and any Act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1925, and annually thereafter, the sum of $30,000, to be available for allotment under such Act to the Territory. (U.S.C., title 20, sec. 29.)

Allotment authorized.

Vocational rehabilitation of persons disabled in industry, provisions extended to. Vol. 41, p. 735.

SEC. 5. The Territory of Hawaii shall be entitled to share in the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, and any Act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1925, and annually thereafter, the sum of $5.000, to be available for allotment under such Act to the Territory. (U.S.C., title 29, sec. 45.)

Allotment authorized.

An Act To revise the boundary of the Hawaii National Park on the island of Maui in the Territory of Hawaii, approved February 12, 1927 (44 Stat. 1087)

Hawaii National Park. Boundary changed on Maui.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Hawaii National Park on the island of Maui is hereby changed to read as follows:

"Beginning at a triangle on set stone, said mark being the Government survey triangulation station Puu Nianiau in the land of Kalialinui, and running by true azimuths: Vol. 39, p. 432, amended. See p. 169.

"1. Three hundred degrees fifty-seven minutes thirty seconds eleven thousand seven hundred and sixty-nine and three-tenths feet along the remaining portion of the land of Kalialinui to a concrete monument marked Number 1 on spur and on the west edge of Koolau Gap. Description.

"2. Two hundred and ninety-seven degrees forty-seven minutes thirty seconds fourteen thousand six hundred and fifty-two and six-tenths feet along same and across Koolau Gap to a concrete monument marked Number 3, the true azimuth and distance from said monument to Government survey triangulation station Hanakauhi being forty-five degrees fourteen minutes nine hundred and eighty-eight feet.

"3. Two hundred and sixty-nine degrees fifty-seven minutes thirty seconds nine thousand and one and three-tenths feet along same to a concrete monument marked Number 7 on the southwest boundary of the land of Haiku.

"4. Three hundred and six degrees thirty-nine minutes three thousand nine hundred and thirteen and four-tenths feet along the southwest boundary of the land of Haiku to a cross on large flat rock called Pohaku Palaha.

"5. Two hundred and seventy-three degrees seven minutes four hundred and forty feet along the Nahiku tract to Government survey triangulation station Pakihi.

"6. Thence following along summit of dividing ridge between Haleakala crater and Kipahulu Valley to an ahu at a place called Pakihi, the direct azimuth and distance being three hundred and fifty degrees four minutes thirty seconds seven thousand four hundred and fourteen and seven-tenths feet.

"7. Thence along Government land and following along rim of the crater and crest of wall of Kaupo Gap to a four inch by four inch redwood post, the direct azimuth and distance being three hundred and fifty-six degrees forty-one minutes ten thousand eight hundred and sixty-seven and nine-tenths feet.

"8. Eighty-six degrees one minute thirty seconds six thousand seven hundred and seventy-seven and four-tenths feet along grant 3457, lot 1, to A. V. Marciel, and the remaining portion of the land of Nuu (R.P. 8049, L.C.A. 6239 Apana 2 to Kalaïmoku), passing over a cross on stone at Kauhaokamoa at three thousand four hundred and forty-one and eight-tenths feet and passing over an iron pipe on the west edge of the Koolau Gap at five thousand eight hundred and seventy-four feet.

"9. One hundred and thirty-eight degrees forty-two minutes thirty seconds nine thousand five hundred and

seventy-four and two-tenths feet along the remaining portion of said land of Nuu to a cross on rock, the true azimuth and distance to Government survey triangulation station Haleakala 2 being one hundred and seventy-nine degrees thirteen minutes fifteen seconds nine hundred and forty-three and two tenths feet.

"10. Ninety-one degrees thirty-four minutes forty-five seconds nine thousand nine hundred and sixty and four-tenths feet along same to a concrete monument marked Number 14, the true azimuth and distance from said monument to an arrow on rock called Kumuiliahi, marking the northeast corner of the land of Nakula, being one hundred and sixty-seven degrees twenty-eight minutes nine hundred and twenty-eight and seven-tenths feet.

"11. Ninety degrees twenty-three minutes thirty seconds twelve thousand two hundred and forty-nine and three-tenths feet along the remaining portion of the lands of Nakula and Nahikinui to a concrete monument marked Number 15.

"12. One hundred and seventeen degrees fifty-two minutes thirty seconds five thousand two hundred and nine and two-tenths feet along the remaining portion of the land of Kahikinui to a concrete monument marked Number 16, the true azimuth and distance from said monument to Government survey triangulation station Kolekole, being ninety-eight degrees thirty minutes one thousand five hundred and forty-three and five-tenths feet.

"13. One hundred and twenty-seven degrees thirty-eight minutes two thousand one hundred and seventy-five and six-tenths feet along same and the land of Papaanui to a concrete monument marked Number 17, the true azimuth and distance from said monument to a concrete monument marked Number 25, which marks the south corner of the land of Kealahou 3 and 4 being forty degrees ten minutes thirty seconds four hundred and sixty-six and two-tenths feet.

"14. Two hundred and thirteen degrees forty-six minutes eight thousand two hundred and forty-one and two-tenths feet along the remaining portions of the lands of Kealahou 3 and 4 and Pulehunui to a concrete monument marked Number 19, the true azimuth and distance from said monument to a 'K' marked on a large lava rock called Kilohana, at the east corner of the lands of Kealahou 3 and 4, being three hundred and twenty-three degrees fifty-three minutes nine hundred and forty-seven and three-tenths feet.

"15. One hundred and forty-three degrees fifty-three minutes six thousand nine hundred and five and three-tenths feet along the land of Pulehunui to a concrete monument marked Number 20.

"16. One hundred and ninety-nine degrees twenty-three minutes ten thousand seven hundred and twenty-six feet along the remaining portion of the land of Kalialinui to the point of beginning, passing over a concrete monument marked Number 22 at a distance of six thousand four hundred thirty-six and seven-tenths feet; including portions of the lands of Kealahou 3 and 4, Pulehunui, Kalialinui, Kaupo, Nuu, Nakula, Kahikinui, and Papaanui, Island of Maui, and containing seventeen thousand one hundred and thirty acres, more or less;" and all of those lands lying within the boundary above described are hereby included in and made a part of the Hawaii National Park subject to all laws and regulations pertaining to said park. (U.S.C., 6th supp., title 16, sec. 391a.)

Additions.

SEC. 2. That the provisions of the Act of February 27, 1920, 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," are hereby extended over and made applicable to the lands added to the park and included within the boundary established by the preceding section of this Act. (U.S.C., 6th supp., title 16, sec. 392a.)

Acquiring privately owned lands, etc., within new boundary, authorized. Vol. 41, p. 452. See p. 173.

An Act To revise the boundary of a portion of the Hawaii National Park on the island of Hawaii in the Territory of Hawaii, approved April 11, 1928 (45 Stat. 424)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of that portion of the Hawaii National Park on the island of Hawaii firstly described in the Act of Congress approved August 1, 1916 (Thirty-ninth Statutes, page 432, section 391, title 16, United States Code), entitled "An Act to establish a national park in the Territory of Hawaii," be, and the same is hereby, amended to read as follows:

Hawaii National Park.

Boundary revised. Vol. 39, p. 432, amended. See p. 169.

"All that tract of land comprising portion of the lands of Kapapala and Keauhou, in the District of Kau, and portions of the lands of Keaau, Kahaualea, Panaunui, and Apua in the District of Puna, containing approximately thirty-four thousand five hundred and thirty-one acres, bounded as follows:

Description.

"Beginning at a point on the west edge of the Keamoku Aa Flow (lava flow of 1823), the coordinates of said point of beginning referred to Government Survey Trigonometry 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 Trigonometry Station 'Ohaikea,' being one hundred and

sixty-six degrees and twenty minutes, six thousand three hundred and fifty feet, and running by true azimuths—

"1. Along the west edge of the Keamoku Aa Flow in a northeasterly and northwesterly direction, the direct azimuth and distance being one hundred and ninety-eight degrees and ten minutes fourteen thousand seven hundred feet;

"2. Two hundred and fifty-six degrees, eleven thousand four hundred feet across the land of Kapapala and Keauhou to a marked point on the Humuula Trail;

"3. Three hundred and twenty-eight degrees and fifteen minutes eight thousand seven hundred and twenty-five feet across the land of Keauhou to the top of the fault north and the Kau Road;

"4. Thence along the fault in a northeasterly direction along the remainder of Keauhou to a pipe, the direct azimuth and distance being two hundred and fifty-one degrees and thirty minutes four thousand three hundred and thirty feet;

"5. Two hundred and eighty-six degrees five hundred and thirty feet along the remainder of Keauhou;

"6. Two hundred and ninety-eight degrees nine hundred and sixty feet along same;

"7. Two hundred and eighty-three degrees and forty-eight minutes one thousand one hundred and forty-six and five-tenths feet along same to a pipe;

"8. Two hundred and sixty-seven degrees and twenty minutes one thousand and twenty-seven and five-tenths feet along same;

"9. Two hundred and ninety-three degrees and ten minutes one thousand and fifty feet along same to a pipe;

"10. Three hundred and twenty-one degrees and forty-six minutes one thousand one hundred and eleven and three-tenths feet along same;

"11. Three hundred and thirty-three degrees and fifty minutes one thousand one hundred feet along same;

"12. Three hundred and twenty-seven degrees and twenty minutes one thousand nine hundred and forty feet along same;

"13. Two hundred and eighty-three degrees and thirty-nine minutes two thousand and fifty-seven and four-tenths feet along same to a pipe;

"14. Three hundred and thirty-three degrees and twenty minutes two hundred and fifty feet along same to a pipe on the north side of Government Main Road at junction with the Keauhou Road, said pipe being by true azimuth and distance two hundred and ninety-five degrees and twelve minutes six thousand one hundred and sixty-seven and one-tenth feet from Government Survey Trigonometry Station 'Volcano House Flag';

"15. Three hundred and thirty-three degrees and twenty minutes three thousand two hundred and eighty-

three and two-tenths feet along the remainder of Keauhou to a pipe;

"16. Three hundred and fifty-four degrees and fifty-four minutes sixty feet along the remainder of Keaau;

"17. Two hundred and thirty-one degrees and thirty-one minutes one thousand six hundred and seventy-eight and eight-tenths feet along same;

"18. Three hundred and eighteen degrees eight hundred and sixteen and four-tenths feet along same to the boundary between the lands of Keaau and Kahaualea;

"19. Seventy-two degrees and forty-five minutes one thousand two hundred and thirty-three and three-tenths feet along the land of Kahaualea to a pipe;

"20. Forty-eight degrees six hundred and thirty-four feet along the remainder of Kahaualea to a pipe on the Kahaualea-Keauhou boundary;

"21. Three hundred and thirty-two degrees and ten minutes six thousand five hundred and fifty-one and four-tenths feet along the Kahaualea-Keaau boundary to a pipe;

"22. Two hundred and eighty-one degrees thirty thousand three hundred and one and seven-tenths feet along the remainder of Kahaualea to a pipe;

"23. Thirty-one degrees and thirty minutes thirteen thousand and seventy-four and seven-tenths feet along the remainder of Kahaualea and Panaunui to a pipe, passing over a pipe at five thousand nine hundred and twenty-two and two-tenths feet on the Kahaualea-Panaunui boundary;

"24. Eighty-nine degrees and ten minutes thirty-two thousand nine hundred feet along the remainder of Panaunui, across the lands of Apua and Keauhou to 'Palilele-o-Kalihipaa,' at an angle in the Keauthou-Kapapala boundary marked by a pile of stones, passing over pipes at three thousand five hundred and seventy-two and eight-tenths feet on the Panaunui-Apua boundary and eight thousand four hundred and thirty-five and three-tenths feet;

"25. Fifty-one degrees fifty minutes and thirty seconds five thousand four hundred and thirty feet across the land of Kapapala;

"26. One hundred and two degrees and fifty minutes nineteen thousand one hundred and fifty feet across same to a small cone about one thousand five hundred feet southwest of 'Puu Koae';

"27. One hundred and sixty-six degrees and twenty minutes twenty-one thousand feet across the land of Kapapala to the point of beginning;" and all of those lands lying within the boundary above described are hereby included in and made a part of the Hawaii National Park subject to all laws and regulations pertaining to said park. (U.S.C., 6th supp., title 16, sec. 391.)

Acquiring of privately owned lands authorized. Vol. 41, p. 452. See p. 173.

SEC. 2. That the provisions of the Act of February 27, 1920, 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," are hereby extended over and made applicable to the lands added to the park and included within the boundary established by the preceding section of this Act. (U.S.C., 6th supp., title 16, sec. 392a.)

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 (46 Stat. 227)

Hawaii National Park. Sole jurisdiction over, to be exercised by United States. Rights reserved to the Territory

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter sole and exclusive jurisdiction shall be exercised by the United States over the territory which is now or may hereafter be included in the Hawaii National Park in the Territory of Hawaii, saving, however, to the Territory of Hawaii 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 outside of said park, and saving further to the Territory of Hawaii the right to tax persons and corporations, their franchises and property on the lands included in said park. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the Territory of Hawaii. (U.S.C., 6th supp., title 16, sec. 395.)

Application of Federal laws.

Extradition of criminals.

Jurisdiction of District Court.

SEC. 2. That the District Court of the United States in and for the Territory of Hawaii shall have jurisdiction of all offenses committed within the boundaries of said park. (U.S.C., 6th supp., title 16, sec. 395a.)

Punishment of offenses against Territorial laws.

SEC. 3. That if any offense shall be committed in the Hawaii National Park, which offense is not prohibited or the punishment for which is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the Territory of Hawaii in force at the time of the commission of the offense may provide for a like offense in said Territory and no subsequent repeal of any such law of the Territory of Hawaii shall affect any prosecution for said offense committed within said park. (U.S.C., 6th supp., title 16, sec. 395b.)

Hunting, fishing, etc., prohibitions.

SEC. 4. 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 the waters of the park in any other

way than by hook and line, and then only at such seasons and in such times and 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, 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 park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the 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, 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 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 park or for the protection of the property therein, for the preservation from injury or spoliation of timber, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park willfully commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, 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 costs of the proceedings. (U.S.C., 6th supp., title 16, sec. 395c.)

Regulations, etc., to be prescribed.

Evidence of violations.

Punishment for violating provisions hereof, etc.

SEC. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such forfeited prop-

Forfeiture of guns, traps, etc., illegally used.

Disposal of.

erty shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (U.S.C., 6th supp., title 16, sec. 395d.)

SEC. 6. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Territory of Hawaii shall appoint a commissioner who shall reside in the park 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. (U.S.C., 6th supp., title 16, sec. 395e.)

Commissioner for. Appointment, authority, etc.

Judicial power of, in violations of rules, etc.

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. (U.S.C., 6th supp., title 16, sec. 395e.)

Appeals from, to district court.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Territory of Hawaii, and the United States district court in said 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. (U.S.C., 6th supp., title 16, sec. 395e.)

Procedure in criminal cases.

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 boundaries of any criminal offense not covered by the provisions of section 4 of this Act, to hear the evidence introduced, and if he is of 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 Territory of Hawaii, and certify a transcript of the record of his proceedings and the testimony in the case to said 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 Territory. (U.S.C., 6th supp., title 16, sec. 395f.)

Proviso. Bail.

Service of process.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the district of Hawaii, but nothing herein contained shall be so construed as to prevent the arrest by any officer or

Summary arrests.

employee of the Government or any person employed by the United States in the policing of said reservation within said boundaries 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. (U.S.C., 6th supp., title 16, sec. 395g.)

Pay of commissioner.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary as appropriated for by Congress, payable quarterly: *Provided*, That the said commissioner shall reside within exterior boundaries of said Hawaii National Park at a place 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. (U.S.C., 6th supp., title 16, sec. 395h.)

Provisos.

Residence required.

Disposal of fees, etc.

Fees, United States cases.

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. (U.S.C., 6th supp., title 16, sec. 395i.)

Deposit of fines and costs.

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 Territory of Hawaii. (U.S.C., 6th supp., title 16, sec. 395j.)

Notice to Territory of Federal police jurisdiction assumed.

SEC. 12. That the Secretary of the Interior shall notify, in writing, the Governor of the Territory of Hawaii of the passage and approval of this Act and of the fact that the United States assumes police jurisdiction over said park.

13. Lassen Volcanic National Park

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An Act To establish the Lassen Volcanic National Park in the Sierra Nevada Mountains in the State of California, and for other purposes, approved August 9, 1916 (39 Stat. 442)

Lassen Volcanic National Park, Calif. Established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and within the boundaries particularly described as follows, to wit: Beginning at the northeast corner of section three, township thirty-one, range six east, Mount Diablo meridian, California; thence southerly to the southeast corner of said section; thence easterly to the northeast corner of the northwest quarter of section eleven, said township; thence southerly to the southeast corner of the southwest quarter of section fourteen, said township; thence easterly to the northeast corner of the northwest quarter of section twenty-four, said township; thence southerly to the southeast corner of the southwest quarter of section twenty-five, said township; thence westerly to the southwest corner of section twenty-six,

Description.

said township; thence southerly to the southeast corner of section thirty-four, said township; thence westerly along the sixth standard parallel north, allowing for the proper offsets, to the northeast corner of section three, township thirty north, range six east; thence southerly to the southeast corner of section twenty-seven, said township; thence westerly to the southwest corner of the southeast quarter of section twenty-eight, said township; thence northerly to the northwest corner of the southeast quarter of said section; thence westerly to the southwest corner of the northwest quarter of said section; thence northerly to the northwest corner of said section; thence westerly to the southwest corner of the southeast quarter of section twenty, said township; thence northerly to the northwest corner of the southeast quarter of said section; thence westerly to the range line between ranges five and six east; thence southerly along said range line to the southeast corner of township thirty north, range five east; thence westerly along the township line between townships twenty-nine and thirty north to the southwest corner of section thirty-three, township thirty north, range five east; thence northerly to the northwest corner of said section; thence westerly to the southwest corner of the southeast quarter of section twenty-nine, said township; thence northerly to the northwest corner of the southeast quarter of said section; thence westerly to the southwest corner of the northwest quarter of said section; thence northerly to the northwest corner of said section; thence westerly to the southwest corner of the southeast quarter of section twenty, township thirty north, range four east; thence northerly to the northwest corner of the southeast quarter of section eight, said township; thence easterly to the northeast corner of the southwest quarter of section nine, said township; thence northerly to the township line between townships thirty and thirty-one north; thence easterly along the sixth standard parallel north, allowing for the proper offsets, to the southwest corner of section thirty-three, township thirty-one north, range four east; thence northerly to the northwest corner of section twenty-one, said township; thence easterly to the range line between ranges four and five east; thence northerly along said range line to the northwest corner of fractional section eighteen, township thirty-one north, range five east; thence easterly to the southwest corner of section twelve, said township; thence northerly to the northwest corner of section one, said township; thence easterly along the township line between townships thirty-one and thirty-two north to the northeast corner of section three, township thirty-one north, range six east, the place of beginning, are hereby reserved and withdrawn from settlement, occupancy, disposal, or sale, under the laws of the United

States, and said tracts are dedicated and set apart as a public park or pleasuring ground for the benefit and enjoyment of the people of the United States under the name and to be known and designated as the Lassen Volcanic National Park; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereinafter provided, shall be considered trespassers and be removed therefrom: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States or the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: *Provided further*, That rights of way for steam or electric railways, automobiles, or wagon roads may be acquired within said Lassen Volcanic National Park under filings or proceedings hereafter made or instituted under the laws applicable to the acquisition of such rights over or upon the national forest lands of the United States when the construction of such roads will not interfere with the objects of the national park, and that the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a Government reclamation project; that no lands located within the park boundaries now held in private, municipal, or State ownership shall be affected by or subject to the provisions of this Act: *And provided further*, That no lands within the limits of said park hereby created belonging to or claimed by any railroad or other corporation now having or claiming the right of indemnity selection by virtue of any law or contract whatsoever shall be used as a basis for indemnity selection in any State or Territory whatsoever for any loss sustained by reason of the creation of said park. (U.S.C., title 16, sec. 201.)

Trespassing forbidden.

Provisos. Valid claims not affected.

Rights of way. (Repealed by 46 Stat. 1043. See p. 199.)

Reclamation Service use.

Present ownership not affected. Indemnity selections.

Regulations of control, etc.

SEC. 2. That said park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations not inconsistent with the laws of the United States as he may deem necessary or proper for the care, protection, management, and improvement of the same. Such regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation from injury or spoliation of all timber, mineral deposits, and natural curiosities or wonders within said park and their retention in their natural condition as far as practicable and for the preservation of the park in a state of nature so far as is consistent with the purposes of this Act. He shall provide against the wanton destruction of the fish and game found within said park and against their capture or destruction for purposes of merchandise or profit, and generally shall be authorized to take all such measures as

shall be necessary to fully carry out the objects and purposes of this Act. Said Secretary may, in his discretion, execute leases to parcels of ground not exceeding ten acres in extent at any one place to any one person or persons or company for not to exceed twenty years when such ground is necessary for the erection of buildings for the accommodation of visitors and to parcels of ground not exceeding one acre in extent and for not to exceed twenty years to persons who have heretofore erected, or whom he may hereafter authorize to erect, summer homes or cottages. Such leases or privileges may be renewed or extended at the expiration of the terms thereof. No exclusive privilege, however, shall be granted within the park except upon the ground leased. The regulations governing the park shall include provisions for the use of automobiles therein and the reasonable grazing of stock. (U.S.C., title 16, sec. 202.)

Leases to accommodate visitors, etc. (This section so far as it relates to summer cottages repealed by 46 Stat. 1043. See p. 199.)

SEC. 3. That the Secretary of the Interior may also sell and permit the removal of such matured or dead or down timber as he may deem necessary or advisable for the protection or improvement of the park. (U.S.C., title 16, sec. 203.)

Timber disposal.

SEC. 4. That the Secretary of the Interior may exact such charges as he deems proper for leases and all other privileges granted hereunder. (U.S.C., title 16, sec. 203.)

Charges.

SEC. 5. That no appropriation for the maintenance, supervision, or improvement of said park in excess of $5,000 annually shall be made unless the same shall have first been expressly authorized by law.

Limit on appropriations. Repealed by 42 Stat. 503. See p. 189 below.

An Act To repeal section 5 of an Act entitled "An Act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains, in the State of California, and for other purposes," approved August 9, 1916, approved April 29, 1922 (42 Stat. 503)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of an Act entitled "An Act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains, in the State of California, and for other purposes," approved August 9, 1916 (Thirty-ninth Statutes at Large, page 442), be, and the same is hereby, repealed.

Lassen Volcanic National Park, Calif. Limit on appropriations repealed. Vol. 39, p. 444. (Repeals sec. 5, 39 Stat. 442. See p. 189 above.)

Act of Legislature of California, approved April 20, 1927, ceding to the United States exclusive jurisdiction over Lassen Volcanic National Park in the State of California. (Codes and General Laws of California, Deering Consolidated Supplement, 1925–27, p. 1449)

The people of the State of California do enact as follows, 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 that tract of land in the State of California set aside and dedicated for park purposes by the United

States as "Lassen Volcanic 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 and their 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 situated: *Provided, however*, That jurisdiction shall not vest until the United States through the proper office notifies the State of California that they assume police jurisdiction over said park, and that the laws of the State of California and the jurisdiction of its courts shall remain in full effect in said park, insofar as they are not inconsistent with the laws of the United States, until congress shall specifically supersede them.

An Act To accept the cession by the State of California of exclusive jurisdiction over the lands embraced within the Lassen Volcanic National Park, and for other purposes, approved April 26, 1928 (45 Stat. 463)

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 California (approved April 20, 1927) ceding to the United States exclusive jurisdiction over and within the territory which is now or may hereafter be included within the Lassen Volcanic National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, 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 situated. 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 refuge in said park shall be subject to the same laws as refugees from justice found in the State of California. (U.S.C., 6th supp., title 16, sec. 204.)

Lassen Volcanic National Park. Acceptance of jurisdiction of California over territory included in. Rights reserved to the State.

Application of United States laws.

Extradition of criminals.

Assigned to California northern judicial district.

SEC. 2. That said park shall constitute a part of the United States judicial district for the northern district

of California, and the district court of the United States in and for said northern district shall have jurisdiction of all offenses committed within the boundaries of the said park. (U.S.C., 6th supp., title 16, sec. 204a.)

Punishment for offenses against State laws.

SEC. 3. That if any offense shall be committed in the said park, which offense is not prohibited or the punishment is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of California in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of California shall affect any prosecution for said offense committed within said park. (U.S.C., 6th supp., title 16, sec. 204b.)

Hunting, fishing, etc., prohibitions.

