

Editorial Notes

CODIFICATION

This section, with the exception of the last clause, which names the park, was from section 1 of act Jan. 9, 1903. The last clause was taken from section 2 of said act which section is also the source of section 142 of this title.

§ 141a. Revision of boundaries

The boundary of the Wind Cave National Park is established as follows:

Beginning at the southeast corner of section 13, township 6 south, range 5 east; thence west to the southwest corner of section 15, township 6 south, range 5 east; thence north to the west quarter corner of section 10, township 6 south, range 5 east; thence to the north quarter corner of section 10, township 6 south, range 5 east; thence to the west quarter corner of section 2, township 6 south, range 5 east; thence north to the northwest corner of the southwest quarter of the northwest quarter of section 11, township 5 south, range 5 east; thence to the north quarter corner of section 11, township 5 south, range 5 east; thence to the northeast corner of the southeast quarter of the southeast quarter of section 2, township 5 south, range 5 east; thence east to the northeast corner of the southwest quarter of the southwest quarter of section 6, township 5 south, range 6 east; thence in a southeasterly direction to the southeast corner of the northeast quarter of section 7, township 5 south, range 6 east along a line to be mutually acceptable to the South Dakota Game, Fish, and Parks Commission and the Secretary of the Interior; thence from the southeast corner of the northeast quarter of section 7, township 5 south, range 6 east; east to the northeast corner of the southwest quarter of section 12, township 5 south, range 6 east; thence south to the northeast corner of the southeast quarter of the southwest quarter of section 12, township 5 south, range 6 east; thence east to the northeast corner of the southwest quarter of the southwest quarter of section 7, township 5 south, range 7 east, thence south to the southeast corner of the southwest quarter of the southwest quarter of section 18, township 5 south, range 7 east; thence west to the northeast corner of section 24, township 5 south, range 6 east; thence south to the southeast corner of section 24, township 5 south, range 6 east; thence west to the southwest corner of section 24, township 5 south, range 6 east; thence south to the southeast corner of the northeast quarter of the southeast quarter of section 35, township 5 south, range 6 east; thence west to the southwest corner of the northwest quarter of the southwest quarter of section 35, township 5 south, range 6 east; thence south to the southeast corner of section 34, township 5 south, range 6 east; thence west to the southwest corner of the southeast quarter of the southwest quarter of section 33, township 5 south, range 6 east; thence north to the northeast corner of the northwest quarter of the southwest quarter of section 28, township 5 south, range 6 east; thence west to the northwest corner of the southwest quarter of section 29, township 5 south, range 6 east; thence south to the southeast corner of section 7, township 6

south, range 6 east; thence west to the southwest corner of section 7, township 6 south, range 6 east; thence south to the southeast corner of section 13, township 6 south, range 5 east; the point of beginning, and all of those lands lying within the boundary above described, together with the south half of the northeast quarter and the west half of the northeast quarter of the northeast quarter of section 32, township 5 south, range 5 east, are included in and make a part of the Wind Cave National Park and shall be subject to all laws and regulations applicable thereto.

(Mar. 4, 1931, ch. 496, 46 Stat. 1518; Aug. 9, 1946, ch. 935, §1, 60 Stat. 970.)

Editorial Notes

AMENDMENTS

1946—Act Aug. 9, 1946, revised the boundaries of the park.

Statutory Notes and Related Subsidiaries

WIND CAVE NATIONAL PARK BOUNDARY REVISION

Pub. L. 109-71, Sept. 21, 2005, 119 Stat. 2011, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Wind Cave National Park Boundary Revision Act of 2005’.

“SEC. 2. DEFINITIONS.

“In this Act:

“(1) MAP.—The term ‘map’ means the map entitled ‘Wind Cave National Park Boundary Revision’, numbered 108/80,030, and dated June 2002.

“(2) PARK.—The term ‘Park’ means the Wind Cave National Park in the State.

“(3) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

“(4) STATE.—The term ‘State’ means the State of South Dakota.

“SEC. 3. LAND ACQUISITION.

“(a) AUTHORITY.—

“(1) IN GENERAL.—The Secretary may acquire the land or interest in land described in subsection (b)(1) for addition to the Park.

“(2) MEANS.—An acquisition of land under paragraph (1) may be made by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

“(b) BOUNDARY.—

“(1) MAP AND ACREAGE.—The land referred to in subsection (a)(1) shall consist of approximately 5,675 acres, as generally depicted on the map.

“(2) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

“(3) REVISION.—The boundary of the Park shall be adjusted to reflect the acquisition of land under subsection (a)(1).

“SEC. 4. ADMINISTRATION.

“(a) IN GENERAL.—The Secretary shall administer any land acquired under section 3(a)(1) as part of the Park in accordance with laws (including regulations) applicable to the Park.

“(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

“(1) IN GENERAL.—The Secretary shall transfer from the Director of the Bureau of Land Management to the Director of the National Park Service administrative jurisdiction over the land described in paragraph (2).

“(2) MAP AND ACREAGE.—The land referred to in paragraph (1) consists of the approximately 80 acres of land identified on the map as ‘Bureau of Land Management land’.

“SEC. 5. GRAZING.

“(a) GRAZING PERMITTED.—Subject to any permits or leases in existence as of the date of acquisition, the Secretary may permit the continuation of livestock grazing on land acquired under section 3(a)(1).

“(b) LIMITATION.—Grazing under subsection (a) shall be at not more than the level existing on the date on which the land is acquired under section 3(a)(1).

“(c) PURCHASE OF PERMIT OR LEASE.—The Secretary may purchase the outstanding portion of a grazing permit or lease on any land acquired under section 3(a)(1).

“(d) TERMINATION OF LEASES OR PERMITS.—The Secretary may accept the voluntary termination of a permit or lease for grazing on any acquired land.”

§ 141b. Wind Cave National Game Preserve transferred to park

Effective July 1, 1935, the Wind Cave National Game Preserve in the State of South Dakota is abolished, and all the property, real or personal, comprising the same is transferred to and made a part of the Wind Cave National Park and the same shall be administered by the Secretary of the Interior as a part of said park, subject to all laws and regulations applicable thereto, for the purposes expressed in section 672 of this title, establishing said game preserve.

(June 15, 1935, ch. 261, title VI, § 601, 49 Stat. 383.)

Editorial Notes

REFERENCES IN TEXT

Section 672 of this title, referred to in text, was omitted from the Code.

§ 141c. Disposal of surplus buffalo and elk

(a) The Secretary of the Interior is authorized, in his discretion and under regulations to be prescribed by him, to sell or otherwise dispose of the surplus buffalo and elk of the Wind Cave National Park herd.

(b) All moneys received from the sale of any such surplus animals, or products thereof, shall be deposited in the Treasury of the United States as miscellaneous receipts.

(June 16, 1938, ch. 459, §§ 1, 2, 52 Stat. 708.)

Editorial Notes

CODIFICATION

Subsecs. (a) and (b) of this section constitute sections 1 and 2, respectively, of act June 16, 1938.

§ 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