

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References to "Territory" of New Mexico were superseded by the admission of New Mexico into the Union by act June 30, 1910, ch. 310, 36 Stat. 557, and Res.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.