

SUBCHAPTER XL—HOT SPRINGS NATIONAL PARK

CHANGE OF NAME

“Hot Springs Reservation” changed to “Hot Springs National Park” by act Mar. 4, 1921, ch. 161, §1, 41 Stat. 1407.

§ 361. Establishment; supply of water; free baths for indigent; dedication to United States

The Secretary of the Interior is authorized to grant to hotels having bathhouses attached, and to bathhouses situated in the Hot Springs National Park, 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. The superintendent shall provide and maintain a sufficient number of free baths for the use of the indigent. 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 National Park and mountain are dedicated to the United States, and shall remain forever free from sale or alienation.

(Dec. 16, 1878, ch. 5, 20 Stat. 258; June 16, 1880, ch. 246, §3, 21 Stat. 289; Apr. 12, 1904, ch. 1249, 33 Stat. 173; May 23, 1906, ch. 2552, 34 Stat. 198, 199; Apr. 30, 1908, ch. 154, 35 Stat. 98; Mar. 4, 1921, ch. 161, §1, 41 Stat. 1407.)

CODIFICATION

Act Apr. 12, 1904 amended act Dec. 16, 1878, by striking out a proviso thereof and inserting in lieu thereof a proviso which is the source of the first sentence of this section. The proviso stricken out limited the supply of water to hotels or bathhouses to not more than enough for 40 bath tubs of the usual size to a single establishment.

A portion of act Dec. 16, 1878, made an appropriation for the expenses of the Hot Springs Commission, and provided for the appointment of a Board of Commissioners, conferring upon them the powers of the Commissioners appointed under act Mar. 3, 1877, ch. 108, 19 Stat. 377, to lay out, etc., the Hot Springs Reservation, and revived and continued in force said act Mar. 3, 1877 to enable the Commissioners to perform the acts and duties authorized by it. These and other earlier provisions relating to the establishment and management of the reservation were temporary and have been executed.

Provisions of act Dec. 16, 1878, relating to leases of ground, bathhouses, etc., were omitted as temporary in nature and superseded by sections 362 to 368 of this title.

There have also been omitted as temporary and executed a provision of act Dec. 16, 1878 for the expenses of the free baths maintained for the indigent and a provision for the disposition of fractions of lots made by straightening, widening, or laying out streets.

The boundaries of the Hot Springs National Park have been affected by act June 25, 1930, ch. 607, 46 Stat. 1915, which provided as follows: “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.”

CHANGE OF NAME

“Hot Springs National Park” substituted in text for “Hot Springs Reservation” pursuant to act Mar. 4, 1921.

§ 361a. Additions to park

The Secretary of the Interior is 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.

(June 5, 1924, ch. 264, 43 Stat. 423.)

§ 361b. Additions to park

The Secretary of the Interior is 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 southwest 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.

(Feb. 14, 1931, ch. 172, 46 Stat. 1106.)

§ 361c. Additions to park

The boundaries of the Hot Springs National Park in the State of Arkansas are extended to include the following land, to wit: Lot 11, block 101; lot 5, block 185; lot 6, block 186; lots 5, 6, and 7, block 187; and lots 1, 2, 3, 6, and 15, block 188, United States Hot Springs Reservation, as surveyed, mapped, and platted by the United States Hot Springs Commission, and any of such lands when acquired by the Secretary of the Interior on behalf of the United States shall be and remain a part of the Hot Springs National Park, subject to all laws and regulations applicable thereto.

(June 15, 1936, ch. 554, §1, 49 Stat. 1516; Aug. 10, 1939, ch. 639, 53 Stat. 1341.)

AMENDMENTS

1939—Act Aug. 10, 1939, repealed proviso which limited expenditure of funds.

§ 361c-1. Omitted

CODIFICATION

Section, act June 15, 1936, ch. 554, §2, as added Aug. 10, 1939, ch. 639, 53 Stat. 1342, appropriated \$8,000 for purchase of lands described in section 361c of this title.

