

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of lands known to contain coal, oil, or gas, was transferred to section 270-13 of Title 43, and was subsequently repealed by Pub.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Annette and Pribilof Islands, islands leased or occupied for the propagation of foxes, and other islands reserved or withdrawn from settlement or entry, was transferred to section 270-14 of Title 43, and was subsequently repealed by Pub.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when local or topographic conditions required, was transferred to section 270-15 of Title 43, and was subsequently repealed by Pub.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for the survey of soldier's additional entry, was transferred to section 270-16 of Title 43, and was subsequently repealed by Pub.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provided for the disposition of sums deposited was transferred to section 270-17 of Title 43, and was subsequently repealed by Pub.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**

#### **Editorial Notes**

##### **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**

#### **Editorial Notes**

##### **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**

#### **Editorial Notes**

##### **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.