SEC. 4. 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 other than those legally located prior to the passage of the Act creating and establishing said park, natural curiosities or wonderful objects within said park, and for the protection of the animals 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 other than those legally located prior to the passage of the Act creating and establishing said park, natural curiosities, or won-

Regulations, etc., to be prescribed.

Evidence of violations.

Punishment for violating provisions hereof, etc.

derful 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, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to the passage of the Act creating and establishing said park, 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. (U.S.C., 6th supp., title 16, sec. 204c.)

Forfeiture of guns, traps, etc., illegally used.

SEC. 5. That all guns, traps, 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, or capturing such wild beasts, birds, 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, 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. (U.S.C., 6th supp., title 16, sec. 204d.)

Commissioner for.

Appointment, authority, etc.

SEC. 6. That the United States district court for the northern district of California shall appoint a commissioner who shall reside in the park 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 said 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 persons 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 northern district of California and the United States district court in said district shall prescribe the rules of procedure and prac-

Judicial powers in violations of rules, etc.

Appeals to district court.

tice for said commissioner in the trial of cases and for appeals to said United States district court. (U.S.C., 6th supp., title 16, sec. 204e.)

Procedure in criminal cases.

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 4 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 Northern District of California and certify a transcript of the record of his proceedings and the testimony in such case to said 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. (U.S.C., 6th supp., title 16, sec. 204f.)

Proviso.

Bail.

Service of process.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the northern district of California, 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 in the policing of said reservation within said park 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. (U.S.C., 6th supp., title 16, sec. 204g.)

Summary arrests.

Pay of commissioner.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary as appropriated for by Congress, payable quarterly: *Provided*, That the said commissioner shall reside within the exterior boundaries of said Lassen Volcanic National Park at a place to be designated by the court making such appointment: *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. (U.S.C., 6th supp., title 16, sec. 204h.)

Provisos.

Residence required.

Disposal of fees, etc.

United States fees.

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. (U.S.C., 6th supp., title 16, sec. 204i.)

Deposit of fines and costs.

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 northern district of California. (U.S.C., 6th supp., title 16, sec. 204j.)

Acceptance of cession.

SEC. 12. That the Secretary of the Interior shall notify in writing the Governor of the State of California 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 California.

An Act To provide for the naming of a mountain or peak within the boundaries of the Lassen Volcanic National Park, California, in honor of Honorable John E. Raker, deceased, approved March 27, 1928 (45 Stat. 371)

Lassen Volcanic National Park, Calif.

Mountain within, to be named in honor of John E. Raker, deceased Member of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Geographic Board is hereby authorized to name permanently a prominent mountain or peak within the boundaries of the Lassen Volcanic National Park, California, in honor of the late John E. Raker, deceased, a former Member of Congress of the United States.

An Act To add certain lands to the Lassen Volcanic National Park in the Sierra Nevada Mountains of the State of California, approved April 26, 1928 (45 Stat. 466)

Lassen Volcanic National Park, Calif.
Lands added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands hereafter described, to wit: The southwest quarter of the northwest quarter, section 25, and the southeast quarter of the northeast quarter, section 26, township 29 north, range 3 east, Mount Diablo meridian, in the State of California, are hereby added to and made a part of the Lassen Volcanic National Park for use as an administrative headquarters site. (U.S.C., 5th supp., title 16, sec. 205.)

Park provisions applicable.

Vol. 39, p. 442. See p. 186.

Vol. 39, p. 535. See p. 9.

SEC. 2. That the provisions of the Act of August 9, 1916, entitled "An Act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains in the State of California, and for other purposes," the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes," 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, 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 Rivers and Harbors Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend over such lands. (U.S.C., 6th supp., title 16, sec. 205a.)

Proviso.
Water Power Act not applicable.

Vol. 41, p. 1063.

An Act To acquire an area of State land situate in Lassen Volcanic National Park, State of California, by exchange, approved May 21, 1928 (45 Stat. 644)

Lassen Volcanic National Park.

Acceptance of designated land from California.

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 accept on behalf of the United States, title to the northeast quarter northeast quarter

section 27, township 30 north, range 5 east, Mount Diablo base and meridian, situate within the exterior boundaries of Lassen Volcanic National Park, from the State of California, and in exchange therefor may patent an area of unreserved, vacant, nonmineral public land of equal value situate in the same State. The land which may be acquired by the United States under this Act shall, upon acceptance of title, become a part of Lassen Volcanic National Park. (U.S.C., 6th supp., title 16, sec. 201.)

Land given in exchange.

Acquired land added to the park.

An Act To revise the boundaries of the Lassen Volcanic National Park, in the State of California, and for other purposes, approved January 19, 1929 (45 Stat. 1081)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Lassen Volcanic National Park are hereby changed to read as follows:

Lassen Volcanic National Park, Calif. Boundaries modified.

"Beginning at the southwest corner of the southeast quarter of section 29, township 30 north, range 5 east, Mount Diablo meridian, on the present south boundary line; thence west on the section line between sections 29 and 32 and 30 and 31, township 30 north, range 5 east, and between sections 25 and 36 and 26 and 35 and 27 and 34 and 28 and 33 and 29 and 32 to the southwest corner of section 29, township 30 north, range 4 east; thence north on the section line between sections 29 and 30 and 19 and 20 and 18 and 17 and 7 and 8 and 6 and 5 to the northwest corner of fractional section 5, township 30 north, range 4 east; thence east on the township line to the southwest corner of section 32, township 31 north, range 4 east; thence north on the section line between sections 31 and 32, 29 and 30, and 19 and 20, to the northwest corner of section 20, same township and range; thence west to the southwest corner of section 18, same township and range; thence north on township line to the northwest corner of the southwest quarter of section 7, same township and range; thence east on the quarter section line to the northwest corner of the southwest quarter of section 8, same township and range; thence north to the northwest corner of said section 8; thence east to the northeast corner of said section 8; thence north to the northwest corner of the southwest quarter of section 4, same township and range; thence east on the quarter section line to the point where it intersects Lost Creek; thence following Lost Creek in a southerly direction to a point where it intersects the north line of section 14, township 31 north, range 4 east; thence east on said section line and along the section line between sections 12 and 13, said township and range, to intersection with the present park boundary; and

Description.

"Beginning at a point on the present north boundary which is the southwest corner of the southeast quarter section 8, township 31 north, range 5 east; thence north to

the northwest corner of the southeast quarter, same section, township, and range; thence east on quarter section line to a point on the present park boundary which is the northwest corner of the southwest quarter of section 12, same township and range; and

"Beginning at the northeast corner of the northwest quarter of section 24, township 31 north, range 6 east, a point on the present east boundary line; thence east between sections 13 and 24 to the northeast corner of section 24, said township; thence south on the range line three miles to the southeast corner of section 36, said township; thence west on the township line to the northeast corner of section 1, township 30 north, range 6 east; thence south on the range line to the southeast corner of section 25, said township; thence west along the section line to the southwest corner of section 26 on the present south boundary line; thence along the present boundary line and continuing on the section line to the southwest corner of section 28; thence north on the section line to the northwest corner of the southwest quarter of the southwest quarter of said section 28; thence west to the southwest corner of the northeast quarter of the southwest quarter of section 29; thence north to the northwest corner of the southeast quarter of the northwest quarter of said section 29; thence west to the southwest corner of the northeast quarter of the northeast quarter of section 30; thence north to the northwest corner of the northeast quarter of the northeast quarter of said section 30; thence west to the northeast corner of the northeast quarter of the northwest quarter of said section 30; thence south to the southeast corner of the northeast quarter of the northwest quarter of said section 30; thence west to the southeast corner of the northwest quarter of the northwest quarter of said section 30; thence south to the southeast corner of the northwest quarter of the southwest quarter of said section 30; thence west to the southwest corner of the northwest quarter of the southwest quarter of said section 30, township 30 north, range 6 east, which is a point on the present boundary line.

"All of those lands lying within the boundary lines above described and the present boundary lines are hereby included in and made a part of the Lassen Volcanic National Park." (U.S.C., 6th supp., title 16, sec. 201a.)

Former laws applicable. Vol. 39, pp. 442, 535. See pp. 189, 9.

SEC. 2. That the provisions of the Act of August 9, 1916, entitled "An Act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains in the State of California, and for other purposes," the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes," 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, entitled "An Act to create a Federal Power

Proviso. Water Power Act not applicable. Vol. 41, p. 1063.

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 Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend over such lands. (U.S.C., 6th supp., title 16, sec. 201b.)

An Act To consolidate or acquire alienated lands in Lassen Volcanic National Park, in the State of California, by exchange, approved March 1, 1929 (45 Stat. 1443)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, when the public interests will be benefited thereby, the Secretary of the Interior be and he is hereby authorized, in his discretion, to accept, on behalf of the United States, title to any land within exterior boundaries of Lassen Volcanic National Park which, in the opinion of the Director of the National Park Service, are chiefly valuable for forest or recreational and national-park purposes, and in exchange therefor may patent not to exceed an equal value of such national-park land within the exterior boundaries of said national park; or the Secretary of the Interior may authorize the grantor to cut and remove an equal value of timber in exchange therefor from certain designated areas within the exterior boundaries of said national park: *Provided*, That such timber shall be cut and removed from such designated area in a manner that will not injure the national park for recreational purposes and under such forestry regulations as shall be stipulated, the values in each case to be determined by the Secretary of the Interior. Lands conveyed to the United States under this Act shall, upon acceptance of title, become a part of Lassen Volcanic National Park. (U.S.C., 6th supp., title 16, sec. 206.)

Lassen Volcanic National Park, Calif. Acceptance of lands in, by exchange.

Timber allowed in exchange.

Proviso.

Conditions.

Accepted lands added to the park.

An Act To authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes, approved April 19, 1930 (46 Stat. 222)

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 accept on behalf of the United States, for inclusion in the Lassen Volcanic National Park, fee simple title to the tract of land containing ten acres, now adjoining said park, and described as the west half west half northwest quarter northeast quarter section 30, township 30 north, range 6 east, Mount Diablo base and meridian, and in exchange therefor is authorized and empowered to patent to the owner of said land ten acres of land now within said park and described as the southwest quarter northeast quarter northeast quarter section 30, township 30 north, range 6 east, Mount Diablo

Lassen Volcanic National Park, Calif. Acceptance of tract of land for inclusion in.

Land in park in exchange therefor.

Proviso. Accepted land added to park and exchanged land excluded.

base and meridian: *Provided*, That the land acquired by the United States under this Act shall, upon acceptance of title, become and be a part of the Lassen Volcanic National Park and subject to all laws and regulations relating to the lands therein, and the land exchanged therefor shall, upon issuance of patent, be excluded from the park. (U.S.C., 6th supp., title 16, sec. 207.)

Water Power Act not applicable. Vol. 41, p. 1063. U.S.C., p. 441.

SEC. 2. The provisions of the Act of June 10, 1920, 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 Harbors Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend over the land acquired for inclusion in the Lassen Volcanic National Park in accordance with the provisions of this Act. (U.S.C., 6th supp., title 16, sec. 207a.)

An Act To provide for the addition of certain lands to the Lassen Volcanic National Park in the State of California, approved July 3, 1930 (46 Stat. 853)

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 is hereby authorized, upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to the Lassen Volcanic National Park, in the State of California, by Executive proclamation, any or all of the lands within sections 3 and 4, township 29 north, range 6 east; and sections 29, 30, 31, 32, 33, 34, 35, and 36, township 30 north, range 6 east, Mount Diablo meridian, not now included within the boundaries of the park: *Provided*, That no privately owned lands shall be added to the park prior to the vesting in the United States of title thereto. (U.S.C., 6th supp., title 16, sec. 204k.)

Lassen Volcanic National Park, Calif. Land addition to, authorized.

Description.

Proviso. Privately owned lands excepted.

Water Power Act not applicable. Vol. 41, p. 1063.

SEC. 2. That the provisions of the Act of June 10, 1920, known as the Federal Water Power Act, shall not apply to any lands added to the Lassen Volcanic National Park under the authority of this Act. (U.S.C., 6th supp., title 16, sec. 204l.)

Prior rights not prejudiced.

SEC. 3. That nothing herein contained shall affect any vested and accrued rights of ownership of lands or any valid existing claim, location, or entry existing under the land laws of the United States at the date of passage of this Act, whether for homestead, mineral, rights of way, or any other purposes whatsoever, or any water rights and/or rights of way connected therewith, including reservoirs, conduits, and ditches, as may be recognized by local customs, laws, and decisions of courts, or shall affect the right of any such owner, claimant, locator, or entryman to the full use and enjoyment of his land. (U.S.C., 6th supp., title 16, sec. 204m.)

Excerpt from "An Act To provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes," approved January 26, 1931 (46 Stat. 1043)

Permits for summer homes, etc., prohibited. (Repeals sec. 2, 39 Stat. 442, insofar as it relates to summer cottages. See p. 188.)

SEC. 3. That hereafter no permit, license, lease, or other authorization for the use of land within the * * * Lassen Volcanic National Park, California, for the erection and maintenance of summer homes or cottages shall be granted or made: *Provided, however*, That the Secretary of the Interior may, in his discretion, renew any permit, license, lease, or other authorization for such purpose heretofore granted or made. (U.S.C., 6th supp., title 16, sec. 202a.)

Proviso. Renewal of present leases, etc.

Acquisition of rights of way forbidden. (Repeals right-of-way provision of sec. 1, 39 Stat. 442. See p. 189.)

SEC. 4. That hereafter the acquisition of rights of way for steam or electric railways, automobile or wagon roads, within the Lassen Volcanic National Park, California, under filings or proceedings under laws applicable to the acquisition of such rights over or upon the national-forest lands of the United States is prohibited. (U.S.C., 6th supp., title 16, sec. 201.)

14. Mount McKinley National Park

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An Act To establish the Mount McKinley National Park, in the Territory of Alaska, approved February 26, 1917 (39 Stat. 938)

Mount McKinley, National Park, Alaska, established.

Description.

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 Territory of Alaska particularly described by and included within the metes and bounds, to wit: Beginning at a point as shown on Plate III, reconnaissance map of the Mount McKinley region, Alaska, prepared in the Geological Survey, edition of nineteen hundred and eleven, said point being at the summit of a hill between two forks of the headwaters of the Toklat River, approximate latitude sixty-three degrees forty-seven minutes, longitude one hundred and fifty degrees twenty minutes; thence south six degrees twenty minutes west nineteen miles; thence south sixty-eight degrees west sixty miles; thence in a southeasterly direction approximately twenty-eight miles to the summit of Mount Russell; thence in a northeasterly direction approximately eighty-nine miles to a point twenty-five miles due south of a point due east of the point of beginning; thence due north twenty-five miles to said point; thence due west twenty-eight and one-half miles to the point of beginning, is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tract is dedicated and set apart as a public park for the benefit and enjoyment of the people, under the name of the Mount McKinley National Park. (U.S.C., title 16, sec. 347.)

Existing entries, etc., not impaired. (Amended by 46 Stat. 1043. See p. 203.)

SEC. 2. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, min-

eral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. (U.S.C., title 16, sec. 348.)

Rights of way. Vol. 31, p. 790.

SEC. 3. That whenever consistent with the primary purposes of the park, the Act of February fifteenth, nineteen hundred and one, applicable to the location of rights of way in certain national parks and national forests for irrigation and other purposes, shall be and remain applicable to the lands included within the park. (U.S.C., title 16, sec. 349.)

Mineral land laws not affected.

SEC. 4. Nothing in this Act shall in any way modify or affect the mineral land laws now applicable to the lands in the said park. (U.S.C., title 16, sec. 350.)

Regulations of control, etc.

SEC. 5. That the said park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of the said executive authority, as soon as practicable, to make and publish such rules and regulations not inconsistent with the laws of the United States as the said authority may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation of animals, birds, and fish and for the preservation of the natural curiosities and scenic beauties thereof. (U.S.C., title 16, sec. 351.)

Game refuge established.

SEC. 6. That the said park shall be, and is hereby, established as a game refuge, and no person shall kill any game in said park except under an order from the Secretary of the Interior for the protection of persons or to protect or prevent the extermination of other animals or birds: *Provided*, That prospectors and miners engaged in prospecting or mining in said park may take and kill therein so much game or birds as may be needed for their actual necessities when short of food; but in no case shall animals or birds be killed in said park for sale or removal therefrom, or wantonly. (U.S.C., title 16, sec. 352.)

Proviso.

Killing for food permitted. (Repealed by 45 Stat. 622. See p. 202.)

Leases for accommodations for visitors (Amended by 39 Stat. 535, as amended. See pp. 9–12.)

SEC. 7. That the said Secretary of the Interior may, in his discretion, execute leases to parcels of ground not exceeding twenty acres in extent for periods not to exceed twenty years whenever such ground is necessary for the erection of establishments for the accommodation of visitors; may grant such other necessary privileges and concessions as he deems wise for the accommodation of visitors; and may likewise arrange for the removal of such mature or dead or down timber as he may deem necessary and advisable for the protection and improvement of the park: *Provided*, That no appropriation for the maintenance of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law. (U.S.C., title 16, sec. 353.)

Proviso. Limit on appropriations. (Repealed by 45 Stat. 622. See p. 202.)

Punishment for violations.

SEC. 8. That any person found guilty of violating any of the provisions of this Act shall be deemed guilty of a

misdemeanor, and shall be subjected to a fine of not more than $500 or imprisonment not exceeding six months, or both, and be adjudged to pay all costs of the proceedings. (U.S.C., title 16, sec. 354.)

An Act To repeal the proviso of section 6 and the last proviso of section 7 of "An Act to establish the Mount McKinley National Park in the Territory of Alaska," approved February 26, 1917, approved May 21, 1928 (45 Stat. 622)

Mount McKinley National Park, Alaska.

Limit on appropriations for, repealed.

Vol. 39, p. 939, repealed. See p. 201.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso of section 7 of an Act entitled "An Act to establish the Mount McKinley National Park, in the Territory of Alaska," approved February 26, 1917, which is in the words and figures following: "*Provided*, That no appropriation for the maintenance of said park in excess of $10,000 annually shall be made, unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed.

Provision allowing killing of game for food in, repealed.

Vol. 39, p. 939, repealed. See p. 201.

SEC. 2. That the proviso of section 6 of an Act entitled "An Act to establish the Mount McKinley National Park, in the Territory of Alaska," approved February 26, 1917, which is in the words and figures following: "*Provided*, That prospectors and miners engaged in prospecting or mining in said park may take and kill therein so much game or birds as may be needed for their actual necessities when short of food; but in no case shall animals or birds be killed in said park for sale or removal therefrom, or wantonly," be, and the same is hereby repealed. (U.S.C., title 16, 6th supp., sec. 352, 353.)

An Act To add certain lands to Mount McKinley National Park, Alaska, approved January 30, 1922 (42 Stat. 359)

Mount McKinley National Park, Alaska. Lands added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the south, east, and north boundaries of the Mount McKinley National Park are hereby changed as follows: Beginning at the summit of Mount Russell, which is the present southwest corner of the park; thence in a northeasterly direction one hundred miles, more or less, to a point on the one hundred and forty-ninth meridian, which is twenty-five miles south of a point due east of the upper northwest corner of the park; thence north along the one hundred and forty-ninth meridian twenty-five miles; thence west forty miles, more or less, to the present upper northwest corner of Mount McKinley National Park. And all these lands lying between the above-described boundary and the present south, east, and north boundaries are hereby reserved and withdrawn from settlement, occupancy, or disposal, and under the laws of the United States said lands are hereby made a part of and included in the Mount McKinley National Park; and all the provisions of the Act to

establish Mount McKinley National Park, Alaska, and for other purposes, approved February 26, 1917, are hereby made applicable to and extended over lands hereby added to the park. (U.S.C., title 16, sec. 347.)

Vol. 39, p. 938. See p. 200.

Joint Resolution To provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson, approved June 14, 1930 (46 Stat. 588)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a mountain or peak, unofficially known as Copper Mountain, located at the headwaters of the Mount McKinley River, lying in a northeasterly direction from Mount McKinley in the Mount McKinley National Park, Alaska, is hereby permanently named Mount Eielson in honor of the pioneer work in aviation performed in Alaska and the North by Carl Ben Eielson.

Mount Eielson, Alaska.

Mountain in Mount McKinley National Park named in honor of Carl Ben Eielson.

Excerpt from "An Act To provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes," approved January 26, 1931 (46 Stat. 1043)

SEC. 2. That hereafter the Secretary of the Interior shall have authority to prescribe regulations for the surface use of any mineral land locations already made or that may hereafter be made within the boundaries of Mount McKinley National Park, in the Territory of Alaska, and he may require registration of all prospectors and miners who enter the park: *Provided*, That no resident of the United States who is qualified under the mining laws of the United States applicable to Alaska shall be denied entrance to the park for the purpose of prospecting or mining. (U.S.C., 6th supp., title 16, sec. 350a.)

Mount McKinley, Alaska. Regulations for surface use of mineral lands within. (Amends sec. 2, Vol. 39, p. 938. See p. 200.) Registration of miners, etc. *Proviso.* Entries.

An Act To revise the boundary of the Mount McKinley National Park, in the Territory of Alaska, and for other purposes, approved March 19, 1932 (47 Stat. 68)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Mount McKinley National Park is hereby changed so as to read as follows:

Mount McKinley National Park, Alaska. Boundary Changed. Vol. 39, p. 938. See p. 200.

Beginning at the summit of a hill between the Toklat River and the Clearwater Fork of that river at an approximate latitude of sixty-three degrees forty-seven minutes forty-five seconds, longitude one hundred and fifty degrees seventeen minutes forty seconds, which is intended to be same point of beginning of the boundary description as contained in the Act of February 26, 1917; thence southerly along the summit of the ridge between Toklat River and the Clearwater Fork of said river and across Stony Creek at its confluence with the said Clearwater Fork to the summit of the ridge between Stony Creek and the Clearwater Fork of the Toklat River; thence following the summit of said ridge and the sum-

Description.

mit of the ridge between the tributaries of said Clearwater Fork, the headwaters of the North Fork of Moose Creek and Boundary Creek to the intersection with the present boundary of Mount McKinley National Park at approximate latitude of sixty-three degrees thirty-two minutes forty-five seconds, longitude one hundred and fifty degrees twenty-four minutes forty-five seconds; thence southwesterly fourteen and three-tenths miles, more or less, to a point one-half mile north of Wonder Lake on the stream flowing out of Wonder Lake into Moose Creek; thence south sixty-eight degrees west forty-three and five-tenths miles, more or less, to the point of intersection with the southwest boundary extended; thence southeasterly thirty-three miles, more or less, to the summit of Mount Russell; thence in a northeasterly direction following the present south boundary approximately eighty-eight miles to Windy Creek at approximate latitude sixty-three degrees twenty-five minutes forty-five seconds, longitude one hundred and forty-nine degrees one minute thirty-five seconds; thence easterly following the north bank of Windy Creek to the western boundary of The Alaska Railroad right of way; thence northerly following the west boundary of The Alaska Railroad right of way to a point due east of the present north boundary of the park as extended due east; thence due west following the present north boundary of the park to the summit of the ridge between Toklat River and the Clearwater Fork of said river; thence southerly following the summit of said ridge to the place of beginning: *Provided, however*, That such isolated tracts of land lying east of The Alaska Railroad right of way and the west bank of the Nenana River between the north bank of Windy Creek and the north park boundary as extended eastward are also included in said park: *Provided further*, That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. (U.S.C., 6th supp., title 16, sec. 355.)

Provisos. Isolated tracts of land included.

Valid existing claims, etc., not affected.

National park provisions made applicable. Vol. 39, p. 938; Vol. 39, p. 535. See pp. 200 and 9.

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," and the Act of February 26, 1917, entitled "An Act to establish the Mount McKinley National Park, in the Territory of Alaska," together with all Acts supplementary to and amendatory of said Acts are made applicable to and extended over the lands hereby added to the park. (U.S.C., 6th supp., title 16, sec. 355a.)

15. Grand Canyon National Park

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An Act To establish the Grand Canyon National Park in the State of Arizona, approved February 26, 1919 (40 Stat. 1175)

Grand Canyon National Park, Ariz. Land set apart for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there 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 for the benefit and enjoyment of the people, under the name of the "Grand Canyon National Park", the tract of land in the State of Arizona particularly described by and included within metes and bounds as follows, to wit:

Description. (Amended by 44 Stat. 1238. See p. 211.)

