

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.)

#### Editorial Notes

##### 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.)

#### Editorial Notes

##### 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 park, all those certain tracts, pieces, or parcels of land lying and being situate in the State of South Dakota and within the boundaries particularly described as follows: Beginning at the southeast corner of section 13, township 6 south, range 5 east, Black Hills meridian, South Dakota; thence westerly to the southwest corner of the southeast quarter of section 16, said township; thence northerly along the quarter-section lines to the northwest corner of the northeast quarter of section 4, said township; thence easterly to the southwest corner of section 34, township 5 south, range 5 east; thence northerly to the northwest corner of said section; thence easterly to the northeast corner of section 31, township 5 south, range 6 east; thence southerly along the section lines to the southeast corner of section 7, township 6 south, range 6 east; thence westerly to the southwest corner of said section; thence southerly to the southeast corner of section 13, township 6 south, range 5 east, the place of beginning. Nothing herein contained shall be construed to affect any valid rights acquired in connection with any of the lands embraced within the limits of said park which shall be known as Wind Cave National Park.

(Jan. 9, 1903, ch. 63, §§ 1, 2, 32 Stat. 765.)