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Chapter 1 : South Dakota Tribal Relations

CONSTITUTION AND BY-LAWS OF THE CHEYENNE RIVER SIOUX TRIBE OF SOUTH DAKOTA PREAMBLE We, the Sioux Indians of the Cheyenne River Reservation in the.

The membership of the Cheyenne River Sioux Tribe shall consist of the following: The tribal council shall have the power: The governing body under this constitution and by-laws shall be composed of one 1 tribal chairman, one 1 tribal secretary, and one 1 tribal treasurer; also fifteen 15 councilmen and such offices as from time to time may be created by the tribal council. The tribal chairman, the tribal secretary, and the tribal treasurer shall be elected at large by popular vote; councilmen shall be elected from each district or political subdivision of the reservation by the legal voters residing within the district or precinct from which such councilman is to be elected. There shall be thirteen 13 districts or voting precincts as hereinafter described in article III, section 4 of the by-laws. Councilmen shall be apportioned by and from each district or voting precinct of the reservation as follows: Agency precinct, which shall include the Agency Swiftbird 1, and Shepard Bottom communities: Bridger precinct, which shall include the Bridger community: Cherry Creek precinct, which shall include the Cherry Creek community: Red Scaffold precinct, which shall include the Red Scaffold community: Eagle Butte precinct, which shall include the Eagle Butte community: Four Bear precinct, which shall include the Four Bear community: Lantry precinct, which shall include the Upper Bear Creek community: La Plant precinct, which shall include the La Plant and Ridgeview communities: Promise precinct, which shall include the Promise community: That the Cheyenne River Tribal Council shall have the power both to redistrict the reservation and its precincts and to reassign the number of councilmen to be elected from each district in proportion to the number of qualified voters residing therein, or on a population basis. The officers and councilmen provided for in section 2 of this article shall be elected for the following term of office; general elections will be held every two years on the first Tuesday after the first Monday in the month of September. The first election of the tribal council members shall be held on call of the provisional committee which shall consist of twenty-six 26 members of the Cheyenne River Sioux Tribe of Indians, two 2 from each of the voting precincts on said reservation on October 27, , and five Indian Service employees, which committee the superintendent of said reservation may appoint to supervise the election of officers and councilmen, within thirty 30 days after this constitution and by-laws has been approved by the Secretary of the Interior. This committee shall issue its certificate of election to the persons receiving the highest number of votes in each district in accordance with the quota assigned hereby to each of said districts provided for in article III, section 3. The officers and councilmen so elected and certified to shall report at the Cheyenne River Agency within ten days after the election and take the oath of office. The reservation superintendent shall administer the oath of office. Said officers and councilmen shall convene within thirty 30 days after the election and organize for business and elect one assistant chairman from their own membership. The tribal council shall have supervision and authority over all subsequent elections as provided through bylaws or resolutions hereafter enacted. The tribal council of the Cheyenne River Reservation shall exercise the following powers vested in the present council under existing laws or conferred by the act of June 18, 48 Stat. It shall have the right to assist members of the tribe in presenting their claims and grievances before any court or agency of government. It shall have the right to employ attorneys of record or representatives for such services, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior. Such association or organization shall have the right to engage in collective or cooperative bargaining or marketing, or purchasing of supplies, crops, equipment, seed, machinery, building or livestock, the council reserving the right to establish ordinances covering the activities of such association or organization, and to enforce the observance of such ordinances. Such salaries or remuneration shall be paid only for services actually authorized in a regular and legal manner and actually rendered. All expenditures from the tribal council fund shall be by resolution duly passed by the council to that effect and the amount so paid shall be a

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matter of public record at all times. Any money so collected shall be disposed of as provided for in article IV; section 1 g of this constitution. If the superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may within ninety 90 days from the date of enactment, rescind the said ordinance or resolution for any cause, by notifying the tribal council of such rescission. If the superintendent shall refuse to approve any resolution or ordinance submitted to him, within ten days after its enactment, he shall advise the tribal council of his reasons therefor. If these reasons appear to the tribal council insufficient, it may, by a majority popular vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within ninety 90 days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall become effective. Such powers may be exercised through appropriate by-laws and constitutional amendments. All enrolled members of the Cheyenne River Tribe, 21 years of age or over, who have maintained legal residence on the reservation for a period of one year immediately prior to any election shall have the right to vote. No person shall be a candidate for membership in the tribal or district council or other tribal office unless he shall be a member of the Cheyenne River Sioux Tribe, and shall have resided for a period of one year next preceding the election in the district of his candidacy, and he shall be over twenty-five 25 years of age. Any member of the tribe may become a candidate for any office upon the signed petition of at least ten 10 legal voters from the district where he is declared to be a legal resident. Any legal member of the tribe shall be considered a candidate for office when certified by the district council or other authorized organization of the district presenting his candidacy. When any election is to be held on any or at all the districts, the chairman of the tribal council shall appoint a superintendent of an election in each of said districts, and the superintendent so appointed shall have power to appoint two 2 judges and two 2 ballot clerks, which will constitute the election board. The duties of this election board shall be to supervise the election. If any vacancies occur in the membership of the tribal council through resignation, recall, impeachment, or death, the district council wherein he resides and is elected from shall proceed to elect a new Councilman to finish the unexpired term of such member. The ballot used at such election shall contain the question: No member of the council shall take part in the deliberations of the Council, nor shall he have a vote in balloting upon any matter pertaining to any recall election or the results thereof when such member shall be the one whom it is proposed to recall. The council shall meet regularly on the first Tuesday of each month. The meetings shall be held at the agency office or other building provided for such purpose. Special meetings of the council shall be held at such times as are designated by the chairman, and he shall notify the members at least twenty-four 24 hours before the date of such meeting. Without a quorum the chairman shall adjourn the meeting. Special meetings of the council shall also be held upon written request of either seven 7 members of the council or by petition signed by one hundred legal voters of the tribe. Such written request shall be filed with the chairman or the secretary of the council, and he shall notify the council members twenty-four 24 hours before the date of such council meeting. All sessions of the tribal council except executive shall be open to all members of the tribe. Balloting at all sessions shall be either by acclamation or by secret written ballot, as the presiding officer shall direct. The council may, upon motion duly passed, go into executive sessions. At such sessions all persons shall be excluded from the council chamber, and any such person whose presence shall be required before the council shall be designated by the chairman, and no other persons shall be allowed to be present other than the members of the council and the secretary. The order of business at any regular or special meeting of the tribal council shall be as follows: It shall be the duty of the council to exercise care and caution to the end that a complete record is preserved of all acts of the council and of all committees appointed therefrom. Accurate copies of all such records shall be preserved in the files of the council and accurate copies of all necessary records shall be transmitted to such bureaus, departments, or elsewhere as may be required. All records of the council and its committees or delegates shall at all times be a matter of public record, and any member of the Cheyenne River Sioux Tribe or his authorized representative, or any properly authorized officer or employee of any Government department shall have full access to same

