

1939 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 1939, including
Presidential proclamations and
Executive orders in full text**

WITH ANCILLARIES AND INDEX



TITLE 1—TITLE 25

**Published by the
Division of the Federal Register, The National Archives
Pursuant to Section 11 of the Federal Register
Act as Amended June 19, 1937**



**UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1940**

erty of the Tribe, or the United States shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to labor for a period not to exceed 30 days. (R.S. 463, 38 Stat. 586; 25 U.S.C. 2, 200) [As added Aug. 9, 1938; 4 F.R. 10]

§ 161.63CA *Giving venereal disease to another.* Any Indian who shall infect another person with a venereal disease shall be deemed guilty of an offense, and upon conviction thereof shall be sentenced to labor for a period not to exceed 3 months. The Court of Indian Offenses shall have authority to order and compel the medical examination and treatment of any person charged with violation of this section or found to be afflicted with any communicable disease of this nature. (R.S. 463, 38 Stat. 586; 25 U.S.C. 2, 200) [As added Aug. 9, 1938; 4 F.R. 10]

§ 161.75CA *Attempted rape.* Any Indian who shall wilfully and knowingly by force or violence attempt to rape an-

other or assist in permitting an attempted rape shall be deemed guilty of an offense, and, upon conviction thereof, shall be sentenced to labor for a period not to exceed 90 days, or a fine of \$180, or both such fine and imprisonment. (R. S. 463, 38 Stat. 586; 25 U.S.C. 2, 200) [As added Aug. 9, 1938; 4 F.R. 10]

§ 161.76CA *Vagrancy.* Any Indian who wanders about in idleness, living off of others who are able to work, and has no property or money sufficient for his (her) support or loafs or loiters in any city, town or village on the Coeur d'Alene Indian Reservation without any attempt to obtain regular employment shall be deemed guilty of an offense, and upon conviction thereof, shall be sentenced to labor for a period not to exceed 30 days, or to a fine not to exceed \$60, or to both such imprisonment and fine, with costs. (R.S. 463, 38 Stat. 586; 25 U.S.C. 2, 200) [As added Aug. 9, 1938; 4 F.R. 10]

Subchapter Q—Leases and Permits on Restricted Indian Lands

PART 171—LEASING OF INDIAN ALLOTED AND TRIBAL LANDS FOR FARMING, GRAZING, AND BUSINESS

§ 171.12 *Tribal lands; approval of permit or lease.* Tribal lands may be used for farming, farm-pasture, or business purposes under revocable permits or leases for stated periods, after advertising as provided in § 171.9. In accordance with existing law and applicable provisions of the constitution and bylaws or charter of any Indian tribe, approval of permits and leases shall be handled in the following manner:

(a) *Permits.* Permits may be approved by the superintendent when the annual rental does not exceed \$1,000, or by the Commissioner of Indian Affairs when the annual rental is more than \$1,000 but does not exceed \$5,000, but in the case of any permit in which the

annual rental exceeds \$5,000 or where the constitution and by-laws of the Indian tribe involved requires its approval by the Secretary of the Interior, such permit shall be submitted to the Secretary of the Interior for his approval.

(b) *Leases.* The approval of leases covering tribal lands of Indian tribes having corporate charters issued pursuant to the Acts of June 18, 1934 (48 Stat. 984), May 1, 1936 (49 Stat. 1250), or June 26, 1936 (49 Stat. 1967) shall be handled in the same manner as the approval of permits as provided in paragraph (a) hereof. All other leases regardless of the amount of annual rental shall be subject to the approval of the Secretary of the Interior. (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; 25 U.S.C. 397, 402, 395, 403, 394, 393) [As amended July 6, 1939; 4 F.R. 3327]