

Secretary of the Interior.¹⁷ The Dawes Act specifically exempted the Five Tribes and the Osage.¹⁸

The Curtis Act

The Curtis Act applied the Dawes Act to the Five Civilized Tribes of Indian Territory which are: the Choctaw, Chickasaw, Muscogee (Creek), Cherokee, and Seminole.¹⁹

The act also transferred the authority to determine members of tribes to the Dawes Commission as part of the registration of members thus created the Dawes Rolls.²⁰ The Dawes Commission had been earlier established under a rider to Indian Office appropriation bill to convince the five tribes to voluntarily agree to adopt the policy of allotments.²¹

Further the Dawes commission focused on strict blood descent rather than community or self-identity standards as to membership.²² This thus introduced the Blood Quantum concept and recorded this percentage of ancestry written as an estimation based on physical appearance and personal opinion.²³

The Burke Act

In 1906 Congress passed the Burke Act. This again amended the Dawes act to provide for the Secretary of the Interior to assess individual Native Americans as 'competent and capable.' before issuing any person receiving a land allotment a patent in fee simple.²⁴ Receiving a fee simple patent meant that the land of the allottee would be removed from federal trust status and made subject to taxation.²⁵

Osage Allotment Act of 1906

This act is specific to the Osage Nation. "Legal membership" of the Osage Tribe was established by Congress to include the persons on the January 1, 1906 roll, and their children.²⁶ Each "member" on that roll is entitled to a headright share in the distribution of funds from the Osage mineral estate and an allotment of the surface lands of the Osage Reservation.²⁷

The law effectively closed the Osage tribal membership Roll on July, 1, 1907.²⁸ Each of the 2,229 Osages on the list, including one born that day, received one allotment -- and a "headright".²⁹ The number of headrights was fixed permanently at 2,229. Allotment was private ownership of 657 acres of reservation land. The Headright was 1/2229 of the tribes bonuses and royalties from the production of oil and natural gas.³⁰

Indian Reorganization Act

The Indian Reorganization Act of June 18, 1934, or the Wheeler-Howard Act act slowed the practice of allotting communal tribal lands to individual tribal members.³¹ It did not restore to Indians land that had already been patented to individuals, but much land