

including such surveys, or to such other officer as may be authorized to receive them, all the field notes, maps, records, and other papers appertaining to land titles within the same.

(R.S. §2218; June 5, 1924, ch. 264, 43 Stat. 394; 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.)

#### CODIFICATION

The original text of R.S. §2218 provided for completion of surveys "in the several surveying-districts for which surveyors general have been, or may be, appointed" and also provided that "the surveyor general thereof shall be required to deliver over" all papers appertaining to land titles within the district, "and the office of surveyor general in every such district shall thereafter cease and be discontinued." The references to the surveyors general were omitted in view of act Mar. 3, 1925 (classified to section 51 of this title) abolishing office of surveyor general and transferring its activities to the Field Surveying Service, under the jurisdiction of the U.S. Supervisor of Surveys. See, also, Transfer of Functions note below.

R.S. §2207, formerly cited as a credit to this section, which provided for appointment of surveyors general, was superseded by act Mar. 3, 1925 (classified to section 51 of this title) and repealed by act Mar. 3, 1933, ch. 202, §1, 47 Stat. 1429.

Act June 5, 1924, appropriated funds for use in making the surveys in twelve districts.

Act May 25, 1906, ch. 2554, 34 Stat. 199, provided for a survey, pursuant to R.S. §2218, of unsurveyed lands in Louisiana, and was omitted.

Provisions of act Oct. 2, 1888, ch. 1069, 25 Stat. 525, which provided for transfer to State officials of field notes, maps, records and other papers appertaining to land surveys in Nebraska and Iowa, were omitted.

All records, etc., belonging to office of recorder of land titles for Missouri were delivered to State upon discontinuance of office, by provisions of act June 6, 1874, ch. 223, §3, and act July 31, 1876, ch. 246.

R.S. §2218 derived from acts June 12, 1840, ch. 36, §1, 5 Stat. 384; July 31, 1876, ch. 246, 19 Stat. 121.

#### 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 "Supervisor of Surveys" on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 53 of this title.

### § 55. Field notes delivered to States; access to

Under the authority and direction of the Secretary of the Interior or such officer as he may designate, any deputy surveyor or other agent of the United States shall have free access to any field notes, maps, records, and other papers, mentioned in section 53 of this title, for the purpose of taking extracts therefrom, or making copies thereof, without charge of any kind.

(R.S. §2220; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

#### CODIFICATION

The word "such" before "field notes" was omitted and the words "mentioned in section 53 of this title" were inserted after "papers,".

R.S. §2220 derived from act Jan. 22, 1853, ch. 24, §2, 10 Stat. 152.

#### 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 "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.

### § 56. Conditions of delivery to States

The field notes, maps, records, and other papers mentioned in section 53 of this title, shall in no case be turned over to the authorities of any State, until such State has provided by law for the reception and safe-keeping of the same as public records, and for the allowance of free access to the same by the authorities of the United States.

(R.S. §2221.)

#### CODIFICATION

R.S. §2221 derived from acts Jan. 22, 1853, ch. 24, §3, 10 Stat. 152; June 6, 1874, ch. 223, §3, 18 Stat. 62.

### § 57. Authenticated copies or extracts from records as evidence

Any copy of or extract from the plats, field notes, records, or other papers of the offices of the former surveyors general for the districts of Oregon and California, when authenticated by the seal and signature of the Secretary of the Interior or such officer as he may designate, shall be evidence in all cases in which the original would be evidence.

(R.S. §2224; 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.)

#### CODIFICATION

This section is from a part of R.S. §2224, as affected by act Mar. 3, 1925. The original text provided for the continuation of the use of the official seals authorized for the offices of the surveyors general of Oregon, California, and Louisiana. This provision was superseded by act Mar. 3, 1925 (classified to section 51 of this title), abolishing the office of surveyor-general. The rest of the section became inapplicable to Louisiana upon the discontinuance of the office of surveyor general of Louisiana pursuant to R.S. §2218. The text of this section was changed to provide for authentication by the supervisor of surveys, instead of a surveyor-general, in view of act Mar. 3, 1925 (classified to section 51 of this title) abolishing the office of surveyor general and transferring its activities to the Field Surveying Service, under the jurisdiction of the U.S. Supervisor of Surveys. See, also, Transfer of Functions note below.

R.S. §2224 derived from act Mar. 3, 1853, ch. 145, §§2, 11, 10 Stat. 245, 248.