Beginning at a point which is the northeast corner of township thirty north, range one east, of the Gila and Salt River meridian, Arizona; thence west on township line between townships thirty and thirty-one north, range one east, to section corner common to sections one and two, township thirty north, range one east, and thirty-five and thirty-six, township thirty-one north, range one east; thence north on section lines to the intersection with Tobocobya Spring-Rowe Well Road; thence northwesterly along the southwesterly side of said Tobocobya Spring-Rowe Well Road, passing and in relation to United States Geological Survey bench marks stamped "Canyon" and numbered 6340, 6235, 6372, 6412, 6302, 6144, and 6129, through townships thirty-one and thirty-two north, ranges one east and one and two west, to its intersection with the section line between sections nine and sixteen in township thirty-two north, range two west; thence west along the section lines through township thirty-two north, ranges two and three west, to its intersection with upper westerly rim of Cataract Canyon;

thence northwesterly along upper rim of Cataract Canyon, crossing Hualapai Canyon and continuing northwesterly along said upper rim to its intersection with range line, township thirty-three north, between ranges four and five west; thence north on said range line, townships thirty-three and thirty-four north, ranges four and five west, to north bank of the Colorado River; thence northeasterly along the north bank of the Colorado River to junction with Tapeats Creek; thence easterly along north bank of Tapeats Creek to junction with Spring Creek; thence easterly along the north bank of Spring Creek to its intersection with Gila and Salt River meridian, township thirty-four north, between ranges one east and one west and between section six, township thirty-four north, range one east, and section one, township thirty-four north, range one west; thence south on range line between ranges one east and one west to section corner common to sections seven and eighteen, township thirty-four north, range one east, and sections twelve and thirteen, township thirty-four north, range one west; thence east on section lines to section corner common to sections seven, eight, seventeen, and eighteen, township thirty-four north, range two east; thence south on section lines to township line between townships thirty-three and thirty-four north, range two east, at section corner common to sections thirty-one and thirty-two, township thirty-four north, range two east, and sections five and six, township thirty-three north, range two east; thence east on township line to section corner common to sections thirty-one and thirty-two, township thirty-four north, range three east, and sections five and six, township thirty-three north, range three east; thence south on section lines to section corner common to sections seventeen, eighteen, nineteen, and twenty, township thirty-three north, range three east; thence east on section lines to section corner common to sections thirteen, fourteen, twenty-three, and twenty-four, township thirty-three north, range three east; thence north on section lines to section corner common to sections one, two, eleven, and twelve, township thirty-three north, range three east; thence east on section lines to the intersection with upper rim of Grand Canyon; thence northerly along said upper rim of Grand Canyon to main hydrographic divide north of Nankoweap Creek; thence easterly along the said hydrographic divide to its intersection with the Colorado River, approximately at the mouth of Nankoweap Creek; thence easterly across the Colorado River and up the hydrographic divide nearest the junction of Nankoweap Creek and Colorado River to a point on the upper east rim of the Grand Canyon; thence by shortest route to an intersection with range line, townships thirty-three and thirty-four north, between ranges five and six east; thence south on said range line, between ranges five

and six east, to section corner common to sections eighteen and nineteen, township thirty-three north, range six east, and sections thirteen and twenty-four, township thirty-three north, range five east; thence east on section lines to section corner common to sections sixteen, seventeen, twenty, and twenty-one, township thirty-three north, range six east; thence south on section lines to section corner common to sections eight, nine, sixteen, and seventeen, township thirty-one north, range six east; thence west on section line to section corner common to sections seven, eight, seventeen, and eighteen, township thirty-one north, range six east; thence south on section lines to township line between townships thirty and thirty-one north at section corner common to sections thirty-one and thirty-two, township thirty-one north, range six east, and sections five and six, township thirty north, range six east; thence west on township line to section corner common to sections thirty-four and thirty-five, township thirty-one north, range five east, and sections two and three, township thirty north, range five east; thence south on section line to section corner common to sections two, three, ten, and eleven, township thirty north, range five east; thence west on section lines to range line, township thirty north, between ranges four and five east, at section corner common to sections six and seven, township thirty north, range five east, and one and twelve, township thirty north, range four east; thence south on range line, township thirty north, between ranges four and five east, to section corner common to sections seven and eighteen, township thirty north, range five east, and sections twelve and thirteen, township thirty north, range four east; thence west on section line to section corner common to sections eleven, twelve, thirteen, and fourteen, township thirty north, range four east; thence south on section line to section corner common to sections thirteen, fourteen, twenty-three, and twenty-four, township thirty north, range four east; thence west on section lines to section corner common to sections fifteen, sixteen, twenty-one, and twenty-two, township thirty north, range four east; thence south on section line to section corner common to sections twenty-one, twenty-two, twenty-seven, and twenty-eight, township thirty north, range four east; thence west on section lines to range line, township thirty north, between ranges three and four east, at section corner common to sections nineteen and thirty, township thirty north, range four east, and sections twenty-four and twenty-five, township thirty north, range three east; thence north on range line to section corner common to sections eighteen and nineteen, township thirty north, range four east, and sections thirteen and twenty-four, township thirty north, range three east; thence west on section lines to section corner common to sections fourteen, fifteen, twenty-two, and

twenty-three, township thirty north, range three east; thence north on section line to section corner common to sections ten, eleven, fourteen, and fifteen, township thirty north, range three east; thence west on section lines to range line at section corner common to sections seven and eighteen, township thirty north, range three east, and sections twelve and thirteen, township thirty north, range two east; thence north on range line to section corner common to sections six and seven, township thirty north, range three east, and sections one and twelve, township thirty north, range two east: thence west on section line to section corner common to sections one, two, eleven, and twelve, township thirty north, range two east; thence north on section line to township line at section corner common to sections thirty-five and thirty-six, township thirty-one north, range two east, and sections one and two, township thirty north, range two east; thence west on township line to the northeast corner of township thirty north, range one east, the place of beginning. (U.S.C., title 16, sec. 221.)

Administration by National Park Service.

SEC. 2. That the administration, protection, and promotion of said Grand 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 twenty-fifth, nineteen hundred and sixteen, entitled "An Act to establish a National Park Service, and for other purposes": *Provided*, That all concessions for hotels, camps, transportation, and other privileges of every kind and nature for the accommodation or entertainment of visitors shall be let at public bidding to the best and most responsible bidder. (U.S.C., title 16, sec. 222.)

Vol. 39, p. 535. See p. 9.

Proviso.

Concessions to highest bidder.

Rights of Havasupai Indians not abridged.

SEC. 3. That nothing herein contained shall affect the rights of the Havasupai Tribe of Indians to the use and occupancy of the bottom lands of the Canyon of Cataract Creek as described in the Executive order of March thirty-first, eighteen hundred and eighty-two, and the Secretary of the Interior is hereby authorized, in his discretion, to permit individual members of said tribe to use and occupy other tracts of land within said park for agricultural purposes. (U.S.C., title 16, sec. 223.)

Existing rights not affected.

SEC. 4. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land and nothing herein contained shall affect, diminish, or impair the right and authority of the county of Coconino, in the State of Arizona, to levy and collect tolls for the passage of live stock over and upon the Bright Angel Toll Road and Trail, and the Secretary of the Interior is hereby authorized to negotiate with the said county of

Bright Angel Toll Road and Trail.

Coconino for the purchase of said Bright Angel Toll Road and Trail and all rights therein, and report to Congress at as early a date as possible the terms upon which the property can be procured. (U.S.C., title 16, sec. 224.)

Purchase authorized. See 43 Stat. 423, p. 209 below.

SEC. 5. That whenever consistent with the primary purposes of said park the Act of February fifteenth, nineteen hundred and one, applicable to the locations of rights of way in certain national parks and the national forests for irrigation and other purposes, and subsequent Acts shall be and remain applicable to the lands included within the park. The Secretary of the Interior may, in his discretion and upon such conditions as he may deem proper, grant easements or rights of way for railroads upon or across the park. (U.S.C., title 16, sec. 225.)

Rights of way authorized. Vol. 31, p. 790.

For railroads.

SEC. 6. That whenever consistent with the primary purposes of said park, the Secretary of the Interior is authorized, under general regulations to be prescribed by him, to permit the prospecting, development, and utilization of the mineral resources of said park upon such terms and for specified periods, or otherwise, as he may deem to be for the best interests of the United States. (U.S.C., title 16, sec. 226.)

Mineral prospecting permitted. (Amended by 46 Stat. 1043. See p. 214.)

SEC. 7. That, whenever consistent with the primary purposes of said park, the Secretary of the Interior is authorized to permit the utilization of areas therein which may be necessary for the development and maintenance of a Government reclamation project. (U.S.C., title 16, sec. 227.)

Irrigation projects.

SEC. 8. That where privately owned lands within the said park lie within three hundred feet of the rim of the Grand Canyon no building, tent, fence, or other structure shall be erected on the park lands lying between said privately owned lands and the rim. (U.S.C., title 16, sec. 228.)

Building, etc., restrictions on private lands.

SEC. 9. The Executive order of January eleventh, nineteen hundred and eight, creating the Grand Canyon National Monument, is hereby revoked and repealed, and such parts of the Grand Canyon National Game Preserve, designated under authority of the Act of Congress, approved June twenty-ninth, nineteen hundred and six, entitled "An Act for the protection of wild animals in the Grand Canyon Forest Reserve," as are by this Act included with the Grand Canyon National Park are hereby excluded and eliminated from said game preserve.

Grand Canyon National Monument vacated.

Park lands excluded from game preserve. Vol. 34, p. 607.

Excerpts from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes," approved June 5, 1924 (43 Stat. 423)

For the construction of trails within the Grand Canyon National Park, $100,000, to be immediately available and to remain available until expended: *Provided*, That said sum may be used by the Secretary of the Interior for the purchase from the county of Coconino, Arizona, of the

Grand Canyon, Arizona. Construction of trails in.

Proviso. Use to purchase Bright Angel Toll Road, etc. See p. 208.

Bright Angel Toll Road and trail within said park under such terms and conditions as he may deem proper and the Secretary of the Interior is authorized to construct an approach road from the National Old Trails Highway to the south boundary of said park.

An Act To authorize the exchange of certain patented lands in the Grand Canyon National Park for certain Government lands in said park, approved May 10, 1926 (44 Stat. 497)

Grand Canyon National Park, Ariz. Lands in, transferred to United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the owner of the land described as the northeast quarter of the northwest quarter of section 17, township 30 north, range 4 east, Gila and Salt River meridian, Arizona, containing 40 acres, more or less, and that portion of lot numbered 2 of section 17, township 30 north, range 4 east, Gila and Salt River meridian, Arizona, lying west of the east line of a right of way of a proposed road, described as follows: Beginning at a point on the south line of said section 17, eight hundred feet west of the quarter section corner of said section 17; thence north twenty-four degrees forty-five minutes west, five hundred feet; thence north fourteen degrees forty-five minutes west, five hundred feet; thence north thirteen degrees five minutes west, eight hundred and thirty-one feet to the intersection of the west line of the northeast quarter of the southwest quarter of said section 17; thence south one thousand seven hundred and forty-eight feet on the east line of the west half of the southwest quarter of said section 17 to the south line of said section 17; thence east along said south line, five hundred and twenty-three and five-tenths feet to the point of beginning, containing eight and nine-tenths acres, more or less, all within the Grand Canyon National Park, is hereby permitted and authorized to convey the fee simple title to said land to the United States of America, and select in lieu of said land above described the Government land within the area described as follows: Beginning at a point on the south line of section 17, township 30 north, range 4 east, Gila and Salt River meridian, Arizona, approximately eight hundred and seventy feet east of the south quarter section corner of said section 17, which point is south of a point just east of the east bank of a draw on the south rim of the Grand Canyon; thence north approximately five hundred and fifty feet to said point on the south rim of the Grand Canyon; thence northwesterly along the south rim of the Grand Canyon approximately four thousand eight hundred and ten feet to its intersection with the east line of the southeast quarter of the northwest quarter of said section 17; thence south on the north and south center line of said section 17 approximately three thousand seven hundred and seventy-five feet to the south line of

Description.

Lands to be selected in lieu.

Description.

said section 17; thence east along said south line of said section 17 approximately eight hundred and seventy feet to the point of beginning, containing twenty-five and eight-tenths acres, more or less, and the Secretary of the Interior is hereby authorized, empowered, and directed to accept a duly executed grant deed from said owner conveying said owner's land above described to the United States of America, and upon acceptance of such grant deed to cause to be issued and delivered to said owner a patent conveying absolutely to said owner the Government land above described: *Provided, however*, That the lands so conveyed by said owner shall become and be a part of the Grand Canyon National Park and be subject to all laws and regulations relating to said park. (U.S.C., 6th supp., title 16, sec. 221c.)

Patent to owner.

Proviso. Lands to become part of Grand Canyon Park.

SEC. 2. Upon the completion of the exchange authorized by the preceding section hereof there shall be, and is hereby, relinquished and quitclaimed to said owner any right, title, and interest that the United States of America may have in and to the now existing road over other land of said owner in the Grand Canyon National Park, the center line of said road being described as follows: Beginning at a point approximately at the south quarter section corner of section 17, township 30 north, range 4 east, Gila and Salt River meridian, Arizona, thence north ten degrees eleven minutes west, five hundred feet; thence north thirty-six degrees six minutes west, one hundred and forty-five feet; thence north forty-two degrees sixteen minutes west, one thousand seven hundred feet to the east line of the west half of the west half of said section 17. (U.S.C., 6th supp., title 16, sec. 221d.)

Title to existing road quitclaimed to owner.

Description.

An Act To revise the boundary of the Grand Canyon National Park in the State of Arizona, and for other purposes, approved February 25, 1927 (44 Stat. 1238)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Grand Canyon National Park is hereby changed so as to read as follows:

Grand Canyon National Park, Ariz.

Beginning at a point on the present south boundary of Grand Canyon National Park, being the northeast corner of township 30 north, range 1 east, of the Gila and Salt River meridian, Arizona; thence westerly along north line of said township to the northwest corner of section 1, said township; thence northerly along west line of section 36, township 31 north, range 1 east, to a point one-half mile south of the center line of the Supai road survey as mapped and staked by the Bureau of Public Roads during the field season of 1925; thence in a northwesterly direction following a line, which maintains a uniform distance one-half mile south and west of the center line of said road survey, to its intersection with the projected section line between what probably will be when surveyed

Boundary changed.

Vol. 40, p. 1175, amended. See p. 205.

Description.

sections 9 and 16, township 32 north, range 2 west; thence westerly along projected section lines through probable townships 32 north, ranges 2, 3, and 4 west, to its intersection with the upper west rim of Havasu (Cataract) Canyon; thence northwesterly along said upper west rim, crossing Hualapai Canyon to Wescogame Point and continuing northwesterly along said upper rim to Watahomigie Point; thence due north along the top of a ridge a distance of approximately three-fourths of a mile to the point of said ridge, the elevation of which is given as four thousand eight hundred and sixty-five feet; thence northwesterly, crossing Beaver Canyon, to Yumtheska Point and continuing northwesterly, following the lower rim of Yumtheska Point, crossing the projected range line between ranges 4 and 5 west to the divide west of Havasu Creek; thence northerly along said divide to the north bank of the Colorado River; thence northeasterly along said bank to the divide immediately west of Tapeats Creek; thence northeasterly along said divide, including the entire drainage area on the north side of Tapeats Creek, to the point at which this divide touches the ledge of cross-bedded sandstone generally known as the Coconino sandstone; thence southerly along said sandstone ledge to its junction with the Gila and Salt River meridian; thence southerly along the Gila and Salt River meridian to the northwest corner of what will probably be when surveyed section 18, township 34 north, range 1 east; thence easterly along projected section lines to the northeast corner of what will probably be when surveyed section 14, township 34 north, range 2 east; thence southerly along projected section line to the southeast corner of said section 14; thence easterly along projected section lines, a distance of approximately six miles to a point on the divide between South Canyon and Thompson Canyon; thence southeasterly along said divide, including the entire drainage area of Thompson Canyon and Neal Spring Canyon, to the intersection with the upper rim of the Grand Canyon; thence easterly along the main hydrographic divide north of Nankoweap Creek and Little Nankoweap Canyon to its intersection with the Colorado River, approximately at the mouth of Little Nankoweap Canyon; thence due east across the Colorado River to the east bank of the Colorado River; thence southeasterly along said bank, to the north bank of Little Colorado River; thence easterly along said bank of Little Colorado River to its intersection with what probably will be when surveyed the east line of section 32, township 33 north, range 6 east, or the east line of section 5, township 32 north, range 6 east; thence southerly along projected section lines to the northeast corner of what probably will be when surveyed section 8, township 30 north, range 6 east; thence westerly along projected section lines to the southwest corner of what probably will

be when surveyed section 6, township 30 north, range 5 east; thence southerly to the northeast corner of section 13, township 30 north, range 4 east; thence westerly to the northwest corner of said section 13; thence southerly to the southwest corner of said section 13; thence westerly along section lines to a point nine hundred and fifty feet west of the northeast corner of section 22, said township; thence due south a distance of one thousand three hundred and twenty feet to a point on the south line of the north tier of forties of said section 22; thence westerly to the west line of said section 22; thence southerly along said west line, to the southwest corner of said section 22; thence westerly along section lines to the southwest corner of section 19, township 30 north, range 4 east; thence northerly to the northwest corner of said section 19; thence westerly to the southwest corner of section 14, township 30 north, range 3 east; thence northerly to the northwest corner of said section 14; thence westerly on section lines to the southwest corner of section 12, township 30 north, range 2 east; thence northerly along section lines to the north line of said township 30 north, range 2 east; thence westerly along said north township line to the place of beginning; and all of those lands lying within the boundary line above described are hereby included in and made a part of the Grand Canyon National Park; and all of those lands excluded from the present Grand Canyon National Park are hereby included in and made a part of the contiguous national forests, subject to all national forest laws and regulations. (U.S.C., 6th supp., title 16, sec. 221a.)

Excluded lands added to national forests.

SEC. 2. That the provisions of the Act of February 26, 1919, entitled "An Act to establish the Grand Canyon National Park in the State of Arizona," the Act of August 25, 1916, entitled "An Act to establish a national park service, and for other purposes," 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, 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 Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend over such lands. (U.S.C., 6th supp., title 16, sec. 221b.)

National park provisions made applicable. Vol. 40, p. 1175; Vol. 39, p. 535. See pp 205 and 9.

Proviso. Water Power Act not applicable. Vol. 41, p. 1063.

Excerpts from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1929, and for other purposes," approved March 7, 1928 (45 Stat. 234)

Funds herein appropriated shall be available for the maintenance of a road within the following-described area, which is hereby added to and made a part of the

Grand Canyon, Ariz. Maintenance of road.

Description.

Grand Canyon National Park: Beginning at the corner common to sections 14, 15, 22, and 23, township 30 north, range 4 east, Gila and Salt River meridian; thence west along the section line between sections 15 and 22 a distance of nine hundred and fifty feet; thence south a distance of one thousand three hundred and twenty feet to a point on the south line of the north tier of forties of said section 22; thence east a distance of one thousand six hundred and ten feet; thence north a distance of one thousand three hundred and twenty feet to a point on the line between sections 14 and 23; thence west along said section line a distance of six hundred and sixty feet to the place of beginning, containing an area of forty-eight and seventy-nine hundredths acres, more or less: *Provided*, That livestock permitted to graze in adjoining national forest areas shall be allowed to drift across the land described herein to private land north thereof within the park. (U.S.C., 6th supp., title 16, sec. 221e.)

Proviso. Livestock grazing privileges.

Excerpt from "An Act To provide for uniform administration of the national park by the United States Department of the Interior, and for other purposes," approved January 26, 1931 (46 Stat. 1043)

Mineral prospecting, etc., Grand Canyon, Ariz., forbidden. (Amends sec. 6, 40 Stat. 1175. See p. 209.)

Hereafter no permit, license, lease, or other authorization for the prospecting, development, or utilization of the mineral resources within the * * * Grand Canyon National Park, Arizona, shall be granted or made. (U.S.C., 6th supp., title 16, sec. 226.)

16. Acadia National Park

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Act of May 23, 1930, authorizing transfer of former naval radio station, Seawall, Maine, as an addition to Acadia National Park	216

An Act To establish the Lafayette National Park in the State of Maine, approved February 26, 1919 (40 Stat. 1178)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of land, easements, and other real estate heretofore known as the Sieur de Monts National Monument, situated on Mount Desert Island, in the county of Hancock and State of Maine, established and designated as a national monument under the Act of June eighth, nineteen hundred and six, entitled "An Act for the preservation of American antiquities," by presidential proclamation of July eighth, nineteen hundred and sixteen, is hereby declared to be a national park and dedicated as a public park for the benefit and enjoyment of the people under the name of the Lafayette National Park, under which name, the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for Sieur de Monts National Monument. (U.S.C., title 16, sec. 341.)

Lafayette National Park, Maine. Sieur de Monts National Monument, changed to.

SEC. 2. That the administration, protection, and promotion of said Lafayette National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provision of the Act of August twenty-fifth, nineteen hundred and sixteen, entitled "An Act to establish a National Park Service, and for other purposes," and Acts additional thereto or amendatory thereof. (U.S.C., title 16, sec. 342.)

Administration by National Park Service.

Vol. 39, p. 535. See p. 9.

SEC. 3. That the Secretary of the Interior is hereby authorized, in his discretion, to accept in behalf of the United States such other property on said Mount Desert Island, including lands, easements, buildings, and moneys, as may be donated for the extension or improvement of said park. (U.S.C., title 16, sec. 343.)

Acceptance of donated lands, etc.

An Act To provide for the extension of the boundary limits of the Lafayette National Park in the State of Maine and for change of name of said park to the Acadia National Park, approved January 19, 1929 (45 Stat. 1083)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-

Lafayette National Park, Maine.

Acceptance authorized of lands, etc., donated for extension thereof.

sembled, 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 the extension of the Lafayette National Park, lying within the bounds of Hancock County within which the park is situated, together with such islands in Knox County adjoining, as lie to the east and south of the main ship channel through Penobscot Bay, which complete the archipelago of which Mount Desert Island, whereon the park is situated, forms the dominant and largest unit. (U.S.C., 6th supp., title 16, sec. 342a.)

Name changed to Acadia National Park.

SEC. 2. That the area now within the Lafayette National Park, together with such additions as may hereafter be made thereto, shall be known as the Acadia National Park, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Lafayette National Park: *Provided*, That the provisions of the Act of June 10, 1920, 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 Rivers and Harbors Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend to any lands now or hereafter included in said park. (U.S.C., 6th supp., title 16, sec. 342b.)

Proviso. Water Power Act not applicable. Vol. 41, p. 1063.

An Act To authorize the transfer of the former naval radio station, Seawall, Maine, as an addition to the Acadia National Park, approved May 23, 1930 (46 Stat. 377)

Acadia National Park, Maine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, 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), as amended by the Act of January 19, 1929 (Public, Numbered 667, Seventieth Congress), all that tract of land containing two hundred and twenty-three acres, more or less, with improvements thereon, comprising the former naval radio station at Seawall, town of Southwest Harbor, Hancock County, Maine, said tract being no longer needed for naval purposes. (U.S.C., 6th supp., title 16, sec. 342a.)

Lands added to.

Vol. 40, p. 1178, amended. See p. 215.

Vol. 45, p. 1083. See p. 215.

17. Zion National Park

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An Act To establish the Zion National Park in the State of Utah, approved November 19, 1919 (41 Stat. 356)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Zion National Monument, in the county of Washington, State of Utah, established and designated as a national monument under the Act of June 8, 1906, entitled "An Act for the preservation of American antiquities," by Presidential proclamations of July 31, 1909, and March 18, 1918, is hereby declared to be a national park and dedicated as such for the benefit and enjoyment of the people, under the name of the Zion National Park, under which name the aforesaid national park shall be maintained by allotment of funds heretofore or hereafter appropriated for the national monuments, until such time as an independent appropriation is made therefor by Congress. (U.S.C., title 16, sec. 344.)

Zion National Park, Utah. Former national monument, changed to. Vol. 34, p. 225. See p. 296. Vol. 36, p. 2498; vol. 40, p. 1760.

SEC. 2. That the administration, protection, and promotion of said Zion National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provision of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes," and Acts additional thereto or amendatory thereof. (U.S.C., title 16, sec. 345.)

Administration by National Park Service. Vol. 39, p. 535. See p. 9.

Excerpt from "An Act To establish the Utah National Park in the State of Utah," approved June 7, 1924 (43 Stat. 593)

The Secretary of the Interior is hereby authorized to exchange, in his discretion, alienated lands in * * * Zion National Park for unappropriated and unreserved public lands of equal value and approximately equal area in the State of Utah outside of said park. (U.S.C., title 16, sec. 346.)

Exchange of alienated lands in Zion National Park for other lands.

An Act For the relief of the town of Springdale, Utah, approved May 28, 1928 (45 Stat. 787)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

Springdale, Utah. May divert water from springs in Zion National Park.

bled, That the Secretary of the Interior is hereby authorized and directed, under such reasonable regulations as he may prescribe, to grant permission to the town of Springdale, Utah, to divert 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, situated at the head of what is known as Oak Creek, which crosses the main highway about one-half mile below the park boundary, and located in approximately section 20, township 41 south, range 10 west, Salt Lake meridian.

