

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

CORPORATE CHARTER
OF THE
UNITED KEETOOWAH BAND OF
CHEROKEE INDIANS, OKLAHOMA

RATIFIED OCTOBER 3, 1950

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1951

**CORPORATE CHARTER OF THE UNITED KEETOOWAH
BAND OF CHEROKEE INDIANS IN OKLAHOMA**

**A FEDERAL CORPORATION CHARTERED UNDER THE ACT OF JUNE 26, 1936
(49 STAT. 1967) AND THE ACT OF AUGUST 10, 1946 (60 STAT. 976)**

Whereas, the United Keetoowah Band of Cherokee Indians in Oklahoma were recognized as a band of Indians residing in Oklahoma by the act of August 10, 1946 (60 Stat. 976), and seeks to organize under section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967), by the adoption of a constitution and bylaws and a charter of incorporation approved by the Secretary of the Interior; and

Whereas, the said Band, by resolution of the Provisional Committee of the United Keetoowah Band of Cherokee Indians, has requested that a charter of incorporation be issued to the said Band, subject to ratification by a vote of the members of the Band;

Now, therefore, I, William E. Warne, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said act of June 26, 1936, do hereby issue this Charter of Incorporation to the United Keetoowah Band of Cherokee Indians in Oklahoma, to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Band voting; *Provided, however,* That such election shall be void unless the total vote cast be at least 30 percent of those entitled to vote.

*Corporate
Purposes.*

1. The corporate purposes of the United Keetoowah Band of Cherokee Indians in Oklahoma shall be:

(a) To define and safeguard the rights and powers of the United Keetoowah Band of Cherokee Indians in Oklahoma and its members;

(b) To advance the standard of living of the Band through the development of its resources, the acquisition of land, the preservation of existing landholdings, the better utilization of land and the development of a credit program for the Band;

(c) To promote in any other way the general welfare of the Indians of the United Keetoowah Band of Cherokee Indians in Oklahoma.

*Name,
Membership,
and
Organization.*

2. The name of this corporation shall be the United Keetoowah Band of Cherokee Indians in Oklahoma, as provided in the Constitution and Bylaws of the said Band. The membership, the officers, and the management of the incorporated Band shall be as provided in the said Constitution and Bylaws.

Corporate Powers.

3. The United Keetoowah Band of Cherokee Indians in Oklahoma, subject to any restrictions contained in the Constitution and laws of the United States or in the Constitution and Bylaws of the Band, and subject to the limitations of sections 4 and 5 of this Charter, shall have the following corporate powers as provided by section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

- (a) To have succession by its corporate name perpetually.
- (b) To sue and be sued; to complain and defend in any courts; *Provided, however,* that the grant or exercise of such power shall not be deemed a consent by the Band or by the United States to the levy of any judgment, lien or attachment upon the property of the Band other than income or chattels especially pledged or assigned.
- (c) To make and use a common seal and alter the same at pleasure.
- (d) To appoint such subordinate officers and agents as the business of the Band may require, and to allow them suitable compensation.
- (e) To enter into any obligations or contracts essential to the transaction of its ordinary affairs or for the corporate purposes above set forth.
- (f) 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), and section 6 of the act of June 26, 1936 (49 Stat. 1967), from any other governmental agency, from any member or association of members of the Band, or from any other source.
- (g) To deposit corporate funds in a national bank insured by the Federal Deposit Insurance Corporation or in the Postal Savings Bank or with a bonded disbursing officer of the United States.
- (h) To negotiate with the Federal, State, or local governments and to advise or consult with the representatives of the Interior Department on all activities of the Department that may affect the United Keetoowah Band of Cherokee Indians in Oklahoma.
- (i) To employ counsel for the protection and advancement of the rights of the Band and its members.
- (j) To prevent any disposition, lease or encumbrance of land belonging to the Band, interest in land, or other Band assets.
- (k) To advise the Secretary of the Interior with regard to appropriation estimates or Federal projects for the benefit of the Band prior to the submission of such estimates to the Bureau of the Budget and to Congress.
- (l) To make assignments of land belonging to the Band to members of the Band, and to regulate the use and disposition of such assignments.
- (m) To appropriate corporate funds for expenses of administering the affairs of the corporation and for other purposes of benefit to the United Keetoowah

Band of Cherokee Indians in Oklahoma.

(n) To regulate the manner of holding Band elections.

(o) To regulate the procedure of the officers and membership and all other Band committees and officers.

(p) To protect and preserve the property, natural resources, crafts, and traditions of the United Keetoowah Band of Cherokee Indians in Oklahoma.

(q) To impose penalties on members of the United Keetoowah Band of Cherokee Indians in Oklahoma for violation of the corporate bylaws or ordinances, not exceeding in any case \$100 for any one offense, or in the alternative, expulsion from the Band or suspension of voting rights therein.

(r) To purchase, take by gift, bequest, or otherwise own, hold, manage, operate, and dispose of property of every description, real or personal.

(s) To issue bonds or other interests in corporate property in exchange for restricted Indian lands.

(t) To protect any interest which the United Keetoowah Band or its members may have in treaties made with the Cherokee Nation.

(u) To delegate to subordinate bodies, committees, or officers, or to any cooperative association which is open to all members of the Band, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

(v) To exercise such further powers as may in the future be delegated to the Band by the Secretary of the Interior or by any duly authorized officer or agency of government.

Limitation of Corporate Powers. of 4. The foregoing corporate powers shall be subject to the following limitations:
(a) No land belonging to the Band or interest in land shall ever be sold or mortgaged.

