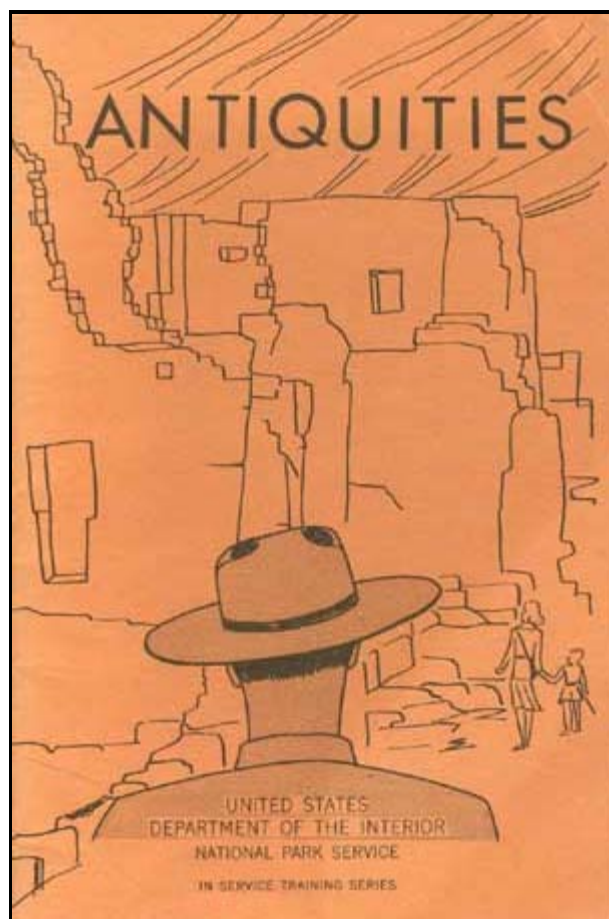


NATIONAL PARK SERVICE

Antiquities



ANTIQUITIES

**Training Bulletin
for
Field Employees
of the
National Park Service
United States
Department of the Interior**



1958

In-Service Training Series

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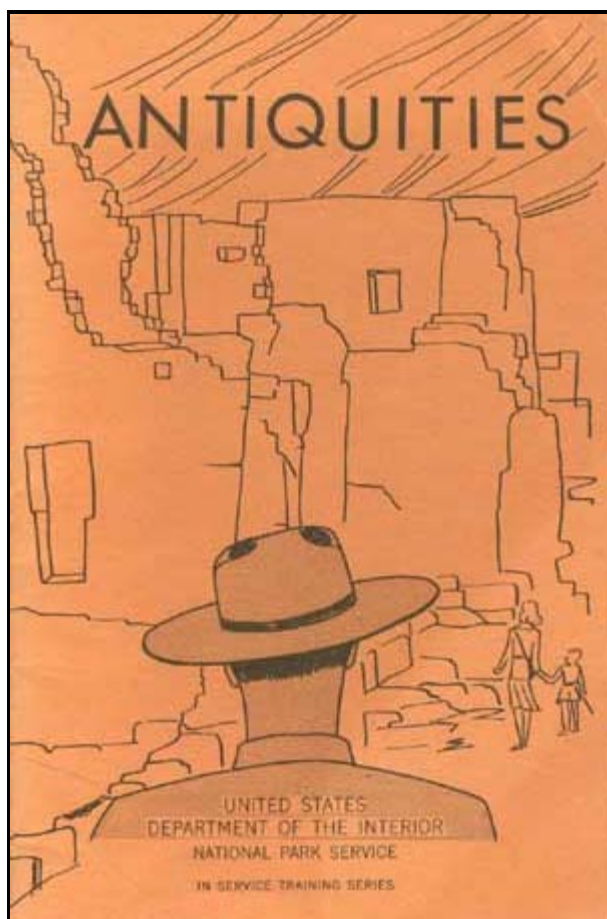
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FOREWORD

This booklet on the Antiquities Act is another in the series of training aids in interpretation prepared by Franklin G. Smith of the Washington Office. It is intended for use by superintendents, archeologists, naturalists, historians, and rangers; in fact, by any Service personnel who come in contact with the public.

