

ing paragraphs of this subsection” for “, but only if all of the lands subject to that lease or permit are selected and if none of the lands subject to that lease or permit are in a producing or producible status; where lands subject to a mineral lease or permit are selected, the State or Territory shall succeed to the position of the United States thereunder”, in par. (3), and added pars. (4) and (5).

Subsec. (d)(1). Pub. L. 86-786, §2, included interest of United States in lands which have been disposed of with a reservation to United States of all minerals.

1958—Pub. L. 85-771 designated introductory clause as subsec. (a) and added restrictions (1) to (3) thereto; designated remainder as subsec. (b) and added subsecs. (c) and (d).

UNIVERSITY OF ALASKA; GRANTEE OF LANDS, IMPROVEMENTS, AND PERSONAL PROPERTY OF ALASKA AGRICULTURAL EXPERIMENT STATION

Pub. L. 102-415, §9, Oct. 14, 1992, 106 Stat. 2114, provided that: “Notwithstanding any other provision of law, the Secretary of the Interior shall convey to the University of Alaska, by quitclaim deed and without consideration, all the right, title, and interest of the United States in and to—

“(1) the lands of the University of Alaska Agricultural Experiment Station, consisting of approximately 16 acres, including improvements on the lands, located at Palmer and Matanuska, Alaska; and

“(2) the lands of the University of Alaska Fur Farm Experiment Station, consisting of approximately 37 acres, including improvements on the lands, located at Petersburg, Alaska, subject to the terms of—

“(A) the lease between the Forest Service and the University of Alaska dated March 29, 1978; and

“(B) the agreement between the parties listed in subparagraph (A) dated March 2, 1983.”

Pub. L. 89-620, Oct. 4, 1966, 80 Stat. 871, authorized the Secretary of Agriculture to convey by quitclaim deed and without consideration to the University of Alaska for public purposes all the right, title, and interest of the United States in and to the lands of the Alaska Agricultural Experiment Station, including improvements thereon, and such personal property as may be designated, located at Palmer and Matanuska, Alaska.

UNIVERSITY OF ALASKA; ADDITIONAL LAND GRANT FOR AGRICULTURAL COLLEGE AND SCHOOL OF MINES; CONDITIONS AND LIMITATION

Pub. L. 108-452, title I, §105(a), Dec. 10, 2004, 118 Stat. 3579, provided that: “As of January 1, 2003, the remaining State entitlement for the benefit of the University of Alaska under the Act of January 21, 1929 (45 Stat. 1091, chapter 92) [set out below], is 456 acres.”

Act Jan. 21, 1929, ch. 92, 45 Stat. 1091, as amended July 12, 1960, Pub. L. 86-620, 74 Stat. 408; Sept. 19, 1966, Pub. L. 89-588, 80 Stat. 811; Pub. L. 108-452, title I, §105(b), Dec. 10, 2004, 118 Stat. 3579, provided: “That in addition to the provision made by the Act of Congress approved March 4, 1915 (thirty-eighth Statutes at Large, page 1214 [classified to section 353 of Title 48, Territories and Insular Possessions, and provisions set out in the Site for Agricultural College and School of Mines note below], for the use and benefit of the Agricultural College and School of Mines, there is granted to the State of Alaska, for the exclusive use and benefit of the Agricultural College and School of Mines, one hundred thousand acres of vacant nonmineral surveyed unreserved public lands in the State of Alaska, to be selected, under the direction and subject to the approval of the Secretary of the Interior, by the State, and subject to the following conditions and limitations:

“SEC. 2. That the college and school provided for in this act shall forever remain under the exclusive control of the said State, and no part of the proceeds arising from the sale or disposal of any lands granted herein shall be used for the support of any sectarian or denominational college or school.

