

Class VIII.

"Class eight, two thousand five hundred dollars: Acapulco, Aden, Algiers, Antung, Batum, Belize, Bergen, Breslau, Brunswick, Cardiff, Chihuahua, Ciudad Juarez, Ciudad Porfirio Diaz, Cognac, Cork, Curacao, Erfurt, Gibraltar, Gothenburg, Hamilton (Bermuda), Hull, Jerez de la Frontera, Kingston (Ontario), Leeds, Limoges, Madrid, Magdeburg, Malta, Maracaibo, Martinique, Matamoros, Mazatlan, Mersine, Nice, Nogales, Nuevo Laredo, Orillia, Owen Sound, Plymouth, Port Limon, Prescott, Puerto Cortez, Rosario, Roubaix, Saint Johns (Newfoundland), Saint Etienne, San Luis Potosi, Sarnia, Sault Sainte Marie, Stettin, Swatow, Tamatave, Tegucigalpa, Teneriffe, Trebizond, Tripoli, Valencia, Windsor (Ontario), Yarmouth, Zanzibar.

Class IX.

"Class nine, two thousand dollars: Aguascalientes, Asuncion, Bagdad, Bristol, Campbellton, Cape Gracias, Cape Haitien, Cartagena, Ceiba, Charlottetown, Cornwall, Durango, Ensenada, Fernie, Fort Erie, Gorée-Dakar, Grenoble, Guadeloupe, Hermosillo, Hobart, La Paz, Manzanillo, Maskat, Messina, Moncton, Niagara Falls, Patras, Port Louis, Puerto Cabello, Puerto Plata, Rouen, Saigon, Saint Johns (Quebec), Saint Pierre, Saint Stephen, Salina Cruz, Saltillo, Sierra Leone, Sivas, Stavanger, Suva, Tahita, Tapachula, Turin, Turks Island, Venice."

Effect.

SEC. 2. This Act shall take effect on the first day of July, nineteen hundred and eight.

Approved, May 11, 1908.

May 11, 1908.
[H. R. 14789.]

[Public, No. 111.]

CHAP. 162.—An Act To amend an Act entitled "An Act for the protection of game in Alaska, and for other purposes," approved June seventh, nineteen hundred and two.

Alaska.
Protection of game
in.
Vol. 32, p. 327,
amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act for the protection of game in Alaska, and for other purposes," approved June seventh, nineteen hundred and two, be amended to read as follows:

Wanton destruction
of, prohibited.
Exceptions.

"From and after the passage of this Act the wanton destruction of wild game animals or wild birds, except eagles, ravens, and cormorants, the destruction of nests and eggs of such birds, or the killing of any wild birds, other than game birds, except eagles, for the purposes of selling the same or the skins or any part thereof, except as hereinafter provided, is hereby prohibited.

"Game animals."

"**GAME DEFINED.**—The term 'game animals' shall include deer, moose, caribou, mountain sheep, mountain goats, brown bear, sea lions, and walrus. The term 'game birds' shall include water fowl, commonly known as ducks, geese, brant, and swans; shore birds, commonly known as plover, snipe, and curlew, and the several species of grouse and ptarmigan.

"Game birds."

Fur-seal laws not affected.

"**EXEMPTIONS.**—Nothing in this Act shall affect any law now in force in Alaska relating to the fur seal, sea otter, or any fur-bearing animal or prevent the killing of any game animal or bird for food or clothing at any time by natives, or by miners or explorers, when in need of food; but the game animals or birds so killed during close season shall not be shipped or sold.

Killing game for
food, etc.
Shipping, etc., prohibited.

Open game seasons
in different latitudes.

"**SEC. 2. SEASON.**—That it shall be unlawful for any person in Alaska to kill any wild game animals or birds, except during the season hereinafter provided: North of latitude sixty-two degrees, brown bear may be killed at any time; moose, caribou, sheep, walrus, and sea lions from August first to December tenth, both inclusive; south of latitude sixty-two degrees, moose, caribou, and mountain sheep from August twentieth to December thirty-first, both inclusive; brown bear from October first to July first, both inclusive; deer and moun-

Animals.

tain goats from April first to February first, both inclusive; grouse, ptarmigan, shore birds, and waterfowl from September first to March first, both inclusive: *Provided*, That no caribou shall be killed on the Kenai Peninsula before August twentieth, nineteen hundred and twelve: *And provided further*, That the Secretary of Agriculture is hereby authorized, whenever he shall deem it necessary for the preservation of game animals or birds, to make and publish rules and regulations prohibiting the sale of any game in any locality modifying the close seasons hereinbefore established, providing different close seasons for different parts of Alaska, placing further restrictions and limitations on the killing of such animals or birds in any given locality, or prohibiting killing entirely for a period not exceeding two years in such locality.

