

tional Military Park as may be necessary for the purposes of the park and for its improvement. It shall be the duty of the Secretary of the Interior, to open or repair such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of the Interior may determine, all lines of battle of the troops engaged in the Battle of Guilford Courthouse and other historical points of interest pertaining to the battle within the park or its vicinity; and the Secretary of the Interior shall make and enforce all needed regulations for the care of the park. It shall be lawful for any State that had troops engaged in the battle of Guilford Courthouse to enter upon the lands of the Guilford Courthouse National Military Park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them, by monuments, tablets, or otherwise, shall be submitted to and approved by the Secretary of the Interior; and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of the Interior. If any person shall, except by permission of the Secretary of the Interior, destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structures, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornamentation of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, brush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon said park, or hunt within the limits of the park, any person so offending and found guilty thereof before any justice of the peace of the county of Guilford, State of North Carolina, shall, for each and every such offense, forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than \$5 nor more than \$50, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature were on March 2, 1917, by law recoverable in the said county of Guilford, State of North Carolina.

(Mar. 2, 1917, ch. 152, 39 Stat. 996; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933; Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 643.)

AMENDMENTS

1966—Pub. L. 89-554 struck out provisions which required the affairs of park, subject to supervision and direction of Secretary of the Interior, to be in charge of three commissioners.

TRANSFER OF FUNCTIONS

Administrative functions of Guilford Courthouse National Military Park transferred to Department of the Interior by Ex. Ord. Nos. 6166 and 6228, set out as notes under section 901 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.

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.

§ 430I. 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

the Interior may enter into agreements upon such nominal terms as he may prescribe, permitting the present owners or their tenants to occupy or cultivate their present holdings, upon condition”.

§ 430m. Administration

The administration, development, preservation, and maintenance of the battlefield shall be exercised by the Secretary of the Interior in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.),¹ as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666).¹

(June 21, 1934, ch. 694, § 4, 48 Stat. 1199; Pub. L. 94-578, title III, § 319(4), Oct. 21, 1976, 90 Stat. 2738.)

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), 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.

The Act of August 21, 1935 (49 Stat. 666), referred to in text, is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, 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.

AMENDMENTS

1976—Pub. L. 94-578 substituted “The administration, development, preservation, and maintenance of the battlefield shall be exercised by the Secretary of the Interior in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666)” for “The affairs of the Monocacy National Military Park shall, subject to the supervision and direction of the National Park Service of the Interior Department, be in charge of a superintendent, to be appointed by the Secretary of the Interior”.

§ 430n. Repealed. Pub. L. 94-578, title III, § 319(5), Oct. 21, 1976, 90 Stat. 2738

Section, act June 21, 1934, ch. 694, § 5, 48 Stat. 1199, provided for opening and repair of necessary roads in battlefield and erection of historical tablets.

§ 430o. Gifts and donations; acceptance by Secretary

The Secretary of the Interior,¹ is authorized to receive gifts and contributions from States, Territories, societies, organizations, and individuals for the battlefield for carrying out the provi-

¹ See References in Text note below.

¹ So in original. The comma probably should not appear.