

Montana exceeds the value of the patented lands deeded to the Government in exchange, such excess shall be paid to the Secretary of the Interior by the owners of the patented lands before any timber is removed, and shall be deposited and covered into the Treasury as miscellaneous receipts. The lands conveyed to the Government under this section and subdivision (1) of section 164 of this title shall become a part of the Glacier National Park.

(Mar. 3, 1917, ch. 164, §2, 39 Stat. 1122.)

#### § 167. Removal of timber

All timber on Government lands in the park must be cut and removed under regulations to be prescribed by the Secretary of the Interior, and any damage which may result to the roads or any part of the park or the national forests in consequence of the cutting and removal of the timber therefrom shall be borne by the owners of the patented lands, and bonds satisfactory to the Secretary of the Interior and the Secretary of Agriculture, jointly, must be given for the payment of such damages, if any, as shall be determined by the Secretary of the Interior so far as the same relates to lands within a national park and by the Secretary of Agriculture where the same relates to lands in the national forests. The Secretary of Agriculture and the Secretary of the Interior shall jointly report to Congress in detail the factors upon which valuations were made.

(Mar. 3, 1917, ch. 164, §3, 39 Stat. 1122.)

#### § 167a. Exchange of lands and other property

(a) The Secretary of the Interior is authorized to accept title to any non-Federal lands, interests in lands, buildings, or other property, real or personal, within the authorized boundaries of the Glacier National Park, as now or after August 8, 1946, established, when the acquisition by exchange of such property would, in his judgment, be in the best interests of the United States. In exchange for the non-Federal property so to be acquired, the Secretary of the Interior is authorized to convey to the grantors of such property, or to their nominees, any federally owned lands, interests in lands, buildings, or other property, real or personal, within the authorized boundaries of the Glacier National Park, located in the State of Montana and administered by the National Park Service, which are of approximately equal value, as determined by the Secretary, to the property being acquired. In order to facilitate the making of such exchanges, the Secretary of the Interior may enter into agreements for the reservation in conveyances to the United States, or for the grant in conveyances from the United States, of such estates for years, life estates, or other interests as may be consistent, in his judgment, with the accomplishment of the purposes of this section, but all such limitations shall be considered in determining the equality of the interests to be exchanged.

(b) Any property acquired pursuant to this section shall, upon acceptance of title thereto, become a part of the Glacier National Park, and shall be subject to all laws applicable to such

area. The Secretary of the Interior is authorized to issue such regulations as he deems necessary for carrying out the purposes of this section.

(Aug. 8, 1946, ch. 915, §§1, 2, 60 Stat. 949.)

#### CODIFICATION

Subsecs. (a) and (b) of this section constitute sections 1 and 2, respectively, of act Aug. 8, 1946.

#### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

#### § 168. Repealed. May 24, 1949, ch. 139, § 142, 63 Stat. 109

Section, act Aug. 22, 1914, ch. 264, §2, 38 Stat. 699, related to Park as part of judicial district of Montana. See sections 106 and 131 of Title 28, Judiciary and Judicial Procedure.

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

Section, act Aug. 22, 1914, ch. 264, §3, 38 Stat. 699, related to applicability of criminal laws. See section 13 of Title 18, Crimes and Criminal Procedure.

#### § 170. Hunting and fishing; regulations; punishment

All hunting or the killing, wounding, or capturing at any time of any bird or wild 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 the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such 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 May 11, 1910, 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 park. He shall make rules and regulations governing the taking of fish from the streams or lakes in the 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, 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 man-

agement and care of the 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 May 11, 1910, 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 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, mineral deposits other than those legally located prior to May 11, 1910, 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.

(Aug. 22, 1914, ch. 264, § 4, 38 Stat. 700.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 22, 1914, which is classified to sections 163 and 168 to 177 of this title. For complete classification of this Act to the Code, see Tables.

#### § 171. Forfeitures and seizures of guns, traps, teams, etc.

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 wild 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 under this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

(Aug. 22, 1914, ch. 264, § 5, 38 Stat. 700.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 22, 1914, which is classified to sections 163 and 168 to 177 of this title. For complete classification of this Act to the Code, see Tables.

#### §§ 172 to 177. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 172, acts Aug. 22, 1914, ch. 264, § 6, 38 Stat. 700; 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 173, act Aug. 22, 1914, ch. 264, § 7, 38 Stat. 701, related to arrest, confinement, and bail.

Section 174, act Aug. 22, 1914, ch. 264, § 8, 38 Stat. 701, related to 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 175, acts Aug. 22, 1914, ch. 264, § 9, 38 Stat. 701; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, related to commissioner's [now magistrate judge] salary.

Section 176, act Aug. 22, 1914, ch. 264, § 11, 38 Stat. 701, related to fines and costs.

Section 177, act Aug. 22, 1914, ch. 264, § 10, 38 Stat. 701, related to certification and payment of fees, costs, and expenses.

#### § 178. Hotel regulations

Any hotel erected on the land sold and conveyed to the Glacier Park Hotel Company under authority of the Act of March 2, 1917, chapter 147, Thirty-ninth Statutes, page 994, shall be operated by the said Glacier Park Hotel Company, its successors and assigns under such rules and regulations as the Secretary of the Interior may prescribe for the conduct and operation of hotels within the Glacier National Park.

(Mar. 2, 1917, ch. 147, 39 Stat. 994.)

#### CODIFICATION

Section is from a proviso at the end of act Mar. 2, 1917. The preceding part of the act authorized the Secretary of the Interior to sell certain described lands to the hotel company mentioned herein and was omitted as temporary and executed.

#### § 179. Donations of buildings and other property

The Secretary of the Interior is authorized, in his discretion, to accept buildings, moneys, or other property which may be useful in the betterment of the administration and affairs of the Glacier National Park under his supervision, and which may be donated for park purposes. He may accept patented lands or rights-of-way over patented lands in the Glacier National Park that may be donated for park purposes.

(July 1, 1916, ch. 209, § 1, 39 Stat. 308; June 12, 1917, ch. 27, § 1, 40 Stat. 151.)

#### CODIFICATION

The first sentence of this section is from section 1 of act June 12, 1917, and the last sentence from section 1 of act July 1, 1916.

#### § 180. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1028

Section, act Mar. 4, 1911, ch. 285, § 1, 36 Stat. 1421, made provision for the proceeds of leases and other revenues to be covered into the Treasury.

#### §§ 181, 181a. Omitted

#### CODIFICATION

Sections 181, 181a, act May 2, 1932, ch. 155, §§ 1, 2, 47 Stat. 144, relating to the grant by the State of Montana to the United States of concurrent police jurisdiction over the territory in the rights-of-way of the Blackfeet Highway, to the application of certain laws and regulations of the United States to such territory, and to the exercise of administrative control and jurisdiction over such territory, were omitted in view of Pub. L. 85-343, Mar. 15, 1958, 72 Stat. 35, which provided that the concurrent police jurisdiction that had been granted to the United States was retroceded to the State of Montana.

#### § 181b. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section, act May 2, 1932, ch. 155, § 3, 47 Stat. 145, related to jurisdiction of commissioner. See provisions for United States magistrate judges in section 631 et seq. of Title 28, Judiciary and Judicial Procedure.