An Act To add certain lands to the Zion National Park in the State of Utah, and for other purposes, approved June 13, 1930 (46 Stat. 582)

Zion National Park. Lands added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 7, 17, 18, 19, 20, 29, 30, 31, and 32, township 41 south, range 9 west; unsurveyed sections 5, 6, 7, 8, 17, and 18, township 42 south, range 9 west; unsurveyed sections 5, 6, 7, and 8, township 42 south, range 9½ west; unsurveyed sections 1, 2, and the north half and southeast quarter section 3; northeast quarter section 4, east half section 10, sections 11 and 12, township 42 south, range 10 west; all of section 21, southwest quarter section 22, northwest quarter section 27, southeast quarter unsurveyed section 28; east half unsurveyed section 33, township 41 south, range 10 west; and all of sections 34, 35, and 36, township 41 south, range 11 west, all with reference to the Salt Lake meridian, be, and the same are hereby, added to and made a part of the Zion National Park in the State of Utah, subject to all laws and regulations applicable to and governing said park. (U.S.C., 6th supp., title 16, sec. 346a.)

18. Hot Springs National Park

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Hot Springs reserved.

SEC. 3. *And be it further enacted*, That the Hot Springs, in said territory, together with four sections of land including said springs, as near the centre thereof as may be, shall be reserved for the future disposal of the United States, and shall not be entered, located, or appropriated, for any other purpose whatever

An Act In relation to the Hot Springs Reservation in Arkansas, approved June 11, 1870 (16 Stat. 149)

Persons claiming title to Hot Springs Reservation in Arkansas may bring suit in Court of Claims to settle same.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person claiming title, either legal or equitable, to the whole or any part of the four sections of land constituting what is known as the Hot Springs reservation in Hot Springs county, in the State of Arkansas, may institute against the United States in the Court of Claims, and prosecute to final decision, any suit that may be necessary to settle the same: *Provided*, That no such suits shall be brought at any time after the expiration of ninety days from the passage of this act, and all claims to any part of said reservation upon which suit shall not be brought under the provisions of this act within that time shall be forever barred.

Form of suits and how conducted.

SEC. 2. *And be it further enacted*, That all such suits shall be by petition in the nature of a bill in equity, and shall be conducted and determined in all respects, except as herein otherwise provided, according to the rules and principles of equity practice and jurisprudence in the other courts of the United States; and for the purposes of this act the Court of Claims is hereby invested with the jurisdiction and powers exercised by courts of equity so far as may be necessary to give full relief in any suit which may be instituted under the provisions of this act.

Jurisdiction of court of claims.

Notice of suit.

SEC. 3. *And be it further enacted*, That notice of every suit authorized by this act shall be executed by the delivery of a true copy thereof with a copy of the petition to the Attorney-General, whose duty it shall be, for and in behalf of the United States, to demur to or answer the petition therein, within thirty days after the service of such process upon him, unless the court shall for good cause shown grant further time for filing the same.

Proceedings where parties claim same lands under different rights and institute different suits.

SEC. 4. *And be it further enacted*, That if two or more parties claiming the same lands under different rights shall institute separate suits under the provisions of this act, such suits shall be consolidated and tried together, and the court shall determine the question of title and grant all proper relief as between the respective claimants as well as between each of them and the United States.

If decision in favor of United States, court to appoint receiver.

SEC. 5. *And be it further enacted*, That if, upon the final hearing of any cause provided for in this act, the court shall decide in favor of the United States, it shall order such lands into the possession of a receiver to be appointed by the court, who shall take charge of and rent out the same for the United States, until Congress shall by law direct how the same shall be disposed of, which said receiver shall execute a sufficient bond to be approved by the court, conditioned for the faithful performance of his duties as such, render a strict account of the manner in which he shall have discharged said duties, and of all moneys received by him as a receiver as aforesaid, which shall be by said court approved or rejected accordingly as it may be found correct or not, and pay such moneys into the treasury of the United States; and he shall receive such reasonable compensation for his services as said court may allow, and in case of a failure of said receiver to discharge any duty devolving upon him as such, the court shall have power to enforce the performance of the same by rule and attachment. But if the court shall decide in favor of any claimant, both as against the United States and other claimants, it shall so decree, and proceed by proper process to put such successful claimant in possession of such portion thereof as he may be thus found to be entitled to, and upon the filing of a certified copy of such decree with the Secretary of the Interior, he shall cause a patent to be issued to the party in whose favor such decree shall be rendered for the lands therein adjudged to him: *Provided*, That either party may within ninety days after the rendition of any final judgment or decree in any suit authorized by this act, carry such suit by appeal to the Supreme Court of the United States, which court is hereby vested with full jurisdiction to hear and determine the same on such appeal, in the same manner and with the same effect as in cases of appeal in equity causes from the circuit courts of the United States: *And provided further*, That in case the judgment or decree of the court of claims in any such suit shall be adverse to the United States, the Attorney-General shall prosecute such appeal within the time above prescribed; and the taking of an appeal from any such judgment or decree shall operate as a supersedeas thereof until the final hearing and judgment of the Supreme Court thereon.

Duty of receiver.

(So much of this section as relates to appointment of receiver repealed by 19 Stat. 377. See p. 222 below.)

If decision in favor of claimant, he is to be put in possession.

Patent to be issued.

Either party may appeal to Supreme Court.

Effect of appeal.

An Act In relation to the Hot Springs Reservation in the State of Arkansas, approved March 3, 1877 (19 Stat. 377)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section five of an act of June eleventh, eighteen hundred and seventy, in relation to the Hot Springs Reservation of Arkansas, as provides for the appointment of a receiver by the court, be, and the

Amends sec. 5, 16 Stat. 149. See p. 222 above. Law for receiver of Hot Springs, Ark., repealed.

same is hereby, repealed: *Provided*, That nothing in this section shall be construed to affect the right of the United States to collect and receive rents already due.

Rights reserved.

SEC. 2. That it shall be the duty of the President of the United States upon the passage of this act, to appoint three discreet, competent, and disinterested persons, who shall constitute a board of commissioners, any two of whom shall constitute a quorum, who are hereby authorized to perform and discharge the duties specified by this act, and for that purpose shall meet at Hot Springs, in the State of Arkansas, within thirty days after their appointment, and shall, before entering upon the discharge of their duties, subscribe to the usual oath for civil officers, and shall, at their first meeting, organize by the election of one of their number as chairman of the board, having given ten days' notice of the time and place of meeting in some daily paper published at Hot Springs, which notice shall be continued during the entire session of said board of commissioners, and all the evidence herein provided to be taken by said board shall be taken at Hot Springs.

Commissioners to lay out Hot Springs Reservation.

SEC. 3. That it shall be the duty of said commissioners, after examination of the topography of the reservation, to lay out into convenient squares, blocks, lots, avenues, streets, and alleys, the lines of which shall correspond with the existing boundary lines of occupants of said reservation as near as may be consistent with the interests of the United States, the following-described lands, to-wit: The south half of section twenty-eight, the south half of section twenty-nine, all of sections thirty-two and thirty-three, in township two south and range nineteen west; and the north half of section four, the north half of section five, in township three south and range nineteen west, situate in the county of Garland, and State of Arkansas, and known as the Hot Springs Reservation.

Manner of laying out reservation.

Land to be included.

SEC. 4. That before making any subdivision of said lands, as described in the preceding section, it shall be the duty of said board of commissioners, under the direction and subject to the approval of the Secretary of the Interior, to designate a tract of land included in one boundary, sufficient in extent to include, and which shall include all the hot or warm springs situate on the lands aforesaid, to embrace, as near as may be, what is known as Hot Springs Mountain, and the same is hereby reserved from sale, and shall remain under the charge of a superintendent, to be appointed by the Secretary of the Interior: *Provided, however*, That nothing in this section shall prevent the Secretary of the Interior from fixing a special tax on water taken from said springs, sufficient to pay for the protection and necessary improvement of the same.

Land including hot springs to be reserved.

Superintendent.

Special tax on water taken from springs.

SEC. 5. That it shall be the duty of said commissioners to show by metes and bounds on the map herein provided

Duty of commission.

for, the parcels or tracts of lands claimed by reason of improvements made thereon or occupied by each and every such claimant and occupant on said reservation; to hear any and all proof offered by such claimants and occupants and the United States in respect to said lands and in respect to the improvements thereon; and to finally determine the right of each claimant or occupant to purchase the same, or any portion thereof, at the appraised value, which shall be fixed by said commissioners: *Provided, however*, That such claimants and occupants shall file their claims, under the provisions of this act, before said commissioners within six calendar months after the first sitting of the said board of commissioners, or their claims shall be forever barred; and no claim shall be considered which has accrued since the twenty-fourth day of April, eighteen hundred and seventy-six.

Powers of commission—As to witnesses.

SEC. 6. That the said commissioners shall have power to compel the attendance of witnesses and the production of papers touching the occupancy or improvements of or on said lands, or any other matter in any wise belonging or appertaining either to the said lands or the improvements thereon; shall have power to examine under oath all witnesses that may come before them, and all testimony shall be reduced to writing, and preserved as hereinafter provided.

As to obstructions.

SEC. 7. That that said commissioners shall have power to remove, or cause to be removed, all buildings or obstructions upon the said Hot Springs Reservation when the same may be necessary to carry out the provisions of this act, as also all obstructions to streets, alleys or roads, to be laid off, straightened or widened as herein provided for.

As to streets, etc.

SEC. 8. That the commissioners shall have power to straighten or widen any of the present streets or alleys in the town of Hot Springs, and to lay off such additional streets, alleys, and roads in said Hot Springs Reservation, or in the town, before the sale or disposition of any of the property herein mentioned, as the convenience of the public and the interest of the United States may require, and for that purpose may condemn all buildings that they may find necessary to condemn in order to straighten or widen said streets and alleys, or to lay off new streets, alleys, and roads, and also all buildings or improvements on the reservation herein made, and to fix the value on all property thus condemned.

Report of commission.

Map.

SEC. 9. That it shall be the duty of said commissioners, without delay, to file in the office of the Secretary of the Interior, the map and survey herein provided for, with the boundary lines of each claim clearly marked thereon, and with each division and subdivision traced and numbered, accompanied by a schedule, showing the name of

each claimant, and of each lot or parcel of land, the appraised value thereof, numbers to correspond with such claim upon the map; also all of the evidence taken by them respecting the claimants' possessory right of occupation to any portion of the Hot Springs Reservation and their findings in each case; also their appraisal of each tract or parcel of land, and the improvements thereon; and it shall be the duty of said commissioners to issue a certificate to each claimant, setting forth the amount of land the holder is entitled to purchase, and the valuation fixed thereon, and also showing the character and the valuation fixed upon the improvements of said tract or parcel of land, and to issue a certificate or certificates to all persons whose improvements are condemned, as herein provided, showing the value of said improvements.

Evidence and finding.

Appraised value.

Certificates to claimants.

SEC. 10. That it shall be the duty of the Secretary of the Interior, within thirty days after said commissioners file said report and map in his office, to instruct the United States land officers of Little Rock (Arkansas) land district to allow said lands to be entered as hereinafter provided, and to cause a patent to issue therefor; and it shall be the duty of the land officers authorized to sell said lands to give twenty days public notice in the Little Rock and Hot Springs newspapers that said lands are subject to entry in accordance with the provisions of this act.

Lands may be entered and patented.

Public notice to be given.

SEC. 11. That any claimant or occupant, his heirs or legal representatives, in whose favor said commissioners have adjudicated, shall, under such rules and regulations as the Secretary of the Interior may prescribe, have the sole right to enter and pay for, at the price fixed by said commissioners, the amount of land the commissioners had adjudged that they were entitled to purchase, at any time within twelve months next after the land officers give the public notice herein required.

Claimants to have right to enter and pay for lands.

SEC. 12. That upon the failure of any claimant or occupant in whose favor the commissioners have adjudged to pay the valuation fixed upon said land within the time and in the manner herein prescribed, then said lands, together with all other lands that no one has an adjudicated right to purchase under this act, shall be sold, by direction of the Secretary of the Interior, to the highest bidder at public sale for not less than the appraised value thereof at the land office at Little Rock, after notice of such sale has been advertised three months in some newspaper in the town of Hot Springs and in such other papers as he may designate, said lands and improvements to be sold together; and the proceeds arising from the sale thereof shall be paid to the receiver of public moneys at the land office in Little Rock, Arkansas.

On failure of claimant to purchase, property to be sold at auction.

Improvements may be removed.

SEC. 13. That any claimant or occupant who does not desire to purchase the lands adjudicated to him or her at the valuation fixed by said commissioners shall have the right to remove any improvements made on said land, at his or her own cost, before the time fixed for the payment for said lands.

Disposition of proceeds of sale.

SEC. 14. That the money arising from the sale of the lands shall be paid into the Treasury in the same manner as other moneys arising from the sale of public lands, and held for the purpose herein specified and at the further disposal of Congress; and the money arising from water rents shall be under the control of the Secretary of the Interior, and expended by him for the purposes hereinbefore stated, an account of which shall be annually rendered to Congress, showing the amount received, the amount expended, and the amount remaining on hand at the end of each fiscal year.

Water rents.

Marshal to execute processes.

SEC. 15. That the United States marshal for the judicial district of Arkansas, in which the Hot Springs may be situated shall execute all processes required to be executed by this act.

Term of office of commissioners.

SEC. 16. That said commissioners shall hold their offices for the period of one year from the date of appointment, and shall have power to employ competent engineers to make the maps and surveys herein provided for, at a reasonable compensation; to employ a stenographer, who shall also act as clerk, at a compensation of not more than eight dollars per day, to rent an office and purchase the necessary stationery; and the compensation of said commissioners shall be ten dollars per day each, all of which shall be paid by the Secretary of the Interior upon the certified vouchers of said commissioners.

Hot Springs Railroad Co. to have right of way.

SEC. 17. That the right of way be and the same is hereby, granted to the Hot Springs Railroad Company, a company duly incorporated and organized under the laws of the State of Arkansas, to construct, maintain, and operate its line of railroad upon, over, and across the Hot Springs Reservation in the State of Arkansas, as follows:

Route of railway.

Commencing on the east line of the south half of section thirty-three, in township two south of the base line, in range nineteen west of the fifth principal meridian, in the county of Garland, and State of Arkansas, at a point about six hundred feet from the southeast corner of said section; thence running up a ravine parallel to and south of the Benton wagon road, westwardly through said section, to a point where the same will intersect with the Malvern stage road at a point south of the graveyard on said Reservation.

Width of grant.

SEC. 18. The right of way hereby granted shall consist of a strip of land fifty feet wide on each side of said railroad, measured from the centre line thereof, from the point on the east line of said section of land where

said railroad enters the same to the terminus of the track of said road: *Provided*, That said railway company may purchase upon the same terms as individuals land for shops, depots, and other purposes, not exceeding twenty acres: *Provided*, *however*, That Congress may at any time alter, amend, or repeal this section.

Land for shops, etc. *Proviso.*

SEC. 19. That a suitable tract of land, not exceeding five acres shall be laid off by said commissioners, and the same is hereby granted to the county of Garland in the State of Arkansas as a site for the public building of said county: *Provided*, That the tract of land hereby granted shall not be taken from the land reserved herein for the use of the United States.

Land for public buildings to Garland County. *Proviso.*

An Act To correct an error of enrollment in bill making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes, approved December 16, 1878 (20 Stat. 258)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-seven thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated to pay for clerk hire, engineering, marshal's fees, salaries, and other expenses of the Hot Springs Commission; and the President of the United States be, and he is hereby, authorized to appoint with the advice and consent of the Senate, three discreet, competent, and disinterested persons, who shall constitute a board of commissioners, any two of whom shall constitute a quorum, who shall hold their offices for the period of one year from the date of their appointment, and shall have the same powers and authority in all respects as was provided for the commissioners appointed under the act of Congress approved March third, eighteen hundred and seventy-seven, entitled "An act in relation to the Hot Springs reservation in the State of Arkansas"; which act is hereby revived and continued in full force for the purpose of enabling said board of commissioners to take possession of all records, papers, and proofs, and to determine the claims presented to the board of commissioners appointed under said act, whose term of office has expired, and to do and perform all other acts and duties authorized by said act. And the Secretary of the Interior is hereby directed to lease to the present proprietors of the Arlington Hotel or their assigns the grounds, not exceeding one acre, now occupied by them, for a period of ten years, unless otherwise provided by law, at an annual rental of one thousand dollars. And he is further directed to lease the bathhouses of a permanent nature now upon the Hot Springs Reservation to the owners of the same, and lease to any person or persons upon such terms as may be agreed on, sites for the building of other bathhouses for the term of five years, unless otherwise provided by law, under such rules and

Hot Springs Commission. Appointment.

Term of office.

19 Stat. 377. See p. 222.

Arlington Hotel grounds.

Bathhouses.

Tax.

regulations as he may prescribe; and the tax imposed shall not exceed fifteen dollars per tub per annum, including land rent: *Provided*, That said leases shall in no way prejudice any legal right that any person or persons may have acquired under the act hereby revived and continued, to any improvements on said ground: *And provided further*, That to prevent monopoly, no bathhouse or hotel shall be supplied with more than enough water for forty bathtubs of the usual size, unless there shall be more than enough hot water to supply all other demands for the same, in which case no single establishment shall be allowed more than forty bathtubs of the usual size: *And provided further*, That the superintendent shall provide and maintain a sufficient number of free baths for the use of the indigent, and the expense thereof shall be defrayed out of the rentals hereinbefore provided for. In cases where fractions of lots are made by straightening, widening or laying out streets, the commissioners shall have power to determine the disposal of the same, giving the preference to the owners of abutting lots: *Provided*, That all titles given or to be given by the United States shall explicitly exclude the right to the purchaser of the land, his heirs or assigns, from ever boring thereon for hot water; and the Hot Springs, with the reservation and mountain are hereby dedicated to the United States, and shall remain forever free from sale or alienation. (U.S.C., title 16, sec. 361.)

Limit to bathtubs. (Amended by 33 Stat. 173. See p. 228 below.)

Free baths.

Fractions of lots.

Conditions of titles.

An Act To amend an act approved December sixteenth, eighteen hundred and seventy-eight, and to authorize the Secretary of the Interior to grant additional water rights to hotels and bathhouses at Hot Springs, Arkansas, and for other purposes, approved April 12, 1904 (33 Stat. 173)

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 entitled "An Act to correct an error of enrollment in bill making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes," approved December sixteenth, eighteen hundred and seventy-eight (Twentieth Statutes at Large, page 258), be, and the same is hereby, amended by striking out the second proviso of the same and inserting in lieu thereof the following:

Hot Springs Reservation, Ark. Water privileges extended. Vol. 20, p. 258, amended. See p. 228 above.

Proviso. Limit to number of bathtubs removed.

"*And provided further*, That the Secretary of the Interior be, and he is hereby, authorized to grant to hotels having bathhouses attached, and to bathhouses situated on the Hot Springs Reservation, as well as in the city of Hot Springs, Arkansas, the right to install, maintain, and use, either in said bathhouses or in connection with the rooms of said hotels or the bathhouses attached to said hotels, as many bathtubs as in his discretion he

may deem proper and necessary for the public service and the amount of hot water will justify." (U.S.C., title 16, sec. 361.)

An Act For the establishment of titles in Hot Springs, and for other purposes, approved June 16, 1880 (21 Stat. 288)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person, his heirs or legal representatives, in whose favor the commissioners appointed under the acts of Congress of eighteen hundred and seventy-seven and eighteen hundred and seventy-eight, relative to the Hot Springs of Arkansas, have adjudicated, shall have the sole right to enter and pay for the amount of land the commissioners may have adjudged him entitled to purchase, within eighteen months next after the expiration of the notice required by the tenth section of the act of Congress of March third, eighteen hundred and seventy-seven, to be given by paying to the receiver of public moneys at the land office in Little Rock, Arkansas, forty per centum of the assessed value of said land as placed thereon by said commissioners; and that such assessments be reduced to that extent: and that in any cases where any church or church association has been adjudged entitled to purchase land it may do so by paying five dollars per lot.

Land titles at Hot Springs adjudicated by the commissioners.

Sole right of entry and payment preserved by payment of 40 percent assessed value for 18 months after notice.

SEC. 2. That the certificates (except certificate Number one hundred and sixty-two, issued to Samuel H. Stitt, De Witt C. Rugg, and Samuel W. Fordyce for twenty-two thousand dollars, which exceptions shall not prejudice the rights of the United States or the holders of said certificate), issued for condemned buildings by said commissioners be made receivable for the amounts named therein as so many dollars lawful money of the United States in the entry and purchase of the lands that may be sold in the Hot Springs Reservation, and that such certificates be assignable, and when assigned in the presence of two subscribing witnesses or the execution of the assignment thereof shall have been acknowledged before a court of record or clerk thereof, the land officers in like manner shall receive them from the assignee in payment of lands purchased by himself or others; and in case the amount of the certificate presented and received at such land-office shall exceed that necessary to make the purchase and entry desired, there shall be executed by the register and receiver, and delivered to the person from whom the same is received, a certificate giving the number of the original, the date and amount thereof, the balance due such person thereon, and the certificate thus issued shall be assignable and receivable in like manner as the original, and in all cases where such certificates are issued the register of the land

Certificates (except certain issues) made receivable for entries and purchase money for lands in Hot Springs Reservation.

office shall certify on the original certificate taken up, the number of the lots purchased therewith, and the price thereof.

Mountainous-district divisions defined and dedicated to public use forever.

SEC. 3. That those divisions of the Hot Springs Reservation, known as the mountainous districts, not divided by streets on the maps made by the commissioners, but known and defined on the map and in the report of the commissioners as North Mountain, West Mountain, and Sugar Loaf Mountain, be, and the same are hereby forever reserved from sale, and dedicated to public use as parks, to be known, with Hot Springs Mountain, as the permanent reservation.

Cemetery. (Amended by 31 Stat. 28. See p. 281.)

SEC. 4. That whenever the town of Hot Springs shall procure elsewhere a suitable burying ground and shall cause the bodies now buried in the cemetery lot, within the limits of said town, to be decently removed and reinterred, the title to said cemetery lot shall vest in the corporation of said town, to be held and used forever as a town or city park, and not otherwise.

Secretary of Interior authorized to designate six lots for schools.

SEC. 5. That the Secretary of the Interior is hereby authorized to designate six lots from the unawarded grounds on the Hot Springs Reservation for the use of the common schools of the corporation of the town of Hot Springs, as sites for schoolhouses, and the lots when so designated are hereby dedicated to the use of common schools, and shall be used, controlled, and managed by the common-school officials of the district in which they may be located for such purposes only. The Secretary of the Interior is also authorized to convey to the Baptist Church of Hot Springs, whose church edifice was destroyed by fire, a suitable lot of ground not exceeding one-eighth of an acre from that portion of the Hot Springs Reservation laid off into lots and blocks, and forming part of the town site but not awarded to any claimants and not otherwise disposed of by this act said conveyance to be on consideration of the payment of a sum equal to ten dollars per acre for said lot.

Baptist Church.

Streets, courts, and alleys ceded to corporation or town of Hot Springs, Ark.

SEC. 6. That the streets, courts, and alleys and other thoroughfares of the town of Hot Springs, as surveyed, opened, or established by the commissioners and represented on the map of said town, and not included in the permanent reservation, be, and the same are hereby, ceded to the corporation of the town of Hot Springs for public use: *Provided, however*, that nothing in this act shall be so construed as to impair the rights or equities conferred upon claimants to said land by an act of Congress approved March third, eighteen hundred and seventy-seven, and an act approved December sixteenth eighteen hundred and seventy-eight, in relation to the Hot Springs Reservation in the State of Arkansas.

Remainders of town lots and blocks not dis-

SEC. 7. That that portion of the Hot Springs Reservation laid off into lots and blocks and forming part of

the town site, but not awarded to any claimants, and not otherwise disposed of or reserved by this act, shall be sold at public auction to the highest bidder, at not less than its appraised value, to be made from time to time, at the discretion and under the direction of the Secretary of the Interior, and after public notice in the usual way in the sale of public lands; and the money arising from said sales, as well as any money paid in under section one of this act, shall be held as a special fund for the improvement and care of the permanent reservation at Hot Springs and of the Hot Springs Creek adjacent to and between the permanent reservations, and for the maintenance of free baths for the invalid poor of the United States, as provided by acts of Congress.

posed of or reserved, to be sold at public auction at not less than appraised value.

Disposition of proceeds of sale.

