

out of any money in the Treasury not otherwise appropriated, not more than \$250,000. (May 22, 1928, c. 678, § 10, 45 Stat. 702.)

For title of Act see note to § 581.

582. Porto Rico; application of forest protection laws.—The provisions of sections 515, 564, 565, and 569 of this title are herewith extended to the Territory of Porto Rico, and the Secretary of Agriculture is hereby authorized to cooperate with the appropriate officials of Porto Rico on the same terms and conditions as with the States: *Provided*, That not to exceed fifty thousand acres of land may be acquired in Porto Rico under section 515 of this title. (Mar. 3, 1931, c. 452, 46 Stat. 1516.)

Chapter 4.—PROTECTION OF TIMBER, AND DEPREDATIONS.

Section 591. Live-oak and red-cedar lands.—

It is the opinion of the Secretaries of the Navy and Interior that this section is obsolete.

★592. Live-oak and red-cedar lands; selection of tracts.—

That portion of the section following the last semicolon read in R. S. § 2459 and should still read: "but nothing in this section contained shall be construed to prejudice the prior rights of any person claiming lands, which may be reserved in the manner herein provided."

It is the opinion of the Secretaries of the Navy and Interior that this section is obsolete.

595. Same; cutting or destruction.—

In the opinion of the Secretaries of the Navy and Interior this section is obsolete, as having been superseded by §§ 103-105 of Title 18.

596. Same; forfeiture of vessels carrying away timber.—

In the opinion of the Secretaries of the Navy and Interior this section is obsolete, as having been superseded by §§ 103-105 of Title 18.

597. Same; clearance of vessels laden with; prosecution of depredators.—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 46 Stat. 1028.

598. Lands in Florida reserved for naval purposes; examination.—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 46 Stat. 1028.

599. Same; lands not needed restored to entry and sale.—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 46 Stat. 1028.

600. Restoration to public domain of naval reservations; preference right of entry; lands disposed of under town-site laws.—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 46 Stat. 1028.

602. Seizure of timber cut.—

See § 616 of this title.

603. Relief from prosecutions on payment for timber cut.—

It has been suggested that the words in lines 2 and 3 of this section reading "States of California, Oregon, Nevada, and Washington" should read "public land States."

★605. Cutting timber on certain mineral lands; notice to Commissioner of General Land Office of unlawful cutting.—

"their respective land districts" in lines 6 and 7 of this section should probably read "his land district."

"they" in line 7 should probably read "he."

"their next quarterly accounts" at the end of this section should probably be changed to "his next quarterly account."

The above changes are needed because the statutory provision constituting this section (Act June 3, 1878, cited thereto) related to "receivers" as well as to "registers" the former word being omitted from the statutory provision as reproduced in the Code by virtue of section 71 of Title 43, PUBLIC LANDS, which con-

solidated "the offices of register and receiver of such land offices as may now have two officials."

★606. Same; offenses; punishment.—

"sections 603 to 605, inclusive" in line 2 of this section should read "sections 604 and 605."

★607. Cutting and removal of timber on certain public lands for certain purposes.—

"and section 103 of Title 18, CRIMINAL CODE AND CRIMINAL PROCEDURE." at the end of this section should be omitted.

★612. Permits to cut and remove timber; permits to certain corporations.—

In the statutory provision constituting this section the word "herein" followed the word "Nothing" in line 12 of this section.

614. Sale of timber killed or damaged by forest fires.—The Secretary of the Interior is hereby authorized, under such rules as he may prescribe, to sell and dispose of to the highest bidder, at public auction or through sealed bids, dead or down timber, or timber which has been seriously or permanently damaged by forest fires, on any lands of the United States, outside the boundaries of national forests, including those embraced in unperfected claims under any of the public land laws, also upon the ceded Indian lands, the proceeds of all such sales to be covered into the Treasury of the United States: *Provided*, That such dead, down, or damaged timber upon any lands embraced in an existing claim shall be disposed of only upon the application or with the written consent of such claimant, and the money received from the sale of such timber on any such lands shall be kept in a special fund to await the final determination of the claim. (As amended July 3, 1926, c. 779, § 1, 44 Stat. 890.)

