

**§ 210. Recognition of equitable claims on certain lands in Oklahoma; validation of homestead entries**

The Secretary of the Interior is authorized and directed to recognize equitable claims to such lands based on settlement made prior to January 1, 1934, and all homestead entries of such lands, the allowance of which was erroneous because the lands were not subject to entry, and all suspended entries and applications to make final proof, are validated if otherwise regular, as of the date of the regular application.

(June 22, 1948, ch. 605, § 2, 62 Stat. 576.)

**SUBCHAPTER IV—LIMITATION AS TO AMOUNT AND ADDITIONAL AND ENLARGED ENTRIES**

**§§ 211 to 224. Repealed. Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787**

Section 211, R.S. §2298, related to limitation of amount of homestead entry.

Section 212, acts Aug. 30, 1890, ch. 837, § 1, 26 Stat. 391; Mar. 3, 1891, ch. 561, § 17, 26 Stat. 1101, related to limitation of aggregate amount of entries.

Section 213, acts Apr. 28, 1904, ch. 1776, §§ 2, 3, 33 Stat. 527; Aug. 3, 1950, ch. 521, 64 Stat. 398, related to additional entry on land contiguous to former entry of less than quarter section.

Section 214, acts Mar. 2, 1889, ch. 381, § 6, 25 Stat. 854; 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, related to additional entry after final proof on entry on less than quarter section.

Section 215, act Feb. 20, 1917, ch. 98, 39 Stat. 925, related to additional entry after patent on entry for less than quarter section.

Section 216, act Mar. 4, 1921, ch. 162, § 1, 41 Stat. 1433, related to validation of additional entry after patent.

Section 217, act June 5, 1900, ch. 716, § 2, 31 Stat. 269, related to additional entry after commutation of former entry.

Section 218, acts Feb. 19, 1909, ch. 160, §§ 1-6, 35 Stat. 639; June 6, 1912, ch. 153, 37 Stat. 123; June 13, 1912, ch. 166, 37 Stat. 132; Feb. 11, 1913, ch. 39, 37 Stat. 666; Mar. 3, 1915, ch. 84, 38 Stat. 953; Mar. 3, 1915, ch. 91, 38 Stat. 957; Mar. 4, 1915, ch. 150, § 2, 38 Stat. 1163; July 3, 1916, ch. 220, 39 Stat. 344, set forth provisions relating to enlarged entries on specified nonmineral, nonirrigable lands in certain States.

Section 219, acts June 17, 1910, ch. 298, §§ 1-6, 36 Stat. 531, 532; Feb. 11, 1913, ch. 39, 37 Stat. 666; Mar. 3, 1915, ch. 91, 38 Stat. 957; Sept. 5, 1916, ch. 440, 39 Stat. 724; Aug. 10, 1917, ch. 52, § 10, 40 Stat. 275, set forth provisions relating to enlarged entries on specified nonmineral, nonirrigable lands in Idaho.

Section 220, act Mar. 4, 1915, ch. 150, § 1, 38 Stat. 1162, 1163; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, set forth procedures for applications for entries under sections 218 and 219 of this title.

Section 221, act Mar. 4, 1915, ch. 150, § 2, 38 Stat. 1163, was transferred to part of section 218 of this title, and subsequently repealed.

Section 222, act Mar. 4, 1923, ch. 245, § 1, 42 Stat. 1445, authorized additional entries by homestead entrymen on lands in national forests in the States covered by former sections 218 and 219 of this title.

Section 223, acts May 14, 1880, ch. 89, § 3, 21 Stat. 141; June 6, 1900, ch. 821, 31 Stat. 683; Aug. 9, 1912, ch. 280, 37 Stat. 267, authorized preference of settlers to entries under Enlarged Homestead Act for lands covered by former sections 218 and 219 of this title.

Section 224, acts Apr. 28, 1904, ch. 1801, §§ 1-3, 33 Stat. 547, 548; Mar. 2, 1907, ch. 2527, §§ 1-3, 34 Stat. 1224; May 29, 1908, ch. 220, § 7, 35 Stat. 466; Aug. 24, 1912, ch. 371, 37

Stat. 499, extended limitation on entries within certain boundaries in Nebraska.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF REPEAL**

Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787, provided that the repeal made by section 702 is effective on and after Oct. 21, 1976, except such effective date to be on and after tenth anniversary of date of approval of this Act, Oct. 21, 1976, insofar as homestead laws apply to public lands in Alaska.

**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 V—LEAVES OF ABSENCE AND EXCUSES FOR NONRESIDENCE OR NONCULTIVATION**

**§§ 231 to 240. Repealed. Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787**

Section 231, acts Aug. 22, 1914, ch. 270, 38 Stat. 704; Feb. 25, 1919, ch. 21, 40 Stat. 1153; 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, related to optional leaves of absence and proof of commutation.

Section 232, act July 3, 1916, ch. 214, 39 Stat. 341, related to settlers on unsurveyed land.

Section 233, acts Sept. 29, 1919, ch. 64, 41 Stat. 288; Apr. 6, 1922, ch. 122, § 2, 42 Stat. 491, related to residence of persons receiving treatment for wounds.

Section 234, acts Mar. 2, 1889, ch. 381, § 3, 25 Stat. 854; Dec. 29, 1894, ch. 14, 28 Stat. 599; 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, related to destruction or failure of crops, sickness, or unavoidable casualty.

Section 235, act July 1, 1879, ch. 63, § 1, 21 Stat. 48; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to destruction or injury to crops by grasshoppers.

Section 236, act Dec. 20, 1917, ch. 6, 40 Stat. 430, allowed persons who filed applications for homestead entry prior to Dec. 20, 1917, a leave of absence from their land during pendency of war with Germany for purpose of performing farm labor.

