

from the Government: *Provided*, That nothing herein shall release the borrower who signed a guaranty fund agreement and whose crop was not a failure, from making the contribution provided for in such agreement, but said guaranty fund shall be used as stipulated in the agreement to the settlement of the loans to those whose crop was a failure.

Total carried by this bill for the Department of Agriculture, \$31,475,368.

Approved, May 31, 1920.

Proviso.
Others under guaranty fund, not released.
Use of fund.

CHAP. 218.—An Act To accept the cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes.

June 2, 1920.
[H. R. 12044.]
[Public, No. 235.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of the Legislature of the State of California (approved April 15, 1919), ceding to the United States exclusive jurisdiction over the territory embraced and included within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the said State of California the right to serve civil or criminal process within the limits of the aforesaid parks or either of them in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said parks; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said parks, and the right to fix and collect license fees for fishing in said parks; and saving also to the persons residing in any of said parks now or hereafter the right to vote at all elections held within the county or counties in which said parks are situated. All the laws applicable to places under sole and exclusive jurisdiction of the United States shall have force and effect in said parks or either of them. All fugitives from justice taking refuge in said parks, or either of them, shall be subject to the same laws as refugees from justice found in the State of California.

National Parks, California.
Cession of jurisdiction of State over designated, accepted.

Rights reserved to State.

United States laws applicable.

Extradition of criminals.

Yosemite Park.
Assigned to California northern district.

SEC. 2. That said Yosemite National Park shall constitute a part of the United States judicial district for the northern district of California, and the district court of the United States in and for said northern district shall have jurisdiction of all offenses committed within said boundaries of the Yosemite National Park.

Sequoia and General Grant Parks.
Assigned to California southern district.

SEC. 3. That said Sequoia National Park and General Grant National Park shall constitute part of the United States judicial district for the southern district of California, and the district court of the United States in and for said southern district shall have jurisdiction of all offenses committed within the boundaries of said Sequoia National Park and General Grant National Park.

Punishment of offenses against State laws.

SEC. 4. That if any offense shall be committed in the Yosemite National Park, Sequoia National Park, General Grant National Park, or either of them, which offense is not prohibited or the punishment is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of California in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of California shall affect any prosecution for said offense committed within said parks, or either of them.

SEC. 5. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals,

Hunting, fishing, etc., prohibitions.

when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said parks; or shall any fish be taken out of any of the waters of the said parks, or either of them, in any other way than by hook and line, and then only at such seasons and such times and manner as may be directed by the Secretary of the Interior. That 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 other than those legally located prior to the passage of the respective Acts creating and establishing said parks, natural curiosities or wonderful objects within said parks, and for the protection of the animals in the park from capture or destruction, and to prevent their being frightened or driven from the said parks; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said parks or either of them. Possession within said parks, or either of them, of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that person or persons having 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 said parks, or either of them, 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 the passage of the respective Acts creating and establishing said parks, natural curiosities, or wonderful objects within said parks, or either of them, or for the protection of the animals, birds, or fish in the said parks, or either of them, or who shall within said parks commit any damage, injury, spoliation to or upon any building, fence, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to the passage of the respective Acts creating and establishing said parks, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be subject to the penalty provided for the violation of rules and regulations of the Secretary of the Interior authorized by section 3 of the Act of Congress approved August 25, 1916 (Thirty-ninth Statutes, page 535), entitled "An Act to establish a National Park Service, and for other purposes," which section is hereby amended by striking therefrom the words "and any violations of any of the rules and regulations authorized by this Act shall be punished as provided for in section 50 of the Act entitled 'An Act to codify and amend the Penal Laws of the United States,' approved March 4, 1909, as amended by section 6 of the Act of June 25, 1910 (Thirty-sixth United States Statutes at Large, page 857)," and inserting in lieu thereof the words "and any violation of any of the rules and regulations authorized by this Act shall be punished by a fine of not more than \$500 or imprisonment for not exceeding six months, or both, and be adjudged to pay all cost of the proceedings": *Provided*, That nothing herein shall be construed as repealing or in any way modifying the authority granted the Secretary of the Interior by said section 3 of the said Act approved August 25, 1916, to sell or dispose of timber in national parks in those cases where, in his judgment, the cutting of such timber is required in order to control the attacks of insects or diseases or otherwise conserve the scenery of the natural or historic objects in such parks

Regulations, etc., to be prescribed.

Evidence of violations.

Penalty for violating provisions hereof, etc.

Vol. 39, p. 535.