Important in the priceless American heritage are the historic and prehistoric remains conserved and protected within Park and Monument areas for the benefit and enjoyment of all present and future Americans. Many of these same areas were originally set aside from the public domain as deserving special attention and protection by the Federal Government under the special provisions of the Antiquities Act of 1906.

To preserve these priceless remains, it behooves the Service to be ever alert to opportunities for explaining to the visitor not only what the ruins are about, but also why it is important they should be preserved. Many otherwise public-minded citizens do not understand why they cannot excavate for old Indian "pots" or carry away souvenir pieces of historic structures. This booklet is designed to help the man most in contact with the public explain to the visitors the importance and necessity for the Service's policy on preservation and protection of our irreplaceable American heritage.

A handwritten signature in cursive script that reads "Conrad L. Wirth".

Conrad L. Wirth
Director

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How the Antiquities Act of 1906 Affects Your Job

During the period of MISSION 66, every employee of the Service is likely to find that he has increased responsibilities both as an individual and as a member of the Superintendent's staff.

As travel to the parks administered by the National Park Service increases, a continually greater percentage of the visitors to the Park will be newcomers to the ideas and principles upon which the Service is based. Every employee, both in and out of uniform, who contacts the public, must be prepared to explain some of these basic ideas and principles. He must also be prepared to enforce the regulations of the Park and the Service in a manner which will convert the visitor to conservation, rather than annoy him with what may seem a senseless restriction of his freedom.

In addition to the contacts you may have with the public, there is a responsibility to assist the Superintendent in every way possible to plan the extensive construction work which will enable the Service to handle visitation in 1966. Field employees must be the "eyes and ears" of the Superintendent in many ways, and should be aware of the threats of construction to the resources of the Park.

This booklet is designed to give you basic information on one of the most important pieces of legislation affecting the Service. It should help you in your contacts with the visitor.

It should be helpful to those in planning and construction work who may not be dealing with the public but in the course of their work find archeological, paleontological and geological conditions that may be disturbed by construction work or uncovered during construction and thereby discovering something not known before hand. These cases should be reported to the Superintendent who, in turn, would arrange for the proper person or persons to pass on the situation.

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The Three Parts of the Antiquities Act

The Act for the Preservation of American Antiquities, enacted on June 8, 1906 (34 Stat. L. 225), provides the legal authority for a large segment of the protection and preservation activities of the National Park Service in natural history as well as in history and archeology. Accordingly, it is a good idea for you, as an employee of the Service, to know as much as possible about the Antiquities Act and the responsibilities of enforcing and observing its provisions which may directly affect your job.

The provision of the act most directly affecting the Service is Section 2. This authorizes the President to withdraw lands from the public domain for the protection and preservation of objects or areas of historic, archeologic, or scientific importance and proclaim them as national monuments. This section also gives the Secretary of the Interior the authority to accept land relinquished to the Federal Government on the basis of its value as a part of the Nation's heritage. The effect of this provision on the growth of the National Park System has been as great as that of any other piece of legislation, except for the National Park Service Act of 1916. At this time, there are 64 national monuments which came into existence as a result of this provision. Under this section, many areas have been given interim protection until such time as Congress could establish them as national parks. Several other areas have been established as national monuments and later returned to the administration of appropriate State and local groups, when they proved to be of less than national significance.

Only slightly less important to the Service are the provisions of the act regulating archeological and paleontological research and collecting on all land administered by the Federal Government. Actually, it is this part of the act (Section 3) which is most likely to affect you in everyday job assignments, in making public contacts and in any planning function involving construction work. Most of this booklet will be devoted to these provisions of the act.

