

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



CORPORATE CHARTER
OF THE
COVELO INDIAN COMMUNITY OF THE
ROUND VALLEY INDIAN RESERVATION
CALIFORNIA



RATIFIED NOVEMBER 6, 1937



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1938

[Handwritten signature]

LIBRARY OF CONGRESS
JUN 26 1938
DIVISION OF DOCUMENTS

CORPORATE CHARTER OF THE COVELO INDIAN COMMUNITY OF THE ROUND VALLEY INDIAN RESERVATION

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

Whereas, the Covelo Indian Community of the Round Valley Indian Reservation in the County of Mendocino, State of California, is a recognized Indian Community organized under a constitution and by-laws ratified by the members of the Covelo Indian Community on November 7, 1936, and approved by the Secretary of the Interior on December 16, 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 Covelo Indian Community have petitioned that a charter of incorporation be granted to the Covelo Indian Community, subject to ratification by a vote of the adult members of the Covelo Indian Community living on the Round Valley Indian Reservation;

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of 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 Covelo Indian Community of the Round Valley Indian Reservation to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Covelo Indian Community living on the Round Valley Indian Reservation at an election in which at least 30 per cent of the eligible voters vote.

*Corporate
Existence.*

1. In order to promote the social and economic development of the members of the Covelo Indian Community of the Round Valley Indian Reservation in the County of Mendocino, State of California, by conferring upon the said community certain corporate rights, powers, privileges and immunities; to secure for the members of the Covelo Indian 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, "Covelo Indian Community."

*Duration of
Corporation.
Member-
ship.*

2. The Covelo Indian Community shall, as a Federal Corporation exist for a period of 50 years.
3. The Covelo Indian Community shall be a membership corporation. Its members shall consist of all persons now or hereafter entitled to membership in the Covelo Indian Community, as provided by its duly ratified and approved constitution and by-laws.

Management.

4. The Covelo Indian Community Council of the Round Valley Indian Reservation established in accordance with the said constitution and by-laws of the Covelo Indian Community, shall exercise all of the corporate powers hereinafter enumerated.

Corporate Powers.

5. The Covelo Indian Community, subject to any restrictions contained in the Constitution and laws of the United States, or in the Constitution and By-laws of the Covelo Indian Community, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by the Covelo Indian Community 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 Covelo Indian Community of any land or interests in land, water rights, power sites, and mineral rights, now or hereafter held by the Covelo Indian Community within the boundaries of the Round Valley Indian Reservation.

(2) No mortgage may be made by the Covelo Indian Community of any standing timber on land now or hereafter held by the Community within the boundaries of the Round Valley Indian Reservation.

(3) No leases, permits (which terms shall not include land assignments to members of the Covelo Indian Community) or timber sale contracts covering any land or interests in land now or hereafter held by the Covelo Indian Community within the boundaries of the Round Valley Indian Reservation shall be made by the Covelo Indian Community for a longer term than five years, and all such leases or permits or contracts must be approved by the Secretary of the Interior or by his duly authorized representative; but mineral leases or any lease 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 Covelo Indian Community

which in any way operates to destroy or injure the Community grazing lands, timber or other natural resources of the Round Valley Indian Reservation. All leases, permits and timber sale contracts relating to the use of Community 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 and other lands 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 Covelo Indian 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 Covelo Indian Community may subject itself, aside from loans from the Indian Credit Fund, shall not exceed \$10,000 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 Covelo Indian 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, partnership, association, or corporation, with any municipi-

pality or any county, or with the United States or the State of California, including agreements with the State of California for the rendition of public services: *Provided*, That any contract involving payment of money by the corporation in excess of \$2,000 in any one fiscal year other than a contract for the use of the revolving loan fund established under section 10 of the Act of June 18, 1934 (48 Stat. 984), 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 under any notes, leases, or other contracts whether or not such notes, leases, or contracts are in existence at the time, or from any source: *Provided*, That such agreements of pledge or assignment except to the Federal Government shall not extend more than ten years from the date of execution and shall not cover more than one-half of the net Community income in any one year: *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 Covelo Indian Community.
- (i) To appropriate corporate funds as may be required by the Council in carrying out its duties and exercising its powers under this Charter and the Community Constitution and By-laws; and review by the Secretary of the Interior of any such appropriations shall not be necessary except as may be required by the terms of this Charter.
- (j) 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 said Covelo Indian Community or by the United States to the levy of any judgment, lien or attachment upon the property of the Covelo Indian Community other than income or chattels specially pledged or assigned.

(k) 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 Covelo Indian Community Council for the termination of any supervisory powers 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 Covelo Indian Community for a referendum vote. 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 Covelo Indian Community 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 such request or fail to approve or disapprove it within 90 days after its receipt, the question of the termination of any such supervisory 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 Covelo Indian Community 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 Covelo Indian Community of the Round Valley Indian Reservation, 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 the members of the Covelo Indian Community shall not be subject to any corporate debts or liabilities, without such owners' consent.

Corporate Dividends.

8. The Covelo Indian Community may issue to each of its members a nontransferable certificate of membership evidencing the equal share of each member in the assets of the Community and may distribute per capita, among the recognized members of the Community, all income of the Community 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 the Community government, the needs of charity, or other corporate purpose. No such distribution of profits 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 financial assets of the Covelo Indian Community shall be distributed except as herein provided.

*Corporate
Accounts.*

9. The officers of the Covelo Indian 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.

*Amend-
ments.*

10. This Charter shall not be revoked or surrendered except by an 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 of the Covelo Indian Community living on the reservation at a popular referendum in which at least 30 per cent of the eligible voters vote.

*Ratifica-
tion.*

11. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Covelo Indian Community of the Round Valley Indian Reservation living on the reservation, provided at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Sacramento Indian Agency and the President of the Covelo Indian Community Council.

Submitted by the Assistant Secretary of the Interior for ratification by the Covelo Indian Community of the Round Valley Indian Reservation, California, in a popular referendum to be held on November 6, 1937.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., *September 22, 1937.*

CERTIFICATION

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this Charter, issued on September 22, 1937 by the Assistant Secretary of the Interior to the Indians of the Covelo Indian Community of the Round Valley Reservation, California, was duly submitted for ratification to the adult Indians living on the reservation and was on November 6, 1937 duly approved by a vote of 62 for, and 18 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

ARTHUR ANDERSON,
President, Community Council.

ROY NASH,
Superintendent, Sacramento Agency.