

1911-12

## AMENDMENT—CONSTITUTION AND BY-LAWS FOR THE LOWER BRULE SIOUX TRIBE OF THE LOWER BRULE RESERVATION

### AMENDMENT.

1. Article III. Section 2 shall be amended to read:

"The Lower Brule Reservation shall be divided into three districts and the members of the Lower Brule Sioux Tribal Council shall be duly elected from each of these districts. The voters of each district shall elect councilmen to the tribal council in the proportion of one representative for each 25 legal voters, or a major fraction thereof; *Provided, however*, That each district shall be entitled to at least one councilman. The three districts of the reservation are designated as follows: *Fort George*, which includes that portion of the reservation that lies within Stanley County; *Iron Nation*, which includes all of that portion of the reservation which lies between the Stanley-Lyman County line and the 10th Guide Meridian, West, but not including any of the territory in the Little Bend Area; *Lower Brule*, which includes all of that portion of the reservation which lies within the Little Bend Area and east of the 10th Guide Meridian, West."

2. Article III. A new Section 3 shall be inserted between the present Section 2 and Section 3 of this Article. The present Section 3 will then become Section 4. The new Section shall read as follows:

"The tribal council shall have authority to change the boundaries of the three districts enumerated in Section 2 of this article or to establish new districts according to future community needs, but in either case subject to the approval of the Secretary of the Interior."

3. Article III. The present Section 4 shall be amended to read:

"SEC. 5. The members of the present tribal council shall hold office until the next regular election at which time all of the terms shall expire and new councilmen shall be elected in accordance with Article III, Governing Body, as changed by this amendment. The elected councilmen shall serve for two years. Elections for the tribal council shall be called at least 60 days prior to the expiration of the terms of office of the members of the tribal council."

4. Article V. A new section shall be added to this article to read as follows:

"SEC. 3. If a councilman moves away from a district which he represents and makes his home off the reservation or in another district on the reservation for a period of longer than three months, the office may be declared vacant by the tribal council, who shall appoint a person from the district represented to fill the unexpired term."

5. Article IX. Add a new section following Section 10, to read as follows:

"*Use of Unassigned Tribal Land.*—Tribal land which is not assigned, including tribal timber reserves, shall be managed by the tribal council for the benefit of the members of the entire tribe, and any cash income

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derived from such land shall accrue to the benefit of the tribe as a whole."

6. Article IX. The present Section 11 shall become Section 12 and shall have the following heading:

"SEC. 12. *Purchase of Land by the Tribe.*—Tribal funds may be used with the consent of the Secretary of the Interior to acquire land under the following conditions:

"(a) Land within the Lower Brule Reservation or adjacent to the boundaries thereof which is not now in Indian ownership may be purchased by or for the Lower Brule Tribe.

"(b) Restricted land which is in heirship status at the time of the adoption and approval of this Constitution, may be purchased by or for the Tribe, with the consent of all the adult heirs and the legal guardians of minor heirs, payment therefor to be made as may be agreed upon.

"(c) Land owned by any member of the Tribe who is over the age of sixty (60) years, or who is physically incapacitated, may be transferred by its owner to the Tribe in exchange for a pension of not more than twice the usual rental value of the land for the life of the pensioner, to be paid out of available tribal funds.

"(d) Land in excess of one hundred and sixty (160) acres owned by any member of the Tribe may be purchased by the Tribe, with the consent of the owner, payments to be made under such terms as may be agreed upon.

"(e) Land owned by any member of the Tribe who desires to leave the reservation permanently may be purchased by the Tribe, under such terms as may be agreed upon."

7. Article X. The first sentence in the second paragraph of this article shall be changed to read:

"Whenever two-thirds (2/3) or more of the elected councilmen shall consider an amendment necessary, such amendment shall be duly approved by two-thirds (2/3) or more of the elected councilmen and sent to the Secretary of the Interior."

8. Article I of the By-laws. The fourth paragraph of Section 4 of this article shall be changed to read:

"When, in the opinion of the tribal council or the Commissioner of Indian Affairs, there are sufficient funds in the custody of the tribal council to warrant it, the Treasurer shall be required to give a bond satisfactory to the tribal council and to the Commissioner of Indian Affairs."

9. Article VII of the By-laws. The first sentence of Section 1 of this article shall be changed to read:

"SECTION 1. *Meetings.*—The regular meeting of the tribal council shall be held once each month at the Lower Brule Agency. The day of the month and the opening hour of the meeting shall be left to the discretion of the tribal council."

10. Article VII of the By-laws. The second sentence of Section 2 of this article shall be changed to read:

"A quorum shall consist of at least two-thirds (2/3) of the elected councilmen."

#### CERTIFICATION

Pursuant to an order, approved December 9, 1941, by the Assistant Secretary of the Interior, the attached Amendment to the Constitution

and By-laws for the Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota, was submitted for ratification to the qualified voters of the Tribe, and on February 4, 1942, was adopted by a vote of 57 for, and 50 against, in an election in which more than 30 percent of those entitled to vote cast their ballots in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

DANIEL QUILT, SR.  
*Chairman, Tribal Council.*  
 HARVEY BIG EAGLE,  
*Secretary, Tribal Council.*

P. L. HALLAM,  
*Superintendent, Crow Creek Agency.*

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 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendment to the Constitution and By-laws for the Lower Brule Sioux Tribe of the Lower Brule Reservation.

Approval recommended: April 13, 1942.

J. C. McCASKILL,  
*Assistant to the Commissioner.*

OSCAR L. CHAPMAN,  
*Assistant Secretary.*  
 [SEAL]

WASHINGTON, D. C., May 18, 1942