

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-341, §2(b)(4), (5), made identical amendments, substituting “historical park” for “historic site”. See Codification note set out under section 410hhhh of this title.

SUBCHAPTER LX—NATIONAL MILITARY PARKS

§ 411. Omitted

CODIFICATION

Section, act May 15, 1896, ch. 182, §1, 29 Stat. 120; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501, related to military maneuvers. Section was restated as section 103301 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3165.

§ 412. Omitted

CODIFICATION

Section, act May 15, 1896, ch. 182, §2, 29 Stat. 121; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501, related to camps for military instruction; regulations for militia. Section was restated as section 103302 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3165.

§ 413. Omitted

CODIFICATION

Section, act Mar. 3, 1897, ch. 372, §§1, 5, 29 Stat. 621, 622, related to offenses relating to structures and vegetation. Section was restated as section 1865(c) of Title 18, Crimes and Criminal Procedure, by Pub. L. 113-287, §4(a)(1), Dec. 19, 2014, 128 Stat. 3260.

§ 414. Omitted

CODIFICATION

Section, act Mar. 3, 1897, ch. 372, §§2, 5, 29 Stat. 621, 622, related to trespassing for hunting or shooting. Section was restated as section 1865(d) of Title 18, Crimes and Criminal Procedure, by Pub. L. 113-287, §4(a)(1), Dec. 19, 2014, 128 Stat. 3260.

§ 415. Repealed. Pub. L. 91-383, §10(a)(1), as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1941

Section, act Mar. 3, 1897, ch. 372, §§3, 5, 29 Stat. 621, 622, authorized superintendent or any guardian of a national military park to arrest and prosecute anyone engaged or who may have been engaged in committing any misdemeanor named in former sections 413 and 414 of this title.

§ 416. Omitted

CODIFICATION

Section, act Mar. 3, 1897, ch. 372, §§4, 5, 29 Stat. 622, related to refusal to surrender leased land within national military parks. Section was restated as section 103304 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3166.

§ 417. Omitted

CODIFICATION

Section, act Aug. 18, 1894, ch. 301, §1, 28 Stat. 405, authorized acceptance of donations of land for road or other purposes, and is considered obsolete by the Judge Advocate General. See J.A.G. 601.1, June 27, 1935.

§ 418. Repealed. Feb. 20, 1931, ch. 235, 46 Stat. 1191

Section, act Mar. 3, 1925, ch. 418, 43 Stat. 1104, was in opinion of Judge Advocate General repealed by act Feb.

20, 1931, providing that no real estate of the Department of the Army should be disposed of without authority of Congress and providing “all existing acts or parts thereof in conflict with this proviso, other than special acts for the sale of stated tracts of land, are hereby repealed.” See J.A.G. 611, Dec. 3, 1931.

§ 419. Transferred

CODIFICATION

Section, act Feb. 15, 1901, ch. 372, 31 Stat. 790, which related to rights-of-way for electrical plants, was transferred to section 79 of this title and subsequently omitted from the Code. Act Feb. 15, 1901, ch. 372, is also classified to section 959 of Title 43, Public Lands.

§ 420. Omitted

CODIFICATION

Section, acts Mar. 4, 1911, ch. 238, 36 Stat. 1253; May 27, 1952, ch. 338, 66 Stat. 95; Pub. L. 94-579, title VII, §706(a), Oct. 21, 1976, 90 Stat. 2793; Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272, which authorized heads of departments to grant easements for rights-of-way on “the public lands, national forests, and reservations of the United States” for electrical power and communications purposes, was omitted because act Mar. 4, 1911, is also classified to section 961 of Title 43, Public Lands. It was also classified to sections 5 and 523 of this title prior to their omission from the Code.

§ 421. Omitted

CODIFICATION

Section, act Aug. 24, 1912, ch. 355, §1, 37 Stat. 442; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501, related to vacancies occurring in commissions in charge of parks. Section was restated as section 103303 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3166.

§ 422. Moores Creek National Battlefield; establishment

In order to preserve for historical and professional military study one of the most memorable battles of the Revolutionary War, the battlefield of Moores Creek, in the State of North Carolina, is declared to be a national battlefield whenever the title to the same shall have been acquired by the United States; that is to say, the area inclosed by the following lines:

Those tracts or parcels of land in the county of Pender, and State of North Carolina, more particularly described as follows:

First tract: Beginning at a stone at the run of Moores Creek, on the east bank of same, about twenty poles (in a straight line) above the new iron bridge, and running thence parallel to William Walker’s line, south sixty-two and one-half degrees west eleven chains to a stake; thence south seven and one-half degrees east three and six-tenths chains to a stone at the south edge of the old stage road; thence along the south edge of said road south forty-six degrees east about five chains and eighty links to a stone; thence south thirty-seven and one-fourth degrees west fourteen chains and twelve links to a stone; thence north sixty-two and one-half degrees west ten chains and seventy-five links to a stone, a corner (4) of an eight-acre tract which the parties of the first part conveyed to Governor D. L. Russell, for the purposes aforesaid, by a deed dated January, 1898, and recorded in Pender County; thence with the lines of said

tract north thirty-nine and one-half degrees east thirteen chains and twenty-seven links to a stake, the third corner of the said eight-acre tract; thence north fifty-one degrees west four chains to a stake about twenty feet from the old entrenchment (the second corner of the eight-acre tract); thence with the first line reversed north forty-four degrees west two chains to a sweet gum at the run of Moores Creek (the first corner of the eight-acre tract); thence up and with the run of said creek to the first station, containing twenty acres.

