

TITLE 43.—PUBLIC LANDS

Chapter 1.—GENERAL LAND OFFICE.

CROSS REFERENCE

Right of action for death or personal injury within national park or other place under exclusive jurisdiction of United States as governed by State laws, see § 457 of Title 16, CONSERVATION.

Section 8. Clerk to sign land patents.—

This section was repeated in part in the Interior Department Appropriation Acts of May 10, 1926, c. 277, § 1, 44 Stat. 456, and Jan. 12, 1927, c. 27, § 1, 44 Stat. 637.

Act May 10, 1926, changed the provision from its former position under the heading "Office of the Secretary" to a place under the heading "General Land Office." It would seem, therefore, that the words "in the office of the Secretary of the Interior" in lines 1 and 2 of the section should read "in the General Land Office" by virtue of such change.

The Interior Department Appropriation Act of Mar. 7, 1928, c. 137, § 1, 45 Stat. 202, contains the following provision: "One clerk of grade 1, clerical, administrative, and fiscal service, who shall be designated by the President, to sign land patents."

★ 10. Depositary acting for commissioner as receiver of public moneys.—

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

18. Copies of papers filed.—

This section and §§ 10 to 22 of this title should be read in connection with §§ 488 to 492 of Title 5, EXECUTIVE DEPARTMENTS AND GOVERNMENT OFFICERS AND EMPLOYEES.

19. Certified copies of records.—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 48 Stat. 1029. Similar authority is conferred by section 488 of Title 5.

20. Exemplifications of records as evidence.—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 48 Stat. 1029. Similar provision is made by section 490 of Title 5.

21. Fees for exemplifications.—[Repealed.]

This section was repealed by Act Dec. 10, 1930, c. 14, § 1, 48 Stat. 1029. The subject matter is covered by section 488 of Title 5 and section 22 of this title.

22. Sale of photolithographic copies of township plats.—

As to admissibility in evidence of copies of records of General Land Office, see § 672 of Title 28, JUDICIAL CODE AND JUDICIARY. In connection with this section, see note to § 18.

23. Fees for depositions in hearings in land office.—Where depositions are taken for use in hearings or other proceedings held by order of the General Land Office to determine the character of lands; whether alleged fraudulent entries are of that character or have been made in compliance with law; and hearings in disbarment proceedings, the fees of the officer taking them shall be 25 cents per folio for taking and certifying same and 5 cents per folio for each copy furnished to a party on request. (Feb. 14, 1931, c. 187, 46 Stat. 1118.)

The provisions constituting this section was made permanent legislation by the act cited thereto. It has appeared in previous Appropriation Acts, but always in what seemed to be temporary form and sometimes in language varying from that above.

24. Travel by automobile.—Whenever the Commissioner of the General Land Office shall find that the expense of travel can be reduced thereby, he may, in lieu of actual operating expenses, under such regulations as he may prescribe, authorize the payment of not to exceed 7 cents per mile for an automobile used on official business. (May 10, 1926, c. 277, § 1, 44 Stat. 456; Jan. 12, 1927, c. 27, § 1, 44 Stat. 637.)

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

25. Records of land office; transfer on closing of last office in State.—Whenever the last United States land office in any State has been or after May 28, 1926, may be abolished the Secretary of the Interior be, and he is hereby, authorized to transfer to the State within which such United States land office was or is situated such transcripts, documents, and records of the office aforesaid as may not be required for use of the United States and which the State may desire to preserve. (May 28, 1926, c. 415, § 1, 44 Stat. 673.)

The Act cited to the text was entitled "An Act to provide for the transfer of certain records of the General Land Office to States, and for other purposes."

25a. Field notes and maps; transfer to State on closing of last land office in State.—When the public surveys in any State have been so far completed that in the opinion of the Secretary of the Interior it is no longer necessary to maintain a public survey office in said State, he may turn over to the State the field notes, maps, plats, records, and all other papers appertaining to land titles in such public survey office that may not be needed by the United States and which the State may elect to receive. (May 28, 1926, c. 415, § 2, 44 Stat. 673.)

For title of Act see note to § 25.

25b. Provision by State for preservation and access.—The transcripts, documents, records, field notes, maps, plats, and other papers mentioned in sections 25 and 25a of this title shall in no case be turned over to the authorities in any State until such State has provided by law for the reception and safe-keeping of same as public records, and for the allowance of free access to the same by the authorities of the United States. (May 28, 1926, c. 415, § 3, 44 Stat. 673.)

For title of Act see note to § 25.

Chapter 2.—GEOLOGICAL SURVEY.

Section 33. Detail of ordnance officers.—

The source of this section, namely, "Act June 10, 1880," cited thereto, used the term "Ordnance Corps" instead of "Ordnance Department." Authority for the substitution may be found either in section 5 of Act June 23, 1874, c. 458, 18 Stat. 245, or in the same Act as amended by Act July 7, 1898, c. 582, 30 Stat. 720.

The second citation to this section, namely, "June 3, 1916, c. 134, § 12, 39 Stat. 174" should be omitted as superfluous.

★ 46. Exchange of old freight-carrying vehicles as part payment for new.—

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

★ "passenger-carrying and" should be read into line 3 of this section after " worn-out."

47. Expenditures for benefit of Indians; report; reimbursement.—At the close of each fiscal year, the Director of the Geological Survey shall submit to the Secretary of the Interior a statement of all expenditures from this appropriation during the previous year for the benefit of any Indian tribe or allottee, in connection with the administration of the laws relating to the operation of oil, oil shale, and gas leases and to the mining of minerals other than oil, oil shale, and gas on Indian lands, and the Secretary of the Interior shall transmit the same annually to Congress on the first Monday in December with a report as to whether or not there are any funds available belonging to any beneficiary from which the Treasury might be reimbursed therefor. (May 10, 1926, c. 277, § 1, 44 Stat. 487.)

The Act cited to the text is the Interior Department Appropriation Act.