

of right-of-way for roads, roadways, highways, tramways, trails, bridges, and appurtenant structures in patents and deeds.

Section 322, acts Jan. 27, 1905, ch. 277, § 2, 33 Stat. 616; May 14, 1906, ch. 2458, § 2, 34 Stat. 192; June 30, 1932, ch. 320, § 1, 47 Stat. 446; July 14, 1955, ch. 359, 69 Stat. 321, related to location, lay out, construction, and maintenance of roads, trails and bridges.

Section 323, acts Jan. 27, 1905, ch. 277, § 2, 33 Stat. 616; May 14, 1906, ch. 2458, § 2, 34 Stat. 192; June 30, 1932, ch. 320, § 1, 47 Stat. 446, related to maps, plans and specifications for roads and trails and contracts for permanent contracts.

Section 324, acts Jan. 27, 1905, ch. 277, § 2, 33 Stat. 616; May 14, 1906, ch. 2458, § 2, 34 Stat. 192; June 30, 1932, ch. 320, § 1, 47 Stat. 446, related to repair of roads and trails.

Section 325, acts Jan. 27, 1905, ch. 277, § 2, 33 Stat. 616; May 14, 1906, ch. 2458, § 2, 34 Stat. 192; June 30, 1932, ch. 320, § 1, 47 Stat. 446, related to costs and expenses of laying out, constructing, and repairing roads and trails.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF REPEAL

Repeal of sections 321a to 325 effective July 1, 1959, see section 21(d) of Pub. L. 86-70 set out as an Effective Date of 1959 Amendment note under section 103 of Title 23, Highways.

#### §§ 326 to 330. Omitted

##### Editorial Notes

##### CODIFICATION

Sections 326 to 330, relating to Territory of Alaska, were omitted in view of admission of Alaska into the Union.

Section 326, acts Feb. 12, 1925, ch. 225, title II, 43 Stat. 930; June 30, 1932, ch. 320, § 1, 47 Stat. 446, authorized incurring of obligations for roads, bridges, and trails in advance of appropriations in certain cases.

Section 327, acts June 30, 1921, ch. 33, § 1, 42 Stat. 90; June 30, 1932, ch. 320, § 1, 47 Stat. 446, authorized Secretary of the Interior to accept contributions from Territory or from other sources for use in construction, maintenance, or repair of roads, bridges, ferries, trails, and related works in the Territory.

Section 328, act July 9, 1918, ch. 143, 40 Stat. 863, related to estimates for work on roads.

Section 329, acts Jan. 27, 1905, ch. 277, § 2, 33 Stat. 616; May 14, 1906, ch. 2458, § 2, 34 Stat. 192, related to expenses of board in addition to salary.

Section 330, act Apr. 27, 1914, ch. 72, 38 Stat. 366, related to per diem commutation of Army officer member of board.

#### §§ 331 to 337. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029

Section 331, act Apr. 27, 1904, ch. 1629, 33 Stat. 391, related to road overseers and to creation of road districts.

Section 332, act Apr. 27, 1904, ch. 1629, 33 Stat. 391, related to term of office and qualification of road overseers.

Section 333, act Apr. 27, 1904, ch. 1629, 33 Stat. 392, related to duties of overseers.

Section 334, act Apr. 27, 1904, ch. 1629, 33 Stat. 392, related to work on roads.

Section 335, act Apr. 27, 1904, ch. 1629, 33 Stat. 393, related to an annual report.

Section 336, act Apr. 27, 1904, ch. 1629, 33 Stat. 393, related to neglect or refusal of road overseers to perform their duties.

Section 337, act Apr. 27, 1904, ch. 1629, 33 Stat. 393, related to compensation of road overseers.

#### §§ 338 to 338g. Omitted

##### Editorial Notes

##### CODIFICATION

Sections 338 to 338g, relating to Territory of Alaska, were omitted in view of admission of Alaska into the Union.

Section 338, acts Aug. 1, 1956, ch. 840, § 1, 70 Stat. 888; Apr. 20, 1957, Pub. L. 85-16, 71 Stat. 14; July 6, 1959, Pub. L. 86-78, § 1(1), 73 Stat. 161, established Alaska International Rail and Highway Commission, set out its size and structure, appointment of its members, and selection of chairman and vice chairman, and authorized appointment of an Army officer to Commission.

Section 338a, act Aug. 1, 1956, ch. 840, § 2, 70 Stat. 888, set out duties of Commission.

Section 338b, acts Aug. 1, 1956, ch. 840, § 3, 70 Stat. 888; Aug. 8, 1958, Pub. L. 85-601, § 1(a), 72 Stat. 524, authorized Commission to cooperate with Canada in carrying out its functions.

