

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS



CORPORATE CHARTER  
OF THE  
ORGANIZED VILLAGE OF KAKE  
ALASKA



RATIFIED JANUARY 27, 1948



Law

of the

Indian Tribes

Organization of  
of Kato & Co. & Co.

# CORPORATE CHARTER OF THE ORGANIZED VILLAGE OF KAKE, ALASKA

## A FEDERAL CORPORATION CHARTERED UNDER THE ACT OF MAY 1, 1936

Whereas, the Kake Indians of Alaska, an Indian band or tribe, 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 have petitioned that a charter of incorporation be granted to this group of Indians,

Now, therefore, I, William E. Warne, Assistant Secretary, by virtue of the authority conferred upon me by the above cited acts, do hereby issue and submit this Charter of incorporation to the Kake Indians, 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 Kake Indians residing in the Territory of Alaska, by conferring upon the organized Village of Kake corporate rights and powers; and to enable this Village and its members to undertake enterprises designed to secure for the members of the corporation an assured economic independence, the aforesaid Village is hereby chartered as a body corporate of the United States of America, under the corporate name of Organized Village of Kake hereinafter called the Village.

*Perpetual  
Succession*

2. The Village shall, as a Federal Corporation, have perpetual succession.

*Membership*

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

*Management*

4. The Council of the Village, established in accordance with the said Constitution and By-laws of the Village, shall exercise all the corporate powers hereinafter enumerated.

*Corporate  
Powers*

5. The Village, subject to any restrictions contained in the Constitution and laws of the United States, or in the Constitution and By-laws of the said Village, 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.
  - (c) To issue interests in corporate property in exchange for transfers of property by individual members of the Village.
  - (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 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 Village for enterprises related to those of the Village.
  - (e) To engage in any business that will further the economic well-being of the members of the Village or to 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, with any person, association, or corporation, with any municipality or with the United States or the Territory of Alaska, including agreements with said Territory of Alaska, for the rendition of public services.
  - (g) To pledge or assign chattels or future corporate income due to become due to the Village; *Provided*, That such assignments of corporate income, other than assignments to the United States, shall not extend for more than five years from the date of execution.

- (h) 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.
- (i) To sue and be sued in courts of competent jurisdiction within the Territory of Alaska or the United States.
- (j) To exercise such further incidental powers, not inconsistent with law, as may be necessary to the conduct of corporate business.

*Corporate  
Property*

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

*Corporate  
Income*

- 7. The Village shall, at the end of its fiscal year, apply its income in excess of operating expenses during such fiscal year, in the following order:

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 creation of a reserve for depreciation of the physical property of the Village, and for the undertaking, construction, operation, and improvement of corporate enterprises.

Fourth: To utilization for such social, educational and relief purposes as the Village may determine.

Fifth: To distribution as dividends to members of the Village.

*Corporate  
Dividends*

- 8. Dividends shall be distributed to members of the Village on the basis of their patronage of the Village according to an equitable system set forth in the regulations of the Village. Patronage shall include the sale of goods to, and the purchase of goods from, the Village and work done for the Village, but shall not include the salary paid to any manager employed by the corporation nor business done with non-members.

- Regulation of Payments* 9. The Village may regulate the payment of dividends or other corporate property in order to safeguard the interests of any incompetent or disabled members, and of the dependents of members who might become public charges, and of the heirs or devisees of deceased members.
- Corporate Accounts* 10. The officers of the Village 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* 11. This Charter shall not be revoked or surrendered except by act of Congress, but amendments may be proposed by resolutions of the Council or of the Village which amendments, if approved by the Secretary of the Interior, shall be effective when ratified by a majority of the members of the Village twenty-one years of age or over 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* 12. This Charter shall be effective from and after the date of its ratification by a majority vote of the Kake Indians voting in an election called for the purpose by the Secretary of the Interior; *Provided*, That at least 30 percent of the members of the Village of Kake twenty-one years of age or over vote in such election; *And provided*, That the Village has ratified a Constitution and By-laws approved by the Secretary of the Interior. The ratification of the Charter shall be formerly certified by the Election Board. The persons eligible to vote are those Indians entitled to vote on the Constitution and By-laws for this Village.

This Charter is herewith approved and submitted to the Kake Indians, Territory of Alaska, to be voted on in an election called and held under the Instructions of the Secretary of the Interior.

WILLIAM E. WARNE,

*Assistant Secretary of the Interior.*

WASHINGTON, D. C., November 17, 1947.

## CERTIFICATION

Pursuant to an order, approved November 17, 1947, by the Assistant Secretary of the Interior, the attached charter was submitted for ratification to the Kake Indians of Kake, Alaska, and was on January 27, 1948, duly ratified by a vote of 117 for, and 1 against, in an election in which over thirty 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).

ERNEST WILLIAMS,  
*Chairman, Election Board.*

CHARLIE JACKSON,  
*Secretary, Election Board.*

ARTHUR H. WALKER,  
*Government Representative.*