

praised value of such vehicle or aircraft, the court shall order its return to him; and, upon the joint request of any two or more claimants whose claims are allowed and whose interests are not subject to any prior or intervening interests claimed and allowed in such proceedings, and are of a total amount in excess of, or equal to, the appraised value of such vehicle or aircraft, the court shall order its return to such of the joint requesting claimants as is designated in such request. Such return shall be made only upon payment of all expenses incident to the seizure and forfeiture incurred by the United States. In all other cases the court shall order disposition of such vehicle or aircraft as provided in section 1306 of title 40, and if such disposition be by public sale, payment from the proceeds thereof, after satisfaction of all such expenses, of any such claim in its order of priority among the claims allowed in such proceedings.

(d) DELIVERY ON BOND PENDING TRIAL

In any proceeding in court for the forfeiture under the internal-revenue laws of any vehicle or aircraft seized for a violation of the internal-revenue laws relating to liquor, the court shall order delivery thereof to any claimant who shall establish his right to the immediate possession thereof, and shall execute, with one or more sureties approved by the court, and deliver to the court, a bond to the United States for the payment of a sum equal to the appraised value of such vehicle or aircraft. Such bond shall be conditioned to return such vehicle or aircraft at the time of the trial and to pay the difference between the appraised value of such vehicle or aircraft as of the time it shall have been so released on bond and the appraised value thereof as of the time of trial; and conditioned further that, if the vehicle or aircraft be not returned at the time of trial, the bond shall stand in lieu of, and be forfeited in the same manner as, such vehicle or aircraft. Notwithstanding this subsection or any other provisions of law relating to the delivery of possession on bond of vehicles or aircraft sought to be forfeited under the internal-revenue laws, the court may, in its discretion and upon good cause shown by the United States, refuse to order such delivery of possession.

(June 25, 1948, ch. 645, 62 Stat. 840, §3617; renumbered §3668, Pub. L. 98-473, title II, §212(a)(1), Oct. 12, 1984, 98 Stat. 1987; amended Pub. L. 107-217, §3(d), Aug. 21, 2002, 116 Stat. 1299.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §646 (Aug. 27, 1935, ch. 740, §204, 49 Stat. 878).

A minor change was made in phraseology.

REFERENCES IN TEXT

The internal-revenue laws relating to liquor, referred to in subsecs. (a) and (d), are classified generally to chapter 51 (§5001 et seq.) of Title 26, Internal Revenue Code.

AMENDMENTS

2002—Subsec. (c). Pub. L. 107-217 substituted “section 1306 of title 40” for “sections 304f-304m of Title 40”.

§ 3669. Conveyances carrying liquor

Any conveyance, whether used by the owner or another in introducing or attempting to intro-

duce intoxicants into the Indian country, or into other places where the introduction is prohibited by treaty or enactment of Congress, shall be subject to seizure, libel, and forfeiture.

(June 25, 1948, ch. 645, 62 Stat. 841, §3618; renumbered §3669, Pub. L. 98-473, title II, §212(a)(1), Oct. 12, 1984, 98 Stat. 1987.)

HISTORICAL AND REVISION NOTES

Based on section 247 of title 25, U.S.C., 1940 ed., Indians (Mar. 2, 1917, ch. 146, §1, 39 Stat. 970).

Words “Automobiles or any other vehicles or” at beginning of section were omitted, and “any conveyance” substituted to remove possible ambiguity as to scope of section.

Words at conclusion of section “provided in section 246 of this title” added nothing and were therefore omitted. (See also rule 41 of the Federal Rules of Criminal Procedure.)

Minor changes were made in arrangement and phraseology.

§ 3670. Disposition of conveyances seized for violation of the Indian liquor laws

The provisions of section 3668 of this title shall apply to any conveyances seized, proceeded against by libel, or forfeited under the provisions of section 3113 or 3669 of this title for having been used in introducing or attempting to introduce intoxicants into the Indian country or into other places where such introduction is prohibited by treaty or enactment of Congress.

(Added Oct. 24, 1951, ch. 546, §2, 65 Stat. 609, §3619; renumbered §3670 and amended Pub. L. 98-473, title II, §§212(a)(1), 223(k), Oct. 12, 1984, 98 Stat. 1987, 2029.)

AMENDMENTS

1984—Pub. L. 98-473 renumbered section 3619 of this title as this section and substituted “3668” for “3617” and “3669” for “3618”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by section 223(k) of Pub. L. 98-473 effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such amendment, see section 235(a)(1) of Pub. L. 98-473, set out as an Effective Date note under section 3551 of this title.

§ 3671. Vessels carrying explosives and steerage passengers

The amount of any fine imposed upon the master of a steamship or other vessel under the provisions of section 2278 of this title shall be a lien upon such vessel, and such vessel may be libeled therefor in the district court of the United States for any district in which such vessel shall arrive or from which it shall depart.

(Added Sept. 3, 1954, ch. 1263, §36, 68 Stat. 1239, §3620; renumbered §3671, Pub. L. 98-473, title II, §212(a)(1), Oct. 12, 1984, 98 Stat. 1987.)

§ 3672. Duties of Director of Administrative Office of the United States Courts

The Director of the Administrative Office of the United States Courts, or his authorized agent, shall investigate the work of the probation officers and make recommendations concerning the same to the respective judges and shall have access to the records of all probation officers.