

- Sec. SUBCHAPTER VIII—INDIAN LANDS
1195. Negotiations for cession of lands.
1196. Classification and appraisal of unallotted and unreserved lands.
1197. Agreements with Indians not affected.
1198. Condemnation of Sioux lands for dam purposes; negotiation of contracts.
1199. Provisions to be included in contracts for condemnation of Sioux lands for dam purposes.
1200. Judicial determination where compensation for condemnation of Sioux lands for dam purposes rejected.
- 1200a. Preparation of appraisal schedule in determining just compensation for condemnation of Sioux lands for dam purposes; contents; transmittal to tribal representatives.
- 1200b. Inclusion of other provisions in contracts for condemnation of Sioux lands for dam purposes.
- 1200c. Submission of contracts and reports covering disagreements on condemnation of Sioux lands for dam purposes; ratification; effect.
- 1200d. Effect of condemnation of Sioux lands for dam purposes on construction of Fort Randall Dam.
- 1200e. Authorization of appropriations for relocating certain Sioux tribe members after condemnation of lands for dam purposes; conditions; title to lands acquired.

## SUBCHAPTER IX—ENFORCEMENT OF PROVISIONS

1201. Power of Secretary or designated officer.

## SUBCHAPTER X—OATHS IN CERTAIN LAND MATTERS

1211. Elimination of oaths for written statements; discretion of Secretary of the Interior.
1212. Unsworn written statements subject to penalties of presenting false claims.

## SUBCHAPTER XI—WISCONSIN RIVER AND LAKE LAND TITLES

1221. Issuance of patents; application.
1222. Notice of opening of lands to purchase.
1223. Valid existing rights unaffected.

## SUBCHAPTER XII—MOVING EXPENSES RESULTING FROM ACQUISITION OF LANDS BY SECRETARY OF THE INTERIOR

- 1231 to 1234. Repealed.

## SUBCHAPTER XIII—STATE CONTROL OF NOXIOUS PLANTS ON GOVERNMENT LANDS

1241. Control of noxious plants on Government lands; State programs; terms of entry.
1242. Reimbursement of States for expenses.
1243. Authorization of appropriations.

## SUBCHAPTER I—PATENTS FOR PRIVATE LAND CLAIMS

**§§ 1151 to 1156. Repealed. Pub. L. 94-579, title VII, § 705(a), Oct. 21, 1976, 90 Stat. 2792**

Section 1151, R.S. §2447; act 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 issuance of patents for confirmed claims.

Section 1152, R.S. §2448, related to effect of patents to persons dead before issue.

Section 1153, act June 6, 1874, ch. 223, §1, 18 Stat. 62, related to confirming titles to lands in Missouri in existence prior to June 6, 1874.

Section 1154, act June 6, 1874, ch. 223, §2, 18 Stat. 62, related to unimpairing, etc., rights in existence prior to June 6, 1874.

Section 1155, act Jan. 28, 1879, ch. 30, §§1-4, 20 Stat. 274, 275; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946,

11 F.R. 7876, 60 Stat. 1100, authorized issuance of certificates of location of private land claims for certain States.

Section 1156, act May 30, 1894, ch. 87, 28 Stat. 84; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, authorized issuance of patents for locations under certificates made prior to Jan. 28, 1879, under former section 1155 of this title.

## EFFECTIVE DATE OF REPEAL

Pub. L. 94-579, title VII, §705(a), Oct. 21, 1976, 90 Stat. 2792, provided that the repeal made by section 705(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.

## SUBCHAPTER II—DISPOSITION OF SUSPENDED ENTRIES AND CLAIMS; INVALID AND DEFECTIVE CLAIMS AND PATENTS THEREFOR

**§ 1161. "Suspended entries of public lands" and "suspended preemption land claims"**

The Secretary of the Interior, or such officer as he may designate, is authorized to decide upon principles of equity and justice, as recognized in courts of equity, and in accordance with regulations to be approved by the Secretary of the Interior, consistently with such principles, all cases of suspended entries of public lands and of suspended preemption land claims, and to adjudicate in what cases patents shall issue upon the same.

(R.S. §2450; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244; Sept. 20, 1922, ch. 350, 42 Stat. 857; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

## CODIFICATION

R.S. §2450 derived from acts Aug. 3, 1846, ch. 78, §1, 9 Stat. 51; Mar. 3, 1853, ch. 152, §1, 10 Stat. 258; June 26, 1856, ch. 47, 11 Stat. 22; June 1, 1874, ch. 200, 18 Stat. 50; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244.