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during business hours. However, it is provided that matters before the council while in executive session shall be, at the option of the council, withheld from the public or from individuals or their representatives, until after same shall have been acted upon or otherwise quietly disposed of. Copies of all leases, contracts, deeds, or assignments and all other papers or documents pertaining to lands of any nature on. It shall be the duty of the council to establish by ordinance a tribal police force which shall have full jurisdiction upon the reservation, the authority and duties of this police force under which it will function may be outlined by the council, such police to be employees of the council and shall be an agency of the tribal court. The Indians of the Cheyenne River Reservation recognize their inability to control or assume all responsibilities of administration, such as: The supervision of health and educational services; employees of the Federal Government through whom we must make contact with the administrative office in Washington to manage wholly our internal affairs; and matters over which the tribal council has no authority. It shall be the duty of the council to pass rules and regulations to prevent unauthorized prospecting or mining of any kind upon the reservation and to see that such rules and regulations are properly enforced. The council shall pass ordinances for the control of hunting and fishing upon the reservation, not conflicting with any of the Federal or State game laws. The council shall enforce such ordinances and cooperate with Federal and State authorities for protection of game on the reservation. Further, the council may issue licenses for hunting and fishing and shall establish and act for same. It shall seek and cooperate with such charity organizations and thereby render assistance or aid to the poor and needy. ARTICLE IX-LOANS The tribal council shall act upon all applications for loans under a revolving fund or reimbursable regulations for the purchase of property, stock, or equipment, or loans to Indians, for the payment of tuition for higher education or trade schools, out of the allotment to the Cheyenne River Reservation as provided in the act of June 18, 48 Stat. ARTICLE XI-TRIBAL CLAIMS The council shall make a thorough survey, research, investigation, and study of the history and title of all lands which are now tribal in character or that have been tribal in character in times past and shall endeavor to reestablish the tribal equity, if any, in such lands so as to obtain through proper channels just compensation for such lands, which it shall find to have been unlawfully removed from the present jurisdiction of the tribe and without just compensation. It shall be the duty of the council to make semi-annual reports concerning all such guardianship funds or assets, and that such reports be matters of public record, with the exception of the trust funds and individual Indian money, upon the approval of the Secretary of the Interior, which is deposited and supervised by the superintendent. Said national council of the Sioux Nation shall be formed by the meeting of said delegates whenever five 5 of the following Sioux Tribes shall adopt a constitution containing a provision similar to this:

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Cheyenne River Sioux Tribe - Constitution and Bylaws. Dated: Disclaimer: Although every effort is made to present current and accurate information, if you need an official version of the tribe's laws, please contact the tribe.

The membership of the Cheyenne River Sioux Tribe shall consist of the following: The tribal council shall have the power: The governing body under this constitution and by-laws shall be composed of one 1 tribal chairman, one 1 tribal secretary, and one 1 tribal treasurer; also fifteen 15 councilmen and such offices as from time to time may be created by the tribal council. The tribal chairman, the tribal secretary, and the tribal treasurer shall be elected at large by popular vote; councilmen shall be elected from each district or political subdivision of the reservation by the legal voters residing within the district or precinct from which such councilman is to be elected. There shall be thirteen 13 districts or voting precincts as hereinafter described in article III, section 4 of the by-laws. Councilmen shall be apportioned by and from each district or voting precinct of the reservation as follows: Bridger precinct, which shall include the Bridger community: Cherry Creek precinct, which shall include the Cherry Creek community: Red Scaffold precinct, which shall include the Red Scaffold community: Eagle Butte precinct, which shall include the Eagle Butte community: Four Bear precinct, which shall include the Four Bear community: Lantry precinct, which shall include the Upper Bear Creek community: La Plant precinct, which shall include the La Plant and Ridgeview communities: Two 2 delegate Promise precinct, which shall include the Promise community: That the Cheyenne River Tribal Council shall have the power both to redistrict the reservation and its precincts and to reassign the number of councilmen to be elected from each district in proportion to the number of qualified voters residing therein, or on a population basis. The officers and councilmen provided for in section 2 of this article shall be elected for the following term of office; general elections will be held every two years on the first Tuesday after the first Monday in the month of September. October 1, ; thereafter the term of office for these officials shall be four years. The first election of the tribal council members shall be held on call of the provisional committee which shall consist of twenty-six 26 members of the Cheyenne River Sioux Tribe of Indians, two 2 from each of the voting precincts on said reservation on October 27, , and five Indian Service employees, which committee the superintendent of said reservation may appoint to supervise the election of officers and councilmen within thirty; 30 days after this constitution and by-laws has been approved by the Secretary of the Interior. This committee shall issue its certification of election to the persons receiving the highest number of votes in each district in accordance with the quota assigned hereby to each of said districts provided for in article III, section 3. The officers and councilmen so elected and certified to shall report at the Cheyenne River Agency within ten days after the election and take the oath of office. The reservation superintendent shall administer the oath of office. Said officers and councilmen shall convene within thirty 30 days after the election and organize for business and elect one assistant chairman from their own membership. The tribal council shall have supervision and authority over all subsequent elections as provided through bylaws or resolutions hereafter enacted. The tribal council of the Cheyenne River Reservation shall exercise the following powers vested in the present council under existing laws or conferred by the act of June 18, 48 Stat. It shall have the right to assist members of the tribe in presenting their claims and grievances before any court or agency of government. It shall have the right to employ attorneys of record or representatives for such services, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior. Such association or organization shall have the right to engage in collective or cooperative bargaining or marketing, or purchasing of supplies, crops, equipment, seed, machinery, building, or livestock, the council reserving the right to establish ordinances covering the activities of such association or organization, and to enforce the observance of such ordinances. Such salaries or remuneration shall be paid only for services actually authorized in a regular and legal manner and actually rendered. All expenditures from the tribal council fund shall be by resolution duly passed by the council to that effect and the amount so paid shall be a matter of

