

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, natural curiosities, or wonderful objects within said park; and for the protection of the animals and birds in the park, from capture or destruction, or 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 the 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, receiving for transportation any of the said animals, birds, or fish so killed, taken, or caught shall be deemed guilty of a misdemeanor, and shall be fined for every such offense not exceeding \$300. Any person found guilty of violating any of the 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, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in the said park, shall be deemed guilty of a misdemeanor, and shall be subjected 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.

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 wild 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.

(May 7, 1894, ch. 72, § 4, 28 Stat. 73; June 28, 1916, ch. 179, 39 Stat. 238.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is act May 7, 1894, which is classified to sections 24 to 30a of this title. For complete classification of this Act to the Code, see Tables.

#### §§ 27 to 29. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 27, acts May 7, 1894, ch. 72, § 5, 28 Stat. 74; Mar. 3, 1911, ch. 231, § 291, 36 Stat. 1167; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, related to jurisdiction and powers of commissioner [now magistrate judges]. See sections 131, 631, and 632 of Title 28, Judiciary and Judicial Procedure.

Section 28, act May 7, 1894, ch. 72, § 6, 28 Stat. 75, related to deputy marshals. See section 562 of Title 28.

Section 29, acts May 7, 1894, ch. 72, § 7, 28 Stat. 75; Apr. 17, 1900, ch. 192, § 1, 31 Stat. 133; Mar. 4, 1923, ch. 295, 42 Stat. 1560, related to compensation of commissioners [now magistrate judges], marshals, and United States attorneys. See sections 548, 571, 572, and 634 of Title 28.

#### § 30. Jail building; office of magistrate judge

The Secretary of the Interior shall cause to be erected in Yellowstone National Park a suitable building to be used as a jail, and also having in said building an office for the use of the United States magistrate judge.

(May 7, 1894, ch. 72, § 9, 28 Stat. 75; Pub. L. 90-578, title IV, § 402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 101-650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117.)

#### Editorial Notes

##### CODIFICATION

Section 9 of the act of May 7, 1894, contained the added clause, "the cost of such building not to exceed five thousand dollars, to be paid out of any moneys in the Treasury not otherwise appropriated upon certificate of the Secretary as a voucher therefor," which was superseded by the provisions contained in section 451 of this title.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

"United States magistrate judge" substituted in text for "magistrate" pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, "magistrate" substituted for "commissioner" pursuant to Pub. L. 90-578. See chapter 43 (§ 631 et seq.) of Title 28.

#### § 30a. Existing laws as affected

This Act shall not be construed to repeal existing laws conferring upon the Secretary of the Interior and the Secretary of the Army certain powers with reference to the protection, improvement, and control of the said Yellowstone National Park.

(May 7, 1894, ch. 72, § 10, 28 Stat. 75; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is act May 7, 1894, which is classified to sections 24 to 30a of this title. For complete classification of this Act to the Code, see Tables.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

#### § 31. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section, act May 7, 1894, ch. 72, § 8, 28 Stat. 75, related to payment of costs and expenses.