

rive at the facts in any such case he is authorized to send for persons and papers, administer oaths to witnesses, and require affidavits from applicants; and any such person making a false oath or affidavit in the premises shall be deemed guilty of perjury, and, upon conviction, subject to all the pains and penalties of perjury under the statutes of the United States; and whenever, either at the time of leasing or other time it appears to the satisfaction of the said Secretary that such interest in other bathhouse, lease, interest, or privilege exists, or at any time any pool or combination exists between any two or more bathhouses or he deems it for the best interests of the management of the Hot Springs National Park and waters, or for the public interest, he may refuse such lease, license, permit, or other privilege, or forfeit any lease or privilege wherein the parties interested have become otherwise interested as aforesaid.

(Mar. 3, 1891, ch. 533, § 4, 26 Stat. 843; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1407.)

CHANGE OF NAME

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

§ 365. Taxation, under State laws

The consent of the United States is given for the taxation, under the authority of the laws of the State of Arkansas applicable to the equal taxation of personal property in that State, as personal property of all structures and other property in private ownership on the Hot Springs National Park.

(Mar. 3, 1891, ch. 533, § 5, 26 Stat. 844; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1407.)

CHANGE OF NAME

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

§ 366. Collection of water on reservation

The authority conferred upon the Secretary of the Interior to collect the hot water upon said Hot Springs National Park shall be so construed as to require water to be collected only where such collection is necessary for its proper distribution, and not where by gravity the same can be properly utilized.

(Mar. 3, 1891, ch. 533, § 6, 26 Stat. 844; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1407.)

CHANGE OF NAME

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

§ 367. Sale of lots

The Secretary of the Interior may direct the public sale of all unsold Government lots in Hot Springs National Park, and not permanently reserved on March 3, 1891, at the city of Hot Springs, after having had the same reappraised, and also advertised as required by law, and no lot shall be sold at less than the appraised price.

(Mar. 3, 1891, ch. 533, § 7, 26 Stat. 844; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1407.)

CHANGE OF NAME

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

§ 368. Operation of bathhouse in connection with hotel

Nothing in sections 362 to 367 of this title shall be so construed as to prevent the stockholders of any hotel from operating a bathhouse in connection with such hotel as a part thereof.

(Mar. 3, 1891, ch. 533, § 8, 26 Stat. 844.)

§ 369. Charges assessable against bath attendants and masseurs and physicians prescribing use of hot waters

The Secretary of the Interior is authorized to assess and collect from physicians who desire to prescribe the hot waters from the Hot Springs National Park reasonable fees for examination and registration; and he is also authorized to assess and collect from bath attendants and masseurs operating in bathhouses receiving hot water from the park reasonable annual charges to cover the cost of physical examinations.

(June 5, 1920, ch. 235, § 1, 41 Stat. 918; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1407; Mar. 2, 1931, ch. 365, 46 Stat. 1462.)

CODIFICATION

As originally enacted, this section authorized reasonable charges against physicians, including fees for examination and registration. It also authorized collection of reasonable charges from bath attendants and masseurs, and provided that the moneys received should be used in the protection and improvement of the park.

AMENDMENTS

1931—Act Mar. 2, 1931, struck out provision that moneys received from the assessment and collection of fees were to be used for the protection and improvement of the park.

CHANGE OF NAME

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

§ 370. Omitted

CODIFICATION

Section, act Aug. 24, 1912, ch. 355, § 1, 37 Stat. 459, related to lease of Arlington Hotel site. See section 370a of this title.

§ 370a. Retention of Arlington Hotel site for park and landscape purposes

The site within the Hot Springs National Park fronting on Central Avenue and on Fountain Street, leased by the Secretary of the Interior pursuant to the authority of Act of August 24, 1912 (chapter 355, 37 Statutes 459) to the Arlington Hotel Company, and occupied by the hotel and bathhouse building of said company until it burned on April 5, 1923, shall upon the expiration on March 6, 1932, of the existing lease therefor with the said Arlington Hotel Company, be kept, retained, and maintained by the United States for park and landscaping purposes; and no new lease shall be granted by the Secretary of the Interior for the erection of another hotel, bathhouse, or other structure thereon.

(Feb. 14, 1931, ch. 180, 46 Stat. 1109.)

REFERENCES IN TEXT

Act August 24, 1912 (chapter 355, 37 Statutes 459), as it related to lease of property at Hot Springs, Arkan-

sas, referred to in text, was classified to section 370 of this title and was omitted from the Code as superseded by this section. For complete classification of this Act to the Code, see Tables.

§ 371. Use of free bathhouses limited

Only persons who are without and unable to obtain the means to pay for baths and are suffering from ailments for which bathing in the water of the Hot Springs National Park will afford relief or effect a cure shall be permitted to bathe at the free bathhouse on the public reservation at Hot Springs, Arkansas, and before any person shall be permitted to bathe at the free bathhouse on the reservation he shall be required to make oath, before such officer duly authorized to administer oaths for general purposes as the superintendent of the Hot Springs National Park shall designate, that he is without and unable to obtain the means to pay for baths, and any person desiring to bathe at the free bathhouse on the Hot Springs National Park making a false oath as to his financial condition shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$25 nor more than \$300 and be imprisoned for not more than sixty days.

