

Questions and Answers On P.L. 587

Q. When will the final roll be published?

A. According to BIA officials the Secretary of the Interior is still considering a number of appeals which are expected to be settled in the near future. The final roll will not be published until the review of all appeals has been completed.

Q. Do hunting and fishing rights continue for the withdrawing members?

A. The Solicitor (lawyer for the Department of the Interior) states that members who elect to withdraw cease to be members when they are paid in full for the value of their tribal interests and their hunting and fishing rights end when their membership in the tribe ends. Until they are fully paid the withdrawing member is still a member and is entitled to those rights.

Q. Do hunting and fishing rights of those who decide to remain under a management plan continue on land which is sold to pay off withdrawing members?

A. The opinion of the Solicitor states that the hunting and fishing rights of the members do not continue on that land because such land is no longer tribal land or a part of the Klamath Indian Reservation.

Q. Do the subsurface rights referred to in Public law 587 (Section 8 (b)) include underground water?

A. No. According to the Solicitor's opinion, when Congress uses the expression "subsurface rights" and does not mention or include "water rights," the term "subsurface rights" will apply only to minerals, oil and gas, and those matters commonly considered to be subsurface rights.

Q. Must inheritance taxes be paid on the estates of deceased Klamath Tribal Members?

A. The Solicitor's office reported on Nov. 15, 1956, that the trust and restricted property of the Klamath Indians is not subject to taxation until after a fee patent is issued on that property, and the State of Oregon cannot legally impose an estate or inheritance tax on the property of a deceased member of the Klamath tribes. The Solicitor's office states further that if the State of Oregon attempts to tax such property, the United States should legally resist it.

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"I wondered for years where my husband spent all his evenings," a wife admitted. "Then one night I came home from bridge early—and there he was!"

COUNTY GOVERNMENT SERIES: COUNTY ELECTORATE AND COUNTY COURT

A booklet called the "Klamath County Government" was prepared in 1955 by the Klamath Education Program under the supervision of Bill Wiest with illustrations by Edison Chiloquin. Because of the interest shown in these booklets and the increasing importance of Klamath County Government to tribal members, the Tribune will begin a series of articles taken from that booklet.

As stated in the purpose of the booklet, "not every office and officer has been mentioned. An effort has been made to include information about those officers whose duties would seem to have the most direct effect on the lives of the citizens of Klamath County."

Copies of the forty-four page booklet are available to all tribal members upon request at the Klamath Education Office in Chiloquin.

KLAMATH COUNTY ELECTORATE (Voters)

Q. What does the word Electorate mean?

A. That group of persons who are qualified to vote in an election.

Q. Who can vote in Klamath County?

A. To be qualified to vote in Klamath County one must:

1. Be twenty-one years of age, or older.
2. Be a citizen of the United States.
3. Fulfill the requirements of the law as to residence (residence as used here means the length of time a person had made his home in an area).
4. Be duly registered with the county clerk.
5. Be able to read and write the English language.

Q. Does a person's race, religion or color have any bearing on his right to vote in Oregon?

A. No.

Q. Where do most people "miss the boat" on their right to vote?

A. By failing to register with the County Clerk.

Q. Must a person go to Klamath Falls in order to register to vote?

A. No. In practically every town of any size in Klamath County there is a person who has been appointed a deputy county clerk for the purpose of registering the names of voters.

Q. What are the names of some of the towns in the county where a person may register to vote?

A. Chiloquin, Fort Klamath, Sprague River, Beatty, Bly, Merrill, Malin, and Bonanza.

Q. What is a precinct?

A. A precinct is one of the parts into which a county is divided for election purposes.

THE COUNTY COURT

Q. What is the County Court?

A. The County Court is a board of three men; the county judge and two county commissioners.

Q. How are the members of the County Court chosen?

A. The county judge is elected by the people for a term of six years. The two commissioners are elected by the people for a term of four years.

Q. Do the members of the County Court have other duties because of their official positions?

A. Yes. The county judge and the two county commissioners are members of the budget committee, the school-district boundary board and the county public welfare commission. They are also members of the county board of health. The county judge is chairman of the county board of equalization.

Q. Are the duties of the County Court of an administrative (managing) or a judicial (judging) nature?

A. The County Court is the chief governing, or managing body in the county. In most counties in Oregon the County Court has both administrative and judicial power, but in Klamath County the County Court's duties are almost entirely limited to county management.

Q. What are some of the duties of the County Court with regard to roads?

A. The care of roads and bridges has always been a duty of the County Court. The Court has authority to buy land for roads and to maintain county and other public roads within the county.

Q. Can the County Court buy a person's land if the person does not wish to sell it?

A. Yes, if the land is bought by the county for a necessary public use and a reasonable price is paid for the land. This power is known as the right of eminent domain.

Q. Does the County Court operate entirely independently in regard to roads within the county?

A. No. The County Court has authority to cooperate with both the state and federal government

BIA Vetoes Tribal Interim Committee

The Bureau of Indian Affairs has refused to approve the Tribal Interim Committee which was established by the Klamath Executive Committee January 11, 1957. Instead, the Commissioner instructed the entire Executive Committee to continue to work with the Management Specialists, Bureau of Indian Affairs and other agencies concerned with Klamath problems.

The Interim Committee had been established to keep in close touch with legislation and other matters of interest to the tribe.

in building and maintaining roads.

Q. Does the County Court have duties to perform in creating certain districts?

A. Yes. When petitions to do so are submitted by the residents the County Court is required to conduct an election to decide whether or not the following districts shall be created: Irrigation districts, artesian well districts, domestic water supply, municipal incorporations, land improvement districts, sanitary districts, cities, drainage districts, rural fire protection districts, flood control districts, diking districts, dog-control districts, rodent control districts, weed control districts, and soil erosion districts.

Q. Does the County Court have licensing power?

A. Yes. The County Court licenses ferries and fixes their toll rates. It also licenses grocery stores, dance-halls, bowling alleys, and public shows if they are outside the limits of a town or city. The County Court does not regulate the sale of liquor but makes recommendations to the State Liquor Control Commission regarding liquor licenses within the county.

Q. What are some of the other powers and duties of the County Court?

A. The County Court has certain duties with respect to the conduct of elections. The County Court also appoints the County Engineer, the County Roadmaster, the meat and herd inspector, the County Veterinarian, the County Fair Board, and the County Planning Commission.

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Cop: "Where do you think you're going?"

Motorist: "Hic, I'm comin' home from a Halloween party."

Cop: "Are you kidding? Halloween was three months ago."

Motorist: "I know. That'sh why I figgered I better be gettin' home."