

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



CORPORATE CHARTER
OF THE
QUARTZ VALLEY INDIAN COMMUNITY
CALIFORNIA



RATIFIED MARCH 12, 1940



UNITED STATES
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CORPORATE CHARTER OF THE QUARTZ VALLEY INDIAN COMMUNITY, CALIFORNIA

Whereas, the Quartz Valley Indian Community of the Quartz Valley Indian Reservation constitutes a recognized Indian tribe organized under a constitution and by-laws ratified by the Community on May 9, 1939, and approved by the Assistant Secretary of the Interior on June 15, 1939, 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 Community have petitioned that a charter of incorporation be granted to such Community, subject to ratification by a vote of the adult Indians living on the Reservation;

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by section 17 of the said Act of June 18, 1934, do hereby issue this charter of incorporation to the Quartz Valley Indian Community to be effective from and after such time as it may be ratified by the adult Indians as hereinafter provided.

*Purpose
and Fact of
Incorporation.*

1. In order to further the economic well-being and independence of the Quartz Valley Indian Community of the Quartz Valley Indian Reservation, the Community is hereby chartered as a body politic and corporate of the United States of America, under the corporate name, "Quartz Valley Indian Community."

Duration.

2. The Quartz Valley Indian Community shall, as a Federal Corporation have perpetual succession.

Membership.

3. The members of the corporation shall be all persons now or hereafter members of the Community, as provided by its duly ratified and approved constitution and by-laws.

Management.

4. The General Community Council established in accordance with the said constitution and by-laws, 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 Community, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by the Community 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 Community of any land, or interests in

land, within the Quartz Valley Indian Reservation.

2. No leases, permits (which terms shall not include land assignments to members of the Community) nor timber sale contracts covering any land or interests in land of the Community within the Quartz Valley Indian Reservation shall be made by the Community for a longer term than ten years, and all such leases, permits or contracts must be approved by the Secretary of the Interior or by his duly authorized representative; but mineral leases, or any leases requiring substantial improvements of the land may be made for longer periods when authorized by law.
 3. No action shall be taken by or in behalf of the Community which in any way operates to destroy or injure the Community grazing lands or other natural resources of the Quartz Valley Indian Reservation. All leases, permits and contracts relating to the use of Community grazing lands shall conform to regulations of the Secretary of the Interior authorized by Section 6 of the Act of June 18, 1934. 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 approval 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.
- (c) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934, or from any other 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 \$1,000 except with the express approval of the Secretary of the Interior.
- (d) To engage in any business or 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 with any person, association, or corporation, with any municipality or any county, or with the United States or the State of California: *Provided*, That any contract involving payment of money by the corporation in excess of \$1,000 in any one year shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.
 - (f) To pledge or assign chattels or future Community income due or to become due to the Community, subject to the approval of the Secretary of the Interior or his duly authorized representative.
 - (g) To deposit corporate funds in any national or state bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation, or covered by 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 corporation.
 - (h) To sue and be sued in courts of competent jurisdiction within the United States; but the grant or exercise of such power to sue and be sued 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 income or chattels specially pledged or assigned.
 - (i) To exercise such further incidental powers, not inconsistent with law, as may be necessary to the conduct of corporate business.
6. At any time after ten years from the effective date of this Charter, the Community Council may request the termination of the supervisory powers reserved to the Secretary of the Interior under Sections 5 (b) (2), 5 (c), 5 (e), 5 (f), and 5 (g), of this Charter. If the Secretary shall approve the request, he 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 per cent of the eligible voters vote. If the Secretary of the Interior shall disapprove the request for the termination or fail to approve or disapprove it within 90 days after its receipt, the question may be submitted by the Secretary, or by the Community Council to the Community for referendum and if the termination is approved by two-

Termination of Supervisory Powers.

thirds of the eligible voters living within the reservation, it shall be effective.

*Corporate
Property.*

7. No property rights of the Quartz Valley Indian Community, shall be in any way impaired by anything contained in this Charter. The individually owned property of members of the Community shall not be subject to any corporate debts or liabilities, without such owners' consent.

*Corporate
Dividends.*

8. The Community may issue to each of its members a non-transferable certificate of membership evidencing the equal share of each member in the assets of the Community and may use all profits of corporate enterprises or income over and above sums necessary to defray corporate obligations for the establishment of a reserve fund, the construction of public enterprises, the expense of Community government, the needs of charity, or other corporate purposes. No per capita distribution of any assets of the Community shall be made.

*Corporate
Accounts.*

9. The officers of the Community shall maintain accurate and complete public accounts of the financial affairs of the Community and shall furnish an annual balance sheet and report of the financial affairs of the Community to the Commissioner of Indian Affairs.

*Amend-
ments.*

10. This Charter shall not be revoked or surrendered except by Act of Congress, but amendments may be proposed by resolutions of the Community Council which if approved by the Secretary of the Interior, shall be effective when ratified by a majority vote of the adult members living on the reservation at a popular referendum in which at least 30 per cent of the eligible voters vote.

*Ratifica-
tion.*

11. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Quartz Valley Indian Community living on the Quartz Valley Indian Reservation, provided at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Hoopa Valley Agency and the Chairman of the Quartz Valley Indian Community.

Submitted by the Assistant Secretary of the Interior for ratification by the Quartz Valley Indian Community of the Quartz Valley Indian Reservation in a popular referendum.

OSCAR L. CHAPMAN,
Assistant Secretary.
[SEAL]

WASHINGTON, D. C., *February 15, 1940.*

CERTIFICATION

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this Charter, issued on February 15, 1940, by the Assistant Secretary of the Interior to the Indians of the Quartz Valley Indian Community

living on the Quartz Valley Indian Reservation in California, was duly submitted for ratification to the adult members of the Community living on the reservation and was on March 12, 1940, duly ratified by a vote of 10 for, and 0 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

CLARA WICKS,

Chairman, General Community Council.

O. M. BOGGESS,

Superintendent, Hoopa Valley Agency.