Section 338c, act Aug. 1, 1956, ch. 840, § 4, 70 Stat. 889, set out powers of Commission to conduct hearings, administer oaths and affirmations, employ experts, utilize facilities, information, and personnel of other federal departments and agencies, and use information contained in certain named surveys and plans.

Section 338d, act Aug. 1, 1956, ch. 840, § 5, 70 Stat. 889, authorized Commission to delegate its powers and duties, other than duty of submitting reports and making recommendations to Congress.

Section 338e, act Aug. 1, 1956, ch. 840, § 6, 70 Stat. 889, provided for reimbursement of Commission members for travel, subsistence, and other necessary expenses although it expressly called for service by Commission members without compensation.

Section 338f, acts Aug. 1, 1956, ch. 840, § 7, 70 Stat. 889; Aug. 8, 1958, Pub. L. 85-601, § 1(b), 72 Stat. 524; July 6, 1959, Pub. L. 86-78, § 1(2), 73 Stat. 161, required Commission to make certain reports and recommendations and called for termination of Commission after submission of its final report.

Section 338g, act Aug. 1, 1956, ch. 840, § 8, 70 Stat. 889; Aug. 8, 1958, Pub. L. 85-601, § 1(c), 72 Stat. 525, authorized making of appropriations to enable Commission to carry out its functions.

#### § 341. Transferred

##### Editorial Notes

##### CODIFICATION

Section, act Mar. 30, 1948, ch. 162, 62 Stat. 100, which made provision for occupancy and use of national-forest lands under permit and dealt with period of such permits, size of area allotted, prohibitions, and the termination of permits, was transferred to section 497a of Title 16, Conservation.

#### §§ 351, 352. Transferred

##### Editorial Notes

##### CODIFICATION

Section 351, act Mar. 3, 1889, ch. 424, § 1, 30 Stat. 1098, which extended to Territory the system of public land surveys, was transferred to section 751a of Title 43, Public Lands.

Section 352, acts Mar. 2, 1907, ch. 2537, § 4, 34 Stat. 1232; Mar. 3, 1925, ch. 462, 43 Stat. 1144; Oct. 9, 1942, ch. 584, § 2, 56 Stat. 779, which provided for making of land surveys in Nome and Fairbanks districts, was transferred to section 751b of Title 43.

#### § 353. Repealed. Pub. L. 85-508, § 6(k), July 7, 1958, 72 Stat. 343

Section, acts Mar. 4, 1915, ch. 181, § 1, 38 Stat. 1214; Mar. 5, 1952, ch. 80, §§ 1-3, 66 Stat. 14; Aug. 5, 1953, ch.

323, 67 Stat. 364; Aug. 2, 1956, ch. 892, 70 Stat. 954; Aug. 27, 1958, Pub. L. 85-771, §3, 72 Stat. 929, made reservation of certain lands for educational purposes, covered disposition of proceeds or income derived from reserved lands, and set out exclusion of certain lands.

### §§ 353a to 362. Transferred

#### Editorial Notes

##### CODIFICATION

Section 353a, act May 31, 1938, ch. 304, 52 Stat. 593, which authorized Secretary of the Interior to reserve tracts in Alaska for school, hospitals, etc. for the Indians, Eskimos, and Aleuts of Alaska, was transferred to section 497 of Title 25, Indians, and was subsequently repealed by Pub. L. 94-579, §704(a), Oct. 21, 1976, 90 Stat. 2792.

Section 354, act Mar. 4, 1915, ch. 181, §2, 38 Stat. 1215, which set aside a site for an agricultural college and school of mines, is set out as note under section 852 of Title 43, Public Lands.

Section 354a, acts Jan. 21, 1929, ch. 92, §§1-7, 45 Stat. 1091-1093; July 12, 1960, Pub. L. 86-620, 74 Stat. 408, which made additional grants for an agricultural college and school of mines and imposed certain conditions and limitations, is set out as a note under section 852 of Title 43.

Section 355, act Mar. 3, 1891, ch. 561, §11, 26 Stat. 1099, which permitted lands to be entered for town-site purposes and set out the requirements for the proper execution of the trust created thereby, was transferred to section 732 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 355a, act May 25, 1926, ch. 379, §1, 44 Stat. 629, which authorized town-site trustee to issue a deed setting aside lands on survey of town site for Indian or Eskimo lands, was transferred to section 733 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 355b, act May 25, 1926, ch. 379, §2, 44 Stat. 630, which authorized the extension of streets and alleys across Indian or Eskimo lands, was transferred to section 734, of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 355c, act May 25, 1926, ch. 379, §3, 44 Stat. 630, which authorized the Secretary of the Interior to have nonmineral lands surveyed into lots and blocks, was transferred to section 735 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 355d, act May 25, 1926, ch. 379, §4, 44 Stat. 630, which authorized the Secretary to prescribe appropriate regulations for the administration of sections 355a to 355c of this title, was transferred to section 736 of Title 43, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 355e, act Feb. 26, 1948, ch. 72, 62 Stat. 35, which permitted the holding of town-site lands under unrestricted deeds by Alaska natives under certain conditions, was transferred to section 737 of Title 43.

