

[CHAPTER 645]

AN ACT

To revise, codify, and enact into positive law, Title 18 of the United States Code, entitled "Crimes and Criminal Procedure".

June 25, 1948
[H. R. 3190]
[Public Law 772]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title 18 of the United States Code, entitled "Crimes and Criminal Procedure", is hereby revised, codified, and enacted into positive law, and may be cited as "Title 18, U. S. C., § —", as follows:

Title 18, U. S. Code.
Codification and enactment into positive law.

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

Part	Sec.	
I. CRIMES.....	1	<i>Infra.</i>
II. CRIMINAL PROCEDURE.....	3001	<i>Post</i> , p. 813.
III. PRISONS AND PRISONERS.....	4001	<i>Post</i> , p. 847.
IV. CORRECTION OF YOUTHFUL OFFENDERS.....	5001	<i>Post</i> , p. 856.

PART I—CRIMES

Chapter	Sec.
1. General provisions.....	1
3. Animals, birds and fish.....	41
5. Arson.....	81
7. Assault.....	111
9. Bankruptcy.....	151
11. Bribery and graft.....	201
13. Civil rights.....	241
15. Claims and services in matters affecting government.....	281
17. Coins and currency.....	331
19. Conspiracy.....	371
21. Contempts constituting crimes.....	401
23. Contracts.....	431
25. Counterfeiting and forgery.....	471
27. Customs.....	541
29. Elections and political activities.....	591
31. Embezzlement and theft.....	641
33. Emblems, insignia, and names.....	701
35. Escape and rescue.....	751
37. Espionage and censorship.....	791
39. Explosives and combustibles.....	831
41. Extortion and threats.....	871
43. False personation.....	911
45. Foreign relations.....	951
47. Fraud and false statements.....	1001
49. Fugitives from justice.....	1071
51. Homicide.....	1111
53. Indians.....	1151
55. Kidnaping.....	1201
57. Labor.....	1231
59. Liquor traffic.....	1261
61. Lotteries.....	1301
63. Mail fraud.....	1341
65. Malicious mischief.....	1361
67. Military and Navy.....	1381
69. Nationality and citizenship.....	1421
71. Obscenity.....	1461
73. Obstruction of justice.....	1501
75. Passports and visas.....	1541
77. Peonage and slavery.....	1581
79. Perjury.....	1621
81. Piracy and privateering.....	1651
83. Postal service.....	1691
85. Prison-made goods.....	1761
87. Prisons.....	1791
89. Professions and occupations.....	1821
91. Public lands.....	1851
93. Public officers and employees.....	1901
95. Racketeering.....	1951

Chapter	Sec.
97. Railroads	1991
99. Rape	2081
101. Records and reports.....	2071
103. Robbery and burglary.....	2111
105. Sabotage	2151
107. Seamen and stowaways.....	2191
109. Searches and seizures.....	2231
111. Shipping	2271
113. Stolen property.....	2311
115. Treason, sedition and subversive activities.....	2381
117. White slave traffic.....	2421

CHAPTER 1—GENERAL PROVISIONS

Sec.

1. Offenses classified.
2. Principals.
3. Accessory after the fact.
4. Misprision of felony.
5. United States defined.
6. Department and agency defined.
7. Special maritime and territorial jurisdiction of the United States defined.
8. Obligation or other security of the United States defined.
9. Vessel of the United States defined.
10. Interstate commerce and foreign commerce defined.
11. Foreign government defined.
12. Postal Service defined.
13. Laws of States adopted for areas within Federal jurisdiction.
14. Applicability to Canal Zone.

§ 1. OFFENSES CLASSIFIED

Notwithstanding any Act of Congress to the contrary:

- (1) Any offense punishable by death or imprisonment for a term exceeding one year is a felony.
- (2) Any other offense is a misdemeanor.
- (3) Any misdemeanor, the penalty for which does not exceed imprisonment for a period of six months or a fine of not more than \$500, or both, is a petty offense.

§ 2. PRINCIPALS

(a) Whoever commits an offense against the United States, or aids, abets, counsels, commands, induces, or procures its commission, is a principal.

(b) Whoever causes an act to be done, which if directly performed by him would be an offense against the United States, is also a principal and punishable as such.

§ 3. ACCESSORY AFTER THE FACT

Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.

Except as otherwise expressly provided by any Act of Congress, an accessory after the fact shall be imprisoned not more than one-half the maximum term of imprisonment or fined not more than one-half the maximum fine prescribed for the punishment of the principal, or both; or if the principal is punishable by death, the accessory shall be imprisoned not more than ten years.