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public record at all times. Any money so collected shall be disposed of as provided for in article IV, section I g of this constitution. If the superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may within ninety 90 days from the date of enactment, rescind the said ordinance or resolution for any cause, by notifying the tribal council of such rescission. If the superintendent shall refuse to approve any resolution or ordinance submitted to him, within ten days after its enactment, he shall advise the tribal council of his reasons therefor. If these reasons appear to the tribal council insufficient, it may, by a majority popular vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within ninety 90 days from the date of its enactment approve the same in writing, whereupon the said ordinance or resolution shall become effective. Such powers may be exercised through appropriate by-laws and constitutional amendments. All enrolled members of the Cheyenne River Tribe, 21 years of age or over, who have maintained legal residence on the reservation for a period of one year immediately prior to any election shall have the right to vote. No person shall be a candidate for membership in the tribal or district council or other tribal office unless he shall be a member of the Cheyenne River Sioux Tribe, and shall have resided for a period of one year next preceding the election in the district of his candidacy, and he shall be over twenty-five 25 years of age. Any member of the tribe may become a candidate for any office upon the signed petition of at least ten 10 legal voters from the district where he is declared to be a legal resident. Any legal member of the tribe shall be considered a candidate for office when certified by the district council or other authorized organization of the district presenting his candidacy. When any election is to be held on any or at all the districts, the chairman of the tribal council shall appoint a superintendent of an election in each of said districts and the superintendent so appointed shall have power to appoint two 2 judges and two 2 ballot clerks, which will constitute the election board. The duties of this election board shall be to supervise the election. If any vacancies occur in the membership of the tribal council through resignation, recall, impeachment, or death, the district council wherein he resides and is elected from shall proceed to elect a new councilman to finish the unexpired term of such member. The ballot used at such election shall contain the question: No member of the council shall take part in the deliberations of the council, nor shall he have a vote in balloting upon any matter pertaining to any recall election or the results thereof when such member shall be the one whom it is proposed to recall. Upon a petition of at least three hundred qualified voters of the Cheyenne River Sioux Reservation a referendum may be demanded on any enacted or proposed ordinance or resolution of the Cheyenne River Sioux Tribal Council, and the vote of the majority of the qualified voters in such referendum shall be conclusive and binding on the tribal council. It is recognized that under existing law such lands may be condemned for public purposes, such " roads, public buildings, or other public improvements, upon payment of adequate compensation, by any agency of the State of South Dakota or of the Federal Government, or by the tribe itself. It is further recognized that under existing law such lands may be inherited by the heirs of the present owner, whether or not they are members of the Cheyenne River Sioux Tribe. Likewise it is recognized that under existing law the Secretary of the Interior may, in his discretion, remove restrictions upon such land, upon application by the Indian owner, whereupon the land will become subject to State taxes and may then be mortgaged or sold. The right of the individual Indian to hold or to part with his land, as under existing law, shall not be abrogated by anything contained in this constitution, but the owner of restricted land may, with the approval of the Secretary of the Interior, voluntarily convey his land to the Cheyenne River Sioux Tribe either in exchange for a money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided. Tribal lands shall not be allotted to individual Indians but may be assigned to members of the Cheyenne River Sioux Tribe, or leased, or otherwise used by the tribe, as hereinafter provided. Leasing of tribal lands. In the leasing of tribal lands preference shall be given, first to Indian cooperative associations, and, secondly, to individual Indians who are members of the Cheyenne River Sioux Tribe. No lease of tribal land to a non-member shall be made by the tribal council unless it shall appear that no Indian cooperative association or individual member of the tribe is able and willing to use the land and to pay a reasonable fee for

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such use. Grazing permits covering tribal land may be issued by the tribal council, with the approval of the Secretary of the Interior, in the same manner and upon the same terms as leases. Grant of "standard" assignments. Assignments made under this section shall be for the primary purpose of establishing homes for landless Indians, and shall be known as "standard" assignments. Tenure of "standard" assignments. Upon the death of any Indian holding a "standard" assignment, his heirs or other individuals designated by him, by will or by written request shall have a preference in the reassignment of the land provided such persons are members of the Cheyenne River Sioux Tribe who would be eligible to receive a "standard" assignment. Grant of "exchange" assignment. Inheritance of "exchange" assignments. No area of grazing land shall be subdivided into units smaller than sixty 60 acres, and no area of agricultural land shall be subdivided into units smaller than two and one-half acres, except that land used for buildings or other improvements may be divided to suit the conveniences of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the tribal council shall issue to such heirs or devisees grazing permits or other interests in tribal lands of the same value as the assignments of the decedent. No permanent improvements shall be removed from the land without the consent of the tribal council. Use of unassigned tribal land. Purchase of land by the tribe. Method of making assignments. Notices of all applications received by the secretary shall be posted by him in the agency office and in at least three conspicuous places in the district in which the land is located for not less than twenty 20 days before action is taken by the council. Any member of the tribe wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections, to be filed with the secretary of the council, and may if he so desires appear before the council to present evidence. The secretary of the council shall furnish the superintendent or other officers in charge of the agency a complete record of all action taken by the council on applications for assignment of land, and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the tribe. The council shall draw up one or more forms for standard and exchange assignments, which shall be subject to the approval of the Secretary of the Interior. This constitution and the appended by-laws may be amended by a majority of the qualified voters of the tribe voting at an election called for that purpose by the Secretary of the Interior, provided that at least 30 per cent of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior, upon presentation of a petition signed by at least two hundred legal voters of the tribe, and upon request by the council, to call an election on any proposed amendment. It shall be the duty of the chairman to preside at all meetings of the council. He shall have a vote only when a tie occurs. In the absence of the regular chairman the assistant chairman shall preside and he shall have all powers, privileges, and duties of the regular chairman, and may cast a vote in the case of a tie. It shall be the duty of the tribal secretary to keep a true and accurate record of all matters affecting the tribal records and accounts, and to render a proper accounting of such records and statistics as are required by the tribal council. He shall be present at all meetings of the council and shall keep an accurate record of all council proceedings, including the minutes of each special and regular meeting. The duties of the treasurer of the tribal council shall be as follows: He shall accept, receive, receipt for, preserve, and safeguard all funds in the custody of the council, whether same be tribal funds or special funds for which the council is acting as trustee or custodian. There shall be a sergeant-at-arms and he will be appointed by the tribal council. He shall have no voice or vote in the deliberations of the council, except when making reports or when furnishing information requested by the council. Each voting precinct established under this constitution as provided in article III, section 4, shall elect at the first general election and biannually thereafter a president, secretary, and treasurer. These district officials shall hold office for a term of two years. The president shall call and preside over all councils of the community whenever necessary for the consideration of matters of local interest and may exercise such further powers as may be delegated to him by the tribal council. He shall file with the tribal council and certify all nominations for office within the precinct and at large, according to section 3, article V of this constitution. The actions of the precinct officers shall not be inconsistent with the constitution and by-laws and ordinances