Section 356, act June 6, 1900, ch. 786, §27, 31 Stat. 330, which prohibited the disturbing of the occupancy of lands being occupied by Indians or other persons conducting schools or missions but expressly cautioned against a construction of this section which might serve to place in force in the Territory the general land laws of the United States, was transferred to section 280a of Title 25, Indians.

Section 357, acts May 17, 1906, ch. 2469, 34 Stat. 197; Aug. 2, 1956, ch. 891, §1(a)-(d), 70 Stat. 954, which authorized the making of homestead allotments to native Indians, Aleuts, or Eskimos, was transferred to section 270-1 of Title 43, Public Lands, and was subsequently repealed by Pub. L. 92-203, §18(a), Dec. 18, 1971, 85 Stat. 710.

Section 357a, act May 17, 1906, ch. 2469, §2, as added Aug. 2, 1956, ch. 891, §1(e), 70 Stat. 954, which permitted allotments of land in national forests if the land was

certified as chiefly valuable for agricultural or grazing uses, was transferred to section 270-2 of Title 43, and was subsequently repealed by Pub. L. 92-203, §18(a), Dec. 18, 1971, 85 Stat. 710.

Section 357b, act May 27, 1906, ch. 2469, §3, as added Aug. 2, 1956, ch. 891, §1(e), 70 Stat. 954, which prohibited the making of an allotment unless the person made satisfactory proof of substantially continuous use and occupancy of the land for five years, was transferred to section 270-3 of Title 43, and was subsequently repealed by Pub. L. 92-203, §18(a), Dec. 18, 1971, 85 Stat. 710.

Section 358, act Mar. 3, 1891, ch. 561, §15, 26 Stat. 1101, which reserved the Annette Islands for the Metlakatla Indians, was transferred to section 495 of Title 25, Indians, prior to omission from the Code as being of special and not general application.

Section 358a, act May 1, 1936, ch. 254, §2, 49 Stat. 1250, which authorized the designation of land for the use of Indians or Eskimos, was transferred to section 496 of Title 25, and was subsequently repealed by Pub. L. 94-579, §704(a), Oct. 21, 1976, 90 Stat. 2792.

Section 359, acts May 14, 1898, ch. 299, §10, 30 Stat. 413; Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1144, which set out the requirements of filing, publishing, and posting of proofs needed for proving claims, as well as the form and use of the affidavits, was transferred to section 270-4 of Title 43, Public Lands, and was subsequently repealed by Pub. L. 94-579, title VII, §703(b), Oct. 21, 1976, 90 Stat. 2789.

Section 360, act July 3, 1926, ch. 745, §1, 44 Stat. 821, which authorized the leasing of land for the purpose of fur farming, was transferred to section 687c of Title 43.

Section 361, act July 3, 1926, ch. 745, §2, 44 Stat. 822, which authorized the Secretary of the Interior to perform any and all acts necessary to carry into effect the provisions of section 360, was transferred to section 687c-1 of Title 43.

Section 362, act May 1, 1936, ch. 254, §1, 49 Stat. 1250, which called for the application to the Territory of certain statutes dealing with the conservation of Indian lands and allowed the organization of groups of Indians not recognized as bands or tribes, was transferred to section 473a of Title 25, Indians, prior to editorial reclassification and renumbering as section 5119 of Title 25.

### § 363. Repealed. June 14, 1926, ch. 578, §5, as added June 4, 1954, ch. 263, 68 Stat. 175

Section, act Oct. 17, 1940, ch. 890, §1, 54 Stat. 1192, authorized, with limitations, the sale or lease of unreserved public lands in Alaska to incorporated cities and towns in Alaska for cemetery, park, or recreational purposes.

### §§ 364 to 365. Transferred

#### Editorial Notes

##### CODIFICATION

Section 364, act July 24, 1947, ch. 305, 61 Stat. 414, which authorized the legislature to provide for the exercise of zoning power in town sites, was transferred to section 738 of Title 43, Public Lands, and was subsequently repealed by Pub. L. 94-579, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 364a, act Aug. 30, 1949, ch. 521, §1, 63 Stat. 679, which authorized the sale of certain public lands and set out the requirements of public auction, notice, and proof of the buyer's intention, was transferred to section 687b of Title 43, and was subsequently repealed by Pub. L. 94-579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789.

Section 364b, act Aug. 30, 1949, ch. 521, §2, 63 Stat. 679, which prohibited the sale of land for less than the appraised value and the cost of making any survey to properly describe the land sold, was transferred to section 687b-1 of Title 43, and was subsequently repealed by Pub. L. 94-579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789.