UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

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CORPORATE CHARTER

OF THE

SOKAOGON CHIPPEWA COMMUNITY WISCONSIN

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RATIFIED OCTOBER 7, 1939

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1940

CORPORATE CHARTER OF THE SOKAOGON CHIPPEWA COMMUNITY, WISCONSIN

Whereas, the Sokaogon Chippewa Community constitutes a recognized Indian tribe organized under a constitution and by-laws ratified by the Community on October 8, 1938 and approved by the Assistant Secretary of the Interior on November 9, 1938 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 Sokaogon Chippewa Community have petitioned that a charter of incorporation be granted to such Community, subject to ratification by a vote of the adult Indians of the 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 Sokaogon Chippewa Community to become effective upon ratification by a majority vote of the adult Indians of the Community voting in an election in which at least 30 percent of the eligible voters shall vote.

Corporate Existence.

1. In order to further the economic development of the Sokaogon Chippewa Community by conferring upon the said Community certain corporate rights, powers, privileges, and immunities; and to provide for the proper exercise by the Community of the 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 "Sokaogon Chippewa Community."

Perpetual Succession.

2. The Sokaogon Chippewa Community shall, as a Federal corporation, have perpetual succession.

Membership.

3. The Sokaogon Chippewa Community shall be a membership corporation. Its members shall consist of all Indians now or hereafter members of the Community, as provided by its duly ratified and approved constitution and by-laws.

Management.

4. The Tribal Council of the Sokaogon Chippewa 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 pow-

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ers, in addition to all powers already conferred or guaranteed by the 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 nor mortgage may be made by the Community of any land, or interests in land, including water and mineral rights, now or hereafter held by the Community within the boundaries of the Mole Lake Reservation.
2. No mortgage may be made by the Community of any standing timber on any land now or hereafter held by the Community within the boundaries of the Mole Lake Reservation.
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 tribe for a term of one year without the approval of the Secretary of the Interior; timber-sale contracts and leases except one-year leases to members, may be made for terms not to exceed two years with the approval of the Secretary of the Interior or his duly authorized representative: *Provided*, That any leases 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 Community which shall in any way operate to destroy or injure the natural resources of the Mole Lake 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 (48 Stat. 984), 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 ap-

proval 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.

5. No distribution of corporate property to members shall be made except out of net income.

(*c*) To issue certificates of interest in corporate property in exchange for restricted Indian lands, the forms for such certificates 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 source, 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 Community may subject itself, other than indebtedness to the Indian Credit Fund, shall not exceed $5,000 except with the express approval of the Secretary of the Interior.

(*e*) To engage in any business or 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: *Provided*, That any contract involving payment of money by the corporation in excess of $5,000 in any one fiscal year shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.

(*g*) To pledge and assign chattels or future Community income: *Provided*, That no contract involving a pledge of chattels or an assignment of income, other than with the United States, shall extend more than five years from the date of execution or involve payment of money in excess of one-half the net Community income from any source in any one year: *And provided further*, That any such contract 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 Community.

(*i*) To sue or be sued in courts of competent jurisdiction within the United States; but the grant or exercise of such power 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 chattels or income specially pledged or assigned.

(*j*) 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 five years from the effective date of this Charter, the Tribal Council may request the termination of any supervisory power reserved to the Secretary of the Interior under sections 5 (*b*), 3, 5 (*c*), 5 (*d*), 5 (*f*), 5 (*g*), 5 (*h*), and section 9 of this Charter. The Secretary of the Interior, if he shall approve the request, shall submit the question of termination to the Community for referendum. Such termination shall become effective upon ratification by a majority vote of the adult members of the Community in an election in which at least 30 percent of the eligible voters vote. If the Secretary of the Interior shall disapprove the request for termination or fail to approve or disapprove it within 90 days after its receipt, the question may then be submitted by the Secretary, or by the Tribal Council to the Community for referendum, and if the termination is approved by a two-thirds vote of the eligible voters living within the Community, it shall be effective.

Corporate Property.

7. No property rights of the Sokaogon Chippewa 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. Any existing lawful debts of the Community shall continue in force, except as such debts may be satisfied or cancelled pursuant to law.

Reserve Fund.

8. Twenty-five percent of net income from corporate enterprises shall be placed in a general reserve fund, annually, until said reserve fund equals not less than 25 percent of the capital investment in such corpo-

rate enterprises. Thereafter, the amount of net income to be devoted to the reserve fund may be optional, except that amounts expended therefrom shall be replaced in the same manner that the fund was created. This fund shall be used for repairs, replacements, improvements, and developments of corporate enterprises.

Corporate Dividends.

9. The Community may issue to each of its members a non-transferable certificate of membership evidencing the equal share of each member in the corporate assets of the Community and may distribute per capita, among the recognized members of the Community, all profits of corporate enterprises over and above sums necessary to defray corporate obligations and over and above sums which may be devoted to the establishment of a reserve fund, the construction of public works, the cost of public enterprises, the expense of Community government, the needs of charity, or other corporate purposes. No such distribution of profits in any one year amounting to more than one-half of the accrued surplus shall be made without the approval of the Secretary of the Interior. No distribution of the financial assets of the Community shall be made except as provided herein or as authorized by Congress.

Corporate Accounts.

10. The officers of the Community shall maintain accurate and complete public accounts of the financial affairs of the Community, which shall clearly show all debts, credits, 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. The books of the Treasurer shall be open to inspection by members of the Community or duly authorized representatives of the Government.

Amendments.

11. 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 Sokaogon Chippewa Community at a popular referendum in which at least 30 percent of the eligible voters shall vote.

Ratification.

12. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Sokaogon Chippewa Community residing on the Mole Lake Reservation, Wisconsin, provided at least 30 percent 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 Tribal Council of the Sokaogon Chippewa Community.

Submitted by the Assistant Secretary of the Interior for ratification by the Sokaogon Chippewa Community.

OSCAR L. CHAPMAN,
Assistant Secretary.
[SEAL]

WASHINGTON, D. C., *August 16, 1939.*

CERTIFICATION

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this Charter, issued on August 16, 1939 by the Assistant Secretary of the Interior to the Indians of the Sokaogon Chippewa Community of the Mole Lake Reservation in Wisconsin, was duly submitted for ratification to the adult members of the Community living on the reservation and was on October 7, 1939 duly ratified by a vote of 40 for, and 0 against, in an election in which over 30 percent of those entitled to vote cast their ballots.

HENRY L. SMITH,
Vice-Chairman, Sokaogon Chippewa Community Tribal Council.

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

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