

§ 430. Kings Mountain National Military Park; establishment

In order to commemorate the Battle of Kings Mountain, which was fought on the 7th day of October 1780, the Kings Mountain battle ground, in the State of South Carolina, including such adjacent and contiguous lands as may be useful and proper in effectually carrying out the purpose of sections 430, 430a, and 430b to 430e of this title, is declared to be a national military park, to be known as the Kings Mountain National Military Park, when such land including said battle ground, shall become the property of the United States.

(Mar. 3, 1931, ch. 437, §1, 46 Stat. 1508.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 430a of this title.

§ 430a. Acquisition of land

The Secretary of the Interior shall ascertain on what land the Battle of Kings Mountain was fought and, subject to the provisions of section 255 of title 40, shall proceed to acquire title to such land together with such adjacent and contiguous lands as he may deem useful and proper in effectually carrying out the purposes of sections 430, 430a, and 430b of this title, either by purchase or gift or by condemnation under the provisions of sections 257 and 258 of title 40.

(Mar. 3, 1931, ch. 437, §2, 46 Stat. 1508; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

REFERENCES IN TEXT

Section 258 of title 40, referred to in text, was omitted from the Code as superseded by rule 71A of the Federal Rules of Civil Procedure, set out in the Appendix to Title 28, Judiciary and Judicial Procedure.

TRANSFER OF FUNCTIONS

Administrative functions of Kings 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.

National Park Service substituted for Office of National Parks, Buildings, and Reservations referred to in Ex. Ord. No. 6166, §2, by act Mar. 2, 1934, ch. 38, §1, 48 Stat. 389.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 430 of this title.

§ 430a-1. Revision of boundaries

In order to consolidate the Federal ownership of lands in, and to facilitate protection and preservation of, Kings Mountain National Military Park, South Carolina, the boundaries are revised as follows:

(1) Federally owned lands lying west of the easterly right-of-way line of State Route P-11-123, containing approximately two hundred acres, are excluded from the park;

(2) Privately owned lands lying east of the easterly right-of-way line of State Route P-11-123, containing approximately eighty acres, are included in the park; and

(3) Lands of the Mary Morris estate lying south of the southerly right-of-way line of the historic Yorkville-Shelbyville Road, and form-

ing the triangle bounded by the new State Route P-11-86, the historic Yorkville-Shelbyville Road and the present park boundary (Old Houser tract), aggregating approximately sixty acres, are included in the park.

(Pub. L. 86-62, §1, June 23, 1959, 73 Stat. 108.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 430a-2, 430a-3 of this title.

§ 430a-2. Acquisition of lands within revised boundary

The Secretary of the Interior is authorized to acquire lands and interests in lands within the revised boundary by purchase, donation, with donated funds, or by exchange, utilizing for such exchanges federally owned lands of approximately equal value excluded from the park pursuant to sections 430a-1 to 430a-3 of this title. Federally owned lands so excluded which the Secretary of the Interior determines are not needed for such exchanges shall be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 471 et. seq.].

(Pub. L. 86-62, §2, June 23, 1959, 73 Stat. 108.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, as amended, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Provisions of that act relating to disposal of Government property are classified to chapter 10 (§471 et seq.) of Title 40, Public Buildings, Property, and Works. For complete classification of this Act to the Code, see Short Title note set out under section 471 of Title 40 and Tables.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 430a-3 of this title.

§ 430a-3. Applicability of laws and regulations to acquired lands and interests therein

Lands and interests therein acquired pursuant to sections 430a-1 to 430a-3 of this title shall thereupon become a part of the Kings Mountain National Military Park and be subject to all the laws and regulations applicable thereto.

(Pub. L. 86-62, §3, June 23, 1959, 73 Stat. 108.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 430a-2 of this title.

§ 430b. Control; regulations for care and management

Such park shall be under the control and direction of the Secretary of the Interior. The Secretary is authorized to prescribe from time to time such regulations for the care and management of such park as he may deem necessary.

(Mar. 3, 1931, ch. 437, §3, 46 Stat. 1508; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 430a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 430 of this title.

§ 430c. Permits to occupy land

Upon such terms and conditions as he may prescribe, the Secretary of the Interior is authorized to permit any person occupying any land within the boundaries of such park to continue to occupy such land, but the Secretary may revoke such permit at any time.

(Mar. 3, 1931, ch. 437, §4, 46 Stat. 1508; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 430a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 430 of this title.

§ 430d. Repair of roads; historical markers

The Secretary of the Interior shall open or repair such roads in such park as may be necessary, and ascertain and mark with tablets or otherwise, as he may determine, all lines of battle of the American troops and British troops engaged in the Battle of Kings Mountain and other historical points of interest pertaining to the battle which are within the boundaries of the park. The Secretary is authorized to employ such labor and services and to obtain such supplies and materials as may be necessary to carry out the provisions of this section.

(Mar. 3, 1931, ch. 437, §5, 46 Stat. 1508; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 430a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 430 of this title.

§ 430e. Monuments and tablets within park; approval

The authorities of any State which had troops engaged in the Battle of Kings Mountain may enter the Kings Mountain National Military Park for the purpose of ascertaining and marking the lines of battle of such troops, but 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 approved by the Secretary of the Interior. Any State organization or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets within such park.

(Mar. 3, 1931, ch. 437, §6, 46 Stat. 1508; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933.)

TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 430a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 430 of this title.

§ 430f. Shiloh National Military Park

In order that the armies of the southwest which served in the civil war, like their comrades of the eastern armies at Gettysburg and those of the central west at Chickamauga, may have the history of one of their memorable battles preserved on the ground where they fought, that part of the battlefield of Shiloh, in the State of Tennessee, title to which has heretofore been acquired by the United States, and as to which the usual jurisdiction over the lands and the roads of same has been granted to the United States by the State of Tennessee, containing 3,000 acres, more or less, shall be a national military park, and shall be known as the Shiloh National Military Park. The Secretary of the Interior is authorized to enter into agreements whereby he may lease, upon such terms as he may prescribe, with such persons, who were owners or tenants of the land on December 27, 1894, as may desire to remain upon it to occupy and cultivate their then holdings upon condition that they will preserve the then buildings and roads and the then outlines of field and forest, and that they only will cut trees or underbrush under such regulations as the Secretary may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority. It shall be the duty of the Secretary of the Interior to cause to be opened or repaired such roads as may be necessary for the purposes of the park and to cause to be ascertained and marked with historical tablets or otherwise, as he may determine, all lines of battle of the troops engaged in the battle of Shiloh 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 Shiloh to enter upon the lands of the Shiloh National Military Park for the purpose of ascertaining and marking the lines of battle of its troops 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: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of the Interior may be used by any other State.

(Dec. 27, 1894, ch. 12, 28 Stat. 597; 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. 637.)

CODIFICATION

Section is based on sections 1 to 6 of act Dec. 27, 1894. Section 7 of the act, which established fines for offenses against park property, and section 8, which authorized initial appropriations for the park, were not classified to the Code.