"SEC. 3. NUMBER.—That it shall be unlawful for any person to kill any female or yearling moose or for any one person to kill in any one year more than the number specified of each of the following animals: Two moose, one walrus or sea lion, three caribou, three mountain sheep, three brown bear, or to kill or have in his possession in any one day more than twenty-five grouse or ptarmigan or twenty-five shore birds or waterfowl.

"GUNS AND BOATS.—That it shall be unlawful for any person at any time to hunt with dogs any of the game animals specified in this Act; to use a shotgun larger than number ten gauge, or any gun other than that which can be fired from the shoulder; or to use steam launches or any boats other than those propelled by oars or paddles in the pursuit of game animals or birds.

"SEC. 4. SALE.—That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins, or heads of any game animals or game birds in Alaska, or to sell, offer for sale, or purchase, or offer to purchase, any game animals or game birds, or parts thereof, during the time when the killing of such animals or birds is prohibited: *Provided*, That it shall be lawful for dealers having in possession game animals or game birds legally killed during the open season to dispose of the same within fifteen days after the close of said season.

"SEC. 5. LICENSES.—That it shall be unlawful for any nonresident of Alaska to hunt any of the game animals protected by this Act, except deer and goats, without first obtaining a hunting license, or to hunt on the Kenai Peninsula without a registered guide, and such license shall not be transferable and shall be valid only during the calendar year in which issued. Each applicant shall pay a fee of one hundred dollars for such license, unless he be a citizen of the United States, in which case he shall pay a fee of fifty dollars. Each license shall be accompanied by coupons authorizing the shipment of two moose if killed north of latitude sixty-two degrees, four deer, three caribou, three mountain sheep, three goats, and three brown bear, or any part of said animals, but no more of any one kind.

"A resident of Alaska desiring to export heads or trophies of any of the game animals mentioned in this Act shall first obtain a shipping license, for which he shall pay a fee of forty dollars, permitting the shipment of heads or trophies of one moose, if killed north of latitude sixty-two degrees, four deer, two caribou, two sheep, two goats, and two brown bear, but no more of any one kind; or a shipping license, for which he shall pay a fee of ten dollars, permitting the shipment of a single head or trophy of caribou or sheep; or a shipping license, for which he shall pay a fee of five dollars, permitting the shipment of a single head or trophy of any goat, deer, or brown bear. Any person wishing to ship moose killed south of latitude sixty-two degrees must first obtain a special shipping license, for which he shall pay a fee of one hundred and fifty dollars, permitting the shipment of one moose, or any part thereof. Not more than one general license and two special

Birds.

Provisos.
Caribou on Kenai
Peninsula.
Secretary of Agri-
culture to prescribe
rules, etc.

Killing limited.

Hunting restric-
tions.Sale of hides, etc.,
prohibited.

Proviso.
Game legally killed.

Requirements.
License for nonresi-
dents.
Registered guide on
Kenai Peninsula.

License fee.

Shipments restrict-
ed.

Shipping licenses.

Fees.

