

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



CORPORATE CHARTER
OF THE
KETCHIKAN INDIAN CORPORATION
ALASKA



RATIFIED JANUARY 27, 1940



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CORPORATE CHARTER OF THE KETCHIKAN INDIAN CORPORATION

A FEDERAL CORPORATION CHARTERED UNDER THE ACT OF JUNE 18, 1934, AS AMENDED BY THE ACT OF MAY 1, 1936

Whereas, a group of Indians having a common bond of residence on Revillagigedo Island, Territory of Alaska, seek to organize under sections 16 and 17 of the Act of June 18, 1934 (48 Stat. 984), and section 1 of the Act of May 1, 1936 (49 Stat. 1250), by ratification of a constitution and by-laws and a charter approved by the Secretary of the Interior;

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the above cited acts, do hereby issue and submit this charter of incorporation to the group of Indians organizing as aforesaid, to be effective when duly ratified, provided that the said constitution and by-laws have been duly ratified by them.

*Purpose
and
Existence.*

1. In order to further the economic development of the Indians residing on Revillagigedo Island, Territory of Alaska, by conferring upon the Ketchikan Indian Corporation corporate rights and powers; and to enable this Corporation and its members to undertake enterprises designed to secure for the members of the corporation an assured economic independence, the aforesaid corporation is hereby chartered as a body corporate of the United States of America, under the corporate name of Ketchikan Indian Corporation, hereinafter called the Corporation.

*Perpetual
Succession.
Member-
ship.*

2. The Corporation shall, as a Federal corporation, have perpetual succession.

3. The Corporation shall be a membership corporation. Its members shall consist of all persons now or hereafter members of the Corporation, as provided by its duly ratified and approved constitution and by-laws.

*Manage-
ment.*

4. The Council of the Corporation, established in accordance with the said constitution and by-laws of the Corporation, shall exercise all the corporate powers hereinafter enumerated.

*Corporate
Powers.*

5. The Corporation, subject to any restrictions contained in the Constitution and laws of the United States, or in the Constitution and By-laws of the said Corporation, shall have the following corporate powers, in addition to all powers already conferred by its Constitution and By-laws.

(a) To adopt, use, and alter a corporate seal.

- (b) To purchase, take by gift, bequest, or otherwise, own, hold, manage, operate and dispose of property of every description, real and personal, subject to the following limitations:
1. No sale nor mortgage may be made by the Corporation of any land, or interests in land, including water, fishing or mineral rights, held by the Corporation within any area which may be set aside by the Federal Government as a reserve for the use of the Corporation.
 2. No leases, permits (which terms shall not include land assignments or fishing privileges granted to members of the Corporation) nor timber sale contracts covering any land or interests in land held by the Corporation within any reserve set aside for the Corporation shall be made by the Corporation for a longer term than five years, and all such permits and leases, except to members of the Corporation, and all such contracts must be approved by the Secretary of the Interior or by his duly authorized representative: *Provided*, That leases requiring substantial improvements may be made for longer periods when authorized by law.
- (c) To issue interests in Corporate property in exchange for transfers of property by individual members of the Corporation.
- (d) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934 (48 Stat. 984), or from any other source, and to use such funds directly for productive enterprises, or to advance money thus borrowed to individual members or groups of members of the Corporation for enterprises related to those of the Corporation.
- (e) To engage in any business that will further the economic well-being of the members of the Corporation or to undertake any activity of any nature whatever not inconsistent with law or with any provisions of this Charter.
- (f) To make and perform contracts and agreements of every description, not inconsistent with law or with any provisions of this Charter, with any person, association, or corporation, with any municipality or with the United States or the Territory of Alaska, including agreements with said Territory for the rendition of public services.

