

barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle, commonly known as the American eagle, alive or dead, or any part, nest, or egg thereof, shall be fined not more than \$500 or imprisoned not more than six months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any such eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the effective date of this Act, but the proof of such taking shall lie upon the accused in any prosecution under this Act.

Penalty.  
*Proviso.*  
Eagles lawfully taken prior to effective date.

SEC. 2. That whenever after investigation the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle as a species to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, or zoological parks, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality he may issue permits therefor under regulations which he is hereby authorized and directed to prescribe.

Issuance of permits for taking, etc., for certain purposes.

SEC. 3. That for the efficient execution of this Act section 5 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the Act of June 20, 1936 (49 Stat. 1555), shall be deemed to be incorporated herein in haec verba.

Regulations.

Arrest, etc., of offenders.  
40 Stat. 756.  
16 U. S. C. § 706; Supp. V, § 706.

SEC. 4. That as used in this Act "whoever" includes also associations, partnerships, and corporations; "take" includes also pursue, shoot, shoot at, wound, kill, capture, trap, collect, or otherwise willfully molest or disturb; "transport" includes also ship, convey, carry, or transport by any means whatever, and deliver or receive or cause to be delivered or received for such shipment, conveyance, carriage, or transportation.

Terms defined.

SEC. 5. That moneys now or hereafter available to the Secretary of the Interior for the administration and enforcement of the aforesaid Migratory Bird Treaty Act of July 3, 1918, shall be equally available for the administration and enforcement of this Act.

Availability of funds.

Approved, June 8, 1940.

#### [CHAPTER 279]

#### AN ACT

To extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oregon.

June 8, 1940  
[H. R. 5404]  
[Public, No. 568]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any lands in private, State, or county ownership within the following-described area, which are found by the Secretary of Agriculture to be chiefly valuable for national-forest purposes, may be offered in exchange under the provisions of the Act approved March 20, 1922, as amended (U. S. C., title 16, secs. 485, 486), and upon acceptance of title shall become part of the Ochoco National Forest, Oregon, and shall thereafter be subject to the laws, rules, and regulations applicable to national forests:

Ochoco National Forest, Oreg.  
Exchange of certain lands for incorporation in.

42 Stat. 465.  
16 U. S. C., Supp. V, § 486.

Section 36, township 15 south, range 24 east; section 36, township 15 south, range 25 east; section 36, township 20 south, range 24 east; section 5, township 20 south, range 25 east; section 36, township 20 south, range 26 east; sections 9, and 13 to 16, inclusive, sections 21 to 27, inclusive, and sections 33 to 36, inclusive, township 21 south, range 25 east; sections 7, 18, and 19, township 21 south, range 26 east; sections 1, 3, 11, and 12, township 22 south, range 24 east; sections 3 to 7, inclusive, township 22 south, range 25 east; and section 16, township 22 south, range 27 east; all Willamette base and meridian.

Description.

Approved, June 8, 1940.

## [CHAPTER 280]

## AN ACT

June 8, 1940

[H. R. 5477]

[Public, No. 569]

For the benefit of the Indians of the Crow Reservation, Montana, and for other purposes.

Crow Indian Reser-  
vation, Mont.  
41 Stat. 752.

*Proviso.*  
Sale or exchange of  
allotted, etc., lands.

Transaction to be  
upon petition; signers.

Issuance of new  
patent.

24 Stat. 389.  
25 U. S. C. § 348.

41 Stat. 753.

Retention of min-  
eral rights.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the Act of June 4, 1920 (41 Stat. 751), entitled "An Act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes", is hereby amended by inserting the following at the end of paragraph 1: "*Provided,* That for the purpose of consolidating the restricted land holdings of any individual Crow allottee or the holdings of members of a Crow family, the Secretary of the Interior is authorized, in his discretion and under such rules and regulations as he may prescribe, to approve sales of allotted and inherited Indian lands to members of the Crow Tribe or the exchange of restricted Crow lands without regard to the acreage limitation hereinbefore set out. Any sales or exchange made hereunder shall be upon a petition signed by the adult allottee and by the adult heirs of any deceased allottee and the parent or natural guardian of a minor heir or, if there be no natural guardian, by the officer in charge of the Crow Agency, and if the purchaser or recipient of such lands be an Indian of the Crow Tribe, then any outstanding trust patent or patents covering the land so sold or exchanged shall be canceled and a new patent of the force and legal effect of the trust patents as prescribed by the General Allotment Act of February 8, 1887 (24 Stat. 388), as amended, shall be issued to such Indian or Indians, which patent where applicable shall contain the mineral reservation provided in section 6 of this Act. Should any Crow allottee wish to retain mineral rights now owned by him in land, sold hereunder to other members of the tribe, he may do so by making conveyance on a form of deed to be prescribed by the Secretary of the Interior, which form shall provide that its approval shall not operate to remove any trust or other conditions imposed upon said lands as expressed in the original trust or any other patent issued therefor."

Approved, June 8, 1940.

## [CHAPTER 281]

## AN ACT

June 8, 1940

[H. R. 5784]

[Public, No. 570]

To provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes.

Postal Service.  
Retention of ac-  
crued sick and annual  
leave by civil-service  
employees appointed  
postmasters.

*Provisos.*  
Transfer of accrued  
leave.

Act retroactive as to  
certain postmasters.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every classified civil-service employee who shall be appointed to the position of postmaster shall retain to his credit whatever amount of sick leave and vacation time is properly due him on the date of his appointment to the position of postmaster: *Provided,* That such accumulated sick leave and vacation time shall be transferred to the credit of the employee as of the date of his appointment as postmaster in the same manner as the time might have been utilized by him before appointment: *Provided further,* That this Act shall be retroactive to the extent that every postmaster at a first- or second-class post office who shall have received appointment as postmaster while an employee of the classified civil-service and who shall hold the position of postmaster on the date this Act becomes effective, shall be entitled to the