

except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said parks; nor shall any fish be taken out of any of the waters of the said parks, or any one 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.

(June 2, 1920, ch. 218, § 5, 41 Stat. 731.)

#### § 61. Rules and regulations in parks

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. He shall cause all persons trespassing upon the same to be removed therefrom.

(Oct. 1, 1890, ch. 1263, § 2, 26 Stat. 651; June 2, 1920, ch. 218, § 5, 41 Stat. 732.)

#### Editorial Notes

##### CODIFICATION

The first sentence of this section was from section 5 of the act of June 2, 1920.

The last sentence of this section is from section 2 of act Oct. 1, 1890.

#### § 62. Possession of dead bodies of birds or animals

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 sections 60 to 63 of this title.

(June 2, 1920, ch. 218, § 5, 41 Stat. 732.)

#### § 63. Transportation of birds, animals, or fish; violations of statute or rules or regulations for management, care, and preservation of parks; damage or spoliation; punishment

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 sections 57, 58, and 60 to 65 of this title, 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 said sections, 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, guidepost, 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".<sup>1</sup>

(June 2, 1920, ch. 218, § 5, 41 Stat. 732.)

#### Editorial Notes

##### REFERENCES IN TEXT

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", referred to in text, is section 3 of act Aug. 25, 1916, ch. 408, 39 Stat. 535, which enacted section 3 of this title. Section 3 of the Act was repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and sections 100751(a), 100752, 100753, and 102101 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272.

#### § 64. Sale or disposal of timber; destruction of detrimental animal or plant life

Nothing in sections 57, 58, and 60 to 65 of this title 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,<sup>1</sup> 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 and to provide for the destruction of such animals and such plant<sup>2</sup> life as may be detrimental to the use of any of said parks, or the authority granted to said Secretary by sections 51 to 54 of this title.

(June 2, 1920, ch. 218, § 5, 41 Stat. 732.)

#### Editorial Notes

##### REFERENCES IN TEXT

Said section 3 of the said Act approved August 25, 1916, referred to in text, is section 3 of act Aug. 25, 1916, ch. 408, 39 Stat. 535, which enacted section 3 of this title. Section 3 of the Act was repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and sections 100751(a), 100752, 100753, and 102101 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272.

<sup>1</sup> See References in Text note below.

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. Probably should be "plant".