An Act To amend section four of the Act of Congress approved June sixteenth, eighteen hundred and eighty, granting to the city of Hot Springs, Arkansas, certain lands as a city park, and for other purposes, approved February 10, 1900 (31 Stat. 28)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of the Act of Congress approved June sixteenth, eighteen hundred and eighty, granting to the city of Hot Springs, Arkansas, a parcel of land known as the cemetery lot for a city park only, be amended so as to read as follows:

Hot Springs, Ark.

"That whenever the city of Hot Springs, Arkansas, shall relinquish to the United States of America all its right, title, and interest in and to the following-described lot or parcel of land, being a part of said cemetery lot, but which is now described in the plats and surveys of said city as lot sixteen, block seventy-eight, to-wit: Commencing at the southwest corner of the said city park, in block seventy-eight of the Hot Springs Reservation, and formerly known as cemetery lot, and running thence easterly along the north line of Benton street one hundred and fifty feet; thence northerly two hundred and thirty-five feet to a point on the north line of said park one hundred and fifty feet easterly of the northwest corner thereof; thence to said northeast corner; thence along the west boundary line of said park two hundred and sixty-two and seven-tenths feet to the point of beginning, the same being a part of said lot sixteen, in block seventy-eight aforesaid, which is hereby reserved by the United States as a site for the public building provided for by Act of Congress approved March second, eighteen hundred and ninety-nine, the right and title of the United States to all the remaining part of said cemetery lot, now known as lot sixteen, in block seventy-eight, shall vest absolutely in the city of Hot Springs, Arkansas, for city park, city building, auditorium, or other public purposes."

Relinquishment of certain land granted to, etc. Vol. 21, p. 288. See p. 230.

Vol. 30, p. 983.

Excerpt from "An Act Making appropriations for the support of the Army for the fiscal year ending June 30, 1883, and for other purposes," approved June 30, 1882 (22 Stat. 121)

* * * * *

Establishment of Army and Navy hospital at Hot Springs, Ark.

Provided, That one hundred thousand dollars be, and hereby is, appropriated for the erection of an Army and Navy hospital at Hot Springs, Arkansas, which shall be erected by and under the direction of the Secretary of War, in accordance with plans and specifications to be prepared and submitted to the Secretary of War by the Surgeons-General of the Army and Navy; which hospital, when in a condition to receive patients, shall be subject to such rules, regulations, and restrictions as shall be provided by the President of the United States: *Provided further*, That such hospital shall be erected on the government reservation at or near Hot Springs, Arkansas.

* * * * *

An Act To authorize the sale of certain lots in the city of Hot Springs, Arkansas, to the Woman's Christian National Library Association, approved July 8, 1882 (22 Stat. 155)

Sale of lots at Hot Springs, Ark., to Woman's Christian National Library Association.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Woman's Christian National Library Association, incorporated under the laws of the State of Arkansas, be authorized and entitled to enter and purchase within six months next after the passage of this act, for the uses and purposes of such association, lots numbered eleven and twelve in block numbered one hundred and twenty-seven, in the city of Hot Springs, Arkansas, now subject to sale under the direction of the Secretary of the Interior, by paying to the receiver of public moneys, at the land office at Little Rock, Arkansas, the assessed value of said lots as placed thereon by the commissioners appointed under the acts of Congress of eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

19 Stat. 377. See p. 222. 20 Stat. 258. See p. 227.

Joint Resolution To authorize the use of hot water off the Government Reservation at Hot Springs, Arkansas, approved March 3, 1887 (24 Stat. 647)

Resolved 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 continue to furnish to the bathhouses located off the permanent reservation at Hot Springs, Arkansas, a sufficient amount of hot water for drinking and bathing purposes: *Provided*, That furnishing such bathhouses shall in no way interfere with the supply of hot water necessary for the use of the Army and Navy Hospital, and for the bathhouses located upon the permanent reservation subject to any further action of Congress on the subject.

Hot Springs, Ark. Hot water to be supplied to bathhouses off the reservation.

Proviso. Not to interfere with Army and Navy Hospital supply.

Joint Resolution To enable the Secretary of the Interior to utilize the hot water now running to waste on the permanent reservation at Hot Springs, Arkansas, and for other purposes, approved March 26, 1888 (25 Stat. 619)

Resolved 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, authorized and directed to utilize the hot water upon the reservation at Hot Springs, Arkansas, not necessary for the Army and Navy Hospital, the bathhouses erected and to be erected upon said reservation, and the bathhouses now erected and furnished with hot water by authority of the Secretary off said reservation, by permitting its use by not exceeding three bathhouses to be erected by individuals below and off said Hot Springs Reservation (the expense of obtaining said water to be borne by the proprietors of said bathhouses), said water to be furnished under the same restrictions and regulations as now govern the supply of hot water furnished to the bathhouses above and off said reservation, and that the water rents for all bathhouses be increased to thirty dollars per tub per annum: *Provided*, That the new bathhouses which may be so erected shall not be owned or controlled by any person, company or corporation, which may be the owner or interested in any other bathhouse on or near the Hot Springs Reservation; and if the ownership or control of any such bathhouse be transferred to any person or corporation owning or interested in any other bathhouse on or near said reservation, the Secretary of the Interior shall, for that cause, deprive said bathhouse of the hot water, and also any other bathhouse in which any such person or corporation shall be interested and shall cancel any lease from the United States which any such person or corporation may hold or be interested in.

Hot Springs, Ark. Water may be furnished three additional bathhouses.

Rent.

Proviso.

New houses not to be owned by persons interested in houses on reservation.

An Act Granting the right of way for the construction of a railroad through the Hot Springs Reservation, State of Arkansas, approved October 19, 1888 (25 Stat. 609)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way is hereby granted to the Mountain View Railway Company, of Hot Springs, Arkansas, incorporated under the laws of the State of Arkansas, beginning at such point east of the line of the bathhouses, between the Army and Navy Hospital and the Arlington Hotel as the Secretary of the Interior may approve, thence by the most eligible route to the east line of Hot Springs Mountain, thence westerly down North Mountain and West Mountain to the west line of reservation.

Mountain View Railway Co. granted right of way through Hot Springs Reservation, Ark.

SEC. 2. That the right of way hereby granted shall not exceed thirty feet in width, and no part of the right of way herein granted shall in any way interfere with

Width.

Flow of water not to be obstructed.

or obstruct the full flow of the hot waters, or be so located as to cause the United States Government, or any citizen thereof, any expense of any kind or character, save and except the projectors of said road, its heirs and assigns.

Not to interfere with pipes, etc.

SEC. 3. That it shall be the duty of the United States Government's superintendent of the Hot Springs Reservation to see that said railway, to be constructed under this act, shall not obstruct or in any manner interfere with the springs, hot-water pipes, roads or paths now existing or contemplated to be located upon said reservation, but it shall be made safe and secure for the pleasure, comfort, and edification of the patrons of the same, and used for the conveyance of passengers only.

Municipal rights unaffected.

SEC. 4. That nothing in this act shall be so construed as to abridge the right of the city government of Hot Springs to control and regulate the privileges of the Mountain View Railway where the same may cross Central Avenue in said city.

Observatories.

SEC. 5. That the Mountain View Railway Company shall have the right to construct observatories at different eligible locations in the vicinity of the right of way hereby granted, at such points as the Secretary of the Interior may approve.

Construction.

SEC. 6. That said observatories shall not exceed thirty feet square at foundation, and to be built in good and safe manner, and that no timber shall be cut upon the mountain, or earth or rock blasted or removed, or the surface of the ground in any way defaced, except upon the actual roadbed of the said way, and no blasting shall be done on Hot Springs Mountain except as authorized by the Secretary of the Interior; and that the right of way hereby granted shall be used for the purposes herein mentioned and none other: *Provided*, That this grant shall not be construed to abridge the authority of the Secretary of the Interior over the portion of the reservation included in the right of way.

Proviso.

Authority of Government not abridged.

Map to be filed with Secretary of the Interior.

SEC. 7. That said company shall cause a map showing the proposed route of its line through the reservation to be filed in the office of the Secretary of the Interior, and said location shall be approved by the Secretary of the Interior before any grading or construction on any part of the line shall be begun, and the right of way shall be lost and forfeited unless the road is completed and in running order within three years after the passage of this act: *Provided*, That this condition as to construction within three years shall be construed as a condition precedent to the grant herein made and in case of failure to so complete said road as provided, such failure shall, of itself work a forfeiture of all rights hereunder.

Completion.

Proviso.

Forfeiture.

Taxes.

SEC. 8. That the company or its assignees to whom this right of way is granted, shall annually pay to the

Government of the United States for the improvement of the permanent reservation at Hot Springs, Arkansas, three per centum of its gross earnings. And Congress hereby reserves the right to at any time amend, add to, alter, or repeal this act.

Amendment.

An Act To regulate the granting of leases at Hot Springs, Arkansas, and for other purposes, approved March 3, 1891 (26 Stat. 842)

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 empowered to execute leases to the bathhouses and bathhouse sites on the permanent reservation at Hot Springs, Arkansas, for periods not exceeding twenty years, and at an annual rental of not less than thirty dollars per tub for each tub used in any bathhouse. Said annual rental shall be payable quarterly in advance, at the office of the Government Superintendent of said property, in Hot Springs, Arkansas: *Provided*, That the same rate for water rent shall be charged for the water to all parties receiving the same, whether on or off the permanent reservation: *Provided*, That after the Army and Navy Hospital bathhouse, the public bathhouse, the bathhouses which are now or may hereafter be authorized on the permanent reservation, the Arlington Hotel, and the bathhouses off the permanent reservation now authorized to be supplied with hot water, in the order herein named, if there shall still be a surplus of hot water the Secretary of the Interior may, in his discretion and under such regulations as he may prescribe, cause hot water to be furnished to bathhouses, hotels, and families off the permanent reservation: *Provided*, That such bathhouses, hotels, and families shall cause all connections for obtaining such hot water to be made at their own expense: *Provided*, That all water furnished to any hotel or family for other use than bathing shall be paid for at such reasonable price, as shall be fixed by the Secretary of the Interior: *Provided further*, That the Secretary of the Interior shall at the expiration of each period of five years during the continuance of each lease made hereunder readjust the terms and amounts of payment provided for therein as may be just, but not less than the minimum herein provided. (U.S.C., title 16, sec. 362.)

Hot Springs, Ark. Secretary of Interior may lease bathhouses, etc.

Payment.

Provisos. Water rent.

Surplus water.

Connections.

Rates.

Readjustment of terms after 5 years.

SEC. 2. That the Secretary of the Interior is hereby authorized to execute a lease of the Arlington Hotel site at Hot Springs, Arkansas, to the present lessees for a period of twenty years, and at an annual ground rent of two thousand five hundred dollars, for the first five years thereof, and at the end of said period of five years, and of each period of five years thereafter, he shall

Lease of Arlington Hotel.

Rent.

readjust and fix the compensation to be paid during the ensuing five years, but not less than that hereinbefore provided for.

Secretary of Interior to make all regulations, etc.

SEC. 3. That all power now possessed by the Secretary of the Interior for the regulating of leases of bathhouses, bathhouse privileges, or hotel rights on the reservation, or as to supplying hot water to places off the reservation, is hereby retained and continued in him; and full power is vested in the Secretary of the Interior to provide, in all leases to be executed against any combination among lessees or their assigns, as to ownership, prices, or accommodations at any bathhouse; full power is also vested in him to make all needful rules and regulations as to the use of the hot water, and to prevent its waste, including full power to authorize the superintendent of the reservation to make examination and inspection at any time of the manner of using the hot water at any bathtub, that it may be used in proper quantity only, and to prevent its waste; and also full power to provide and fix reasonable maximum charges for all baths, or bathing privileges, or services of any person connected with any bathhouse furnished to bathers; and for reasonable maximum charges to guests at the Arlington Hotel; and also, generally, the Secretary of the Interior may make all necessary rules and regulations as to said bathhouses and the service therein as shall be deemed best for the public interest, and to provide penalties for the violation of any regulation which may be enforced as though provided by act of Congress. All leases and grants of hot-water privileges shall be held to be subject to all regulations now in force or which may be hereafter adopted by the Secretary of the Interior, and for any violation of any regulation, known to the proprietor at the time of the offense, the lease or grant may be canceled by the Secretary of the Interior. It shall be expressly provided in all leases and grants of privileges for hot water that the bathhouse for which provision is made shall not be owned or controlled by any person, company, or corporation which may be the owner of or interested (as stockholder or otherwise) in any other bathhouse on or near the Hot Springs Reservation; that neither the hot-water privilege granted nor any interest therein, nor the right to operate or control said bathhouse, shall be assigned or transferred by the party of the second part without the approval of the Secretary of the Interior first obtained, in writing; and if the ownership or control of said bathhouse be transferred to any person, company or corporation owning or interested in any other bathhouse on or near said reservation, the Secretary of the Interior may, for that cause, deprive the bathhouse provided for of the hot water and cancel the lease or agreement. All buildings to be erected on the reservation shall be on plans first

Use of water.

Charges.

Leases subject to regulations.

Provisions in leases.

Buildings subject to approval.

approved by the Secretary of the Interior, and shall be required to be fireproof, as nearly as practicable. (U.S.C., title 16, sec. 363.)

Investigation to determine if persons are interested in more than one bathhouse.

SEC. 4. That the Secretary of the Interior, before executing any lease to bathhouses or bathhouse sites on the permanent reservation or contracts for the use of hot water for bathhouses off the permanent reservation, may make due investigation to ascertain whether the person, persons, or corporation applying for such lease or contract are not, directly or indirectly, interested in any manner whatever in any other bathhouse lease, interest, or privilege at or near Hot Springs, Arkansas, or whether he or they belong to any pool, combination or association so interested, or whether he or they are members or stockholders in any corporation so interested, or, if a corporation, whether its members or any of them are members or stockholders of any other corporation or association interested in any other bathhouse, lease, interest, or privilege as aforesaid, and in order to arrive at the facts in any such case he is authorized to send for persons and papers, administer oaths to witnesses, and require affidavits from applicants; and any such person making a false oath or affidavit in the premises shall be deemed guilty of perjury, and, upon conviction, subject to all the pains and penalties of perjury under the statutes of the United States; and whenever, either at the time of leasing or other time it appears to the satisfaction of the said Secretary that such interest in other bathhouse, lease, interest, or privilege exists, or at any time any pool or combination exists between any two or more bathhouses or he deems it for the best interests of the management of the Hot Springs Reservation and waters, or for the public interest he may refuse such lease, license, permit, or other privilege, or forfeit any lease or privilege wherein the parties interested have become otherwise interested as aforesaid. (U.S.C., title 16, sec. 364.)

Forfeiture for pooling, etc.

Taxation of personal property under State law.

SEC. 5. That the consent of the United States is hereby given for the taxation, under the authority of the laws of the State of Arkansas applicable to the equal taxation of personal property in that State, as personal property of all structures and other property in private ownership on the Hot Springs Reservation. (U.S.C., title 16, sec. 365.)

Collection of water.

SEC. 6. That the authority heretofore conferred upon the Secretary of the Interior to collect the hot water upon said reservation shall be so construed as to require water to be collected only where such collection is necessary for its proper distribution, and not where by gravity the same can be properly utilized. (U.S.C., title 16, sec. 366.)

Sale of lots authorized.

SEC. 7. That the Secretary of the Interior may direct the public sale of all unsold Government lots on the Hot Springs Reservation, and not now permanently reserved at the city of Hot Springs, after having had the same

reappraised, and also advertised as now required by law, and no lot shall be sold at less than the appraised price. (U. S. C., title 16, sec. 367.)

Hotels may operate bathhouses.

SEC. 8. Nothing in this act shall be so construed as to prevent the stockholders of any hotel from operating a bathhouse in connection with such hotel as a part thereof. (U.S.C., title 16, sec. 368.)

An Act To include lot numbered fifty-three in block eighty-nine, at Hot Springs, Arkansas, in the public reservation at that place approved June 22, 1892 (27 Stat. 58)

Hot Springs, Ark.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lot numbered fifty-three in block eighty-nine, of the town of Hot Springs, in the State of Arkansas, as surveyed and laid out according to an act of Congress approved March third, eighteen hundred and seventy-seven, under the direction and supervision of the Hot Springs Commission, be, and the same is hereby, reserved from sale, and the same is hereby declared to be a part of the permanent public reservation at Hot Springs, and that it shall be subject to the same laws, rules, and regulations that apply to said permanent reservation as now defined.

Reservation of lot 53, block 89. Vol. 19, p. 377. See p. 222.

An Act To grant lot numbered one in block numbered seventy-two of the Hot Springs Reservation to the school district of the city of Hot Springs for school purposes approved July 14, 1892 (27 Stat. 174)

Hot Springs, Ark. Lot granted for school.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lot numbered one in block numbered seventy-two of Hot Springs Reservation be, and the same is hereby granted and conveyed to the school district of the city of Hot Springs, Arkansas, for school purposes.

An Act Granting the right of way for the construction of a railroad and other improvements over and on the West Mountain of the Hot Springs Reservation, Hot Springs, Arkansas, approved December 21, 1893 (28 Stat. 21)

Hot Springs, Ark.

Right of way over West Mountain to George W. Baxter et al.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way forty-five feet in width, upon which to construct, equip, operate, and maintain a railroad with one or more tracks, is hereby granted to George W. Baxter, John D. Ware, Leslie Webb, and George M. Baxter, their associates and assigns, upon and over that part of the Hot Springs Reservation known as the West Mountain, as follows: Commencing at a point on first line marked A1 seven feet east of the line marked M on Government plat survey, eighteen hundred and ninety-two, for topography; thence by a route to be approved by the Secretary of the Interior to the boundary

Location.

line of said West Mountain reservation, or as near thereto as shall be necessary, but the said railroad shall not obstruct any highway contemplated by the plans for the improvement of the Government reservation of Hot Springs, Arkansas, and the said grantees shall, by the erection and permanent maintenance of substantial iron bridges with closed beds and sides, or by means of tunnels, avoid rendering the crossings dangerous to passengers on the said highways, either in conveyances or on foot: *Provided*, That such road so constructed and this grant shall not interfere with any grant within such reservation heretofore made.

Proviso. Previous grants not affected.

SEC. 2. That the said parties or their assigns shall cause to be made an accurate map and profile of the located line of said railway with the specifications for the construction thereof, and the same shall be approved by and filed with the Secretary of the Interior before the construction of said railroad shall be commenced. The Secretary of the Interior shall have the supervision and control over the location and construction of said railroad, which must be built and put in running order to the top of said mountain within two years from and after the passage of this Act. Each of the conditions in this section shall be construed as a condition precedent to the grant herein made, and a failure to comply with any of them shall of itself work a forfeiture of the rights hereby granted.

Secretary of Interior to approve plans, etc.

Supervision.

Completion.

Forfeiture.

SEC. 3. That the said parties or their assigns shall have the privilege of erecting on said West Mountain observatories, hotels, and such other buildings as may be considered by the Secretary of the Interior desirable for the accommodation of the public, and for such purposes, and for laying off and beautifying a park surrounding or adjacent to such buildings the said parties or their assigns are hereby privileged to use five acres of ground upon said mountain, they agreeing to build upon and beautify the same at their own expense. A survey and plat of the grounds to be used for the purposes herein mentioned shall be first submitted to the Secretary of the Interior, and approved by him before any improvements shall be begun upon said land. Plans for all buildings shall be submitted to and approved by the Secretary of the Interior.

Right to erect hotels, etc.

Lands granted.

Approval by Secretary of the Interior.

SEC. 4. That the said parties are to pay semiannually to the Interior Department, on account of the fund for the improvement of the permanent Hot Springs Reservation, the sum of two per centum of the gross annual earnings of said railroad and buildings and grounds.

Yearly payment.

SEC. 5. That all tolls, charges, or income received under or by reason of this grant shall be subject to the approval of the Secretary of the Interior, who shall from time to time prescribe rules and regulations for the management of said property.

Charges, etc.

Amendments, etc.

SEC. 6. That Congress reserves the right to at any time alter, amend, change or repeal the rights and privileges hereby conferred.

An Act Granting the use of certain lands in the Hot Springs Reservation, in the State of Arkansas, to the Barry Hospital, approved June 21, 1894 (28 Stat. 95)

Hot Springs, Ark. Lands donated to Barry Hospital.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the Barry Hospital of the city of Hot Springs, in the State of Arkansas, a charity hospital duly organized and chartered under the laws of the State of Arkansas, the right to occupy, improve, and control, for the purpose of erecting thereon a hospital for the use and benefit of the poor, and for no other purpose whatever, any of the lots, pieces or parcels of land, situate in the county of Garland, and State of Arkansas, now owned by the Government of the United States, to be selected by the Secretary of the Interior: *Provided*, Said hospital shall not be located on the reservation which embraces the Hot Springs: *Provided*, That the United States reserves to itself the fee and the right forever to resume possession and occupy any portion of said lands whenever in the judgment of the President the exigency arises that should require the use and appropriation of the same, or for such other disposition as Congress may determine.

Provisos. Location. Rights reserved.

An Act Authorizing the Secretary of the Interior to grant leases for sites on the Hot Springs Reservation, Arkansas, for cold-water reservoirs, approved August 7, 1894 (28 Stat. 263)

Hot Springs Water Co. Lease of site for cold-water reservoirs.

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 lease unto the Hot Springs Water Company, of Hot Springs, Arkansas, its successors and assigns, or to any other person or corporation authorized to supply the city of Hot Springs with cold water for drinking and domestic purposes, a site upon the West Mountain of the Hot Springs Reservation, to be selected by him, for the purpose of constructing and maintaining thereon a reservoir for cold water and the pipes necessary to connect the same with the system of water supply of the city of Hot Springs, the term of such lease to be not to exceed twenty years, and the consideration therefor an annual rental of one hundred dollars, to be collected and accounted for as now provided by law in relation to the collection and accounting for of revenue derived from leases of bathhouse sites upon the Hot Springs Reservation: *Provided*, That on the termination of any lease granted under authority of this Act the Secretary of the Interior shall have like

Rental.

Proviso. Renewal.

power and authority, in his discretion, to extend or renew the same for additional periods of not exceeding twenty years.

An Act To authorize sale of lot eight, block ninety-three, city of Hot Springs, by school directors thereof, and use of proceeds for school purposes, approved August 9, 1894 (28 Stat. 274)

Hot Springs, Ark. Sale of lot by school directors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the directors of the school district of the city of Hot Springs, Arkansas, are hereby authorized to sell and convey, at private or public sale, lot eight, in block ninety-three, on Ouchita Avenue, in said city, as shown by the survey and plat of the United States Commissioners for Hot Springs, heretofore designated and set apart by the Secretary of the Interior as a site for a schoolhouse under Act approved June 16, 1880, and to apply the proceeds of such sale for the benefit of the common schools of said city.

Vol. 21, p. 288. See p. 229.

An Act Relating to leases on the Hot Springs Reservation, and for other purposes, approved March 19, 1898 (30 Stat. 329)

Hot Springs Reservation, Ark.

Secretary of Interior may authorize construction, etc., of observatories, 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, in addition to his present powers, is hereby authorized, in his discretion, to grant leases and privileges to suitable persons to construct and maintain observatories, pavilions, refreshment stands, upon the Government reservation in the city of Hot Springs, in the State of Arkansas, under such rules and regulations as he may prescribe.

An Act Authorizing the Supreme Lodge of the Knights of Pythias to erect and maintain a sanitarium and bath house on the Government reservation at the city of Hot Springs, Arkansas, approved May 9, 1898 (30 Stat. 403)

Supreme Lodge, Knights of Pythias, may erect sanitarium on Government reservation, Hot Springs, Ark.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exclusive right to use, occupy, and enjoy the possession of the following-described lot of land, being a part of the Government reservation at the city of Hot Springs, Arkansas, to-wit, commencing on the north line of Reserve Avenue at the southeast corner of the Army and Navy Hospital grounds; thence running eastward along the north line of Reserve Avenue four hundred and sixty-five feet, more or less, to United States monument numbered twenty-seven; thence north six and one-half degrees west four hundred and seventy feet; thence west on a direct line four hundred and fifty-three feet, more or less, to the northeast corner of the Army and Navy Hospital grounds; thence southward along the east boundary of said Army and Navy Hospital grounds five hundred and twenty-five feet to place of beginning, is by this act granted to the Supreme

Lodge of the Knights of Pythias, for the purpose of erecting, equipping, and maintaining a national sanitarium and bathhouse for the accommodation of the Knights of Pythias of the United States of America.

Duration of privilege.

The rights and privileges granted under this Act shall continue as long as the property is used and occupied for the purposes mentioned in this Act, not, however, to exceed ninety-nine years, subject, however, to the following conditions and limitations, namely: That unless said supreme lodge shall, within five years after the passage of this Act, erect and equip a sanitarium and bathhouse, for the purposes above mentioned, at a cost of not less than two hundred and fifty thousand dollars, or if said supreme lodge shall at any time hereafter use or permit said premises to be used for any other purpose than that herein granted, then, and in either event, all the rights, privileges and powers by this Act granted and conferred upon said supreme lodge shall be forfeited to the United States.

