UNITED STATES

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

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CORPORATE CHARTER

OF THE

RENO-SPARKS INDIAN COLONY OF THE STATE OF NEVADA

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RATIFIED JANUARY 7, 1938

UNITED STATES

GOVERNMENT PRINTING OFFICE

WASHINGTON: 1938

CORPORATE CHARTER OF THE RENO-SPARKS INDIAN COLONY OF THE STATE OF NEVADA

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

Whereas, the Reno-Sparks Colony in the State of Nevada constitutes a recognized Indian tribe organized under a constitution and by-laws ratified by the members of the Reno-Sparks Indian Colony on December 16, 1935, and approved by the Secretary of the Interior on January 15, 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 Reno-Sparks Indian Colony have petitioned that a charter of incorporation be granted to the Colony, subject to ratification by a vote of the adult Indians living within the Colony;

Now, therefore, I, Oscar L. Chapman, Assistant 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 Reno-Sparks Indian Colony to be effective from and after such time as it may be ratified by a majority vote of the adult Indians living within the Colony at an election in which at least 30 per cent of the eligible voters vote.

Corporate Existence.

1. In order to further the economic development of the Indians of the Reno-Sparks Indian Colony in the State of Nevada by conferring upon the said Colony certain corporate rights, powers, privileges and immunities; to secure for the members of the Colony an assured economic independence; and to provide for the proper exercise by the Colony of various functions heretofore performed by the Department of the Interior, the aforesaid Colony is hereby chartered as a body politic and corporate of the United States of America, under the corporate name "The Reno-Sparks Indian Colony."

Perpetual Succession.

2. The Reno-Sparks Indian Colony shall, as a Federal Corporation, have perpetual succession.

Membership.

3. The Reno-Sparks Indian Colony shall be a membership corporation. Its members shall consist of all persons now or hereafter members of the Colony, as provided by its duly ratified and approved Constitution and By-laws.

Management.

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

Corporate Powers.

5. The Colony, subject to any restrictions contained in the Constitution and laws of the United States, or in the Constitution and By-laws of the said Reno-Sparks Indian Colony, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by the Constitution and By-laws of the Colony:

(*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 nor mortgage may be made by the Colony of any land or interests in land, including mineral rights, now or hereafter held by the Reno-Sparks Indian Colony within the boundaries of the Colony.

(2) No leases or permits (which terms shall not include land assignments to members of the Colony) covering any land or interests in land now or hereafter held by the Colony within the boundaries of the Reno-Sparks Indian Colony shall be made by the Colony 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.

(3) No action shall be taken by or in behalf of the Colony which in any way operates to destroy or injure the Colony grazing lands or other natural resources of the Reno-Sparks Indian Colony. All leases or permits relating to the use of Colony grazing 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 and other matters therein specified. Conformity to such regulations shall be made a condition of any such lease or permit 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 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 Reno-Sparks Indian Colony, 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 Colony: *Provided*, That the amount of indebtedness to which the Colony may subject itself, aside from loans from the Indian Credit Fund, shall not exceed $500, except with the express approval of the Secretary of the Interior.

(*d*) To engage in any business that will further the economic well-being of the members of the Colony or to undertake any activity of any nature whatever, not inconsistent with law or with any provisions of this Charter.

(*e*) 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 Nevada, including agreements with the State of Nevada for the rendition of public services: *Provided*, That all contracts involving payment of money by the corporation in excess of $300 in any one year shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.

(*f*) To pledge or assign chattels or future tribal income due or to become due to the Colony: *Provided*, That no such assignment of tribal income, other than assignments to the United States, shall extend more than ten years from the date of execution nor amount for any one year to more than one-half of 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.

(*g*) 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 Reno-Sparks Indian Colony.

(*h*) 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 Colony or by the United States to the levy of any judgment, lien or attachment upon the property of the Colony other than income or chattels specially pledged or assigned.

(*i*) 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 request by the Reno-Sparks Indian Council for the termination of any supervisory power reserved to the Secretary of the Interior under sections 5 (*b*) (2), 5 (*c*), 5 (*e*), 5 (*f*), 5 (*g*), 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 for ratification by the Indians. The termination shall be effective upon ratification by a majority vote of the adult members of the Reno-Sparks Indian Colony, at an election in which at least 30 per cent of the adult members of the Colony living within the Colony vote. If at any time after ten years from the date of ratification 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 or by the Reno-Sparks Indian Council to popular referendum of the adult members actually living within the Colony, 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 members of the Reno-Sparks Indian Colony shall be in any way impaired by anything contained in this Charter, and the ownership by the Colony 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 Colony shall not be subject to any corporate debts or liabilities, without such owners' consent.

Any existing lawful debts of the Colony shall continue in force, except as such debts may be satisfied or cancelled pursuant to law.

Corporate Dividends.

8. The Colony may issue to each member of the Reno-Sparks Colony a non-transferable certificate of membership evidencing the equal share of each member in the assets of the Colony and may distribute per capita, among the recognized members of the Colony, all income of the Colony over and above sums necessary to defray corporate obligations to members of the Colony 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 costs of public enterprises, the expenses of Colony government, the needs of charity, or other corporate purpose. Any such distribution of profits in any one year amounting to a distribution of more than one-half of the accrued surplus, shall not be made without the approval of the Secretary of the Interior. No financial assets of the Colony shall be distributed except as provided herein.

Corporate Accounts.

9. The officers of the Colony shall maintain accurate and complete public accounts of the financial affairs of the Colony, 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 Colony 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 Reno-Sparks Indian Council, which, if approved by the Secretary of the Interior, shall be effective when ratified by a majority vote of the adult members living within the Colony 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 Reno-Sparks Indian Colony living within the Colony provided at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Carson Agency and the Chairman and Secretary of the Reno-Sparks Indian Colony.

Submitted by the Assistant Secretary of the Interior for ratification by the Indians of the Reno-Sparks Indian Colony.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., *November 23, 1937.*

CERTIFICATION

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this Charter, issued on November 23, 1937 by the Assistant Secretary of the Interior to the Reno-Sparks Indian Colony of the State of Nevada, was duly submitted for ratification to the adult Indians living on the reservation and was on January 7, 1938 duly ratified by a vote of 35 for, and 1 against, in an election in which over thirty per cent of those entitled to vote cast their ballots.

HARRY SAMPSON,
Chairman, Reno-Sparks Indian Colony.
CLEVELAND CYPHER,
Secretary, Reno-Sparks Indian Colony.

ALIDA C. BOWLER,
Superintendent, Carson Indian Agency.

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