

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

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ent Indians an initial payment of not more than \$1,350 each for the first year, and thereafter, on evidence of the proper use of the initial payment, a subsequent payment of not more than \$1,000 each for the execution of an approved program. Funds of minor children of fee patent Indians may be included in an approved family program, but their expenditure shall be subject to the same provisions as govern the expenditure of the funds of minor children of Indians other than fee patent Indians. Fee patent Indians shall be required to conform to the provisions of § 223.58 only when the purchase of real property involves such property situated within the diminished portion of the Wind River Reservation; payment by fee patent Indians for real property outside the diminished portion of the Wind River Reservation may be made by them with funds disbursed to them by the superintendent and approval of title to such property by the Secretary of the Interior shall be only upon their request. Upon the request of fee patent Indians, and with the approval of the Shoshone Business Council and the superintendent, such Indians shall not be required to conform to the provisions of § 223.59, except that title to real property situated within the diminished portion of the Wind River Reservation shall

be taken in the name of the United States in trust for such Indians and title to real property situated outside the diminished portion of the Wind River Reservation shall not be taken in the name of the United States in trust but shall be taken in fee in the name of such Indians. Except as otherwise provided in this section, fee patent Indians shall conform to all the provisions of this subpart.*†

§ 223.69 *Non-resident Indians.* The provisions of § 223.68 pertaining to fee patent Indians shall also apply to Indians other than fee patent Indians who habitually reside away from the Wind River Reservation and have, to all intents and purposes, severed their affiliation with the tribe, and who shall furnish to the superintendent in writing a statement that they intend to continue to reside away from the reservation and evidence, satisfactory to the superintendent, of their competency and ability to support themselves and manage their own affairs.*†

§ 223.70 *Definition of "adult" and "minor."* The term "adult" shall include all members of the tribe 18 years of age or over, and the term "minor" shall include all members of the tribe less than 18 years of age.*†

Subchapter T—Patents in Fee, Competency Certificates, Sales and Reinvestment of Proceeds

PART 241—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, SALE OF CERTAIN INDIAN LANDS, AND REINVESTMENT OF PROCEEDS

SALE OF ALLOTTED LANDS, EXCLUSIVE OF FIVE CIVILIZED TRIBES' LANDS

§ 241.12a *Removal of restrictions; limitations on sale of Indian allotments.* Order No. 420, dated August 12, 1933, and approved by the Secretary of the Interior August 14, 1933, forbade the sale of Indian trust or otherwise restricted lands, the issuance of certificates of com-

petency, patents in fee, or removal of restrictions, except in individual cases of great distress or emergency.

Order No. 420 is hereby modified to permit the sale of taxable lands (a) which would otherwise be lost for non-payment of taxes; and (b) whose sale, if allowed, would yield cash or commodities for the improvement of the Indian vendor's economic position. Applications for fee patents or for the removal of restrictions will be submitted as heretofore for the approval of the Secretary of the Interior under this part. (R.S. 161; 5 U.S.C. 22) [Order 498, Mar. 3, 1939; 4 F.R. 1260]

*†For statutory and source citations, see note to § 223.50.