

C.R.S. 3-1-130

Current through all laws passed during the 2019 Legislative Session.

- [CO - Colorado Revised Statutes Annotated](#)
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- [ARTICLE 1. PROPERTY CEDED TO UNITED STATES](#)

3-1-130. Rocky Mountain National Park

(1) Exclusive jurisdiction shall be and the same is hereby ceded to the United States of America over and within all of the territory which is now included in that tract of land in the state of Colorado set aside and dedicated for park purposes by the United States, known as the Rocky Mountain National Park, saving, to the state of Colorado to the right to serve civil or criminal process within the limits of the aforesaid park, in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed outside of said park, and saving further to the said state the right to tax persons and corporations, their franchises and property on the lands included in said tracts, and saving, also, to the persons residing in said park now or hereafter the right to vote at all elections held within the county or counties in which said tracts are situated; and saving to all persons residing within said park upon lands now privately owned within said park access to and from such lands, and all rights and privileges as citizens of the United States and saving to the people of Colorado all vested, appropriated, and existing water rights and rights-of-way connected therewith, including all existing irrigation conduits and ditches; but jurisdiction shall not vest in the United States now or hereafter over any lands included within said park until the United States, through its proper officers, notifies the state of Colorado, through its governor, that the United States assumes police jurisdiction over the respective tracts involved.

(2) Exclusive jurisdiction is hereby ceded to the United States over and within all the territory added since February 19, 1929, to that tract of land in the state of Colorado set aside and dedicated for park purposes by the United States, known as the Rocky Mountain National Park; saving, to the state of Colorado all criminal and civil jurisdiction over the existing sixty feet in width right-of-way of the westbound traffic lanes of state highway No. 262, also known as the Moraine Park road, and a strip of land thirty feet to either side of the center line of the eastbound traffic lanes lying south of the westbound traffic lanes of said state highway No. 262, together with the connecting roads between the eastbound and westbound traffic lanes of said highway, as rerouted and constructed by the United States where such lie within the boundaries of aforesaid National Park in the northwest quarter of section 35, township 5 north, range 73 west of the 6th p.m.; also, saving to the state of Colorado the right to serve civil or criminal process within the limits of the aforesaid park, in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed outside of said park, and saving to the state the right to tax persons and corporations, their franchises and property on lands included in the added tracts, and saving to persons residing in said park the right to vote at all elections held within the county or counties in which the tracts are situated, and saving to all persons residing within the park upon lands now privately owned within the addition to the park, access to and from such lands, and all rights and privileges as citizens of the United States, and saving to the people of Colorado all vested, adjudicated, appropriated, and existing water rights and rights-of-way connected therewith, including all existing domestic or irrigation conduits and ditches; but jurisdiction shall not vest in the United States now or hereafter over any lands included within said park until the United States, through its proper officers, notifies the state, through its governor, that the United States assumes police jurisdiction over the respective tracts involved.

History

approved March 6, 1928, are hereby extended one and three years, respectively, from March 6, 1929.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 2, 1929.

March 2, 1929.
[S. 4039.]

[Public, No. 1007.]

CHAP. 581.—An Act To exempt joint-stock land banks from the provisions of section 8 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso of the second paragraph of section 8 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended (United States Code, title 15, chapter 1, section 19), is amended to read as follows:

Antitrust Act.
Vol. 38, p. 733, amended.
U. S. Code, p. 353.
Interlocking directorates.

Further extension of exemptions.

"*Provided,* That nothing in this section shall apply to mutual savings banks not having a capital stock represented by shares, to joint-stock land banks organized under the provisions of the Federal Farm Loan Act, or to other banking institutions which do no commercial banking business."

Approved, March 2, 1929.

March 2, 1929.
[S. 5836.]

[Public, No. 1008.]

CHAP. 582.—An Act To extend the times for commencing and completing the construction of a bridge across the Missouri at or near Arrow Rock, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Arrow Rock, Saline County, Missouri, authorized to be built by F. C. Barnhill, his heirs, legal representatives, and assigns, by an Act of Congress approved February 28, 1928, are hereby extended one and three years, respectively, from February 28, 1929.

Missouri River.
Time extended for bridging, at Arrow Rock, Mo.

Ante, p. 156.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 2, 1929.

March 2, 1929.
[H. R. 17101.]

[Public, No. 1009.]

CHAP. 583.—An Act To accept the cession by the State of Colorado of exclusive jurisdiction over the lands embraced within the Rocky Mountain National Park, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of the Legislature of the State of Colorado, approved February 19, 1929, ceding to the United States exclusive jurisdiction over the territory embraced and included within the Rocky Mountain National Park, are hereby accepted, and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the State of Colorado the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said tract; and sav-

Rocky Mountain National Park, Colo.
Acceptance of jurisdiction of Colorado, over territory included in.

Rights reserved to the State and citizens thereof.

ing also to the persons residing in said park now or hereafter the right to vote at all elections held within the county or counties in which said tracts are situated; and saving to all persons residing within said park upon lands now privately owned within said park access to and from such lands, and all rights and privileges as citizens of the State of Colorado; and saving to the people of Colorado all vested, appropriated, and existing water rights and rights of way connected therewith, including all existing irrigation conduits and ditches. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Colorado.

Application of United States laws.

Extradition of criminals.

SEC. 2. That said park shall constitute a part of the United States judicial district for the State of Colorado, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within said boundaries.