A third provision of the act, which you should know about, is the punitive clause (Section 1). It specifies that anyone who disturbs or removes objects of scientific or archeological importance upon lands owned or controlled by the Federal Government, without proper permission, shall, upon conviction, be fined not more than \$500, or imprisoned for not more than 90 days, or both.

It might be a good idea to turn to the Appendix at this point and read the act itself.

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The Background of the Antiquities Act

At the turn of the century, there were nine reserved areas which were already, or were to become, national parks. Nine other areas under the Federal Government's jurisdiction at that time have since been proclaimed national monuments, national battlefield sites, national historical parks, or national memorials. It is interesting to note that only one of these areas, Casa Grande, was established to protect evidence of prehistory of the Nation.

Maintenance of these areas was the responsibility of the Departments of War, Agriculture, and Interior. Generally speaking, there was little effort to preserve the less spectacular features or sections of the reserved lands, and, in some cases, the primary features for which the areas had been set aside were also victims of public apathy and inappropriate use. However, it was the situation in the hitherto isolated western part of the country which began to excite the greatest concern.

Though most of the West was still wild, it was no longer dangerous to leave the inhabited areas, and the Country was being mapped, surveyed, and developed. Facilities for reasonably safe exploration of the back country were appearing, particularly in the Southwest, and the commercial value of Indian relics was increasing to the point where the looting of such articles as prehistoric baskets, pottery, and stonework paid real dividends to the collector. Where this occurred, the true significance of these objects as a part of a greater story was lost, since few looters took the trouble to keep even the most casual records of where they obtained their material. American archeology was still in its infancy and the few archeologists who were interested in the prehistory of the United States had little time and almost no money to examine the thousands of sites where the story of prehistoric man in the New World was being shredded away. Yet the few excavations which were scientifically conducted in this region gave indications of the richness of these fragile deposits.

Accordingly, various professional organizations began to work for protective legislation and, since most of the destruction was taking place on lands in the public domain, it was logical to expect that the administration of such an act would be best handled by the Federal Government.

Laws to protect antiquities from vandalism were not unusual in other countries, particularly in the nations where legal codes had been derived from the Roman law. A fundamental principle of this code is that the land is basically the property of the Nation, and that the individual may own the rights to the use of the land, but still be subject to considerable control in his application of those rights. In such nations, of which most European and South American countries are examples, laws have been passed making all antiquities automatically the property of the state, regardless of whether they are on private land or public domain. Many such laws were in existence before the turn of the century.

In our law, however, based on the English codes, we do not have such restrictive provisions, and the property of an individual is not subject to restrictions other than those which are intended to keep him from unwarranted intrusions upon his neighbors or upon the public.

The Federal Government recognized an interest in the study of objects of scientific interest when the Smithsonian Institution was established in 1846. This became more definite in 1879 with the creation of the Bureau of American Ethnology. And the U. S. Geological Survey, also established in 1879, together with its forerunners, such as Hayden, Wheeler, King, and Powell Surveys, had effectively shown a precedent for the Federal Government's interest in objects of scientific importance apart from archeology.

But these were primarily research institutions devoted to the acquisition of knowledge by scientists. While the knowledge thus obtained was diffused, it still was a case of "science for the sake of science." The results of work performed were transmitted primarily to the professional not to the layman. The Antiquities Act was among the first steps in modifying this approach to include more extensive dissemination of knowledge.

While specific Congressional action had been taken to set aside a few areas of natural scenic and scientific importance before the Antiquities Act, there was no authority under which such areas could be established by executive action, and no way of protecting them until legislative action could be taken. In the Old World, the inspirational and recreational benefits to be derived from natural surroundings were occasionally available to the privileged classes, but the use of them was denied to the majority of the people. Hot Springs, Yosemite, and Yellowstone were worldwide innovations when they were set aside expressly for the enjoyment of all the people of the Nation.

