

of Pennsylvania avenue and Madison place (Fifteen and one-half street northwest) and pay for the same out of said appropriation.

SEC. 24. That all buildings authorized to be constructed, enlarged, or extended under the provisions of this Act shall be unexposed to danger from fire by an open space of at least forty feet on each side, including streets and alleys: *Provided*, That in exceptional cases and for good cause shown the Secretary of the Treasury may, in his discretion, reduce the open space to less than forty feet and to any dimensions which he shall deem sufficient to afford fire protection.

Open spaces for fire protection for all buildings.

Proviso.
Exceptions.

SEC. 25. That Congress reserves the right to alter, amend, or repeal this Act.

Amendment.

SEC. 26. That all Acts or parts of Acts in conflict herewith are hereby repealed.

Conflicting laws repealed.

Approved, June 6, 1902.

CHAP. 1037.—An Act For the protection of game in Alaska, and for other purposes.

June 7, 1902.

[Public, No. 147.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this Act the wanton destruction of wild game animals or wild birds, the destruction of nests and eggs of such birds, or the killing of any wild birds other than a game bird, or wild game animal, for the purposes of shipment from Alaska is hereby prohibited. The term "game animals" shall include deer, moose, caribou, sheep, mountain goats, bears, 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. Nothing in this Act shall effect any law now in force in Alaska relating to the fur seal, sea otter, or any fur-bearing animal other than bears and sea lions, or prevent the killing of any game animal or bird for food or clothing by native Indians or Eskimo or by miners, explorers, or travelers on a journey when in need of food; but the game animals or birds so killed shall not be shipped or sold.

Alaska.
Protection of game in.

"Game animals."

"Game birds."

Laws in force relating to fur seals, etc., not affected.

Killing of game for food allowed.

Shipping, etc., prohibited.

Open game seasons.

SEC. 2. That it shall be unlawful for any person in Alaska to kill any wild game animals or wild birds except during the seasons hereinafter provided: Large brown bears, from April fifteenth to June thirtieth, both inclusive; moose, caribou, walrus, and sea lions, from September first to October thirty-first, both inclusive; deer, sheep, and mountain goats, from September first to December fifteenth, both inclusive; grouse, ptarmigan, shore birds, and water fowl, from September first to December fifteenth, both inclusive: *Provided*, 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 which shall modify the close seasons hereinbefore established, or provide different close seasons for different parts of Alaska, or place further restrictions and limitations on the killing of such animals or birds in any given locality, or to prohibit killing entirely for a period not exceeding five years in such locality.

Proviso.
Secretary of Agriculture to prescribe rules, etc.

Killing limited.

SEC. 3. That it shall be unlawful for any person at any time to kill any females or yearlings of moose, caribou, deer, or sheep, or for any one person to kill in any one year more than the number specified of each of the following game animals: Two moose, walrus, or sea lions; four caribou, sheep, goats, or large brown bears; eight deer; or to kill or have in possession in any one day more than ten grouse or ptarmigan, or twenty-five shore birds or waterfowl.

Hunting restrictions.

That it shall be unlawful for any person at any time to hunt with hounds, 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. And the Secretary of Agriculture is authorized to make and publish such further restrictions as he may deem necessary to prevent undue destruction of wild game animals or wild birds.

Sale of hides, etc., prohibited.

SEC. 4. 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, or offer for sale therein, any game animals or game birds, or parts thereof, during the time when the killing of said animals or birds is prohibited: *Provided*, That it shall be lawful for dealers having in possession any 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.

Proviso.
Game legally killed.

Shipment of hides, etc.

SEC. 5. That it shall be unlawful for any person, 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 hides or carcasses of caribou, deer, moose, mountain sheep, or mountain goat, or parts thereof, or any wild birds or parts thereof: *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 and trophies, under such restrictions and limitations as the Secretary of Agriculture may prescribe and publish.

Proviso.
Collections for scientific purposes, etc.

Penalties for violation.

SEC. 6. That any person violating any of the provisions of this Act or any of the regulations promulgated by the Secretary of Agriculture 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: *Provided*, That upon conviction for the second or any subsequent offense there may be imposed in addition a fine of fifty dollars for any violation of sections one and three, and a fine of one hundred dollars for a violation of section two. It is hereby made the duty of all marshals and deputy marshals, collectors or deputy collectors of customs appointed for Alaska, and all officers of revenue cutters to assist in the enforcement of this Act. Any marshal or deputy marshal 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, and any collector or deputy collector of customs, 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 Secretary of Agriculture to aid in carrying out the provisions of this Act: *Provided further*, That nothing contained in the foregoing sections of this Act shall be construed or held to prohibit or limit the right of the Smithsonian Institution to collect in or ship from the District of Alaska animals or birds for the use of the Zoological Park in Washington, District of Columbia: *Provided further*, That such heads and hides as may have been taken before the passage of this Act, may be shipped out of Alaska at any time prior to the first day of July, anno Domini nineteen hundred and two.

Proviso.
Additional penalties.

Duties of marshals, etc.

Arrests.

Seizure of game, etc.

Collectors of customs, etc., may arrest.

Smithsonian Institution.

Shipment of hides, etc., taken before June 6, 1902, allowed.

Approved, June 7, 1902.