

caught, or taken, or who shall violate any of the provisions of this Act or any rule or regulation that may be promulgated by the Secretary of the Interior with reference to the management and care of the park or for the protection of the property therein, for the preservation from injury or spoliation of timber, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park willfully commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, 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 costs of the proceedings. (Apr. 19, 1930, ch. 200, § 4, 46 Stat. 227.)

## REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 19, 1930, which is classified to sections 395 to 395j of this title. For complete classification of this Act to the Code, see Tables.

## HAWAII VOLCANOES NATIONAL PARK

Designation of portion of Hawaii National Park situated on island of Hawaii as Hawaii Volcanoes National Park, effective Sept. 22, 1961, see section 391d of this title.

## HALEAKALĀ NATIONAL PARK

Establishment of detached portion of Hawaii National Park lying on island of Maui as Haleakalā National Park, effective July 1, 1961, see section 396b of this title.

### § 395d. Forfeiture of property used for unlawful purposes

All guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

(Apr. 19, 1930, ch. 200, § 5, 46 Stat. 228.)

## REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 19, 1930, which is classified to section 395 to 395j of this title. For complete classification of this Act to the Code, see Tables.

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### §§ 395e to 395j. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 395e, acts Apr. 19, 1930, ch. 200, § 6, 46 Stat. 228; June 25, 1938, ch. 684, § 1, 52 Stat. 1164; June 28, 1938, ch. 778, § 1, 52 Stat. 1213; Apr. 21, 1948, ch. 223, § 2, 62 Stat. 196, related to appointment and jurisdiction of United States commissioners. See provisions covering United States magistrate judges in section 631 et seq. of Title 28, Judiciary and Judicial Procedure.

Section 395f, act Apr. 19, 1930, ch. 200, § 7, 46 Stat. 228, 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 395g, act Apr. 19, 1930, ch. 200, § 8, 46 Stat. 229, related to whom process issued. See section 3053 of Title 18, rule 4 of Federal Rules of Criminal Procedure, Title 18, Appendix, and rule 4 of Federal Rules of Civil Procedure, Title 28, Appendix, Judiciary and Judicial Procedure.

Section 395h, acts Apr. 19, 1930, ch. 200, § 9, 46 Stat. 229; June 25, 1938, ch. 684, § 2, 52 Stat. 1164; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, relating to commissioner's [now magistrate judge's] salary. See section 633 of Title 28.

Section 395i, act Apr. 19, 1930, ch. 200, § 10, 46 Stat. 229, related to fees and costs chargeable to United States. See section 604 of Title 28.

Section 395j, act Apr. 19, 1930, ch. 200, § 11, 46 Stat. 229, related to disposition of fines and costs. See section 634 of Title 28.

### § 396. Additional lands; acceptance of title

The Secretary of the Interior is authorized, in his discretion and upon submission of evidence of satisfactory title to him, to accept, on behalf of the United States, title to the lands referred to in section 391b of this title as may be deemed by him necessary or desirable for national-park purposes.

(June 20, 1938, ch. 530, § 2, 52 Stat. 784.)

## HAWAII VOLCANOES NATIONAL PARK

Designation of portion of Hawaii National Park situated on island of Hawaii as Hawaii Volcanoes National Park, effective Sept. 22, 1961, see section 391d of this title.

### § 396a. Lease of lands to native Hawaiians, residence requirements; fishing

(a) The Secretary of the Interior is authorized to lease, under such rules and regulations as he may deem proper, land ascertained by him to be suitable for home site purposes in the Kalapana extension as described in section 391b of this title, to native Hawaiians when such occupancy does not encroach on or prevent free access to any points of historic, scientific, or scenic interest or in any manner obstruct or interfere with protection and preservation of said area as a part of the Hawaii National Park: *Provided, however*, That occupants of homesites shall reside on the land not less than six months in any one year: *And provided further*, That fishing shall be permitted in said area only by native Hawaiian residents of said area or of adjacent villages and by visitors under their guidance.