

(R.S. §2245; 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 office of receiver consolidated with that of register by act Mar. 3, 1925, under a register only, the office of receiver being abolished. See, also, Transfer of Functions note below.

R.S. §2245 derived from act July 4, 1836, ch. 352, §9, 5 Stat. 111.

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 “registers”, “district land offices” substituted for “their several offices”, and former last sentence relating to returns to Commissioner of the General Land Office omitted on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

§ 90. Omitted

CODIFICATION

Section, act July 1, 1946, ch. 529, 60 Stat. 352, which required authorization of Commissioner of the General Land Office for expenses chargeable to the Government incurred by registers, was omitted pursuant to Reorg. Plan No. 3 of 1946, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, set out as a note under section 1 of this title, which abolished the offices of registers and Commissioner of the General Land Office. Section was not repeated in the Interior Department Appropriation Act, 1948, act July 25, 1947, ch. 337, 61 Stat. 460. Similar provisions were contained in the following prior appropriation acts:

July 3, 1945, ch. 262, 59 Stat. 323.
 June 28, 1944, ch. 298, 58 Stat. 468.
 July 12, 1943, ch. 219, 57 Stat. 455.
 July 2, 1942, ch. 473, 56 Stat. 511.
 June 28, 1941, ch. 259, 55 Stat. 310.
 June 18, 1940, ch. 395, 54 Stat. 412.
 May 10, 1939, ch. 119, 53 Stat. 692.
 May 9, 1938, ch. 187, 52 Stat. 297.
 Aug. 9, 1937, ch. 570, 50 Stat. 569.
 June 22, 1936, ch. 691, 49 Stat. 1762.
 May 9, 1935, ch. 101, 49 Stat. 180.
 Mar. 2, 1934, ch. 38, 48 Stat. 366.
 Feb. 17, 1933, ch. 98, 47 Stat. 823.
 Apr. 22, 1932, ch. 125, 47 Stat. 93.
 Feb. 14, 1931, ch. 187, 46 Stat. 1117.
 May 14, 1930, ch. 273, 46 Stat. 283.
 Mar. 4, 1929, ch. 705, 45 Stat. 1565.
 Mar. 7, 1938, ch. 137, 45 Stat. 203.
 Jan. 12, 1927, ch. 27, 44 Stat. 938.
 May 10, 1926, ch. 277, 44 Stat. 457.
 June 5, 1924, ch. 264, 43 Stat. 395.
 Jan. 24, 1923, ch. 42, 42 Stat. 1179.
 May 24, 1922, ch. 199, 42 Stat. 557.
 June 12, 1917, ch. 27, 40 Stat. 142.
 Mar. 3, 1915, ch. 75, 38 Stat. 855.

§ 91. Deposit in Treasury of unearned fees and unofficial moneys

Officers of district land officers, as designated by the Secretary of the Interior are authorized, under the direction of the Secretary of the Interior or such officer as he may designate, to deposit to the credit of the Treasurer of the United States all unearned fees and unofficial moneys

that have been carried upon the books of their respective offices for a period of five years or more, which sums shall be covered into the Treasury by warrant and carried to the credit of the parties from whom such fees or moneys were received, and into an appropriation account to be denominated “Outstanding liabilities.”

(Mar. 2, 1907, ch. 2562, §1, 34 Stat. 1245; 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

This section, as originally enacted, related to receivers of public moneys for land districts. The office of receiver was consolidated with that of register by acts Mar. 3, 1925, and Oct. 28, 1921, under which the office of receiver was abolished. See, also, Transfer of Functions note below.

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.

“Officers of district land offices, as designated by the Secretary of the Interior,” substituted for “registers” and “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.

APPROPRIATIONS

Effective July 1, 1935, the appropriation provided for in this section was repealed and provision was made for annual appropriations of sums necessary to meet expenditures by act June 26, 1934, ch. 756, §17, 48 Stat. 1230, which was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1074. See section 1322 of Title 31, Money and Finance.

§ 92. Lists furnished with deposits

At the time of making such deposit the officer designated by the Secretary of the Interior shall furnish a list showing the date when the money was paid to him or to his predecessor; the names and residences of the parties; the purposes of the payments and the amounts thereof, which list shall bear the certificate of the officer that the same is correct; that the amounts are due and payable; that diligence has been exercised to return the same, and that the sums specified have remained unclaimed for a period of five years or more.