So Section 2 of the act became extremely important, since it clearly stated that the Federal Government accepted a responsibility in conserving objects and areas of historic or scientific interest. Look at the legal history of the Park. Perhaps, it would not now exist as a unit of the National Park System if there had been no Antiquities Act or if that act had not contained those few important words.

Once the act was passed, it became necessary to provide for its standard administration by the several agencies of the Federal Government which administered public land. Section 2 is primarily a matter of Presidential responsibility, although it is normally the practice to consult with the Secretary of the Interior, the Director of the National Park Service and the Advisory Board before a new national monument is established under Antiquities Act authority. So, among the major considerations of the Service, is the matter of research performed under the authority of Section 3.

The authority to grant a permit to any organization or institution outside of the Service to perform research under the provisions of Section 3 and the Uniform Rules and Regulations on lands under Department of the Interior jurisdiction rests with the Secretary of the Interior. This includes permits for work on land administered by the Service, with one exception. The Superintendent may, after examining the professional qualifications of an employee of the Service, grant a permit for research of the kinds covered by the Antiquities Act by that employee within a Park or Monument. In this case, the employee is acting as a representative of the Service not as an individual, and he must follow the same requirements of reporting as are required of an outside institution by the Secretary.

Under the Uniform Rules and Regulations prescribed to carry out the provisions of the act by the Secretaries of War, Agriculture, and Interior, approved on December 28, 1906, permits are restricted to ". . . reputable museums, universities, colleges, or other recognized scientific or educational institutions, or to their duly authorized agents."

This has been subject to administrative interpretation which requires the institution involved to meet certain qualifications of staffing. The provisions of the act would be nullified if the permits were to be granted to the Podunk Historical Museum, which is open three afternoons

a week, and has as its professional staff the lady who tends the desk and who may have taken a course in ancient history in finishing school 30 years ago. The principal prerequisite is that a qualified investigator be on the staff, and that this individual be present to supervise the work. Qualifications are normally based on the technical training and the field experience of the person involved. There are many cases in which the only way of ascertaining qualifications is to contact technical personnel at the Smithsonian Institution or in one of the field areas of this Service. Many archeologists today have considerable field experience, gained before the study of archeology in colleges and universities had been common, and this background frequently entitles them to consideration purely on the basis of experience. Determination of the qualifications of both archeologists and paleontologists is a matter which is best left to the technical staff of the Service. It is not probable that these problems will affect the field area to any extent.

A second requirement of the Uniform Rules and Regulations is that the institution applying for a permit arrange for the proper care and disposal of the collections obtained so that they will be preserved in a public museum and be made accessible to the public. This goes far beyond simply having a few glass cases and visiting hours. Modern preservation methods make it possible to recover and protect objects of surprising fragility, but these methods must be used by persons skilled in their use; competent museum people must be always close at hand. Above all, the material must be available to the professional archeologist and paleontologist, and the information gained from the material, as well as the material itself, must be arranged for the greatest public good.

The third requirement of the Uniform Rules and Regulations is that the data gained from excavations and investigations under the act be made available to scientists as well as to such interested laymen as desire it. This applies to the publication of properly prepared scientific reports, either in professional journals or in other published form which will adequately disseminate technical data. Here, especially, the need for qualified scientists on the staff of the institution is apparent. Without such publication, the knowledge gained from the work is of very limited use.

From this point on, we will divide the consideration of responsibility for enforcing the act. Parts IV and V will deal with archeology; Part VI with paleontology. While many of the points brought up in each section will concern both fields, the differences will also be apparent.

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Reasons for restricting archeological work to trained archeologists

No one would ask why chemical research, work in nuclear physics, or biological research is best performed by individuals trained in those specialties. But since archeology is listed as a social science; since it deals with people and the stories it tells are easily learned; and, most of all, since looking for arrowheads and digging for old pottery do not seem to require any special skills, visitors to the Parks will often ask questions about this restriction.

