

§ 433a. Perry's Victory and International Peace Memorial; establishment

The President of the United States is authorized to establish by proclamation the following-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon, situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio, as the "Perry's Victory and International Peace Memorial", for the preservation of the historical associations connected therewith, to inculcate the lessons of international peace by arbitration and disarmament, and for the benefit and enjoyment of the people: Commencing at the intersection of the middle line of Delaware Avenue and Chapman Avenue, in the village of Put-in-Bay, and running thence south eighty-eight degrees fifty-nine minutes east in the middle line of said Delaware Avenue, and the same extended four hundred and ninety-five feet to Lake Erie; thence north forty-nine degrees fifty-nine minutes east along said lake shore three hundred and forty-six feet; thence north forty-three degrees fourteen minutes east along said lake shore two hundred and twelve feet; thence north fifty-three degrees thirteen minutes east four hundred feet along said lake shore; thence north forty-six degrees six minutes west about seven hundred and thirty feet to Lake Erie; thence southwesterly and westerly along said lake shore to the middle line, extended, of said Chapman Avenue; thence south one degree thirty minutes west along said middle line, and the same extended, about five hundred and twenty feet to the place of beginning, and containing fourteen and twenty-five one-hundredths acres of land and known as a part of lots numbered 1 and 2, range south of county road, and a part of lot numbered 12, East Point, in South Bass Island, in the township of Put-in-Bay, county of Ottawa, State of Ohio.

(June 2, 1936, ch. 477, §1, 49 Stat. 1393; Pub. L. 92-568, §1, Oct. 26, 1972, 86 Stat. 1181.)

CHANGE OF NAME

"Perry's Victory and International Peace Memorial" substituted in text for "Perry's Victory and International Peace Memorial National Monument" to conform to the redesignation provided in section 1 of Pub. L. 92-568, classified to section 433f-1 of this title.

ESTABLISHMENT OF MEMORIAL; BOUNDARIES

Memorial and boundaries established by Presidential Proc. No. 2182, July 6, 1936, 50 Stat. 1734.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 433c, 433f, 433f-1 of this title.

§ 433b. Administration, protection, and development

The administration, protection and development of the aforesaid peace memorial shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(June 2, 1936, ch. 477, §2, 49 Stat. 1394; Pub. L. 92-568, §1, Oct. 26, 1972, 86 Stat. 1181.)

CHANGE OF NAME

"Peace memorial" substituted in text for "national monument" to conform to redesignation of Perry's Victory and International Peace Memorial National Monument as Perry's Victory and International Peace Memorial provided in section 1 of Pub. L. 92-568, classified to section 433f-1 of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 433f of this title.

§ 433c. Acceptance of donations of lands and funds; acquisition of land

After the said peace memorial has been established as provided in section 433a of this title the Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property as may be donated for the extension and improvement of the said peace memorial, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said peace memorial as may be necessary for the completion thereof. The Secretary of the Interior is authorized to purchase with appropriated funds not to exceed four acres of land, or interests in land, for addition to the Perry's Victory and International Peace Memorial.

(June 2, 1936, ch. 477, §3, 49 Stat. 1394; Pub. L. 92-568, §1, 2, Oct. 26, 1972, 86 Stat. 1181, 1182.)

CODIFICATION

"Section 3113 of title 40" substituted in text for "the Act of August 1, 1888" on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

AMENDMENTS

1972—Pub. L. 92-568, §2, authorized acquisition of an additional four acres of land.

CHANGE OF NAME

"Peace memorial" substituted in text for "national monument" to conform to redesignation of Perry's Victory and International Peace Memorial National Monument as Perry's Victory and International Peace Memorial provided in section 1 of Pub. L. 92-568, classified to section 433f-1 of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

AUTHORIZATION OF APPROPRIATIONS

Section 4 of Pub. L. 92-568, as amended by Pub. L. 95-625, title I, §101(21), Nov. 10, 1978, 92 Stat. 3472; Pub. L. 98-141, §7(a), Oct. 31, 1983, 97 Stat. 910; Pub. L. 98-181, title I, §1401, Nov. 30, 1983, 97 Stat. 1294, provided that: “There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act [enacting section 433f-1, amending sections 433a to 433c and 433e, and repealing section 433d of this title, and enacting provisions set out as a note hereunder], but not more than \$370,000 shall be appropriated for the acquisition of lands and interests in lands and not more than \$10,500,000 shall be appropriated for development. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act [such sections].”

