

ceeding six hundred and forty acres, including such mining improvements.

(R.S. § 2348.)

CODIFICATION

R.S. § 2348 derived from act Mar. 3, 1873, ch. 279, § 2, 17 Stat. 607.

INDIAN LANDS EXCEPTED

See note set out under section 71 of this title.

§ 73. Presentation of claims

All claims under section 72 of this title must be presented to the register of the proper land district within sixty days after the date of actual possession and the commencement of improvements on the land, by the filing of a declaratory statement therefor; but when the township plat is not on file at the date of such improvement, filing must be made within sixty days from the receipt of such plat at the district office.

(R.S. § 2349.)

CODIFICATION

R.S. § 2349 derived from act Mar. 3, 1873, ch. 279, § 3, 17 Stat. 607.

TRANSFER OF FUNCTIONS

Office of register of district land office abolished and all functions of register transferred to Secretary of the Interior, or to officers and agencies of Department of the Interior as Secretary may designate, by Reorg. Plan No. 3 of 1946, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, set out in the Appendix to Title 5, Government Organization and Employees.

See also note set out under section 1 of this title.

INDIAN LANDS EXCEPTED

See note set out under section 71 of this title.

§ 74. Number of coal land entries; other entries upon noncompliance with conditions

Sections 71 to 73 of this title shall be held to authorize only one entry by the same person or association of persons; and no association of persons any member of which shall have taken the benefit of such sections, either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions thereof; and no member of any association which shall have taken the benefit of such sections shall enter or hold any other lands under their provisions; and all persons claiming under section 72 of this title shall be required to prove their respective rights and pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and upon failure to file the proper notice, or to pay for the land within the required period, the same shall be subject to entry by any other qualified applicant.

(R.S. § 2350.)

CODIFICATION

R.S. § 2350 derived from act Mar. 3, 1873, ch. 279, § 4, 17 Stat. 607.

INDIAN LANDS EXCEPTED

See note set out under section 71 of this title.

§ 75. Conflicting claims upon coal lands; rules and regulations

In case of conflicting claims upon coal lands where the improvements shall be commenced, after the third day of March, 1873, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase. And also where improvements have already been made prior to the third day of March, 1873, division of the land claimed may be made by legal subdivisions, to include, as near as may be, the valuable improvements of the respective parties. The Director of the Bureau of Land Management is authorized to issue all needful rules and regulations for carrying into effect the provisions of this section and sections 71 to 74 of this title.

(R.S. § 2351; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

CODIFICATION

R.S. § 2351 derived from act Mar. 3, 1873, ch. 279, § 5, 17 Stat. 608.

TRANSFER OF FUNCTIONS

"Director of the Bureau of Land Management" substituted in text for "Commissioner of the General Land Office" on authority of Reorg. Plan No. 3 of 1946, § 403, set out in the Appendix to Title 5, Government Organization and Employees.

See also note set out under section 1 of this title.

INDIAN LANDS EXCEPTED

See note set out under section 71 of this title.

§ 76. Reservation of rights upon coal lands; sale of certain mining lands

Nothing in sections 71 to 75 of this title shall be construed to destroy or impair any rights which may have attached prior to the third day of March, 1873, or to authorize the sale of lands valuable for mines of gold, silver, or copper.

(R.S. § 2352.)

CODIFICATION

R.S. § 2352 derived from act Mar. 3, 1873, ch. 279, § 6, 17 Stat. 608.

INDIAN LANDS EXCEPTED

See note set out under section 71 of this title.

§ 77. Alabama coal lands; agricultural entry

Unreserved public lands containing coal deposits in the State of Alabama which on April 23, 1912, were being withheld from homestead entry under the provisions of section 171 of this title, may be entered under the homestead laws of the United States subject to the provisions, terms, conditions, and limitations prescribed in sections 83 to 85 of this title.

(Apr. 23, 1912, ch. 87, 37 Stat. 90.)

SUBCHAPTER II—COAL LAND ENTRIES UNDER NONMINERAL LAND LAWS WITH RESERVATION OF COAL TO UNITED STATES

§ 81. Rights of entrymen of lands subsequently classified as coal lands; disposal of coal deposits

Any person who has in good faith located, selected, or entered under the nonmineral land