

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



CONSTITUTION AND BY-LAWS
OF THE
OTTAWA TRIBE OF OKLAHOMA



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CONSTITUTION AND BY-LAWS OF THE OTTAWA TRIBE OF OKLAHOMA

PREAMBLE

We, the Ottawa Indians of Oklahoma, in order to take advantage of the opportunities of economic independence and social advancement offered by the Thomas-Rogers Oklahoma Indian Welfare Act of June 26, 1936, do hereby amend our present Constitution and By-laws and do adopt the following Constitution and By-laws pursuant to that Act.

ARTICLE I—NAME

The name of this organization shall be the Ottawa Tribe of Oklahoma.

ARTICLE II—OBJECT

The object shall be to promote the general welfare of the Ottawa Tribe of Oklahoma.

ARTICLE III—MEMBERSHIP

SECTION 1. The membership of the Ottawa Tribe of Oklahoma shall consist of the following persons:

(a) All persons of Indian blood whose names appear on the official census roll of the Tribe as of January 1, 1938.

(b) All children born since the date of the said roll, both of whose parents are members of the Tribe.

(c) Any child born of a marriage between a member of the Ottawa Tribe and a member of any other Indian tribe whose parents choose to enroll said child with the Ottawa Tribe.

(d) Any child born of a marriage between a member of the Ottawa Tribe and any other person, if such child is one-sixteenth or more degree of Indian blood and is enrolled on the official Tribal roll before attaining the age of five years; if less than one-sixteenth, said child may be admitted to membership by a majority vote of the Ottawa Council.

SEC. 2. The Council shall have power to prescribe rules and regulations, subject to the approval of the Secretary of the Interior, covering future membership including adoptions and loss of membership.

ARTICLE IV—MEMBERSHIP OF COUNCIL

The supreme governing body of this organization shall be the Ottawa Council. The membership of the Council shall be all the members of the Ottawa Tribe of Oklahoma: males, 21 years of age; and females, 18 years of age, of sound mind.

ARTICLE V—OFFICERS

The officers of the Tribe shall be the Chief, Second Chief, Secretary-Treasurer, and two councilmen, who shall be elected at an open Council meeting by a majority vote of the membership present.

ARTICLE VI—BUSINESS COMMITTEE

There shall be a Business Committee which shall consist of the officers and councilmen as provided in Article V.

The Business Committee shall have power to transact business and otherwise speak or act on behalf of the Ottawa Tribe, in all matters on which the Tribe is empowered to act. The powers of the Tribe shall be set forth in detail in the corporate charter which may be requested by the Business Committee.

ARTICLE VII—STANDING COMMITTEES

SECTION 1. *Grievance Committee.*—This Committee consisting of three members shall be elected by the Ottawa Council and shall not include any members of the Business Committee.

SEC. 2. *Credit Committee.*—The Credit Committee shall be chosen by the Business Committee and shall act under the supervision of the Business Committee.

SEC. 3. *Welfare Committee.*—This Committee shall be chosen in the same manner as the Credit Committee.

SEC. 4. *Education Committee.*—This Committee likewise shall be chosen in the same manner as the Credit Committee.

ARTICLE VIII—ELECTIONS

SECTION 1. Regular elections of officers shall be held by the Council on the first Monday of May, 1939, and on each odd-numbered year thereafter: *Provided*, That the present officers shall hold office until the first regular election.

SEC. 2. The term of office shall be for two years or until their successors are elected and installed: *Provided*, That the present officers shall serve until the first regular election.

SEC. 3. Nominations shall be made from the floor. Election shall be by standing vote or by written ballot, a majority vote being necessary to elect. Where there are more than two candidates and no one receives a majority vote the low candidate shall be eliminated and voting proceed until one candidate receives a majority of votes cast. The newly elected officers shall be installed immediately upon their election.

ARTICLE IX—VACANCIES

Vacancies in any elective office shall be filled for the unexpired term at any regular or special meeting of the Ottawa Council.

ARTICLE X—REMOVAL OF OFFICERS

The Grievance Committee shall investigate complaints of misconduct or other acts of the members of the Business Committee and

upon a proper showing shall call a special meeting of the Ottawa Council to act upon such complaints. Such council shall have power, by a majority vote, after giving the accused a hearing, to remove him from office and proceed to elect a successor.

ARTICLE XI—AMENDMENTS

Amendments to this Constitution and the attached By-laws may be proposed by a majority vote of the Business Committee or by a petition signed by 30 per cent of the adult members of the Tribe, and if approved by the Secretary of the Interior shall be submitted to a referendum vote of the members of the Tribe, and shall be effective if approved by a majority vote.

