

§ 142. Control; regulations

Wind Cave National Park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be to prescribe such rules and regulations and establish such service as he may deem necessary for the care and management of the same.

(Jan. 9, 1903, ch. 63, § 2, 32 Stat. 765.)

Editorial Notes

CODIFICATION

This section is a part of section 2 of act Jan. 9, 1903. The other part of section 2 of said act is classified to section 141 of this title. See note under section 141.

§§ 143, 144. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1028

Sections, act Jan. 9, 1903, ch. 63, §§ 3, 4, 32 Stat. 765, related to leases of cavern and lands, and provided for disposition of funds from rentals or leases.

§ 145. Exchange of lands

In cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of this park, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government and secure other land, outside of the park, in accordance with the provisions of the law relating to the subject of such relinquishment of lands in national forests in the State of South Dakota.

(Jan. 9, 1903, ch. 63, § 5, 32 Stat. 766.)

§ 146. Offenses within park

All persons who shall unlawfully intrude upon said park, or who shall without permission appropriate any object therein or commit unauthorized injury or waste in any form whatever upon the lands or other public property therein, or who shall violate any of the rules and regulations prescribed hereunder, shall upon conviction be fined in a sum not more than \$1,000 or be imprisoned for a period not more than twelve months, or shall suffer both fine and imprisonment, in the discretion of the court.

(Jan. 9, 1903, ch. 63, § 6, 32 Stat. 766.)

Editorial Notes

REFERENCES IN TEXT

Hereunder, referred to in text, means act Jan. 9, 1903, ch. 63, 32 Stat. 765, which is classified to sections 141, and 142 to 146 of this title. For complete classification of this Act to the Code, see Tables.

SUBCHAPTER XVI—CESSION OF INDIAN
LANDS AT SULPHUR, OKLAHOMA**§ 151. Acquisition; payment**

The Choctaw and Chickasaw Tribes absolutely and unqualifiedly relinquish, cede, and convey unto the United States a tract or tracts of land at and in the vicinity of the village of Sulphur, in the Chickasaw Nation, of not exceeding six hundred and forty acres, to be selected, under the direction of the Secretary of the Interior, and to embrace all the natural springs in and about said village, and so much of Sulphur

Creek, Rock Creek, Buckhorn Creek, and the lands adjacent to said natural springs and creeks as may be deemed necessary by the Secretary of the Interior for the proper utilization and control of said springs and the waters of said creeks, which lands shall be so selected as to cause the least interference with the contemplated town site at that place consistent with the purposes for which said cession is made. The ceded lands shall be held, owned, and controlled by the United States absolutely and without any restriction, save that no part thereof shall be platted or disposed of for town-site purposes during the existence of the two tribal governments. There shall be deposited in the Treasury of the United States, to the credit of the two tribes, from the unappropriated public moneys of the United States, \$20 per acre for each acre so selected, which shall be in full compensation for the lands so ceded, and such moneys shall, upon the dissolution of the tribal governments, be divided per capita among the members of the tribes, freedmen excepted, as are other funds of the tribes. Until otherwise provided by law, the Secretary of the Interior may, under rules prescribed for that purpose, regulate and control the use of the water of said springs and creeks and the temporary use and occupation of the lands so ceded. No person shall occupy any portion of the lands so ceded, or carry on any business thereon, except as provided in said rules, and until otherwise provided by Congress the laws of the United States relating to the introduction, possession, sale, and giving away of liquors or intoxicants of any kind within the Indian country or Indian reservations shall be applicable to the lands so ceded. Nothing contained in this section shall be construed or held to commit the Government of the United States to any expenditure of money upon said lands or the improvements thereof, except as provided herein, it being the intention of this provision that in the future the lands and improvements herein mentioned shall be conveyed by the United States to such Territorial or State organization as may exist at the time when such conveyance is made.

(July 1, 1902, ch. 1362, § 64, 32 Stat. 655; June 16, 1906, ch. 3335, §§ 13, 14, 34 Stat. 275; June 29, 1906, No. 42, 34 Stat. 837; Proc. Nov. 16, 1907, 35 Stat. 2160; June 25, 1948, ch. 646, § 39, 62 Stat. 992; Pub. L. 94-235, § 5, Mar. 17, 1976, 90 Stat. 236.)

Editorial Notes

CODIFICATION

Section is from section 64 of act July 1, 1902, which was part of an agreement between the United States and the Choctaw and Chickasaw tribes of Indians, ratified by and included in that Act.

The following provisions contained in this section as originally enacted were omitted as temporary and executed:

A provision that the selection of lands by the Secretary of the Interior should be within four months after the ratification of the agreement aforesaid; a provision, following the words of the present section reading "the two tribal governments" for the disposition of such other lands as might be embraced in a town site at that point; a provision that the deposit in the Treasury to the credit of the two tribes should be within ninety days after the selection of the land; and a provi-

sion for the appraisal of and reimbursement for all improvements lawfully upon the lands selected.

