

complete classification of R.S. §§2039 to 2157 to the Code, see Tables.

CODIFICATION

R.S. §2124 derived from act June 30, 1834, ch. 161, §27, 4 Stat. 733.

§ 202. Inducing conveyances by Indians of trust interests in lands

It shall be unlawful for any person to induce any Indian to execute any contract, deed, mortgage, or other instrument purporting to convey any land or any interest therein held by the United States in trust for such Indian, or to offer any such contract, deed, mortgage, or other instrument for record in the office of any recorder of deeds. Any person violating this provision shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding \$500 for the first offense, and if convicted for a second offense may be punished by a fine not exceeding \$500 or imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the court. This section shall not apply to any lease or other contract authorized by law to be made.

(June 25, 1910, ch. 431, §5, 36 Stat. 857.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 115 of Title 18, Criminal Code and Criminal Procedure, prior to the general revision and enactment of Title 18, Crimes and Criminal Procedure, by act June 25, 1948, ch. 645, §1, 62 Stat. 683.

CHAPTER 6—GOVERNMENT OF INDIAN COUNTRY AND RESERVATIONS

SUBCHAPTER I—GENERALLY

- Sec.
211. Creation of Indian reservations.
212 to 228. Repealed.
229. Injuries to property by Indians.
230. Depositions by agents touching depredations.
231. Enforcement of State laws affecting health and education; entry of State employees on Indian lands.
232. Jurisdiction of New York State over offenses committed on reservations within State.
233. Jurisdiction of New York State courts in civil actions.

SUBCHAPTER II—TRAFFIC IN INTOXICATING LIQUORS

- 241 to 252. Repealed.
253. Wines for sacramental purposes.
254. Repealed.

SUBCHAPTER III—TRADERS WITH INDIANS

261. Power to appoint traders with Indians.
262. Persons permitted to trade with Indians.
263. Prohibition of trade by President.
264. Trading without license; white persons as clerks.
265, 266. Repealed.

SUBCHAPTER I—GENERALLY

§ 211. Creation of Indian reservations

No Indian reservation shall be created, nor shall any additions be made to one heretofore created, within the limits of the States of New Mexico and Arizona, except by Act of Congress.

(May 25, 1918, ch. 86, §2, 40 Stat. 570.)

§§ 212 to 215. Repealed. June 25, 1948, ch. 645, §21, 62 Stat. 862

Section 212, R.S. §2143, related to arson. See section 1153 of Title 18, Crimes and Criminal Procedure.

Section 213, R.S. §2142, related to assault. See section 1153 of Title 18.

Section 214, R.S. §2138; act June 30, 1919, ch. 4, §1, 41 Stat. 9, related to removing cattle from Indian country.

Section 215, R.S. §2144, related to forgery and depredations on the mails. See sections 1151 and 1152 of Title 18.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1948, see act June 25, 1948, ch. 645, §20, 62 Stat. 862.

§ 216. Repealed. Pub. L. 86-634, §4, July 12, 1960, 74 Stat. 469

Section, R.S. §2137, prohibited hunting by non-Indians on Indian lands except for subsistence. See section 1165 of Title 18, Crimes and Criminal Procedure.

§§ 217 to 218. Repealed. June 25, 1948, ch. 645, §21, 62 Stat. 862

Section 217, R.S. §2145, related to general laws as to punishment extended to Indian country. See sections 1151 and 1152 of Title 18, Crimes and Criminal Procedure.

Section 217a, act June 8, 1940, ch. 276, 54 Stat. 249, related to jurisdiction of Kansas over offenses committed by or against Indians or reservations. See section 3243 of Title 18.

Section 218, R.S. §2146; act Feb. 18, 1875, ch. 80, §1, 18 Stat. 318, related to exceptions as to extension of general laws. See sections 1151 and 1152 of Title 18.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1948, see act June 25, 1948, ch. 645, §20, 62 Stat. 862.

§§ 219 to 226. Repealed. May 21, 1934, ch. 321, 48 Stat. 787

Section 219, R.S. §2134, related to foreigners entering Indian country without passports, penalty for such entry and contents of passports.

Section 220, R.S. §2147, related to authority to remove person from Indian country and to use of military force.

