

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

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CORPORATE CHARTER
OF THE
FOREST COUNTY
POTAWATOMI COMMUNITY
WISCONSIN

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RATIFIED OCTOBER 30, 1937



UNITED STATES
GOVERNMENT PRINTING OFFICE
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CORPORATE CHARTER OF THE FOREST COUNTY POTAWATOMI COMMUNITY, WISCONSIN

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

Whereas, the Wisconsin Potawatomes residing in Forest County, Wisconsin, constitute a recognized Indian tribe organized as the Forest County Potawatomi Community under a constitution and by-laws ratified by the Tribe on November 14, 1936, and approved by the Secretary of the Interior on February 6, 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 said tribe subject to ratification by a vote of the adult members of the Forest County Potawatomi Community;

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 Forest County Potawatomi Community, Wisconsin, to be effective from and after such time as it may be ratified by a majority vote of the adult members residing on the lands reserved for the Wisconsin Potawatomes of Wisconsin.

Corporate Existence.

1. In order to further the economic development of the members of the Forest County Potawatomi Community, Forest County, Wisconsin, by conferring upon said community certain rights, powers, privileges and immunities; and to provide for the proper exercise by the Community of various functions and responsibilities heretofore performed and assumed 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 Forest County Potawatomi Community."

Perpetual Succession. Member- ship.

2. The Forest County Potawatomi Community shall, as a Federal Corporation, have perpetual succession.
3. The Forest County Potawatomi 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.

Manage- ment.

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

Corporate Powers.

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 the Constitution and By-laws of the Community.
- (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.
 - (2) No mortgage may be made of any standing timber on any land now or hereafter held by the Community.
 - (3) Leases or permits (which terms shall not include land assignments to members of the Community) may be made to members of the Community on any land now or hereafter owned by the Community, for a term of one year; timber sale contracts and leases may be made for a term not to exceed ten years, subject to the approval of the Secretary of the Interior or his duly authorized representative: *Provided*, That oil and gas leases, or any leases requiring substantial improvements of the land may be made for longer periods than ten years, 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 Community timber or other natural resources. All leases, permits, and timber sale contracts relating to the use of community timber lands shall conform to regulations of the Secretary 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, permits, 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 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 loan money thus borrowed to individual members or associations of members of the Community.
- (d) 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.
- (e) To make and perform contracts and agreements of every description, not inconsistent with law or with any provisions of this Charter: *Provided*, That any contracts involving payment of money by the corporation in excess of \$3,000 in any one year shall be effective only when approved by the Secretary of the Interior or his duly authorized representative.
- (f) To pledge or assign chattels or future income of the Community due or to become due: *Provided*, That assignments of income, other than assignments to the United States, shall not extend more than five years from the date of execution and shall not cover more than one-half the net 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 with a bonded disbursing officer of the United States to the credit of the corporation.
- (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 said 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.

- (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. At any time after ten years from the effective date of this Charter, the General Tribal Council may request the termination of any supervisory power reserved to the Secretary of the Interior under sections 5 (b) 3, 5 (e), 5 (f), 5 (g), and section 8 of this Charter. Upon approval by the Secretary of the Interior of such request the supervisory power in question shall be terminated forthwith. If such request shall be made and the Secretary of the Interior 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 General Tribal Council to popular referendum of the adult members of the Forest County Potawatomi Community 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 Forest County Potawatomi Community as heretofore constituted shall be in any way impaired by anything contained in this Charter and the Community 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 Community shall not be subject to any corporate debts or liabilities, without such owners' consent.

Corporate Dividends.

8. The Community may distribute per capita among its members, profits of corporate enterprises, 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 cost of public enterprises, the expenses of community government, the needs of charity, or other corporate purposes: *Provided*, That no such per capita distribution of profits shall be made without the approval of the Secretary of the Interior or his duly authorized representative. No distribution of the financial assets of the Community shall be made except as provided herein or as authorized by Congress.

Corporate Accounts.

9. The officers of the Community shall maintain accurate and complete public accounts of the financial affairs of the Community, which shall show all credits, debts, pledges, and assignments and shall fur-

nish 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 Council which, if approved by the Secretary of the Interior, shall be effective when ratified by a majority vote of the adult members of the Forest County Potawatomi Community at a popular referendum in which at least 30 per cent of the eligible voters shall 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 Forest County Potawatomi Community residing on lands reserved for the Wisconsin Potawatomes of Wisconsin provided at least 30 per cent 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 Council of the Community.

Submitted by the Assistant Secretary of the Interior for ratification by the Forest County Potawatomi Community in a popular referendum to be held on October 30, 1937.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., *September 30, 1937.*

CERTIFICATION

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this Charter, issued on September 30, 1937 by the Assistant Secretary of the Interior to the Forest County Potawatomi Community, Forest County, Wisconsin, was duly submitted for ratification to the adult members of the Community residing on lands reserved for the Wisconsin Potawatomes of Wisconsin and was on October 30, 1937, duly ratified by a vote of 58 for, and 6 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

HENRY SHAWANO,
Chairman, Council of the Community.

J. C. CAVILL,
Superintendent, Great Lakes Agency.

