

§ 408d. Addition of lands purchased within boundaries for conservation or forestation purposes

All lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Isle Royale National Park, as authorized by sections 408 to 408b of this title, are made a part of the said park as fully as if originally acquired for that purpose and the proviso at the end of section 408 of this title shall not be construed so as to prohibit the acquisition of lands in the park area with the aforesaid funds.

(June 20, 1938, ch. 531, 52 Stat. 785.)

§ 408e. Addition of lands; Passage Island

Subject to valid existing rights the following-described lands, in addition to the lands established as the Isle Royale National Park pursuant to sections 408 to 408b of this title, are made a part of the park:

(a) Passage Island, containing approximately one hundred and eighty-two acres, located in sections 3, 4, and 9, township 67 north, range 32 west, in Keweenaw County, Michigan: *Provided*, That the Secretary of the Navy shall retain control and jurisdiction over the following portions of the Island for lighthouse and boathouse purposes:

(1) All that part of Passage Island lying south of a true east and west line located four hundred and twenty-five feet true north of the center of the Passage Island Light containing approximately six and five-tenths acres.

(2) Beginning at the center of Passage Island Light, thence north thirty-three degrees fifty-two minutes east three thousand five hundred and fifteen feet to a point from which this description shall begin to measure, being the southwest corner of said boathouse site; thence north two hundred feet to a point being the northwest corner of said site; thence east one hundred and seventy-five feet more or less to the harbor shore; thence southeasterly following the harbor shore to a point on the shore being a point on the south boundary of the boathouse site; thence two hundred feet more or less west to the point of beginning, containing approximately seventy-eight one-hundredths acre.

(3) A right-of-way between the sites described in the preceding subparagraphs, to be defined by the Secretary of the Navy within a reasonable length of time after March 6, 1942.

(b) Gull Islands, containing approximately six acres, located in section 19, township 68 north, range 31 west, in Keweenaw County, Michigan.

(Mar. 6, 1942, ch. 152, §1, 56 Stat. 138; July 27, 1942, ch. 526, 56 Stat. 722; Pub. L. 94-567, §4(a)(1), Oct. 20, 1976, 90 Stat. 2694.)

AMENDMENTS

1976—Pub. L. 94-567 designated existing provisions as par. (a), redesignated subpars. (a) to (c) as (1) to (3), respectively, and added par. (b).

1942—Act July 27, 1942, substituted “Secretary of the Navy” for “Secretary of the Treasury”.

§ 408f. Former Siskiwit Islands Bird Reservation

The Siskiwit Islands Bird Reservation is abolished and shall after March 6, 1942, be a part of the Isle Royale National Park.

(Mar. 6, 1942, ch. 152, §2, 56 Stat. 138.)

§ 408g. Submerged lands surrounding islands

The boundaries of the Isle Royale National Park are hereby extended to include any submerged lands within the territorial jurisdiction of the United States within four and one-half miles of the shoreline of Isle Royale and the surrounding islands, including Passage Island and the Gull Islands, and the Secretary of the Interior is hereby authorized, in his discretion, to acquire title by donation to any such lands not now owned by the United States, the title to be satisfactory to him.

(Mar. 6, 1942, ch. 152, §3, 56 Stat. 138; Pub. L. 94-567, §4(a)(2), Oct. 20, 1976, 90 Stat. 2694.)

AMENDMENTS

1976—Pub. L. 94-567 inserted “within the territorial jurisdiction of the United States” after “submerged lands”, “including Passage Island and the Gull Islands” after “surrounding islands”, and struck out “immediately” after “Isle Royale and the”.

§ 408h. Federally owned lands within park boundaries

All federally owned lands within the boundaries of the Isle Royale National Park are made a part of the park: *Provided*, That the Secretary of the Navy shall retain control and jurisdiction, for lighthouse purposes, over Menagerie Island, located in township 64 north, range 35 west, and an unsurveyed island known as Rock of Ages, situated in approximate sections 7 and 18, township 63 north, range 39 west, and also shall retain the right to maintain existing floating and shore aids to navigation and to establish and maintain additional aids to navigation within the established park area when so required by general navigation.

(Mar. 6, 1942, ch. 152, §4, 56 Stat. 138; July 27, 1942, ch. 526, 56 Stat. 722.)

AMENDMENTS

1942—Act July 27, 1942, substituted “Secretary of the Navy” for “Secretary of the Treasury”.

§ 408i. Acceptance of territory ceded by Michigan; jurisdiction

Sole and exclusive jurisdiction over and within all the territory that is as of March 6, 1942 or may thereafter be included in that area in the State of Michigan set aside and dedicated for park purposes by the United States as the Isle Royale National Park is assumed by the United States, saving, however, to the State of Michigan the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to said State the right to tax persons and corporations, their franchises and property on the lands included in said park; 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. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Michigan.

(Mar. 6, 1942, ch. 150, §1, 56 Stat. 133.)

CODIFICATION

A provision accepting the act of the Michigan Legislature which ceded to the United States exclusive jurisdiction over the territory referred to in this section has been omitted as executed.

NOTICE TO MICHIGAN OF SECTIONS 408i TO 408q

Act Mar. 6, 1942, ch. 150, §10, 56 Stat. 135, which act affected sections 408i to 408q of this title, provided: "That the Secretary of the Interior shall notify in writing the Governor of the State of Michigan 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 act of the State of Michigan."

§ 408j. Repealed. June 25, 1948, ch. 646, §39, 62 Stat. 992, eff. Sept. 1, 1948

Section, act Mar. 6, 1942, ch. 150, §2, 56 Stat. 133, related to inclusion of park in a judicial district. See section 102 of Title 28, Judiciary and Judicial Procedure, and section 3231 of Title 18, Crimes and Criminal Procedure.

§ 408k. Hunting and fishing; general rules and regulations; protection of property; violation of statutes or rules; penalties

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, except 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 protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the waters in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this Act, or the rules and regulations, with reference to the management and care of the said park, or

for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings.

(Mar. 6, 1942, ch. 150, §3, 56 Stat. 133.)

REFERENCES IN TEXT

This Act, referred to in text, is act Mar. 6, 1942, which is classified to sections 408i to 408q of this title. For complete classification of this Act to the Code, see Tables.

§ 408l. Forfeiture of property used in hunting, fishing, etc.

All guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, shall be forfeited to the 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: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court.

(Mar. 6, 1942, ch. 150, §4, 56 Stat. 134.)

REFERENCES IN TEXT

This Act, referred to in text, is act Mar. 6, 1942, which is classified to sections 408i to 408q of this title. For complete classification of this Act to the Code, see Tables.

§§ 408m to 408q. Repealed. June 25, 1948, ch. 646, §39, 62 Stat. 992, eff. Sept. 1, 1948

Section 408m, acts Mar. 6, 1942, ch. 150, §5, 56 Stat. 134; Apr. 21, 1948, ch. 223, §1, 62 Stat. 196, 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 408n, act Mar. 6, 1942, ch. 150, §6, 56 Stat. 135, 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.