

rior 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.

Section 408o, act Mar. 6, 1942, ch. 150, § 7, 56 Stat. 135, related to commissioner's [now magistrate judge's] salary. See section 634 of Title 28, Judiciary and Judicial Procedure.

Section 408p, act Mar. 6, 1942, ch. 150, § 8, 56 Stat. 135, related to fees, costs, and expenses against United States. See section 604 of Title 28.

Section 408q, act Mar. 6, 1942, ch. 150, § 9, 56 Stat. 135, related to disposition of fines and costs. See section 634 of Title 28.

SUBCHAPTER LIII—MORRISTOWN  
NATIONAL HISTORICAL PARK

**§ 409. Establishment; acquisition of land**

When title to all the lands, structures, and other property in the military camp-ground

areas and other areas of Revolutionary War interest at and in the vicinity of Morristown, New Jersey, as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-park purposes, shall have been vested in the United States, such areas shall be, and they are, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Morristown National Historical Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas, but such lands shall be secured by the United States only by public or private donation: *And provided further*, That such areas shall include, at least, Jockey Hollow camp site, now owned by Lloyd W. Smith and the town of Morristown, Fort Nonsense, now owned by the town of Morristown, and the George Washington Headquarters, known as the Ford House, with its museum and other personal effects and its grounds, now owned by the Washington Association of New Jersey.

(Mar. 2, 1933, ch. 182, § 1, 47 Stat. 1421.)

**§ 409a. Acceptance of title to lands**

The Secretary of the Interior is authorized to accept donations of land, interest in land, buildings, structures, and other property within the boundaries of said park as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands purchased to be satisfactory to the Secretary of the Interior: *Provided*, That the Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States other lands, easements, and buildings of Revolutionary War interest in Morris and adjacent counties in New Jersey as may be donated for the extension of the Morristown National Historical Park.

(Mar. 2, 1933, ch. 182, § 2, 47 Stat. 1421.)

**§ 409b. George Washington headquarters; maintenance**

After the acquisition of the museum and other personal effects of the said Washington Association by the United States, including such other manuscripts, books, paintings, and other relics of historical value pertaining to George Washington and the Revolutionary War as may be donated to the United States, such museum and library shall forever be maintained as a part of said Morristown National Historical Park.

(Mar. 2, 1933, ch. 182, § 3, 47 Stat. 1422.)

**§ 409c. Board of advisers**

The Washington Association of New Jersey, Lloyd W. Smith, and the town of Morristown having, by their patriotic and active interest in conserving for posterity these important historical areas and objects, the board of trustees and the executive committee of the said association, together with Mrs. Willard W. Cutler, its curator, and Clyde Potts, at present mayor of Morristown, shall hereafter act as a board of advisers in the maintenance of said park. The said association shall have the right to hold its meetings in said Ford House.