Punishment modified.
Vol. 39, p. 535, amended.

Proviso.
Disposal of timber, destroying injurious animals, etc., not affected.

and to provide for the destruction of such animals and such plant life as may be detrimental to the use of any of said parks, or the authority granted to said Secretary by the Act approved April 9, 1912, entitled "An Act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes," as amended by the Act approved April 16, 1914.

Vol. 37, p. 80.
Vol. 38, p. 345.

SEC. 6. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said parks, or either of them, 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 parks, or either of them, and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction 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.

Forfeiture of guns, traps, etc., illegally used.

SEC. 7. That the United States District Court for the Northern District of California shall appoint a commissioner for the Yosemite National Park, who shall reside in said park, and who shall have jurisdiction to hear and act upon all complaints made of any violations of law, or of the rules and regulations made by the Secretary of the Interior, for the government of said Yosemite National Park, and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act.

Commissioner for Yosemite Park. Appointment, authority, etc.

Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said Yosemite National Park, and for the protection of the animals, birds, and fish in said park, and try persons so charged, and if found guilty impose punishment and to adjudge forfeiture prescribed.

Judicial powers in violations of rules, etc.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States Court for the Northern District of California, and the United States district court in said district shall prescribe rules and procedure and practice for said commissioner in the trial of cases and for appeals to said United States district court.

Appeals.

SEC. 8. That the United States District Court for the Southern District of California shall appoint a commissioner for the Sequoia National Park and the General Grant National Park, who shall reside in one of said parks, and who shall have jurisdiction to hear and act upon all complaints made of any violations of the law or of the rules and regulations made by the Secretary of the Interior, for the government of the Sequoia National Park and the General Grant National Park, and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act.

Commissioner for Sequoia and General Grant Parks. Appointment, authority, etc.

Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said Sequoia National Park and General Grant National Park, or either of them, and for the protection of the animals, birds, and fish in said last-named parks, or either of them, and try persons so charged, and, if found guilty, impose punishment and to adjudge forfeiture prescribed.

Judicial powers in violations of rules, etc.

Appeals.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States Court for the Southern District of California, and the United States district court in said district shall prescribe rules and procedure and practice for said commissioner in the trial of cases and for appeals to said United States district court.

Procedure in criminal cases.

SEC. 9. That any such commissioner within his jurisdiction shall also have the power to issue process as hereinbefore provided for the arrest of any person charged with commission within said boundaries of said parks, or either of them, as specified above in this Act, of any criminal offense not covered by the provisions of section 5 of this Act, to hear the evidence introduced, and if he is of the opinion that probable cause is shown for holding the person so charged for trial, he shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States district court in and for the judicial district to which he belongs, and certify a transcript of the record of his proceedings and testimony in the case to the court, to which the park is attached as above specified in this Act, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State.

Proviso.
Bail.

Service of process.

SEC. 10. That all process issued by the commissioner of the Yosemite National Park shall be directed to the marshal of the United States for the northern district of California, and all process issued by the commissioner of the Sequoia National Park and the General Grant National Park shall be directed to the marshal of the United States for the southern district of California, but nothing herein contained shall be so construed to prevent the arrest by any officer or employee of the Government or any person employed by the United States, in the policing of such reservation within the boundaries of said parks, or either of them, without process of any person taken in the act of violating the law or this Act or the regulation prescribed by said Secretary as aforesaid.

Summary arrests.

Pay of commissioners.

SEC. 11. That the commissioner provided for in this Act for the Yosemite National Park and the commissioner provided for in this Act for the Sequoia National Park and the General Grant National Park each shall be paid an annual salary of \$1,500, payable monthly: *Provided*, That the said commissioner for the Yosemite National Park shall reside within the exterior boundaries of said Yosemite National Park, and the commissioner provided for the Sequoia National Park and the General Grant National Park shall reside within the exterior boundaries of one of the said last-named national parks and at a place to be designated by the court making such appointment: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 13 of this Act.

Provisos.
Residence requirements.

Disposal of fees, etc.

United States fees.

SEC. 12. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

Deposit of fines and costs.

SEC. 13. That all fines and costs imposed and collected shall be deposited by said commissioners of the United States, or the marshal of the United States collecting the same, with the clerk of the United States district court to which said parks are attached, as provided in this Act.

Acceptance of cession.

SEC. 14. That the Secretary of the Interior shall notify in writing the governor of the State of California of the passage and approval of this Act and of the fact that the United States assumes police jurisdiction over said parks, as specified in said Act.

Approved, June 2, 1920.