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Letter from Representative Burdick to L. R. Nostdal Regarding Indian Definition, October 1, 1951

Usher Burdick

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October 1, 1951

Air Mail

Re: #555-B
State vs. Jerome

Mr. L. R. Nostdal
Attorney-at-Law
Rugby, North Dakota

Dear Mr. Nostdal:

In reply to your air-mail letter of September 27, concerning the above case, involving the definition of who is legally an Indian, I cite the following:

United States Statutes at Large, 73rd Congress,
1933-34, Volume 48, Part 1, Public Laws, page 988,
Sec. 19:

"The term "Indian" as used in this Act shall include all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood....."

In my opinion a person who is a ward of the government under supervision of the Indian Bureau would also be defined as an Indian.

I hope this will give you the information you desire, and am glad to have been of assistance to you.

Very truly yours,

Usher L. Burdick, M. C.