

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



CONSTITUTION AND BY-LAWS
OF THE
ABSENTEE-SHAWNEE TRIBE OF INDIANS
OF OKLAHOMA



RATIFIED DECEMBER 5, 1938



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1939

CONSTITUTION AND BY-LAWS OF THE ABSENTEE-SHAWNEE TRIBE OF INDIANS OF OKLAHOMA

PREAMBLE

We, the members of the Absentee-Shawnee Tribe of Indians of Oklahoma, in order to promote our common welfare and to secure to ourselves and our descendants, the rights, powers and privileges offered by the Thomas-Rogers Oklahoma Indian Welfare Act, approved June 26, 1936 (49 Stat. 1967) do establish this organization and adopt the following Constitution and By-laws pursuant to that Act.

ARTICLE I—NAME

The name of this organization shall be known as the Absentee-Shawnee Tribe of Indians of Oklahoma.

ARTICLE II—MEMBERSHIP OF TRIBE

SECTION 1. The membership of the Absentee-Shawnee Tribe of Indians of Oklahoma shall consist of the following persons:

(a) All persons of Indian blood enrolled on the official census roll of the Tribe as of January 1, 1937.

(b) All children born to any member of the Tribe after January 1, 1937 who are of Absentee-Shawnee Indian blood.

SEC. 2. The Council shall have power to prescribe rules and regulations, subject to the approval of the Secretary of the Interior, covering future membership including adoptions and the loss of membership.

ARTICLE III—MEMBERSHIP OF COUNCIL

The supreme governing body of the Tribe shall be the Absentee-Shawnee Council. The membership of the Council shall be all the members of the Absentee-Shawnee Tribe, both males and females 21 years of age and older.

ARTICLE IV—OFFICERS

SECTION 1. The officers of this Tribe shall be the Chairman, Vice-Chairman, Secretary-Treasurer and two Councilmen elected by the membership of the Council. The term of office shall be for two years: *Provided*, That the present officers shall serve until their successors are elected and installed.

ARTICLE V—COMMITTEES

SECTION 1. There shall be a Business Committee which shall consist of the officers and councilmen as provided in Article IV. This

Committee shall have the power to appoint subordinate committees and representatives, to transact business and otherwise speak or act on behalf of the Tribe in all matters on which the Tribe is empowered to act. The powers of the Tribe shall be set forth in detail in the corporate charter to be requested by the Business Committee.

SEC. 2. Grievance Committee.—This Committee shall consist of three members who shall be elected by the membership of the Council and shall not include any members of the Business Committee. The term of office shall be for two years.

ARTICLE VI—ELECTIONS

The first regular election of officers and members of the Grievance Committee shall be held within 30 days after the adoption of this Constitution and By-laws, and, thereafter, regular elections will be held on the third Monday in June of each second year under rules and regulations prescribed by the Business Committee.

ARTICLE VII—VACANCIES

Vacancies in any elective office shall be filled for an unexpired term by appointment of the Business Committee.

ARTICLE VIII—REMOVAL OF OFFICERS

The Grievance Committee shall investigate complaints of misconduct in office of members of the Business Committee and upon a proper showing shall call a special meeting of the Council to act upon such complaints. The Council shall have power, by a majority vote, after giving the accused a hearing, to remove him from office.

ARTICLE IX—BILL OF RIGHTS

SECTION 1. All members of the Tribe shall enjoy without hindrance, freedom of worship, conscience, speech, press, assembly and association.

SEC. 2. This Constitution shall not in any way alter, abridge, or otherwise jeopardize the rights and privileges of the members of this Tribe as citizens of the State of Oklahoma or of the United States.

SEC. 3. The individual vested property rights of any member of the Tribe shall not be altered, abridged, or otherwise affected by the provisions of this Constitution and By-laws without the consent of such individual member.

SEC. 4. Nothing contained in this Constitution shall be construed as a surrender by the Tribe of existing aide and services extended by the United States or the State of Oklahoma to the Tribe, such as health service, education, extension service, etc.

ARTICLE X—AMENDMENTS

Amendments to this Constitution and the attached By-laws may be proposed by a majority vote of the Business Committee or by a petition signed by 30 per cent of the adult members of the Tribe, and

if approved by the Secretary of the Interior, shall be submitted to a referendum vote of the adult members of the Tribe, and shall be effective if approved by a majority vote.