— conditions.

— forfeiture

Use of hot water.

SEC. 2. That upon compliance with the conditions and requirements of section one of this Act by said supreme lodge, the Secretary of the Interior shall be authorized and required to lease to said supreme lodge a sufficient quantity of hot water to accommodate said sanitarium for all drinking purposes and to supply at least five bathtubs, under such rules and regulations as he may prescribe; and all improvements made upon said property shall be subject to the approval of the Secretary of the Interior.

An Act Ceding jurisdiction to the United States over a part of the Hot Springs Mountain Reservation, approved February 21, 1903 (General Acts of Arkansas, 1903, p. 52; Digest of the Statutes of Arkansas, 1921, sec. 4558, p. 1241)

Be it enacted by the General Assembly of the State of Arkansas: That exclusive jurisdiction over that part of the Hot Springs Reservation known and described as a part of the Hot Springs Mountain and whose limits are particularly described by the following boundary lines: Commencing at stone monument number (7) seven set upon the west line of Reserve Avenue and marking the boundary line of Hot Springs Mountain, and running thence in a northwesterly direction to a point upon the south line of Fountain Street to a stone monument numbered forty-two (42) and marking the boundary line of Hot Springs Mountain, thence along the South line of Fountain Street to its intersection with Central Avenue or to stone monument number thirty-three (33), thence south along the east line of Central Avenue to where the same is intersected by Reserve Avenue at stone monument number thirty (30), thence along the north boundary line of Reserve Avenue to stone monument number seven (7) the point of com-

mencement, all in Township Two South, Range nineteen West, in the County of Garland, State of Arkansas, being a part of the permanent United States Hot Springs Reservation, 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, on any person who may be on such reservation or premises; provided further, that the right to tax all structures and other property in private ownership on the Hot Springs Reservation accorded the State by the Act of Congress approved March 3, 1891,[1] is hereby reserved to the State of Arkansas.

An Act Conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Arkansas, approved April 20, 1904 (33 Stat. 187)

Hot Springs Mountain Reservation, Ark. Cession of jurisdiction by Arkansas in, accepted. Vol. 19, p. 377. See p. 222.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of the Hot Springs Mountain Reservation in the State of Arkansas situated and lying within boundaries defined as follows, "Commencing at a stone monument numbered seven, set upon the west line of Reserve Avenue and marking the boundary line of Hot Springs Mountain, and running thence in a northwesterly direction to a point upon the south line of Fountain Street to a stone monument numbered forty-two and marking the boundary line of Hot Springs Mountain; thence along the south line of Fountain Street to its intersection with Central Avenue or to stone monument numbered thirty-three; thence south along the east line of Central Avenue to where the same is intersected by Reserve Avenue at stone monument numbered thirty; thence along the north boundary line of Reserve Avenue to stone monument numbered seven, the point of commencement; all in township two south, range nineteen west, in the county of Garland and State of Arkansas, being a part of the permanent United States Hot Springs Reservation", sole and exclusive jurisdiction over which was ceded to the United States by an act of the general assembly of the State of Arkansas, entitled "An Act ceding jurisdiction to the United States over a part of the Hot Springs Mountain Reservation", approved February twenty-first, nineteen hundred and three, which cession is hereby accepted, or within such boundaries as may be defined hereafter, shall be under the sole and exclusive jurisdiction of the United States, and all laws applicable to places under such sole and exclusive jurisdiction shall have full force and effect therein: *Provided*, That nothing in this Act shall be so construed as to for-

Provisos. Jurisdiction of Arkansas courts.

[1] See p. 235.

bid the service within said boundaries of any civil or criminal process of any court having jurisdiction in the State of Arkansas; that all fugitives from justice taking refuge within said boundaries shall, on due application to the executive of said State, whose warrant may lawfully run within said territory for said purpose, be subject to the laws which apply to fugitives from justice found in the State of Arkansas: *And provided further*, That this Act shall not be so construed as to interfere with the right to tax all structures and other property in private ownership within the boundaries above described, accorded to the State of Arkansas by section five of the Act of Congress approved March third, eighteen hundred and ninety-one, entitled "An Act to regulate the granting of leases at Hot Springs, Arkansas, and for other purposes."

Taxation.

Vol. 26, p. 842. See p. 237.

To be part of Arkansas eastern judicial district.

SEC. 2. That said above-described portion of said reservation shall constitute a part of the eastern United States judicial district of Arkansas, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within said boundaries. (U.S.C., title 16, sec. 372.)

Protection to property, etc.

SEC. 3. That any person who shall, within the said above-mentioned tract, commit any damage, injury, or spoliation to or upon any building, fence, 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 upon conviction thereof, shall be subject to a fine of not more than one hundred dollars and be adjudged to pay all costs of the proceedings. (U.S.C., title 16, sec. 373.)

Penalty.

Bathing, etc., restrictions.

SEC. 4. That any person who shall, except in compliance with such rules and regulations as the Secretary of the Interior may deem necessary, and which he is hereby authorized and directed to make, enter or attempt to enter upon said described tract, take, or attempt to take, use, or attempt to use, bathe in, or attempt to bathe in water of any spring located thereon, or without presenting satisfactory evidence that he or she (provided he or she is under medical treatment) is the patient of a physician duly registered at the office of the superintendent of the Hot Springs Reservation as one qualified, under such rules which the Secretary of the Interior may have made or shall make, to prescribe the waters of the Hot Springs, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine of not more than one hundred dollars, and be adjudged to pay all costs of the proceedings: *Provided*, That no physician who shall engage in the solicitation of patronage through the medium of drummers, or otherwise, shall be or remain thus

Penalty.

Provisos. Soliciting patronage by registered physicians forbidden.

registered: *And provided further*, That if any person so bathing, or attempting to bathe, or so entering, or attempting to enter upon the prescribed tract, shall have the permit of a physician, such physician shall be liable to the penalties of this section, unless he be regularly registered; and such person shall not be liable to the penalties of this section, unless it shall be made to appear that he knew, or had reason to believe, that the physician giving him such permit was not regularly registered. (U.S.C., title 16, section. 374.)

Only permits by registered physician valid.

Punishment of offenses.

SEC. 5. That if any act shall be committed within said boundaries which would constitute an offense under the municipal ordinances of the city of Hot Springs or the laws of the State of Arkansas, but which is not prohibited or the punishment of which is not specially provided for by any law of the United States, regulation of the Secretary of the Interior, or by this Act, the offender shall be subject to the same punishment as the said municipal ordinances of the city of Hot Springs, or the laws of the State of Arkansas in force at the time of the commission of the offense, may provide for a like offense in the said State, and no subsequent repeal of any such law or ordinance shall affect any pending prosecution for an offense committed within said boundaries. (U.S.C., title 16, sec. 375.)

Arrests.

SEC. 6. That such commissioner shall have power, upon sworn complaint, to issue process in the name of the United States for the arrest of any person charged with the doing, otherwise than in compliance with the rules and regulations of the Secretary of the Interior, of any act with reference to the matters which the Secretary of the Interior in section four of this Act is authorized to regulate, or in violation of such rules and regulations, or in violation of any provision of this Act, or with any misdemeanor or other like offense the punishment provided for which does not exceed a fine of one hundred dollars to try the person thus charged, and if found guilty, to impose the penalty prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States district court for the eastern district of Arkansas. The said United States district court shall prescribe rules of procedure and practice for said commissioner in the trial of cases and with reference to said appeals. (U.S.C., title 16, sec. 376.)

Appeal.

Rules of procedure.

Process in other criminal offenses.

SEC. 7. That said commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission, within said boundaries, of any criminal offense not covered by the provisions of section six of this Act, to hear the evidence introduced, and if he is of 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 for confinement, within the jurisdiction of the United States district court for the eastern district of Arkansas, and certify a transcript of the record of his proceedings and the testimony in the case to said 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 the State of Arkansas or the ordinances of the city of Hot Springs. (U.S.C., title 16, sec. 377.)

Proviso.

Bail.

Arrests may be made by police, etc.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the eastern district of Arkansas, but nothing herein contained shall be so construed as to prevent the arrest by any officer of the Government, police of said reservation, police officer of the city of Hot Springs, or employee of the United States within said boundaries, without process, of any person taken in the act of violating the law or this Act, or doing anything with reference to the matters which in section four of this Act the Secretary of the Interior is authorized to regulate, except in compliance with such rules and regulations, or committing any act in violation of such regulations. (U.S.C., title 16, sec. 378.)

Fees, etc.

SEC. 9. That the commissioner referred to in this Act and the marshal of the United States and his deputies in the eastern district of Arkansas shall be paid the same fees and compensation as are now provided by law for like services in said district. (U.S.C., title 16, sec. 379.)

Payment of fees, etc.

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. (U.S.C., title 16, sec. 383.)

Fines, etc.

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 judicial district in which said reservation may be situated. (U.S.C., title 16, sec. 380.)

Imprisonment for nonpayment.

SEC. 12. That all persons who may be imprisoned for nonpayment of any fine, or costs, provided for by this Act, or awaiting trial without bail, shall be confined in the jail of Pulaski County, at Little Rock, Arkansas, or at such place as may be otherwise designated. (U.S.C., title 16, sec. 382.)

Execution of sentence.

SEC. 13. That upon the conviction of a party upon trial by said commissioner, or by said district court, execution of sentence shall be in conformity with the laws of the United States, anything in the statutes of the State of Arkansas to the contrary notwithstanding. (U.S.C., title 16, sec. 381.)

An Act To amend an act entitled "An Act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Arkansas," approved April twentieth, nineteen hundred and four, approved March 2, 1907 (34 Stat. 1218)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Act Numbered One hundred and twenty-four, an Act conferring jurisdiction upon the United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Arkansas, be amended as follows:

Hot Springs Mountain Reservation, Ark. Cession of jurisdiction by Arkansas in. Vol. 33, p. 187. Hearings before any United States Commissioner.

That section six be amended by prefixing the following:

"That any United States commissioner, duly appointed by the United States circuit court for the eastern district of Arkansas, and residing in said district, shall have power and jurisdiction to hear and act upon all complaints made of any and all violations of this Act." (U.S.C., title 16, sec. 376.)

Vol. 23, p. 187 (see p. 245), amended, and this act amended by Vol. 36, p. 1086. (See p. 247 below.)

SEC. 2. That the words "commissioner", "such commissioner", "said commissioner", or "the commissioner", whenever they occur in said Act be stricken out and the words "any of said commissioners" be inserted in lieu thereof.

"Any of said commissioners" substituted for words "commissioner," etc.

An Act To amend section one of the Act approved March second, nineteen hundred and seven, being an Act to amend an Act entitled "An Act conferring jurisdiction upon United States commissioners over offenses committed on a portion of the permanent Hot Springs Mountain Reservation, Arkansas," approved March 3, 1911 (36 Stat. 1086)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the Act approved March second, nineteen hundred and seven (Thirty-fourth Statutes, page twelve hundred and eighteen), is amended so as to read as follows:

Hot Springs Mountain Reservation, Ark. Jurisdiction over. Any United States commissioner given jurisdiction over all violations. Vol. 34, p. 1218, amended. See p. 247 above.

"That any United States commissioner duly appointed by the United States district court for the eastern district of Arkansas, and residing in said district, shall have power and jurisdiction to hear and act upon all complaints made of any and all violations of said Act of Congress approved April twentieth, nineteen hundred and four." (U.S.C., title 16, sec. 376.)

An Act To change the line of the reservation at Hot Springs, Arkansas, and of Reserve Avenue, approved May 23, 1906 (34 Stat. 198)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the line of the Government reservation at Hot Springs, Arkansas, and of Reserve Avenue be changed so as to run from stone monument 26 to stone

Hot Springs Reservation, Ark. Boundary lines changed.

Proviso.

Excluded lands ceded to Hot Springs for street purposes.

monument 28 on a direct line, instead of running from 26 to 27 and thence to 28, as it now does: *Provided*, That the tract of land thus excluded from the reservation by changing the lines as above, be ceded to the city of Hot Springs, to become a part of Reserve Avenue and to be used for street purposes only; to be accepted by the city without change of the opposite (southerly) boundary line of said avenue.

An Act To confer title in fee and to authorize the disposition of certain lots now situate on Hot Springs Reservation, in the State of Arkansas, and for other purposes, approved April 30, 1908 (35 Stat. 98)

Hot Springs Reservation, Ark. Lands granted in fee to school district of. Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the estate, right, title, and interest, and all right of reversion of the United States in and to lot numbered two, in block numbered seventy-two; lot numbered ten, in block numbered forty-eight; lot numbered eight, in block numbered one hundred and forty-six; lot numbered eighteen, in block numbered one hundred and thirty-five; and lot numbered twenty-one, in block numbered one hundred and thirty-eight, situate on the Hot Springs Reservation, in the school district of Hot Springs, in the State of Arkansas, be, and is, granted to and vested in the said school district of Hot Springs, with full power and authority of the officers of said school district to manage, control, sell, pledge, or dispose of the same, or any part thereof, at their discretion, for the use of said school district and the public schools thereof.

Repeal.

SEC. 2. That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

Effect.

SEC. 3. That this Act shall take effect and be in force from and after its passage.

An Act Granting unto the Hot Springs Street Railway Company, its successors and assigns, the right to maintain and operate its electric railway along the southern border of that portion of the Hot Springs Reservation, in the State of Arkansas, known as the Whittington Lake Reserve Park, approved March 12, 1910 (36 Stat. 235)

Hot Springs Reservation, Ark.

Hot Springs Street Railway Co. granted right of way across.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right is hereby granted unto the Hot Springs Street Railway Company, its successors and assigns, during the existence of the franchise granted by the city of Hot Springs, to maintain and operate its electric street railway as now laid and encroaching, in whole or in part at various places, amounting in the aggregate to not exceeding eight hundred feet in length and twenty feet in width, upon and along the southern border of that portion of the Hot Springs Reservation, in the State of Arkansas, known as the Whittington Lake Reserve Park.

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

An Act Granting to the city of Hot Springs, Arkansas, land for street purposes, approved June 25, 1910 (36 Stat. 844)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the parcel or strip of land, situated in the city of Hot Springs, Arkansas, shown on a plat of a subdivision of block one hundred and fourteen, in said city, as originally laid out by the United States Hot Springs Commissioners, filed in the office of the circuit clerk of Garland County, Arkansas, October seventeenth, nineteen hundred and four, and being designated on said plat as Interior Street, and shown and described therein as follows, to wit: Commencing on the east line of said block one hundred and fourteen on the west line of Court Street, at a point one hundred and fifty feet north of Prospect Avenue; running thence in a westerly direction on a line parallel with Prospect Avenue for a distance of four hundred and fifty feet to a point one hundred and fifty-four and three-tenths feet north of Prospect Avenue and to east line of Granite Street; thence north along the east line of Granite Street for a distance of forty feet; thence running in an easterly direction on a line parallel with said first-described line for a distance of four hundred and fifty feet to the west line of Court Street; thence running south for a distance of forty feet to the point or place of beginning, and containing eighteen thousand square feet, more or less, be, and the same is hereby, ceded to the corporation of the city of Hot Springs, Arkansas, for use as a public street.

Hot Springs, Ark.

Grant of lands for street purposes.

Description.

An Act Authorizing the Hot Springs Lodge, Numbered Sixty-two, Ancient Free and Accepted Masons, under the jurisdiction of the Grand Lodge of Arkansas, to occupy and construct buildings for the use of the organization on lots numbered one and two, in block numbered one hundred and fourteen, in the city of Hot Springs, Arkansas, approved February 15, 1911 (36 Stat. 906)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exclusive right to use, occupy, and enjoy the possession of all of lots numbered one and two, in block numbered one hundred and fourteen, in the city of Hot Springs, Arkansas, is by this Act granted to the Hot Springs Lodge, Numbered Sixty-two, Ancient Free and Accepted Masons, under the jurisdiction of the Grand Lodge of Arkansas, for the purpose of erecting and maintaining thereon a suitable and sightly building for the use of the said Hot Springs Lodge. The rights and privileges granted under this Act shall continue as long as the property is used and occupied for the purposes mentioned in this Act, subject, however, to the following conditions and limita-

Hot Springs, Ark.

Hot Springs Lodge of Masons may occupy two lots in.

Conditions.

Forfeiture.

tions, namely: That unless said Hot Springs Lodge shall, within five years after the passage of this Act, erect and equip a suitable and sightly building for the purposes above mentioned, or if said Hot Springs Lodge shall at any time hereafter use, or permit the premises to be used, for any other purpose than that herein granted, then, and in either event, all the rights, privileges, and powers by this Act granted and conferred upon said Hot Springs Lodge shall be forfeited to the United States.

Lease of hot water authorized.

SEC. 2. That upon compliance with the conditions and requirements of section one of this Act by said Hot Springs Lodge the Secretary of the Interior, in his discretion, is hereby authorized to lease to said Hot Springs Lodge a sufficient quantity of hot water to accommodate said Lodge for all drinking purposes and to supply not more than five bathtubs, under such rules and regulations as he may prescribe; and all improvements made upon said property shall be subject to the approval of the Secretary of the Interior.

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 (36 Stat. 1015)

Hot Springs, Ark. Use of free bathhouse limited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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 subject to a fine of not to exceed twenty-five dollars, or thirty days' imprisonment, or both. (U.S.C., title 16, sec. 371.)

Oath required of lack of means, etc.

Punishment for false oath.

An Act Authorizing the Leo N. Levi Memorial Hospital Association to occupy and construct buildings for the use of the corporation on lots numbered three and four, block numbered one hundred and fourteen, in the city of Hot Springs, Arkansas, approved June 3, 1912 (37 Stat. 121)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

bled, That the exclusive right to use, occupy, and enjoy the possession of all of lots numbered three and four, in block numbered one hundred and fourteen, in the city of Hot Springs, Arkansas, is by this Act granted to the Leo N. Levi Memorial Hospital Association, a corporation organized under the laws of the State of Arkansas, for the purpose of erecting and maintaining thereon a suitable and sightly building for the use of the said corporation. The rights and privileges granted under this Act shall continue as long as the property is used and occupied for the purposes mentioned in this Act, subject, however, to the following conditions and limitations, namely, that unless said Leo N. Levi Memorial Hospital Association shall within five years after the passage of this Act erect and equip a suitable and sightly building for the purposes above mentioned, or if said Leo N. Levi Memorial Hospital Association shall at any time hereafter use or permit the premises to be used for any other purpose than that herein granted, then and in either event all the rights, privileges, and powers by this Act granted and conferred upon said association shall be forfeited to the United States.

Hot Springs, Ark. Buildings authorized by Leo N. Levi Memorial Hospital Association at.

Duration of privileges.

Forfeiture for nonuser.

SEC. 2. That upon compliance with the conditions and requirements of section one of this Act by said corporation the Secretary of the Interior, in his discretion, is hereby authorized to lease the said association a sufficient quantity of hot water to accommodate said association for all drinking purposes, and to supply not more than five bathtubs, under such rules and regulations as he may prescribe; and all improvements made upon said property shall be subject to the approval of the Secretary of the Interior.

Lease of water.

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

Amendment.

An Act Authorizing the city of Hot Springs, Arkansas, to occupy and construct buildings for the use of the fire department of said city on lot numbered three, block numbered one hundred and fifteen, in the city of Hot Springs, Arkansas, approved August 21, 1912 (37 Stat. 322)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exclusive right to use, occupy, and enjoy the possession of lot numbered three, in block numbered one hundred and fifteen, in the city of Hot Springs, Arkansas, is by this Act granted to the city of Hot Springs, Arkansas, for the purpose of erecting and maintaining thereon, a suitable and sightly building or buildings for the use of the fire department of said city. The rights and privileges granted under this Act shall continue as long as the property is used and occupied for the purposes mentioned in this Act, subject, however, to the following conditions and limitations, namely, that un-

Hot Springs, Ark. Lot granted to, for fire department.

Conditions.

less said city of Hot Springs, Arkansas, shall within five years after the passage of this Act erect and equip on said lot a suitable and sightly building or buildings for the purposes above mentioned, or if said city shall at any time hereafter use or permit the premises to be used for any other purpose than that herein granted, then and in either event all the rights, privileges, and powers by this Act granted and conferred upon said city shall be forfeited to the United States.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912 (37 Stat. 459)

Hot Springs, Ark. Lease of Arlington Hotel authorized.

The Secretary of the Interior is hereby authorized to lease certain premises fronting on Central Avenue and on Fountain Street, now occupied by the buildings of the Arlington Hotel Company, at Hot Springs, Arkansas, on such terms and conditions as he may determine.

Term.

No lease made hereunder shall be for a longer period than twenty years.

Valuation of improvements if to new lessee.

In case said premises shall be leased to another lessee than the Arlington Hotel Company the provision of the lease ending March 3, 1912, for a valuation of and payment for the improvements made by the Arlington Hotel Company shall be recognized by said Secretary; but he shall have the power to fix a time within which such valuation must be made, and if such valuation is not made within the time so fixed said Secretary may lease the premises free from all claim of said Arlington Hotel Company. (U.S.C., title 16, sec. 370.)[2]

An Act To authorize the Secretary of the Interior to furnish hot water from the hot springs on the Hot Springs Reservation for drinking and bathing purposes free of cost to the Leo N. Levi Memorial Hospital Association, approved July 8, 1916 (39 Stat. 351)

Hot Springs Reservation, Ark.

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 supply a sufficient quantity of hot water for five tubs from the hot springs on the Hot Springs Reservation for drinking and bathing purposes to the Leo N. Levi Memorial Hospital Association without cost or charge therefor, under such rules and regulations as he may prescribe: *Provided*, That said hospital association shall, upon request of the superintendent of the Hot Springs Reservation or his duly authorized representative, immediately after being notified, send an ambulance or conveyance for and accept and treat without charge therefor any emergency patients so sent to the hospital for treatment.

Leo N. Levi Hospital to be furnished water free.

Proviso.

Treatment of emergency patients.

[2] Modified by 46 Stat. 1109. See p. 259.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes," approved June 5, 1920 (41 Stat. 918)

Hot Springs Reservation, Ark. Assessment of specified charges for water.

The Secretary of the Interior is hereby authorized to assess and collect from physicians who desire to prescribe the hot waters from the Hot Springs Reservation, reasonable charges for the exercise of such privilege, including fees for examination and registration; and he is also authorized to assess and collect from bath attendants and masseurs operating in all bathhouses receiving hot water from the reservation, reasonable charges for the exercise of such privileges. The moneys received from the exercise of this authority shall be used in the protection and improvement of the said reservation. (U.S.C., title 16, sec. 369.)

(Amended by 46 Stat. 1462. See p. 253 below.)

An Act To regulate the prescribing and use of waters from the Hot Springs National Park at Hot Springs, Arkansas, and for other purposes, approved March 2, 1931 (46 Stat. 1462)

Hot Springs National Park, Ark. Regulations concerning use of waters of, amended.

Vol. 41, p. 918, amended. See p. 253 above.

Collection of physicians' privilege fees discontinued.

Other charges authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 369, title 16, United States Code, being a provision of the Sundry Civil Appropriation Act approved June 5, 1920 (41 Stat. 874, 918), is hereby amended so as to read as follows:

"The Secretary of the Interior is hereby authorized to assess and collect from physicians who desire to prescribe the hot waters from the Hot Springs National Park reasonable fees for examination and registration; and he is also authorized to assess and collect from bath attendants and masseurs operating in bathhouses receiving hot water from the park reasonable annual charges to cover the cost of physical examinations." (U.S.C., 6th supp., title 16, sec. 369.)

An Act Ceding to the United States exclusive jurisdiction over Block 82 of the Hot Springs Reservation in the State of Arkansas, approved February 2, 1921 (General Acts of Arkansas, 1921, p. 63)

Be it enacted by the General Assembly of the State of Arkansas, That exclusive jurisdiction over that part of the Hot Springs Reservation known and described as block eighty-two on the official plat of the United States Hot Springs Commission 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, on any person who may be on such reservation or premises: *Provided, further*, That the right to tax all structures and other property in private ownership on the Hot Springs Reservation accorded the State by the

Act of Congress approved March 3, 1891,[3] is hereby reserved to the State of Arkansas as respects the tracts hereby ceded.

An Act To accept the cession by the State of Arkansas of exclusive jurisdiction over a tract of land within the Hot Springs National Park, and for other purposes, approved September 18, 1922 (42 Stat. 847)

Hot Springs National Park, Ark. Jurisdiction of Arkansas over tract in, ceded. Vol. 33, p. 187; Vol. 34, p. 1218; Vol. 36, p. 1086. See pp. 243, 247, and 247.

