

United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior and the proceeds paid into the Treasury of the United States: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court.

(Apr. 29, 1942, ch. 264, § 4, 56 Stat. 260.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 29, 1942, which is classified to sections 403h-1 to 403h-10 of this title. For complete classification of this Act to the Code, see Tables.

#### §§ 403h-5 to 403h-9. Repealed. June 25, 1948, ch. 466, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 403h-5, act Apr. 29, 1942, ch. 264, § 5, 56 Stat. 260, related to appointment and jurisdiction of commissioner. See provisions covering United States magistrate judges in section 631 et seq. of Title 28, Judiciary and Judicial Procedure.

Section 403h-6, act Apr. 29, 1942, ch. 264, § 6, 56 Stat. 260, related to issuance of process. See sections 3041 and 3141 of Title 18, Crimes and Criminal Procedure, and rules 4, 5(c), and 9 of Federal Rules of Criminal Procedure, Title 18, Appendix.

Section 403h-7, act Apr. 29, 1942, ch. 264, § 7, 56 Stat. 260, related to commissioner's [now magistrate judge's] salary.

Section 403h-8, act Apr. 29, 1942, ch. 264, § 8, 56 Stat. 261, related to fees, costs, and expenses against United States. See section 604 of Title 28, Judiciary and Judicial Procedure.

Section 403h-9, act Apr. 29, 1942, ch. 264, § 9, 56 Stat. 261, related to disposition of fines and costs. See section 634 of Title 28.

#### § 403h-10. Notice to Governors of North Carolina and Tennessee; application of sections 403h-3 and 403h-4 to subsequent lands accepted

The Secretary of the Interior shall notify in writing the Governors of the States of North Carolina and Tennessee of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over said park as specified in said acts of the States of North Carolina and Tennessee. Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Great Smoky Mountains National Park, the provisions of sections 2 to 9 inclusive, shall apply to such lands.

(Apr. 29, 1942, ch. 264, § 10, 56 Stat. 261.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 29, 1942, which is classified to sections 403h-1 to 403h-10 of this title. For complete classification of this act to the Code, see Tables.

Sections 2 to 9 inclusive, referred to in text, means sections 2 to 9 of act Apr. 29, 1942, only sections 3 and 4 of which are still in effect and are classified to sections 403h-3 and 403h-4 of this title.

#### § 403h-11. Further additions for construction of scenic parkway

The Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land and interests in land in the State of Tennessee for the construction of a scenic parkway to be located generally parallel to the boundary of the Great Smoky Mountains National Park and connecting with the park, in order to provide an appropriate view of the park from the Tennessee side. The right-of-way to be acquired for the parkway shall be of such width as to comprise an average of one hundred and twenty-five acres per mile for its entire length. The title to real property acquired pursuant to this section shall be satisfactory to the Secretary of the Interior. All property acquired pursuant to this section shall become a part of the Great Smoky Mountains National Park upon acceptance of title thereto by the Secretary, and shall be subject to all laws, rules, and regulations applicable thereto.

(Feb. 22, 1944, ch. 28, 58 Stat. 19.)

#### § 403h-12. Entrance road to Cataloochee section

In order to provide suitable access to the Cataloochee section of Great Smoky Mountains National Park, the Secretary of the Interior is authorized to select the location of an entrance road from a point near the intersection at White Oak Church of North Carolina Routes Numbered 1338 and 1346 to the eastern boundary of the park in the vicinity of the Cataloochee section, and to accept, on behalf of the United States, donations of land and interests in land for the construction of the entrance road together with the necessary interchange with said Routes 1338 and 1346, and to construct the entrance road and the interchange on the donated land: *Provided*, That the right-of-way to be acquired, by donation, for the entrance road shall be of such width as to comprise not more than an average of one hundred and twenty-five acres per mile for its entire length of about five and two-tenths miles, constituting in the aggregate about six hundred and fifty acres of land.

All property acquired pursuant to this section shall become a part of the Great Smoky Mountains National Park upon acceptance of title thereto by the Secretary, and shall be subject to all laws, rules, and regulations applicable thereto.

(Pub. L. 88-120, § 1, Sept. 9, 1963, 77 Stat. 154; Pub. L. 91-108, § 1(1), (2), Nov. 4, 1969, 83 Stat. 182.)

#### AMENDMENTS

1969—Pub. L. 91-108 provided for a modified route for the entrance road, changing it to near the intersection at White Oak Church of North Carolina Routes Numbered 1338 and 1346 from a point on North Carolina Highway Numbered 107 close to its point of interchange with Interstate Route Numbered 40, near Hepco, North Carolina, for construction of an interchange between the entrance road and State Routes 1338 and 1346, and acceptance of a donation of land needed for the interchange; and increased the entrance road from a length of four and two-tenths mile aggregating five hundred and twenty-five acres of land to a length of five and two-tenths mile aggregating six hundred and fifty acres, respectively.