BY-LAWS OF THE ABSENTEE-SHAWNEE TRIBE OF INDIANS OF OKLAHOMA

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. The Chairman shall preside at all meetings of the Council and of the Business Committee. He shall have general supervision of the affairs of the Council and of the Business Committee and shall perform all duties appertaining to the office of Chairman.

SEC. 2. The Vice-Chairman, in the absence of the Chairman, or during procedure to remove him shall perform the duties of that office.

SEC. 3. The Secretary-Treasurer shall correctly record the proceedings of all meetings. He shall make out the order of the business for the Chairman, shall notify all committees of their appointments, shall have custody of the records and all papers of the Council, which records and papers shall be open to inspection at any time, in his presence, by any member of the Council desiring to read them. He shall keep a correct list of all members of the Council, shall authenticate all accounts or orders of the Council and, in the absence of the Chairman and Vice-Chairman, shall call the meeting to order until a Chairman pro tem is selected. He shall render a written report at the annual meeting and at the expiration of his term of office the records and all papers in his possession shall be turned over to his successor. He shall issue notices of all meetings and conduct all general correspondence, as directed by the Council or the Business Committee. He shall receive all moneys of the Council and keep an accurate account of receipts and disbursements.

The Secretary-Treasurer shall keep all tribal moneys entrusted to his care in a special account and all disbursements therefrom should be made by check. At any time that such account shall amount to more than \$50 he shall file a bond satisfactory to the Business Committee and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of tribal moneys.

ARTICLE II—QUALIFICATION OF OFFICERS

Any person elected to membership on the Business Committee shall be not less than 21 years of age and a member of the Absentee-Shawnee Tribe of Indians of Oklahoma. At the time of his election, he shall be an actual resident of the Shawnee Indian Agency jurisdiction. Any person holding an elective office removing from the said jurisdiction shall automatically lose office.

ARTICLE III—MEETINGS

SECTION 1. Annual meetings of the Council shall be held on the third Monday in June of each year for the purpose of receiving

reports and transacting any other business which may come regularly before the Council.

SEC. 2. Special meetings of the Council may be called at the discretion of the Chairman, and shall be called by him upon the written request of a majority of the Business Committee or upon the written request of 50 members of the Tribe: *Provided*, That at least ten days' notice shall be given in each instance.

SEC. 3. The principal object of a special Council meeting must be stated in the call for same and may include the words "and for the transaction of other business that may be presented." Unless these words are added no other business may be transacted except for the object stated in the call.

SEC. 4. Unless otherwise provided by resolution, the regular meetings of the Business Committee shall be held on the third Monday in September, December, March, and June of each year.

SEC. 5. Special meetings of the Business Committee may be called by the Chairman at his discretion, and shall be called by him upon the written request of three members of the Business Committee.

SEC. 6. Unless some other point under the Shawnee Agency jurisdiction is designated in the call or notice, all meetings of the Council and of the Business Committee shall be held at the Shawnee Indian Agency.

ARTICLE IV—QUORUM

SECTION 1. Forty members of the Council shall constitute a quorum to transact business at any meeting.

SEC. 2. Three members of the Business Committee shall constitute a quorum to transact business at any meeting.

ARTICLE V—ADOPTION

This Constitution and By-laws shall be effective when approved by the Secretary of the Interior and ratified by a majority of the Indians of the Absentee-Shawnee Tribe of Oklahoma voting at an election called by the Secretary of the Interior under the regulations which he may prescribe pursuant to section 3 of the Oklahoma Indian Welfare Act of June 26, 1936, provided, that at least 20 per cent of the eligible voters vote in said election.

I, Harry Slattery, the Acting Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (49 Stat. 1967), do hereby approve the attached Constitution and By-laws of the Absentee-Shawnee Tribe of Indians of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

Approval recommended October 5, 1938.

F. H. DAIKER.

Acting Commissioner of Indian Affairs.

HARRY SLATTERY,
Acting Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., *October 18, 1938.*

CERTIFICATION OF ADOPTION

Pursuant to an order, approved October 18, 1938 by the Acting Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Absentee-Shawnee Tribe of Indians of Oklahoma and was on December 5, 1938 duly approved by a vote of 121 for, and 50 against, in an election in which over 20 per cent of those entitled to vote cast their ballots, pursuant to section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

THOMAS B. HOOD,
Chairman, Business Committee.

THOMAS W. ALFORD, JR.,
Secretary, Business Committee.

A. C. HECTOR,
Superintendent, Shawnee Indian Agency.

