

**§ 445c. Pipestone National Monument****(a) Establishment; boundaries**

The lands lying in Pipestone County, Minnesota, within the area hereinafter described are dedicated and set apart as a national monument for the benefit and enjoyment of the people of the United States, under the name of the "Pipestone National Monument": Beginning at a point twenty-two and four-tenths feet north and forty-five and eight one-hundredths feet west of the southwest corner of section 1, township 106 north, range 46 west, fifth principal meridian; thence north one thousand six hundred and fifty-five feet; thence north eighty-nine degrees fifteen minutes east, seven hundred and eight feet; thence north no degrees forty-five minutes west, six hundred and seven and three-tenths feet; thence north sixty-two degrees five minutes east, nine hundred and eighty-seven and one-tenth feet; thence south twenty-seven degrees fifty-five minutes east, two hundred and sixty-four and five-tenths feet; thence south eighty-eight degrees nineteen minutes east, nine hundred and sixty-seven and five-tenths feet; thence south no degrees twenty-four minutes east, one hundred and forty-four and three-tenths feet; thence south eighty-three degrees forty-three minutes west, four hundred and seventy-two and four-tenths feet; thence south two degrees seventeen minutes east, two thousand two hundred and forty-nine feet; thence south eighty-nine degrees twenty minutes west, four hundred and fifty-eight and two-tenths feet; thence south no degrees no minutes east, one hundred and one and one-tenth feet; thence south ninety degrees no minutes west, one hundred and thirty-seven and two-tenths feet; thence north no degrees no minutes west, one hundred feet; thence south eighty-nine degrees twenty minutes west, one thousand six hundred and eighty-three and eight-tenths feet to the point of beginning; containing approximately one hundred and fifteen and eighty-six one-hundredths acres, including concourse, excluding from the area described herein forty-seven one-hundredths acres, constituting a right-of-way of the Chicago, Rock Island and Pacific Railway.

**(b) Administration, protection, and development**

The administration, protection, and development of such monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916,<sup>1</sup> as amended.

**(c) Quarry rights of Indians**

The quarrying of the red pipestone in the lands described in subsection (a) is expressly reserved to Indians of all tribes, under regulations to be prescribed by the Secretary of the Interior.

(Aug. 25, 1937, ch. 768, §§1-3, 50 Stat. 804, 805.)

## REFERENCES IN TEXT

The Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, referred to in subsec. (b), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Serv-

ice Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

## TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 445d. Acquisition of additional lands, Pipestone School Reserve and non-Federal land; redefining of boundaries; quarry rights of Indians**

The Secretary of the Interior is authorized to add to the Pipestone National Monument such part of the Pipestone school reserve, not exceeding two hundred and fifty acres, as he deems necessary to protect archeological remains, to acquire by purchase or condemnation not exceeding ten acres of non-Federal land, as he deems necessary to improve the boundary and administration of the Pipestone National Monument Federal land, and to redefine the exterior boundaries of the Pipestone National Monument to include the lands so transferred and acquired pursuant to this section. All lands added to the Pipestone National Monument pursuant to this section shall be subject to the provisions of subsections (b) and (c) of section 445c of this title. (June 18, 1956, ch. 401, 70 Stat. 290.)

**§ 446. Sites for tablets at Antietam; care and supervision**

All lands acquired by the United States, whether by purchase, gift, or otherwise, for the purposes of sites for tablets for the marking of the lines of battle of the Army of the Potomac and of the Army of Northern Virginia at Antietam, and of the position of each of the forty-three different commands of the Regular Army engaged in the battle of Antietam, shall be under the care and supervision of the Secretary of the Interior.

(Aug. 30, 1890, ch. 837, §1, 26 Stat. 401; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

## TRANSFER OF FUNCTIONS

Administrative functions of certain national military parks transferred to Department of the Interior by Ex. Ord. Nos. 6166 and 6228, set out in notes under section 011 of Title 5, Government Organization and Employees.

National Park Service substituted for Office of National Parks, Buildings, and Reservations referred to in Ex. Ord. No. 6166, by act Mar. 2, 1934, ch. 38, §1, 48 Stat. 389.

<sup>1</sup> See References in Text note below.

**§ 447. Repealed. Pub. L. 94-429, §3(d), Sept. 28, 1976, 90 Stat. 1342**

Section, act June 13, 1933, ch. 70, 48 Stat. 139, extended mining laws of United States to lands within the park subject to regulation by Secretary of the Interior.

MINING RIGHTS EXISTING PRIOR TO SEPTEMBER 28, 1976

Section 3 of Pub. L. 94-429 provided in part that this section was repealed in order to close area to entry and location under the Mining Law of 1872, subject to valid existing rights.

**§ 447a. Ocmulgee National Monument; establishment; acquisition of property**

When title to lands commonly known as the “Old Ocmulgee Fields”, upon which certain Indian mounds of great historical importance are located, comprising approximately two thousand acres, in and around the city of Macon, County of Bibb, State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary for national-monument purposes, shall have been vested in the United States, said area shall be set aside as a national monument, by proclamation of the President, and shall be known as the “Ocmulgee National Monument”: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

(June 14, 1934, ch. 519, §1, 48 Stat. 958.)

ESTABLISHMENT OF MONUMENT; BOUNDARIES

Monument and boundaries established by Presidential Proc. No. 2212, Dec. 23, 1936, 50 Stat. 1798; Proc. No. 2493, June 13, 1941, 55 Stat. 1655; Pub. L. 102-67, July 9, 1991, 105 Stat. 325.

**§ 447b. Donation of property; condemnation proceedings**

The Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national monument as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States under any donated funds by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national monument as may be necessary for the completion thereof.

(June 14, 1934, ch. 519, §2, 48 Stat. 959.)

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

**§ 447c. Administration, protection, and development**

The administration, protection, and development of the Ocmulgee National Monument shall

be under the supervision of the Secretary of the Interior subject to the provisions of the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916,<sup>1</sup> as amended.

(June 14, 1934, ch. 519, §3, 48 Stat. 959.)

REFERENCES IN TEXT

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916, referred to in text, is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

**§ 448. Pioneer National Monument; establishment**

When title to the sites of Fort Boonesborough, Boones Station, Bryans Station, and Blue Licks Battlefield, in the State of Kentucky, comprising noncontiguous tracts to be united by a Memorial Highway, together with such historical structures and remains thereon, as may be designated by the Secretary of the Interior as necessary or desirable for national-monument purposes and for the proper commemoration of the valor and sacrifices of the pioneers of “the West”, shall have been vested in the United States, said areas and improvements shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people, and shall be called the “Pioneer National Monument.”

(June 18, 1934, ch. 573, §1, 48 Stat. 982.)

**§ 449. Acceptance of donations of land and funds; acquisition of land**

The Secretary of the Interior be, and he is, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national monument as may be necessary for the completion thereof.

(June 18, 1934, ch. 573, §2, 48 Stat. 983.)

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

<sup>1</sup> See References in Text note below.