

43 USC Ch. 17: RESERVATION AND SALE OF TOWN SITES ON PUBLIC LANDS

From Title 43—PUBLIC LANDS

CHAPTER 17—RESERVATION AND SALE OF TOWN SITES ON PUBLIC LANDS

Sec.

711 to 736. Repealed.

737. Unrestricted deeds for townsite lands held by Alaska natives.

738. Repealed.

§§711 to 715. Repealed. Pub. L. 94–579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789

Section 711, [R.S. §2380](#), authorized reservation of town sites by President.

Section 712, [R.S. §2381](#); acts [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, authorized reserved lands to be surveyed in urban and suburban lots and their appraisalment and sale.

Section 713, [R.S. §2382](#); acts [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; [Aug. 24, 1954, ch. 904, §1](#), 68 Stat. 792, related to procedure for establishment of town or city sites.

Section 714, [R.S. §2383](#), authorized extension of limits of towns established on unsurveyed lands.

Section 715, [R.S. §2384](#); 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, authorized Secretary of the Interior to survey and plat cities or towns on the public domain where interested parties fail to file transcript maps in twelve months after establishment.

EFFECTIVE DATE OF REPEAL

Pub. L. 94–579, [title VII, §703\(a\), Oct. 21, 1976](#), 90 Stat. 2789, provided that the repeal made by section 703(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.

§716. Repealed. Aug. 24, 1954, ch. 904, §2, 68 Stat. 792

Section, [R.S. §2385](#), related to size of lots or plat varying from general rule.

§§717 to 728. Repealed. Pub. L. 94–579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789

Section 717, [R.S. §2386](#), related to title to town lots subject to mineral rights.

Section 718, [R.S. §2387](#); acts [Mar. 3, 1891, ch. 561, §4](#), 26 Stat. 1097, authorized entry by town authorities of town sites in trust for occupants, under such regulations as may be prescribed by legislative authority of State or Territory in which the same may be situated.

Section 719, [R.S. §2388](#); acts [Mar. 3, 1925, ch. 462](#), 43 Stat. 1144; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to procedure for entry by town authorities of town sites in trust for occupants.

Section 720, [R.S. §2389](#), authorized entry by town authorities of town sites in proportion to number of inhabitants.

Section 721, [R.S. §2391](#), made void acts of trustees not in conformity to regulations alluded to in section 718 of this title.

Section 722, [R.S. §2392](#), provided that no title was to be acquired under sections 711 to 715 and 717 to 721 of this title to any mine of gold, silver, cinnabar, or copper or to any valid mining claim or possession held under existing laws.

Section 723, [R.S. §2393](#), provided that provisions of sections 711 to 715 and 717 to 724 of this title were not to apply to military reservations or to other reservations made by the United States prior to Mar. 2, 1867,

nor to reservations for lighthouses, customhouses, mints, or other public purposes, whether held under reservation through the Land Office by title derived from the Crown of Spain or otherwise.

Section 724, [R.S. §2394](#), authorized inhabitants of any town on public land to avail themselves of provisions of sections 718 to 720 of this title and required that they pay, in addition to minimum price of lands so entered, all costs of surveying and platting.

Section 725, act [Mar. 3, 1877, ch. 113, §1](#), 19 Stat. 392, related to requirements as to quantity of land excluded from homestead entry in towns upon the public lands of the United States.

Section 726, acts [Mar. 3, 1877, ch. 113, §3](#), 19 Stat. 392; [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, authorized settlement of excess lands where a town-site exceeds maximum limits.

Section 727, act [Mar. 3, 1877, ch. 113, §4](#), 19 Stat. 392, authorized additional entries by town authorities in cases where a town site is less than maximum authorized size.

Section 728, act [Mar. 3, 1891, ch. 561, §16](#), 26 Stat. 1101, related to town-site entries by incorporated towns and cities on the mineral lands of United States.

EFFECTIVE DATE OF REPEAL

Pub. L. 94–579, [title VII, §703\(a\)](#), [Oct. 21, 1976](#), 90 Stat. 2789, provided that the repeal made by section 703(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.

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

Section, act [Sept. 30, 1890, ch. 1121](#), 26 Stat. 502, authorized, with limitations, the sale of unreserved public lands to incorporated cities and towns for cemetery and park purposes. See section 869 et seq. of this title.

