

the Creek Nation to complete allotment equalization payments to persons with claims thereto that were filed and adjudicated in accordance with the provisions of section 18 in the Act of June 30, 1919 (41 Stat. 3, 24).

**(b) Per capita payments to enrollees, heirs, or legatees**

The Secretary of the Interior is authorized to distribute per capita to the members of the Creek Nation whose names appear on the final rolls approved under the Act of April 26, 1906 (34 Stat. 137), or to their heirs or legatees, any funds heretofore or hereafter deposited in the Treasury of the United States to the credit of the Creek Nation that are not used for the purposes of subsection (a) of this section and that are not needed, in the judgment of the Secretary, for other tribal purposes except the proceeds of any final judgment entered in Docket No. 21, pending before the Indian Claims Commission, in which the Creek Nation (Oklahoma) is plaintiff, and McGhee et al., on behalf of the Creek Nation East of the Mississippi are intervenors, and the United States is defendant.

**(c) Judgment payments**

The Secretary of the Interior is authorized and directed to distribute among the persons entitled thereto the funds appropriated by chapter XII of the Third Supplemental Appropriation Act, 1952 (66 Stat. 101, 121), in payment of the judgment entered by the Indian Claims Commission in favor of the Loyal Creek Band or Group of Creek Indians et al., Docket No. 1. Such funds shall be paid to those persons whose names appear on the payroll prepared pursuant to the Act of March 3, 1903 (32 Stat. 982, 994), by J. Blair Schoenfelt, United States Indian Agent, or to their heirs or legatees, on a pro rata basis in proportion to the amounts appearing opposite their names on such payroll.

(Aug. 1, 1955, ch. 444, § 2, 69 Stat. 431.)

REFERENCES IN TEXT

Section 18 of the Act of June 30, 1919, referred to in subsec. (a), is act June 30, 1919, ch. 4, § 18, 41 Stat. 21, which is set out as a note under section 375 of this title.

Act of April 26, 1906, referred to in subsec. (b), is act Apr. 26, 1906, ch. 1876, 34 Stat. 137, which is set out as a note under section 355 of this title.

The Indian Claims Commission, referred to in subsecs. (b) and (c), terminated Sept. 30, 1978. See Codification note set out under former section 70 et seq. of this title.

Act of March 3, 1903, referred to in subsec. (c), is act Mar. 3, 1903, ch. 994, 32 Stat. 982, 994, which was not classified to the Code.

Chapter XII of the Third Supplemental Appropriation Act, 1952, referred to in subsec. (c), is chapter XII of act June 5, 1952, ch. 369, 66 Stat. 101, which was not classified to this Code.

**§ 782. Payment to heirs or legatees**

**(a) Laws governing**

If a person entitled to a payment authorized by sections 781 to 785 of this title is deceased, such payment shall be made to his heirs or legatees determined in accordance with the laws, relating to the distribution of personal property, of the Creek Nation if the decedent died before January 1, 1898, or of the State of Arkansas in

effect at the time of death if the decedent died before November 16, 1907, or of the State of Oklahoma in effect at the time of death if the decedent died on or after November 16, 1907. For the purposes of this section the decedent shall be regarded as an owner in possession of the payment at the time of his death.

**(b) Proof of death and heirship or bequest**

Before a payment authorized by sections 781 to 785 of this title is made to an heir or legatee of a deceased person, proof of death and heirship or bequest satisfactory to the Secretary of the Interior shall be submitted to him, and his findings with respect thereto shall be final and conclusive. Where satisfactory proof of death and heirship or bequest is already available to the Secretary, no additional submission shall be required.

(Aug. 1, 1955, ch. 444, § 3, 69 Stat. 432.)

**§ 783. Payments to minors or persons under legal disability; liens, exception; tax exemption**

Funds payable under sections 781 to 785 of this title to minors or to persons under legal disability shall be paid to such representatives and under such conditions as the Secretary of the Interior may direct. The distribution of funds under said sections shall not be subject to any lien, except for debts owed to the United States or to Indian organizations indebted to the United States, and shall not be taxable.

(Aug. 1, 1955, ch. 444, § 4, 69 Stat. 432.)

**§ 784. Appropriations**

There is authorized to be appropriated out of any money in the Treasury not otherwise appropriated the sum of \$325,000 to remain available until expended, for necessary expenses incident to the distribution of funds authorized by sections 781 to 785 of this title.

(Aug. 1, 1955, ch. 444, § 5, 69 Stat. 432; Pub. L. 86-229, Sept. 8, 1959, 73 Stat. 456.)

AMENDMENTS

1959—Pub. L. 86-229 increased appropriation authorization from \$200,000 to \$325,000.

**§ 785. Rules and regulations**

The Secretary of the Interior is authorized to issue rules and regulations necessary for the purposes of sections 781 to 785 of this title.

(Aug. 1, 1955, ch. 444, § 6, 69 Stat. 432.)

**§ 786. Credit of unclaimed and unpaid share of funds**

The unclaimed and unpaid share of the funds, and the accrued interest thereon, appropriated by chapter XII of the Third Supplemental Appropriation Act, 1952 (66 Stat. 101, 121), in payment of the judgment entered by the Indian Claims Commission in favor of the Loyal Creek Band or Group of Indians et al., docket numbered 1, and which were authorized to be distributed by section 781(c) of this title, shall be deposited in the Treasury of the United States to the credit of the Creek Nation of Indians of Oklahoma.