Section 237, act July 24, 1919, ch. 26, 41 Stat. 271, excused entrymen from residence during drought in 1919.

Section 237a, act Mar. 2, 1932, ch. 69, 47 Stat. 59, excused entrymen from residence during drought period of 1929 to 1932.

Section 237b, act May 21, 1934, ch. 320, 48 Stat. 787, excused entrymen from compliance with requirements of homestead laws as to residence, cultivation, improvements, expenditures or purchase money where absence was due to economic conditions in 1932, 1933 or 1934.

Section 237c, act May 22, 1935, ch. 135, 49 Stat. 286, excused entrymen from compliance with requirements of homestead laws as to residence, cultivation, improvements, expenditures or purchase money where absence was due to economic conditions in 1935.

Section 237d, acts Aug. 19, 1935, ch. 560, 49 Stat. 659; Mar. 31, 1938, ch. 57, 52 Stat. 149, related to cultivation requirement for entered lands.

Section 237e, act Apr. 20, 1936, ch. 239, § 1, 49 Stat. 1235, excused entrymen from compliance with requirements of homestead laws as to residence, cultivation, improvements, expenditures or purchase money where absence was due to economic conditions in 1936.

Section 237f, act July 30, 1956, ch. 778, § 1, 70 Stat. 715, related to absence during 1956 to 1959 due to economic conditions and protection of rights of entryman.

Section 237g, act July 30, 1956, ch. 778, § 2, 70 Stat. 716, related to homestead or desert land applications on file

as of Mar. 1, 1956, and entries and rights of United States.

Section 237h, act July 30, 1956, ch. 778, § 4, 70 Stat. 716, set forth lands subject to protection of rights of entryman.

Section 238, acts Mar. 1, 1921, ch. 102, § 1, 41 Stat. 1202; Apr. 7, 1922, ch. 125, 42 Stat. 492, related to excusing residence and cultivation, etc., requirements for disabled veterans.

Section 239, R.S. § 2308, related to service in Army, Navy, etc., as equivalent to residence.

Section 240, acts June 16, 1898, ch. 458, 30 Stat. 473; Aug. 29, 1916, ch. 420, 39 Stat. 671, related to service in time of war as equivalent to residence and cultivation.

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#### §§ 241, 242. Repealed. Oct. 17, 1940, ch. 888, article V, § 503(3), 54 Stat. 1187

Section 241, act July 28, 1917, ch. 44, § 1, 40 Stat. 248, related to residence requirements of entrymen in military service during war.

Section 242, act July 28, 1917, ch. 44, § 2, 40 Stat. 248, related to widows and children of entrymen who died in military service during war.

#### §§ 243, 243a. Repealed. Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787

Section 243, act Apr. 7, 1930, ch. 108, 46 Stat. 144, related to military service in certain Indian wars as equivalent to residence and cultivation.

Section 243a, act Mar. 3, 1933, ch. 198, 47 Stat. 1424, related to extension of credits for military service in certain Indian wars to widows and issuance of patents to minor children on death of mother.

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#### SUBCHAPTER VI—FINAL PROOF GENERALLY

#### §§ 251 to 256b. Repealed. Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787

Section 251, act Mar. 3, 1879, ch. 192, 20 Stat. 472; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to notice of intention to make final proof.

Section 252, act Mar. 2, 1889, ch. 381, § 7, 25 Stat. 855, related to time of taking testimony for final proof in case of unavoidable delay.

Section 253, act June 3, 1878, ch. 152, 20 Stat. 91, related to publication of notice of contest.

Section 254, R.S. § 2294; May 26, 1890, ch. 355, 26 Stat. 121; Mar. 3, 1893, ch. 208, 27 Stat. 593; Mar. 11, 1902, ch. 182, 32 Stat. 63; Mar. 4, 1904, ch. 394, 33 Stat. 59; Oct. 28, 1921, ch. 114, § 1, 42 Stat. 208; Feb. 23, 1923, ch. 105, 42 Stat. 1281; 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; Oct. 17, 1968, Pub. L. 90-578, title IV, § 402(b)(2), 82 Stat. 1118, related to officers before whom affidavits or proofs may be made, perjury, and fees.

Section 255, R.S. § 2293; Oct. 6, 1917, ch. 86, 40 Stat. 391; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to affidavits taken by commanding officer for person in military or naval service.

Section 256, act Mar. 4, 1913, ch. 149, § 1, 37 Stat. 925, related to election as to law under which final proof may be made.

Section 256a, acts May 13, 1932, ch. 178, §§ 1, 2, 47 Stat. 153; June 16, 1933, ch. 99, 48 Stat. 274; July 26, 1935, ch. 419, 49 Stat. 504; June 16, 1937, ch. 361, 50 Stat. 303, related to extension of time for offering final proof, and promulgation of rules and regulations.

Section 256b, act Aug. 27, 1935, ch. 770, 49 Stat. 909, related to final proof by disabled World War I veterans.

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#### SUBCHAPTER VII—PAYMENTS AND REFUNDS

#### § 261. Repealed. Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787

Section, acts Sept. 30, 1890, No. 59, 26 Stat. 684; 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, related to time for payments and extension of time.

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#### § 262. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029

Section, act Mar. 2, 1907, ch. 2568, 34 Stat. 1248, provided for refund of excess payments. See section 1374 of this title.

#### § 263. Repealed. Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787

Section, acts June 16, 1880, ch. 244, §§ 1-4, 21 Stat. 287; Apr. 18, 1904, No. 25, 33 Stat. 589; 1946 Reorg. Plan No.