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TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

REPUBLICATION OF REGULATIONS

Chapter I of Title 25 is republished to read as set forth below. Since its original codification, there have been numerous amendments and additions to the chapter. To facilitate the use of this material, the various amendments and additions are brought together in their entirety and the chapter has been arranged on a functional rather than alphabetical basis.

The numbers of the parts in this chapter have been adjusted to conform with its revised arrangement. The effective date of these numbers shall be the date of this republication. Existing delegations of authority, forms and other legal or administrative documents which refer to former part numbers of Chapter I are continued in effect and shall be construed to refer to the new part numbers until modified or revoked. A listing of the respective new and former part numbers is set forth below.

It is the intent of the Department in preparing this republication to make no substantive changes in the regulations and this republication is approved accordingly.

FRED A. SEATON,
Secretary of the Interior.

DECEMBER 6, 1957.

The following table lists the former part numbers and headings and indicates their position in reorganized Chapter I:

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AUTHORITY: §§ 11.1 to 11.306 issued under R. S. 463; 25 U. S. C. 2. Interpret or apply sec. 1, 38 Stat. 586; 25 U. S. C. 200.

NOTE: The regulations in this part are applicable on Indian reservations subject to the provisions of § 11.1, and the following exceptions:

§§ 11.6, 11.7, 11.20, 11.22, 11.24, 11.26, 11.28, 11.29, 11.31, 11.32, 11.34, 11.36, 11.50, 11.63, and 11.64, not applicable to Crow Indians.

§§ 11.6C, 11.7C, 11.20C, 11.22C, 11.24C, 11.26C, 11.29C, 11.31C, 11.32C, 11.34C, 11.36C, 11.50C, 11.60C, 11.63C, 11.64C, and 11.75C, applicable only to Crow Indians.

§§ 11.76NH to 11.87NH, inclusive, applicable only to Navajo and Hopi Indians.

§§ 11.1, 11.2, 11.3, 11.5, 11.6, 11.6C, 11.7, 11.7C, 11.8, 11.9, 11.20C, 11.22, 11.22C, 11.24, 11.24C, 11.25, 11.26C, 11.28, 11.29, 11.29C, 11.30, 11.31, 11.31C, 11.32, 11.32C, 11.33, 11.34C, 11.36C, 11.37, 11.49, 11.50C, 11.52, 11.53, 11.57, 11.58, 11.60C, 11.63C, 11.63C, 11.64C, 11.74, 11.75C, and 11.76NH-11.87NH, inclusive, are not applicable to Coeur d'Alene Indians.

All sections which follow bearing the symbol "CA" at the end of the number are applicable only to the Coeur d'Alene Indians.

All sections in Part 11 not heretofore mentioned in this note are applicable to the Coeur d'Alene Indians.

a part of the Menominee Indian Forest or the use of the area for other than forestry will not be detrimental to the Forest. Should the Forest Officer find the area to be more valuable as a part of the Menominee Indian Forest, or that its use for other than forestry purposes will be detrimental to the Forest, he shall notify the Superintendent in writing to that effect. Such land shall not be excluded from the Forest unless after review by the Commissioner of Indian Affairs the Forest Officer's findings are reversed by the Commissioner and the certificate is endorsed pursuant thereto. The decision of the Commissioner shall be final.

§ 143.52 *Clearing excluded areas.* Forest land described in a certificate issued pursuant to § 143.51 shall be cleared under the supervision of the Forest Officer. All merchantable forest products removed from such land shall be disposed of as provided for in § 143.1. The funds derived therefrom shall be deposited to the credit of the "Menominee Four Per Cent Fund."

PART 144—SALE OF FOREST PRODUCTS, RED LAKE INDIAN RESERVATION, MINN.

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144.2	Advertisement in trade journals.
144.3	Advertising contracts.
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144.7	Cash sales.
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144.9	Traveling salesmen.
144.10	Commission sales agents.
144.11	Deposits.
144.12	Statements.

AUTHORITY: §§ 144.1 to 144.12 issued under sec. 9, 39 Stat. 137.

CROSS REFERENCE: For general forest regulations, see Part 141 of this subchapter.

§ 144.1 *Sale in open market.* The lumber, lath, shingles, crating, ties, piles, poles, posts, bolts, logs, bark, pulpwood, and other marketable products obtained from the forests of the Red Lake Indian Reservation, Minn., may be sold in open competitive markets at such prices as may be realized through the procedure provided in this part.

