

Pawnee Indian Tribes of Oklahoma

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

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CONSTITUTION AND BY-LAWS OF THE
PAWNEE INDIANS OF
OKLAHOMA

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CONSTITUTION AND BY-LAWS OF THE PAWNEE INDIANS OF OKLAHOMA

PREAMBLE

We, the members of the four confederated bands of Indians, namely, Chaui, Kitkehahke, Petahauerat and Skedee, which now constitute the Pawnee Indians of Oklahoma, with faith in the purposes of our Supreme Being, with abounding pride in our racial heritages and with the determination to promote through marshalled efforts our social, economic and political advancement, do solemnly ordain and establish this organization and adopt this Constitution and By-laws pursuant to the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967).

ARTICLE I—NAME

The name of this organization shall be the "Pawnee Indian Tribe of Oklahoma."

ARTICLE II—PURPOSE

The purposes of this organization shall be:

- (a) To define, establish and safeguard the rights, powers and privileges of the Tribe and its members;
- (b) To secure for the Tribe and its members the rights, powers, privileges and benefits available under the provisions of the Oklahoma Indian Welfare Act;
- (c) To promote in other ways the common welfare of the Tribe and its membership.

ARTICLE III—MEMBERSHIP OF TRIBE

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

- (a) All persons enrolled or entitled to be enrolled on the official annuity roll of the Tribe as of February 19, 1937;
- (b) All children born since the date of said roll of a lawful marriage, both of whose parents are members of the Tribe;

SEC. 2. The Pawnee Business Council shall have power to prescribe rules and regulations covering future membership of the Tribe, including the adoption and loss of membership, provided:

- (a) That such rules and regulations shall be subject to the approval of the Secretary of the Interior;
- (b) That such rules and regulations shall be subject to the approval of the Nasharo Council;
- (c) That, after one year from the adoption of this Constitution, no person shall be admitted to membership who is of less than one-fourth degree Pawnee Indian blood.

ARTICLE IV—PAWNEE BUSINESS COUNCIL

SECTION 1. The supreme governing body of the Tribe shall be the Pawnee Business Council, which shall consist of eight members.

SEC. 2. The Pawnee Business Council shall have power to appoint subordinate officers, 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, provided:

(a) That the powers of the Tribe shall be set forth in detail in a Federal Charter to be requested by the Pawnee Business Council;

(b) That acts of the Pawnee Business Council shall be subject to review of the Nasharo Council in accordance with Section 2 of Article V of this Constitution.

SEC. 3. The present Pawnee Business Council shall serve till the next regular election provided for in Section 4 of this Article, or until their successors are elected and installed, provided:

(a) That within thirty days after the adoption of this Constitution, the said Council shall organize for business by selecting from among its own membership a President, Vice-President, and a Secretary-Treasurer, who shall serve in these respective offices at the will of this Council.

SEC. 4. Regular elections of members of the Pawnee Business Council shall be held on the first Saturday in May, 1939, and on the first Saturday in May of each second year thereafter, provided:

(a) That such elections shall be held under rules and regulations prescribed by the Pawnee Business Council;

(b) That all members of the Pawnee Indian Tribe, twenty-one years of age and older, shall be eligible to vote in these elections;

(c) That any person, in order to be eligible for election to membership on the Pawnee Business Council, must be a male member of the Pawnee Indian Tribe, twenty-five years of age or older, and a resident of the territory known as the original Pawnee Indian Reservation in Oklahoma;

(d) That a member of the Nasharo Council shall not be eligible for election to the Pawnee Business Council;

(e) That members of the Pawnee Business Council elected pursuant to the provisions of this section shall be installed immediately after their election and the respective councils shall then organize for business by selecting from among their own membership a President, Vice-President and Secretary-Treasurer who shall serve at the will of the respective councils.

SEC. 5. All acts of the Pawnee Business Council shall be determined by a majority vote of the membership present, provided that five members of the Council shall constitute a quorum to transact business.

SEC. 6. Regular meetings of the Pawnee Business Council shall be held on the first Saturday in February, May, August, and November of each year, provided:

(a) That special meetings may be called by the President at his discretion and shall be called by him upon the written request of five members of the Pawnee Business Council.

SEC. 7. Vacancies in the membership of the Pawnee Business Council shall be filled for an unexpired term through appointment by the President, subject to the approval of the Council.

ARTICLE V—NASHARO COUNCIL

SECTION 1. The Nasharo Council shall consist of eight members selected from the chieftainships of the following tribal bands: Chaui, Kitkehahke, Petahauerat and Skedee, provided:

(a) That each band shall have two representatives on the Nasharo Council.

SEC. 2. The Nasharo Council shall have the right to review all acts of the Pawnee Business Council regarding tribal membership and tribal claims or rights growing out of treaties between the Tribe and the United States, provided:

(a) That such acts of the Pawnee Business Council shall be valid and effective unless formally disapproved by the Nasharo Council within thirty days after such acts are referred to the latter Council.

(b) That where such acts are disapproved by the Nasharo Council, the Pawnee Business Council may submit them to a referendum of the Tribe and they shall be valid and effective if approved by a majority vote of the adult members voting in person, provided that at least 50 votes are cast.

