

necessary to protect such Indian in the quiet enjoyment of the lands so allotted to him.

(R.S. § 2119.)

CODIFICATION

R.S. § 2119 derived from act June 14, 1862, ch. 101, § 1, 12 Stat. 427.

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.

INDIAN AGENTS

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

§ 186. Repealed. May 21, 1934, ch. 321, 48 Stat. 787

Section, R.S. § 2120, related to trespassing on lands of civilized Indians.

§ 187. Omitted

CODIFICATION

Section, R.S. § 2121, which directed the Superintendent of Indian Affairs to suspend a trespasser (as described in section 186 of this title) who is the chief or headman of a band or tribe from his office for 3 months and to deprive him of all benefits and emoluments of such office during that time but allowed the Superintendent to restore him to his office sooner if the Superintendent should so decide, was omitted in view of the repeal of section 186 of this title.

§§ 188, 189. Repealed. Oct. 31, 1951, ch. 654, § 1(49), (50), 65 Stat. 703

Section 188, R.S. § 2122, related to sale of buildings belonging to United States. See sections 483 and 484 of Title 40, Public Buildings, Property, and Works.

Section 189, R.S. § 2123, related to sale of lands with buildings. See sections 483 and 484 of Title 40.

§ 190. Sale of plants or tracts not needed for administrative or allotment purposes

Subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 471 et seq.], the Secretary of the Interior is authorized in his discretion to sell and convey by deed or patent, under such terms and conditions as he may prescribe, at not less than their appraised value, nonreservation Government tracts or plants or tribal administrative plants or reserves, or parts thereof, not exceeding forty acres in area and not exceeding \$2,000 in value, not longer needed for Indian administrative or allotment purposes, and small unallotted tracts not exceeding forty acres, where a sale will serve the tribal interests. All sales made under this section shall be at public auction, to the highest and best bidder.

And the Secretary of the Interior is further authorized, where a tract to be disposed of under this section or any other Act authorizing the disposition of tribal lands requires survey as basis for a deed or patent, to accept from the grantee, in addition to the purchase price, an amount sufficient to cover the survey costs.

The net proceeds of sale of any tribal site, plant, or tract shall be deposited in the Treasury

of the United States to the credit of the Indians owning the same, to be disposed of for their benefit in accordance with existing law.

(Apr. 12, 1924, ch. 93, 43 Stat. 93; Oct. 31, 1951, ch. 654, § 2(16), 65 Stat. 707.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, as amended, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Provisions of that Act relating to disposal of Government property are classified to chapter 10 (§ 471 et seq.) of Title 40, Public Buildings, Property, and Works. For complete classification of this Act to the Code, see Short Title note set out under section 471 of Title 40, and Tables.

AMENDMENTS

1951—Act Oct. 31, 1951, inserted reference to applicable regulations of Federal Property and Administrative Services Act of 1949, as amended, at beginning of first par., and, in third par., struck out requirement that net proceeds of sales of Government-owned nontribal plants or lands be deposited in Treasury of United States.

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.

§ 191. Repealed. Oct. 31, 1951, ch. 654, § 1(51), 65 Stat. 703

Section, acts July 1, 1898, ch. 545, § 6, 30 Stat. 596; June 25, 1910, ch. 431, § 22, 36 Stat. 861, related to transfer or sale of Government property at reservations. See sections 483 to 485 of Title 40, Public Buildings, Property, and Works.

§ 192. Sale by agents of cattle or horses not required

The agent of each tribe of Indians, lawfully residing in the Indian country, is authorized to sell for the benefit of such Indians any cattle, horses, or other livestock belonging to the Indians, and not required for their use and subsistence, under such regulations as shall be established by the Secretary of the Interior. But no such sale shall be made so as to interfere with the execution of any order lawfully issued by the Secretary of the Army, connected with the movement or subsistence of troops.

(R.S. § 2127; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

CODIFICATION

R.S. § 2127 derived from act Mar. 3, 1865, ch. 127, § 9, 13 Stat. 563.

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with cer-