

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

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CORPORATE CHARTER OF THE
RED CLIFF BAND OF LAKE SUPERIOR
CHIPPEWA INDIANS OF THE RED CLIFF
RESERVATION, WISCONSIN

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RATIFIED OCTOBER 24, 1936



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CORPORATE CHARTER OF THE RED CLIFF BAND OF LAKE SUPERIOR CHIPPEWA INDIANS OF THE RED CLIFF RESERVATION, WISCONSIN

A FEDERAL CORPORATION CHARTERED UNDER THE ACT OF
JUNE 18, 1934

Whereas, the Red Cliff Band of Lake Superior Chippewa Indians of the Red Cliff Reservation in Wisconsin constitute a recognized Indian tribe organized under a constitution and bylaws ratified by the Tribe on April 18, 1936, and approved by the Secretary of the Interior on June 1, 1936, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935, (49 Stat. 378); and

Whereas, more than one-third of the adult members of the Tribe have petitioned that a charter of incorporation be granted to such Tribe, subject to ratification by a vote of the adult Indians living on the reservation;

Now, therefore, I, Harold L. Ickes, Secretary of the Interior, by virtue of the authority conferred upon me by the said Act of June 18, 1934, (48 Stat. 984), do hereby issue and submit this charter of incorporation to the Red Cliff Band of Lake Superior Chippewa Indians of the Red Cliff Reservation to be effective from and after such time as it may be ratified by a majority vote of the adult Indians living on the Reservation.

Corporate Existence.

1. In order to further the economic development of the Red Cliff Band of Lake Superior Chippewa Indians of the Red Cliff Reservation in Wisconsin by conferring upon said Tribe certain corporate rights, powers, privileges, and immunities, and imposing upon such organized community the responsibility of voluntary cooperative group action; to secure for the members of the Tribe the means of an assured economic independence; and to provide for the proper exercise by the Tribe of various functions and responsibilities heretofore performed and assumed by the Department of the Interior, the aforesaid Tribe is hereby chartered as a body politic and corporate of the United States of America under the corporate name "The Red Cliff Band of Lake Superior Chippewa Indians."

Perpetual Succession.

2. The Red Cliff Band of Lake Superior Chippewa Indians shall, as a Federal Corporation, have perpetual succession.

Membership.

3. The Red Cliff Band of Lake Superior Chippewa Indians shall be a membership corporation. Its members shall consist of all persons now or hereafter members of the Tribe, as provided by its duly ratified and approved Constitution and Bylaws.

Management.

4. The Tribal Council of the Tribe established in accordance with the said Constitution and Bylaws of the Tribe, shall exercise all the corporate powers hereinafter enumerated.

Corporate Powers.

5. The tribe, subject to any restrictions contained in the Constitution and laws of the United States, or in the Constitution and Bylaws of the said Tribe, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by the Tribal Constitution and Bylaws.

(a) To adopt, use, and alter at its pleasure 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 or mortgage may be made by the Tribe of any land, or interests in land, including water power sites, water rights, oil, gas, and other mineral rights, now or hereafter held by the Tribe within the boundaries of the Red Cliff Reservation.

(2) No mortgage may be made by the Tribe of any standing timber on any land now or hereafter held by the Tribe within the boundaries of the Red Cliff Reservation.

(3) No leases, permits (which terms shall not include land assignments to members of the Tribe) or timber sale contracts covering any land or interests in land now or hereafter held by the Tribe within the boundaries of the Red Cliff Reservation shall be made by the Tribe for a longer term than five years, and all such leases, permits or contracts must be approved by the Secretary of the Interior or by his duly authorized representative; but oil and gas leases, water power leases, or any leases requiring substantial improvements of the land may be made for longer periods when authorized by law.

