

CODIFICATION

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

**§§ 125, 126. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948**

Section 125, act Aug. 21, 1916, ch. 368, § 2, 39 Stat. 522, related to inclusion of park in judicial district. See section 117 of Title 28, Judiciary and Judicial Procedure.

Section 126, act Aug. 21, 1916, ch. 368, § 3, 39 Stat. 522, related to offenses. See section 13 of Title 18, Crimes and Criminal Procedure.

**§ 127. Hunting and fishing; rules and regulations; punishment**

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 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 August 21, 1916, 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; and 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 management 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 August 21, 1916, 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 August 21, 1916, natural curiosities, or other matter or thing growing or being thereon or situate 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. 21, 1916, ch. 368, § 4, 39 Stat. 522.)

REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 21, 1916, which is classified to sections 124 to 134 of this title. For complete classification of this Act to the Code, see Tables.

**§ 128. Forfeitures or seizures of guns, traps, teams, etc., for violating regulations**

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.

(Aug. 21, 1916, ch. 368, § 5, 39 Stat. 523.)

REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 21, 1916, which is classified to sections 124 to 134 of this title. For complete classification of this Act to the Code, see Tables.

**§§ 129 to 134. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948**

Section 129, acts Aug. 21, 1916, ch. 368, § 6, 39 Stat. 523; June 25, 1935, ch. 309, § 1, 49 Stat. 422; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, related to appointment and jurisdiction of commissioner. See provisions covering United States magistrate judges under section 631 et seq. of Title 28, Judiciary and Judicial Procedure.

Section 130, act Aug. 21, 1916, ch. 368, § 7, 39 Stat. 523, related to arrests by commissioner [now magistrate judge].

Section 131, act Aug. 21, 1916, ch. 368, § 8, 39 Stat. 523, related to issuance of process.

Section 132, acts Aug. 21, 1916, ch. 368, § 9, 39 Stat. 523; June 25, 1935, ch. 309, § 2, 49 Stat. 422, related to residence of commissioner [now magistrate judge].

Section 132a, act June 25, 1935, ch. 309, § 3, 49 Stat. 422, related to salary of commissioner [now magistrate judge].

Section 133, act Aug. 21, 1916, ch. 368, § 11, 39 Stat. 524, related to disposition of fines and costs.

Section 134, act Aug. 21, 1916, ch. 368, § 10, 39 Stat. 524, related to accounting for fees, costs, and expenses.

**§ 135. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1028**

Section, act June 12, 1917, ch. 27, § 1, 40 Stat. 152, related to donations of patented lands or rights-of-way.

SUBCHAPTER XV—WIND CAVE NATIONAL PARK

**§ 141. Establishment; boundaries**

There are reserved from settlement, entry, sale, or other disposal, and set apart as a public