615. Disposal of proceeds of sale of burnt timber on existing claim.—Upon the certification of the Secretary of the Interior that any claim under section 611 of this title has been finally approved and patented, the Secretary of the Treasury is hereby authorized and directed to pay to such claimant, his heirs, or legal representatives, the money received from the sale of such timber upon his land, after deducting therefrom the expenses of the sale; and upon the certification of the Secretary of the Interior that any such claim has been finally rejected and canceled, the Secretary of the Treasury is hereby authorized and directed to transfer the money derived from the sale of such timber upon the lands embraced in such claim to the general fund in the Treasury derived from the sale of public lands, unless by legislation the lands from which the timber had been removed had been theretofore appropriated to the benefit of an Indian tribe or otherwise, in which event the net proceeds derived from the sale of the timber shall be transferred to the fund of such tribe or otherwise credited or distributed as by law provided. (As amended July 3, 1926, c. 779, § 2, 44 Stat. 891.)

616. Exportation of timber cut on national forest or public land in Alaska.—Timber lawfully cut on any national forest, or on the public lands in Alaska, may be exported from the State or Territory where grown if, in the judgment of the Secretary of the department administering the national forests, or the public lands in Alaska, the supply of timber for local use will not be endangered thereby, and the respective Secretaries concerned are hereby authorized to issue rules and regulations to carry out the purposes of this section. (Apr. 12, 1926, c. 117, 44 Stat. 242.)

The Act cited to the text was entitled "An Act to authorize the exportation from the State or Territory of timber lawfully cut on any national forest or on the public lands in Alaska."

Chapter 5.—PROTECTION OF FUR SEALS AND OTHER FUR-BEARING ANIMALS.

★Section 643a. Continuance in force of sections 632 to 643.—Sections 632 to 643 of this title shall continue in force until the termination of the convention between the governments of the

United States, Great Britain, Japan, and Russia for the preservation and protection of the fur seals and sea otter which frequent the waters of the north Pacific Ocean, concluded at Washington, July seventh, nineteen hundred and eleven. (Aug. 24, 1912, c. 373, § 13, 37 Stat. 502.)

This section omitted from the Code appears to be still in force.

★649. Killing female seal or seal less than one year old, or killing in waters adjacent to Pribilof Islands or on beaches or cliffs; punishment, and forfeiture.—

"648" in line 3 from end of section should read "647."

★650. Killing of seals on Pribilof Islands, regulations; restricted to officers and natives under their direction; number to be killed.—

"heard" in line 10 of this section should read "herd."

"not fewer than" should be inserted before the word "five" in line 18.

Chapter 6. GAME AND BIRD PRESERVES; PROTECTION.

Section 673. Wyoming Elk Reserve.—

Res. Feb. 25, 1927, c. 205, 44 Stat. 1246, authorizes the acceptance of title to certain lands in Teton County, Wyo., adjacent to the winter elk refuge in said State establishment in accordance with Act Aug. 10, 1912, c. 284, 37 Stat. 293, constituting this section.

674a. Sullys Hill National Park; transfer of control; change of name to Sullys Hill National Game Preserve; boundaries; use by public; hunting.—The Secretary of the Interior is authorized to transfer to the control of the Secretary of Agriculture Sullys Hill National Park, together with all improvements thereon, in the State of North Dakota, and the Secretary of Agriculture shall hereafter administer said area as a big game preserve, refuge, and breeding grounds for wild animals and birds, which shall be known as the Sullys Hill National Game Preserve and shall embrace within its boundaries the lands described in the proclamation of June 2, 1904, establishing Sullys Hill Park, together with all unsurveyed or public lands uncovered by the recession of the waters of Devils Lake in front of said reservation, the preserve to be bounded on the north and northwest by the waters of Devils Lake, and on the west and southwest by a stream which flows through lands uncovered by the recession of the waters of Devils Lake, approximately midway between lots 10 and 11, section 17; lots 1, 2, 6, and 8, section 16; and lot 2, section 9; lots 3, 4, and 5, section 16, township 152 north, range 65 west, fifth principal meridian, as meandered on the official plats of survey approved June 23, 1904, and June 2, 1927: *Provided*, That the said game preserve is to be made available to the public for recreational purposes in so far as consistent with the use of this area as a game preserve: *Provided further*, That hunting shall not be permitted on said game preserve. (Mar. 3, 1931, c. 439, § 1, 46 Stat. 1509.)

