

§ 1166. Limitations of suits to annul patents

Suits by the United States to vacate and annul any patent shall only be brought within six years after the date of the issuance of such patents.

(Mar. 3, 1891, ch. 559, 26 Stat. 1093; Mar. 3, 1891, ch. 561, §8, 26 Stat. 1099.)

§ 1167. Entries and final proofs, made out of proper district, confirmed

Whenever it shall appear to the Secretary of the Interior, or such officer as he may designate, that an error was made prior to March 9, 1904, by the officers of any local land office in receiving any application, declaratory statement, entry, or final proof under the homestead or other land laws, and that there was no fraud practiced by the entryman, and that there are no prior adverse claimants to the land described in the entry, and that no other reason why the title should not vest in the entryman exists, except that said application, declaratory statement, entry, or proof was not made within the land district in which the lands applied for were situated, as provided by the Act of March 11, 1902 [43 U.S.C. 254], such entry or proof shall be confirmed.

(Mar. 9, 1904, ch. 503, §1, 33 Stat. 64; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

REFERENCES IN TEXT

Act of March 11, 1902, referred to in text, probably means act Mar. 11, 1902, ch. 182, 32 Stat. 63, which was classified to section 254 of this title and was repealed by Pub. L. 94-579, title VII, §702, Oct. 21, 1976, 90 Stat. 2787. For complete classification of this Act to the Code, see Tables.

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.

EFFECTIVE DATE

Section 2 of act Mar. 9, 1904, provided: “That this Act [enacting this section] shall be in force from and after its passage and approval.”

SUBCHAPTER III—SALES OF ISOLATED TRACTS

§§ 1171 to 1173. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 1171, R.S. §2455; acts Feb. 26, 1895, ch. 133, 28 Stat. 687; June 27, 1906, ch. 3554, 34 Stat. 517; Mar. 28, 1912, ch. 67, 37 Stat. 77; Mar. 9, 1928, ch. 164, 45 Stat. 253; June 28, 1934, ch. 865, §14, 48 Stat. 1274; July 30, 1947, ch. 383, 61 Stat. 630, set forth provisions relating to sale of isolated or disconnected tracts by Secretary of the Interior.

Section 1171a, act Apr. 24, 1928, ch. 428, 45 Stat. 457, provided for applicability of section 1171 of this title to certain lands in Oklahoma.

Section 1171b, act May 23, 1930, ch. 313, 46 Stat. 377, provided for applicability of section 1171 of this title to certain lands in Alabama.

Section 1172, act Feb. 4, 1919, ch. 13, 40 Stat. 1055, provided for applicability of section 1171 of this title to ceded Chippewa Indian lands in Minnesota.

Section 1173, act May 10, 1920, ch. 178, 41 Stat. 595, provided for applicability of section 1171 of this title to sale of tracts in Fort Berthold Indian Reservation, North Dakota.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section 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.

§ 1174. Repealed. Aug. 28, 1937, ch. 876, title II, 50 Stat. 876

Section, act May 25, 1920, ch. 200, 41 Stat. 622, related to sale of class 3 of revested Oregon and California Railroad grant lands. See sections 1181a to 1181f of this title and Repeals note set out under section 1181a of this title.

§§ 1175 to 1177. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 1175, act Aug. 11, 1921, ch. 62, 42 Stat. 159, provided for applicability of section 1171 of this title to sale of tracts in Fort Buford Military Reservation, North Dakota and Montana.

Section 1176, act May 19, 1926, ch. 337, 44 Stat. 566, provided for applicability of section 1171 of this title to sale of lands in Fort Hall Indian Reservation.

Section 1177, act Feb. 14, 1931, ch. 170, 46 Stat. 1105, provided for applicability of section 1171 of this title to sale of certain lands in Crow Indian Reservation, Montana.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section 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.

SUBCHAPTER IV—TIMBER CULTURE

§ 1181. Repeal of laws

An Act entitled “An Act to amend an Act entitled ‘An Act to encourage the growth of timber on the western prairies,’” approved June 14, 1878, and all laws supplementary thereto or amendatory thereof are repealed: *Provided*, That this repeal shall not affect any valid rights accrued or accruing under said laws but all bona fide claims lawfully initiated prior to March 3, 1891, may be perfected upon due compliance with law, in the same manner, upon the same terms and conditions, and subject to the same limitations, forfeitures, and contests as if this section had not been passed: *Provided further*, That the following words of the last clause of section 2 of said Act, namely, “That not less than twenty-seven hundred trees were planted on each acre,”