BY-LAWS

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. Chief.—It shall be the duty of the chief to preside at all meetings and perform all duties appertaining to the office, also to act as Chairman of the Business Committee.

SEC. 2. Second Chief.—In the absence of the chief or during removal proceedings of the chief, the second chief shall perform the duties of that officer. In case of vacancy, the second chief shall succeed at once to the office of chief until the next special or regular election for the office of chief.

SEC. 3. Secretary-Treasurer.—The Secretary-Treasurer shall correctly record the proceedings of all meetings. He shall make out the order of the business for the chief, shall notify all committees of their appointment, shall have custody of the records and all papers of the Council, which records and papers shall be open to inspection at any time, in his presence, by any member of the Council desiring to read them. He shall keep a correct list of all members of the Council, shall authenticate all accounts or orders of the Council and, in the absence of the chief and second chief, shall call the meeting to order until a chairman pro tem is selected. He shall render a written report at the annual meeting and at the expiration of his term of office the records and all papers in his possession shall be turned over to his successor. He shall issue notices of all meetings and conduct all general correspondence, as directed by the Council or the Business Committee. He shall receive all moneys of the Council and keep an accurate account of receipts and disbursements.

The Secretary-Treasurer shall keep all Tribal moneys entrusted to his care in a special account and all disbursements therefrom should be made by check. At any time that such account shall amount to more than \$50.00, he shall file a bond satisfactory to the Business Committee and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of Tribal moneys.

ARTICLE II—QUALIFICATIONS OF OFFICERS

Any person elected to membership in the Business Committee shall be not less than twenty-five years of age, a member of the Ottawa Tribe of Oklahoma and a resident of Ottawa County in

Oklahoma. Any member of the Business Committee removing from such territory shall automatically lose his office.

ARTICLE III—REGULAR AND SPECIAL MEETINGS

SECTION 1. The regular meetings of the Council shall be held on the first Monday of May of each year at the Ottawa Indian Church, unless some other point under the Ottawa jurisdiction is specifically designated in the call.

SEC. 2. Special meetings of the Council may be called at the discretion of the Chief, and shall be called by him upon the written request of the majority of the Business Committee or the written request of 20 members of the Council.

SEC. 3. The principal object of the special meeting must be stated in the call for same and may include the words "and for the transaction of other business that may be presented." Unless these words are added, no other business can be transacted except for the object stated in the call.

SEC. 4. The regular meetings of the Business Committee shall be held the first Monday in January, April, July and October, unless otherwise provided by resolution.

SEC. 5. Special meetings of the Business Committee may be called by the chief at his discretion, and shall be called by him upon the written request of three members of the Business Committee.

ARTICLE IV—QUORUM

SECTION 1. Three members of the Business Committee constitute a quorum at any meeting.

SEC. 2. Twenty members of the Ottawa Council shall constitute a quorum to transact regular business.

ARTICLE V—ADOPTION

This Constitution and By-laws shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the Indians of the Ottawa Tribe voting at an election called by the Secretary of the Interior under regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936, provided that at least 30% of the eligible voters vote in such election.

I, E. K. Burlew, the Acting Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached constitution and by-laws of the Ottawa Tribe of Oklahoma, subject to ratification by the Tribe in the manner therein provided.

Upon ratification of this constitution all rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said constitution and by-laws, are declared inapplicable to the Ottawa Tribe of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said constitution and by-laws.

Approval recommended October 5, 1938.

F. H. DAIKER,

Acting Commissioner of Indian Affairs.

E. K. BURLEW,

Acting Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., *October 10, 1938.*

CERTIFICATION OF ADOPTION

Pursuant to an order, approved October 10, 1938 by the Acting Secretary of the Interior, the attached constitution and by-laws was submitted for ratification to the members of the Ottawa Tribe of Indians of Oklahoma and was on November 30, 1938 duly approved by a vote of 93 for, and none against, in an election in which over 30 per cent of those entitled to vote cast their ballots, pursuant to section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

THE OTTAWA BUSINESS COMMITTEE,

By GUY JENNISON, *Chief.*

L. H. DAGENETTE.

FRED S. KING.

DAVE GEBOE, *Second Chief.*

ABE G. WILLIAMS, *Secretary-Treasurer.*

H. A. ANDREWS,

Superintendent, Quapaw Agency.

