

**Executive Documents**

## TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

**§ 123a. Continuation of existing land districts and offices in Alaska; change of district boundaries, or discontinuance of districts; designation and location of land offices**

Subject to the authority conferred upon the Secretary of the Interior by this section, the land districts and land offices existing in Alaska on October 9, 1942 are continued. The Secretary of the Interior is authorized and empowered in his discretion to change the boundaries of, or discontinue, any land district in Alaska, and in lieu thereof to designate such land district, or land region, as, in his opinion, is necessary for the transaction of the business relating to the public lands in the Territory and to designate or change the location of any land office for such land district or land region.

(Oct. 9, 1942, ch. 584, § 6, 56 Stat. 779.)

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 365 of Title 48, Territories and Insular Possessions.

**Statutory Notes and Related Subsidiaries**

## LAND DISTRICTS AND LAND OFFICES CONTINUED

Provisions of acts Feb. 14, 1902, ch. 17, § 1, 32 Stat. 20; Mar. 2, 1907, ch. 2537, § 1, 34 Stat. 1232, which constituted former section 365 of Title 48, Territories and Insular Possessions, and were repealed by section 7 of Act Oct. 9, 1942, which enacted this section, read as follows: "There shall be two land districts in Alaska, the boundaries of which shall be designated by the President, to be known as the Nome land district and the Fairbanks land district, with the land offices located, respectively, at Nome, Alaska, and Fairbanks, Alaska, and one other land district and land office, the location of which shall be fixed by the President."

**§ 124. Consolidation of land offices**

It shall be the duty of the Secretary of the Interior to consolidate the district land offices where practicable and consistent with the public interests.

(Aug. 5, 1892, ch. 380, § 1, 27 Stat. 368.)

**Statutory Notes and Related Subsidiaries**

## APPROPRIATIONS

Act Mar. 3, 1893, ch. 208, 27 Stat. 591, required the Secretary of the Interior to consolidate the district land offices so as to bring the total compensation of the registers and receivers for the fiscal year 1894, within the appropriation made therefor by the sundry Civil Appropriation Act for that year, which was fixed at \$520,000.

**§ 125. Annexation of discontinued district to adjacent district**

Whenever the cost of collecting the revenue from the sales of the public lands in any land

district is as much as one-third of the whole amount of revenue collected in such district, it may be lawful for the President, if, in his opinion, not incompatible with the public interest, to discontinue the land office in such district, and to annex the same to some other adjoining land district.

(R.S. § 2250.)

**Editorial Notes**

## CODIFICATION

R.S. § 2250 derived from act Mar. 3, 1853, ch. 97, § 1, 10 Stat. 189, 194.

**Executive Documents**

## DELEGATION OF FUNCTIONS

For delegation to Secretary of the Interior of authority vested in President by this section, see Ex. Ord. No. 10250, June 5, 1951, 16 F.R. 5385, set out as a note under section 301 of Title 3, The President.

**§ 126. Change of location of land offices**

The President is authorized to change the location of the land offices in the several land districts established by law, and to relocate the same from time to time at such point in the district as he deems expedient.

(R.S. § 2251.)

**Editorial Notes**

## CODIFICATION

R.S. § 2251 derived from acts Mar. 3, 1853, ch. 97, § 1, 10 Stat. 204; Mar. 3, 1853, ch. 144, 10 Stat. 244.

**Executive Documents**

## DELEGATION OF FUNCTIONS

For delegation to Secretary of the Interior of authority vested in President by this section, see Ex. Ord. No. 10250, June 5, 1951, 16 F.R. 5385, set out as a note under section 301 of Title 3, The President.

**§ 127. Change of boundaries of land districts**

The President is authorized to change and reestablish the boundaries of land districts whenever, in his opinion, the public interests will be subserved thereby, without authority to increase the number of land offices or land districts.

(R.S. § 2253.)

**Editorial Notes**

## CODIFICATION

R.S. § 2253 derived from act June 29, 1870, ch. 171, 16 Stat. 171.