Act [Oct. 17, 1940, ch. 890, §2](#), 54 Stat. 1192, formerly set out as a note under this section, declared this section to be inapplicable to the Territory of Alaska, and was repealed by act June 14, 1926, ch. 578, §5, as added by act [June 4, 1954, ch. 263](#), 68 Stat. 175. See section 869 et seq. of this title.

§§730 to 736. Repealed. Pub. L. 94–579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789

Section 730, act [July 9, 1914, ch. 138](#), 38 Stat. 454, provided for issuance of patents to transferees of town lots purchased at public sale and transferred prior to October 11, 1911, where patent had not been issued to original purchaser who had since died.

Section 731, act [Feb. 9, 1903, ch. 531](#), 32 Stat. 820, extended town-site laws to ceded Indian lands in the State of Minnesota.

Section 732, act [Mar. 3, 1891, ch. 561, §11](#), 26 Stat. 1099, related to town-site entries in Alaska. Section was formerly classified to section 355 of Title 48, Territories and Insular Possessions.

Section 733, act [May 25, 1926, ch. 379, §1](#), 44 Stat. 629, related to Indian or Eskimo lands in Alaska set aside on survey of town site. Section was formerly classified to section 355a of Title 48.

Section 734, act [May 25, 1926, ch. 379, §2](#), 44 Stat. 630, related to extension of streets or alleys across Indian or Eskimo land in Alaska. Section was formerly classified to section 355b of Title 48.

Section 735, act [May 25, 1926, ch. 379, §3](#), 44 Stat. 630, related to a survey of nonmineral public lands in Alaska into lots and blocks. Section was formerly classified to section 355c of Title 48.

Section 736, act [May 25, 1926, ch. 379, §4](#), 44 Stat. 630, related to authority of Secretary to prescribe regulations for sections 733 to 735 of this title. Section was formerly classified to section 355d of Title 48.

EFFECTIVE DATE OF REPEAL

Pub. L. 94–579, [title VII, §703\(a\)](#), [Oct. 21, 1976](#), 90 Stat. 2789, provided that the repeal made by section 703(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.

JUNEAU INDIAN VILLAGE TOWNSITE

Pub. L. 88–34, [May 29, 1963](#), 77 Stat. 52, which provided that sections 733 to 736 of this title were extended and made applicable to all lands of the Juneau Indian Village of Alaska, including uplands and filled in tidelands occupied on May 29, 1963, was repealed by section 703(a) of Pub. L. 94–579.

§737. Unrestricted deeds for townsite lands held by Alaska natives

The trustee or trustees to whom a patent has been issued for a townsite surveyed pursuant to section 732 or 735 ¹ of this title, upon a finding by the Secretary of the Interior or his authorized representative that any Alaska native who claims and occupies a tract of land within such townsite is competent to manage his own affairs and has petitioned the Secretary or his authorized representative for an unrestricted deed, or ² shall issue to such native an unrestricted deed, and thereafter all restrictions as to sale, encumbrance, or taxation of said lands shall be removed, but said land shall not be liable to the satisfaction of any debt, except obligations owed the Federal Government, contracted prior to the issuing of such deed.

(Feb. 26, 1948, ch. 72, 62 Stat. 35.)

REFERENCES IN TEXT

Sections 732 and 735 of this title, referred to in text, were repealed by Pub. L. 94–579, [title VII, §703\(a\), Oct. 21, 1976](#), 90 Stat. 2789.

CODIFICATION

Section was formerly classified to section 355e of Title 48, Territories and Insular Possessions.

¹ See References in Text note below.

² So in original.

§738. Repealed. Pub. L. 94–579, title VII, §703(a), Oct. 21, 1976, 90 Stat. 2789

Section, act [July 24, 1947](#), ch. 305, 61 Stat. 414, related to promulgation of zoning laws in Alaska. Section was formerly classified to section 364 of Title 48, Territories and Insular Possessions.

EFFECTIVE DATE OF REPEAL

Pub. L. 94–579, [title VII, §703\(a\), Oct. 21, 1976](#), 90 Stat. 2789, provided that the repeal made by section 703(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.