§ 361d. Additions to park

The boundaries of the Hot Springs National Park in the State of Arkansas be, and the same are, extended to include the following lands, to wit:

So much of the northeast quarter section 33, township 2 south, range 19 west, as is now privately owned;

The northwest quarter section 34, township 2 south, range 19 west;

All privately owned land in the west half section 27, township 2 south, range 19 west;

The southeast quarter section 27, south half northeast quarter section 27, all privately owned lands in the northwest quarter northeast quarter section 27, west half section 22, southwest quarter section 15, southeast quarter section 16, northeast quarter section 21, south half section 21, southeast quarter southeast quarter section 20, east half northeast quarter section 28, northwest quarter northeast quarter section 28, northwest quarter northwest quarter section 28, east half southwest quarter northeast quarter section 28, east half northeast quarter section 29, southeast quarter northwest quarter northeast quarter section 29, southwest quarter northeast quarter section 29, west half northwest quarter southeast quarter section 29, southeast quarter southeast quarter northwest quarter section 29, northeast quarter northwest quarter southeast quarter section 29, all privately owned land in northeast quarter southwest quarter section 29, south half southeast quarter section 30, northeast quarter southeast quarter section 30, southeast quarter southwest quarter section 30, west half section 31, north half northeast quarter section 31, southwest quarter northeast quarter section 31, west half southeast quarter northeast quarter section 31, all lying and being situated in township 2 south, range 19 west;

All of section 36, southeast quarter section 35, southeast quarter northeast quarter section 35, all lying and being situated in township 2 south, range 20 west;

Northeast quarter section 2, north half southeast quarter section 2, north half section 1, north half southwest quarter section 1, north half southeast quarter section 1, all lying and being situated in township 3 south, range 20 west;

North half section 6, north half southwest quarter section 6, northwest quarter southeast quarter section 6, all lying and being situated in township 3 south, range 19 west;

Blocks 27, 189, 195, and 196, city of Hot Springs; Lots 8 to 13, inclusive, block 125, city of Hot Springs; lots 4, 5, 7, 8, 9, 10, 11, 12, 13, and 14, block 188, city of Hot Springs;

Fountain Street adjoining lots 13, block 125, and blocks 195 and 196, city of Hot Springs;

Reserve Avenue in city of Hot Springs from Palm Street to Cypress Street. Two unnamed streets, twenty feet wide, extending from Fountain Street to Government boundary and running between blocks 125 and 195 and blocks 195 and 196, respectively.

All or any part of such lands above described, when acquired by the Secretary of the Interior on behalf of the United States, shall be and remain a part of the Hot Springs National Park, subject to all laws and regulations applicable thereto.

(June 24, 1938, ch. 649, §1, 52 Stat. 1038.)

§ 361e. Acceptance of donations

The Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States donations of lands or interests in land within the city limits of Hot Springs, Arkansas, the title to such lands or interests in land to be satisfactory to said Secretary. Upon the acquisition of such lands or interests in land, they shall become a part of the Hot Springs National Park and shall be subject to all laws and regulations applicable thereto.

(June 15, 1936, ch. 554, §3, as added Aug. 10, 1939, ch. 639, 53 Stat. 1342.)

§ 361f. Exchange of lands

For the purpose of consolidating Federal holdings of land within Hot Springs National Park, Arkansas, and in order to bring about certain improvements in park land use, the Secretary of the Interior is authorized in his discretion to accept, on behalf of the United States, approximately 4.75 acres of non-Federal land or interests in land situated in blocks 195 and 196 of the city of Hot Springs, Arkansas, and in exchange therefor to convey by deed on behalf of the United States to the grantor of the aforesaid property certain federally owned land or interests in land, of no greater value, comprising not in excess of five and three-tenths acres of land situated adjacent to and in the immediate rear of the Arlington Hotel in Hot Springs, Arkansas.

(Pub. L. 85-679, Aug. 18, 1958, 72 Stat. 630.)

§ 361g. Modification of park boundary

The boundary of Hot Springs National Park is modified as depicted on the map entitled "Proposed Boundary Map", numbered 128/80015, and dated August 5, 1985.

(Pub. L. 103-58, Aug. 2, 1993, 107 Stat. 280.)

§ 362. Leases of bathhouses and sites; supply of water

The Secretary of the Interior is authorized and empowered to execute leases to the bathhouses and bathhouse sites in the Hot Springs National Park for periods not exceeding twenty years, and at an annual rental of not less than \$30 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. The same rate for water rent shall be