(4) No action shall be taken by or in behalf of the Tribe which in any way operates to destroy or injure the tribal grazing lands, timber or other natural resources of the Red Cliff Reservation. All leases, permits, and timber sale contracts relating to the use of tribal grazing or timber lands shall

conform to regulations of the Secretary of the Interior authorized by Section 6 of the Act of June 18, 1934, with respect to range carrying capacity, sustained yield forestry management, and other matters therein specified. Conformity to such regulations shall be made a condition of any such lease, permit, or timber sale contract, whether or not such agreement requires the approval of the Secretary of the Interior, and violation of such condition shall render the agreement revocable, in the discretion of the Secretary of the Interior.

- (5) No distribution of corporate property to members shall be made except out of net income.
- (c) To issue interests in corporate property in exchange for restricted Indian lands, the forms of such interests to be approved by the Secretary of the Interior.
- (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 Governmental agency, or from any member or association of members of the Tribe, and to use such funds directly for productive tribal enterprises, or to loan money thus borrowed to individual members or associations of members of the Tribe: *Provided*, That the amount of indebtedness, other than indebtedness to the Indian Credit Fund, to which the Tribe may subject itself, shall not exceed ten thousand dollars, except with the express approval of the Secretary of the Interior.
- (e) To engage in any business that will further the economic well being of the members of the Tribe 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 any county, or with the United States or the State of Wisconsin, including agreements with the State of Wisconsin for the rendition of public services: *Provided*, That all contracts involving payment of money by the corporation in excess of \$1,000 in any one fiscal year shall be

subject to the approval of the Secretary of the Interior or his duly authorized representative.

- (g) To pledge or assign chattels or future tribal income due or to become due to the Tribe: *Provided*, That such agreements of pledge or assignment shall not extend more than ten years from the date of execution and shall not cover more than one-half the net tribal income from any one source: *And provided further*, That any such agreement shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.
- (h) To deposit corporate funds, from whatever source derived, in any national or state bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation, or secured by a surety bond, or other security, approved by the Secretary of the Interior; or to deposit such funds in the Postal Savings Bank or with a bonded disbursing officer of the United States to the credit of the corporation.
- (i) To sue and to be sued in courts of competent jurisdiction within the United States; but the grant or exercise of such power to sue and to be sued shall not be deemed a consent by the said Tribe or by the United States to the levy of any judgment, lien or attachment upon the property of the Tribe other than income or chattels specially pledged or assigned.
- (j) To exercise such further incidental powers not inconsistent with law, as may be necessary to the conduct of corporate business.

Termination of Supervisory Powers.

6. Upon the request of the Tribal Council for the termination of any supervisory power reserved to the Secretary of the Interior under sections 5 (b) (3), 5 (c), 5 (d), 5 (f), 5 (g), 5 (h), and section 8 of this charter, the Secretary of the Interior, if he shall approve such request, shall thereupon submit the question of such termination to the Tribe for referendum. The termination shall be effective upon ratification by a majority vote at an election in which at least 30% of the adult members of the Tribe residing on the reservation shall vote. If at any time after five years from the effective date of this charter, such request shall be made and the Secretary shall disapprove it or fail to approve or disapprove it within ninety days after its receipt, the question of the termination of any such power may then be submitted by the Secretary of the Interior or by the

Tribal Council to popular referendum of the adult members of the Tribe actually living within the reservation and if the termination is approved by two-thirds of the eligible voters, shall be effective.

Corporate Property.

7. No property rights of the Red Cliff Band of Lake Superior Chippewa Indians as heretofore constituted, shall be in any way impaired by anything contained in this charter, and the tribal ownership of unallotted lands, whether or not assigned to the use of any particular individuals, is hereby expressly recognized. The individually owned property of members of the Tribe shall not be subject to any corporate debts or liabilities, without such owners' consent. Any existing lawful debts of the Tribe shall continue in force, except as such debts may be satisfied or cancelled pursuant to law.

Corporate Dividends.

