

persons maintaining a settlement claim on public land on April 29, 1950 if notice of location had not previously been filed, was transferred to section 270-5 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 371b, act Apr. 29, 1950, ch. 137, §3, 64 Stat. 95, which specified the effect of failing to file the notice of settlement required by section 371a of this title, was transferred to section 270-6 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 371c, acts Apr. 29, 1950, ch. 137, §4, 64 Stat. 95; July 11, 1956, ch. 571, §2, 70 Stat. 529, which provided for final or homestead proof on unsurveyed land as a basis for free survey and set a time limit therefor, was transferred to section 270-7 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

### § 372. Omitted

#### CODIFICATION

Section, acts June 5, 1920, ch. 265, 41 Stat. 1059; Aug. 3, 1955, ch. 496, §3, 69 Stat. 444, which modified restrictions upon location of homestead sites, was omitted in view of admission of Alaska into the Union.

### §§ 373 to 385. Transferred

#### CODIFICATION

Section 373, acts July 8, 1916, ch. 228, §1, 39 Stat. 352; June 28, 1918, ch. 110, 40 Stat. 632, which set a limit on the amount of homestead entries, was transferred to section 270-8 of Title 43, Public Lands, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 374, acts July 8, 1916, ch. 228, §1, 39 Stat. 352; June 28, 1918, ch. 110, 40 Stat. 632, which permitted a homestead entry in Alaska notwithstanding a former homestead entry in another state or territory, was transferred to section 270-9 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 375, act July 8, 1916, ch. 228, §2, as added June 28, 1918, ch. 110, 40 Stat. 633; amended Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1144; July 11, 1956, ch. 571, §1, 70 Stat. 528, which made provision for proof of entry on unsurveyed lands, was transferred to section 270-10 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 376, acts Mar. 8, 1922, ch. 96, §1, 42 Stat. 415; Aug. 23, 1958, Pub. L. 85-725, §1, 72 Stat. 730, which covered claims on land containing coal, oil, and gas, was transferred to section 270-11 of Title 43, and was subsequently repealed by Pub. L. 94-579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 377, acts Mar. 8, 1922, ch. 96, §2, 42 Stat. 416; Aug. 23, 1958, Pub. L. 85-725, §2, 72 Stat. 730, which called for the inclusion, in the patent for lands containing coal, oil, and gas, of a reservation to the United States of such minerals together with the right to prospect for, mine, and remove the same, was transferred to section 270-12 of Title 43.

Section 377a, act Mar. 8, 1922, ch. 96, §3, as added Aug. 17, 1961, Pub. L. 87-147, 75 Stat. 384; amended Oct. 3, 1962, Pub. L. 87-742, 76 Stat. 740, which allowed the Secretary of the Interior to make disposition of lands known to contain coal, oil, or gas, was transferred to section 270-13 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 378, act July 8, 1916, ch. 228, §3, formerly §2, 39 Stat. 352, renumbered June 28, 1918, ch. 110, 40 Stat. 633, which excepted from homestead settlement and entry the lands in the Annette and Pribilof Islands, islands leased or occupied for the propagation of foxes, and other islands reserved or withdrawn from settlement or entry, was transferred to section 270-14 of Title

43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 379, acts Apr. 13, 1926, ch. 121, §1, 44 Stat. 243; Apr. 29, 1950, ch. 134, §3, 64 Stat. 93, which permitted departure from the system of rectangular forms made by north-south lines in setting out homestead claims when local or topographic conditions required, was transferred to section 270-15 of Title 43, and was subsequently repealed by Pub. L. 94-579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 380, acts Oct. 28, 1921, ch. 114, §1 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1144; Apr. 13, 1926, ch. 121, §2, 44 Stat. 244, which made provision for the survey of soldier's additional entry, was transferred to section 270-16 of Title 43, and was subsequently repealed by Pub. L. 94-579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 380a, act Apr. 13, 1926, ch. 121, §3, 44 Stat. 244, which provided for the disposition of sums deposited was transferred to section 270-17 of Title 43, and was subsequently repealed by Pub. L. 94-579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 381, acts June 6, 1900, ch. 786, §26, 31 Stat. 329; May 31, 1938, ch. 297, 52 Stat. 588; Aug. 8, 1947, ch. 514, §1, 61 Stat. 916; Aug. 14, 1958, Pub. L. 85-662, 72 Stat. 615, which extended the mining laws of the United States to the Territory of Alaska, was transferred to section 49a of Title 30, Mineral Lands and Mining.

Section 381a, act May 4, 1934, ch. 211, §§2, 3, 48 Stat. 663, which extended the mining laws relating to placer claims to the Territory of Alaska, was transferred to section 49b of Title 30.

Section 381b, act May 4, 1934, ch. 211, §3, 48 Stat. 663, which related to effective date of section 381a of this title, is set out as a note under section 49b of Title 30.

