§ 154.3 Determination of age and quantum of Indian blood.

§ 154.4 Notification; disagreement and decision.

§ 154.5 Issuance of certificate of competency.

§ 154.6 Costs of recording certificates of competency.

§ 154.7 Delivery of cash and securities.


§ 154.1 Definitions.

When used in the regulations in this part the following words or terms shall have the meaning shown below:

(a) “Secretary” means the Secretary of the Interior.

(b) “Commissioner” means the Commissioner of Indian Affairs.

(c) “Superintendent” means the superintendent of the Osage Agency.

(d) “Person” means an unallotted member of the Osage Tribe of less than one-half Indian blood who has not received a certificate of competency.

§ 154.2 Preparation of competency roll.

The superintendent shall cause a roll to be compiled of all persons who have attained the age of 21 years, and shall add thereto the names of minors as they attain the age of 21 years. The roll shall include the names, last known address, date of birth, and the total quantum of Osage blood and non-Osage Indian blood of each person listed thereon.

§ 154.3 Determination of age and quantum of Indian blood.

(a) The date of birth as shown by the census records of the Osage Agency shall be accepted as prima facie evidence in determining the age of a person.

(b) The total quantum of Indian blood of a person shall be computed and determined as follows:

(1) When the parents of a person are enrolled members, or when one parent is an enrolled member and the other parent is a descendant of an enrolled member of the Osage Tribe, and the other parent
§ 154.4 Notification; disagreement and decision.

When the superintendent shall have determined that a person, 21 years or over, is of less than one-half Indian blood, he shall notify such person of his finding and inform him that if objection is not received within 20 days from the date of notification, a certificate of competency will be issued. If the person claims to be of one-half or more Indian blood and that a certificate of competency should not be issued, he should submit to the superintendent two affidavits or other evidence in support of his claim. The claim, affidavits or other evidence of the person as to his quantum of blood shall be submitted to the Commissioner of Indian Affairs for a ruling before the certificate of competency is issued.

§ 154.5 Issuance of certificate of competency.

A certificate of competency shall be issued by the superintendent on Form 5-181 to each person heretofore or hereafter attaining the age of 21 years and who has been determined to be of less than one-half Indian blood. Such certificate shall be recorded with the county clerk of Osage County, Oklahoma, before delivering the same to the person entitled thereto.

§ 154.6 Costs of recording certificates of competency.

The superintendent may expend the surplus funds of a person to make direct payments of the cost of recording a certificate of competency. If the person to whom a certificate of competency is issued has no surplus funds, the cost of recording the same shall be paid from Osage tribal funds.

§ 154.7 Delivery of cash and securities.

After issuance and recordation of a certificate of competency as authorized by the regulations in this part, the superintendent shall deliver to the individual named therein, or the legal guardian thereof, the original copy of the certificate of competency, together with all cash, stocks and bonds credited to the account of such individual upon the books of the Osage Agency, and obtain a receipt therefor.

PART 156—REALLOTMENT OF LANDS TO UNALLOTTED INDIAN CHILDREN

Sec. 156.1 Relinquishment of original patent.
156.2 Relinquishment when original patent has been lost or destroyed.


1Filed with the original document. Copies may be obtained upon request at the Bureau of Indian Affairs, Department of the Interior, Washington, DC.

2The reallocation provisions herein dealt with are not applicable on reservations subject to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984, as amended; 25 U.S.C. 463-479).