

on it. Day v. Hickel, 1 F.2d 473.

sufficient under this chapter was reasonable. Day v. Hickel, C.A. Alaska, 1973, 481 F.2d 473.

ow Secretary's denial of n by Secretary that in pter possession of lands le is in the United States chain of title which is

This section is binding legislative commment of agency action to agency discretion and denial of patent was not subject to judicial review. Hamel v. Nelson, D.C. Cal., 1970, 226 F.Supp. 96.

Appraisal

§ of an application to purchase any lands subject to the chapter, together with the required proof, the Secretary shall cause the lands described in said application to be appraised to be on the basis of the value of such lands at the time of application, exclusive of any increased value resulting from the improvement of the lands by the applicant or his predecessors. In such appraisal the Secretary shall consider and give effect to the equities of any such applicant.

7, § 2, 45 Stat. 1070.)

Mineral reservation

§ requests that the patent to be issued under this chapter be for a mineral reservation and if he can establish to the satisfaction of the Secretary that the requirements of this chapter have been complied with and his predecessors for the period commencing not later than 101, to the date of application, no mineral reservation shall be made on such lands are, at the time of issuance of the patent, within the reservation or subject to an outstanding mineral lease.

17, § 3, as added July 28, 1953, c. 254, § 2, 67 Stat. 228.

Historical Note

For legislative history see July 28, 1953, see 1953 Adm News, p 2014.

CHAPTER 26—ABANDONED MILITARY RESERVATIONS

§§ 1071 to 1073. Repealed. Oct. 31, 1951, c. 654, § 1(114), 65 Stat. 706

Historical Note

Section 1071, Act July 5, 1884, c. 214, § 1, 23 Stat. 103, provided for the designation by the President of abandoned military reservations for disposition by the Secretary of the Interior.

Section 1072, Act July 5, 1884, c. 214, § 2, 23 Stat. 103, related to the survey or subdivi-

sion of those lands and appraisal, advertisement and sale and rights of settlers.

Section 1073, Act July 5, 1884, c. 214, § 3, 23 Stat. 103, related to the sale of improvements or other property on those reservations.

§ 1074. Repealed. Pub.L. 94-579, Title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Historical Note

Section 1074, Act July 5, 1884, c. 214, § 5, 23 Stat. 104, authorized the disposition of mineral lands of vacated military reservations under the mineral-land laws of the United States.

Effective Date of Repeal. Section 703(a) of Pub.L. 94-579 provided in part that this section is repealed effective on and after Oct. 21, 1976.

Savings Provisions. 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.

§ 1075. Repealed. Pub.L. 94-579, Title VII, §§ 702, 703(a), Oct. 21, 1976, 90 Stat. 2787, 2789

Historical Note

Section 1075, Act Aug 21, 1916, c. 361, 39 Stat. 518, provided for the applicability of the homestead and desert land laws to military reservations in the State of Nevada.

Effective Date of Repeal. Section 702 of Pub.L. 94-579 provided in part that this section is repealed effective on and after Oct. 21, 1976, except such effective date to be on and after the tenth anniversary of the date of approval of this Act, Oct. 21, 1976, insofar as

the homestead laws apply to public lands in Alaska.

Section 703(a) of Pub.L. 94-579 additionally provided in part that this section is repealed effective on and after Oct. 21, 1976.

Savings Provisions. 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.