Section 382, act June 6, 1900, ch. 786, §15, 31 Stat. 327, which required recording notices of location of mining claims, was transferred to section 49c of Title 30.

Section 383, act June 6, 1900, ch. 786, §16, 31 Stat. 328, which authorized regulations for recording notices of location of mining claims, and legalized certain records, was transferred to section 49d of Title 30.

Section 384, act Mar. 2, 1907, ch. 2559, §1, 34 Stat. 1243, which required annual labor or improvements on mining claims, was transferred to section 49e of Title 30.

Section 385, act Mar. 2, 1907, ch. 2559, §2, 34 Stat. 1243, which prescribed the fees for filing proofs of work and improvements, was transferred to section 49f of Title 30.

### § 386. Repealed. Pub. L. 87-260, § 1, Sept. 21, 1961, 75 Stat. 541

Section, act June 7, 1910, ch. 265, 36 Stat. 459, permitted adverse claims provided for in sections 29 and 30 of Title 30, Mineral Lands and Mining, to be filed at any time during the 60 days' period of publication or within eight months thereafter, and adverse suits provided for in section 30 of Title 30, to be instituted at any time within 60 days after the filing of said claims in the local land office.

### §§ 387 to 391. Repealed. May 4, 1934, ch. 211, § 1, 48 Stat. 663

Section 387, act Aug. 1, 1912, ch. 269, §1, 37 Stat. 242, related to limiting association placer-mining claims.

Section 388, act Aug. 1, 1912, ch. 269, §2, 37 Stat. 243, related to restrictions on power of attorney to locate placer-mining claims.

Section 389, act Aug. 1, 1912, ch. 269, §3, 37 Stat. 243, related to restrictions on placer locations.

Section 390, acts Aug. 1, 1912, ch. 269, §4, 37 Stat. 243; Mar. 3, 1925, ch. 442, 43 Stat. 1118, related to area and shape of placer claims.

Section 391, act Aug. 1, 1912, ch. 269, §5, 37 Stat. 243, related to placer locations in violation of law.

See, now, sections 35 to 37 of Title 30, Mineral Lands and Mining.

**§ 392. Omitted**

## CODIFICATION

Section, act May 14, 1898, ch. 299, §13, 30 Stat. 415, which provided for reciprocity with Canada as to mining rights, was omitted in view of the admission of Alaska into the Union.

**§§ 395 to 405. Omitted**

## CODIFICATION

Sections 395 to 405, relating to the Territory of Alaska, were omitted in view of the admission of Alaska into the Union.

Section 395, act June 25, 1910, ch. 422, §1, 36 Stat. 848, authorized a miners' labor lien on output, and provided for its priority.

Section 396, act June 25, 1910, ch. 422, §2, 36 Stat. 848, required the filing of the claim of the lien, and prescribed the form of the claim.

Section 397, act June 25, 1910, ch. 422, §3, 36 Stat. 849, directed the recorder to record claims of lien.

Section 398, act June 25, 1910, ch. 422, §4, 36 Stat. 849, specified the duration of the lien.

Section 399, act June 25, 1910, ch. 422, §5, 36 Stat. 849, prescribed the procedure for foreclosure of the liens.

Section 400, act June 25, 1910, ch. 422, §6, 36 Stat. 849, authorized defects in lien notice or in proceedings to foreclose to be cured by amendment.

Section 401, act June 25, 1910, ch. 422, §7, 36 Stat. 850, prescribed certain procedures in proceedings to foreclose liens, and permitted intervention by adverse claimants.

Section 402, act June 25, 1910, ch. 422, §8, 36 Stat. 850, provided for joinder of plaintiffs, consolidation of actions, and waiver of lien.

Section 403, act June 25, 1910, ch. 422, §9, 36 Stat. 850, required judgment for claimants, and provided for its enforcement.

Section 404, act June 25, 1910, ch. 422, §10, 36 Stat. 851, permitted appeals from final judgments of justices of the peace in actions under sections 395 to 405 of this title.

Section 405, act June 25, 1910, ch. 422, §11, 36 Stat. 851, prescribed the criminal liability for buying, removing, etc., minerals with notice of lien.

**§§ 411 to 423. Transferred**

## CODIFICATION

Section 411, act May 14, 1898, ch. 299, §2, 30 Stat. 409, which granted railroads rights of way, reserved mineral interests therein, and directed posting of schedules of rates, was transferred to section 942-1 of Title 43, Public Lands.

Section 412, act May 14, 1898, ch. 299, §3, 30 Stat. 410, which provided for rights of several roads through canyons, was transferred to section 942-2 of Title 43.

Section 413, acts June 2, 1864, ch. 216, §3, 13 Stat. 357; May 14, 1898, ch. 299, §4, 30 Stat. 410, which granted the right of condemnation to railroads, was transferred to section 942-3 of Title 43.

Section 414, act May 14, 1898, ch. 299, §4, 30 Stat. 410, which related to the effect of filing of the preliminary survey, was transferred to section 942-4 of Title 43.

