

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



CONSTITUTION AND BY-LAWS
OF THE
CITIZEN BAND
OF POTAWATOMI INDIANS
OKLAHOMA



RATIFIED DECEMBER 12, 1938



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1939

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office of these officers shall be for two years: *Provided*, That the present officers shall serve till the last Thursday in June 1939, or 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 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 now or in the future: *Provided*, That acts of the said Business Committee relating to claims or rights growing out of treaties between the United States and the Tribe shall not be effective unless authorized or approved by the Council.

SEC. 2. There shall be a Grievance Committee which shall consist of three members who shall be elected by the Council and shall not include any members of the Business Committee.

ARTICLE VI—MEETINGS

SECTION 1. Annual meetings of the Council shall be held on the last Thursday of June 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 twenty-five members of the Council: *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 can be transacted except for the object stated in the call.

SEC. 4. The regular meetings of the Business Committee shall be held on the last Thursday in February, May, August, and November unless otherwise provided by resolution.

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.

ARTICLE VII—ELECTIONS

SECTION 1. Regular elections of officers and members of the Grievance Committee shall be held by the Council at its regular annual meeting on the last Thursday in June 1939, and on the last Thursday in June of each second year thereafter, under rules and regulations prescribed by the Business Committee.

SEC. 2. To be eligible for election, notice of candidacy for an elective office must be filed with the Secretary of the Council at least ten days prior to election. Such notice shall be valid if filed by a candidate himself or upon the petition of fifteen members of the Council.

Where no such notices are filed, nominations may be made from the floor.

ARTICLE VIII—VACANCIES

Vacancies in any elective office shall be filled for an unexpired term at any special or regular meeting of the Council.

ARTICLE IX—REMOVAL OF OFFICERS

The Grievance Committee shall investigate complaints of misconduct in office of the 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 and proceed to elect a successor.

ARTICLE X—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 be construed to alter, abridge or otherwise jeopardize the rights and privileges of the members of this Tribe as citizens of the State of Oklahoma or 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.

ARTICLE XI—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 thirty per cent of the adult members of the Council, and if approved by the Secretary of the Interior, shall be submitted to a referendum vote of the adult members of the Council and shall be effective if approved by a majority vote.

BY-LAWS

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. *Chairman.*—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. *Vice-Chairman.*—In the absence of the Chairman, the Vice-Chairman shall perform the duties of that office. In the case of vacancy, the Vice-Chairman shall succeed at once to the office of Chairman until the next special or regular election for the office of Chairman.

SEC. 3. *Secretary-Treasurer.*—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: *Provided*, That all certified records shall remain on file in the office of the Superintendent of the Shawnee Indian Agency: *And provided further*, That all records and papers shall be open to inspection, in the presence of the Secretary-Treasurer, by any member of the Council. 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 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 \$50.00, 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 Citizen Band of Potawatomi Indians of Oklahoma. At the time of his election, he shall be an actual resident of the territory known as the Shawnee Indian Agency jurisdiction in Oklahoma. Any person holding an elective office removing from the Shawnee Indian Agency jurisdiction shall automatically lose office.

ARTICLE III—PLACE OF MEETINGS

All regular and special meetings of the Council and of the Business Committee shall be held at the Shawnee Indian Agency unless some other point under the Shawnee Indian Agency jurisdiction is designated in the call or notice.

ARTICLE IV—QUORUM

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

SEC. 2. Four 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 vote of the members of the Citizen Band of Potawatomi Indians of Oklahoma voting at an election called by the Secretary of the Interior

under regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936, provided that at least 20% of the eligible voters vote in such 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 Citizen Band of Potawatomi Indians of Oklahoma, subject to ratification by the Tribe in the manner therein provided.

Upon ratification of this Constitution all rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution and By-laws, are declared inapplicable to the Citizen Band of Potawatomi 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 17, 1938.*

CERTIFICATION OF ADOPTION

Pursuant to an order, approved October 17, 1938 by the Acting Secretary of the Interior, the attached constitution and by-laws was submitted for ratification to the members of the Citizen Band of Potawatomi Indians of Oklahoma and was on December 12, 1938 duly approved by a vote of 351 for, and 2 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).

THE CITIZEN POTAWATOMI BUSINESS COMMITTEE,
By LOUIS J. BRANT, *Chairman*,
ALICE WARDCHOW, *Secretary*,
O. D. LEWIS.

A. C. HECTOR,

Superintendent, Shawnee Indian Agency.

