

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS



CORPORATE CHARTER  
OF THE  
HOONAH INDIAN ASSOCIATION  
" ALASKA



RATIFIED OCTOBER 23, 1939



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# CORPORATE CHARTER OF THE HOONAH INDIAN ASSOCIATION

A FEDERAL CORPORATION CHARTERED UNDER THE ACT OF JUNE 18, 1934, AS AMENDED BY THE ACT OF MAY 1, 1936

Whereas, a group of Indians and Eskimos having a common bond of residence in the neighborhood of Hoonah, Territory of Alaska, seek to organize under sections 16 and 17 of the Act of June 18, 1934 (48 Stat. 984) and section 1 of the Act of May 1, 1936 (49 Stat. 1250), by ratification of a constitution and by-laws and a charter approved by the Secretary of the Interior, and

Whereas, more than one-third of the adult Indians and Eskimos have petitioned that a charter of incorporation be granted to this group of Indians and Eskimos.

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the above cited acts, do hereby issue and submit this charter of incorporation to the group of Indians and Eskimos organizing as aforesaid, to be effective when duly ratified, provided that the said constitution and by-laws have been duly ratified by them.

*Purpose and Existence.*

1. In order to further the economic development of the Indians and Eskimos residing in the neighborhood of Hoonah, Alaska, by conferring upon the Hoonah Indian Association corporate rights and powers, the aforesaid Association is hereby chartered as a body corporate of the United States of America, under the corporate name of Hoonah Indian Association, hereinafter call the Association.

*Membership.*

2. The Association shall be a membership corporation. Its members shall consist of all persons now or hereafter members of the Association, as provided by its duly ratified and approved constitution and by-laws.

*Management.*

3. The Board of the Association, established in accordance with the said constitution and by-laws of the Association, shall exercise all the corporate powers hereinafter enumerated.

*Corporate Powers.*

4. The Association, subject to any restrictions contained in the Constitution and laws of the United States, or in the constitution and by-laws of the said Association, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by its constitution and by-laws:

- (a) To adopt, use, and alter 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 Association of any land, or interests in land, including water, fishing or mineral rights, held by the Association within any area which may be set aside by the Federal Government as a reserve for the use of the Association.
  - (2) No leases, permits (which terms shall not include land assignments or fishing privileges granted to members of the Association) nor timber sale contracts covering any land or interests in land held by the Association within any reserve set aside for the Association shall be made by the Association for a longer term than ten years, and all such permits and leases, except to members of the Association, and all such contracts must be approved by the Secretary of the Interior or by his duly authorized representative: *Provided*, That leases requiring substantial improvements may be made for longer periods when authorized by law.
- (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 advance money thus borrowed to individual members or groups of members of the Association for enterprises related to those of the Association.
  - (d) To engage in any business that will further the economic well-being of the members of the Association 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 with the United States or the Territory of Alaska, including agreements with said Territory for the rendition of public services.
  - (f) To pledge or assign chattels or future corporate income due, or to become due, to the Association: *Provided*, That such assignments of corporate income, other than as-

signments to the United States, shall not extend for more than ten years from the date of execution.

- (g) To deposit corporate funds, from whatever source derived, in any National or Territorial bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation or secured by a surety bond, or other security, or to deposit such funds in the Postal Savings Bank or with a bonded disbursing officer of the Interior Department to the credit of the corporation.
- (h) To sue and be sued in courts of competent jurisdiction within the Territory of Alaska or the United States.
- (i) To exercise such further incidental powers, not inconsistent with law, as may be necessary to the conduct of corporate business.

*Corporate Property.*

- 5. The individually owned property of members of the corporation shall not be subject to any corporate debts or liabilities without such owners' consent.

*Corporate Income.*

- 6. The Association shall, at the end of its fiscal year, apply its income in excess of operating expenses during such fiscal year, in the following manner:

First: to payment of any due indebtedness.

Second: to creation of a fund for operation and for liquidation of indebtedness becoming due in the next operating period.

Third: to utilization for such social, educational and relief purposes as the Association may determine.

*Regulation of Payments.*

- 7. The Association may regulate the payment of corporate property in order to safeguard the interests of any incompetent or disabled members, and of the dependents of members who might become a public charge, and of the heirs or devisees of deceased members.

*Corporate Accounts.*

- 8. The officers of the Association shall maintain accurate and complete public accounts of the financial affairs of the corporation, 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 corporation to the Juneau Office of the Office of Indian Affairs.

*Amendments.*

- 9. This Charter shall not be revoked or surrendered except by Act of Congress, but amendments may be proposed by resolutions of the Board or of the Association which amendments, if approved by the Secretary of the Interior, shall be effective when ratified by a majority vote of the adult members of the Association voting in a popular referendum called for the purpose by the Secretary of the Interior: *Provided,*

That at least 30 percent of the eligible voters vote in such election.

*Ratification.*

10. This Charter shall be effective from and after the date of its ratification by a majority vote of those voting in an election called for the purpose by the Secretary of the Interior: *Provided*, That at least 30 percent of the eligible voters shall vote: *And provided further*, That the Association has ratified a constitution and by-laws approved by the Secretary of the Interior. The ratification of the Charter shall be formally certified by the Election Board. The persons eligible to vote on the Charter are those Indians and Eskimos entitled to vote on the Constitution and By-laws for this Association.

This Charter is herewith approved and issued by the Assistant Secretary of the Interior and submitted for ratification by the Indians and Eskimos having a common bond of residence in the neighborhood of Hoonah, Territory of Alaska, in a popular referendum called and held under the Instructions of the Secretary of the Interior.

OSCAR L. CHAPMAN,  
*Assistant Secretary of the Interior.*

[SEAL]

WASHINGTON, D. C., *August 19, 1939.*

#### CERTIFICATION

Pursuant to an order, approved August 19, 1939, by the Assistant Secretary of the Interior, the attached Charter was submitted for ratification to the group of Indians and Eskimos having a common bond of residence in the neighborhood of Hoonah, Territory of Alaska, and was on October 23, 1939, duly ratified by a vote of 116 for and 8 against, in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with the Alaska Act of May 1, 1936 (49 Stat. 1250), and section 17 of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

WM. S. SHEAKLEY,  
*Chairman, Election Board.*  
JOSEPH W. PRATT,  
*Secretary, Election Board.*

WENDELL H. CORDLE,  
*Government Representative.*