## 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.

**§ 1162. Adjudications as to suspended entries; approval**

Every such adjudication shall be approved by the Secretary of the Interior and shall operate only to divest the United States of the title to the land embraced thereby, without prejudice to the rights of conflicting claimants.

(R.S. §2451; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244; Sept. 20, 1922, ch. 350, 42 Stat. 858.)

## CODIFICATION

R.S. §2451 derived from acts Aug. 3, 1846, ch. 78, §1, 9 Stat. 51; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244.

**§ 1163. Patents surrendered and new ones issued**

Where patents have been already issued on entries which are approved by the Secretary of the Interior, the Secretary of the Interior, or such officer as he may designate, upon the canceling of the outstanding patent, is authorized to issue a new patent, on such approval, to the person who made the entry, his heirs or assigns.

(R.S. § 2456; Sept. 20, 1922, ch. 350, 42 Stat. 858; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

## CODIFICATION

R.S. § 2456 derived from act Mar. 3, 1853, ch. 152, § 2, 10 Stat. 258.

## 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.

**§ 1164. Extent of foregoing provisions**

Sections 1161 to 1163 of this title shall be applicable to all cases of suspended entries and locations, which have arisen in the Bureau of Land Management since the 26th day of June 1856 as well as to all cases of a similar kind which may hereafter occur, embracing as well locations under bounty-land warrants as ordinary entries or sales, including homestead entries and preemption locations or cases; where the law has been substantially complied with, and the error or informality arose from ignorance, accident, or mistake which is satisfactorily explained; and where the rights of no other claimant or pre-emptor are prejudiced, or where there is no adverse claim.

(R.S. § 2457; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

## CODIFICATION

R.S. § 2457 derived from act June 26, 1856, ch. 47, 11 Stat. 22.

## 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.

“Bureau of Land Management” substituted for “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.

**§ 1165. Suspension of entries for correction of clerical errors; patents**

Whenever it shall appear to the Secretary of the Interior, or such officer as he may designate, that a clerical error has been committed in the entry of any of the public lands such entry may be suspended, upon proper notification to the claimant, through the local land office, until the

error has been corrected; and all entries made under the preemption, homestead, desert-land, or timber-culture laws, in which final proof and payment may have been made and certificates issued, and to which there are no adverse claims originating prior to final entry and which have been sold or incumbered prior to the 1st day of March, 1888, and after final entry, to bona fide purchasers, or incumbrancers, for a valuable consideration, shall unless upon an investigation by a Government agent, fraud on the part of the purchaser has been found, be confirmed and patented upon presentation of satisfactory proof to the Land Department of such sale or incumbrance: *Provided*, That after the lapse of two years from the date of the issuance of the receipt of such officer as the Secretary of the Interior may designate upon the final entry of any tract of land under the homestead, timber-culture, desert-land, or preemption laws, or under this act, and when there shall be no pending contest or protest against the validity of such entry, the entryman shall be entitled to a patent conveying the land by him entered, and the same shall be issued to him; but this proviso shall not be construed to require the delay of two years from the date of said entry before the issuing of a patent therefor.

(Mar. 3, 1891, ch. 561, § 7, 26 Stat. 1098; 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.)

## REFERENCES IN TEXT

This act, referred to in text, means act Mar. 3, 1891, ch. 561, 26 Stat. 1095, as amended, which enacted sections 161, 162, 173, 174, 185, 202, 212, 321, 323, 325, 327 to 329, 663, 671, 687a-6, 718, 728, 732, 893, 946 to 949, 989, 1165, 1166, 1181, and 1197 of this title, sections 471, 607, 611, 611a, and 613 of Title 16, Conservation, section 495 of Title 25, Indians, and sections 30, 36, 44, 45, 48, and 52 of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Tables.

## CODIFICATION

Section was formerly classified to section 165 of this title.

## REPEALS

Repeal of “Act to encourage the growth of timber on the western prairies” not to affect valid rights accrued or accruing under said law and claims to be perfected in same manner as if act had not been repealed, see section 1181 of this title.

## 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” and “receipt of such officer as the Secretary of the Interior may designate” substituted for “Commissioner of the General Land Office” and “register’s receipt”, respectively, on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

Act Mar. 3, 1925, abolished office of surveyor general and transferred administration of all activities in charge of surveyors general to Field Surveying Service under jurisdiction of United States Supervisor of Surveys.