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 Arkansas, approved February 2, 1921, ceding to the United States exclusive jurisdiction over block eighty-two, within the Hot Springs National Park, are hereby accepted, and the provisions of the Act approved April 20, 1904, as amended by the Acts of March 2, 1907, and March 3, 1911, relating to the Hot Springs Mountain Reservation, Arkansas, are extended to said block eighty-two. (U.S.C., title 16, sec. 372.)

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," approved March 4, 1921 (41 Stat. 1407)

Hot Springs National Park. Vol. 39, p. 535, amended. See pp. 9–12.

The Hot Springs Reservation shall be known as the Hot Springs National Park. (U.S.C., title 16, secs. 2 and 361.)

An Act Granting certain lands in Hot Springs, Arkansas, to the Leo N. Levi Memorial Hospital Association, approved May 8, 1922 (42 Stat. 506)

Hot Springs, Ark. Leo N. Levi Memorial Hospital Association granted lands in, for hospital uses. Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exclusive right to use, occupy, and enjoy the possession for hospital purposes of all of lots numbered one and two, in block numbered one hundred and fourteen, in the city of Hot Springs, Arkansas, is by this Act granted to the Leo N. Levi Memorial Hospital Association, a corporation organized under the laws of the State of Arkansas, for the purpose of erecting and maintaining thereon an addition to or extension of its present hospital building, located on adjoining lots, numbered three and four, in said block one hundred and fourteen, in said city of Hot Springs, Arkansas. The rights and privileges granted under this Act shall continue as long as the property is used and occupied for the purposes mentioned in this Act, subject however, to the following conditions and limitations, namely, that unless said Leo N. Levi Memorial Hospital Association shall within five years after the passage of this Act erect and equip a suitable and sightly addition to or extension of its present hospital building, or if said Leo N. Levi

Conditions.

Forfeiture provisions.

[3] See p. 235.

Memorial Hospital Association shall at any time hereafter use or permit the premises to be used for any other purpose than that herein granted, or if at any time pay wards are maintained in any buildings erected upon the lots hereby granted, then and in either event all the rights, privileges, and powers by this Act granted and conferred upon said association shall be forfeited to the United States.

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1923, and for other purposes," approved May 24, 1922 (42 Stat. 590)

Hot Springs National Park, Ark.

Revenues to be covered in as miscellaneous receipts.

Vol. 40, p. 153, amended. See p. 12.

From and after July 1, 1922, all revenues of the Hot Springs National Park shall be covered into the Treasury to the credit of miscellaneous receipts, except such as may be necessary to pay obligations outstanding on June 30, 1922. (U.S.C., title 16, sec. 452.)

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for othe purrposes," approved June 5, 1924 (43 Stat. 423)

Hot Springs, Arkansas.

Acceptance of donated tract, authorized.

* * * *Provided*, That the Secretary of the Interior be, and is hereby, authorized, in his discretion, to accept the fee-simple title to a certain tract of land adjoining the Hot Springs National Park, Arkansas, described as being the west half of the southwest quarter of the southwest quarter of section 27, township 2 south, range 19 west, fifth principal meridian, containing sixteen acres, more or less, situated in Garland County, State of Arkansas, donated to the United States of America for use in connection with Hot Springs National Park: *Provided*, That such land when accepted by the Secretary of the Interior shall be and remain a part of Hot Springs National Park.

To be added to park.

An Act Ceding to the United States exclusive jurisdiction over a tract of land known as the automobile tourist camp within the Hot Springs National Park, approved March 27, 1925 (General Acts of Arkansas, 1925, p. 677)

Be it enacted by the General Assembly of the State of Arkansas, That exclusive jurisdiction over that part of the Hot Springs National Park known and described as the automobile tourist camp and whose limits are particularly described by the following boundary lines: Commencing at the stone marking at the northeast corner of the northeast quarter of section thirty-three (33) township two (2) south, range nineteen (19) west, thence east for five hundred and twenty-eight (528) feet along the south line of the southwest quarter of section twenty-seven (27), township two (2) south, range nineteen (19) west, thence north parallel with the reservation line for one thousand three hundred and twenty (1,320) feet to the north line of said southwest quarter of the southwest quarter of section twenty-seven (27), town-

ship two (2) south, range nineteen (19) west, thence west for five hundred and twenty-eight (528) feet along north line of said southwest quarter of the southwest quarter of section twenty-seven (27), township two (2) south, range nineteen (19) west, to the east line of Hot Springs National Park, thence south along the line of Hot Springs National Park to the place of beginning, in the County of Garland, State of Arkansas, being a part of the permanent United States Hot Springs Reservation, is hereby ceded to 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, on any person who may be on such reservation or premises: *Provided further*, That the right to tax all structures and other property in private ownership on the Hot Springs National Park accorded the State by the Act of Congress approved March 3, 1891, is hereby reserved to the State of Arkansas.

An Act To accept the cession by the State of Arkansas of exclusive jurisdiction over a tract of land within the Hot Springs National Park, and for other purposes, approved March 3, 1927 (44 Stat. 1359)

Hot Springs National Park, Ark. Acceptance of tract in, from Arkansas. Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the conditional cession and grant to the United States of exclusive jurisdiction over that part of the Hot Springs National Park known as the public camp ground and described as follows: Commencing at the stone marking at the northeast corner of the northeast quarter of section 33, township 2 south, range 19 west, thence east for five hundred and twenty-eight feet along the south line of the southwest quarter of section 27, township 2 south, range 19 west, thence north parallel with the reservation line for one thousand three hundred and twenty feet to the north line of said southwest quarter of the southwest quarter of section 27, township 2 south, range 19 west, thence west for five hundred and twenty-eight feet along north line of said southwest quarter of the southwest quarter of section 27, township 2 south, range 19 west to the east line of Hot Springs National Park, thence south along the line of Hot Springs National Park to the place of beginning, in the county of Garland, State of Arkansas, being a part of the Hot Springs National Park, made by act of the Legislature of the State of Arkansas, approved March 27, 1925,[4] are hereby accepted, and the provisions of the Act approved April 20, 1904, as amended by the Acts of March 2, 1907, and

Laws extended to. Vol. 33, p. 187; Vol. 34, p. 1218; Vol. 36, p. 1015; Vol. 42, p. 590. See pp. 243, 247, 250, and 255.

[4] See p. 255.

March 3, 1911, relating to the Hot Springs Mountain Reservation, Arkansas, are hereby extended to said land. (U.S.C., 6th supp., title 16, sec. 372a.)

An Act Authorizing the Secretary of the Interior to convey to the city of Hot Springs, Arkansas, all of lot numbered 3 in block numbered 115 in the city of Hot Springs, Arkansas, approved May 29, 1928 (45 Stat. 959)

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 by quitclaim deed to the city of Hot Springs, Arkansas, subject to the provisions of section 2 of this Act, all of lot numbered 3 in block numbered 115 in the city of Hot Springs, Arkansas, the use and occupation of which by such city was authorized by the Act entitled "An Act authorizing the city of Hot Springs, Arkansas, to occupy and construct buildings for the use of the fire department of said city on lot numbered 3, block numbered 115, in the city of Hot Springs, Arkansas," approved August 21, 1912.

Hot Springs, Ark. Quitclaim to, of lot authorized for fire department. Vol. 37, p. 322. See p. 251.

SEC. 2. The lot shall be used by the city for fire department purposes only, except that the city may sell or otherwise dispose of so much of the lot as may be necessary to provide funds for the construction of a new building for its fire department. The deed executed by the Secretary of the Interior shall contain the express condition that if the proceeds of any such sale or other disposition are not used for the construction of such building or if the city uses or permits to be used for any other purposes than that herein authorized that part of the lot upon which such building is erected or attempts to alienate it, the title to that part of such lot shall revert to the United States.

Sale authorized to provide funds for new building. Reversion, if proceeds not so used, or if city permits other use.

An Act To provide for the reconstruction of the Army and Navy Hospital at Hot Springs, Arkansas, approved June 18, 1930 (46 Stat. 781)

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 and directed to raze such part of the existing hospital buildings in the reservation of the Army and Navy General Hospital, at Hot Springs, Arkansas, as may be desirable and proper to make room for the construction of another hospital, and thereafter to construct upon said ground such additional unit of said Army and Navy General Hospital, at Hot Springs, Arkansas, and for said purpose there is hereby authorized to be appropriated the sum of $450,000, or as much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated.

Hot Springs, Ark. Reconstruction of Army and Navy Hospital at.

Sum authorized.

Funds expended under Secretary of War.

SEC. 2. All funds expended for the construction or reconstruction of hospital buildings and facilities on said Army and Navy General Hospital Reservation, at Hot Springs, Arkansas, authorized by this or any other Act, shall be so expended under supervision of the Secretary of War, and the said hospital shall remain under the jurisdiction and control of the War Department: *Provided*, That the exterior design of said hospital shall be approved by the National Park Service.

Proviso. Approval of plan by National Park Service.

An Act To authorize the conveyance of certain land in the Hot Springs National Park, Arkansas, to the P. F. Connelly Paving Company, approved June 25, 1930 (46 Stat. 1915)

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, authorized in his discretion to convey to the P. F. Connelly Paving Company, of Little Rock, Arkansas, by the issuance of patent or other appropriate instrument of conveyance, and at an appraised value to be approved by said Secretary, that certain tract of land located within the Hot Springs National Park, Garland County, Arkansas, described as follows: Beginning at a point on the west boundary line of Hot Springs National Park, Arkansas, said point being the most southerly corner of lot 32, block 128, United States Hot Springs Reservation as surveyed, mapped, and platted by the United States Hot Springs commissioners; thence in a southeasterly direction and at right angles to the boundary of Hot Springs National Park aforesaid, a distance of fifty feet; thence in a northeasterly direction and parallel with the aforementioned boundary line, two hundred and ninety feet; thence in a northwesterly direction a distance of fifty feet to the aforementioned boundary line; thence in a southwesterly direction along said boundary line a distance of two hundred and ninety feet to the point of beginning; and, upon the transfer of title to said land to the said company, the same shall be, and is hereby, eliminated from the said Hot Springs National Park. (U.S.C., 6th supp., title 16, sec. 361.)

P. F. Connelly Paving Company.

Designated land in Hot Springs National Park, Ark., conveyed to.

Description.

Vol. 41, p. 1407. See p. 254.

An Act To authorize the accepetance of a tract of land adjoining Hot Springs National Park, Arkansas, and for other purposes, approved February 14, 1931 (46 Stat. 1106)

Hot Springs National Park, Ark. Adjacent lands accepted as addition to.

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 and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States of America that certain tract of land adjoining the Hot Springs National Park, Arkansas, described as being a part of the north half south-

west quarter section 27, township 2 south, range 19 west, west of the ninety-third meridian, in Garland County, Arkansas, and which has been tendered to the United States of America as a donation and as an addition to the said Hot Springs National Park: *Provided*, That such land when accepted by the Secretary of the Interior shall be and remain a part of the Hot Springs National Park. (U.S.C., 6th supp., title 16, sec. 361a.)

Proviso. To become permanent part.

An Act To provide for the retention by the United States of a site within the Hot Springs National Park formerly occupied by the Arlington Hotel and Bathhouse, for park and landscape purposes, approved February 14, 1931 (46 Stat. 1109)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the site within the Hot Springs National Park fronting on Central Avenue and on Fountain Street, leased by the Secretary of the Interior pursuant to the authority of the Act of August 24, 1912, to the Arlington Hotel Company, and occupied by the hotel and bathhouse building of said company until it burned on April 5, 1923, shall upon the expiration on March 6, 1932, of the existing lease therefor with the said Arlington Hotel Company, be kept, retained, and maintained by the United States for park and landscaping purposes; and no new lease shall be granted by the Secretary of the Interior for the erection of another hotel, bathhouse, or other structure thereon. (U.S.C., 6th supp., title 16, sec. 370a.)[5]

Hot Springs National Park, Ark. Site of Arlington hotel and bathhouse to be retained on expiration of lease. Maintenance by United States for park, etc., purposes.

New lease not to be granted.

An Act To authorize the Leo N. Levi Memorial Hospital Association to mortgage its property in Hot Springs National Park, approved March 2, 1931 (46 Stat. 1462)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Leo N. Levi Memorial Hospital Association is hereby authorized, with the approval of the Secretary of the Interior, to execute mortgages upon its rights in and properties upon lots numbered 1, 2, 3, and 4 in block numbered 114 in the city of Hot Springs, Arkansas, and such mortgages, together with the approval of said Secretary of the Interior, may be filed for record in the office of the Secretary of the Interior, and when so recorded shall have all the effect of a public record.

Leo N. Levi Memorial Hospital Association.

May mortgage its property in Hot Springs, Ark.

[5] Modifies 37 Stat. 459. See p. 252.

19. Bryce Canyon National Park

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An Act To establish the Utah National Park in the State of Utah, approved June 7, 1924 (43 Stat. 593)

Utah National Park.

Lands set apart as.

(Amended by 45 Stat. 147, and 45 Stat. 502. See pp. 261 and 261.)

Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there 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 for the benefit and enjoyment of the people, under the name of the "Utah National Park," the tract of land in the State of Utah particularly described by and included within metes and bounds, as follows, to wit:

Unsurveyed sections 31 and 32, township 36 south, range 3 west; surveyed section 36, township 36 south, range 4 west; north half, southwest quarter and west half of the southeast quarter of partially surveyed section 5; unsurveyed sections 6 and 7, west half, west half of the northeast quarter, and west half of the southwest quarter of partially surveyed section 8, partially surveyed section 17 and unsurveyed section 18, township 37 south, range 3 west; and unsurveyed sections 1, 12, and 13, township 37 south, range 4, all west of the Salt Lake meridian, in the State of Utah: *Provided*, That all the land within the exterior boundaries of the aforesaid tract shall first become the property of the United States.

Proviso. Title to be secured.

Administration, etc., under National Park Service. Vol. 39, p. 535. See p. 9.

SEC. 2. That the administration, protection, and promotion of said Utah 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, entitled "An Act to establish a National Park Service, and for other purposes."

No valid claim, etc., affected.

SEC. 3. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: *Provided*, That the Secretary of the Interior is hereby

Proviso.

authorized to exchange, in his discretion, alienated lands in this and Zion National Park for unappropriated and unreserved public lands of equal value and approximately equal area in the State of Utah outside of said parks. (U.S.C., title 16, sec. 346.)

Exchange of alienated lands in, and Zion Park, for other lands.

An Act To change the name of the Utah National Park, the establishment of which is provided for by the Act of Congress approved June 7, 1924 (Forty-third Statutes, page 593), to the "Bryce Canyon National Park," and for other purposes, approved February 25, 1928 (45 Stat. 147)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the area within the State of Utah described in the Act of Congress approved June 7, 1924 (Forty-third Statutes, page 593), providing for the establishment of the Utah National Park, shall be, when established as a national park, known as the Bryce Canyon National Park. (U.S.C., 6th supp., title 16, sec. 402a.)

Bryce Canyon National Park, Utah.

Utah National Park to be known as.

SEC. 2. That the east half east half section 25, township 36 south, range 4 west; the east half southwest quarter section 20, and all of sections 21, 29, and 30, township 36 south, range 3 west; all of sections 24 and 25, township 37 south, range 4 west; and all of sections 19 and 30, township 37 south, range 3 west, Salt Lake meridian, be, and the same are hereby, excluded from the Powell National Forest and made a part of the Bryce Canyon National Park, subject to the provisions of the aforesaid Act of Congress approved June 7, 1924. (U.S.C., 6th supp., title 16, sec. 402b.)

Vol. 43, p. 593, amended. See p. 260.

Areas excluded from Powell National Forest and added to Bryce Canyon Park.

SEC. 3. That unsurveyed sections 28 and 33, township 36 south, range 3 west, and section 20, township 37 south, range 3 west, Salt Lake meridian, public lands of the United States, be, and the same are hereby, added to and made a part of the Bryce Canyon National Park subject to the provisions of the aforesaid Act of Congress approved June 7, 1924. (U.S.C., 6th supp., title 16, sec. 402c.)

Other lands added to park.

An Act To correct the descriptions of land comprising the Bryce Canyon National Park as contained in the Act approved June 7, 1924, entitled "An Act to establish the Utah National Park in the State of Utah," and the Act approved February 25, 1928, entitled "An Act to change the name of the Utah National Park, the establishment of which is provided for by the Act of Congress approved June 7, 1924 (Forty-third Statutes, page 593), to the 'Bryce Canyon National Park,' and for other purposes," approved May 12, 1928 (45 Stat. 502)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land described in section 1 of the Act approved June 7, 1924, entitled "An Act to establish the Utah National Park in the State of Utah," be, and the same is hereby, amended to read as follows:

Bryce Canyon National Park, Utah.

Vol. 43, p. 593, amended. See p. 260.

"Unsurveyed sections 31 and 32, township 36 south, range 3 west; surveyed section 36, township 36 south,

New area described.

range 4 west; north half, southwest quarter and west half of the southeast quarter of partially surveyed section 5; unsurveyed sections 6 and 7, west half, west half of the northeast quarter, and west half of the southeast quarter of partially surveyed section 8, partially surveyed section 17, and unsurveyed section 18, township 37 south, range 3 west; and unsurveyed sections 1, 12, and 13, township 37 south, range 4, all west of the Salt Lake meridian in the State of Utah." (U.S.C., 6th supp., title 16, sec. 401.)

Description modified of lands from Powell National Forest.

SEC. 2. That the tract of land described in section 2 of the Act approved February 25, 1928, entitled "An Act to change the name of the Utah National Park, the establishment of which is provided for by the Act of Congress approved June 7, 1924 (Forty-third Statutes, page 593), to the 'Bryce Canyon National Park,' and for other purposes," be, and the same is hereby, amended to read as follows:

Corrected description.

"The east half east half section 25, township 36 south, range 4 west; the east half and southwest quarter section 20, and all of sections 21, 29, and 30, township 36 south, range 3 west; all of sections 24 and 25, township 37 south, range 4 west; and all of sections 19 and 30, township 37 south, range 3 west, Salt Lake meridian." (U.S.C., 6th supp,. title 16, sec. 402b.)

An Act To provide for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes, approved June 13, 1930 (46 Stat. 582)

Bryce Canyon National Park, Utah. President authorized to add certain lands to, by proclamation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving in their natural state the outstanding scenic features to the south and west of Bryce Canyon National Park, the President of the United States be, and he is hereby, authorized, upon the joint recommendation of the Secretaries of Interior and of Agriculture, to add to the Bryce Canyon National Park, in the State of Utah, by Executive proclamation, any or all of unsurveyed townships 37 and 38 south, range 4 west, Salt Lake meridian, not now included in said park, and all the lands added to said park pursuant hereto shall be, and are hereby, made subject to all laws, rules, and regulations applicable to and in force in the Bryce Canyon National Park. (U.S.C., 6th supp., title 16, sec. 402d.)

Description.

Water Power Act not applicable. Vol. 41, p. 1063.

SEC. 2. That the provisions of the Act of June 10, 1920, known as the Federal Water Power Act, shall not apply to lands now included in the Bryce Canyon National Park nor to any lands added to said park under the authority of this Act. (U.S.C., 6th supp., title 16, sec. 402e.)

An Act To adjust the boundaries and for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes, approved February 17, 1931 (46 Stat. 1166)

Bryce Canyon National Park, Utah. Boundaries modified.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving in their natural state the outstanding scenic features thereon and for the purpose of rounding out the boundary of the Bryce Canyon National Park, the President of the United States be, and he is hereby, authorized, upon the joint recommendation of the Secretaries of Interior and of Agriculture, to add to said park by Executive proclamation any or all of the following-described lands in the State of Utah, which shall thereupon become and be a part of said park subject to all laws and regulations applicable thereto, to wit: South half southwest quarter section 2, south half south half section 3, southeast quarter southeast quarter section 4, east half section 8, sections 9, 10, west half section 11, west half section 14, sections 15, 16, 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, north half northwest quarter section 23, west half section 27, and north half northwest quarter section 34, township 36 south, range 3 west; lots 3 and 4, south half northwest quarter section 4, northeast quarter northeast quarter and southeast quarter southeast quarter section 8, township 37 south, range 3 west; west half east half and southwest quarter section 25, unsurveyed township 36 south, range 4 west; lots 3 and 4, south half west half section 3, lots 1, 2, 3, and 4 and south half section 4, and lots 1 and 2 and south half east half section 5, township 39 south, range 4 west, Salt Lake meridian: *Provided*, That nothing herein shall affect any valid existing claims upon the lands herein authorized to be added to the park or the rights of stockmen to continue to drive stock over the lands now under an existing stock driveway withdrawal. (U.S.C., 6th supp., title 16, sec. 402f.)

Lands added.

Proviso. Existing claims, etc., not affected.

Portions eliminated.

To become part of Powell National Forest.

SEC. 2. That the following-described lands are hereby eliminated from the Bryce Canyon National Park and shall hereafter be included in and become a part of the Powell National Forest, subject to all laws and regulations applicable thereto, to wit: Section 30, township 37 south, range 3 west; section 25, unsurveyed township 37 south, range 4 west, Salt Lake meridian. (U.S.C., 6th supp., title 16, sec. 402g.)

20. Grand Teton National Park

Page

Act of February 26, 1929, establishing the Grand Teton National Park in the State of Wyoming ---------- 264

An Act To establish the Grand Teton National Park in the State of Wyoming, and for other purposes, approved February 26, 1929 (45 Stat. 1314)

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 Wyoming particularly described by metes and bounds as follows, to wit:

Grand Teton National Park.

Beginning at the northwest corner of township 44 north, range 115 west, of the sixth principal meridian; thence southerly along the west line of said township to the northeast corner of section 12, township 44 north, range 116 west; thence westerly to the northwest corner of the northeast quarter northeast quarter section 12; thence southerly and westerly, respectively, on quarter-quarter section lines to the southwest corner of said section 12; thence southerly to the southwest corner of the northwest quarter northwest quarter section 13; thence easterly to the northeast corner of the southwest quarter northeast quarter section 13; thence southerly on the east quarter-quarter section lines of sections 13, 24, and 25, to the southwest corner of the northeast quarter northeast quarter section 25; thence westerly and southerly, respectively, on quarter-quarter section lines to the northwest corner of the southwest quarter southwest quarter section 25; thence westerly to the northwest corner of the southwest quarter southeast quarter section 26; thence southerly to the southwest corner of the southeast quarter section 26; thence westerly to the southwest corner of the southeast quarter southwest quarter section 26; thence southerly to the southwest corner of the northeast quarter southwest quarter section 35; thence easterly to the northeast corner of the southwest quarter southeast quarter section 35; thence southerly to the southeast corner of the southwest quarter southeast quarter section 35, all in township 44 north, range 116 west; thence westerly to the northeast corner of the northwest quarter section 2, township 43 north, range 116 west; thence southerly on mid-section lines of sections 2, 11, and 14, to the northwest corner of the southeast quarter section 14; thence

Area.

Description.

easterly to the northeast corner of the northwest quarter southeast quarter section 14; thence southerly on east quarter-quarter section lines of sections 14, 23, 26, and 35, all in township 43 north, range 116 west, to the right bank of South Fork Snake River; thence westerly along said bank to its intersection with the north line of township 42 north, range 116 west; thence westerly along said township line to the northwest corner of said township; thence southerly along the west line of said township to its intersection with the main hydrographic divide immediately south of Granite Canyon; thence southwesterly along said divide to its intersection with the main hydrographic divide formed by the crest of the Teton Mountains; thence northerly along said divide, between the headwaters of Moose Creek and Granite Canyon, Fox Creek, and Open Canyon, Dirby Creek and Death Canyon, Teton Creek and Taggart and Glacier Creeks, Leigh Creek and Leigh Canyon, Badger Creek and Moran Canyon, to a point where said divide intersects the main hydrographic divide immediately south and southeast of Webb (Moose) Canyon; thence northeasterly along the last-mentioned divide to its interseciton with the projected east quarter-quarter section line of what will probably be when surveyed section 7, township 46 north, range 115 west; thence southerly along said line to the northwest corner of the southeast quarter southeast quarter section 7; thence westerly to the northwest corner of the southwest quarter southeast quarter section 7; thence southerly on projected mid-section lines of probable sections 7, 18, 19, and 30, to the southwest corner of the northeast quarter section 30; thence westerly to the southeast corner of the southwest quarter northwest quarter section 30; thence southerly to the southeast corner of the northwest quarter southwest quarter section 30; thence westerly to the southwest corner of the northwest quarter southwest quarter section 30, all of township 46 north, range 115 west; thence southerly on projected west line of said township and the west line of township 45 north, range 115 west, to the southwest corner of section 6, township 45 north, range 115 west; thence westerly on projected north line of what will probably be when surveyed, section 12, township 45 north, range 116 west, to the northeast corner of the northwest quarter northwest quarter section 12; thence southerly to the southeast corner of the southwest quarter northwest quarter section 12; thence westerly to the southeast corner of the southwest quarter northwest quarter probable section 11; thence southerly to the northeast corner of the southwest quarter southwest quarter section 11; thence westerly to the northwest corner of the southwest quarter southwest quarter section 11; thence southerly on projected west lines of probable sections 11 and 14 to the southwest

corner of said section 14; thence easterly to the northeast corner of the northwest quarter northwest quarter probable section 23; thence southerly to the southeast corner of the northwest quarter northwest quarter section 23; thence easterly to the southwest corner of the northeast quarter of the northeast quarter section 23; then southerly to the southwest corner of the southeast quarter northeast quarter section 23; thence easterly to the southeast corner of the northeast quarter section 23; thence southerly on projected east lines of probable sections 23 and 26 to the northeast corner of the southeast quarter southeast quarter section 26; thence eastward to the northeast corner of the southeast quarter southeast quarter section 25, all in township 45 north, range 116 west; thence easterly to the northeast corner of the southeast quarter southwest quarter section 30, township 45 north, range 115 west; thence southerly on mid-section lines of sections 30 and 31, to the south line of section 31, said township; thence easterly to place 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 or pleasure ground for the benefit and enjoyment of the people of the United States under the name of the Grand Teton National Park of Wyoming: *Provided*, That no new roads shall be constructed and no hotels or permanent camps shall be established on such lands except under authority of appropriations specifically made therefor by Congress, but nothing herein shall be held to restrict the establishment and construction of trails on said lands. (U.S.C., 6th supp., title 16, sec. 406.)