§ 4. MISPRISION OF FELONY

Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than \$500 or imprisoned not more than three years, or both.

or uses the mails or any instrumentality of interstate commerce for the purpose of sending or bringing into any State or Territory any set of artificial teeth or prosthetic dental appliance or other denture, constructed from any cast or impression made by any person other than, or without the authorization or prescription of, a person licensed to practice dentistry under the laws of the place into which such denture is sent or brought, where such laws prohibit;

(1) the taking of impressions or casts of the human mouth or teeth by a person not licensed under such laws to practice dentistry;

(2) the construction or supply of dentures by a person other than, or without the authorization or prescription of, a person licensed under such laws to practice dentistry; or

(3) the construction or supply of dentures from impressions or casts made by a person not licensed under such laws to practice dentistry—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

CHAPTER 91.—PUBLIC LANDS

Sec.

- 1851. Coal depredations.
- 1852. Timber removed or transported.
- 1853. Trees cut or injured.
- 1854. Trees boxed for pitch or turpentine.
- 1855. Timber set afire.
- 1856. Fires left unattended and unextinguished.
- 1857. Fences destroyed; livestock entering.
- 1858. Survey marks destroyed or removed.
- 1859. Surveys interrupted.
- 1860. Bids at land sales.
- 1861. Deception of prospective purchasers.
- 1862. Trespass on Bull Run National Forest.

§ 1851. COAL DEPREDACTIONS

Whoever mines or removes coal of any character, whether anthracite, bituminous, or lignite, from beds or deposits in lands of, or reserved to the United States, with intent wrongfully to appropriate, sell, or dispose of the same, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

This section shall not interfere with any right or privilege conferred by existing laws of the United States.

§ 1852. TIMBER REMOVED OR TRANSPORTED

Whoever cuts, or wantonly destroys any timber growing on the public lands of the United States; or

Whoever removes any timber from said public lands, with intent to export or to dispose of the same; or

Whoever, being the owner, master, pilot, operator, or consignee of any vessel, motor vehicle, or aircraft or the owner, director, or agent of any railroad, knowingly transports any timber so cut or removed from said lands, or lumber manufactured therefrom—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

This section shall not prevent any miner or agriculturist from clearing his land in the ordinary working of his mining claim, or in the preparation of his farm for tillage, or from taking the timber necessary to support his improvements, or the taking of timber for the use of the United States; nor shall it interfere with or take away any right or privilege under any existing law of the United States to cut or remove timber from any public lands.

§ 1853. TREES CUT OR INJURED

Whoever unlawfully cuts, or wantonly injures or destroys any tree growing, standing, or being upon any land of the United States which,

in pursuance of law, has been reserved or purchased by the United States for any public use, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

§ 1854. TREES BOXED FOR PITCH OR TURPENTINE

Whoever cuts, chips, chops, or boxes any tree upon any lands belonging to the United States, or upon any lands covered by or embraced in any unperfected settlement, application, filing, entry, selection, or location, made under any law of the United States, for the purpose of obtaining from such tree any pitch, turpentine, or other substance; or

Whoever buys, trades for, or in any manner acquires any pitch, turpentine, or other substance, or any article or commodity made from any such pitch, turpentine, or other substance, with knowledge that the same has been so unlawfully obtained—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

§ 1855. TIMBER SET AFIRE

Whoever, willfully and without authority, sets on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned or leased by or under the partial, concurrent, or exclusive jurisdiction of the United States, or under contract for purchase or for the acquisition of which condemnation proceedings have been instituted, or upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

This section shall not apply in the case of a fire set by an allottee in the reasonable exercise of his proprietary rights in the allotment.

§ 1856. FIRES LEFT UNATTENDED AND UNEXTINGUISHED

Whoever, having kindled or caused to be kindled, a fire in or near any forest, timber, or other inflammable material upon any lands owned, controlled or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted, and including any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under the authority of the United States, or any Indian allotment while the title to the same is held in trust by the United States, or while the same shall remain inalienable by the allottee without the consent of the United States, leaves said fire without totally extinguishing the same, or permits or suffers said fire to burn or spread beyond his control, or leaves or suffers said fire to burn unattended, shall be fined not more than \$500 or imprisoned not more than six months, or both.

§ 1857. FENCES DESTROYED; LIVESTOCK ENTERING

Whoever knowingly and unlawfully breaks, opens, or destroys any gate, fence, hedge, or wall inclosing any lands of the United States reserved or purchased for any public use; or

Whoever drives any cattle, horses, hogs, or other livestock upon

any such lands for the purposes of destroying the grass or trees on said lands, or where they may destroy the said grass or trees; or

Whoever knowingly permits his cattle, horses, hogs, or other livestock to enter through any such inclosure upon any such lands of the United States, where such cattle, horses, hogs, or other livestock may or can destroy the grass or trees or other property of the United States on the said lands—

Shall be fined not more than \$500 or imprisoned not more than one year, or both.

This section shall not apply to unreserved public lands.

