

(Mar. 1, 1929, ch. 437, § 3, 45 Stat. 1436.)

§ 21d. Existing claims, locations, and entries as affected by revised boundaries

Nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral right of way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land.

(Mar. 1, 1929, ch. 437, § 4, 45 Stat. 1436.)

REFERENCES IN TEXT

Herein, referred to in text, means act Mar. 1, 1929, which is classified to sections 21a to 21d of this title. For complete classification of this Act to the Code, see Tables.

§ 22. Control of park by Secretary of the Interior; removal of trespassers

The Yellowstone National Park shall be under the exclusive control of the Secretary of the Interior. In addition to the powers and duties enumerated in section 3 of this title not inconsistent with this section, he shall make regulations providing for the preservation, from injury or spoliation, of all timber, mineral deposits, natural curiosities, or wonders, within the park, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes for terms not exceeding thirty years, of small parcels of ground, at such places in the park as may require the erection of buildings for the accommodation of visitors. He shall provide against the wanton destruction of the fish and game found within the park, and against their capture or destruction for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same to be removed therefrom, and generally is authorized to take all such measures as may be necessary or proper to fully carry out the objects and purposes of this section.

(R.S. § 2475; Aug. 25, 1916, ch. 408, § 3, 39 Stat. 535; Pub. L. 85-434, May 29, 1958, 72 Stat. 152.)

CODIFICATION

R.S. § 2475 derived from act Mar. 1, 1872, ch. 24, § 2, 17 Stat. 33.

The words “whose duty it shall be, as soon as practicable, to make and publish such regulations as he may deem necessary or proper for the care and management of the same” were omitted from the end of the first sentence as executed legislation.

The words “In addition to the powers and duties enumerated in section 3 of this title not inconsistent with this section” were added to relate this section to later law, defining the duties of the Secretary of the Interior as to national parks.

“Thirty years” was substituted for “ten years” in view of section 3 of act Aug. 25, 1916, and act May 29, 1958, which authorized the Secretary to grant privileges, leases, and permits in the various parks for periods not exceeding thirty years. See section 3 of this title.

As originally enacted, this section also contained a provision that “all of the proceeds of such leases, and all other revenues that may be derived from any source connected with the park, to be expended under his [Secretary of the Interior] direction in the management of the same, and the construction of roads and bridlepaths therein.” This provision was superseded by section 452

of this title providing for the disposition of all revenues from national parks.

§ 23. Detail of troops for protection of park

The Secretary of the Army, upon the request of the Secretary of the Interior, is authorized and directed to make the necessary details of troops to prevent trespassers or intruders from entering the park for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law, and to remove such persons from the park if found therein.

(Mar. 3, 1883, ch. 143, 22 Stat. 627; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted “Title 10, Armed Forces” which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

§ 24. Jurisdiction over park; fugitives from justice

The Yellowstone National Park, as its boundaries now are defined, or as they may be hereafter defined or extended, shall be under the sole and exclusive jurisdiction of the United States. All the laws applicable to places under the sole and exclusive jurisdiction of the United States, shall have force and effect in said park. Nothing in this Act shall be construed to forbid the service in the park of any civil or criminal process of any court having jurisdiction in the States of Idaho, Montana, and Wyoming. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Wyoming.

(May 7, 1894, ch. 72, § 1, 28 Stat. 73.)

REFERENCES IN TEXT

This Act, referred to in text, is act May 7, 1894, which is classified to sections 24 to 30a of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section 2 of act May 7, 1894, provided that the Yellowstone National Park should be part of the judicial district of Wyoming, and that the courts of the United States for the district should have jurisdiction of all offenses committed within the park. It was superseded by act Mar. 3, 1911, ch. 231, § 115, 36 Stat. 1130, constituting the State of Wyoming and Yellowstone National Park the judicial district of Wyoming, that section being in turn superseded by act June 5, 1924, ch. 260, 43 Stat. 388. Provisions of that act are covered by section 131 of Title 28, Judiciary and Judicial Procedure.

WYOMING: JURISDICTION OVER PARK

The act admitting the State of Wyoming into the Union, act July 10, 1890, ch. 664, 26 Stat. 222, contained a proviso annexed to the description of the boundaries of the State, in section 2 of the act, as follows: “That nothing in this act contained shall repeal or affect any act of Congress relating to the Yellowstone National Park, or the reservation of the Park as now defined, or as may be hereafter defined or extended, or the power