And, the visitor has a point. It does not take any training to dig a hole in the ground, and those holes are often productive of interesting artifacts and bits of loot. But, unfortunately, the digging is only the beginning. When the soil is disturbed, all evidence of what has gone on to place the objects in that soil is destroyed, unless proper records are kept. This is true, regardless of who digs, and it is in the information that is recorded that the difference between the amateur and the professional appears. For the professional archeologist spends from four to ten years studying the history of man on this planet, and learning how to add to our knowledge of the past. It is not enough that the archeologist learn exactly how to record all of the available data so that, if necessary, he can replace every object in its original location, exact even to the soil types and the potsherds found near it. He must be able, on the basis of field experience and academic training, to work with the facts of those surroundings and get the maximum amount of information from the location and the relationships of each piece to others found in association with it.

For the primary purpose of the excavation of an archeological site is not the recovery of objects. In a properly conducted "dig" the artistic value of objects is almost incidental to the purpose of the work. Many of the finest examples of aboriginal work in our museums today are worthless as sources of knowledge, because no one now living knows exactly where they came from, and exactly what the surroundings were. The archeologist cannot afford to be preoccupied with the artistic quality of such pieces. The story they tell of how, when, and where they were made and how they fit into the overall picture of life before Columbus is the important thing.

There are also vast differences in the techniques for recovering the most material from an excavation. The casual collector and the vandal do not care about the proper handling of the priceless charcoal which might give an accurate radiocarbon date. In fact, such persons would not know how to handle the charcoal if they did care about the scientific value of it. Nor do they know how to apply a camel's-hair brush to reveal the traces of the last corn cake baked on a stone griddle in the Southwest. These are not things which have any display value on a mantelpiece at home, and so these individuals cannot be expected to show much interest. But such techniques are parts of the basic training of every archeologist.

This is not to disparage the amateur who has a sincere interest in learning the story of prehistory. Many such persons have contributed greatly to our knowledge, working with State and local archeological societies, under the tutelage of trained people. Many have gone on to become great scientists, and a number of the State groups of amateurs have instituted systems

of records which have been invaluable. It is a policy of this Service to cooperate with such groups.

However, the sincere and qualified amateur is, unfortunately, still an exception. He is easily recognized, because he knows the law, and usually strives to obey it. He also keeps records, and is likely to take the lead in turning material over to the Service when he finds it in his travel through the Park. You are not likely to have trouble with the qualified amateur, just as you are not likely to have trouble in such matters with professional archeologists. So, perhaps, it would be best to go on to the matter of just how this affects you as an employee of the National Park Service.

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The responsibilities of the field employee in regard to the archeological part of the Antiquities Act

Since there are several of these, perhaps it is best to discuss them individually.

1. Know your Park. The Park Naturalist should be able to help you learn the surface signs of the archeological sites through the section of the Country where you are, and, when one of the archeologists of the Service visits the area, he will be glad to assist you in learning the basic indications of use of the land in prehistoric times.

Remember that it is possible that your Park or Monument has extensive archeological remains, even though it may have been set aside primarily for other reasons. Yosemite, for instance, has more than 500 sites of prehistoric occupation and Grand Canyon more than 500. Even the very small amount of work performed in Yellowstone and Everglades has produced evidence of a considerable use of the areas in pre-Columbian times. Incidentally, you might also want to remember that the population of what is now the continental United States at the time Columbus landed has been estimated as high as 11 million people, although a more realistic estimate would be from 2 to 5 million. Man had been in the New World for at least 20,000 years, and perhaps considerably longer. So it is not surprising to find evidence of Indian occupancy in every corner of the Country. Your responsibility is as great for a small campsite marked only by a few flint flakes or grinding stones as it is for any of the spectacular ruins of the Southwest or the Southeast.

