

ORDINANCE NO. 1 - LANDS

BE IT HEREBY ENACTED by the General Tribal Council of the Oneida Tribe of Indians of Wisconsin, in special meeting assembled on February 28, 1941, at Oneida, Wisconsin, pursuant to Article IV, Section I (f) of the Constitution and By-Laws, approved on December 21, 1936, and the Corporate Charter, ratified on May 1, 1938, of the Oneida Tribe of Indians of Wisconsin, THAT the administration of Tribal lands, including the making, holding and revoking of assignments, shall be governed by the following provisions:

Section 1. Pursuant to Article III, Section 5, of the Constitution and By-Laws of the Oneida Tribe of Indians of Wisconsin, the tribal Executive Committee is hereby authorized to exercise in accordance with the provisions of this ordinance powers contained in Article IV, Section 1 (f), of said Constitution, that pertain to the making, holding and revoking of assignments of tribal land or interests therein.

Section 2. Land assignments shall be executed on Land Assignment Form No. 1, "Standard Assignment of Tribal Agricultural Land," adopted by the General Tribal Council on February 28, 1941, and approved by the Secretary of the Interior on May 6, 1941, and any such assignment is hereby acknowledged to be a valid contract between the Oneida Tribe of Indians of Wisconsin and the assignee.

Section 3. A Land Committee consisting of three members to be appointed by the Executive Committee is hereby established, whose duty it shall be to accept, investigate and recommend to the tribal Executive Committee for action, all applications for land assignments. The said Land Committee shall also serve the tribal Executive Committee in an advisory capacity in matters relating to the tribal land program. The original Land Committee appointed by the Executive Committee, as provided for in this Section, shall be appointed for terms of office as follows: One committeeman for one year, one committee man for two years, and one committeeman each year, to serve on the Land Committee for a period of three years.

Section 4. Assignments of land shall be made on the basis of a land-use program to be worked out by the Executive Committee, with the assistance of Indian Service personnel, and assignments shall be made in such acreages as will tend to effect a fair distribution of the land resources among the largest number of families of the Tribe in terms of productive capacity of the land. Assignees may lease, rent, or otherwise acquire the use of lands for operation in conjunction with this assignment.

Section 5. No member of the Tribe shall be permitted to hold more than one assignment of land.

Section 6. No building shall be constructed upon land under the jurisdiction of the Tribe without the approval of the tribal Executive Committee.

Section 7. Tribal land shall not be occupied or used by members of the Tribe except as provided for in Section 2 of this ordinance; provided, that temporary occupancy or use of unassigned tribal land may be granted by written approval of the Executive Committee.

Section 8. Assignee will be required to comply with reservation-wide soil or timber conservation programs approved by the Commissioner of Indian Affairs.

Section 9. No assignee shall be permitted to lease or otherwise transfer the use of tribal land assigned to him, except, because of physical incapacity, and then only with the written approval of the Executive Committee.

Section 10. The following scale of fees shall be adhered to in fixing the sum to be paid by a grantee at the time the land assignment is executed:

\$2.00 fee for an assignment of land not to exceed 5 acres.

\$3.00 fee for an assignment of land in excess of 5 acres, but not to exceed 10 acres.

\$5.00 fee for an assignment of land in excess of 10 acres, but not to exceed 20 acres.

\$5.00 fee for each additional 20 acres or fraction thereof.

Fee must be paid within 30 days from date of assignment or assignment will not be approved.

This ordinance and the land assignment form herein referred to, are declared to be inseparable parts of one instrument, the abrogation or amendment of which shall be subject to review by the Secretary of the Interior.

The foregoing ordinance was on February 28, 1941, duly adopted, by the General Tribal Council by a vote of 56 for and 1 against, pursuant to authority vested in it by Article IV, Section 1 (f), of the Constitution and By-Laws of the Oneida Tribe. Said ordinance shall be effective from the date of its approval by the Superintendent of the Tomah Agency, subject to its recession by the Secretary of the Interior pursuant to Section 4, Article IV, of the Constitution of the Tribe.

Approved: March 5, 1941

/s/ Ray Parkhurst
Chairman, Oneida Tribal Council

/s/ Peru Farver
Superintendent, Tomah Indian Agency

/s/ Lydia Powless
Secretary, Oneida Tribal Council

Approved: May 6, 1941

/s/ Oscar L. Chapman
Assistant Secretary of the Interior