

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS



CONSTITUTION AND BY-LAWS  
OF THE  
EASTERN SHAWNEE TRIBE OF OKLAHOMA



RATIFIED DECEMBER 22, 1939



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## ARTICLE V—COMMITTEES

SECTION 1. There shall be a Business Committee which shall consist of the officers and councilmen as provided in Article IV. The Business Committee shall have power to appoint subordinate committees and representatives, to transact business and otherwise speak or act on behalf of the 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.

SEC. 2. *Grievance Committee.*—This committee shall consist of three members who shall be elected by the membership of the Council and shall not include any members of the Business Committee.

## ARTICLE VI—ELECTIONS

SECTION 1. Elections of officers and members of the Grievance Committee may be held by the Council at any regular or special meeting. The first election of officers and members of the Grievance Committee shall be held on or before the second Monday in July, 1940.

SEC. 2. The term of office for officers and members of the Grievance Committee shall be for two years, unless otherwise provided for by action of the Council at the time of election of the respective officers and members of the Grievance Committee.

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 shall proceed until one candidate receives a majority of the votes cast. The newly elected officers shall be installed immediately upon their election.

## ARTICLE VII—VACANCIES

Vacancies in any elective offices shall be filled at any regular or special meeting of the Eastern Shawnee Council.

## ARTICLE VIII—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 Eastern Shawnee 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 IX—BILL OF RIGHTS

SECTION 1. All members of the Tribe shall enjoy without hindrance, freedom of worship, conscience, speech, press, assembly and association.

SEC. 2. This constitution shall not in any way alter, abridge or otherwise jeopardize the rights and privileges of the members of this Tribe as citizens of the State of Oklahoma or the United States.

SEC. 3. The individual vested property rights of any member of the Tribe shall not be altered, abridged or otherwise affected by the provisions of this constitution and by-laws without the consent of such individual member.

## ARTICLE X—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 percent 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 of those voting at such an election.

## BY-LAWS OF THE EASTERN SHAWNEE TRIBE OF OKLAHOMA

### 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, and also to act as chairman of the Business Committee.

SEC. 2. *First Councilman*.—In the absence of the Chief, or during procedure to remove him, the First Councilman shall perform the duties of that officer. In case of vacancy, the First Councilman shall succeed at once to the office of the 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 business for the Chief, shall notify all committees of their appointments, 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 First Councilman, 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 all records and 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 on the Business Committee or Grievance Committee shall be not less than 21 years of age, a member of the Eastern Shawnee Tribe of Oklahoma and a resident

of the Quapaw Indian Agency jurisdiction. Any member of the Business Committee removing from the Quapaw jurisdiction shall automatically lose his office.

### ARTICLE III—MEETINGS

SECTION 1. Annual meetings of the Council shall be held on the second Monday in July for the purpose of electing officers, receiving reports, and transacting any other business which may come regularly before the Council.

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 upon the written request of ten members of the Tribe; *Provided*, That at least ten days' notice shall be given in each instance.

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. Unless otherwise provided by resolution, the regular meetings of the Business Committee shall be held on the second Saturday in each month.

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.

SEC. 6. Unless some other point under the Quapaw Agency jurisdiction is designated in the call or notice, all meetings of the Council and of the Business Committee shall be held at the Bluejacket School House.

### ARTICLE IV—QUORUM

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

SEC. 2. Ten or more members of the Eastern Shawnee 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 Eastern Shawnee 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 at least 30 per cent of the eligible voters vote in said election.

I, Oscar L. Chapman, the Assistant 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 Eastern Shawnee Tribe of Oklahoma.

OSCAR L. CHAPMAN,  
*Assistant Secretary of the Interior.*

[SEAL]

WASHINGTON, D. C., *November 7, 1939.*

## CERTIFICATION

Pursuant to an order, approved November 7, 1939 by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Eastern Shawnee Tribe of Oklahoma and was on December 22, 1939 duly approved by a vote of 54 for, and 2 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 EASTERN SHAWNEE BUSINESS COMMITTEE,  
BY WALTER L. BLUEJACKET,  
THOMAS A. CAPTAIN,  
ORA S. HAMPTON,  
EDW. H. BLUEJACKET,  
DAVID DUSHANE, JR.

H. A. ANDREWS,  
*Superintendent, Quapaw Agency.*

