

R.S. § 2220 derived from act Jan. 22, 1853, ch. 24, § 2, 10 Stat. 152.

#### 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.

“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.

#### § 56. Conditions of delivery to States

The field notes, maps, records, and other papers mentioned in section 53 of this title, shall in no case be turned over to the authorities of any State, until such State has provided by law for the reception and safe-keeping of the same as public records, and for the allowance of free access to the same by the authorities of the United States.

(R.S. § 2221.)

#### CODIFICATION

R.S. § 2221 derived from acts Jan. 22, 1853, ch. 24, § 3, 10 Stat. 152; June 6, 1874, ch. 223, § 3, 18 Stat. 62.

#### § 57. Authenticated copies or extracts from records as evidence

Any copy of or extract from the plats, field notes, records, or other papers of the offices of the former surveyors general for the districts of Oregon and California, when authenticated by the seal and signature of the Secretary of the Interior or such officer as he may designate, shall be evidence in all cases in which the original would be evidence.

(R.S. § 2224; Mar. 3, 1925, ch. 462, 43 Stat. 1144; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

#### CODIFICATION

This section is from a part of R.S. § 2224, as affected by act Mar. 3, 1925. The original text provided for the continuation of the use of the official seals authorized for the offices of the surveyors general of Oregon, California, and Louisiana. This provision was superseded by act Mar. 3, 1925 (classified to section 51 of this title), abolishing the office of surveyor-general. The rest of the section became inapplicable to Louisiana upon the discontinuance of the office of surveyor general of Louisiana pursuant to R.S. § 2218. The text of this section was changed to provide for authentication by the supervisor of surveys, instead of a surveyor-general, in view of act Mar. 3, 1925 (classified to section 51 of this title) abolishing the office of surveyor general and transferring its activities to the Field Surveying Service, under the jurisdiction of the U.S. Supervisor of Surveys. See, also, Transfer of Functions note below.

R.S. § 2224 derived from act Mar. 3, 1853, ch. 145, §§ 2, 11, 10 Stat. 245, 248.

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“Secretary of the Interior or such officer as he may designate” substituted for “Supervisor of Surveys” on

authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

#### § 58. Transcripts from records of Louisiana

Any copy of a plat of survey, or transcript from the records of the office of the former surveyor general of Louisiana, duly certified, shall be admitted as evidence in all the courts of the United States and the Territories thereof.

(R.S. § 2225.)

#### CODIFICATION

The word “former” was inserted in text before “surveyor general” because of the discontinuance of the office of surveyor general in Louisiana.

R.S. § 2225 derived from act Mar. 3, 1831, ch. 116, § 5, 4 Stat. 493.

#### § 59. Official papers in office of surveyor general in California; copies

All official books, papers, instruments of writing, documents, archives, official seals, stamps, or dies, which have been authorized by law to be collected and deposited in the surveyor general's office in California, shall be safely and securely kept by the Secretary of the Interior, or such officer as he may designate, in the archives of his office until disposed of as provided by law; and copies thereof, authenticated by the Secretary or such officer under his seal of office, shall be evidence in all cases where the originals would be evidence.

(R.S. § 2229; Mar. 3, 1925, ch. 462, 43 Stat. 1144; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100; Oct. 25, 1951, ch. 562, § 3(3), 65 Stat. 639.)

#### CODIFICATION

R.S. § 2229 derived from act May 18, 1858, ch. 39, § 1, 11 Stat. 289.

#### AMENDMENTS

1951—Act Oct. 25, 1951, inserted “until disposed of as provided by law”.

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“Secretary of the Interior or such officer as he may designate” substituted for “Supervisor of Surveys” on authority on section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

Previously, “Supervisor of Surveys” was substituted for “surveyor general” by act Mar. 3, 1925.

#### § 60. Stationery for mineral surveys

The stationery and drafting instruments purchased on and after March 3, 1901, for exclusive use of the Secretary of the Interior or such officers as he may designate in the preparation of plats and field notes of mineral surveys, as also the rent of additional quarters that may be necessary for the execution of such work, shall be paid for out of the fund created by deposits made by individuals to the credit of the United States to cover the cost of office work on such mineral surveys.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 1003; Mar. 3, 1925, ch. 462, 43 Stat. 1144; 1946 Reorg. Plan No.

3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

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“Secretary of the Interior or such officer as he may designate” substituted for “Field Surveying Service” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

Previously, “Field Surveying Service” substituted for “surveyors-general” on authority of act Mar. 3, 1925, which abolished office of surveyor general and transferred its activities to Field Surveying Service.

#### §§ 61 to 63. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029

Section 61, R.S. § 2230; act Mar. 3, 1925, ch. 462, 43 Stat. 1144, related to bonds for deputy surveyors.

Section 62, R.S. § 2231, act Mar. 3, 1925, ch. 462, 43 Stat. 1144, related to oath of deputy surveyors.