§ 144.2 *Advertisement in trade journals.* The superintendent of the Red Lake Agency is hereby authorized to keep constantly advertised for sale the products of the timber operations on the Red Lake Indian Reservation in one or more lumber trade journals of general circulation among persons, companies, or corporations interested in the buying and selling of lumber and other forest products, and in newspapers in cities that may afford a favorable market for such forest products.

§ 144.3 *Advertising contracts.* Contracts for advertising may be made in the discretion of the superintendent of the Red Lake Indian Agency, provided that such contracts shall not be executed for a period of over one year.

§ 144.4 *Advertisement, general.* Advertisement of products may also be

made by circular letters and through personal contacts with the trade: *Provided*, That the travel expense incident thereto shall not be incurred without specific authority from the superintendent of the Red Lake Indian Agency.

§ 144.5 *Purchase proposals.* Proposals for the purchase of products may be made to the manager of the Red Lake Indian Sawmill, and that official is authorized to quote prices and consummate sales at such times and on such terms as are consistent with the regulations in this part: *Provided*, That sales in excess of \$10,000 shall not be effected except with the approval of the superintendent.

§ 144.6 *Proposals to Government departments.* Proposals to sell may be made to municipalities, counties, States, or the United States and prices quoted to such agencies. Terms and payment in connection with such sales may be formulated in accordance with the general practice of such agencies.

§ 144.7 *Cash sales.* All products of the Red Lake Indian Sawmill may be sold for cash f. o. b. mill or at the point of delivery, freight prepaid by the Red Lake Indian Sawmill, except as provided in §§ 144.6 and 144.8. Adjustments and allowances on shipments of forest products after delivery to buyer are authorized in accordance with generally accepted trade practices, when in the judgment of the superintendent of the Red Lake Indian Agency and the manager of the Red Lake Indian Sawmill such adjustments are essential by reason of off-grade shipments or errors in volume: *Provided*, That a written report setting forth the details of each case shall be filed by the manager and approved by the superintendent before such adjustments are authorized.

§ 144.8 *Credit sales.* Shipments of forest products on open account shall be made only to persons or companies of substantial net worth and first-class credit rating. Credit on shipments of forest products sold on open account must not be extended beyond 60 days from date of receipt of car by buyer. A cash discount of 2 percent of mill value may be allowed when the shipment is paid for within 10 days of receipt of car by consignee as evidenced by the original paid freight bill.

§ 144.9 *Traveling salesmen.* Traveling salesmen other than the mill manager may be employed only with prior approval by the Commissioner of Indian Affairs.

§ 144.10 *Commission sales agents.* Sales may be made through commission sales agents for which they may be paid a 5 percent commission on the f. o. b. mill value of the shipment; or when 5 percent does not equal 75 cents per thousand feet board measure a maximum commission of 75 cents per thousand board feet may be allowed the salesman. All such commissions shall be paid only after the mill has been paid in full for the products sold. Sales may be made to wholesalers on which a discount of not more than 8 percent of the f. o. b. mill value may be allowed.

§ 144.11 *Deposits.* On all agreements to purchase for future delivery a deposit of not less than 10 percent of the estimated amount of the purchase may be required in the discretion of the manager, to be forfeited if the purchaser does not comply with the terms of sale; and no agreement for sale and future delivery shall be made for a longer period than 60 days, except with the approval of the superintendent.

§ 144.12 *Statements.* A monthly statement will be mailed to the Commissioner of Indian Affairs giving a summary statement of all products sold during the preceding month and the average price received for each main class of material.

Subchapter N—Grazing

PART 151—GENERAL GRAZING REGULATIONS

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AUTHORITY: §§ 151.1 to 151.27 issued under R. S. 161, sec. 6, 48 Stat. 986; 5 U. S. C. 22, 25 U. S. C. 466. Statutory provisions interpreted or applied are cited to text in parentheses.

CROSS REFERENCES: For Navajo grazing, reservations, see Part 152 of this chapter. For leasing and permitting, of restricted Indian lands for farming, farm pasture, and business, see Part 131 of this chapter.

§ 151.1 *General authority.* It is within the authority of the Secretary of the Interior to protect Indian tribal lands against waste. Overgrazing, which threatens destruction of the soil, is properly considered waste. Subject to regulations authorized by law, the right exists for Indian tribes and individual Indians to lease or grant permits upon their own tribal land or individual allotments.

§ 151.2 *Act of June 18, 1934.* With respect to reservations upon which the act of June 18, 1934, is applicable, the action of the Secretary must follow the directions laid down in section 6 of that act.

§ 151.3 *Objectives.* It is the purpose of the regulations in this part to aid the Indians in the achievement of the following objectives: