

quired under the provisions of sections 428 to 428d and 428e to 428i of this title, together with the area already inclosed within the national cemetery at the battle field of Fort Donelson, are declared to be a national battlefield, to be known as the Fort Donelson National Battlefield.

(Mar. 26, 1928, ch. 248, §6, 45 Stat. 368; Pub. L. 86-738, §4, Sept. 8, 1960, 74 Stat. 876.)

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

“Fort Donelson National Battlefield” and “battlefield” substituted in text for “Fort Donelson National Military Park” and “park”, respectively, in view of redesignation of Fort Donelson National Military Park as Fort Donelson National Battlefield by Pub. L. 86-738. See section 428n of this title.

#### § 428f. Control of battlefield; regulations

The said Fort Donelson National Battlefield shall be under the control of the Secretary of the Interior, and he is authorized to make all needed regulations for the care of the battlefield. The superintendent of the Fort Donelson National Cemetery shall likewise be the superintendent of and have the custody and care of the Fort Donelson National Battlefield, under the direction of the Secretary of the Interior.

(Mar. 26, 1928, ch. 248, §7, 45 Stat. 368; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933; Pub. L. 86-738, §§4, 5, Sept. 8, 1960, 74 Stat. 876.)

#### Statutory Notes and Related Subsidiaries

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#### Executive Documents

##### TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 428 of this title.

#### § 428g. Occupation of lands by former owners

The Secretary of the Interior is authorized to enter into agreements, upon such nominal terms as he may prescribe, with such present owners of the land as may desire to remain upon it, to occupy and cultivate their present holdings, upon condition that they will preserve the present buildings and roads, and the present outlines of field and forest, and that they will only 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.

(Mar. 26, 1928, ch. 248, §8, 45 Stat. 368; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933; Pub. L. 86-738, §5, Sept. 8, 1960, 74 Stat. 876.)

#### Executive Documents

##### TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 428 of this title.

#### § 428h. Ascertaining and marking line of battle

It shall be lawful for the authorities of any State having troops engaged in the Battle of Fort Donelson to enter upon the lands and approaches of the Fort Donelson National Battlefield for the purpose of ascertaining and marking the lines of battle of troops engaged 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 the Secretary of the Interior and shall first receive the written approval of the Secretary.

(Mar. 26, 1928, ch. 248, §9, 45 Stat. 368; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933; Pub. L. 86-738, §§4, 5, Sept. 8, 1960, 74 Stat. 876.)

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

“Fort Donelson National Battlefield” substituted in text for “Fort Donelson National Military Park” in view of redesignation of Fort Donelson National Military Park as Fort Donelson National Battlefield by Pub. L. 86-738. See section 428n of this title.

#### Executive Documents

##### TRANSFER OF FUNCTIONS

Transfer of administrative functions of park, see note set out under section 428 of this title.

#### § 428i. Protection of monuments, etc.

If any person shall willfully destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the battlefield by lawful authority, or shall willfully destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said battlefield, or any portion thereof, or shall willfully destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said battlefield, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon such battlefield, except by permission of the Secretary of the Interior, or shall willfully remove or destroy any breastworks, earthworks, walls, or other defenses or shelter, or any part thereof, constructed by the armies formerly engaged in the battle on the lands or approaches to the battlefield, any person so offending shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall for each and every such offense be fined not less than \$5 nor more than \$100.

(Mar. 26, 1928, ch. 248, §10, 45 Stat. 368; Ex. Ord. No. 6166, §2, June 10, 1933; Ex. Ord. No. 6228, §1, July 28, 1933; Pub. L. 86-738, §§4, 5, Sept. 8, 1960, 74 Stat. 876.)