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of the tribe. A tribal councilman, in addition to the office of tribal councilman, may hold any of these district offices if elected to such office by the voters of his district. It shall be the duty of the district council to see that all nominations for tribal office, including membership in the council, shall be made in strict accord with the provisions of the constitution and to certify as to the legality of such nominations, otherwise it shall be considered illegal and ineffective by the tribal council. All tribal elections for officers shall be canvassed and certified by the council, or a board appointed by them, the results of such elections. No candidate shall be considered legally elected, nor shall he hold office until such canvass and certification have been made by the council within five 5 days after such elections. All necessary details concerning tribal nominations and elections not specifically covered in these by-laws or in the constitution, shall be more fully set forth in ordinances to be hereafter established by the council. Each district or voting precinct established under section 3 of article III of the constitution are hereby outlined by legal subdivisions, as follows: Immediately after the election of members of the tribal council and said elected members are duly certified. The council shall meet regularly on the first Tuesday of each month. The meetings shall be hold at the agency office or other building provided for such purpose. Special meetings of the council shall be held at such times as are designated by the chairman, and he shall notify the members at least twenty-four 24 hours before the date of such meeting. Without a quorum the chairman shall adjourn the meeting. Special meetings of the council shall also be held upon written request of either seven 7 members of the council or by petition signed by one hundred legal voters of the tribe. Such written request shall be filed with the chairman or the secretary of the council, and he shall notify the council members twenty-four 24 hours before the date of such council meeting.

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Chapter 3 : Revised Constitution and Bylaws of the Sisseton-Wahpeton Sioux Tribe, South Dakota

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PREAMBLE We, the Sioux Indians of the Cheyenne River Reservation in the State of South Dakota in order to establish our tribal organization, to conserve our tribal property, to develop our common resources, to establish justice, and to promote the welfare of ourselves and our descendants, do hereby ordain and establish this constitution and by-laws for our tribal council as a guide to its deliberations. SECTION 2 The governing body under this constitution and by-laws shall be composed of one 1 tribal chairman, one 1 tribal secretary, and one 1 tribal treasurer; also fifteen 15 councilmen and such offices as from time to time may be created by the tribal council. SECTION 3 The tribal chairman, the tribal secretary, and the tribal treasurer shall be elected at large by popular vote; councilmen shall be elected from each district of political subdivision of the reservation by the legal voters residing within the district or precinct from which such councilman is to be elected. There shall be thirteen 13 districts or voting precincts as hereinafter describe in Article III, Section 4 of the by-laws. Councilmen shall be apportioned by and from each district or voting precinct of the reservation as follows: That the Cheyenne River Tribal Council shall have the power both to redistrict the reservation and its precincts and to reassign the number of councilmen to be elected from each district in proportion to the number of qualified voters residing therein, or on a population basis. SECTION 4 The officers and councilmen provided for in Section 2 of this article shall be elected for the following term of office; general tribal elections shall be held on the same day as general elections for the Congress of the United States. SECTION 5 The first election of the tribal council members shall be held on call of the provisional committee which shall consist of twenty-six 26 members of the Cheyenne River Sioux Tribe of Indians, two 2 from each of the voting precincts on said reservation on October 27, , and five Indian Service employees, which committee the superintendent of said reservation may appoint to supervise the election of officers and councilmen, within thirty 30 days after this constitution and by-laws has been approved by the Secretary of the Interior. SECTION 6 This committee shall issue its certificate of election to the persons receiving the highest number of votes in each district in accordance with the quota assigned hereby to each of said districts provided for in Article III, Section 3. The officers and councilmen so elected and certified to shall report at the Cheyenne River Agency within ten days after the election and take the oath of office. The reservation superintendent shall administer the oath of office. Said officers and councilmen shall convene within thirty 30 days after the election and organize for business and elect one assistant chairman from their own membership. SECTION 7 The tribal council shall have supervision and authority over all subsequent elections as provided through bylaws or resolutions hereafter enacted. It shall have the right to assist members of the tribe in presenting their claims and grievances before any court or agency of government. It shall have the right to employ attorneys of record or representatives for such services, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior. Tribal lands may not be encumbered or leased for a period exceeding five years, except as provided for in Article VIII, Section 3. Such association or organization shall have the right to engage in collective or cooperative bargaining or marketing, or purchasing of supplies, crops, equipment, seed, machinery, building or livestock, the council reserving the right to establish ordinances covering the activities of such association or organization, and to enforce the observance of such ordinances. Such salaries or remuneration shall be paid only for services actually authorized in a regular and legal manner and actually rendered. All expenditures from the tribal council fund shall be by resolution duly passed by the council to that effect and the amount so paid shall be a matter of public records at all times. Any money collected hereunder shall be expended as provided for in Article IV, Section 1 g of this constitution. Decisions of tribal courts may be appealed to the tribal appellate courts, but shall not be subject to review by the Tribal Council. If the superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who

