

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

§ 2505. 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, 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, 2505, and 2506 of this title, former section 1181 of this title, sections 471, 607, 611, 611a, and 613 of Title 16, Conservation, section 426 of Title 25, Indians, former section 495 of Title 25, 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 1165 of this title prior to editorial reclassification and renumbering as this section, and to section 165 of this title prior to transfer to section 1165 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.

§ 2506. 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.)

CODIFICATION

Section was formerly classified to section 1166 of this title prior to editorial reclassification and renumbering as this section.

§ 2507. 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, 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, prior to repeal 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.

CODIFICATION

Section was formerly classified to section 1167 of this title prior to editorial reclassification and renumbering as this section.

EFFECTIVE DATE

Act Mar. 9, 1904, ch. 503, § 2, 33 Stat. 64, provided: “That this Act [enacting this section] shall be in force from and after its passage and approval.”

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.