SEC. 3. Within thirty days after the adoption of this Constitution, the tribal bands, referred to in Section 1 of this Article, shall select their respective representatives under rules and regulations prescribed by the respective band chiefs, subject to the approval of the Superintendent of the Pawnee Indian Agency, provided:

(a) That the representatives so selected shall serve till the next regular selection of members of the Nasharo Council as provided for in Section 4 of this Article, or until their successors are selected.

SEC. 4. Regular selections of members of the Nasharo Council shall be made on the first Saturday in May 1941, and on the first Saturday in May of each fourth year thereafter, provided:

(a) That such selections shall be made under rules and regulations prescribed by the Nasharo Council.

SEC. 5. Any person selected to membership on the Nasharo Council shall be a member of the band which he represents and shall not be a member of the Pawnee Business Council.

SEC. 6. Vacancies in the membership of this Council shall be filled for an unexpired term in the same manner in which the preceding representative had been selected.

SEC. 7. The Nasharo Council shall have the power to establish its own offices and to designate its own officers, to fix its own meeting days and to adopt its own rules of procedure, provided that five members shall constitute a quorum to transact business. Records of the proceedings of this body shall be kept and a copy forwarded to the Superintendent of the Reservation.

ARTICLE VI—REMOVAL OF PAWNEE BUSINESS COUNCIL MEMBERS

SECTION 1. The Nasharo Council shall investigate complaints of misconduct in office of members of the Pawnee Business Council and upon a proper showing shall call a joint meeting of the Pawnee Business Council and the Nasharo Council to act upon such complaints. Such joint council shall have the power, by a majority vote, after giving the accused a hearing, to remove him from office,

provided that at least five members from each of the councils are present.

ARTICLE VII—BILL OF RIGHTS

SECTION 1. All members of the Tribe shall enjoy without hindrance freedom of worship, conscience, speech, press, assembly and association.

SEC. 2. This Constitution shall not in any way alter, abridge or otherwise jeopardize the rights and privileges of the members of this Tribe as citizens of the State of Oklahoma or of the United States.

SEC. 3. The individual property rights of any member of the Tribe shall not be altered, abridged or otherwise affected by the provisions of this Constitution and By-laws without the consent of such individual member.

ARTICLE VIII—AMENDMENTS

Amendments to this Constitution and the attached By-laws may be proposed by a majority vote of the Pawnee Business Council or by a petition signed by thirty 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 adult members of the Tribe, and shall be effective if approved by a two-thirds vote of the adult members voting in person, provided that at least fifty votes are cast.

BY-LAWS

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. The President shall preside at all meetings of the Pawnee Business Council, joint meetings of the Pawnee Business Council and the Nasharo Council, and all general tribal meetings. He shall have general supervision of the affairs of the Pawnee Business Council and shall perform all duties appertaining to the office of President.

SEC. 2. In the absence of the President, the Vice-President shall perform the duties of that office. In case of vacancy, the Vice-President shall succeed at once to the office of the President until a President is regularly selected.

SEC. 3. The Secretary-Treasurer shall correctly record the proceedings of all meetings of the Pawnee Business Council, joint meetings of the Pawnee Business Council and the Nasharo Council, and all general tribal meetings. He shall make out the order of the business for the President, shall notify all committees of their appointments, shall have custody of the records and all papers of the Pawnee Business Council, which records and papers shall be open to inspection at any time, in his presence, by any member of the Tribe desiring to read same. He shall keep a correct list of all members of the Tribe, shall authenticate all accounts or orders of the Pawnee Business Council and, in the absence of the President and Vice-President, shall call meetings to order until a chairman pro tem is selected. He shall render written reports upon the order of the Pawnee Business Council. He shall issue notices of all meetings and conduct all general correspondence, as directed by the Pawnee Business

Council. He shall receive all moneys of the Pawnee Business Council and keep an accurate account of receipts and disbursements.

The Secretary-Treasurer shall keep all such moneys entrusted to his care in a special account and shall disburse said funds only upon the order of the Pawnee Business Council. At any time that such account shall amount to more than \$50, he shall file a bond satisfactory to the Pawnee Business Council and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of Tribal moneys.

ARTICLE II—PLACE OF MEETINGS

Unless some other point under the Pawnee Indian Agency Jurisdiction is designated in the call or notice, all meetings of the Pawnee Business Council and of the Nasharo Council shall be held at Pawnee, Oklahoma.

ARTICLE III—ADOPTION

This Constitution and By-laws shall be effective when approved by the Secretary of the Interior and ratified by a majority of the members of the Pawnee Indian Tribe of Oklahoma voting at an election called by the Secretary of the Interior under the rules and regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

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 Pawnee Indian Tribe of Oklahoma.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., *November 26, 1937.*

CERTIFICATION OF ADOPTION

Pursuant to an order, approved November 26, 1937 by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Pawnee Indian Tribe of Oklahoma and was on January 6, 1938 duly adopted by a vote of 197 for, and 60 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).

GEORGE H. ROBERTS,
President, Pawnee Business Council.

HARRY D. CUMMINGS,
Secretary-Treasurer, Pawnee Business Council.

LEM A. TOWERS,
Superintendent, Pawnee Indian Agency.