**Executive Documents**

## DELEGATION OF FUNCTIONS

For delegation to Secretary of the Interior of authority vested in President by this section, see Ex. Ord. No. 10250, June 5, 1951, 16 F.R. 5385, set out as a note under section 301 of Title 3, The President.

**§ 128. Division or change of boundaries; continuance of business of original district**

In case of the division of existing land districts by the erection of new ones, or by a

change of boundaries by the President, all business in such original districts shall be entertained and transacted without prejudice or change, until the offices in the new districts are duly opened by public announcement under the direction of the Secretary of the Interior. All sales or disposals of the public lands heretofore regularly made at any land office, after such lands have been made part of another district by any Act of Congress, or by any act of the President, are confirmed, provided the same are free from conflict with prior valid rights.

(R.S. § 2254.)

#### Editorial Notes

##### CODIFICATION

R.S. § 2254 derived from act May 31, 1872, ch. 241, 17 Stat. 192.

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#### § 129. Office rent and clerk hire for consolidated land offices

The Secretary of the Interior is authorized to make a reasonable allowance for office rent for each consolidated land office; and when satisfied of the necessity therefor, to approve the employment of one or more clerks, at a reasonable per diem compensation, for such time as such clerical force is absolutely required to keep up the current public business, which clerical force shall be paid out of the surplus fees authorized to be charged by section 84<sup>1</sup> of this title, if any, and if no surplus exists, then out of the appropriation for incidental expenses of district land offices; but no clerk shall be so paid unless his employment has been first sanctioned by the Secretary of the Interior.

(R.S. § 2255; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 84 of this title, referred to in text, was repealed by Pub. L. 86-649, title II, § 202(b), July 14, 1960, 74 Stat. 507. See section 1734 of this title.

##### CODIFICATION

R.S. § 2255 derived from act Feb. 18, 1861, ch. 38, § 2, 12 Stat. 131.

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Words "by the register" following "to approve the employment" omitted on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

#### § 130. Entry of public lands in States where no land offices exist

Public lands situated in States in which there are no land offices may be entered at the Bureau of Land Management, subject to the provisions of law touching the entry of public lands; and the necessary proofs and affidavits required in such cases may be made before some officer competent to administer oaths, whose official character shall be duly certified by the clerk of a court of record. And moneys received by the Secretary of the Interior, or such officer as he may designate, for lands entered by cash entry shall be covered into the Treasury.

(Mar. 3, 1877, ch. 102, § 1, 19 Stat. 315; June 19, 1878, ch. 329, § 1, 20 Stat. 201; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

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"Bureau of Land Management" substituted for "General Land Office" and "Secretary of the Interior, or such officer as he may designate," substituted for "Commissioner of the General Land Office" on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

#### CHAPTER 6—WITHDRAWAL FROM SETTLEMENT, LOCATION, SALE, OR ENTRY

##### Sec.

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| 141. | Repealed.   |
| 142. | Rights of occupants or claimants of oil- or gas-bearing lands; exceptions to withdrawals.   |
| 143. | Repealed.   |
| 144. | Entries on land withdrawn as valuable for oil or gas validated.   |
| 145. | Sale of lands withdrawn.  |
| 146. | Patents to purchasers of lands withdrawn.   |
| 147. | Disposition of proceeds of sale of withdrawn lands.   |
| 148. | Repealed.   |
| 149. | Exchange of private lands included in Indian reservation for other lands.   |
| 150. | Withdrawals of land for Indian reservations prohibited.   |
| 151. | Opening of lands restored to entry after withdrawals.   |
| 152. | Restoration of lands previously withdrawn.  |
| 153. | Reservation of lands in North Dakota.   |
| 154. | Vacation of withdrawals under reclamation law; lands valuable for minerals; reservation of rights, ways, and easements; rules and regulations.    |
| 155. | Withdrawal, reservation, or restriction of public lands for defense purposes; "public lands" defined; exception.                                  |
| 156. | Approval by Congress necessary for withdrawal, reservation, or restriction of over 5,000 acres for any Department of Defense project or facility. |
| 157. | Application for withdrawal, reservation, or restriction; specifications.  |

<sup>1</sup> See References in Text note below.