Should you locate sites during the performance of routine jobs, it will help everyone if you mention it to the Park Naturalist or the Superintendent, and make a record of the appearance, location, and date of your visit. This also helps you to:

2. Watch for violations of the Antiquities Act. If you know the archeological sites, it is easy to watch for signs of disturbance and take appropriate action. Any sign of digging should be reported immediately to the Superintendent or to your immediate superior. Your Law Enforcement Manual will tell you how to gather evidence and how to proceed in handling violators who are apprehended in the act of vandalizing sites. If there is any doubt in your mind, discuss it with the Chief Ranger. You might discuss it with him anyhow—since law enforcement is one of his responsibilities.

3. You may observe or hear of violations of the act on lands outside of the jurisdiction of the Service. Any such violation should be reported immediately to the Superintendent, who is required to notify the Federal Bureau of Investigation or any other Federal agency involved. He may also be in a position to take immediate action in apprehending the violators but, since he is the senior representative of the Service involved, he should make the decision.

4. In the performance of your routine duties or on your off-duty time, you may find arrowheads, worked stone of various forms, or pieces of pottery. These should be left in

place and the attention of the Superintendent and the Park Naturalist called to them. The Antiquities Act applies to these surface findings as well as to other material. As an employee of the Service, you are expected to adhere to the regulations as closely as any visitor. The Superintendent who finds that an employee has obtained material of this sort within the Park and has not turned it in to the proper authority is authorized to take any action necessary in punishing such violations.

5. In addition to these responsibilities, the Superintendent is responsible for the protection of archeological remains which might be damaged in the process of construction activities. When planning is begun on development, the Superintendent must take into consideration the possibility of disturbing remains in the Park and should plan his development to avoid such disturbance. If it is inevitable that ruins be disturbed, plans should include the cost of archeological salvage work necessary. When a hitherto unknown site is located in the process of construction, the Superintendent should call on the archeological staff member nearest his Park and do his best to obtain adequate records without unduly slowing the contractor. Any information you may have, or may be able to obtain, may be of assistance to the Service in these cases.

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Protection of Geological Materials

The rocks and minerals of Park or Monument are part of the natural scene and even the removal of loose pebbles is regulated. Every employee should be familiar with the policies and regulations of the Service in this regard. It is within the authority of the Superintendent to grant permits to collect rocks and minerals to researchers, whether employees working on Service projects or representatives of scientific and educational institutions and organizations who will make valid use of such materials.

However, the authority to issue collecting permits for fossils is in the province of the Antiquities Act and rests with the Secretary of the Interior. As in the case of archeology, an exception is made in the case of qualified Service employees who may be authorized to perform paleontological research in the Park under direct permit of the Superintendent. Neither visitors nor Service employees who do not have permits are allowed to collect any geological materials, whether they are rocks, minerals, or fossils. In the course of your everyday duties, both are handled the same way. Whether or not you bring in the Antiquities Act in explaining the fossil collecting prohibition to the visitor is largely up to you. The Park Naturalist is the best authority in most cases; he can tell you what the local situation involves and can pass on the Superintendent's wishes in the matter.

For paleontological specimens, as in the case of archeological remains, the best preparation for the enforcement of the act is knowledge. Know where the major fossil-bearing beds are located. Learn to recognize these rocks and make sure the regulations on collecting specimens are enforced. In all cases of violations of the Antiquities Act as it relates to paleontology, follow the procedure specified in part V of this booklet. While violations will probably be less clear-cut and may be harder to recognize, they are equally bad, and there is little excuse for failing to enforce the letter and the spirit of the law.

You are probably already familiar with the problems which appear when you try to preserve the geological resources of a Park. Very few people, except for the confirmed vandal, fail to see the reason for protecting cave formations. Even though such formations are numerous, they incorporate only a limited amount of material. But these same reasonable people find it difficult to understand that specimens of the Kaibab limestone at Grand Canyon or granite from Yosemite are also protected, and that collecting to add to the trophies of a visit is as much a violation of the regulations as the removal of a more unusual specimen. The same is true in applying Antiquities Act provisions to fossils as compared to archeological remains, which are more obviously limited.

