

**CHAP. 363.**—An Act Granting to certain claimants the preference right to purchase unappropriated public lands.

February 27, 1925.  
[H. R. 8522.]  
[Public, No. 501.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior, in his judgment and discretion, is hereby authorized to sell, in the manner hereinafter provided, any of those lands situated in the State of Wisconsin which were originally erroneously meandered and shown upon the official plats as water-covered areas, and which are not lawfully appropriated by a qualified settler or entryman claiming under the public land laws.

Public lands.  
Sale authorized of, in Wisconsin, erroneously surveyed as water-covered areas.

**SEC. 2.** That any owner in good faith of land shown by the official public land surveys to be bounded in whole or in part by such erroneously meandered area, and who acquired title to such land prior to this enactment, or any citizen of the United States who in good faith under color of title or claiming as a riparian owner has, prior to this Act, placed valuable improvements upon or reduced to cultivation any of the lands subject to the operation of this Act, shall have a preferred right to file in the office of the register and receiver of the United States land office of the district in which the lands are situated, an application to purchase the lands thus improved by them at any time within ninety days from the date of the passage of this Act if the lands have been surveyed and plats filed in the United States land office; otherwise within ninety days from the filing of such plats. Every such application must be accompanied with satisfactory proof that the applicant is entitled to such preference right and that the lands which he applies to purchase are not in the legal possession of an adverse claimant under the public land laws.

Preference rights to settlers in good faith.

**SEC. 3.** In event such erroneously meandered land is bounded by two or more tracts of land held in private ownership with apparent riparian rights indicated by the official township plat of survey at date of disposal of title by the United States, the Commissioner of the General Land Office shall have discretionary power to cause such meandered area, when surveyed, to be divided into such tracts or lots as will permit a fair division of such meandered area among the owners of such surrounding or adjacent tracts under the provisions of this Act. In administering the provisions of this Act, where there shall exist a conflict of claims falling within its operation, if any claimant shall have placed valuable improvements upon the land involved, or shall have reduced the same to cultivation, then to the extent of such improvements or cultivation, such claimant shall be given preference in adjustment of such conflict: *Provided*, That no preference right of entry under this Act shall be recognized for a greater area than one hundred and sixty acres, in one body, to any one applicant, whether an individual, an association, or a corporation: *Provided further*, That this act shall not be construed as in any manner abridging the existing rights of any settler or entryman under the public land laws.

Application to be filed.

Proof of possession.

Division of conflictive claims.

Preference to claimant having placed improvements, etc.

*Proviso.*  
Area to one applicant limited.

Existing rights not abridged.

Appraisal of lands.

**SEC. 4.** That upon the filing of an application to purchase any lands subject to the operation of this Act, together with the required proof, the Secretary of the Interior shall cause the lands described in said application to be appraised, said appraisal to be on the basis of the value of such lands at the date of appraisal, exclusive of any increased value resulting from the development or improvement thereof for agricultural purposes by the applicant or his predecessor in interest, but inclusive of the stumpage value of any timber cut or removed by the applicant or his predecessor in interest.

Value of improvements by applicant excluded.

**SEC. 5.** That an applicant who applies to purchase lands under the provisions of this Act, in order to be entitled to receive a patent, must within thirty days from receipt of notice of appraisal by the

Payment and issue of patent.

Disposal of proceeds.

Secretary of the Interior pay to the receiver of the United States land office of the district in which the lands are situated the appraisal price of the lands, and thereupon a patent shall issue to said applicant for such lands as the Secretary of the Interior shall determine that such applicant is entitled to purchase under this Act. The proceeds derived by the Government from the sale of lands hereunder shall be covered into the United States Treasury and applied as provided by law for the disposal of the proceeds from the sale of public lands.

Regulations to be prescribed.

SEC. 6. That the Secretary of the Interior is hereby authorized to prescribe all necessary rules and regulations for administering the provisions of this Act and determining conflicting claims arising hereunder.

Approved, February 27, 1925.

February 27, 1925.  
[H. R. 11753.]  
[Public, No. 502.]

**CHAP. 364.**—An Act Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1926, and for other purposes.

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1926, namely:

Department of State.

## TITLE I—DEPARTMENT OF STATE

### OFFICE OF SECRETARY OF STATE

Secretary, Undersecretary, and office personnel.

Provisos.  
Salaries limited to average rates under Classification Act.

Vol. 42, p. 1488.

If only one position in a grade.

Not applicable to clerical-mechanical service.

No fixed salary reduced.

Vol. 42, p. 1490.

Transfers to another position without reduction.

Payment at higher salaries permitted.

Salaries: For Secretary of State, \$12,000; Undersecretary of State, and other personal services in the District of Columbia in accordance with the Classification Act of 1923, including temporary employees, \$1,057,600; in all, \$1,069,600: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with "The Classification Act of 1923," the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by "The Classification Act of 1923," and is specifically authorized by other law.

### CONTINGENT EXPENSES, DEPARTMENT OF STATE

Contingent and miscellaneous expenses.

For contingent and miscellaneous expenses, including stationery, furniture, fixtures, typewriters, exchange of same, repairs and