

## Case Law:

"A patent to land, issued by the United States under authority of law, is the highest evidence of title something upon which its holder can rely for peace and security in his possession. It is conclusive evidence of title against the United States and all the world."

2 The American law of Mining, §1.29 at 357. Nichols v Rysavy, (S.D. 1985) 610 F. Supp. 1245

"Nothing but a patent passes a perfect and consummate title."

Wilcox v Jackson 38 US 489 (1839)

"A patent issued, by the government of the United States is legal and conclusive of title to the land described therein. No equitable interest, however strong, to land described in such a patent, can prevail at law, against the patent."

Land patent opinions of the United States Attorney General's office. (Sept. 1869)

"A patent is the highest evidence of title, and is conclusive against the government and all claiming under junior patents or titles, until it is set, aside or annulled by some judicial tribunal."

Stone v United States, 2 Wallace (69 US) 765 (1865)

"Issuance of a government patent granting title to land is 'the most accredited type of conveyance known to our law'."

United States v Creek Nation, 295 US 103 (1935), United States v Cherokee Nation, 474 F 2d 628 (1973)

"A patent is intended to quiet title to, and secure the enjoyment of, the land for the patentees and their successors... Thus, as a quitclaim deed, a land patent conveys whatever interest the government has in the soil and the land. "

Keag Family Limited Partnership v State Board of Tax Commissioners; Cause No.02T10-9906-TA-145. (Not published, Sept. 2001)

"As we have noted in connection with a patent by the United States, the patent's effect is the same the United States has executed a quitclaim deed."

City of Anchorage v Nesbett, 539 P. 2d 1324, 1329 (AL 1975) (quoting and relying on Wilson Cypress Co. v del Pozo y Marcos, 236 US 635, 647-48 (1915))

"A patent operates as a deed of the government. As a deed, its operation is that of a quitclaim... It passes only the title the government has... [O]n the date of the patent."

63A AmJur. 2D Public Lands 77, at 575 (1984). *North Star Terminal and Stevedore v Alaska Railroad Corp.* (7.50/93), 857 P 2d 335. (Alaska 1993)

"A patent of the United States; ...[A]s a deed its operation is that of a quitclaim or rather of a conveyance of such interest as the United States possessed in the land."

*Beard v Federy*, 70 US 478, 3 Wall, 478, 18 L. Ed. 88. (1865)