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may within ninety 90 days from the date of enactment, rescind the said ordinance or resolution for any cause, by notifying the tribal council of such rescission. Such powers may be exercised through appropriate by-laws and constitutional amendments. SECTION 3 Any member of the tribe may become a candidate for any office upon the signed petition of at least ten 10 legal voters from the district where he is declared to be a legal resident. SECTION 4 When any election is to be held on any or at all the districts, the chairman of the tribal council shall appoint a superintendent of an election in each of said districts, and the superintendent so appointed shall have power to appoint two 2 judges and two 2 ballot clerks, which will constitute the election board. The duties of the election board shall be to supervise the election. SECTION 3 If any vacancies occur in the membership of the tribal council through resignation, recall, impeachment, or death, the district council wherein he resides and is elected from shall proceed to elect a new councilman to finish the unexpired term of such member. SECTION 6 No member of the council shall take part in the deliberations of the council, nor shall he have a vote in balloting upon any matter pertaining to any recall election or the results thereof when such member shall be the one whom it is proposed to recall. Such lands may be condemned for public purpose by the Tribe. It is recognized that under existing law such lands may be inherited by heirs of the present owner, whether or not they are members of the Cheyenne River Sioux Tribe, and it is recognized that under existing law, the owners of allotted lands may sell or transfer their lands to the Tribe or other Indians while the land remains in trust status, but may only sell the land to non-Indians if the Secretary of the Interior, in his discretion, removes the restrictions upon alienation of the land. Tribal lands shall not be mortgaged, nor allotted to individual Indians, but may be assigned to members of the Cheyenne River Sioux Tribe or leased or otherwise used by the tribe, as hereinafter provided. Grazing permits covering tribal land may be issued by the tribal council, with the approval of the Secretary of the Interior. Such grazing permits shall not exceed a term of five 5 years. In the leasing of tribal lands and the issuance of grazing permits preference shall be given first to Indian cooperative associations, and, secondly, to individual Indians, who are members of the Cheyenne River Sioux Tribe. No lease of tribal land to a non-member or the issuance of a grazing permit to a non-member shall be made by the tribal council unless it shall appear that no Indian cooperative association or individual member of the tribe is able and willing to use the land and to pay a reasonable fee for such use. Assignments made under this section shall be for the primary purpose of establishing homes for landless Indians, and shall be known as "standard" assignments. Upon the death of any Indian holding a "standard" assignment, his heirs or other individuals designated by him, by will or by written request shall have a preference in the reassignment of the land, provided such persons are member of the Cheyenne River Sioux Tribe who would be eligible to receive a "standard" assignment. If the assignee prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger grazing unit. Assignments made under this section shall be known as "exchange" assignments. No area of grazing land shall be subdivided into units smaller than sixty 60 acres, and no area of agricultural land shall be subdivided into units smaller than two and one-half acres, except that land used for buildings or other improvements may be divided to suit the conveniences of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the tribal council shall issue to such heirs or devisees grazing permits or other interest in tribal lands of the same value as the assignments of the decedent. No permanent improvements shall be removed from the land without the consent of the tribal council. Notices of all applications received by the secretary shall be posted by him in the agency office and in at least three conspicuous places in the district in which the land is located for not less than twenty 20 days before action is taken by the council. Any member of the tribe wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections, to be filed with the secretary of the council, and may if he so desires appear before the council to present evidence. The secretary of the council shall furnish the superintendent or other officers in charge of the agency, a complete record of all action taken by the council on applications for assignment of land, and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the tribe. The council shall draw up one or more forms for standard and exchange assignments, which shall be subject to the approval of the

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Secretary of the Interior. SECTION 2 It shall be the duty of the Secretary of the Interior, upon presentation of a petition signed by a least two hundred legal voters of the tribe, and upon request by the council, to call an election on any proposed amendment.

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Chapter 4 : Constitution and By

united states department of the interior office of indian affairs. constitution and by- laws of the cheyenne river sioux tribe south dakota approved december 27,

United States District Court, D. Attorney s appearing for the Case James R. McCurdy, Eagle Butte, S. Plaintiff in this action seeks declaratory and injunctive relief against Defendants, who are all officials of the Department of Interior, Bureau of Indian Affairs. The Secretary of the Interior has called a special election for the purpose of amending the constitution and bylaws of the Cheyenne River Sioux Tribe. The proposed amendment would require that a person be of at least one-fourth Cheyenne River Sioux Indian blood to be enrolled as a member of the Tribe. In so doing, he is acting pursuant to 25 C. The election in question had been scheduled for November 30, On November 22, , this Court, after informal notice and hearing, entered an Order temporarily restraining the scheduled election. At the November 22, hearing, counsel for the Defendants indicated that the factual allegations in the Complaint were not disputed, and that he had no objection to submitting the matter on briefs. Subsequently, the Defendants filed a Motion to Dismiss, which has been denied except insofar as it sought dismissal of the claims against the Defendants in their individual, as opposed to official, capacities. Plaintiff has clarified the procedural posture of the case by filing a Motion for Summary Judgment. This Court concludes that Plaintiff is entitled to summary judgment as a matter of law. Under Part 52 of 25 C. His supervisory duties include: Following the adoption of the twenty-sixth amendment to the United States Constitution, the Secretary promulgated regulations requiring that eighteen year olds be allowed to vote in elections of this nature. It may be noted at this point that the Secretary draws a distinction between "Tribal" elections e. See *Wounded Head v. The twenty-sixth amendment to the United States Constitution provides: The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age. The twenty-sixth amendment does not, by its terms, apply to Tribal governments. Accordingly, eighteen year olds enjoy no constitutional right to vote in what has been called "internal tribal elections. The only reported case relevant to the issue presented here is *Wounded Head, supra*, wherein the Eighth Circuit Court of Appeals held that the twenty-sixth amendment is not applicable to tribal elections. While the issue of whether the twenty-sixth amendment is applicable to "Secretarial" elections was not before it for decision, the *Wounded Head* Court considered the question in the following dictum: As stated in an opinion of the Solicitor [of the United States Department of the Interior] the provisions restricting the franchise in tribal elections are not applicable to "Secretarial" elections. Secretarial elections are specific federal elections regulated by federal statute to which the provisions of the twenty-sixth amendment apply. However, it must be noted that the particular issue here was not squarely presented in *Wounded Head*. This Court concludes, for reasons that follow, that the supposed distinction between "Tribal" and "Secretarial" elections is without merit. The specific purpose of the Indian Reorganization Act was to foster and encourage self-government by the various Indian tribes. *Mescalero Apache Tribe v. It seems clear to this Court that the process of creating and amending a constitution is basic to the concept of self-government. This is particularly true in the instant case, since the proposed constitutional amendment to be submitted at the special election deals with blood quantum requirements for Tribal membership, an area traditionally reserved for Tribal self-government. United States, F. The Secretary urges that a "Secretarial" election is a "federal" election and thus subject to the twenty-sixth amendment because of substantial federal involvement under 52 C. Thus he would have the Court merely add up the indicia of federal involvement to determine whether the twenty-sixth amendment applies. Because of the presence of federal officials on Indian reservations, it would seem that any Tribal election is, to some extent, subject to federal supervision. For example, a federal official is to administer the oath of office to each newly elected tribal official, under Article III, Section 6 of the Constitution of the Cheyenne River Sioux Tribe. It should also be noted that the Secretary of the Interior has the power to review many of the ordinances and resolutions of the**