Second tract: Beginning at a sweet gum on the eastern edge of Moores Creek, running thence south forty-four degrees east two poles to a stake; thence south fifty-one degrees east four poles five links to a stake; thence south thirty-nine degrees west thirteen poles twenty-seven links to a stake; thence north fifty-one degrees west nine poles thirty-one links to a stake in the edge of Moores Creek; thence northerly with the creek to the beginning, containing eight acres more or less.

Third tract: Beginning at a cypress on the edge of the run of Moores Creek about twenty feet from the west end of the old entrenchments and running thence in a line parallel to and ten feet distance¹ from the outside or east edge of the old line of entrenchments in all the various courses of the same to a stake ten feet distant on the east side of the north end of said entrenchments; thence a direct line to the run of said Moores Creek; thence down said creek to the beginning, containing two acres, be the same more or less (the intention is to include all lands now known and designated as Moores Creek battlefield and now so recognized as such and owned by the State of North Carolina), together with all the privileges and appurtenances thereunto belonging.

The aforesaid tracts of land containing in the aggregate thirty acres, more or less, and being the property of the State of North Carolina, and the area thus inclosed shall be known as the Moores Creek National Battlefield.

(June 2, 1926, ch. 448, §1, 44 Stat. 684; Pub. L. 96-344, §12, Sept. 8, 1980, 94 Stat. 1136.)

CHANGE OF NAME

In the first undesignated par., "battlefield" substituted for "military park" and in last undesignated par., "Battlefield" substituted for "Military Park" on authority of Pub. L. 96-344, §12, Sept. 8, 1980, 94 Stat. 1136, which redesignated Moores Creek National Military Park as Moores Creek National Battlefield.

§ 422a. Acceptance of lands

The establishment of the Moores Creek National Battlefield shall be carried forward under the control and direction of the Secretary of the Interior, who is authorized to receive from the State of North Carolina a deed of conveyance to the United States of all the lands belonging to the said State, embracing thirty acres, more or less, and described more particularly in section 422 of this title.

(June 2, 1926, ch. 448, §2, 44 Stat. 685; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July

¹ So in original. Probably should be "distant".

28, 1933; Pub. L. 96-344, §12, Sept. 8, 1980, 94 Stat. 1136.)

CHANGE OF NAME

"Battlefield" substituted in text for "Military Park" on authority of Pub. L. 96-344, §12, Sept. 8, 1980, 94 Stat. 1136, which redesignated Moores Creek National Military Park as Moores Creek National Battlefield.

TRANSFER OF FUNCTIONS

Administrative functions of Moores Creek National Military Park transferred to Department of the Interior by Ex. Ord. Nos. 6166 and 6228, set out as a note under section 901 of Title 5, Government Organization and Employees.

§ 422a-1. Acquisition of property

The Secretary of the Interior is authorized, in his discretion, to acquire by donation, purchase, or exchange lands, buildings, structures, and other property, or interests therein, which he may determine to be of historical interest in connection with the Moores Creek National Battlefield, the title to such property or interests to be satisfactory to the Secretary of the Interior: *Provided*, That the area acquired pursuant to this section shall not exceed one hundred acres. All such property and interests, upon acquisition by the Federal Government, shall be a part of the Moores Creek National Battlefield and shall be subject to all laws and regulations applicable thereto.

(Sept. 27, 1944, ch. 417, §1, 58 Stat. 746; Pub. L. 93-477, title IV, §402, Oct. 26, 1974, 88 Stat. 1447; Pub. L. 96-344, §12, Sept. 8, 1980, 94 Stat. 1136.)

AMENDMENTS

1974—Pub. L. 93-477 substituted "acquire by donation, purchase, or exchange" for "accept in behalf of the United States donations of", and "acquired" for "to be accepted".

CHANGE OF NAME

"Battlefield" substituted in text for "Military Park" on authority of Pub. L. 96-344, §12, Sept. 8, 1980, 94 Stat. 1136, which redesignated Moores Creek National Military Park as Moores Creek National Battlefield.

§ 422a-2. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of section 422a-1 of this title, but not more than \$243,000 shall be appropriated for the acquisition of lands and interests in lands and not more than \$325,000 shall be appropriated for development.

(Sept. 27, 1944, ch. 417, §2, as added Pub. L. 93-477, title I, §101(7), Oct. 26, 1974, 88 Stat. 1445.)

§ 422b. Duties of Secretary of the Interior

The affairs of the Moores Creek National Battlefield shall be subject to the supervision and direction of the Secretary of the Interior, and it shall be the duty of the Interior Department, under the direction of the Secretary of the Interior, to open or repair such roads as may be necessary to the purposes of the battlefield, and to ascertain and mark with historical tablets or otherwise, as the Secretary of the Interior may determine, all lines of battle of the troops engaged in the Battle of Moores Creek, and other