

**UNITED STATES**  
**DEPARTMENT OF THE INTERIOR**  
**OFFICE OF INDIAN AFFAIRS**

**CORPORATE CHARTER**  
**OF THE**  
**FORT BELKNAP INDIAN COMMUNITY OF**  
**THE FORT BELKNAP INDIAN**  
**RESERVATION**

**RATIFIED AUGUST 25, 1937**

UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1938

# CORPORATE CHARTER OF THE FORT BELKNAP INDIAN COMMUNITY

## A FEDERAL CORPORATION CHARTERED UNDER THE ACT OF JUNE 18, 1934

Whereas, the Fort Belknap Indian Community of the Fort Belknap Reservation in Montana constitutes a recognized Indian Community organized under a constitution and by-laws ratified by the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Reservation on October 19, 1935, and approved by the Secretary of the Interior on December 13, 1935, 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 Indians on the Fort Belknap Indian Reservation who are members of the Gros Ventre and Assiniboine Tribes have petitioned that a charter of incorporation be granted to such community, subject to ratification by vote of said Indians living on said reservation;

Now, therefore, I, Charles West, Acting Secretary of the Interior, by virtue of the authority conferred upon me by the said act of June 18, 1934 (48 Stat. 984), do hereby issue and submit this charter of incorporation to the Fort Belknap Indian Community of the Fort Belknap Reservation to be effective from and after such time as it may be ratified by a majority vote of the adult Indians living on the reservation, at an election in which at least thirty per cent of the eligible voters vote.

### *Corporate Existence*

1. In order to further the economic development of the Fort Belknap Indian Community of the Fort Belknap Reservation in Montana by conferring upon the said community certain corporate rights, powers, privileges and immunities; to secure for the members of the Community an assured economic independence; and to provide for the proper exercise by the Community of various functions heretofore performed by the Department of the Interior, the aforesaid community is hereby chartered as a body politic and corporate of the United States of America, under the corporate name "The Fort Belknap Indian Community."

### *Perpetual Succession*

2. The Fort Belknap Indian Community shall, as a Federal Corporation, have perpetual succession.

### *Membership*

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

*Management*

4. The Fort Belknap Community Council consisting of six members elected by the Gros Ventre Tribe of Indians of the Fort Belknap Indian Reservation and six members elected by the Assiniboine Tribe of Indians of the Fort Belknap Indian Reservation, shall exercise all of 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 said community, or in this Charter, shall have the following corporate powers:

(a ) To adopt, use, and alter at its pleasure 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, now or hereafter held by the Community.

(2) No leases, permits (which terms shall not include land assignments to members of the Community) or timber sale contracts covering any land or interests in land now or hereafter hold by the Community within the boundaries of the Fort Belknap 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 oil and gas leases, 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 conflicts with regulations authorized by section 6 of the Act of June 18, 1934, or in any way operates to destroy or injure the Community grazing lands, timber, or other natural resources of the Fort Belknap Reservation.

(c ) To issue interests in corporate property in exchange for restricted Indian lands.

(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 governmental agency, or from any member or association of members of the Community, and to use such funds directly for productive tribal 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, aside from loans from the Indian Credit Fund, shall not exceed \$2,500, except with the express approval of the Secretary of the Interior.

(e ) To engage in any business that will further the economic well-being of the members of the Community 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 any county, or with the United States or the State of Montana, including agreements with the State of Montana for the rendition of public services: *Provided* \_\_\_\_\_, That any contracts, other than contracts with the United States, involving payment of money by the corporation totaling in excess of \$2,000 during any one fiscal year shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.

(g ) To pledge or assign chattels or future income due or to become due to the Community under any notes, leases, or other contracts, or from any other source, whether or not such notes, leases, or contracts are in existence at the time: *Provided* \_\_\_\_\_, That such agreements of assignment, other than agreements with the United States, shall not extend more than ten years from the date of execution and shall not cover more than one half the income from any source: *And provided* \_\_\_\_\_ *further* \_\_\_\_\_, That any such agreement

shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.

(*h*) To deposit corporate funds, from whatever source derived, in any national or state bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation, or secured by a surety bond, or other 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 Community.

(*i*) To sue and to be sued in courts of competent jurisdiction within the United States; but the grant or exercise of such power to sue and to be sued shall not be deemed a consent by the 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.

(*j*) To exercise such further incidental powers not inconsistent with law, as may be necessary to the conduct of corporate business.

*Termination  
of  
Supervisory  
Powers*

6. Upon the request of the Community Council of the Fort Belknap Indian Community for the termination of any supervisory power reserved to the Secretary of the Interior under sections 5 (*b*) (2), 5 (*d*), 5 (*f*), 5 (*g*), 5 (*h*), and section 8 of this Charter, the Secretary of the Interior, if he deems it wise and expedient to do so, shall thereupon submit the question of such termination or grant for ratification by the Community. If the Secretary of the Interior shall approve such termination it shall be effective upon ratification by a majority vote of the adult members of the Community residing on the reservation, at an election in which at least 30 per cent of the eligible voters vote. If the Secretary shall disapprove such termination, or fail to approve or disapprove it within 90 days after its receipt, it may then be submitted by the Secretary or by the Community Council to popular referendum of the adult members of the Community actually living within the reservation, and if approved by two-thirds of the eligible voters shall be effective.