Section 221, R.S. §2148, related to person returning after removal from Indian country.

Section 222, R.S. §2149, related to authority to remove person from Indian reservation and use of necessary force.

Section 223, R.S. §2150, related to employment of military.

Section 224, R.S. §2151, related to detention and treatment of persons apprehended by military.

Section 225, R.S. §2152, related to arrest of absconding Indians, use of military force to apprehend such Indians and to prevent tribal hostilities.

Section 226, R.S. §2153, related to posse comitatus in executing process.

§§ 227, 228. Repealed. June 25, 1948, ch. 645, §21, 62 Stat. 862

Section 227, R.S. §2154, related to reparation for injuries to Indian property. See section 1160 of Title 18, Crimes and Criminal Procedure.

Section 228, R.S. §2155, related to payment of reparation where offender is unable to. See section 1160 of Title 18.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1948, see act June 25, 1948, ch. 645, §20, 62 Stat. 862.

§ 229. Injuries to property by Indians

If any Indian, belonging to any tribe in amity with the United States, shall, within the Indian country, take or destroy the property of any person lawfully within such country, or shall pass from Indian country into any State or Territory inhabited by citizens of the United States, and there take, steal, or destroy, any horse, or other property belonging to any citizen or inhabitant of the United States, such citizen or inhabitant, his representative, attorney, or agent, may make application to the proper superintendent, agent, or subagent, who, upon being furnished with the necessary documents and proofs, shall, under the direction of the President, make application to the nation or tribe to which such Indian shall belong, for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction, in a reasonable time not exceeding twelve months, such superintendent, agent, or subagent shall make return of his doings to the Commissioner of Indian Affairs, that such further steps may be taken as shall be proper, in the opinion of the President, to obtain satisfaction for the injury.

(R.S. §2156.)

Editorial Notes

CODIFICATION

R.S. §2156 derived from acts June 30, 1834, ch. 161, §17, 4 Stat. 731; Feb. 28, 1859, ch. 66, §8, 11 Stat. 401.

Statutory Notes and Related Subsidiaries

INDIAN AGENTS

The services of Indian agents have been dispensed with. See note set out under section 64 of this title.

Executive Documents

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.

§ 230. Depositions by agents touching depredations

The superintendents, agents, and subagents within their respective districts are authorized and empowered to take depositions of witnesses touching any depredations, within the purview of sections 227, 228¹ and 229 of this title, and to administer oaths to the deponents.

(R.S. §2157.)

¹ See References in Text note below.

Editorial Notes

REFERENCES IN TEXT

Sections 227 and 228 of this title, referred to in text, were repealed by act June 25, 1948, ch. 645, §21, 62 Stat. 862, and are covered by section 1160 of Title 18, Crimes and Criminal Procedure.

CODIFICATION

R.S. §2157 derived from act June 30, 1834, ch. 161, §18, 4 Stat. 732.

Statutory Notes and Related Subsidiaries

INDIAN AGENTS

The services of Indian agents have been dispensed with. See note set out under section 64 of this title.

Executive Documents

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.

§ 231. Enforcement of State laws affecting health and education; entry of State employees on Indian lands

The Secretary of the Interior, under such rules and regulations as he may prescribe, shall permit the agents and employees of any State to enter upon Indian tribal lands, reservations, or allotments therein (1) for the purpose of making inspection of health and educational conditions and enforcing sanitation and quarantine regulations or (2) to enforce the penalties of State compulsory school attendance laws against Indian children, and parents, or other persons in loco parentis except that this subparagraph (2) shall not apply to Indians of any tribe in which a duly constituted governing body exists until such body has adopted a resolution consenting to such application.

(Feb. 15, 1929, ch. 216, 45 Stat. 1185; Aug. 9, 1946, ch. 930, 60 Stat. 962.)

Editorial Notes

AMENDMENTS

1946—Act Aug. 9, 1946, permitted proper State officers to invoke penalties of State compulsory school attendance against Indian children, their parents, or other persons in loco parentis.

Executive Documents

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.

§ 232. Jurisdiction of New York State over offenses committed on reservations within State

The State of New York shall have jurisdiction over offenses committed by or against Indians