Section 415, act May 14, 1898, ch. 299, §5, 30 Stat. 410, which required railroads to file maps of the location of their roads, was transferred to section 942-5 of Title 43.

Section 416, act May 14, 1898, ch. 299, §6, 30 Stat. 411, which provided for right of way for wagon roads, wire rope, aerial, or other tramways, reserved mineral interests, and limited tolls, was transferred to section 942-6 of Title 43.

Section 417, act May 14, 1898, ch. 299, §7, 30 Stat. 412, which made sections 411 to 419, 421, 423, and 461 to 465 of this title inapplicable to military parks, Indian, and other reservations, was transferred to section 942-7 of Title 43.

Section 418, act May 14, 1898, ch. 299, §8, 30 Stat. 412, which reserved the right of repeal or amendment, was transferred to section 942-8 of Title 43.

Section 419, act May 14, 1898, ch. 299, §9, 30 Stat. 413, which related to the map of location of roads, was transferred to section 942-9 of Title 43.

Section 420, act Aug. 1, 1956, ch. 848, §1, 70 Stat. 898, which related to public lands within highway, telephone, and pipeline withdrawals and authorized amendment of land description of claim or entry on adjoining lands, was transferred to section 971a of Title 43.

Section 420a, act Aug. 1, 1956, ch. 848, §2, 70 Stat. 898, which permitted the Secretary to sell restored lands and granted preference rights, was transferred to section 971b of Title 43.

Section 420b, act Aug. 1, 1956, ch. 848, §3, 70 Stat. 898, which related to utilization or occupancy of easements, was transferred to section 971c of Title 43.

Section 420c, act Aug. 1, 1956, ch. 848, §4, 70 Stat. 898, which related to the effect on valid existing rights, was transferred to section 971d of Title 43.

Section 420d, act Aug. 1, 1956, ch. 848, §5, as added June 11, 1960, Pub. L. 86-512, 74 Stat. 207, which defined "restored lands" for purposes of sections 420 to 420c of this title, was transferred to section 971e of Title 43.

Section 421, acts May 14, 1898, ch. 299, §11, 30 Stat. 414; Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1144, which authorized the Secretary to sell timber on public lands, was transferred to section 615a of Title 16, Conservation.

Section 422, acts Feb. 1, 1905, ch. 288, §2, 33 Stat. 628; June 5, 1920, ch. 235, §1, 41 Stat. 917, which permitted export of timber pulpwood and wood pulp, was transferred to section 615b of Title 16.

Section 423, acts May 14, 1898, ch. 299, §11, 30 Stat. 414; June 15, 1938, ch. 427, 52 Stat. 699, which authorized the Secretary to permit cutting and use of timber by settlers, residents, miners, etc., was transferred to section 607a of Title 16.

**§ 431. Omitted**

## CODIFICATION

Section, acts June 6, 1900, ch. 796, 31 Stat. 658; Apr. 28, 1904, ch. 1772, §4, 33 Stat. 526, which extended coal land laws of the United States to Alaska, was omitted in view of the admission of Alaska into the Union.

**§ 432. Repealed. Pub. L. 86-252, § 1, Sept. 9, 1959, 73 Stat. 490**

Section, act Oct. 20, 1914, ch. 330, §1, 38 Stat. 741, related to survey of coal lands in Alaska. See section 201 et seq. of Title 30, Mineral Lands and Mining.

**§ 433. Repealed. Pub. L. 85-508, § 20, July 7, 1958, 72 Stat. 351**

Section, act Oct. 20, 1914, ch. 330, §2, 38 Stat. 742, related to reservation of coal lands in Alaska. See section 201 et seq. of Title 30, Mineral Lands and Mining.

**§§ 434 to 445. Repealed. Pub. L. 86-252, § 1, Sept. 9, 1959, 73 Stat. 490**

Section 434, act Oct. 20, 1914, ch. 330, §3, 38 Stat. 742, related to division of unreserved lands into leasing blocks or tracts and to leases. See sections 181, 201(a), and 202 of Title 30, Mineral Lands and Mining.

Section 435, act Oct. 20, 1914, ch. 330, §4, 38 Stat. 742, related to lease of additional lands. See sections 203 and 204 of Title 30.

Section 436, act Oct. 20, 1914, ch. 330, §5, 38 Stat. 743, related to consolidation of leases. See section 205 of Title 30.

Section 437, act Oct. 20, 1914, ch. 330, §9, 38 Stat. 744, related to the term of the lease. See section 207 of Title 30.

Section 438, act Oct. 20, 1914, ch. 330, §9, 38 Stat. 744, related to rents and royalties payable to the United States by lessees. See section 207 of Title 30.

Section 438a, act Oct. 20, 1914, ch. 330, §19, as added June 6, 1934, ch. 405, 48 Stat. 909, related to suspension