A provision of the original text that the land should remain within the jurisdiction of the United States court for the southern district of the Indian Territory was changed to read as set out herein by virtue of sections 13 and 14 of the Oklahoma Enabling Act of June 16, 1906, and the Executive Proclamation of Nov. 16, 1907, declaring the admission of Oklahoma to the Union.

AMENDMENTS

1948—Act June 25, 1948, struck out sentence placing lands within jurisdiction of the District Court of the United States for the Eastern District of Oklahoma.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Platt National Park designation repealed and areas formerly known as Platt National Park made an integral part of Chickasaw National Recreation Area by Pub. L. 94-235, § 5. See section 460hh-4 of this title.

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.

REPEALS

Pub. L. 94-235, § 5, repealed act June 29, 1906, No. 42, 34 Stat. 837, cited as a credit to this section, under which the Sulphur Springs Indian Reservation had been renamed Platt National Park, in honor of Orville Hitchcock Platt, former Senator from Connecticut “and for many years a member of the Committee on Indian Affairs, in recognition of his distinguished services to the Indians and to the country.”

§ 152. Additional land withdrawn; payment; management and control; regulations; sale of improvements; penalties; town lots

The Secretary of the Interior is authorized and directed to withhold from sale or other disposition the irregular tract of land containing seventy-eight and sixty-eight one-hundredths acres, more or less, lying in the northwest quarter of section 2 and the northeast quarter of section 3, township 1 south, range 3 east, and being within the exterior boundaries of the proposed town site of Sulphur, in the Chickasaw Nation, Indian Territory, and excluded from said town site by order of the Secretary of the Interior, of October 20, 1903, and also to withdraw and withhold from disposition the tract of land within the exterior boundaries of said proposed town site, lying south of and adjacent to the tract above mentioned, containing in the aggregate one hundred and thirty-eight acres, more or less, and mentioned in the report of Gerard H. Matthes, of December 27, 1903, to F. H. Newell, chief engineer United States Geological Survey, and shown upon the map accompanying said report by a yellow line.

The land reserved shall be paid for by the United States at the rate of \$60 per acre and in the same manner as the land acquired in accordance with the provisions of section 151 of this title and shall be a part of the reservation established at the village of Sulphur, subject to all the provisions of said section 151, respecting the care, control, direction, use, and occupancy thereof as if they had been included in the original segregation. The Secretary of the Interior is authorized, in the absence of other provisions

for the care and management thereof, to designate an officer or employee of his department to take charge of the land, acquired under this section and section 151 of this title, and to enforce rules and regulations for the control and use thereof, and of the waters of the springs and creeks within the reservation. The Secretary of the Interior is authorized, in his discretion, to sell or dispose of any buildings upon the land reserved, and all money received from such sales, or that may be realized for the use of said waters or for the use and occupancy of the land or the buildings thereon, through leases, permits, or otherwise, shall be covered into the Treasury of the United States to the credit of miscellaneous receipts. If any person, firm, or corporation shall willfully violate any of the rules and regulations prescribed by the Secretary of the Interior relative to the use of the waters of said springs and creeks and the use and occupation of the lands in said reservation, such person, firm, corporation, or members or agents thereof, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$5 and not more than \$100, and may be imprisoned for a term of not more than six months for each offense.

(Apr. 21, 1904, ch. 1402, § 18, 33 Stat. 220; June 29, 1906, No. 42, 34 Stat. 837; June 12, 1917, ch. 27, § 1, 40 Stat. 153; Pub. L. 94-235, § 5, Mar. 17, 1976, 90 Stat. 236.)

Editorial Notes

CODIFICATION

A clause of the original text making an appropriation to carry out this provision and a provision for appraisal of and payment for all improvements upon the land have been omitted as executed.

Provisions requiring the Secretary to cover all money received into the Treasury to the credit of miscellaneous receipts were substituted for provisions which permitted the expenditure of such money under the direction of the Secretary for the care and management of the lands and the preservation of the improvements thereon in view of act June 12, 1917, which required the Secretary to cover the receipts of all revenues of the national parks into the Treasury to the credit of miscellaneous receipts.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Platt National Park designation repealed and areas formerly known as Platt National Park made an integral part of Chickasaw National Recreation Area by Pub. L. 94-235, § 5. See section 460hh-4 of this title.

REPEALS

Pub. L. 94-235, § 5, repealed act June 29, 1906, No. 42, 34 Stat. 837, cited as a credit to this section, under which the name of the reservation at the village of Sulphur established by section 151 of this title, known as Sulphur Springs Reservation, had been renamed Platt National Park in honor of Orville Hitchcock Platt, former senator from Connecticut “and for many years a member of the Committee on Indian Affairs, in recognition of his distinguished services to the Indians and the country.”

§ 153. Existing laws unaffected by admission of Oklahoma; rights and jurisdiction of United States; indemnity school lands

Nothing in the Act of June 16, 1906, chapter 3335, Thirty-fourth Statutes, page 267, entitled,