

REFERENCES IN TEXT

This Act, referred to in text, means act Mar. 1, 1911, ch. 186, 36 Stat. 961, as amended, popularly known as the Weeks Law, which is classified to sections 480, 500, 513 to 519, 521, 552, and 563 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 552 of this title and Tables.

AMENDMENTS

1926—Act Dec. 11, 1926, amended act Mar. 1, 1911, constituting section 517 of this title, by inserting text of this section as a proviso thereof.

§ 518. Acquisition of lands not defeated by rights-of-way, easements, and reservations

Such acquisition by the United States shall in no case be defeated because of located or defined rights of way, easements, and reservations, which, from their nature will, in the opinion of the Secretary of Agriculture, in no manner interfere with the use of the lands so encumbered, for the purposes of this Act. Such rights of way, easements, and reservations retained by the owner from whom the United States receives title, shall be subject to the rules and regulations prescribed by the Secretary of Agriculture for their occupation, use, operation, protection, and administration, and such rules and regulations shall be expressed in and made part of the written instrument conveying title to the lands to the United States; and the use, occupation, and operation of such rights of way, easements, and reservations shall be under, subject to, and in obedience with the rules and regulations so expressed.

(Mar. 1, 1911, ch. 186, §9, 36 Stat. 962; Mar. 4, 1913, ch. 145, §1 (part), 37 Stat. 855; Pub. L. 94-588, §17(a)(5), Oct. 22, 1976, 90 Stat. 2962.)

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AMENDMENTS

1976—Pub. L. 94-588 struck out “the National Forest Reservation Commission and” after “in the opinion of”.

1913—Act Mar. 4, 1913, amended act Mar. 1, 1911, generally to provide that acquisition of lands under this section would not be defeated by rights of way, easements, and reservations retained by the owner from whom title is received.

§ 519. Agricultural lands included in tracts acquired; sale for homesteads

Inasmuch as small areas of land chiefly valuable for agriculture may of necessity or by inadvertence be included in tracts acquired under this Act, the Secretary of Agriculture may, in his discretion, and he is authorized, upon application or otherwise, to examine and ascertain the location and extent of such areas as in his opinion may be occupied for agricultural purposes without injury to the forests or to stream flow and which are not needed for public purposes, and may list and describe the same by metes and bounds, or otherwise, and offer them for sale as homesteads at their true value, to be

fixed by him, to actual settlers, in tracts not exceeding eighty acres, in area, under such rules and regulations as he may prescribe; and in case of such sale the jurisdiction over the lands sold shall, ipso facto, revert to the State in which the lands sold lie. And no right, title, interest, or claim in or to any lands acquired under this Act, or the waters thereon, or the products, resources, or use thereof after such lands shall have been so acquired, shall be initiated or perfected, except as in this section provided.

(Mar. 1, 1911, ch. 186, §10, 36 Stat. 962; Pub. L. 86-509, §1(k), June 11, 1960, 74 Stat. 205.)

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CODIFICATION

“Such rules and regulations as he may prescribe” was substituted for “such joint rules and regulations as the Secretary of Agriculture and the Secretary of the Interior may prescribe” in view of the transfer of functions under this section to the Secretary of Agriculture from the Secretary of the Interior by section 1(k) of Pub. L. 86-509, set out as a note under section 2201 of Title 7, Agriculture.

§ 519a. Transfer of forest reservation lands for military purposes

If any of the lands purchased or to be purchased by the United States under the provisions of the Act approved March 1, 1911, as amended, within the limits of townships 1, 2, and 3 north, ranges 9, 10, 11, 12, and 13, in Forest and Perry Counties, State of Mississippi, are determined to be chiefly valuable and necessary for a National Guard encampment and related military purposes, the Secretary of Agriculture may, and he is, authorized to convey full title to said lands to the State of Mississippi or the Department of the Army: *Provided*, That there is paid into the Treasury of the United States, or made available by transfer on the books of said Treasury, sums of money equal to the full amounts expended by the Department of Agriculture for the purchase of said lands, and the money so paid into or transferred on the books of the Treasury shall be available for expenditure by the Secretary of Agriculture for the purchase of other lands under the provisions of said Act of March 1, 1911, as amended.

(Mar. 2, 1935, ch. 21, 49 Stat. 37; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

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CODIFICATION

The words “with the consent and approval of the National Forest Reservation Commission established by section 4 of said Act of March 1, 1911 [16 U.S.C. 513]”,