(Mar. 2, 1907, ch. 2562, §2, 34 Stat. 1245; 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.)

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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.

Words "officer designated by the Secretary of the Interior" and "officer" substituted for "register" on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

§ 93. Deposit of moneys deposited by unknown parties

Amounts that appear in the accounts of a district land office as "Moneys deposited by unknown parties" shall also be deposited to the credit of the Treasurer of the United States, accompanied by a list showing the amount and, if possible, the date of the receipt of each item; which list shall bear the certificate of the officer designated by the Secretary of the Interior that, after careful investigation, the ownership of said moneys could not be determined, and that they have been reported in the unearned fees and unofficial moneys accounts for five years or more.

(Mar. 2, 1907, ch. 2562, § 3, 34 Stat. 1245; 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.)

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Words "the accounts of a district land office" substituted for "a register's accounts" and "officer designated by the Secretary of the Interior" substituted for "register" on authority of section 403 of 1946 Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

§ 94. Reimbursement of sums disbursed as special disbursing agents

The Secretary of the Treasury is authorized and directed to pay, out of any unexpended balances of appropriations for contingent expenses of land offices, for the expenses of hearings in land entries and the expenses of depositing public moneys, such sums as have been or may be disbursed by officers designated by the Secretary of the Interior acting as special disbursing agents at United States land offices, before the receipt of Government funds: *Provided*, That no payment shall be made under this section in excess of the amount appropriated by the Congress for the particular purpose in each instance and for the fiscal year in which such disbursements were made: *Provided*, That all such disbursements shall have been or shall be made in pursuance of law in carrying out departmental regulations or to meet authorizations by the Secretary of the Interior or such officer as he may designate: *Provided further*, That the accounts containing such items shall have been duly approved by the Secretary of the Interior or such officer as he may designate.

(Mar. 2, 1907, ch. 2563, 34 Stat. 1245; 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.)

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§§ 95 to 98a. Repealed. Pub. L. 86-649, title II, § 204(b), July 14, 1960, 74 Stat. 507

Section 95, acts Mar. 26, 1908, ch. 102, § 1, 35 Stat. 48; Dec. 11, 1919, ch. 5, 41 Stat. 366, related to repayment of purchase moneys paid under applications rejected.

Section 96, acts Mar. 26, 1908, ch. 102, § 2, 35 Stat. 48; Dec. 11, 1919, ch. 5, 41 Stat. 366, related to repayment of excess payments.

Section 97, acts Mar. 26, 1908, ch. 102, § 3, 35 Stat. 48; Dec. 11, 1919, ch. 5, 41 Stat. 366; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to certification of amount of excess moneys and repayment.

Section 98, act Mar. 26, 1908, ch. 102, § 4, as added Dec. 11, 1919, ch. 5, 41 Stat. 367, related to rules and regulations.

Section 98a, act June 27, 1930, ch. 642, 46 Stat. 822, made sections 95 to 98 of this title applicable to all payments in excess of lawful requirements made under statutes relating to disposition of public lands.

§ 99. Repayment of moneys deposited and covered into Treasury

Any person or persons who shall have made payment to an officer designated by the Secretary of the Interior or to his predecessor, and the money shall have been covered into the Treasury pursuant to section 91 or 93 of this title, shall, on presenting satisfactory evidence of such payment to the Government Accountability Office, be entitled to have the same returned by the settlement of an account and the issuing of a warrant in his favor according to the practice in other cases of authorized and liquidated claims against the United States: *Provided*, That when such moneys shall remain unclaimed in the Treasury for more than five years the right to recover the same shall be barred: *Provided*, That no homestead entryman shall be required to make payment of the purchase money on any application to make a cash entry until the same shall have been approved by the officer designated by the Secretary of the Interior, but such payment shall be made within ten days after notice of such approval.

(Mar. 2, 1907, ch. 2562, § 4, 34 Stat. 1245; June 10, 1921, ch. 18, title III, § 304, 42 Stat. 24; Oct. 28, 1921, ch. 114, § 1, 42 Stat. 208; Mar. 3, 1925, ch. 462,