§ 1858. SURVEY MARKS DESTROYED OR REMOVED

Whoever willfully destroys, defaces, changes, or removes to another place any section corner, quarter-section corner, or meander post, on any Government line of survey, or willfully cuts down any witness tree or any tree blazed to mark the line of a Government survey, or willfully defaces, changes, or removes any monument or bench mark of any Government survey, shall be fined not more than \$250 or imprisoned not more than six months, or both.

§ 1859. SURVEYS INTERRUPTED

Whoever, by threats or force, interrupts, hinders, or prevents the surveying of the public lands, or of any private land claim which has been or may be confirmed by the United States, by the persons authorized to survey the same in conformity with the instructions of the Commissioner of the General Land Office, shall be fined not more than \$3,000 or imprisoned not more than three years, or both.

§ 1860. BIDS AT LAND SALES

Whoever bargains, contracts, or agrees, or attempts to bargain, contract, or agree with another that such other shall not bid upon or purchase any parcel of lands of the United States offered at public sale; or

Whoever, by intimidation, combination, or unfair management, hinders, prevents, or attempts to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

§ 1861. DECEPTION OF PROSPECTIVE PURCHASERS

Whoever, for a reward paid or promised to him in that behalf, undertakes to locate for an intending purchaser, settler, or entryman any public lands of the United States subject to disposition under the public-land laws, and who willfully and falsely represents to such intending purchaser, settler, or entryman that any tract of land shown to him is public land of the United States subject to sale, settlement, or entry, or that it is of a particular surveyed description, with intent to deceive the person to whom such representation is made, or who, in reckless disregard of the truth, falsely represents to any such person that any tract of land shown to him is public land of the United States subject to sale, settlement, or entry, or that it is of a particular surveyed description, thereby deceiving the person to whom such representation is made, shall be fined not more than \$300 or imprisoned not more than one year, or both.

§ 1862. TRESPASS ON BULL RUN NATIONAL FOREST

Whoever knowingly trespasses upon any part of the reserve known as Bull Run National Forest, in the Cascade Mountains, in the State of Oregon, or unlawfully enters thereon for the purpose of grazing stock, or engages in grazing stock thereon, or permits stock of any

kind to graze thereon, shall be fined not more than \$500 or imprisoned not more than six months, or both.

This section shall not apply to forest rangers and other persons employed by the United States to protect the forest, or to Federal and State officers and employees of the water board of the City of Portland, State of Oregon, in the discharge of their duties.

CHAPTER 93.—PUBLIC OFFICERS AND EMPLOYEES

Sec.

- 1901. Collecting or disbursing officer trading in public property.
- 1902. Disclosure of crop information and speculation thereon.
- 1903. Speculation in stocks or commodities affecting crop insurance.
- 1904. Disclosure of information or speculation in securities affecting Reconstruction Finance Corporation.
- 1905. Disclosure of confidential information generally.
- 1906. Disclosure of information by bank examiner.
- 1907. Disclosure of information by farm credit examiner.
- 1908. Disclosure of information by National Agricultural Credit Corporation examiner.
- 1909. Examiner performing other services.
- 1910. Nepotism in appointment of receiver or trustee.
- 1911. Receiver mismanaging property.
- 1912. Unauthorized fees for inspection of vessels.
- 1913. Lobbying with appropriated moneys.
- 1914. Salary of Government officials and employees payable only by United States.
- 1915. Compromise of customs liabilities.

§ 1901. COLLECTING OR DISBURSING OFFICER TRADING IN PUBLIC PROPERTY

Whoever, being an officer of the United States concerned in the collection or the disbursement of the revenues thereof, carries on any trade or business in the funds or debts of the United States, or of any State, or in any public property of either, shall be fined not more than \$3,000 or imprisoned not more than one year, or both; and shall be removed from office, and be incapable of holding any office under the United States.

§ 1902. DISCLOSURE OF CROP INFORMATION AND SPECULATION THEREON

Whoever, being an officer, employee or person acting for or on behalf of the United States or any department or agency thereof, and having by virtue of his office, employment or position, become possessed of information which might influence or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of such department or agency required to be withheld from publication until a fixed time, willfully imparts, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the department or agency to receive the same; or, before such information is made public through regular official channels, directly or indirectly speculates in any such product by buying or selling the same in any quantity, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

No person shall be deemed guilty of a violation of any such rules, unless prior to such alleged violation he shall have had actual knowledge thereof.

§ 1903. SPECULATION IN STOCKS OR COMMODITIES AFFECTING CROP INSURANCE

Whoever, while acting in any official capacity in the administration of any Act of Congress relating to crop insurance or to the Federal Crop Insurance Corporation speculates in any agricultural commodity or product thereof, to which such enactments apply, or in contracts relating thereto, or in the stock or membership interests of any association or corporation engaged in handling, processing, or disposing