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Cheyenne River Sioux Tribal Council. Yet it cannot be seriously contended that this federal review power, in and of itself, removes such ordinances and resolutions from the protected domain of internal tribal affairs. In the opinion of this Court, the test urged by the Secretary, and accepted in the Wounded Head dictum discussed above, is too mechanistic. Its application pays insufficient attention to what Felix Cohen has described as follows: The first element of sovereignty, and the last which may survive successive statutory limitations of Indian tribal power, is the power of the tribe to determine its own form of government. Cohen, Handbook of Federal Indian Law This power of self-government is meaningless unless the Tribe has the power to make decisions basic to the formation and amendment of its Constitution. Certainly a Tribe should be free to implement its views concerning voting age, since it should be free to choose to continue to respect age over youth in its governmental processes. In the absence of more explicit federal legislation than what is presented here, this Court is unwilling to force the ideas of white America regarding voting age upon an Indian Tribe which hopefully continues to possess some attributes of sovereignty. Unfortunately, both the result and the approach used in this case appear to be somewhat novel. It seems to this Court that, at the administrative level, the recurrent clashes between the trust responsibility and the policy of self-determination are resolved in a manner detrimental to tribal self-government. All too often, Courts seem to pay little more than lip service to the right and power of Indian peoples to govern themselves. It must be remembered that this right and power is subject to diminution only by express Congressional enactment, not administrative rule-making which under the guise of the trust responsibility seeks to erode what vestiges of Indian sovereignty remain. The result of this case appears novel because it contradicts the Wounded Head dictum. This Court is convinced, however, that now that the specific issue regarding the application of the twenty-sixth amendment to Tribal Constitutional elections has been squarely presented, the need for Tribal autonomy requires the result reached here. Indian tribes must be free to be inventive, and increasing federal intervention which is unauthorized by explicit legislation can only quell this inventiveness. It is no secret that there is great dissatisfaction among the various tribes in the State with the functioning of the Department of Interior through the Bureau of Indian Affairs pertaining to tribal matters. Whether the non-Indian communities would or should act in a similar fashion is simply irrelevant. We cannot "we must not" smother the tribal government in its efforts to retain control of tribal matters. Indeed, applicable federal legislation still sets the voting age at twenty-one for "Secretarial" elections. Adoption and amendment of Tribal Constitutions is to be accomplished by a vote of "adult Indians," 25 U.

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Chapter 5 : State Information | National Child Welfare Resource Center for Tribes

CONSTITUTION AND BY LAWS OF THE CHEYENNE RIVER SIOUX TRIBE SOUTH DAKOTA Download Constitution And By Laws Of The Cheyenne River Sioux Tribe South Dakota ebook PDF or Read Online books in PDF, EPUB, and Mobi Format.

As amended by Amendment No. X effective November 15, The membership of the Sisseton-Wahpeton Oyate shall consist of: Corrections may be made in this roll by the Council. W, effective November 15, XX; effective December 12, IV, effective November 21, This section added by Amendment No. As amended by Amendment XI, effective December 20, This Section added by Amendment No. Except for the Officers, one Councilman shall be elected from each of the seven districts and shall possess the voting strength according to population. In meetings of the Council, the Chairman shall vote in case of a tie. The Executive Committee, in formal session, shall have the power to speak and act for the Tribe when the Council is not in session and to carry into effect all properly enacted resolutions and ordinances of the Council and to appoint any boards, committees, or associations necessary to the transaction of tribal business. The Council shall review any action taken by the Executive Committee not delegated to it either in this Revised Constitution or in the enactments of the Council. The review shall be limited only to the next meeting of the tribal council following notification of the action of the executive committee. Members of the Council shall serve terms of two 2 years commencing on the date of the first regular meeting in January, , and thereafter in January of odd numbered years and until their successors have been elected and seated. Any Council and Executive Committee member shall serve no more than two 2 consecutive terms for a total of four 4 years in the same office. Any Council member or Executive Committee member may again file for office after a two 2 year time period. II, effective November 15, There shall be a General Council composed of the enrolled members of the Tribe eighteen 18 years of age and over. It shall be the duty of the Tribal Council to call and notice, at least twice in each calendar year, a General Council meeting where tribal member questions will be addressed. The first General Council meeting will be held on the last Thursday and Friday of June where the following presentations will occur: The second General Council meeting will be held on the third Thursday and Friday of December where the following presentations will occur: The General Council may be convened only by action of the Tribal Council. Section 5 added by Amendment V, effective November There shall be seven 7 deliberate district councils, viz: Each District Council shall consist of the adult members of the Tribe registered on a district voting roster which will be maintained by the district secretary. The Councilman elected from each District shall call a District Election in January of odd-numbered years to elect for the District: III, effective November 10, Sec. The first election of the tribal council under this Revised Constitution shall be called, held and supervised by the present tribal council within days after its approval. Successful candidates at this first election shall assume office when duly seated at the regular January meeting of the council. Where more than two 2 members have filed for an office, a Primary Election shall be held at least thirty 30 days prior to the General Election. Only the two 2 candidates for each office receiving the most votes at such primary election or convention shall be eligible to run for office in the General Election. Where no more than two 2 members have filed for an office, a Primary Election will be unnecessary. Any qualified registered member of the Sisseton-Wahpeton Oyate twenty-one 21 years of age or over may announce his candidacy for the Council in writing of his candidacy at least forty-five 45 days prior to the election. It shall be the duty of the Secretary to post at least ten 10 days before the Primary Election the names of all qualified candidates who have met this requirement, Notice of all elections shall be given as prescribed by ordinance. III, effective November 10, c No person may be a candidate for more than one office. The Council, or an Election Board appointed by the Council, shall supervise the maintenance of the District voting rosters, and shall determine rules and regulations governing elections, including absentee voting, qualifications for office, election dates and recall elections. The Council shall certify to the election of members after the election has been held. Any enrolled