(b) No land or interest in land owned by the Band shall be leased for a longer period than ten years, except that oil, gas, or mineral leases may be made for longer periods when authorized by law.

(c) Any lease, grazing permit, or timber sale contract covering land owned by the Band shall provide that the person to whom such lease, permit, or contract is awarded, must conform with regulations issued by the Secretary of the Interior under section 6 of the act of June 18, 1934 (48 Stat. 984).

(d) No assignment of future income, other than assignments to the United

States, shall be made for more than five years in advance.

(e) In any attorneys' contracts hereafter executed by the Band, the choice of attorneys and the fixing of fees shall be subject to the approval of the Secretary of the Interior.

(f) No distribution of corporate property among the members of the Band shall be made, except out of the net profit of corporate enterprises after all corporate debts then due have been paid.

*Departmental
Review
Corporate Acts.*

5. Until ten years from the date of ratification of this Charter, or such other date as may be fixed pursuant to section 6, the following corporate acts or transactions shall be valid only after approval by the Secretary of the Interior or his duly authorized representatives:

(a) Any contract involving a payment by the Band of more than \$5,000.00.

(b) Any transaction by which the Band borrows money where such borrowing brings the total indebtedness of the Band, aside from loans from the Indian Credit Fund, to a figure in excess of \$500.00.

(c) Any resolution or ordinance governing the making of land assignments to members of the Band, the acquisition of land from members of the Band, or the use by individuals of land owned by the Band.

(d) Any lease, grazing permit, or other contract affecting land owned by the Band, including minerals or other interest in land owned by the Band.

(e) Any per capita distribution of corporate income to members of the Band in excess of \$200.00 in any one year.

*Extension
Termination
Supervisory
Powers.*

and 6. At any time within ten years after the ratification of this Charter any power of approval established by section 5 may be terminated by the Secretary of the Interior with the consent of the United Keetoowah Band of Cherokee Indians in Oklahoma. At or before the expiration of this ten-year period, the Secretary of the Interior may propose a further extension of this period. Such proposed extension shall be effective unless disapproved by a three-fourths vote of the membership of the United Keetoowah Band of Cherokee Indians in Oklahoma.

*Corporate Rights
and Property.*

7. Any rights and powers heretofore vested in the United Keetoowah Band of Cherokee Indians in Oklahoma, not expressly referred to in the Constitution, Bylaws, or Charter of the said Band, shall not be abridged, but may be exercised by the people of the United Keetoowah Band of Cherokee Indians in Oklahoma, through the adoption of appropriate additions and amendments to the Constitution, Bylaws, or Charter of said Band. No property rights or claims of the United Keetoowah Band of Cherokee Indians in Oklahoma existing prior to the ratification of this Charter shall be in any way impaired by anything contained in this Charter. The Band ownership of unallotted lands, whether or not occupied by particular individuals, is hereby expressly recognized. The

individually owned property of members of the Band shall not be subject to any corporate debts or liabilities, without such owners' consent.

Amendments.

8. This Charter shall not be revoked or surrendered except by an act of Congress, but amendments may be proposed by a majority vote of the Council or by a petition signed by 30 percent of the adult members of the Band and filed with the Secretary. Such amendments, if approved by the Secretary of the Interior, shall be submitted to referendum vote of all members of the Band, and shall be effective if approved by a majority vote, provided that at least 30 percent of the eligible voters shall vote.

Ratification.

9. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the United Keetoowah Band of Cherokee Indians in Oklahoma, provided that at least 30 percent of the eligible voters shall vote, and provided further that the Band has agreed to a Constitution and Bylaws approved by the Secretary of the Interior. The ratification of the Charter shall be formally certified by the General Superintendent of the Five Civilized Tribes Agency and by the Chief and the Secretary of the Band.

Submitted by the Assistant Secretary of the Interior for ratification by the United Keetoowah Band of Cherokee Indians in Oklahoma.

WILLIAM E. WARNE,

Assistant Secretary of the Interior.

WASHINGTON, D. C., May 8, 1950.

I, William E. Warne, 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) and the act of August 10, 1946 (60 Stat. 976), do hereby approve the attached Charter of the United Keetoowah Band of Cherokee Indians in Oklahoma, subject to ratification by the Band in the manner therein provided.

Upon ratification of this Charter all rules and regulations heretofore promulgated by the Interior Department or by the Bureau of Indian Affairs, so far as they may be incompatible with any of the Provisions of the said Charter and the Constitution and Bylaws will be inapplicable to this Band from and after the date of their ratification thereof.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and Bylaws, and the Charter, if and when ratified by the Band.

Approval recommended: May 8, 1950.

D. S. MYER,

Commissioner of Indian Affairs.

WILLIAM E. WARNE,

Assistant Secretary of the Interior.

WASHINGTON, D. C., May 8, 1950.

CERTIFICATION

Pursuant to section 3 of the act of June 26, 1936 (49 Stat. 1967), this Charter issued on May 8, 1950, by the Assistant Secretary of the Interior to the United Keetoowah Band of Cherokee Indians in Oklahoma was duly submitted for ratification to the adult members of the Band, and was on October 3, 1950, duly ratified by a vote of 1,414 for, and 1 against, in an election in which at least 30 percent of those entitled to vote cast their ballots.

REV. JIM PICKUP,

Chief, United Keetoowah Band of Cherokee Indians, Oklahoma.

WHITE RUNABOUT,

Secretary, United Keetoowah Band of Cherokee Indians, Oklahoma.

W. O. ROBERTS,

*Area Director,
Muskogee Area Office.*

U. S. GOVERNMENT