

An Act Ceding to the United States exclusive jurisdiction over Great Smoky Mountains National Park in the State of Tennessee, approved April 12, 1929 (Public Acts of Tennessee, 1929, p. 314)

Be it enacted by the General Assembly of the State of Tennessee, That Section 24 of Chapter 54, Public Acts 1927, be amended so as to read, as follows:

"That the United States of America is authorized to acquire by conveyance, and said Commission¹ is authorized to convey to the United States, pursuant to this Act all lands hereinabove mentioned and for the purposes set out in the Act of Congress above mentioned, and exclusive jurisdiction shall be, and the same is hereby ceded to the United States of America over and within all the territory in the State of Tennessee thus deeded or conveyed; saving, however, to the State of Tennessee the right to serve criminal or civil process within the limit of the land or lands thus acquired in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed, in said State outside of said land or lands, and on account of rights acquired, obligations incurred, or crimes committed on or within said lands, prior to the date of the giving or service of notice, as hereinafter provided, of the assumption of police jurisdiction over such land or lands by the United States; and, saving further, to the said State the right to tax sales of gasoline and other motor vehicle fuels and oil for use in motor vehicles, and to tax persons and corporations, their franchises and properties, on land or lands deeded or conveyed as aforesaid, and saving, also, to persons residing in or on any of the land or lands deeded or conveyed as aforesaid the right to vote at all elections within the county in which said land or lands are located, upon like terms and conditions and to the same extent as they would be entitled to vote in such county had not such lands been deeded or conveyed, as aforesaid, to the United States of America; provided, nevertheless, that such jurisdiction shall not vest in the United States of America unless and until it, through the proper officer or officers, notifies the Governor and through him the State of Tennessee, that the United States of America assumes police jurisdiction over the land or lands thus deeded."

An Act To provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the Act approved May 22, 1926 (Forty-fourth Statutes, page 616), approved April 19, 1930 (46 Stat. 225)

Great Smoky
Mountains Na-
tional Park, N.C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary limits of the tract of land in the Great Smoky Mountains in the States of North

¹ The Tennessee Great Smoky Mountains Park Commission.

at prices deemed by him to be reasonable, the lands needed to complete the Great Smoky Mountains National Park in the State of Tennessee, in accordance with the provisions of the Act of Congress approved May 22, 1926 (44 Stat. 616); and the Secretary of the Interior is further authorized, when in his opinion unreasonable prices are asked for any of such lands, to acquire the same by condemnation under the provisions of the Act of August 1, 1888. (16 U.S.C. sec. 403i.)

Acquisition of lands for completion of.

44 Stat. 616
16 U.S.C.
sec. 403.
25 Stat. 357.
40 U.S.C.
secs. 257-258e.

SEC. 6. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$743,265.29 to complete the acquisition of lands within the limits of said park, such funds to be available until expended. (16 U.S.C. sec. 403j.)

Appropriation authorized.
52 Stat. 1134.

Excerpt from "An Act To authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina," approved June 11, 1940 (54 Stat. 300)

SEC. 4. The Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the Boundary Tree tract, containing approximately eight hundred and eighty-four acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from any funds in the United States Treasury to the credit of said band, including funds made available under section 3 hereof, to the credit of the fund "National Park Service, donations", which transfer the Secretary of the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians under authority contained in this Act shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band, and shall be nontaxable, nonalienable to the same extent as other lands within said reservation.

Eastern Band of Cherokee Indians.
Granting to of interest in designated lands, authorized.

Payment by transfer of funds.

Availability of transferred funds.

Inclusion of acquired lands in reservation.

An Act To accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes, approved April 29, 1942 (56 Stat. 258)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Great Smoky
Mountains
National Park.Acceptance of
cession of
exclusive
jurisdiction.Rights reserved
to States.Designation as
parts of judicial
districts.Fugitives from
justice.Hunting and
fishing
restrictions.Rules and
regulations.

That the provisions of the act of the Legislature of the State of North Carolina, approved March 18, 1929, and the act of the Legislature of the State of Tennessee, approved April 12, 1929, ceding to the United States exclusive jurisdiction over and within certain lands within said States as may be acquired for the Great Smoky Mountains National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such lands, saving, however, to the State of North Carolina and to the State of Tennessee, respectively, the right to serve civil or criminal process within the limits of the area ceded by such State in suits or prosecutions for or on account of any rights acquired, obligations incurred, or crimes committed in such State outside of said park; and saving further to each such State the right to tax persons and corporations, their franchises and property on the lands included in such ceded area; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county in which they reside; and saving further to each such State the right to tax sales in such ceded area of gasoline and other motor-vehicle fuels and oil for use in motor vehicles. Nothing in this section shall be construed as a consent by the United States to the taxation by the States of such sales for the exclusive use of the United States. (16 U.S.C. sec. 403h-1.)

SEC. 2. That the portion of said park located in the State of North Carolina shall constitute a part of the United States judicial district for the western district of North Carolina and the portion of said park located in the State of Tennessee shall constitute a part of the United States judicial district for the eastern district of Tennessee, and the district court of the United States in and for each such district shall have jurisdiction over all offenses committed within the ceded area of the said park in such district. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in either the State of North Carolina or Tennessee. (16 U.S.C. sec. 403h-2.)

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park, nor shall any fish be taken out of any of the waters of the said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the pro-