

**48. Disposition of amounts received from State, Territory, etc.**—In carrying on work involving cooperation with any State, territory, or political subdivision thereof, the amounts received by the Geological Survey from any State, Territory, or political subdivision thereof shall be used to reimburse the appropriation from which the expense of such work is paid. (May 10, 1920, c. 277, § 1, 44 Stat. 487; Jan. 12, 1927, c. 27, § 1, 44 Stat. 963.)

The Acts cited to the text are the Interior Department Appropriation Acts.

### Chapter 3.—SUPERVISOR OF SURVEYS AND DEPUTY SURVEYORS.

★ **Section 53. Powers devolved on Commissioner of Land Office on turning over of papers to States.**—

"the preceding section" in line 3 of this section should read "section 54 of this title."

**55. Field notes delivered to States; access to.**—

This section contains a reference to deputy surveyors, but under the present organization and system of surveys there are no deputy surveyors. However the legislation relating to them has not been repealed and is therefore properly in the Code.

**61. Deputy surveyor; bond.**—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 46 Stat. 1020.

**62. Oath of deputy surveyor.**—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 46 Stat. 1020.

**63. Suit on bond of deputy.**—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 46 Stat. 1020.

### Chapter 4.—REGISTERS.

#### CROSS REFERENCE

As to transfer of records, etc., on abolition of last office in a State, see §§ 25 to 25b of this title.

★ **Section 74. Transfer of duties of register.**—

"Field Surveying Service" should read "Supervisor of Surveys" by virtue of § 51 of this title.

**75a. Administration of oaths by employee acting as register.**—A qualified employee of the Department of the Interior who has been designated to act as register of any United States land office pursuant to the provisions of section 73 of this title, may at all times administer any oath required by law or the instructions of the General Land Office in connection with the entry or purchase of any tract of public land, but he shall not charge or receive, directly or indirectly, any compensation for administering such oath. (May 17, 1926, c. 303, 44 Stat. 558.)

The Act cited to the text was entitled "An Act to authorize acting registers of United States land offices to administer oaths at any time in public land matters."

**80. Salary; maximum compensation.**—

This section is probably superseded by section 80a.

**80a. Salary, fees and commissions.**—From and after the beginning of the next fiscal year the compensation of registers of local land offices shall be a salary of \$1,000 per annum each and all fees and commissions now allowed by law to such registers, but the salary, fees, and commissions of such registers shall not exceed \$3,600 each per annum: *Provided*, That the salary of the register, of the Juneau land district, Alaska, shall be \$3,600 per annum. (May 21, 1928, c. 681, 45 Stat. 684.)

The Act cited to the text was entitled "An Act to fix the compensation of registers of local land offices, and for other purposes."

★ **90. Expenses incurred.**—

This section should be omitted from the Code as it is temporary legislation repeated from year to year in Appropriation Acts.

**95. Repayment of purchase moneys paid under applications rejected.**—

This section and §§ 96, 97, and 98 which follow relate to repayments and should be read in connection with §§ 262 and 263 of this title.

**96. Repayment of excess payments.**—

In connection with this section see note to § 95 of this title.

**97. Certification of amount of excess moneys and repayment.**—

In connection with this section see note to § 95 of this title.

**98. Rules and regulations.**—

In connection with this section see note to § 95 of this title.

**98a. Application of sections 95 to 98 to statutes relating to disposition of public lands.**—The provisions of sections 95 to 98 of this title are made applicable to all payments in excess of lawful requirements made under sections 181 to 203 of Title 30, and under any statute relating to the sale, entry, lease, or other disposition of the public lands. (June 27, 1930, c. 642, 46 Stat. 822.)

The Act cited to the text was entitled "An Act authorizing the repayment of rents and royalties in excess of requirements made under leases executed in accordance with the General Leasing Act of February 25, 1920."

★ **99. Repayment of moneys deposited and covered into Treasury.**—

"other than those specified in the four preceding sections" in lines 2 and 3 of this section should be omitted.

This section would more logically follow § 93.

### Chapter 5.—LAND DISTRICTS.

**Section 130. Entry of public lands in States where no land offices exist.**—

"Mar. 3, 1877, c. 102, 19 Stat. 815," should precede the citation at the end of this section as an additional citation.

### Chapter 6.—WITHDRAWAL FROM SETTLEMENT, LOCATION, SALE, OR ENTRY.

**Section 144. Entries on land withdrawn as valuable for oil or gas validated.**—

"Existing entries" at beginning of this section should read "Entries existing on February 7, 1925, and."

### Chapter 7.—HOMESTEADS.

#### GENERAL PROVISIONS

**Section 161. Who may enter unappropriated public lands generally.**—

This section correctly states the language of the statutory provision from which it is derived, but it is suggested that the section standing alone would permit entry under the homestead laws of all unappropriated public land, notwithstanding it may be mineral or saline land, or reserved, or within the limits of an incorporated town, or selected as the site of a city or town, or actually settled upon and occupied for purposes of trade and business. It has been suggested, therefore, that after "unappropriated" in line 7 these words be inserted: "unreserved, nonmineral, nonsaline" and after "lands" in the same line, "not within the limits of an incorporated town, nor selected as the site of a city or town, nor actually settled upon and occupied for purposes of trade and business."

**164. Certificate or patent generally; general requisites to issuance.**—

This section should be read in connection with § 231 of this title, as it authorizes the homesteader to be absent for but one continuous period of five months each year, whereas Acts Aug. 22, 1914, c. 270, 38 Stat. 704, and Feb. 25, 1919, c. 21, 40 Stat. 1153, carried into § 231 of this title, authorize two absences each year, and also a reduction in the period of residence.

★ **165. Suspension of entries for correction of clerical errors; patents.**—

This section should be omitted, as § 1165 covers the same subject matter and accurately states the law.