#### 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 "Supervisor of Surveys" on

authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

#### FEDERAL RULES OF CIVIL PROCEDURE

Proof of official records, see rule 44, Title 28, Appendix, Judiciary and Judicial Procedure.

Effect of rule 44 on this section, see note by Advisory Committee set out under that rule.

### § 58. Transcripts from records of Louisiana

Any copy of a plat of survey, or transcript from the records of the office of the former surveyor general of Louisiana, duly certified, shall be admitted as evidence in all the courts of the United States and the Territories thereof.

(R.S. §2225.)

#### CODIFICATION

The word “former” was inserted in text before “surveyor general” because of the discontinuance of the office of surveyor general in Louisiana.

R.S. §2225 derived from act Mar. 3, 1831, ch. 116, §5, 4 Stat. 493.

#### FEDERAL RULES OF CIVIL PROCEDURE

Proof of official records, see rule 44, Title 28, Appendix, Judiciary and Judicial Procedure.

Effect of rule 44 on this section, see note by Advisory Committee set out under that rule.

### § 59. Official papers in office of surveyor general in California; copies

All official books, papers, instruments of writing, documents, archives, official seals, stamps, or dies, which have been authorized by law to be collected and deposited in the surveyor general's office in California, shall be safely and securely kept by the Secretary of the Interior, or such officer as he may designate, in the archives of his office until disposed of as provided by law; and copies thereof, authenticated by the Secretary or such officer under his seal of office, shall be evidence in all cases where the originals would be evidence.

(R.S. §2229; 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; Oct. 25, 1951, ch. 562, §3(3), 65 Stat. 639.)

#### CODIFICATION

R.S. §2229 derived from act May 18, 1858, ch. 39, §1, 11 Stat. 289.

#### AMENDMENTS

1951—Act Oct. 25, 1951, inserted “until disposed of as provided by law”.

#### 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 “Supervisor of Surveys” on authority on section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

Previously, “Supervisor of Surveys” was substituted for “surveyor general” by act Mar. 3, 1925.

#### FEDERAL RULES OF CIVIL PROCEDURE

Proof of official records, see rule 44, Title 28, Appendix, Judiciary and Judicial Procedure.

Effect of rule 44 on this section, see note by Advisory Committee set out under that rule.

#### CROSS REFERENCES

Management and disposition of records, see sections 2901 et seq. and 3101 et seq. of Title 44, Public Printing and Documents.

### § 60. Stationery for mineral surveys

The stationery and drafting instruments purchased on and after March 3, 1901, for exclusive use of the Secretary of the Interior or such officers as he may designate in the preparation of plats and field notes of mineral surveys, as also the rent of additional quarters that may be necessary for the execution of such work, shall be paid for out of the fund created by deposits made by individuals to the credit of the United States to cover the cost of office work on such mineral surveys.

(Mar. 3, 1901, ch. 830, §1, 31 Stat. 1003; 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.)

#### 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 “Field Surveying Service” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

Previously, “Field Surveying Service” substituted for “surveyors-general” on authority of act Mar. 3, 1925, which abolished office of surveyor general and transferred its activities to Field Surveying Service.

### §§ 61 to 63. Repealed. Dec. 16, 1930, ch. 14, §1, 46 Stat. 1029

Section 61, R.S. §2230; act Mar. 3, 1925, ch. 462, 43 Stat. 1144, related to bonds for deputy surveyors.

Section 62, R.S. §2231, act Mar. 3, 1925, ch. 462, 43 Stat. 1144, related to oath of deputy surveyors.

Section 63, R.S. §2232; act Mar. 3, 1925, ch. 462, 43 Stat. 1144, related to suits on bond of deputy surveyors.

## CHAPTER 4—DISTRICT LAND OFFICES

#### Sec.

- 70 to 74. Repealed or Omitted.
- 75. Administration of oaths.
- 75a to 79b. Repealed.
- 79c. Payment of fees, commissions, etc.; deposit in Treasury.
- 79d. Alaska land claimant liable for fees, commissions or purchase money; deposit in Treasury.
- 80 to 82. Repealed.
- 83. Transcripts of records as evidence.
- 84, 85. Repealed or Omitted.
- 86. Accounting for fees for notices of cancellation of entries.
- 87, 88. Repealed.
- 89. Monthly returns of district land offices.
- 90. Omitted.
- 91. Deposit in Treasury of unearned fees and un-official moneys.
- 92. Lists furnished with deposits.
- 93. Deposit of moneys deposited by unknown parties.
- 94. Reimbursement of sums disbursed as special disbursing agents.