

EXPLANATION OF REFERENCE TABLES AND INDEX

The various tables that comprise this supplement constitute the first comprehensive attempt to collect and systematize the basic materials of Federal Indian law. These materials include the statutes and treaties of the United States, the decisions of federal courts, including territorial courts, the administrative rulings of the Attorney General and of the Department of the Interior, legal texts and periodicals and congressional and other public documents. An attempt has been made to make these compilations complete with respect to published, statutes, treaties (published and unpublished), reported federal cases, published opinions of the Attorney General and published rulings of the Interior Department. Such completeness, however, extends only to the date on which this compilation was begun, April 14, 1939. A few later items of special importance, appearing between this date and the completion of the compilation and handbook on July 1, 1940, have been inserted in the various tables. With respect to unpublished administrative rulings, legal texts and periodicals, and congressional and other public documents, a complete coverage has not been attempted but an effort has been made to include in this compilation the most important materials in the field. The analysis of unpublished memoranda of the Lands Division of the Department of Justice goes back as far as the year 1929, and the search for unpublished decisions and memoranda in the files of the Interior Department was carried back as far as October 31, 1917. The published decisions of the Interior Department go back to July, 1881. Statutes, court decisions, and other official materials have been compiled as far back as the adoption of the Constitution in 1789, except that treaties of the United States preceding the Constitution, and recognized therein, have been included.

A count of the number of items of each category collected and utilized in the preparation of this supplement gives the following approximate figures:

Statutes	4,264
Treaties	389
Reported Cases	1,725
Opinions of the Attorney General, etc.	523
Interior Department Rulings	838
Legal Texts and Articles	629
Tribal Constitutions	141
Tribal Charters	112
Congressional Reports and Miscellaneous	304
Total Number of Items	8,922

This supplement to the Handbook of Federal Indian Law is composed of seven parts: (1) the tribal index of materials on Indian law, (2) the annotated table of statutes and treaties, (3) the table of federal cases, (4) the table of Interior Department rulings, (5) the table of Attorney General's opinions, (6) the bibliography, and (7) the index. A few words concerning each of these parts may be of assistance to those who make use of this supplement.

Tribal Index of Materials on Indian Law.—The tribal index attempts to show, for each tribe, the special statutes, treaties, decisions and other legal materials that concern that tribe.

The importance of a tribe-by-tribe index of materials on Indian law arises from the fact that during the greater part of our national existence we have dealt with Indian tribes through treaty or agreement, through special legislation, and, most recently, through tribal constitutions approved by the Federal Government and federal charters approved by the Indian tribes. Thus there has developed, for each tribe and reservation, a special body of law which supplements or modifies general legislation on Indian affairs. Thus any general analysis of problems of federal Indian law, such as is attempted in the Handbook itself, necessarily contains an element of incompleteness. To help in the filling of that gap this guide to special legal materials affecting each tribe and reservation has been prepared.

An attempt has been made to reflect faithfully legislative and administrative usage in the designation of Indian groups covered by federal legislation. In many instances the groups thus designated are not "tribes" in the anthropological sense, but portions or groupings of such "tribes." Political existence rather than racial unity has been the chief criterion of group existence in the history of Indian treaties and Indian legislation. This index is primarily a roster of such political entities. Where ethnological designations vary from political usage, such ethnological designations have been noted parenthetically following the primary listing.

Since a single tribe is frequently referred to in several different groupings, cross references have been included to show other designations for a given tribe and to show the designations of other groups that include the tribe in question or are included therein.

Annotated Table of Statutes and Treaties.—In the statutory index an effort has been made to annotate each act of Congress, treaty, and joint or concurrent resolution with pertinent legal materials, statutory and non-statutory. The effect of this statutory index is to

show for each provision of federal law relating to Indians, the legal background against which the law was enacted and the functioning of the law since its enactment.

The annotations include under each statutory item the following materials: (1) Reference to earlier and later statutes and treaties, which supplement, amend, or repeal, or are supplemented, amended, or repealed by, the annotated item; (2) Reference to federal cases in which the statutory item is cited; (3) Similar references to Attorney General's opinions in which the statutory item is cited; (4) Parallel citations to Revised Statutes; (5) Parallel citations to the United States Code; (6) Historical annotations taken from the United States Code Annotated; (7) Published and unpublished decisions and memoranda of the Interior Department; (8) Unpublished memoranda of the Lands Division of the Department of Justice; (9) Legal texts; (10) Legal periodicals; (11) Congressional and other government documents.

Table of Federal Cases.—The table of federal cases on Indian law covers reported cases in the federal (including the territorial) courts during the period from 1790 to 1939 in which issues of federal Indian law are considered. In this table the various cases are annotated for appeals, overrulings, and related decisions.

Table of Interior Department Rulings.—The table of Interior Department rulings on Indian matters from 1881 to 1939, contains volume and page reference to published rulings and file number reference to unpublished materials, together with the date and indication of subject matter for each ruling. Included in this table are a number of rulings of other agencies which are available in Interior Department files.

