

Ex. Ord. No. 6166, by act Mar. 2, 1934, ch. 38, §1, 48 Stat. 389.

#### ABOLITION OF COMMISSION

Act Oct. 9, 1942, ch. 583, 56 Stat. 778, provided: "That the Guilford Courthouse National Military Park Commission, established pursuant to the Act of March 2, 1917 (39 Stat. 996; 16 U.S.C. 430i), is abolished effective at the expiration, on October 13, 1941, of the current appointment of the resident commissioner."

#### § 430j. Monocacy National Battlefield; establishment

That in order to commemorate the Battle of Monocacy, Maryland, and to preserve for historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein, the battlefield at Monocacy in the State of Maryland is hereby established as the Monocacy National Battlefield. The battlefield shall comprise the area within the boundary generally depicted on the map entitled "Monocacy National Battlefield," numbered 894/40,001A, and dated April 1980, which shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

(June 21, 1934, ch. 694, §1, 48 Stat. 1198; Pub. L. 94-578, title III, §319(1), Oct. 21, 1976, 90 Stat. 2738; Pub. L. 96-607, title XIV, §140(a), Dec. 28, 1980, 94 Stat. 3546.)

#### AMENDMENTS

1980—Pub. L. 96-607 substituted provision directing that the battlefield be comprised of the area within the boundary generally depicted on the map entitled Monocacy National Battlefield, numbered 894/40,001A, dated April 1980, which map is to be on file and available for public inspection for provision directing that the battlefield be comprised of the area generally depicted on the drawing entitled Boundary, Monocacy National Battlefield, numbered 894-40,000, dated May 1976.

1976—Pub. L. 94-578 substituted "is declared a national battlefield to be known as the 'Monocacy National Battlefield' (hereinafter referred to as 'the battlefield'). The battlefield shall comprise the area generally depicted on the drawing entitled 'Boundary, Monocacy National Battlefield', numbered 894-40,000 and dated May 1976" for "is declared a national military park to be known as the 'Monocacy National Military Park', whenever the title to the lands deemed necessary by the Secretary of the Interior shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Maryland".

#### § 430k. Condemnation proceedings; purchase without condemnation; acceptance of donations of land

The Secretary of the Interior is authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of section 3113 of title 40, to acquire title to the lands, interests therein, or rights pertaining thereto within the said battlefield, and the United States shall be entitled to immediate possession upon the filing of the petition in condemnation in the United States District Court for the District of Maryland: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for

the same, which, in the opinion of the Secretary of the Interior, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of lands, interests therein, or rights pertaining thereto required for the battlefield: *And provided further*, That title and evidence of title to lands and interests therein acquired for said battlefield shall be satisfactory to the Secretary of the Interior.

(June 21, 1934, ch. 694, §2, 48 Stat. 1199; Pub. L. 94-578, title III, §319(2), Oct. 21, 1976, 90 Stat. 2738.)

#### CODIFICATION

"Section 3113 of title 40" substituted in text for "the Act of August 1, 1888, entitled 'An Act to authorize condemnation of lands for sites for public buildings and for other purposes' (25 Stat.L. 357)" 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.

#### AMENDMENTS

1976—Pub. L. 94-578 substituted "battlefield" for "Monocacy National Military Park" wherever appearing.

#### CHANGE OF NAME

"Battlefield" substituted in text for "park" in view of redesignation of Monocacy National Military Park as Monocacy National Battlefield by Pub. L. 94-578, §319(1), set out as section 430j of this title.

#### § 430l. Leases with preceding owners of acquired lands; conditions

The Secretary of the Interior is authorized to lease to the immediately preceding owner or owners any lands acquired pursuant to an agreement that such lessee or lessees will occupy such lands in a manner consistent with the purposes of sections 430j to 430m and 430o to 430s of this title and that they will preserve the present breastworks, earthworks, walls, defenses, shelters, buildings, and roads, and the present outlines of the battlefields, and that they will only cut trees or underbrush or disturb or remove the soil, under such regulations as the Secretary of the Interior may prescribe, and that they will assist in protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

(June 21, 1934, ch. 694, §3, 48 Stat. 1199; Pub. L. 94-578, title III, §319(3), Oct. 21, 1976, 90 Stat. 2738.)

#### AMENDMENTS

1976—Pub. L. 94-578 substituted "lease to the immediately preceding owner or owners any lands acquired pursuant to an agreement that such lessee or lessees will occupy such lands in a manner consistent with the purposes of sections 430j to 430m and 430o to 430s of this title and" for "enter into leases with the owners of such of the lands, works, defenses, and buildings thereon within the Monocacy National Military Park, as in his discretion it is unnecessary to forthwith acquire title to, and such leases shall be on such terms and conditions as the Secretary of the Interior may prescribe, and may contain options to purchase, subject to later acceptance, if, in the judgment of the Secretary of the Interior, it is as economical to purchase as condemn title to the property: *Provided*, That the Secretary of