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member of the Sisseton-Wahpeton Oyate, who is eighteen 18 years of age or over, shall be entitled to vote in the District in which he is registered. Members of the Tribe shall register, vote and hold office in the District of their residence, or, if they are non-residents, in the District of their former residence, or if they never were residents, in the District of their choice. Tribal members who have never been residents, registering in the District of their choice, cannot change their Voting District unless duly authorized to do so by the Council. If a Councilman or Officer shall die, resign or be removed from office for cause, the Tribal Council shall declare the position vacant. XXVIII, effective December 7, If an Executive Officer position becomes vacant, a reservation election shall be held to fill the vacancy within sixty 60 days of the declared position. XI effective November 15, Any Councilman or Officer who is proven guilty of improper conduct or gross neglect of duty shall be removed from the Council by an affirmative vote of five of the Council members, provided that the member shall be given full opportunity to reply to any and all charges at a designated Council meeting; and provided further that the member shall have been given a written statement of the charges against him at least five 5 days before the meeting at which he is to be given the opportunity to reply. The Councilman or Officer found guilty of improper action shall not vote on his own removal. The Tribal Council shall hold a special election on all such recall petitions. Any resulting vacancies shall be filled under Section I of this Article. No more than one recall election for each Councilman or Officer shall be held for each term of office. XXIX, effective December 7, Any Councilman or Officer, who fails to attend three 3 successive monthly meetings without excuse, shall be considered to have resigned his office. The Council shall then declare the position vacant and fill the vacancy pursuant to the provisions of Section I, of this Article. Any petition for recall for cause shall clearly state specific charges or reasons which may include but is not limited to: As added by Amendment No. XXX; effective December 7, Ill, effective November 15, XII, effective December 20, VII, effective November 15, This section added to powers by Amendment No. VII, effective November 21, The Tribal Council shall reapportion the fifteen weighted votes within the first sixty 60 days after they are seated. Former section 2, "Manner of Review " deleted in its entirety by Amendment No. XXXI, effective December 7, The Council shall meet regularly on the first Tuesday of each month, or upon call of the Chairman of the Council. It shall be the duty of the Chairman to call a special meeting upon request of a majority of the Council. At any meeting of the Council, either a simple majority of four 4 Districts and one I voting Officer of the Executive Committee or a simple majority of five 5 Districts shall be present to constitute a quorum, with no less than nine 9 votes present. The Executive Committee shall meet upon call of the Chairman. At any meeting of the Executive Committee two 2 members shall constitute a quorum. All members of the Sisseton-Wahpeton Oyate shall be accorded equal political rights and equal opportunities to participate in the economic resources and activities of the Tribe, and no person shall be denied freedom of conscience, speech, association or assembly, or due process of law, or the right to petition for the redress of grievances. The members of the Tribe shall continue undisturbed in their religious beliefs and nothing in this Revised Constitution and By-Laws will authorize either the Council or the General Council to interfere with these traditional religious practices according to their customs. The Council shall consider the matter to be considered is filed with the next regular or special meeting. If the Council fails to act or disapprove the matter within ninety 90 days after filing of a proper petition with the Chairman, it shall be put to a vote at the next General Election, whichever occurs first. The vote of a majority of the registered voters voting on the issue shall be conclusive and binding upon the Council. The vote of a majority of the registered voters voting in such referendum shall be conclusive and binding on the Council. IX, effective November 15, Chairman a He shall preside at all regular and special meetings of the general council, tribal, council, and executive committee. The chairman shall be an ex-officio member of all subordinate committees. He shall include in this report all matters within his knowledge which the interest of the Tribe may require to be brought to its attention. Secretary a He shall keep minutes at the principal place of business of the Tribe of all meetings of the General Council, Council and the Executive Committee. In addition, he shall keep a current voting list. XXII effective April 15., as follows: In the absence of the Chairman, the Vice-Chairman shall preside and

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shall have all powers, privileges, and duties of the Chairman, and may cast a vote only in the case of a tie. As amended by Amendment III, effective December 19, XXVI, effective November 25, Gross neglect and improper conduct shall be interpreted by the Council in accordance with these definitions. New section added by Amendment No. VI effective November 21, , and further amended by Amendment No. XXX; effective December 7, As evidenced through any or all of the following: Inability to handle private affairs as evidenced through garnishment proceedings or court actions or ordering payments of delinquent loans or debts. Determined by Council or District Chairman Association. Converting tribal property or monies without authorization through omission or misrepresentation of facts. Public conduct so as to question the integrity of the Sisseton-Wahpeton Oyate. Conviction by legal courts. Conviction of a felony 2. Three low misdemeanor convictions within a twelve 12 month period. Any high-misdemeanor, including but not limited to malicious mischief, statutory rape, hit-and-run, assault, battery, or assault and battery.

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Chapter 6 : Lakota people - Wikipedia

We, the Sioux Indians of the Cheyenne River Reservation in the State of South Dakota in order to establish our tribal organization, to conserve our tribal property, to develop our common resources, to establish justice, and to promote the welfare of ourselves and our descendants, do hereby order and establish this constitution and by-laws for our tribal council as a guide to its deliberations.

