

§ 48. Yosemite Valley and Mariposa Big Tree Grove reserved and made part of Yosemite National Park

The tracts of land embracing the Yosemite Valley and the Mariposa Big Tree Grove, described as the “Cleft” or “Gorge” in the granite peak of the Sierra Nevada mountains, situated in the county of Mariposa, in the State of California, and the headwaters of the Merced River, and known as the Yosemite Valley, with its branches or spurs, in estimated length fifteen miles, and in average width one mile back from the main edge of the precipice, on each side of the valley, and the tracts embracing what is known as the “Mariposa Big Tree Grove”, not to exceed the area of four sections, and to be taken in legal subdivisions of one quarter section each, together with that part of fractional sections 5 and 6, township 5 south, range 22 east, Mount Diablo meridian, California, lying south of the South Fork of Merced River and almost wholly between the Mariposa Big Tree Grove and the south boundary of the Yosemite National Park, on June 11, 1906, are reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States and set apart as a national forest, subject to all the limitations, conditions, and provisions of sections 61, 471c and 471d of this title, as well as the limitations, conditions, and provisions of section 46 of this title, and shall hereafter form a part of the Yosemite National Park.

(June 30, 1864, ch. 184, §§1, 2, 13 Stat. 325; June 11, 1906, No. 27, §1, 34 Stat. 831.)

§ 49. Rights of claimants and owners of lands included; laws and regulations applicable within park

None of the lands patented and in private ownership in the area included under sections 46 and 47 of this title in the Sierra National Forest shall have the privileges of the lieu-land scrip provisions of the land laws, but otherwise to be in all respects under the laws and regulations affecting the national forests. All laws, rules, and regulations affecting national forests, including the right to change the boundaries thereof by Executive proclamation, shall take effect and be in force within the limits of the territory excluded by sections 46 and 47 of this title from the Yosemite National Park, except as otherwise provided.

(Feb. 7, 1905, ch. 547, §2, 33 Stat. 703; June 11, 1906, No. 27, §2, 34 Stat. 832; Mar. 4, 1907, ch. 2907, 34 Stat. 1269.)

Editorial Notes

CODIFICATION

“Sierra National Forest” and “national forests” substituted in text for “Sierra Forest Reserve” and for “forest reserves” and “forest reservations”, respectively, on authority of act Mar. 4, 1907, ch. 2907, 34 Stat. 1269, which provided that forest reserves shall hereafter be known as national forests.

§ 50. Repealed. Dec. 16, 1930, ch. 14, §1, 46 Stat. 1028

Section, Joint Res. June 11, 1906, No. 27, §3, 34 Stat. 832, related to disposition of revenues from privileges.

§ 51. Yosemite National Park; exchange of privately owned lands in park

The Secretaries of the Departments of Interior and Agriculture, for the purpose of eliminating private holdings within the Yosemite National Park and to preserve intact timber along and adjoining the roads in the scenic portion of the park on patented lands, are empowered in their discretion to obtain and accept for the United States a complete title to any and all patented lands within the boundaries of said park by the exchange of timber or timber and lands within the Yosemite National Park and the Sierra and Stanislaus National Forests for such lands and the timber thereon within the park, necessary conveyances of park and national forest timber or timber and lands to be made by said secretaries, respectively. The secretaries of the said departments are authorized to acquire title in fee by the exchange of lands of the United States for patented lands not exceeding six hundred and forty acres in the Sierra and Stanislaus National Forests, adjacent and contiguous to the Yosemite National Park, and when such patented lands are thus acquired, said lands shall become a part of the Yosemite National Park and be subject to all the provisions of sections 55, 61, 471c and 471d of this title.

(Apr. 9, 1912, ch. 74, §1, 37 Stat. 80; Apr. 16, 1914, ch. 58, 38 Stat. 345.)

§ 52. Values of lands and timber to be exchanged; lands added to park

The value of patented lands within the park offered in exchange, and the value of the timber on park lands proposed to be given in exchange for such patented lands, shall be ascertained in such manner as the Secretary of the Interior may, in his discretion, direct, and all expenses incident to ascertaining such values shall be paid by the owners of said patented lands, and such owners shall, before any exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the patented lands offered in exchange, and if the value of the timber on park lands exceeds the value of the patented lands deeded to the Government in the exchange such excess shall be paid to the Secretary of the Interior by the owners of the patented lands before any of the timber is removed from the park, and shall be deposited and covered into the Treasury as miscellaneous receipts. The same course shall be pursued in relation to exchange for timber standing near public roads on patented lands for timber to be exchanged on park lands. The lands conveyed to the Government under section 51 of this title shall become a part of the Yosemite National Park.

(Apr. 9, 1912, ch. 74, §2, 37 Stat. 80.)

§ 53. Cutting and removal of timber

All timber must be cut and removed from the Yosemite National Park under regulations to be prescribed by the Secretary of the Interior, and any damage which may result to the roads or any part of the park in consequence of the cutting and removal of the timber from the reservation shall be borne by the owners of the pat-