Assigned to Colorado judicial district.

SEC. 3. That if any offense shall be committed in the Rocky Mountain National Park, which offense is not prohibited or the punishment for which is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of Colorado in force at the time of the commission of the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of Colorado shall affect any prosecution for said offense committed within said park.

Punishment of offenses against State laws.

SEC. 4. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, 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 park; nor shall any fish be taken out of the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. That 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, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and 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 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, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate 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, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, natural curiosities, or other

Hunting, fishing, etc., prohibitions.

Regulations, etc., to be prescribed.

Evidence of violations.

Punishment for violating specified provisions hereof, etc.

Penalty. matter or thing growing or being thereon or situated therein, shall be deemed guilty of a misdemeanor and shall be subject 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.

Forfeiture of guns, traps, etc., illegally used.

SEC. 5. That 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 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.

Commissioner for. Appointment, authority, etc.

SEC. 6. That the United States District Court for the State of Colorado shall appoint a commissioner who shall reside in the park and who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act.

Judicial powers in violations of rules, etc.

Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed.

Appeals to district court.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the State of Colorado, and the United States district court in said district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district court.

Procedure in criminal cases.

SEC. 7. That such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said boundaries of any criminal offense not covered by the provisions of section 4 of this Act to hear the evidence introduced, and if he is of opinion that probable cause is shown for holding the person so charged for trial shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the State of Colorado, and certify a transcript of the record of his proceedings and the testimony in the case to said court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State.

Proviso.
Bail allowed.

Service of process.

Summary arrests.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the district of Colorado, but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States in the policing of said reservation within said boundaries without process of any person taken in the act of violating the law or this Act or the regulations prescribed by the said Secretary as aforesaid.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary as appropriated for by Congress, payable quarterly: *Provided*, That the said commissioner shall reside within the exterior boundaries of said Rocky Mountain National Park, at a place to be designated by the court making such appointment: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 11 of this Act.

Pay of commissioner.

Proviso.
Residence required.

Disposal of fees.

SEC. 10. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

United States fees.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same, with the clerk of the United States District Court for the State of Colorado.

Deposit of fines and costs.

SEC. 12. That the Secretary of the Interior shall notify, in writing, the Governor of the State of Colorado of the passage and approval of this Act.

Acceptance of cession.

Approved, March 2, 1929.

CHAP. 584.—Joint Resolution Authorizing an investigation and survey for the purpose of ascertaining the practicability and the approximate cost of constructing and maintaining additional locks and other facilities at the Panama Canal, and for the purpose of ascertaining the practicability and probable cost of constructing and maintaining an interoceanic ship canal across the Republic of Nicaragua.

March 2, 1929.
[S. J. Res. 117.]
[Pub. Res., No. 99.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to cause to be made, under the direction of the Secretary of War and the supervision of the Chief of Engineers, and with the aid of such civilian engineers as the President shall deem advisable, a full and complete investigation and survey for the purpose of ascertaining the practicability and the approximate cost of constructing and maintaining (1) such additional locks and other facilities at the Panama Canal as may be necessary to provide for the future needs of interoceanic shipping; and (2) any other route for a ship canal between the Atlantic and Pacific Oceans.

Interoceanic canal.
Investigation authorized as to practicability of providing for future shipping needs by additional facilities to Panama Canal.

Any other route.

SEC. 2. The President is hereby authorized to cause to be made, under the direction of the Secretary of War and the supervision of the Chief of Engineers, and with the aid of such civilian engineers as the President shall deem advisable, a full and complete investigation and survey for the purpose of revising and bringing down to date the reports of the Isthmian Canal Commission transmitted to Congress, with respect to the practicability and advantages and approximate cost of constructing a canal across Nicaragua, and for the purpose of obtaining all additional available information respecting (1) the most practical route for an interoceanic ship canal across the Republic of Nicaragua by way of the San Juan River and the Great Lake of Nicaragua, or by way of any other route over Nicaraguan territory, including suitable locations for harbors at each of the termini thereof; (2) the practicability and approximate cost of constructing and maintaining such canal; and (3) the approximate cost of acquiring all private rights, properties, privileges, and franchises, if any, included in or necessarily affected by such canal route.

Investigation and survey to revise, etc., reports of Isthmian Canal Commission as to practicability of canal across Nicaragua.

Information as to most practical route.

Approximate cost.

Cost of acquiring private rights, franchises, etc.

SEC. 3. The Chief of Engineers, under the direction of the Secretary of War, may establish and maintain, during the investigations and surveys authorized by this resolution, such stations as he may deem necessary for ascertaining the water supply available for the

Stations for ascertaining available water supply in Nicaragua and operating additional locks at Panama Canal, directed.

Source:

L. 29: p. 475, Section 1.CSA: C. 168, Section 33.CRS 53: Section 142-1-33.L. 61: p. 837, Section 1. C.R.S. 1963: Section 143-1-33.

▼ Annotations

Case Notes

ANNOTATION

Rights of private condemnation not reserved. When jurisdiction over Rocky Mountain National Park was ceded to the federal government, rights of private condemnation were not reserved. *United States v. 161 Acres of Land*, 427 F. Supp. 582 (D. Colo. 1977).

As to valuation of condemned 161-acre landlocked track surrounded by Rocky Mountain National Park, see *United States v. 161 Acres of Land*, 427 F. Supp. 582 (D. Colo. 1977).

COLORADO REVISED STATUTES