

Lower Sioux Indian Community
" of Minnesota

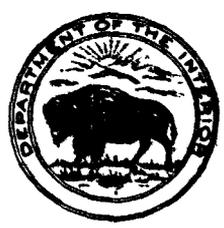
UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



CORPORATE CHARTER
OF THE
LOWER SIOUX INDIAN COMMUNITY
IN MINNESOTA



RATIFIED JULY 17, 1937



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St. Paul, Minn., June 18, 1934

CORPORATE CHARTER OF THE LOWER SIOUX INDIAN COMMUNITY IN THE STATE OF MINNESOTA

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

Whereas, the Lower Sioux Indian Community of the Lower Sioux Reservation in Minnesota is a recognized Indian Tribe organized under a constitution and by-laws ratified by the Community on May 16, 1936, and approved by the Secretary of the Interior on June 11, 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 Community have petitioned that a charter of incorporation be granted to such community, subject to ratification by a vote of the adult Indians living on the Reservation;

Now, therefore, I, Charles West, Acting 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 Lower Sioux Indian Community of the Lower Sioux Reservation to be effective from and after such time as it may be ratified by a majority vote in an election at 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 Lower Sioux Indian Community of the Lower Sioux Reservation in Minnesota by conferring upon the said community certain corporate rights, powers, privileges and immunities; to secure for the members of the Community an assured economic independence; and to provide for the proper exercise by the Community of various functions heretofore performed by the Department of the Interior, the aforesaid community is hereby chartered as a body politic and corporate of the United States of America, under the corporate name "The Lower Sioux Indian Community."

Perpetual Succession. Membership.

2. The Lower Sioux Indian Community shall, as a Federal Corporation, have perpetual succession.
3. The Lower Sioux Indian Community shall be a membership corporation. Its members shall consist of all persons now or hereafter members of the Community, as provided by its duly ratified and approved Constitution and By-laws.

*Management.**Corporate Powers.*

4. The Community Council of the Lower Sioux Reservation established in accordance with the said constitution and by-laws of the Community, shall exercise all the corporate powers hereinafter enumerated.
5. The Community, subject to any restrictions contained in the Constitution and laws of the United States, or in the Constitution and By-laws of the said community, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by its 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 Community of any land, or interests in land, now or hereafter held by the Community within the boundaries of the Lower Sioux Reservation.
 - (2) No mortgage may be made by the Community of any standing timber on any land now or hereafter held by the Community within the boundaries of the Lower Sioux Reservation.
 - (3) No leases, permits (which terms shall not include land assignments to members of the Community) or timber sale contracts covering any land or interests in land now or hereafter held by the Community within the boundaries of the Lower Sioux Reservation shall be made by the Community for a longer term than ten years, and all such leases, permits or contracts must be approved by the Secretary of the Interior or by his duly authorized representative; but mineral 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 Community which in any way operates to destroy or injure the timber, or other natural resources of the Lower Sioux Reservation. All leases, permits, and timber sale contracts relating to the use of any community grazing or timber lands shall conform to regulations of the Secre-

tary of the Interior authorized by section 6 of the Act of June 18, 1934. 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 land or interests in land of members of the Community, 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 Community, and to use such funds directly for productive community enterprises, or to loan money thus borrowed to individual members or associations of members of the Community; *Provided*, That the amount of indebtedness to which the Community may subject itself, other than indebtedness to the Indian Credit Fund, shall not exceed \$1,000 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 Community 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 Minnesota including agreements with the State of Minnesota for the rendition of public services; *Provided*, That any contract involving payment of money by the corporation in excess of \$100 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 community income due or to become due to the Community with the approval of the Secretary of the Interior or his duly authorized

representative: *Provided*, That such assignments of Community income, other than income from new enterprises financed by loans from the United States, shall not extend more than three years from the date of execution and shall not cover more than one-half the net community income from any one source.

- (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 Community or by the United States to the levy of any judgment, lien or attachment upon the property of the Community 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 Community Council of the Lower Sioux Indian Reservation 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 Community 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 Community residing on the Reservation shall vote. If at any time after fifteen 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 Community Council to popular referendum of the adult members of the Community 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 Lower Sioux Indian Community, as heretofore constituted, shall be in any way impaired by anything contained in this Charter. The individually owned property of members of the Community shall not be subject to any corporate debts or liabilities, without such owners' consent. Any existing lawful debts of the Community shall continue in force, except as such debts may be satisfied or cancelled pursuant to law.

Corporate Dividends.

8. The Community may distribute per capita, among its recognized members, all profits of corporate enterprises or income over and above sums necessary to meet 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 community government, the needs of charity, or other corporate purpose. No such distribution of profits or income in any one year amounting to more than one-half the accrued surplus, shall be made without the approval of the Secretary of the Interior.

Corporate Accounts.

9. The officers of the Community shall maintain accurate and complete public accounts of the financial affairs of the Community, 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 Community to the Commissioner of Indian Affairs.

Amendments.

10. This Charter shall not be revoked or surrendered except by Act of Congress, but amendments may be proposed by resolutions of the Community 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 Lower Sioux Indian Community living on the Lower Sioux Reservation, provided at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Pipestone Agency and the President of the Community Council of the Lower Sioux Indian Reservation.

Submitted by the Acting Secretary of the Interior for ratification by the Lower Sioux Indian Community of the Lower Sioux Reservation in a popular referendum to be held on July 17, 1937.

CHARLES WEST,
Acting Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., June 19, 1937.

CERTIFICATION

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this Charter, issued on June 19, 1937, by the Secretary of the Interior to the Lower Sioux Indian Community of the Lower Sioux Reservation, Minnesota, was duly submitted for ratification to the adult Indians living on the Reservation and was on July 17, 1937, duly adopted by a vote of 42 for, and 1 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

MOSES COLUMBUS,

President of the Community Council.

J. W. BALMER, *Superintendent.*