7. (a ) Property rights and present and future claims of the Gros Ventre and Assiniboine Tribes of Indians who have entered into a partnership to form the Fort Belknap Indian Community for the management of their joint affairs, shall not be in any way impaired by anything contained in this Charter, or in the Constitution and By-laws of the Fort Belknap Indian Community.

(b ) Nothing in this Charter, or in the Constitution and By-laws of the Fort Belknap Indian Community shall constitute a release or waiver or shall in any way impair any present or future claims of the Gros Ventre Tribe of Indians of the Fort Belknap Indian Reservation, against the United States, against each other, or against any other tribe or tribes of Indians.

(c ) The tribal unallotted lands of the Fort Belknap Indian Reservation are hereby vested in the Fort Belknap Indian Community, subject however to the restrictions contained in section 7, paragraph (b ) of this Charter.

(d ) The Gros Ventre members of the Community Council and the Assiniboine members of the Community Council shall each have sole and exclusive jurisdiction over all matters concerning the exclusive property rights and present and future claims of each of their said tribes, and shall transact the exclusive business policy and administrative affairs of their respective tribes, and shall exercise their said several powers to the same extent and for the same purposes as exercised by each of said tribal councils prior to the ratification of the Fort Belknap Indian Community Constitution and By-laws and the granting of this Charter.

(e ) That the administration of moneys borrowed by the Fort Belknap Indian Community and reloaned to members of the community or associations of such members shall be under the jurisdiction of two subcommittees of the council, one consisting only of Gros Ventre councilmen to administer all loans to Gros Ventre Indians, and one consisting only of Assiniboine councilmen to administer all loans to Assiniboine Indians. The amounts allocated to the two sub-committees shall be equal except in so far as demonstrated differences in population or need warrant any other equitable division.

8. The Community may issue to each of its members a nontransferable certificate of membership evidencing the equal share of each member in the assets of the Community and may distribute per capita, among the recognized members of the Community, all income of the Community over and above sums necessary to defray corporate obligations to members of the Community or to other persons and over and above all sums which may be devoted to the establishment of a reserve fund, the construction of public works, the costs of public enterprises, the expenses of the Community government, the needs of charity, or other corporate purposes. No such distribution of profits in any one year amounting to a distribution of more than one-half of the accrued surplus, shall be made without the approval of the Secretary of the Interior.

*Corporate  
Accounts*

9. The officers of the Community shall maintain accurate and complete public accounts of the financial affairs of the Community, 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 Community to the Commissioner of Indian Affairs. The Secretary-Treasurer of the Fort Belknap Indian Community shall pay out money only in accordance with the orders and resolutions of the Community Council, and no disbursements shall be made without the signature or approval of the Secretary-Treasurer. The books of the Secretary-Treasurer shall be audited at the direction of the Community Council or of the Commissioner of Indian Affairs, and shall be open to inspection by members of the Community or duly authorized representatives of the Secretary of the Interior at all reasonable times.

*Amendments*

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, to be effective shall be 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.

*Ratification*

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

Submitted by the Acting Secretary of the Interior for ratification by the Fort Belknap Indian Community in a popular referendum to be held on August 25, 1937.

**CHARLES**

**WEST,**

*Acting Secretary of the*

*Interior*

[SEAL]

**WASHINGTON, D. C., July 29, 1937.**

**CERTIFICATION**

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this Charter, issued on July 29, 1937, by the

Acting Secretary of the Interior to the Fort Belknap Indian Community of the Fort Belknap Reservation, was duly submitted for ratification to the adult Indians living on the Reservation and was on August 25, 1937, duly carried by a vote of 277 for and 158 against, in an election in which over thirty per cent of those entitled to vote cast their ballots.

**RICHARD**

**KING,**

*President of the Fort  
Belknap Indian Community*

**F. W. BOYD,**

*Superintendent  
of Fort Belknap Agency*

## **AMENDMENT TO CONSTITUTION AND BY-LAWS OF FORT BELKNAP INDIAN COMMUNITY OF THE FORT BELKNAP RESERVATION OF MONTANA**

### **AMENDMENT I.**

A new subsection, (s), shall be added to Article V, Section 1 of the Constitution, as follows:

"(s). To promulgate ordinances, subject to review by the Secretary of the Interior, providing for the assessment and collection of license fees from nonmembers doing business, or obtaining any other special right or privilege within the reservation, including townsites therein."

### **CERTIFICATION OF ADOPTION**

Pursuant to an order, approved October 2, 1942, by the Assistant Secretary of the Interior, the attached amendment to the Constitution and By-laws of the Fort Belknap Indian tribes was submitted for ratification to the qualified voters of the Fort Belknap Indian tribes and was on November 2, 1943, duly ratified by a vote of 147 for and 64 against, in an election in which more than 30 per cent 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).

**CLARENCE**

**BROCKIE,**

*Chairman*, *Fort Belknap  
Community Council*

**FRANK OHLERKING,**

*Secy-Treas*, *Fort Belknap  
Community Council*

**JOHN P. BURKE,**

*Acting Superintendent*  
*Belknap Agency*

*, Fort*

I, Oscar L. Chapman, 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 of the Fort Belknap Indian Community of the Fort Belknap Reservation.

Approval recommended:

**JOHN COLLIER,**

*Commissioner*

[SEAL]  
**CHAPMAN,**

**OSCAR L.**

*Assistant Secretary*

**WASHINGTON, D. C., February 7**

**, 1944**