

**1940 SUPPLEMENT**  
**TO THE**  
**CODE OF FEDERAL REGULATIONS**  
**OF THE**  
**UNITED STATES OF AMERICA**

**Containing documents of general applicability  
and legal effect issued by Federal Agencies and  
filed with the Division of the Federal Register  
during the calendar year 1940, including  
Presidential proclamations, Executive  
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documents in full text**

**WITH ANCILLARIES AND INDEX**



**TITLE 21—TITLE 29**

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the individual Indian money accounts of the estates or other accounts of the individuals entitled thereto in accordance with their respective interests. There is excepted from application of this section leases for oil and gas mining pur-

poses. (26 Stat. 795, sec. 1, 28 Stat. 305, sec. 1, 31 Stat. 229, sec. 4, 36 Stat. 856, sec. 1, 39 Stat. 128, sec. 1, 41 Stat. 1232, 54 Stat. 745; 25 U.S.C. 397, 402, 395, 403, 394, 393) [As amended Sept. 21, 1940; 5 F.R. 4301]

### Subchapter R—Leases and Sales of Minerals, Restricted Indian Lands

#### PART 204—LEASING OF OSAGE RESERVATION LANDS, OKLAHOMA, FOR MINING, EXCEPT OIL AND GAS

§ 204.2 *Sale of leases.* Leases of minerals other than oil and gas may be negotiated with the Tribal Council after permission to do so has been obtained from the officer in charge. Leases, with all papers required, shall be filed with the officer in charge within 30 days from the date of execution by the lessee and

the principal chief of the Osage Tribe. The lease will be forwarded to the Commissioner of Indian Affairs for consideration by him and the Secretary of the Interior and will become effective only after approval by the Secretary of the Interior. If any lease should be disapproved through no fault of the lessee, all amounts deposited by him will be promptly refunded. (Sec. 3, 34 Stat. 543) [As amended Apr. 20, 1940; 5 F.R. 1597]

### Subchapter S—Moneys, Tribal and Individual

#### PART 223—JUDGMENT AND LIEU OF ALLOTMENT FUNDS

##### Subpart B—Shoshone Tribe of the Wind River Reservation, Wyoming

§ 223.52 *Scope of program.* Programs shall contemplate the eventual use of the entire pro-rata share or definitely provide for the conservation of a portion of such share, but in no case, except as hereinafter provided, shall a program provide for the expenditure in the first year, after its approval, of more than \$1,350 for each adult or more than \$500 for each minor contributing to the program, and the program shall recognize that future use and expenditures for such program after the first year shall depend upon the proper use of the funds initially authorized to be expended: *Provided*, That the program of an adult may, with the approval of the Commissioner of Indian Affairs, provide for the expenditure in the first year after its approval of more than \$1,350, but only when such program contemplates an economic enterprise based on the purchase of land or the purchase of livestock and such enterprise, for its most effective development, requires the

expenditure of more than \$1,350 in the first year after approval of the program. Expenditures of a minor's funds under this subpart shall not exceed a total sum of \$500 and the remaining \$1,850 of each minor's share shall be held intact until his majority, as required in section 2 of the Act of July 27, 1939. (53 Stat. 1128; 25 U.S.C., Sup., 572) [As amended Apr. 9, 1940; 5 F.R. 1436]

§ 223.59 *Trust status of property.* All personal property purchased, except non-recoverable goods costing \$25 or less, shall be covered by a bill of sale in the name of the superintendent in trust for the individual. All real property purchased shall be taken in the name of the United States in trust for the Indian, except that title to real property situated outside the diminished portion of the Wind River Reservation shall not be taken in trust without the prior approval of the Commissioner of Indian Affairs. All livestock purchased and the offspring thereof shall be branded ID and also marked with the individual brand of the Indian. All property, including livestock, whether originally purchased or the income or increase therefrom, shall be held in trust unless released by

the superintendent in the form of a permit or written record authorizing the sale or disposition of any such property or funds. It shall be the duty of the Indian, in carrying out his program, to make every effort to maintain the capital value of his original investment, and sales or other disposals depleting such capital value shall not be permitted except in cases where, in the opinion of the superintendent, such sales or disposals are clearly to the advantage of the Indian. The provisions of this section are subject to the provisions of § 223.68. (52 Stat. 1156, 53 Stat. 1128;

25 U.S.C. 571-577) [As amended July 12, 1940; 5 F.R. 2661]

#### APPENDIX

NOTE: The period of trust on lands allotted to Indians of the Crow Reservation, Montana, upon which the trust period expired July 14, 1931, or at any other time prior to April 11, 1940, and for which lands patents in fee have not been issued, was reimposed and extended to May 23, 1940, by Act of April 11, 1940 (54 Stat. 106).

Executive Order 8580, Oct. 29, 1940, extended trust periods on Indian lands expiring during the calendar year 1941, for a further period of 25 years. For full text of E.O. 8580, see Title 3 of this Supplement.