(Mar. 2, 1911, ch. 200, 36 Stat. 1015; Mar. 4, 1921, ch. 161, §1, 41 Stat. 1407; June 26, 1936, ch. 843, 49 Stat. 1979.)

AMENDMENTS

1936—Act June 26, 1936, increased fine from not more than \$25 to not less than \$25 nor more than \$300 and maximum prison term from not more than 30 days to not more than 60 days.

CHANGE OF NAME

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

§ 372. Laws operative within judicial district of Arkansas

The portion of the Hot Springs Mountain Reservation in the State of Arkansas situated and lying within boundaries defined as follows, “commencing at stone monument numbered 7, set upon the west line of Reserve Avenue and marking the boundary line of Hot Springs Mountain, and running thence in a northwesterly direction to a point upon the south line of Fountain Street to a stone monument numbered 42 and marking the boundary line of Hot Springs Mountain; thence along the south line of Fountain Street to its intersection with Central Avenue or to stone monument numbered 33; thence south along the east line of Central Avenue to where the same is intersected by Reserve Avenue at stone monument numbered 30; thence along the north boundary line of Reserve Avenue to stone monument numbered 7, the point of commencement; all in township 2 south, range 19 west, in the county of Garland and State of Arkansas, and also block 82, being a part of the permanent United States Hot Springs National Park”, or within such boundaries as may be defined hereafter, shall be under the sole and exclusive jurisdiction of the United States, and all laws applicable to places under such sole and exclusive jurisdiction shall have full force and effect therein. Nothing in this section and sec-

tions 373 and 374 of this title shall be so construed as to forbid the service within said boundaries of any civil or criminal process of any court having jurisdiction in the State of Arkansas. All fugitives from justice taking refuge within said boundaries shall, on due application to the executive of said State, whose warrant may lawfully run within said territory for said purpose, be subject to the laws which apply to fugitives from justice found in the State of Arkansas. Said sections shall not be so construed as to interfere with the right to tax all structures and other property in private ownership within the boundaries above described, accorded to the State of Arkansas by section 365 of this title.

(Apr. 20, 1904, ch. 1400, §§1, 2, 33 Stat. 187; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167; Sept. 18, 1922, ch. 321, 42 Stat. 847; June 24, 1946, ch. 463, §1, 60 Stat. 303; June 25, 1948, ch. 646, §39, 62 Stat. 992.)

CODIFICATION

Provisions formerly at end of section making the described portion of the park part of the United States judicial district of Arkansas and giving jurisdiction of offenses therein to the district court were from section 2 of act of Apr. 20, 1904, and the remainder from section 1 of act Apr. 20, 1904.

Act Mar. 3, 1911 conferred the power of the circuit courts upon the district courts.

Act Sept. 18, 1922, ch. 321, accepted the provisions of the Act of the Legislature of the State of Arkansas, approved Feb. 2, 1921, ceding to the United States exclusive jurisdiction over block 82, aforesaid, and extended to block 82 the provisions of this section and sections 373 and 374 of this title.

Provision of section 1 of act Apr. 20, 1904, reciting the acceptance of the provisions of the Act of the Arkansas Legislature ceding to the United States exclusive jurisdiction over the territory described in section 1 aforesaid was omitted for purposes of codification.

The line of the reservation was changed, and the tract of land thereby excluded was ceded to the city of Hot Springs, to be used for street purposes only, by act May 23, 1906, ch. 2552, 34 Stat. 198.

Certain lots situated on the Hot Springs Reservation were granted to the school district of Hot Springs by act Apr. 30, 1908, ch. 154, §1, 35 Stat. 98.

A strip of land described was ceded to the city of Hot Springs for use as a public street, by act June 25, 1910, ch. 417, 36 Stat. 844.

The three provisions last mentioned were omitted from the Code as executed.

AMENDMENTS

1948—Act June 25, 1948, struck out provision at end of section based on section 2 of act Apr. 20, 1904, which read “and the above-described portion of said park shall constitute a part of the Western United States judicial district of Arkansas, and the district court for said district shall have jurisdiction of all offenses committed within said boundaries”. See section 83 of Title 28, Judiciary and Judicial Procedure, section 3231 of Title 18, Crimes and Criminal Procedure, and rule 18 of the Federal Rules of Criminal Procedure, Title 18, Appendix.

1946—Act June 24, 1946, transferred the park from the jurisdiction of the Eastern United States Judicial District of Arkansas to the Western United States Judicial District of Arkansas.

EFFECTIVE DATE OF 1948 AMENDMENT

Section 38 of act June 25, 1948, provided that the amendment made by that act is effective Sept. 1, 1948.