

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



CONSTITUTION AND BY-LAWS
OF THE
MIAMI TRIBE OF OKLAHOMA



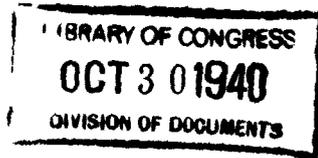
RATIFIED OCTOBER 10, 1939



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1940

Copy 2

2001
2002
Office
Judge Fisher
Treasurer
of Okla
1



S. B. M. 1770-11-25

CONSTITUTION AND BY-LAWS OF THE MIAMI TRIBE OF OKLAHOMA

PREAMBLE

We, the Miami Indians of Oklahoma, in order to take advantage of the opportunities of economic independence and social advancement offered by the Thomas-Rogers Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967), do adopt the following Constitution and By-laws pursuant to that Act.

ARTICLE I—NAME

The name of this organization shall be the Miami Tribe of Oklahoma.

ARTICLE II—MEMBERSHIP OF TRIBE

SECTION 1. The membership of the Miami Tribe of Oklahoma shall consist of the following persons:

(a) All persons of Indian blood whose names appear on the official census roll of the Tribe as of January 1, 1938.

(b) All children born since the date of the said roll, both of whose parents are members of the Tribe.

(c) Any child born of a marriage between a member of the Miami Tribe and a member of any other Indian tribe who chooses to affiliate with the Miami Tribe.

(d) Any child born of a marriage between a member of the Miami Tribe and any other person, if such child is admitted to membership by the Council of the Miami Tribe.

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 Miami Council. The membership of the Miami Council shall be all the Miami Indians residing in Oklahoma; Males, 21 years of age; and females, 21 years of age.

ARTICLE IV—OFFICERS

The officers of the Tribe shall be the Chief, Second Chief, Secretary-Treasurer, and two councilmen, who shall be elected at an open Council meeting by a majority vote of the membership present.

ARTICLE V—COMMITTEES

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

ness 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. The powers of the Tribe shall be set forth in detail in the corporate charter which may 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 three years.

ARTICLE VI—ELECTIONS

SECTION 1. Regular elections of officers shall be held by the Council on the first Tuesday of September 1939, and each third year thereafter.

SEC. 2. The term of office shall be for three years or until their successors are elected and installed, provided that the present officers shall serve until the first regular election.

SEC. 3. Nominations shall be made from the floor. Election shall be by standing vote or by written ballot, a majority vote being necessary to elect. Where there are more than two candidates and no one receives a majority vote the low candidate shall be eliminated and voting proceed until one candidate receives a majority of votes cast. The newly elected officers shall be installed immediately upon their election.

ARTICLE VII—VACANCIES

Vacancies in any elective office shall be filled at any regular or special meeting of the Miami Council.

ARTICLE VIII—REMOVAL OF OFFICERS

The Grievance Committee shall investigate complaints of misconduct or other acts of the members of the Business Committee and upon a proper showing shall call a special meeting of the Miami Council to act upon such complaints. Such 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 IX—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 members of the Tribe, and shall be effective if approved by a majority vote of those voting in the election.

BY-LAWS OF THE MIAMI TRIBE OF OKLAHOMA

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. Chief.—It shall be duty of the Chief to preside at all meetings and perform all duties appertaining to the office, also to act as chairman of the Business Committee.

SEC. 2. Second Chief.—In the absence of the Chief, or during procedure to remove him, the Second Chief shall perform the duties of

that officer. In case of vacancy, the Second Chief shall succeed at once to the office of the Chief until the next special or regular election for the office of Chief.

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 Chief, 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 Chief and Second Chief, 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 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 \$50.00, 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—QUALIFICATIONS OF OFFICERS

Any person elected to membership in the Business Committee shall be not less than 25 years of age, a member of the Miami Tribe of Oklahoma and a resident of Oklahoma. Any member of the Business Committee removing from such territory shall automatically lose his office.

ARTICLE III—MEETINGS

SECTION 1. Annual meetings of the Council shall be held on the first Tuesday of September 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 Chief, and shall be called by him upon the written request of the majority of the Business Committee or upon the written request of ten members of the Tribe; *Provided*, That at least ten days' notice shall be given in each instance.

SEC. 3. The principal object of the special 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. Unless otherwise provided by resolution, the regular meetings of the Business Committee shall be held the second Tuesday in each month.

SEC. 5. Special meetings of the Business Committee may be called by the Chief 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 Quapaw Agency Jurisdiction is designated in the call or notice, all meetings of the Council and of the Business Committee shall be held at the Quapaw Indian Agency.

ARTICLE IV—QUORUM

SECTION 1. Three members of the Business Committee shall constitute a quorum at any meeting.

SEC. 2. Twenty-five members of the Miami Council shall constitute a quorum to transact regular business.

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 qualified voters of the Miami Tribe 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 30 per cent of the eligible voters vote in such election.

I, Oscar L. Chapman, the Assistant 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 Miami Tribe of Oklahoma.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

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

CERTIFICATION OF ADOPTION

Pursuant to an order, approved August 16, 1939 by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Miami Indian Tribe of Oklahoma and was on October 10, 1939 duly accepted by a vote of 55 for, and one against, in an election in which over 30 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 MIAMI TRIBAL BUSINESS COMMITTEE,
By HARLEY T. PALMER, *Chief.*
MARIE LUCAS DOWNING,

Secretary and Treasurer.

H. A. ANDREWS,
Superintendent, Quapaw Agency.

By J. A. PHIFER,
Deputy Disbursing Agent.