Provisos. Affidavit.	moose licenses shall be issued to any one person in one year : <i>Provided</i> , That before any trophy shall be shipped from Alaska under the provisions of this Act the person desiring to make such shipment shall first make and file with the customs office at the port where such shipment is to be made an affidavit to the effect that he has not violated any of the provisions of this Act; that the trophy which he desires to ship has not been bought or purchased and has not been sold and is not being shipped for the purpose of being sold, and that he is the owner of the trophy which he desires to ship, and if the trophy is that of moose, whether the animal from which it was taken was killed north or south of latitude sixty-two degrees: <i>Provided further</i> , That any resident of Alaska prior to September first, nineteen hundred and eight, may without permit or license ship any head or trophy of any of the game animals herein mentioned upon filing an affidavit with the customs office at the port where such shipment is to be made that the animal from which said head or trophy was taken was killed prior to the passage of this Act. Any affidavit required by the provisions of this Act may be subscribed and sworn to before any customs officer or before any officer competent to administer an oath.
Animals killed prior to May 11, 1908.	
Big game. License for hunting, etc., of.	"The governor of Alaska is hereby authorized to issue licenses for hunting and shipping big game. On issuing a license he shall require the applicant to state whether the heads or trophies to be obtained or shipped under said license will pass through the ports of entry at Seattle, Washington, Portland, Oregon, or San Francisco, California, and he shall forthwith notify the collector of customs at the proper port of entry as to the name of the holder of the license and the name and address of the consignee. All proceeds from licenses, except one dollar from each fee, which shall be retained by the clerk issuing the license to cover the cost of printing and issue, shall be paid into the Treasury of the United States as miscellaneous receipts; the amount necessary for the enforcement of this Act shall be estimated for annually by the Agricultural Department and appropriated for including the employment and salaries to be paid to game wardens herein authorized. And the governor shall annually make a detailed and itemized report to the Secretary of Agriculture, in which he shall state the number and kind of licenses issued, the money received, which report shall also include a full statement of all trophies exported and all animals and birds exported for any purpose.
Use of license fees.	
Annual estimates for enforcement of law.	
Report by governor.	
Employment of game wardens, etc.	"And the governor of Alaska is further authorized to employ game wardens, to make regulations for the registration and employment of guides, and fix the rates for licensing guides and rates of compensation for guiding. Every person applying for a guide license shall, at the time of making such application, make and file with the person issuing such license an affidavit to the effect that he will obey all the conditions of this Act and of the regulations thereunder, that he will not violate any of the game laws or regulations of Alaska, and that he will report all violations of such laws and regulations that come to his knowledge.
Guide licenses.	
Affidavit of applicant.	
Persons entitled to license.	Any American citizen or native of Alaska, of good character, upon compliance with the requirements of this Act, shall be entitled to a guide license. Any guide who shall fail or refuse to report any violation of this Act, or who shall himself violate any of the provisions of this Act, shall have his license revoked, and in addition shall be liable to the penalty provided in section seven of this Act, and shall be ineligible to act as guide for a period of five years from the date of conviction.
Failure to report violations.	
Penalty. <i>Post</i> , p. 105.	
Shipments of wild game. Requirements.	"SEC. 6. That it shall be unlawful for any persons, firm, or corporation, or their officers or agents, to deliver to any common carrier, or for the owner, agent, or master of any vessel, or for any other person, to receive for shipment or have in possession with intent to ship out of Alaska, any wild birds, except eagles, or parts thereof, or any

heads, hides, or carcasses of brown bear, caribou, deer, moose, mountain sheep, or mountain goats, or parts thereof, unless said heads, hides, or carcasses are accompanied by the required license or coupon and by a copy of the affidavit required by section five of this Act: *Provided*, That nothing in this Act shall be construed to prevent the collection of specimens for scientific purposes, the capture or shipment of live animals and birds for exhibition or propagation, or the export from Alaska of specimens under permit from the Secretary of Agriculture, and under such restrictions and limitations as he may prescribe and publish.

"It shall be the duty of the collector of customs at Seattle, Portland, and San Francisco to keep strict account of all consignments of game animals received from Alaska, and no consignment of game shall be entered until due notice thereof has been received from the governor of Alaska or the Secretary of Agriculture, and found to agree with the name and address on the shipment. In case consignments arrive without licenses they shall be detained for sixty days, and if a license be not then produced said consignments shall be forfeited to the United States and shall be delivered by the collector of customs to the United States marshal of the district for such disposition as the court may direct.

"SEC. 7. PENALTIES.—That any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all game or birds in his possession, and all guns, traps, nets, or boats used in killing or capturing said game or birds, and shall be punished for each offense by a fine of not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court. Any person making any false or untrue statements in any affidavit required by this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all trophies in his possession, and shall be punished by a fine in any sum not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court.

"ENFORCEMENT.—It is hereby made the duty of all marshals and deputy marshals, collectors or deputy collectors of customs, all officers of revenue cutters, and all game wardens to assist in the enforcement of this Act. Any marshal, deputy marshal, or warden in or out of Alaska may arrest without warrant any person found violating any of the provisions of this Act or any of the regulations herein provided, and may seize any game, birds, or hides, and any traps, nets, guns, boats, or other paraphernalia used in the capture of such game or birds and found in the possession of said person in or out of Alaska, and any collector or deputy collector of customs, or warden, or licensed guide, or any person authorized in writing by a marshal shall have the power above provided to arrest persons found violating this Act or said regulations and seize said property without warrant to keep and deliver the same to a marshal or a deputy marshal. It shall be the duty of the Secretary of the Treasury, upon request of the governor or Secretary of Agriculture, to aid in carrying out the provisions of this Act.

"SEC. 8. That all Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed."

Approved, May 11, 1908.

Ante, p. 103.

Proviso.
Collections for scientific purposes, etc.

Consignments of game.
Duties of collectors of customs, etc.

Detention of consignments.

Penalties for violation.

False affidavits.
Penalty.

Duties of marshals, etc.

Arrests, etc., without warrant.

Repeal.