Section 63, R.S. § 2232; act Mar. 3, 1925, ch. 462, 43 Stat. 1144, related to suits on bond of deputy surveyors.

#### CHAPTER 4—DISTRICT LAND OFFICES

Sec.

- 70 to 74. Repealed or Omitted.
- 75. Administration of oaths.
- 75a to 79b. Repealed.
- 79c. Payment of fees, commissions, etc.; deposit in Treasury.
- 79d. Alaska land claimant liable for fees, commissions or purchase money; deposit in Treasury.
- 80 to 82. Repealed.
- 83. Transcripts of records as evidence.
- 84, 85. Repealed or Omitted.
- 86. Accounting for fees for notices of cancellation of entries.
- 87, 88. Repealed.
- 89. Monthly returns of district land offices.
- 90. Omitted.
- 91. Deposit in Treasury of unearned fees and unofficial moneys.
- 92. Lists furnished with deposits.
- 93. Deposit of moneys deposited by unknown parties.
- 94. Reimbursement of sums disbursed as special disbursing agents.
- 95 to 98a. Repealed.
- 99. Repayment of moneys deposited and covered into Treasury.
- 100. Disqualification.
- 101. Report of disqualification; designation of officer to act.
- 102. Attendance of witnesses.
- 103. Witnesses' fees.
- 104. Disobedience to subpoena.
- 105. Depositions of witnesses residing outside county.
- 106. Continuing taking of depositions in behalf of opposite party.
- 107. Penalty for false information.

#### §§ 70 to 73. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632, 638, 645, 646

Section 70, act Oct. 28, 1921, ch. 114, § 1, 42 Stat. 208, consolidated offices of register and receiver.

Section 71, act Mar. 3, 1925, ch. 462, 43 Stat. 1145, provided for consolidation of offices of register and receiver, effective July 1, 1925.

Section 72, R.S. § 2334; acts Jan. 27, 1898, ch. 10, 30 Stat. 234; Oct. 28, 1921, ch. 114, § 1, 42 Stat. 208; Mar. 3,

1925, ch. 462, 43 Stat. 1145; 1946 Reorg. Plan No. 3, § 403, 11 F.R. 7876, 60 Stat. 1100, related to duties of Secretary of the Interior concerning sale of public lands.

Section 73, act Oct. 28, 1921, ch. 114, § 2, 42 Stat. 208, related to designation of chief clerk to act in case of death, resignation, removal, or disability of register.

#### PRIOR PROVISIONS

Provisions similar to section 71 of this title were contained in the following prior appropriation acts:

- Jan. 24, 1923, ch. 42, 42 Stat. 1179.
- June 30, 1922, ch. 255, § 1, 42 Stat. 766.
- May 24, 1922, ch. 199, 42 Stat. 557.
- Mar. 24, 1921, ch. 161, 41 Stat. 1397.
- June 5, 1920, ch. 235, 41 Stat. 907.
- July 19, 1919, ch. 24, 41 Stat. 194.
- Act May 24, 1922, ch. 199, 42 Stat. 557, abolished land office at Springfield and offices of register and receiver thereat.

Act May 2, 1914, ch. 74, §§ 1, 2, 38 Stat. 371, 372, abolished office of receiver of public moneys at Springfield, Mo., transferred his duties and custody of books, records, etc., to register, and contained other provisions concerning register's duties.

Act. Mar. 2, 1895, ch. 177, § 3, 28 Stat. 807, required duplication of reports and returns of registers and receivers to be prevented by regulations.

Act. Oct. 1, 1890, ch. 1269, § 2, 26 Stat. 657, concerned taking of final proofs by remaining officer in case of a vacancy in office of register or receiver.

#### § 74. Omitted

#### CODIFICATION

Section, R.S. § 2228, acts Oct. 28, 1921, ch. 114, § 1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145, which authorized President to transfer duties of register in any district to Supervisor of Surveys, was omitted pursuant to Reorg. Plan No. 3 of 1946, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100. See note set out under section 1 of this title.

#### § 75. Administration of oaths

The officer designated by the Secretary of the Interior is authorized, and it shall be his duty, to administer any oath required by law or the instructions of the Bureau of Land Management, in connection with the entry or purchase of any tract of the public lands; but he shall not charge or receive, directly or indirectly, any compensation for administering such oath.

(R.S. § 2246; Oct. 28, 1921, ch. 114, § 1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

#### CODIFICATION

The words “or receiver” which followed “register” in the original text were omitted, in view of act Mar. 3, 1925 (classified to section 71 of this title), providing for the consolidation of the offices of register and receiver. See, also, Transfer of Functions note below.

R.S. § 2246 derived from act June 12, 1840, ch. 35, 5 Stat. 384.

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Reference to “register” changed to “officer designated by the Secretary of the Interior” and “Bureau of Land Management” substituted for “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.