“SEC. 3. (a) The State of Alaska (referred to in this Act as the ‘State’), acting on behalf of, and with the approval of, the University of Alaska, may select—

“(1) any mineral interest (including an interest in oil or gas) in land located in the State, the unreserved portion of which is owned by the University of Alaska; or

“(2) any reversionary interest held by the United States in land located in the State, the unreserved portion of which is owned by the University of Alaska.

“(b) The total acreage of any parcel of land for which a partial interest is conveyed under subsection (a) shall be charged against the remaining entitlement of the State under this Act.

“(c) In taking title to a reversionary interest, the State, with the approval of the University of Alaska, waives all right to any future acreage credit if the reversion does not occur.

“SEC. 4. The Secretary may survey any vacant, unappropriated, and unreserved land in the State for purposes of allowing selections under this Act.

“SEC. 5. The authorized outstanding selections under this Act shall be not more than—

“(1) 125 percent of the remaining entitlement; plus

“(2) the number of acres of land that are in conflict with land owned by the University of Alaska, as identified in Native allotment applications on record with the Bureau of Land Management.”

UNIVERSITY OF ALASKA; SITE FOR AGRICULTURAL COLLEGE AND SCHOOL OF MINES

Section 2 of act Mar. 4, 1915, ch. 181, 38 Stat. 1215, provided: “That section numbered 6 in township numbered one south of the Fairbanks base line and range numbered one west of the Fairbanks meridian; section numbered thirty-one, in township numbered one north of the Fairbanks base line and range numbered one west of the Fairbanks meridian; section numbered one, in township numbered one south of the Fairbanks base line and range numbered two west of the Fairbanks meridian; and section numbered thirty-six, in township numbered one north of the Fairbanks base line and range numbered two west of the Fairbanks meridian, are granted to the Territory of Alaska, but with the express condition that they shall be forever reserved and dedicated to use as a site for an agricultural college and school of mines: *Provided*, That nothing in this Act [classified to section 353 of Title 48, Territories and Insular Possessions, and set out in this note] shall be held to interfere with or destroy any legal claim of any person or corporation to any part of said lands under the homestead [law, chapter 7 of this title.] or other law for the disposal of the public lands acquired prior to the approval of this Act [Mar. 4, 1915]: *Provided further*, That so much of the said land as is now [Mar. 4, 1915] used by the Government of the United States as an agricultural experiment station may continue to be used for such purpose until abandoned for that use by an order of the President of the United States or by Act of Congress.”

§ 852a. Applications for unsurveyed lands; regulations; acreage requirements

The Secretary of the Interior may issue regulations governing applications for unsurveyed lands. If he establishes any minimum acreage requirements, they shall provide for selection of tracts of reasonable size, taking into consideration location, terrain, and adjacent land ownership and uses.

(Pub. L. 89-470, §3, June 24, 1966, 80 Stat. 220.)

§ 852b. Survey of lands prior to transfer; time for survey; availability of funds; lands suitable for transfer

Prior to issuance of an instrument of transfer, lands must be surveyed. The Secretary of the Interior shall within five years, subject to the

availability of funds, survey the exterior boundaries of lands approved as suitable for transfer to the State.

(Pub. L. 89-470, § 4, June 24, 1966, 80 Stat. 220.)

§ 853. Selections in Utah to supply deficiencies of school lands

All the provisions of sections 851 and 852 of this title, which provide for the selection of lands for educational purposes in lieu of those appropriated for other purposes, are made applicable to the State of Utah, and the grant of school lands to said State, including sections 2 and 32 in each township, and indemnity therefor, shall be administered and adjusted in accordance with the provisions of said sections, anything in the Act approved July 16, 1894, providing for the admission of said State into the Union, to the contrary notwithstanding.

Wherever the words "sections 16 and 36" occur in said sections, the same as applicable to the State of Utah shall read: "sections 2, 16, 32, and 36", and wherever the words "sixteenth and thirty-sixth sections" occur the same shall read: "second, sixteenth, thirty-second, and thirty-sixth sections", and wherever the words "sections 16 or 36" occur the same shall read: "sections 2, 16, 32, or 36", and wherever the words "two sections" occur the same shall read "four sections."

