

(Apr. 26, 1928, ch. 438, § 1, 45 Stat. 463.)

CODIFICATION

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

§§ 204a, 204b. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 204a, act Apr. 26, 1928, ch. 438, § 2, 45 Stat. 463, related to inclusion of park in a judicial district. See section 84 of Title 28, Judiciary and Judicial Procedure.

Section 204b, act Apr. 26, 1928, ch. 438, § 3, 45 Stat. 463, related to application of California laws to offenses. See section 13 of Title 18, Crimes and Criminal Procedure.

§ 204c. Hunting and fishing; general rules and regulations; protection of property; violation of statutes and 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 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 other than those legally located prior to August 9, 1916, natural curiosities, or wonderful objects within said park, and for the protection of the animals 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 streams or lakes 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 same are guilty of violating this Act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other 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 said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits other than those legally located prior to August 9, 1916, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits

other than those legally located prior to August 9, 1916, 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.

(Apr. 26, 1928, ch. 438, § 4, 45 Stat. 463.)

REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 26, 1928, which is classified to sections 204 to 204j of this title. For complete classification of this Act to the Code, see Tables.

§ 204d. 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 the limits of said park 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 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, 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.

(Apr. 26, 1928, ch. 438, § 5, 45 Stat. 464.)

REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 26, 1928, which is classified to sections 204 to 204j of this title. For complete classification of this Act to the Code, see Tables.

§§ 204e to 204j. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 204e, acts Apr. 26, 1928, ch. 438, § 6, 45 Stat. 464; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, 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 204f, act Apr. 26, 1928, ch. 438, § 7, 45 Stat. 465, 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 204g, act Apr. 26, 1928, ch. 438, § 8, 45 Stat. 465, related to issuance of process and arrest without process. See section 3053 of Title 18, Crimes and Criminal Procedure, 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 204h, acts Apr. 26, 1928, ch. 438, § 9, 45 Stat. 465; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, related to commissioner's [now magistrate judge's] salary.

Section 204i, act Apr. 26, 1928, ch. 438, § 10, 45 Stat. 465, related to fees, costs and expenses against the United States.

Section 204j, act Apr. 26, 1928, ch. 438, § 11, 45 Stat. 465, related to disposition of fines and costs.

§ 204k. Addition of lands

The President of the United States is authorized, upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to the Lassen Volcanic National Park, in the State of California, by Executive proclamation, any or all of the lands within sections 3 and 4, township 29 north, range 6 east; and sections 29, 30, 31, 32, 33, 34, 35, and 36, township 30 north, range 6 east, Mount Diablo meridian, not now included within the boundaries of the park: *Provided*, That no privately owned lands shall be added to the park prior to the vesting in the United States of title thereto.

(July 3, 1930, ch. 834, §1, 46 Stat. 853.)

§ 204l. Application of Federal Power Act

The provisions of the Federal Power Act [16 U.S.C. 791a et seq.], shall not apply to any lands added to the Lassen Volcanic National Park under the authority of section 204k of this title.

(July 3, 1930, ch. 834, §2, 46 Stat. 853.)

REFERENCES IN TEXT

The Federal Power Act, referred to in text, was in the original the "Act of June 10, 1920, known as the Federal Water Power Act," and was redesignated as the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

§ 204m. Vested rights

Nothing herein contained shall affect any vested and accrued rights of ownership of lands or any valid existing claim, location, or entry existing under the land laws of the United States on July 3, 1930, whether for homestead, mineral, rights-of-way, or any other purposes whatsoever, or any water rights and/or rights-of-way connected therewith, including reservoirs, conduits, and ditches, as may be recognized by local customs, laws, and decisions of courts, or shall affect the right of any such owner, claimant, locator, or entryman to the full use and enjoyment of his land.

(July 3, 1930, ch. 834, §3, 46 Stat. 853.)

REFERENCES IN TEXT

Herein, referred to in text, means act July 3, 1930, which is classified to sections 204k to 204m of this title. For complete classification of this Act to the Code, see Tables.

§ 205. Additional lands for administrative headquarters site

The lands hereafter described, to wit: The southwest quarter of the northwest quarter, section 25, and the southeast quarter of the northeast quarter, section 26, township 29 north, range 3 east, Mount Diablo meridian, in the State of California, are added to and made a part of the Lassen Volcanic National Park for use as an administrative headquarters site.

(Apr. 26, 1928, ch. 439, §1, 45 Stat. 466.)

§ 205a. Sections made applicable to additional lands

The provisions of the Act of August 9, 1916, entitled "An Act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains in the State of California, and for other purposes," the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes,"¹ and all Acts supplementary to and amendatory of said Acts are made applicable to and extended over the lands added to the park: *Provided*, That the provisions of the Federal Power Act [16 U.S.C. 791a et seq.] shall not apply to or extend over such lands.

(Apr. 26, 1928, ch. 439, §2, 45 Stat. 466.)

REFERENCES IN TEXT

The Act of August 9, 1916, entitled "An Act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains in the State of California, and for other purposes," referred to in text, is act Aug. 9, 1916, ch. 302, 39 Stat. 442, which enacted sections 201, 202, and 203 of this title. For complete classification of this Act to the Code, see Tables.

The Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes," referred to in text, is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

The Federal Power Act, referred to in text, was in the original the "Act of June 10, 1920, entitled 'an Act to create a Federal power commission; to provide for the improvement of navigation, the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes'" and was redesignated the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

§ 206. Exchange of lands within exterior boundaries; removal of timber

When the public interests will be benefited thereby, the Secretary of the Interior is authorized, in his discretion, to accept, on behalf of the United States, title to any land within exterior boundaries of Lassen Volcanic National Park which, in the opinion of the Director of the National Park Service, are chiefly valuable for forest or recreational and national-park purposes, and in exchange therefor may patent not to exceed an equal value of such national-park land within the exterior boundaries of said national park; or the Secretary of the Interior may authorize the grantor to cut and remove an equal value of timber in exchange therefor from certain designated areas within the exterior boundaries of said national park: *Provided*, That such

¹ See References in Text note below.