The Act cited to the text was entitled "An Act for the transfer of jurisdiction over Sullys Hill National Park from the Department of the Interior to the Department of Agriculture, to be maintained as the Sullys Hill National Game Preserve, and for other purposes."

674b. Sullys Hill National Game Preserve; acquisition of additional lands.—The Secretary of Agriculture is authorized to acquire, by purchase or otherwise, after July 1, 1932, an area of land not to exceed three thousand acres, at an average cost of not more than \$10 per acre, with the improvements thereon, situated on the east and south of said preserve as described in section 674a of this title, within sections 10, 11, 12, 13, 14, 15, 22, 23, and 24, township 152 north, range 65 west fifth principal meridian, said lands, upon acquisition by the United States, to become a part of the Sullys Hill National Game Preserve. (Mar. 3, 1931, c. 439, § 2, 46 Stat. 1509.)

For title of Act see note to § 674a.

674c. Same; boundary and division fences; buildings and improvements; supplies; employees.—The Secretary of Agriculture is authorized to construct and maintain such boundary

and division fences as are required to inclose and subdivide the preserve; to construct such buildings and improvements, to install and maintain a suitable water-supply and sanitary system, to purchase such supplies, and to employ such assistants as are necessary for the maintenance of the preserve and the improvements thereon and for the accommodation of visitors thereto. (Mar. 3, 1931, c. 439, § 3, 46 Stat. 1510.)

For title of Act see note to § 674a.

674d. Same; appropriation.—There is authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as Congress shall from time to time deem necessary to carry out the purposes of sections 674a to 674c of this title. (Mar. 3, 1931, c. 439, § 4, 46 Stat. 1510.)

For title of Act see note to § 674a.

★676. Custer State Park Game Sanctuary; hunting, etc., in; regulation; punishment.—

"this chapter" in line 7 of this section should read "sections 675 to 678, inclusive, of this title."

★683. Areas set aside for protection of game and fish; unlawfully taking game or fish.—

"sections 513 to 519 and 521 of this title" in line 5 of this section are used as a translation of Act Mar. 1, 1911, c. 186. The complete parallel to the act in question is sections 480, 500, 513 to 519, 521, 552, and 568 of this title.

688. Sequoia National Game Preserve.—All parts of township 17 south, ranges 31 and 32 east, and township 18 south, range 31 east, Mount Diablo base and meridian, which are north of the hydrographic divide passing through Farewell Gap, and which are not added to and made part of the Sequoia National Park by the provisions of section 45a of this title, are hereby designated as the Sequoia National Game Refuge, and the hunting, trapping, killing, or capturing of birds and game or other wild animals upon the lands of the United States within the limits of the said area shall be unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture; and any persons violating such regulations or the provisions of this section shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding \$1,000, or by imprisonment for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court: *Provided*, That it is the purpose of this section to protect from trespass the public lands of the United States and the game animals which may be thereon, and not to interfere with the operation of the local game laws as affecting private or State lands: *Provided further*, That the lands included in said game refuge shall continue to be parts of the Sequoia National Forest and nothing contained in this section shall prevent the Secretary of Agriculture from permitting other uses of said lands under and in conformity with the laws and the rules and regulations applicable thereto so far as may be consistent with the purposes for which said game refuge is established. (July 3, 1926, c. 744, § 6, 44 Stat. 821.)

The Act cited to the text was entitled "An Act to revise the boundary of the Sequoia National Park, California."

689. Tahquitz National Game Preserve.—There is hereby created within the San Bernardino National Forest in Riverside County, California, for the protection of game animals, and as the recognized breeding place therefor, the Tahquitz National Game Preserve, which shall include the following lands: Sections 28, 29, 30, 31, 32, 33, 34, and 35, township 3 south, range 3 east, San Bernardino meridian; sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36, township 4 south, range 3 east, San Bernardino meridian; and sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, and 24, township 5 south, range 3 east, San Bernardino meridian; but the establishment