Set apart as Grand Teton National Park, Wyo.

Proviso. Restriction on new roads and hotels.

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," and all Acts supplementary to and amendatory of said Act, are made applicable to and extended over the lands hereby included in said Grand Teton National Park: *Provided*, That under rules and regulations to be prescribed by the Secretary of the Interior any bona fide claimant or entryman claiming or owning land reasonably adjacent to the land in said park shall have the right to graze upon land in said park reasonably adjacent to the lands claimed or owned by him such number of livestock as he has been accustomed to so graze in the past or as may be reasonably necessary to the conduct of his business, and shall also have the right subject to such rules and regulations to secure dead or down timber from park lands for use in the conduct of such business. (U.S.C., 6th supp., title 16, sec. 406a.)

National Park Service provisions applicable. Vol. 39, p. 535. See p. 9.

Proviso. Grazing permitted adjacent owners, upon lands of.

Use of dead and down timber.

SEC. 3. That the provisions of the Act of June 10, 1920, 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

Water Power Act not applicable. Vol. 41, p. 1063.

lands in relation thereto, and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend over the land hereby reserved and dedicated as the Grand Teton National Park. (U.S.C., 6th supp., title 16, sec. 406b.)

Valid claims, etc., not affected.

SEC. 4. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land. (U.S.C., 6th supp., title 16, sec. 406c.)

Appropriations for Yellowstone Park available for purposes hereof.

SEC. 5. That the appropriations heretofore and hereafter made available for the administration, protection, and maintenance of the Yellowstone National Park shall also be available for these purposes for the Grand Teton National Park of Wyoming unless said park is otherwise provided for by Act of Congress.[1] (U.S.C., 6th supp., title 16, sec. 406d.)

[1] Separate appropriations have been made for Grand Teton National Park beginning with the Interior Department appropriation act for the fiscal year ending June 30, 1931 (46 Stat. 279).

21. Carlsbad Caverns National Park

Page

Act of May 14, 1930, establishing the Carlsbad Caverns National Park in New Mexico 268

An Act To establish the Carlsbad Caverns National Park in the State of New Mexico, and for other purposes, approved May 14, 1930 (46 Stat. 279)

Carlsbad Caverns National Park, N.Mex. Name changed to. Vol. 34, p. 225; vol. 43, p. 1929, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land heretofore known as the Carlsbad Cave National Monument, in the State of New Mexico, established and designated as a national monument under the Act of June 8, 1906, entitled "An Act for the preservation of American antiquities," and by presidential proclamation of October 25, 1923, be, and the same is hereby, declared to be a national park and dedicated as a public park for the benefit and enjoyment of the people under the name of the Carlsbad Caverns National Park, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Carlsbad Cave National Monument. (U.S.C., 6th supp., title 16, sec. 407.)

Moneys for use of.

Administration by National Park Service. Vol. 39, p. 535. See p. 9.

SEC. 2. That the administration, protection, and development of said Carlsbad Caverns 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, entitled "An Act to establish a National Park Service, and for other purposes," and Acts supplementary thereto or amendatory thereof. (U.S.C., 6th supp., title 16, sec. 407a.)

Water Power Act not applicable. Vol. 41, p. 1063.

SEC. 3. That the provisions of the Act of June 10, 1920, known as the Federal Water Power Act, shall not apply to or extend over the land hereby or hereafter reserved and dedicated as the Carlsbad Caverns National Park. (U.S.C., 6th supp., title 16, sec. 407b.)

Enlargement of boundaries authorized.

SEC. 4. That the boundaries of said Carlsbad Caverns National Park may be enlarged by subsequent proclamation or proclamations of the President upon the recommendations of the Secretary of the Interior, to include any or all of the following-described lands, to wit: Sections 1, 12, and 13, township 24 south, range 22 east; sections 1 to 18, inclusive, 20 to 28, inclusive, and 33 to 36, inclusive, township 24 south, range 23 east; the entire township 24 south, range 24 east; sections 6, 7, 18, and

Description.

19, and 27 to 34, inclusive, township 24 south, range 25 east; sections 24, 25, 35, and 36, township 25 south, range 22 east; the entire township 25 south, range 23 east; north half of township 25 south, range 24 east; sections 5, 6, 7, 8, 17, and 18, township 25 south, range 25 east; sections 1, 2, 11, 12, 13, and 14, and 19 to 36, inclusive, township 26 south, range 22 east; west half of township and sections 22 to 26, inclusive, township 26 south, range 23 east; all with respect to the New Mexico principal meridian. (U.S.C., 6th supp., title 16, sec. 407c.)

22. Great Smoky Mountains National Park

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An Act To provide for the securing of lands in the southern Appalachian Mountains and in the Mammoth Cave regions of Kentucky for perpetual preservation as national parks, approved February 21, 1925 (43 Stat. 958)

National Parks. Determination of areas to be acquired for Shenandoah, Va., and Smoky Mountains, Tenn. and N.C.

Lands in Mammoth Cave regions of Kentucky, etc.

Securing options, 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 and directed to determine the boundaries and area of such portion of the Blue Ridge Mountains of Virginia lying east of the South Fork of the Shenandoah River and between Front Royal on the north and Waynesboro on the south as may be recommended by him to be acquired and administered as a national park, to be known as the Shenandoah National Park, and such portion of the Smoky Mountains lying in Tennessee and North Carolina as may be recommended by him to be acquired and administered as a national park, to be known as the Smoky Mountains National Park, and in the Mammoth Cave regions of Kentucky and also such other lands in the southern Appalachian Mountains as in his judgment should be acquired and administered as national parks, and to receive definite offers of donations of lands and moneys, and to secure such options as in his judgment may be considered reasonable and just for

the purchase of lands within said boundaries and to report to Congress thereon: *Provided*, That the Secretary of the Interior may, for the purpose of carrying out the provisions of this Act, appoint a commission of five members, composed of a representative of the Interior Department and four national park experts, said four members to serve without compensation. (U.S.C., 6th supp., title 16, sec. 403c.)

Proviso. Commission to be appointed.

SEC. 2. A sum sufficient to secure options and to pay the necessary expenses of the commission in carrying out the provisions of this Act, including the salary of one clerk to the commission at a rate not to exceed $2,000 per annum, necessary traveling expenses of the members of the commission, and $10 per diem in lieu of actual cost of subsistence, in all, not to exceed $20,000, is hereby authorized to be appropriated.

Amount authorized for expenses.

An Act To provide for the establishment of the Shenandoah National Park in the State of Virginia and the Great Smoky Mountain National Park in the States of North Carolina and Tennessee, and for other purposes, approved May 22, 1926 (44 Stat. 616)

National parks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to lands within the areas hereinafter referred to shall have been vested in the United States in fee simple there shall be, and are hereby, established, dedicated, and set apart as public parks for the benefit and enjoyment of the people, the tract of land in the Blue Ridge, in the State of Virginia, being approximately five hundred and twenty-one thousand acres recommended by the Secretary of the Interior in his report of April 14, 1926, which area, or any part or parts thereof as may be accepted on behalf of the United States in accordance with the provisions hereof, shall be known as the Shenandoah National Park; and the tract of land in the Great Smoky Mountains in the States of North Carolina and Tennessee being approximately seven hundred and four thousand acres, recommended by the Secretary of the Interior in his report of April 14, 1926, which area, or any part or parts thereof as may be accepted on behalf of the United States in accordance with the provisions hereof, shall be known as the Great Smoky Mountains National Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any land within the aforesaid areas, but that such lands shall be secured by the United States only by public or private donation. (U.S.C., 6th supp., title 16, sec. 403.)

Great Smoky Mountains, N.C., set apart as, when lands therefor vested in United States.

Proviso. Lands to be secured only by donation.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to accept as hereinafter provided on behalf of the United States title to the lands referred to in the previous section hereof and to be purchased with the $1,200,000 which has been subscribed by the State of

Acceptance of title of lands in Smoky Mountain Park area in Tennessee and North Carolina.

Virginia and the Shenandoah National Park Association of Virginia and with other contributions for the purchase of lands in the Shenandoah National Park area, and with the $1,066,693 which has been subscribed by the State of Tennessee and the Great Smoky Mountains Conservation Association and by the Great Smoky Mountains (Incorporated) (North Carolina) and with other contributions for the purchase of lands in the Great Smoky Mountains National Park area. (U.S.C., 6th supp., title 16, sec. 403a.)

National Park Service to administer, etc. Vol. 39, p. 535. See p. 9.

SEC. 3. That the administration, protection, and development of the aforesaid parks 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: *Provided*, That the provisions of the Act approved June 10, 1920, known as the Federal Water Power Act, shall not apply to these parks: *And provided further*, That the minimum area to be administered and protected by the National Park Service shall be for the Shenandoah National Park area two hundred and fifty thousand acres and for the Great Smoky Mountains National Park area one hundred and fifty thousand acres: *Provided further*, That no general development of either of these areas shall be undertaken until a major portion of the remainder in such area shall have been accepted by said Secretary. (U.S.C., 6th supp., title 16, sec. 403b.)

Provisos. Water Power Act not applicable. Vol. 41, p. 1063. Minimum area specified.

Area to be accepted before any development made.

Commission employed. Vol. 43, p. 958. See p. 271.

SEC. 4. The Secretary of the Interior may for the purpose of carrying out the provisions of this Act employ the commission authorized by the Act approved February 21, 1925. (U.S.C., 6th supp., title 16, sec. 403c.)

An Act To establish a minimum area for a Shenandoah National Park, for administration, protection, and general development by the National Park Service, and for other purposes, approved February 16, 1928 (45 Stat. 109)

Shenandoah National Park, Va. Minimum area of, established. Vol. 44, p. 616, amended. See p. 271.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the minimum area for administration, protection, and general development by the National Park Service in the Shenandoah National Park, the establishment of which is provided for by the Act of Congress approved May 22, 1926 (Forty-fourth Statutes, page 616), be and the same is hereby, established as three hundred and twenty-seven thousand acres, and so much of the said Act of May 22, 1926, as is inconsistent herewith is hereby repealed.

Leases authorized to prior occupants of lands in Shenandoah and Great Smoky Mountains Parks.

SEC. 2. That the Secretary of the Interior is hereby authorized to lease lands within the Shenandoah National Park and Great Smoky Mountains National Park for periods not exceeding two years, upon such condi-

tions as he may in his discretion deem proper, to persons and educational or religious institutions occupying same or who had or claim to have had some interest in the title to the same prior to the establishment of the park. (U.S.C., 6th supp., title 16, sec. 403e.)

An Act Ceding to the United States exclusive jurisdiction over Great Smoky Mountains National Park in the State of North Carolina, approved March 28, 1929 (Public Acts of North Carolina, 1929, p. 272)

The General Assembly of North Carolina do enact, That chapter forty-eight Public Laws of North Carolina, one thousand nine hundred twenty-seven, be amended in the following particulars, viz:

* * * * *

(b) By striking out section 24 of said Act and inserting in lieu thereof the following, viz:

"That the United States of America is authorized to acquire by conveyance made pursuant to this Act all the lands hereinabove mentioned and for the purposes set out in the Act of Congress above mentioned, 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 North Carolina, thus deeded or conveyed; saving, however, to the State of North Carolina the right to serve civil or criminal process within the limits of the land or lands thus acquired 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 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 North Carolina, that the United States of America assumes police jurisdiction over the land or lands thus deeded and conveyed."

An Act Ceding to the United States exclusive jurisdiction over Great Smoky Mountains National Park in the State of Tennessee, approved April 12, 1929 (Public Acts of Tennessee, 1929, p. 314)

Be it enacted by the General Assembly of the State of Tennessee, That Section 24 of Chapter 54, Public Acts 1927, be amended so as to read, as follows:

"That the United States of America is authorized to acquire by conveyance, and said Commission[1] 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 above mentioned, 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 Tennessee thus deeded or conveyed; saving, however, to the State of Tennessee 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 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 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 Tennessee, that the United States of America assumes police jurisdiction over the land or lands thus deeded."

An Act To provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the Act approved May 22, 1926 (Forty-fourth Statutes, page 616), approved April 19, 1930 (46 Stat. 225)

Great Smoky Mountains National Park, N.C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary limits of the tract of land in the Great Smoky Mountains in the States of North

[1] The Tennessee Great Smoky Mountains Park Commission.

Carolina and Tennessee, recommended by the Secretary of the Interior in his report of April 14, 1926, for the establishment of the Great Smoky Mountains National Park, be, and the same are hereby, extended to include lands adjacent to the east boundary as defined in said report to a line approximately as follows:

and Tenn. Vol. 44, p. 616, amended. See p. 271.

Adjacent lands included.

From a point on top of the Balsam Mountains at the boundary of Swain and Hayward Counties just north of Black Camp Gap; thence following east the top of the mountain range to Jonathan Knob and Hemphill Bald; thence along top of ridge through Camp Gap to Bent Knee Knob; thence following the main ridge to Cataloochee Creek to a point on the boundary of the area described in report of the Secretary of the Interior of April 14, 1926; and the lands within said boundary extension, or any part thereof, may be accepted on behalf of the United States in accordance with the provisions of the Act of May 22, 1926, for inclusion in the area to be known as the Great Smoky Mountains National Park. (U.S.C., 6th supp., title 16, sec. 403.)

Description.

Acceptance thereof. Vol. 44, p. 616. See p. 271.

An Act To establish a minimum area for a Shenandoah National Park, for administration, protection, and general development by the National Park Service, and for other purposes, approved February 4, 1932 (47 Stat. 37)

Shenandoah National Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the minimum area for administration, protection, and general development by the National Park Service in the Shenandoah National Park, the establishment of which is provided for by the Act of Congress approved May 22, 1926 (44 Stat. 616), be, and the same is hereby, established as one hundred and sixty thousand acres, and so much of the said Act of May 22, 1926, and of the Act of February 16, 1928 (45 Stat. 109), as is inconsistent herewith is hereby repealed. (U.S.C., 6th supp., title 16, sec. 403d.)

Area for development by National Park Service, established.

Vol. 44, p. 616. See p. 271.

Vol. 45, p. 109. See p. 272.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized in his discretion to accept title to lands tendered without cost to the United States within the areas of the Shenandoah National Park, the Great Smoky Mountains National Park, Mammoth Cave National Park, and the Isle Royale National Park, subject to leases entered into and granted as part consideration in connection with the purchase of said lands for tender to the United States for park purposes, but not exceeding in length of term the life of the particular grantor or grantors: *Provided*, That said leases and the terms and conditions thereof shall have previously been submitted to and approved by said Secretary: *And provided further*, That he may lease upon such terms and conditions as he deems proper any lands within the aforesaid areas when such use shall not be deemed by him in-

Acceptance of title to land, subject to leases.

Provisos.

Approval of Secretary of the Interior, required.

Authority to lease lands.

consistent with the purposes for which the lands were acquired on behalf of the United States, to persons, educational or religious institutions, private corporations, associations, and partnerships previously occupying such land for terms not exceeding the particular lifetime in the case of natural persons, and not exceeding twenty years in all other cases, which latter leases may be renewed in the discretion of said Secretary: *And provided further*, That the Secretary of the Interior may accept lands for these parks subject to reservations of rights of way and easements. (U.S.C., 6th supp., title 16, sec. 403f.)

Acceptance of lands subject to easements, etc.

An Act To authorize the conveyance to the State of Tennessee of certain land deeded to the United States for the Great Smoky Mountains National Park and not needed therefor, approved July 19, 1932 (47 Stat. 702)

Great Smoky Mountains National Park, Tenn. Conveyance of certain land deeded to United States for, to State of Tennessee, authorized.

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 convey to the State of Tennessee by the execution of appropriate deeds on behalf of the United States approximately two hundred and seventy-two and nine-tenths acres of land in Happy Valley and approximately two thousand seven hundred and ninety-five and two-tenths acres of land adjoining the north park boundary of the Great Smoky Mountains National Park, said lands having been heretofore deeded to the United States by said State for park purposes and now being found unnecessary therefor: *Provided*, That the proceeds of the sale of said land by the State of Tennessee shall be applied to the purchase of other desirable and unacquired land within the park boundaries in Tennessee, or, if deemed more advantageous, may be exchanged for such unacquired lands within the park area.

Proviso. Proceeds of such land to be applied to purchase of other park land.

23. Sullys Hill National Park

Page

Excerpt from act of April 27, 1904, modifying and amending an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, to reserve tract of land embracing Sullys Hill as a public park, etc. 277

Act of March 3, 1931, transferring jurisdiction over Sullys Hill National Park from the Interior Department to the Department of Agriculture to be maintained as Sullys Hill National Game Preserve 277

Except from "An Act To modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect," approved April 27, 1904 (33 Stat. 323)[1]

The President is also authorized to reserve a tract embracing Sullys Hill, in the northeastern portion of the abandoned military reservation, about nine hundred and sixty acres, as a public park.

Public park.

An Act For the transfer of jurisdiction over Sullys Hill National Park from the Department of the Interior to the Department of Agriculture, to be maintained as the Sullys Hill National Game Preserve, and for other purposes, approved March 3, 1931 (46 Stat. 1509)

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 transfer to the control of the Secretary of Agriculture Sullys Hill National Park, together with all improvements thereon, in the State of North Dakota, and the Secretary of Agriculture shall hereafter administer said area as a big game preserve, refuge, and breeding grounds for wild animals and birds, which shall be known as the Sullys Hill National Game Preserve and shall embrace within its boundaries the lands described in the proclamation of June 2, 1904, establishing Sullys Hill Park, together with all unsurveyed or public lands uncovered by the recession of the waters of Devils Lake in front of said reservation, the preserve to be bounded on the north and northwest by the waters of Devils Lake, and on the west and southwest by a stream which flows through lands uncovered by the recession of the waters of Devils Lake, approximately midway between lots 10 and 11, section 17; lots 1, 2, 6, and 8, section 16; and lot 2, section 9; lots 3, 4, and 5, section 16, township 152 north, range 65 west, fifth

Sullys Hill National Park, N.Dak. Jurisdiction over, transferred to Department of Agriculture. To be administered hereafter as Sullys Hill National Game Preserve.

Area embraced. Vol. 33, p. 2368.

[1] For description of lands reserved as Sullys Hill Park, see 33 Stat. 2370.

principal meridian, as meandered on the official plats of survey approved June 23, 1904, and June 2, 1927: *Provided*, That the said game preserve is to be made available to the public for recreational purposes insofar as consistent with the use of this area as a game preserve: *Provided further*, That hunting shall not be permitted on said game preserve. (U.S.C., 6th supp., title 16, sec. 674a.)

Provisos.
Available for recreational purposes.
Hunting forbidden.

Acquisition for extensions.

SEC. 2. The Secretary of Agriculture is authorized to acquire, by purchase or otherwise, after July 1, 1932, an area of land not to exceed three thousand acres, at an average cost of not more than $10 per acre, with the improvements thereon, situated on the east and south of said preserve as described in section 1 of this Act, within sections 10, 11, 12, 13, 14, 15, 22, 23, and 24, township 152 north, range 65 west, fifth principal meridian, said lands upon acquisition by the United States, to become a part of the Sullys Hill National Game Preserve. (U.S.C., 6th supp., title 16, sec. 674b.)

Average cost.
Description.

Improvements authorized.

SEC. 3. The Secretary of Agriculture is authorized to construct and maintain such boundary and division fences as are required to inclose and subdivide the preserve; to construct such buildings and improvements, to install and maintain a suitable water-supply and sanitary system, to purchase such supplies, and to employ such assistants as are necessary for the maintenance of the preserve and the improvements thereon and for the accommodation of visitors thereto. (U.S.C., 6th supp., title 16, sec. 674c.)

Supplies, services, etc.

Appropriation authorized.

SEC. 4. There is authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as Congress shall from time to time deem necessary to carry out the purposes of this Act. (U.S.C., 6th supp., title 16, sec. 674d.)

24. Morristown National Historical Park

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Act of March 2, 1933, providing for the establishment of the Morristown National Historical Park in New Jersey 279

An Act To provide for the creation of the Morristown National Historical Park in the State of New Jersey, and for other purposes, approved March 2, 1933

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 military camp-ground areas and other areas of Revolutionary War interest at and in the vicinity of Morristown, New Jersey, as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-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 enjoyment of the people and shall be known as the Morristown National Historical Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas, but such lands shall be secured by the United States only by public or private donation: *And provided further*, That such areas shall include, at least, Jockey Hollow camp site, now owned by Lloyd W. Smith and the town of Morristown, Fort Nonsense, now owned by the town of Morristown, and the George Washington Headquarters, known as the Ford House, with its museum and other personal effects and its grounds, now owned by the Washington Association of New Jersey.

Morristown National Historical Park, N.J. To be established when title to certain lands, etc., shall have been vested in United States.

Provisos. Lands to be donated to United States. Areas to be included in park.

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 park as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands purchased to be satisfactory to the Secretary of the Interior: *Provided*, That the Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States other lands, easements, and buildings of Revolutionary War interest in Morris and adjacent counties in New Jersey as may be donated for the extension of the Morristown National Historical Park.

Secretary of Interior authorized to accept donations of land, etc., within park boundaries.

Proviso. Also authorized to accept certain donations in Morris and adjacent counties in New Jersey.

SEC. 3. After the acquisition of the museum and other personal effects of the said Washington Association by the United States, including such other manuscripts, books, paintings, and other relics of historical value pertaining to George Washington and the Revolutionary

Washington Association of New Jersey museum and library to be maintained as part of park.

War as may be donated to the United States, such museum and library shall forever be maintained as a part of said Morristown National Historical Park.

Board of Advisers designated.

SEC. 4. The Washington Association of New Jersey, Lloyd W. Smith, and the town of Morristown having, by their patriotic and active interest in conserving for posterity these important historical areas and objects, the board of trustees and the executive committee of the said association, together with Mrs. Willard W. Cutler, its curator, and Clyde Potts, at present mayor of Morristown, shall hereafter act as a board of advisers in the maintenance of said park. The said association shall have the right to hold its meetings in said Ford House.

Employees of Washington Association of New Jersey may be employed by National Park Service.

SEC. 5. Employees of the said Washington Association, who have been heretofore charged with the care and development of the said Ford House and its museum and other effects, may, in the discretion of the Secretary of the Interior, hereafter be employed by the National Park Service in the administration, protection, and development of the said park without regard to the laws of the United States applicable to the employment and compensation of officers and employees of the United States.

Administration, protection, and development to be exercised by National Park Service.

SEC. 6. The administration, protection, and development of 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 (U.S.C., title 16, secs. 1–4): *Provided*, That no appropriation of Federal funds for administration, protection, and maintenance of said park in excess of $7,500 annually shall be made for the fiscal years 1934, 1935, 1936.

Proviso. Annual appropriation for 1934, 1935, and 1936 not to exceed $7,500.

Authority and jurisdiction of State of New Jersey over park area.

SEC. 7. Nothing in this Act shall be held to deprive the State of New Jersey, or any political subdivision thereof, of its civil and criminal jurisdiction in and over the areas included in said national historical park, nor shall this Act in any way impair or affect the rights of citizenship of any resident therein; and save and except as the consent of the State of New Jersey may be hereafter given, the legislative authority of said State in and over all areas included within such national historical park shall not be diminished or affected by the creation of said park, nor by any terms and provisions of this Act.