

by and at the expense of the United States are no longer needed for the purpose for which they were withdrawn and improved, the Secretary of the Interior may appraise the lands, together with the improvements thereon, and thereafter sell the same to a citizen of the United States for not less than the appraised value at public auction to the highest bidder, after giving public notice of the time and place of sale by posting upon the land and publication for not less than thirty days in a newspaper of general circulation in the vicinity of the land.

(Jan. 26, 1921, ch. 27, § 1, 41 Stat. 1089.)

#### REFERENCES IN TEXT

Section 141 of this title, referred to in text, was repealed by Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792.

#### § 146. Patents to purchasers of lands withdrawn

Upon payment of the purchase price the Secretary of the Interior is authorized by appropriate patent to convey all the right, title, and interest in and to said lands to the purchaser at said sale, subject, however, to such reservations, limitations, or conditions as said Secretary may deem proper: *Provided*, That not over one hundred and sixty acres shall be sold to any one person: *Provided further*, That any patent issued hereunder shall contain a reservation to the United States of all oil, gas, coal, and other mineral.

(Jan. 26, 1921, ch. 27, § 2, 41 Stat. 1089.)

#### § 147. Disposition of proceeds of sale of withdrawn lands

The moneys derived from the sale of such lands and improvements shall be disposed of as are other receipts from the sale and disposal of public lands.

(Jan. 26, 1921, ch. 27, § 3, 41 Stat. 1090.)

#### § 148. Repealed. Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792

Section, acts June 25, 1910, ch. 431, § 13, 36 Stat. 858; June 29, 1960, Pub. L. 86-533, § 1(13), 74 Stat. 248, authorized withdrawal of lands in Indian reservations for power or reservation sites.

#### EFFECTIVE DATE OF REPEAL

Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792, provided that the repeal made by section 704(a) is effective on and after Oct. 21, 1976.

#### SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

#### § 149. Exchange of private lands included in Indian reservation for other lands

Any private land over which an Indian reservation has been extended by Executive order, may be exchanged at the discretion of the Secretary of the Interior and at the expense of the owner thereof and under such rules and regulations as may be prescribed by the Secretary of the Interior, for vacant, nonmineral, nontimbered, surveyed public lands of equal area and

value and situated in the same State or Territory.

(Apr. 21, 1904, ch. 1402, § 1, 33 Stat. 211.)

#### § 150. Withdrawals of land for Indian reservations prohibited

No public lands of the United States shall be withdrawn by Executive Order, proclamation, or otherwise, for or as an Indian reservation except by act of Congress.

(June 30, 1919, ch. 4, § 27, 41 Stat. 34.)

#### § 151. Opening of lands restored to entry after withdrawals

When public lands are excluded from national forests or released from withdrawals the President may, whenever in his judgment it is proper or necessary, provide for the opening of the lands by settlement in advance of entry, by drawing, or by such other method as he may deem advisable in the interest of equal opportunity and good administration, and in doing so may provide that lands so opened shall be subject only to homestead entry by actual settlers only or to entry under the desert-land laws for a period not exceeding ninety days, the unentered lands to be thereafter subject to disposition under the public-land laws applicable thereto.

(Sept. 30, 1913, ch. 15, § 1, 38 Stat. 113.)

#### § 152. Restoration of lands previously withdrawn

Where under the law the Secretary of the Interior is authorized or directed to make restoration of lands previously withdrawn he may also restrict the restoration as prescribed in section 151 of this title.

(Sept. 30, 1913, ch. 15, § 2, 38 Stat. 114.)

#### § 153. Reservation of lands in North Dakota

Upon receipt of a proper deed from the State of North Dakota, executed under authority of the act of its legislative assembly, approved February 5, 1915, reconveying to the United States title to section 16, township 138 north, range 81 west, fifth principal meridian, the Secretary of the Interior is authorized to issue patents to said State for such vacant, surveyed, unreserved, unoccupied, nonmineral public lands as may be selected by said State within its boundaries, not exceeding one thousand two hundred and eighty acres in aggregate area, and said section when so reconveyed shall not be subject to settlement, location, entry, or selection under the public land laws, but shall be reserved for the use of the Department of Agriculture in carrying on experiments in dry-land agriculture at the Northern Great Plains Field Station, Mandan, North Dakota.

(July 3, 1916, ch. 219, 39 Stat. 344.)

#### § 154. Vacation of withdrawals under reclamation law; lands valuable for minerals; reservation of rights, ways, and easements; rules and regulations

Where public lands of the United States have been withdrawn for possible use for construction