

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS



CORPORATE CHARTER OF THE  
SAC AND FOX TRIBE OF MISSOURI OF THE  
SAC AND FOX RESERVATION IN  
KANSAS AND NEBRASKA



RATIFIED JUNE 19, 1937



UNITED STATES  
GOVERNMENT PRINTING OFFICE  
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# CORPORATE CHARTER OF THE SAC AND FOX TRIBE OF MISSOURI OF THE SAC AND FOX RESERVATION IN KANSAS AND NEBRASKA

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

Whereas, the Sac and Fox Tribe of Missouri of the Sac and Fox Reservation in Kansas and Nebraska is a recognized Indian tribe organized under a Constitution and By-laws ratified by the Tribe on January 23, 1937, and approved by the Secretary of the Interior on March 2, 1937, 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 Sac and Fox Tribe of Missouri of the Sac and Fox Reservation to be effective from and after such time as it may be ratified by a majority vote in an election in which at least 30 per cent of the adult Indians living on the reservation shall vote.

## *Corporate Existence and Purposes.*

1. In order to further the economic development of the Sac and Fox Tribe of Missouri of the Sac and Fox Reservation in Kansas and Nebraska by conferring upon the said Tribe certain corporate rights, powers, privileges and immunities; to secure for the members of the Tribe an assured economic independence; and to provide for the proper exercise by the Tribe of various functions heretofore performed 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 Sac and Fox Tribe of Missouri."

## *Perpetual Succession. Member- ship.*

2. The Sac and Fox Tribe of Missouri shall, as a Federal Corporation, have perpetual succession.  
3. The Sac and Fox Tribe of Missouri 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 By-laws.

## *Manage- ment.*

4. The Tribal Council of the Sac and Fox Tribe of Missouri established in accordance with the said Constitution and By-laws 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 By-laws of the said Tribe, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by the tribal Constitution and By-laws:

- (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 Sac and Fox 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 Sac and Fox 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 Sac and Fox Reservation shall be made by the Tribe for a longer term than ten years, and all such permits or contracts, and all leases, except leases to members, 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 Sac and Fox 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.

- (c) To issue interests in corporate property in exchange for restricted Indian lands, the forms for 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 to which the Tribe may subject itself, other than indebtedness to the Indian Credit Fund, shall not exceed \$2,500 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 States of Kansas and Nebraska, including agreements with the States of Kansas and Nebraska for the rendition of public services: *Provided*, That any contract involving payment of money by the corporation in excess of \$1,000 in any one 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 assignments of tribal income other than an assignment to the United States, 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 pledge or assignment 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 per cent of the adult members of the Tribe residing on the reservation shall vote. If at any time after ten 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 90 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, it shall be effective.

*Corporate  
Property.*

7. No property rights of the Sac and Fox Tribe of Missouri, 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 or income over and above sums necessary to defray corporate obligations and over and above all sums which may be devoted to the establishment of a reserve fund, the construction of public works, the costs 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 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.

*Amend-  
ments.*

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 per cent 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 Sac and Fox Tribe of Missouri living on the Sac and Fox Reservation, provided at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Potawatomi Indian Agency and the Chairman of the Tribal Council.

Submitted by the Secretary of the Interior for ratification by the Sac and Fox Tribe of Missouri of the Sac and Fox Reservation in a popular referendum to be held on June 19, 1937.

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

WASHINGTON, D. C., *May 25, 1937.*

#### CERTIFICATION

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this Charter, issued on May 25, 1937, by the Secretary of the Interior to the Sac and Fox Tribe of Missouri of the Sac and Fox Reservation in Nebraska and Kansas, was duly submitted for ratification to the adult Indians living on the reservation and was on June 19, 1937, duly ratified by a vote of nine for and none against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

CHARLES W. ROBIDOUX,  
*Chairman of the Tribal Council.*

H. E. BRUCE,  
*Superintendennt of the Potawatomi Indian Agency.*



## AMENDMENTS TO THE CONSTITUTION AND BY-LAWS OF THE SAC AND FOX TRIBE OF MISSOURI OF THE SAC AND FOX RESERVATION IN KANSAS AND NEBRASKA

### AMENDMENT I.

Article III, Section 1 of the Constitution shall be amended to read as follows:

"SEC. 1. The governing body of the Sac and Fox Tribe shall be the Tribal Council which shall be composed of five members of the tribe elected at a general tribal meeting on the third Friday in September at a place designated by the Tribal Council and conducted under regulations of the Tribal Council."

### AMENDMENT II.

Article IV, Section 2 of the Constitution shall be amended to read as follows:

"SEC. 2. The Tribal Council may by a vote of three of its members remove a Councilman for neglect of duty or misconduct in office, after giving such Councilman due notice of the charge and an opportunity to be heard."

### AMENDMENT III.

Article II, Section 2 of the By-laws shall be amended to read as follows:

"SEC. 2. There shall be at least three members of the Tribal Council present at its regular and special meetings in order to do business."

Pursuant to an order, approved June 22, 1943, by the Assistant Secretary of the Interior, Amendments I, II, and III to the Constitution and By-laws of the Sac and Fox Tribe of Missouri of the Sac and Fox Reservation in Kansas and Nebraska were submitted for ratification to the qualified voters of the reservation, and were on August 10, 1943, duly adopted by a vote as follows:

Amendment I, 7 for and none against;

Amendment II, 7 for and none against;

Amendment III, 7 for and none against;

in an election in which more than 30 per cent of those entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

CHAS. W. ROBIDOUX,  
*Chairman, Tribal Council.*

JOHN CONNELL,  
*Secretary, Tribal Council.*

H. E. BRUCE,  
*Superintendent, Potawatomi Agency.*

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 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendments I, II, and III, amending the Constitution and By-laws of the Sac and Fox Tribe of Missouri.

Approval recommended: November 22, 1943.

JOHN COLLIER,  
*Commissioner.*

OSCAR L. CHAPMAN,  
*Assistant Secretary.*  
[SEAL]

WASHINGTON, D. C., *November 25, 1943.*