§ 433d. Repealed. Pub. L. 92-568, §3(2), Oct. 26, 1972, 86 Stat. 1182

Section, act June 2, 1936, ch. 477, §4, 49 Stat. 1394, provided that members of Perry’s Victory Memorial Commission created by act Mar. 3, 1919, ch. 116, 40 Stat. 1322, act as a board of advisors, and also provided for number of members, method of filling vacancies, and travel expenses but no compensation for the members.

§ 433e. Repealed. Pub. L. 98-141, §7(b), Oct. 31, 1983, 97 Stat. 910

Section, acts June 2, 1936, ch. 477, §5, 49 Stat. 1395; Oct. 26, 1972, Pub. L. 92-568, §1, 86 Stat. 1181, provided that employees of the Perry’s Victory Memorial Commission on June 2, 1936, could, in the discretion of the Secretary of the Interior, be employed by the National Park Service in the administration, protection, and development of the memorial.

§ 433f. Inconsistent laws repealed

The provisions of the Act of March 3, 1919 (ch. 116, 40 Stat. 1322-1324), and Acts supplemental thereof and amendatory thereto and all other Acts inconsistent with the provisions of section 433a to 433f of this title are repealed to the extent of such inconsistency.

(June 2, 1936, ch. 477, §6, 49 Stat. 1395.)

REFERENCES IN TEXT

The act of Mar. 3, 1919, and Acts supplemental and amendatory thereto were not classified to the Code.

§ 433f-1. Change in name of Perry’s Victory and International Peace Memorial National Monument

The Perry’s Victory and International Peace Memorial National Monument, established in accordance with section 433a of this title, is redesignated the Perry’s Victory and International Peace Memorial.

(Pub. L. 92-568, §1, Oct. 26, 1972, 86 Stat. 1181.)

§ 433g. Fort Frederica National Monument; establishment

When title to the site of Fort Frederica, on Saint Simon Island, Georgia, and such other related sites located thereon, as may be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-monument purposes, shall have been vested in the United States, said area not to exceed two hundred and fifty acres shall be, and is, set apart as a national monument for the benefit and inspiration of the people, and shall

be called the “Fort Frederica National Monument.”

(May 26, 1936, ch. 451, §1, 49 Stat. 1373; Sept. 20, 1950, ch. 957, §1, 64 Stat. 869; Pub. L. 85-401, §1, May 16, 1958, 72 Stat. 110.)

AMENDMENTS

1958—Pub. L. 85-401 increased maximum acreage from one hundred acres to two hundred and fifty acres.

1950—Act Sept. 20, 1950, increased maximum acreage from eighty to one hundred acres.

APPROPRIATIONS

Section 2 of act Sept. 20, 1950, provided that: “There is hereby authorized to be appropriated not to exceed \$5,000 for the acquisition of land and interests in land for the said national monument. The Secretary of the Interior is authorized to use any funds so appropriated, together with any donated funds made available pursuant to the aforesaid Act of May 26, 1936 [sections 433g, 433h, 433i, and 433j of this title], for this procurement of land and interests in land for the national monument.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 433h-1 of this title.

§ 433h. Donation of property; acquisition of lands

The Secretary of the Interior is authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said national monument as determined and fixed hereunder, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of section 3113 of title 40, such tracts of land within the said national monument as may be necessary for the completion thereof.

(May 26, 1936, ch. 451, §2, 49 Stat. 1373.)

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

§ 433h-1. Acquisition of additional lands

The Secretary of the Interior is authorized and directed to acquire by purchase, condemnation, or otherwise, subject to the acreage limitation contained in section 433g of this title, the site known as the Bloody Marsh Battle memorial monument located on Saint Simon Island, Georgia, together with such additional land, including the marshland across the river to the west of Fort Frederica National Monument, or interest in land, as in the judgment of the Secretary of the Interior might be desirable for the protection of such national monument. Such lands or interest in lands acquired by the Secretary pursuant to this section shall be made a part of the Fort Frederica National Monument.

(Pub. L. 85-401, §2, May 16, 1958, 72 Stat. 110.)

APPROPRIATIONS

Section 3 of Pub. L. 85-401 provided that: “There are hereby authorized to be appropriated, out of any money