This is, of course, an opportunity to sell conservation to the visitor. Avoid lecturing or sermonizing, but explain that the Service considers no resource to be inexhaustible, and that all the things which are now a part of the natural scene are being held here not for a century, but forever. An approach along these lines should be a part of the basic contact equipment of every employee since it applies also to the collection of all natural history specimens.

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Test Yourself

This booklet has been prepared for the Service as a whole. It is, therefore, impossible to include the answers to all the questions which might pertain to the Park or Monument in which you are employed. However, in obtaining the answers to the questions on the following list, you will be preparing yourself for some questions which the visitor may ask. At the same time, you will become familiar with the Antiquities Act provisions which most directly affect you in your present job. Now—can you answer these questions?

Area Checklist.

1. Was the Park or Monument in which you are now working established by Presidential proclamation under the Antiquities Act? How many of the National Parks in the Region were given protection in this way?
2. How many archeological sites are known in the Park?
3. Is vandalism or "pot-hunting" a common thing in your part of the Country?
4. What should you do when a visitor proudly shows you an arrowhead or a piece of pottery he has just picked up in the Park? A fossil?
5. Which sections of the Park have been examined by archeologists? Is there an Archeological Base Map in the Park's Master Plan?
6. Which sections of the Park will be affected by construction programs during the MISSION 66 development? Are there any archeological sites in these sections which will be damaged or destroyed?
7. What are the major fossil beds in the Park? Which fossils are most numerous? Which ones attract the greatest visitor interest?
8. Is the Park one of the few where prospecting is permitted? If so, how does this affect the collection of geological materials and fossils?
9. What signs are present on the surface of the ground in the Park which serve to indicate use of the area by Indians?
10. What are the penalties for violation of the Antiquities Act?

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APPENDIX

[Public—No. 209.]

An Act For the preservation of American antiquities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who shall appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States, without the permission of the Secretary of the Department of the Government having jurisdiction over the lands on which said antiquities are situated, shall upon conviction, be fined in a sum of not more than five hundred dollars or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court.

SEC. 2. That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected: *Provided* That when such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is hereby authorized to accept the relinquishment of such tracts in behalf of the Government of the United States.

SEC. 3. That permits for the examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and War to institutions which they may deem properly qualified to conduct such examination, excavation, or gathering, subject to such rules and regulations as they may prescribe: *Provided*, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums.

SEC. 4. That the Secretaries of the Departments aforesaid shall make and publish from time to time uniform rules and regulations for the purpose of carrying out the provisions of this Act.

Approved, June 8, 1906 (34 Stat. L. 225).

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UNIFORM RULES AND REGULATIONS

PRESCRIBED BY THE SECRETARIES OF THE INTERIOR, AGRICULTURE, AND WAR TO CARRY OUT THE PROVISIONS OF THE "ACT FOR THE PRESERVATION OF AMERICAN ANTIQUITIES," APPROVED JUNE 8, 1906 (34 STAT. L., 225).

1. Jurisdiction over ruins, archeological sites, historic and prehistoric monuments and structures, objects of antiquity, historic landmarks, and other objects of historic or scientific interest, shall be exercised under the act by the respective Departments as follows:

By the Secretary of Agriculture over lands within the exterior limits of forest reserves, by the Secretary of War over lands within the exterior limits of military reservations, by the Secretary of the Interior over all other lands owned or controlled by the Government of the United States, provided the Secretaries of War and Agriculture may by agreement cooperate with the Secretary of the Interior in the supervision of such monuments and objects covered by the act of June 8, 1906, as may be located on lands near or adjacent to forest reserves and military reservations, respectively.

2. No permit for the removal of any ancient monument or structure which can be permanently preserved under the control of the United States *in situ*, and remain an object of interest, shall be granted.