History[edit] The people of the Crow Creek Sioux Tribe are mostly descendants of the Mdewakanton Dakota Tribe of south and central Minnesota, who settled on the reservation after escape or exile from Minnesota following the Dakota War of 1862 in Minnesota. Some Yankton and lower Yanktonai Dakota also reside on the reservation. Although considered to be a part of the Great Sioux Reservation by some writers, the Crow Creek Reservation, established in 1875, has always been separate. The reservation originally included bottom lands along the Missouri, which had been farmed previously by Mandan and Arikara , and others prior to these tribes. The peoples were decimated in smallpox and other epidemics in the 18th century. Today several former Mandan and Arikara villages are archaeological sites located within the Crow Creek Reservation. Within the reservation are two pre-contact archeological sites that have been designated as National Historic Landmarks. Fort Thompson Mounds is an archeological site from c. 1000 AD. The Crow Creek Massacre Site has revealed evidence of fierce conflict between Native American cultures about AD 1300, likely when they were competing for resources at a time of climate and habitat change. Loss of the most productive, fertile bottomlands worsened the economic conditions in the area. Allotment and land sales reduced the amount of land in both tribal and Indian ownership, and the size of the Reservation was reduced by governmental action between its establishment in 1875 and modern times. The reservation, and the Crow Creek Sioux Tribe, is organized into three districts. The reservation is located southeast of Pierre and north of Chamberlain. In 1908 a monument was dedicated at Big Bend Dam. The Spirit of the Circle Monument honors the more than 1,000 people who died of malnutrition and exposure over a three-year period in the 1860s at the reservation following the forcible removal of the Santee Dakota to this site, which resulted from their defeat in the Dakota War of 1862. Central Enrolled members living on reservation: None; Constitution and Bylaws: April 26, 1875, Name of Governing Body: The Chairman is elected at large by all districts. If terms of office are staggered: No Number of Election districts or communities: Howe was born on the Crow Creek Reservation. Throughout his life, he received many honors, including the title Artist Laureate of South Dakota. Howe created a legacy of cultural heritage and pride. She is the author of two novels and a collection of short stories. She is also a traditional dancer on the powwow circuit. Cook-Lynn grew up on the Crow Creek Reservation. Crow Creek is where Shawn Hawk , world-rated professional boxer, has some roots. Ashley died at 99 in November, 1999. He had an extensive knowledge of Native American laws and treaties, as well as the Sioux language. Ashley helped in developing the constitution by-laws red book that the Crow Creek Sioux Tribe uses today.

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Chapter 7 : Crow Creek Indian Reservation - Wikipedia

Constitution and By-laws of the Cheyenne River Sioux Tribe, South Dakota: Approved December 27, [Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota.; United States.

History[edit] Scenes of battle and horse raiding decorate a muslin Lakota tipi from the late 19th or early 20th century Siouan languages speakers may have originated in the lower Mississippi River region and then migrated to or originated in the Ohio Valley. They were agriculturalists and may have been part of the Mound Builder civilization during the 9th–12th centuries CE. Conflicts with Anishnaabe and Cree peoples pushed the Lakota west onto the Great Plains in the mid- to late 19th century. After their adoption of horse culture , Lakota society centered on the buffalo hunt on horseback. The total population of the Sioux Lakota, Santee , Yankton , and Yanktonai was estimated at 28, by French explorers in 1794. The Lakota population was first estimated at 8, in 1794, growing steadily and reaching 16, in 1805. The Lakota were, thus, one of the few Native American tribes to increase in population in the 19th century. The large and powerful Arikara , Mandan , and Hidatsa villages had long prevented the Lakota from crossing the Missouri. However, the great smallpox epidemic of 1837 destroyed three-quarters of these tribes. The Lakota crossed the river into the drier, short-grass prairies of the High Plains. In 1805, the Lakota defeated the Cheyenne , who had earlier taken the region from the Kiowa. Lakota bands refused to allow the explorers to continue upstream, and the expedition prepared for battle, which never came. The Cheyenne and Lakota had previously attacked emigrant parties in a competition for resources, and also because some settlers had encroached on their lands. The United States government did not enforce the treaty restriction against unauthorized settlement. Lakota and other bands attacked settlers and even emigrant trains, causing public pressure on the U. Army to punish the hostiles. Harney avenged the Grattan Massacre by attacking a Lakota village in Nebraska , killing about 100 men, women, and children. A series of short "wars" followed, and in 1862, as refugees from the " Dakota War of " in Minnesota fled west to their allies in Montana and Dakota Territory. Increasing illegal settlement after the American Civil War caused war once again. The Black Hills were considered sacred by the Lakota, and they objected to mining. Between 1876 and 1881 the U. Army fought the Lakota and their allies along the Bozeman Trail over U. Forts built to protect miners traveling along the trail. Four years later gold was discovered there, and prospectors descended on the area. The attacks on settlers and miners were met by military force conducted by army commanders such as Lieutenant Colonel George Armstrong Custer. Their victory over the U. Army would not last, however. Congress authorized funds to expand the army by 2,000 men. The Lakota were eventually confined onto reservations, prevented from hunting buffalo and forced to accept government food distribution. Oglala Sioux tribal flag In 1868, some of the Lakota bands signed a treaty that ceded the Black Hills to the United States; however, the nature of this treaty and its passage were controversial. The number of Lakota leaders that actually backed the treaty is highly disputed. Low-intensity conflicts continued in the Black Hills. Today, the Lakota are found mostly in the five reservations of western South Dakota: United States[edit] Legally [18] and by treaty a semi-autonomous "nation" within the United States, the Lakota Sioux are represented locally by officials elected to councils for the several reservations and communities in the Dakotas, Minnesota, Nebraska. They are represented on the state and national level by the elected officials from the political districts of their respective states and Congressional Districts. Each reservation has a unique local government style and election cycle based on its own constitution [20] [21] or articles of incorporation. Most follow a multi-member tribal council model with a chairman or president elected directly by the voters. Tribal governments have significant leeway, as semi-autonomous political entities, in deviating from state law e. They are ultimately subject to supervisory oversight by the United States Congress [18] and executive regulation through the Bureau of Indian Affairs. The nature and legitimacy of those relationships continue to be a matter of dispute. They are recognized as First Nations but are not considered "treaty Indians". However, as they are not recognized as treaty Indians, they did not participate in the land settlement and natural resource

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revenues. Republic of Lakotah Mildred "Midge" Wagner, a Lakota woman, singing at a pow wow in There have been numerous actions, occupations, and proposed independence movements, led by a variety of individuals and coalitions. In , the Supreme Court decided in *United States v. The Sioux* have refused the money, because accepting the settlement would legally terminate their demands for return of the Black Hills. The money remains in a Bureau of Indian Affairs account, accruing compound interest. Several tribal governments - elected by the tribes themselves - issued statements distancing themselves from the independence declaration, with some saying they were watching the independent movement closely.

Ethnonyms[edit] The name Lakota comes from the Lakota autonym, Lakota "feeling affection, friendly, united, allied". The early French historic documents did not distinguish a separate Teton division, instead grouping them with other "Sioux of the West," Santee and Yankton bands. This term was used to refer to the Lakota by non-Lakota Sioux groups. Lakota Beaded Saddle Belt, made c. However, some tribes have formally or informally adopted traditional names: The alternate English spelling of Ogallala is deprecated, even though it is closer to the correct pronunciation. The Lakota have names for their own subdivisions.