- (g) To pledge or assign chattels or future corporate income due, or to become due to the Corporation: *Provided*, That such assignments of corporate income, other than assignments to the United States, shall not extend for more than five years from the date of execution.
- (h) To deposit corporate funds, from whatever source derived, in any National or Territorial Bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation, or secured by a surety bond, or other security, or to deposit such funds in the Postal Savings Bank or with a bonded disbursing officer of the Interior Department to the credit of the Corporation.
- (i) To sue and be sued in courts of competent jurisdiction within the Territory of Alaska or the United States.
- (j) To exercise such further incidental powers, not inconsistent with law, as may be necessary to the conduct of corporate business.

Corporate Property.

- 6. The individually owned property of members of the corporation shall not be subject to any corporate debts or liabilities without such owners' consent.

Corporate Income.

- 7. The Corporation shall, at the end of its fiscal year, apply its income in excess of operating expenses during such fiscal year, in the following order:

First: to payment for any due indebtedness.

Second: to creation of a fund for operation and for liquidation of indebtedness becoming due in the next operating period.

Third: to creation of a reserve for depreciation of the physical property of the Corporation, and for the undertaking, construction, operation and improvement of corporate enterprises.

Fourth: to utilization of such social, educational and relief purposes as the Corporation may determine.

Fifth: to distribution as dividends to members of the Corporation.

- 8. Dividends shall be distributed to members of the Corporation on the basis of their patronage of the Corporation according to an equitable system set forth in the regulations of the Corporation. Patronage shall include the sale of goods to, and the purchase of goods from, the Corporation and work done for the Corporation, but shall not include the salary paid to the manager nor business done with nonmembers of the Corporation. No dividends may be declared or paid while this Corporation is indebted to the Indian Credit Fund unless the operating and

Corporate Dividends.

- reserve funds provided for in section 8 are in an amount satisfactory to the Secretary of the Interior or his authorized representative.
- Regulation of Payments.* 9. The Corporation may regulate the payment of dividends or other corporate property in order to safeguard the interests of any incompetent or disabled members, and of the dependents of members who might become a public charge, and of the heirs or devisees of deceased members.
- Corporate Accounts.* 10. The officers of the Corporation shall maintain accurate and complete public accounts of the financial affairs of the corporation, which shall clearly show all credits, debts, pledges, and assignments, and shall furnish an annual balance sheet and report of the financial affairs of the corporation to the Juneau Office of the Office of Indian Affairs.
- Amendments.* 11. This Charter shall not be revoked or surrendered except by Act of Congress, but amendments may be proposed by resolutions of the Council or of the Corporation which amendments, if approved by the Secretary of the Interior, shall be effective when ratified by a majority vote of the adult members of the Corporation voting in a popular referendum called for the purpose by the Secretary of the Interior: *Provided*, That at least 30 percent of the eligible voters vote in such election.
- Ratification.* 12. This Charter shall be effective from and after the date of its ratification by a majority vote of those voting in an election called for the purpose by the Secretary of the Interior: *Provided*, that at least 30 percent of the eligible voters shall vote, and provided that the Corporation has ratified a constitution and by-laws approved by the Secretary of the Interior. The ratification of the Charter shall be formally certified by the election board. The persons eligible to vote are those Indians entitled to vote on the Constitution and By-laws for this Corporation.

This Charter is herewith approved and issued by the Assistant Secretary of the Interior and submitted for ratification by the group of Indians having a common bond of residence on Revillagigedo Island, Territory of Alaska, in a popular referendum called and held under the Instructions of the Secretary of the Interior. This Charter shall be deemed issued when a petition for a charter, signed by one-third of the adult Indian residents of the Revillagigedo Island, has been received by an authorized representative of the Department of the Interior.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., December 20, 1939.

CERTIFICATION

Pursuant to an order, approved December 20, 1939 by the Assistant Secretary of the Interior, the attached Charter was submitted for ratification to the group of Indians having a common bond of residence on Revillagigedo Island, Territory of Alaska, and was on January 27, 1940 duly ratified by a vote of 123 for and 3 against, in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with the Alaska Act of May 1, 1936 (49 Stat. 1250), and section 17 of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

CLARENCE DUNDAS,
Chairman, Election Board.
EDDIE FAWCETT,
Secretary, Election Board.

LEONARD C. ALLEN,
Government Representative.

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