3. Permits for the examination of ruins, the excavation of archeological sites, and the gathering of objects of antiquity will be granted, by the respective Secretaries having jurisdiction, to reputable museums, universities, colleges, or other recognized scientific or educational institutions, or to their duly authorized agents.

4. No exclusive permits shall be granted for a larger area than the applicant can reasonably be expected to explore fully and systematically within the time limit named in the permit.

5. Each application for a permit should be filed with the Secretary having jurisdiction, and must be accompanied by a definite outline of the proposed work, indicating the name of the institution making the request, the date proposed for beginning the field work, the length of time proposed to be devoted to it, and the person who will have immediate charge of the work. The application must also contain an exact statement of the character of the work, whether examination, excavation, or gathering, and the public museum in which the collections made under the permit are to be permanently preserved. The application must be accompanied by a sketch plan or description of the particular site or area to be examined, excavated, or searched, so definite that it can be located on the map with reasonable accuracy.

6. No permit will be granted for a period of more than three years, but if the work has been diligently prosecuted under the permit, the time may be extended for proper cause upon application.

7. Failure to begin work under a permit within six months after it is granted, or failure to diligently prosecute such work after it has been begun, shall make the permit void without any order or proceeding by the Secretary having jurisdiction.

8. Applications for permits shall be referred to the Smithsonian Institution for recommendation.

9. Every permit shall be in writing and copies shall be transmitted to the Smithsonian Institution and the field officer in charge of the land involved. The permittee will be furnished with a copy of these rules and regulations.

10. At the close of each season's field work the permittee shall report in duplicate to the Smithsonian Institution, in such form as its secretary may prescribe, and shall prepare in duplicate a catalogue of the collections and of the photographs made during the season, indicating therein such material, if any, as may be available for exchange.

11. Institutions and persons receiving permits for excavation shall, after the completion of the work, restore the lands upon which they have worked to their customary condition, to the satisfaction of the field officer in charge.

12. All permits shall be terminable at the discretion of the Secretary having jurisdiction.

13. The field officer in charge of land owned or controlled by the Government of the United States shall, from time to time, inquire and report as to the existence, on or near such lands, of ruins and archeological sites, historic or prehistoric ruins or monuments, objects of antiquity, historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.

14. The field officer in charge may at all times examine the permit of any person or institution claiming privileges granted in accordance with the act and these rules and regulations, and may fully examine all work done under such permit.

15. All persons duly authorized by the Secretaries of Agriculture, War, and Interior may apprehend or cause to be arrested, as provided in the act of February 6, 1905 (33 Stat. L., 700), any person or persons who appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity on lands under the supervision of the Secretaries of Agriculture, War, and Interior, respectively.


16. Any object of antiquity taken, or collection made, on lands owned or controlled by the United States, without a permit, as prescribed by the act and these rules and regulations, or there taken or made, contrary to the terms of the permit, or contrary to the act and these rules and regulations, may be seized wherever found and at any time, by the proper field officer or by any person duly authorized by the Secretary having jurisdiction, and disposed of as the Secretary shall determine, by deposit in the proper national depository or otherwise.

17. Every collection made under the authority of the act and of these rules and regulations shall be preserved in the public museum designated in the permit and shall be accessible to the public. No such collection shall be removed from such public museum without the written authority of the Secretary of the Smithsonian Institution, and then only to another public museum, where it shall be accessible to the public; and when any public museum, which is a depository of any collection made under the provisions of the act and these rules and regulations, shall cease to exist, every such collection in such public museum shall thereupon revert to the national collections and be placed in the proper national depository.

WASHINGTON, D. C., *December 28, 1906.*

The foregoing rules and regulations are hereby approved in triplicate and, under authority conferred by law on the Secretaries of the Interior, Agriculture, and War, are hereby made and established, to take effect immediately.


Secretary of the Interior.


Secretary of Agriculture.


Secretary of War.

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