(May 3, 1902, ch. 683, §§ 1, 2, 32 Stat. 188, 189.)

REFERENCES IN TEXT

Act approved July 16, 1894, referred to in text, is act July 16, 1894, ch. 138, 28 Stat. 107. Provisions of such act relating to admission of Utah into the Union are not classified to the Code.

§ 854. Selections in New Mexico to supply deficiencies of school lands

All the provisions of sections 851 and 852 of this title are made applicable to New Mexico, and the grant of school lands to said State, and indemnity therefor, shall be administered and adjusted in accordance with the provisions of such sections, anything in the Act of Congress approved June 21, 1898, making certain grants of land to the Territory of New Mexico, and for other purposes, to the contrary notwithstanding.

(Mar. 16, 1908, ch. 88, 35 Stat. 44.)

REFERENCES IN TEXT

Act of Congress approved June 21, 1898, referred to in text, is act June 21, 1898, ch. 489, 30 Stat. 484, which is not classified to the Code.

References to "Territory" of New Mexico were superseded by the admission of New Mexico into the Union by act June 30, 1910, ch. 310, 36 Stat. 557, and Res. Aug. 21, 1911, No. 8, 37 Stat. 39.

§ 855. Omitted

CODIFICATION

Section, act Mar. 2, 1923, ch. 184, 42 Stat. 1429, authorized Secretary of the Interior to convey certain lands to State of Wyoming which were to be selected in lieu of tract numbered 60, township 56, north, of range 69 west of the sixth principal meridian in that State.

§ 856. Selection of school lands on ceded Indian reservations

Any State or Territory entitled to indemnity school lands or entitled to select lands for educational purposes under law existing prior to March 2, 1895, may select such lands within the boundaries of any Indian reservation in such State or Territory from the surplus lands thereof, purchased by the United States after allotments have been made to the Indians of such reservation, and prior to the opening of such reservation to settlement.

(Mar. 2, 1895, ch. 188, § 1, 28 Stat. 899.)

§ 857. Grant to new States

There is granted, for purposes of internal improvement, to each new State admitted into the Union, after September 4, 1841, upon such admission, so much public land as, including the quantity that was granted to such State before its admission and while under a territorial government, will make five hundred thousand acres.

The selections of lands, granted in this section, shall be made within the limits of each State so admitted into the Union, in such manner as the legislatures thereof, respectively, may direct; and such lands shall be located in parcels conformably to sectional divisions and subdivisions of not less than three hundred and twenty acres in any one location, on any public land not reserved from sale by law of Congress or by proclamation of the President. The locations may be made at any time after the public lands in any such new State have been surveyed according to law.

(R.S. §§ 2378, 2379.)

CODIFICATION

R.S. §§ 2378, 2379 derived from act Sept. 4, 1841, ch. 16, § 8, 5 Stat. 455.

GRANTS NOT TO EXTEND TO ALASKA

Admission of Alaska into the Union was accomplished Jan. 3, 1959, on issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

Land grant under Alaska Statehood provisions in lieu of grant of land under this section (declared not to extend to Alaska), see section 6(l) of Pub. L. 85-508, set out as a note preceding section 21 of Title 48.

§ 858. Grants to counties for seats of justice

There shall be granted to the several counties or parishes of each State and Territory, where there are public lands, at the minimum price for which public lands of the United States are sold, the right of preemption to one quarter section of land, in each of the counties or parishes, in trust for such counties or parishes, respectively, for the establishment of seats of justice therein; but the proceeds of the sale of each of such quarter section shall be appropriated for the purpose of erecting public buildings in the county or parish for which it is located, after deducting therefrom the amount originally paid for the same. And the seat of justice for such counties or parishes, respectively, shall be fixed previously to a sale of the adjoining lands within the county or parish for which the same is located.