8. The Tribe may issue to each of its members a non-transferable certificate of membership evidencing the equal share of each member in the assets of the Tribe and may distribute per capita, among the recognized members of the Tribe all profits of corporate enterprises over and above sums necessary to defray corporate obligations to members of the Tribe, or to other persons and over and above all sums which may be devoted to the establishment of a reserve fund, the construction of public works, the cost of public enterprises, the expenses of tribal government, the needs of charity, or other corporate purpose. No such distribution of profits or income in any one year amounting to a per capita cash payment of \$100 or more, or amounting to a distribution of more than one-half of the accrued surplus, shall be made without the approval of the Secretary of the Interior. No distribution of the financial assets of the Tribe shall be made except as provided herein or as authorized by Congress.

Corporate Accounts.

9. The officers of the Tribe shall maintain accurate and complete public accounts of the financial affairs of the Tribe, 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 Tribe to the Commissioner of Indian Affairs. The Treasurer of the Tribe shall be the custodian of all moneys which come under the jurisdiction or control of the Tribal Council as provided in the Constitution and Bylaws of the Red Cliff Band of Lake Superior Chippewa Indians.

Amendments.

10. This charter shall not be revoked or surrendered except by Act of Congress, but amendments may be proposed by resolutions of the Council which if approved by the Secretary of the Interior, shall be effective when ratified by a majority vote of the adult

members living on the reservation at a popular referendum in which at least 30 percent of the eligible voters vote.

Ratification.

11. This charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Red Cliff Band of Lake Superior Chippewa Indians living on the Red Cliff Reservation, provided at least 30 percent of the eligible voters shall vote; such ratification to be formally certified by the Superintendent of the Great Lakes Agency and the Chairman of the Tribal Council of the Band.

Submitted by the Secretary of the Interior for ratification by the Red Cliff Band of Lake Superior Chippewa Indians of the Red Cliff Reservation in a popular referendum to be held on October 24, 1936.

HAROLD L. ICKES,
Secretary of the Interior.
[SEAL]

WASHINGTON, D. C., *October 5, 1936.*

CERTIFICATION

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this charter, issued on October 5, 1936, by the Secretary of the Interior to the Red Cliff Band of Lake Superior Chippewa Indians of the Red Cliff Reservation, Wisconsin, was duly submitted for ratification to the adult Indians living on the reservation and was on October 24, 1936, duly adopted by a vote of 74 for, and 1 against, in an election in which over thirty per cent of those entitled to vote cast their ballots.

MARTIN BUFFALO,
Chairman of the Tribal Council.

J. C. CAVILL,
Superintendent in charge of the reservation.

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Red Cliff Band of Lake Superior Chippewa Indians

AMENDMENT I. CORPORATE CHARTER OF THE RED CLIFF BAND OF LAKE SUPERIOR CHIPPEWA INDIANS, WISCONSIN

That section 5 (g) of the Charter be amended by inserting after the language "Provided, That such agreements of pledge or assignment," the phrase, "other than agreements with the United States."

This Amendment, having been proposed by resolution of the Tribal Council of the Red Cliff Band of Lake Superior Chippewa Indians adopted on August 18, 1938, is herewith approved and submitted for ratification by the adult members living on the Red Cliff Reservation in accordance with section 10 of the Corporate Charter of the Tribe and pursuant to the authority vested in the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984).

Approval recommended October 11, 1938.

F. H. DAIKER,

Acting Commissioner of Indian Affairs.

HARRY SLATTERY,

Acting Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., *October 21, 1938.*

CERTIFICATION OF ADOPTION

Pursuant to sections 16 and 17 of the Act of June 18, 1934 (48 Stat. 984), this Amendment, issued on October 21, 1938, by the Acting Secretary of the Interior to the Red Cliff Band of Lake Superior Chippewa Indians of the Red Cliff Reservation, was duly submitted to the adult Indians living on the Reservation and was on November 12, 1938 duly ratified by a vote of 47 for, and 0 against, in an election in which over 30 percent of those entitled to vote cast their ballots.

ALEX F. ROYE,

Chairman, Red Cliff Tribal Council.

FRED J. CURTIN,

Secretary, Red Cliff Tribal Council.

J. C. CAVILL,

Superintendent, Great Lakes Agency.