

of any loans received from the United States or from the Klamath tribal funds; purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting; and health purposes: *Provided, however*, That the funds of the aged, infirm, decrepit, and incapacitated members, and of minors, may be used for their proper maintenance and support. The remainder of the share of each minor Indian shall be held intact until such Indian reaches his majority, when it, together with interest at the rate of 4 per centum per annum, shall be available for expenditure for the purposes specified herein. As herein used, the term "minor" shall include all members of the tribe less than twenty-one years of age, except that minors eighteen years of age or over and who are married or have families of their own to support, shall be regarded as adults. On the death of any enrolled member, adult, or minor, the sum on deposit to his credit shall be distributed as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *Provided, however*, That of the aforesaid \$2,000 to be prorated to each person, \$100 shall be paid to each member of said tribes as a per capita payment, free from the aforesaid restrictions, under rules and regulations prescribed by the Secretary of the Interior.

(Aug. 7, 1939, ch. 552, §1, 53 Stat. 1252.)

#### REFERENCES IN TEXT

Act of June 25, 1938, referred to in text, probably refers to the Second Deficiency Appropriation Act, fiscal year 1938, act June 25, 1938, ch. 681, §203(a), 52 Stat. 1156. Section 203(a) of that act provided for an appropriation for payment of judgments rendered by the court of claims and reported to the 75th Congress in Senate Document Numbered 191, and House Documents Numbered 661 and 686. House Document No. 681 listed a judgment in favor of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians in the sum of \$5,313,347.32, with interest on a part thereof to date of payment, for the taking of land.

#### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

#### § 542. Limitations on remainder of fund

After the segregation provided for in section 541 of this title shall have been made, the remainder of such judgment fund, including interest, shall be available for expenditure subject to the following limitations and conditions:

(a) Repealed. Aug. 13, 1954, ch. 732, §12, 68 Stat. 721.

(b) Three hundred and seventy-five thousand dollars for immediate payment in a lump sum of \$1,500 to each adult unallotted Indian found to be entitled to payment in lieu of allotment, as

authorized in the Act of June 1, 1938 (52 Stat. 605) [25 U.S.C. 551 et seq.]: *Provided*, That the amount due any minor under the provisions of said subchapter shall be withheld until he becomes an adult, as herein defined, when it shall be paid to him in a lump sum from any funds, principal, or interest, on deposit to the credit of the Klamath Tribe, and section 2 of said Act of June 1, 1938 [25 U.S.C. 552], is amended accordingly.

(c) Such moneys as shall remain in the principal fund shall be transferred to and become a part of the capital reserve fund created by section 530 of this title.

(Aug. 7, 1939, ch. 552, §2, 53 Stat. 1253; Aug. 13, 1954, ch. 732, §12, 68 Stat. 721.)

#### REFERENCES IN TEXT

Act of June 1, 1938, referred to in subsec. (b), is act June 1, 1938, ch. 310, 52 Stat. 605, as amended, which is classified generally to subchapter XI (§551 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

#### AMENDMENTS

1954—Subsec. (a). Act Aug. 13, 1954, repealed subsec. (a) which related to transfer of funds.

#### EFFECTIVE DATE OF 1954 AMENDMENT

Act Aug. 13, 1954, ch. 732, §12, 68 Stat. 721, provided that the amendment made by that section is effective on the date of the transfer of tribal property to a trustee, corporation, or other legal entity pursuant to section 564e of this title.

#### § 543. Liability of judgment funds for debts

In no event shall any portion of the said judgment fund become liable, payable, or subject to any debt or debts contracted prior to the passage of this subchapter by any Indian of the Klamath Tribe except debts to the United States or to the tribe.

(Aug. 7, 1939, ch. 552, §3, 53 Stat. 1253.)

#### § 544. Creation of individual credits; authorized purchases

The Secretary of the Interior be, and he is authorized and directed, from the capital reserve fund deposited in the Treasury of the United States to the credit of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians (hereinafter referred to as the "Klamath Tribes"), said fund being established pursuant to the Act of August 28, 1937 (ch. 874, 50 Stat. 872) [25 U.S.C. 530 et seq.], as augmented by the proceeds of the judgment fund of the Klamath Indians as provided in the Act of August 7, 1939 (ch. 552, 53 Stat. 1252) [25 U.S.C. 541 et seq.], to credit the sum of \$500 upon the books of the Office of Indian Affairs, to each person determined by the Secretary of the Interior to be entitled to enrollment upon the annuity roll of said tribes of the Klamath Reservation, Oregon, living upon March 29, 1948. The share of each adult member of the credit so established shall be available for expenditure, under such rules and regulations as the Secretary of the Interior may prescribe, for the following purposes:

Purchase of land or interests in land; improvement of lands acquired or already held by the Indian; erection and improvement of suitable