

Editorial Notes

REFERENCES IN TEXT

Section 690i, included within the reference to sections 690 to 690i, was omitted from the Code.

§ 690b. Consent of Utah to acquisition of lands for Bear River Refuge; approval of title to lands acquired

No such area shall be acquired by the Secretary of the Interior unless or until the Legislature of the State of Utah has consented to the acquisition of lands by the United States for use as a refuge for migratory wild fowl, and shall have provided for the use as a refuge for migratory wild fowl by the United States of any lands owned or controlled by the State in Bear River Bay, Utah, and vicinity, which the Secretary of the Interior may deem necessary for such purpose, and which the Secretary of the Interior is authorized to accept on behalf of the United States; and, except in the case of a lease, no payments shall be made by the United States for any such area until title thereto is satisfactory to the Attorney General.

(Apr. 23, 1928, ch. 413, § 3, 45 Stat. 449; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

Executive Documents

TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

§ 690c. Existence of easements, reservations, or exceptions as barring acquisition of lands

The existence of a right-of-way easement or other reservation or exception in respect of such area shall not be a bar to its acquisition (1) if the Secretary of the Interior determines that any such reservation or exception will in no manner interfere with the use of the area for the purposes of sections 690 to 690i of this title, or (2) if in the deed or other conveyance it is stipulated that any reservation or exception in respect of such area, in favor of the person from whom the United States receives title, shall be subject to regulations prescribed under authority of sections 690 to 690i of this title.

(Apr. 23, 1928, ch. 413, § 4, 45 Stat. 449; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

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§ 690d. Injuries to property on Bear River Refuge; disturbance of birds, etc.; violation of regulations for use of refuge

No person shall take, injure, or disturb any bird, or nest or egg thereof, or injure or destroy any notice, signboard, fence, dike, ditch, dam, spillway, improvement, or other property of the United States on any area acquired or received under sections 690 to 690i of this title, or remove therefrom or cut, burn, injure, or destroy any grass or other natural growth thereon, or enter, use, or occupy the refuge for any purpose, except in accordance with regulations prescribed by the Secretary of the Interior: *Provided*, That at no time shall less than 60 per centum of the total acreage of the said refuge be maintained as an inviolate sanctuary for such migratory birds.

(Apr. 23, 1928, ch. 413, § 5, 45 Stat. 449; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

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§ 690e. Enforcement of laws and regulations; warrants and processes; jurisdiction of courts; forfeiture of property captured, injured, killed or removed

(a) Arrests and warrants

Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of sections 690 to 690i of this title (1) shall have power, without warrant, to arrest any person committing in the presence of such employee a violation of sections 690 to 690i of this title or of any regulation made pursuant thereto, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction, and (2) shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of said sections or regulations made pursuant thereto. Any judge of a court established under the laws of the United States, or any United States magistrate judge may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

(b) Seizures and forfeitures

All birds or animals, or parts thereof, captured, injured, or killed, and all grass and other natural growths, and nests and eggs of birds removed contrary to the provisions of sections 690 to 690i of this title or any regulation made pursuant thereto, shall, when found by such employee or by any marshal or deputy marshal, be