Table of Attorney General's Opinions.—The table of published Attorney General's Opinions from 1789 to 1939 on matters of Indian law contains volume, page, date and title for each opinion. Unpublished memoranda of the Lands Division of the Department of Justice collected by that Department from 1929 to 1939 are cited in the tribal and statutory indices, but are not listed as a separate table.

Bibliography.—The bibliography is composed of four parts: the major compilations of federal Indian laws, treaties and regulations; important legal literature—periodicals and texts; background materials, including works on Indian policy and administration; and congressional documents (including American Archives, American State Papers, and Journals of the Continental Congress) pertaining to Indian affairs, either cited in the various indices or the Handbook or of prime importance to an understanding of the development of Indian legislation and policy in the United States.

Index.—The index covers the principal topics treated in the Handbook of Federal Indian Law. It may be

supplemented by reference to the Analysis of Chapters, at pages XIX to XXIV of the Handbook.

In order to conserve space, references to case materials, statutory materials and other materials cited in this supplement are given in the most concise form possible. These citations, however, may be elaborated by reference to the appropriate table. Thus, a case cited by the first word or phrase, e. g., Adams, 59 F. 2d 653, may be identified in the table of federal cases more fully described as ADAMS v. OSAGE TRIBE OF INDIANS, 59 F. 2d 653 (C. C. A. 10, 1932), aff'g 50 F. 2d 918 (D. C. N. D. Okla. 1931), cert. den. 287 U. S. 652. Where the first party named in the title of the case is the United States, the citation includes in addition the first word or phrase identifying the adverse party. Likewise a citation to a legal text, law review article or congressional document can be amplified by a reference to the bibliography. Thus, for example, the citation: "Black, II" will be found by reference to *Part II, Literature on Indian Law, Section 2, Texts*, to designate a volume of Henry Campbell, Black entitled *Intoxicating Liquors*, published in 1892.

The following abbreviations have been generally used :

A. -----	Amended
Aff'd -----	Affirmed
Aff'g -----	Affirming
Ag. -----	Amending
App. dism. -----	Appeal dismissed
Approp. St. -----	Appropriation statutes
Archives I -----	National Archives, Unpublished Treaty No. 1
C. -----	congress
C:1 -----	Congress, First Session
Cert. den. -----	Certiorari denied
Comm. -----	Committee
Comm'r -----	Commissioner
Compt. Gen'l's Rulings -----	Comptroller General's Rulings
Const. -----	Constitution
Den. -----	Denied
Dism. -----	Dismissed
Gov. Pub. -----	Government Publications
H. -----	House of Representatives
I. D. Regs. -----	Interior Department Regulations
I. D. Rulings -----	Interior Department Rulings
I. D. -----	Land Decisions, Interior Department
I. D. Memo. (D. J.) -----	Memorandum of Lands Division, Department of Justice
Memo. Sol. -----	Memorandum, Solicitor, Interior Department
Memo. Sol. Off. -----	Memorandum, Solicitor's Office, Interior Department
Mod. -----	Modified
Mod'g -----	Modifying
Op. A. G. -----	Opinion of the Attorney General
Op. Sol. -----	Opinion, Solicitor, Interior Department
Per. -----	Periodicals
Priv. St. -----	Private Statutes
R. -----	Repealed
Rev. -----	Reversed

Rev'g.....	Reversing
Rg.....	Repealing
Rp.....	Repealed in part
Rpg.....	Repealing in part
S.....	Senate
S.....	Supplemented
S. c.....	Same case
Sg.....	Supplementing
Spec. St.....	Special Statutes
St.....	Statutes

The publication of this supplement affords a welcome opportunity to acknowledge the contributions of those who have labored in the collection and systematization of the thousands of items comprised in these various tables. The collection and analysis of legal materials was in the hands of attorneys Fred V. Folsom, Jr, Abraham Glasser, Theodore H. Haas, Samuel Miller, Mrs. Mima Pollitt, Miss Bettie Renner, and Miss Doris Williamson; all of the Department of Justice. The collection of subsidiary historical, anthropological, and administrative, materials was accomplished by Miss Lucy

Kramer and Dr. David Rodnick, ethnologists in the Office of Indian Affairs, Fred A. Baker, Field Agent of the Office of Indian Affairs, and Miss Mary K. Morris, of the Department of Justice. The compiling of the annotated table of statutes was the work of Miss Renner; the index of tribal materials and the table of Interior Department rulings were compiled by Mrs. Pollitt; the table of federal cases was prepared by Samuel Miller; the bibliography is the work of Miss Morris and Miss Kramer; and the index was prepared by Miss Irene R. Shriber, an attorney in the Office of Indian Affairs.

The arduous task of putting all these materials into form for publication was assumed by Mrs. Griselda G. Lobell and Miss Marie J. Turinsky. To John H. Ady, Chief of the Publications Section of the Department of the Interior, went the task of seeing this supplement through the press.

F. S. C.

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