

APPENDIX A

HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

- Section 1. Historic Constitution, November 10, 1958
- Section 2. Historic Constitution, December 21, 1949
- Section 3. Historic Constitution, June 18, 1934
- Section 4. Historic Constitution, 1908

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APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

Section 1. Historic Constitution, November 10, 1958

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
AMENDED
CONSTITUTION AND BYLAWS
OF THE
PUEBLO OF LAGUNA
IN NEW MEXICO
EFFECTIVE NOVEMBER 10, 1958
UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1959
**AMENDED CONSTITUTION AND BYLAWS OF THE
PUEBLO OF LAGUNA, NEW MEXICO**

PREAMBLE

In 1863, Abraham Lincoln, President of the United States of America, recognized and confirmed the right of the Pueblo of Laguna to govern itself, and solemnly pledged the full faith of the United States of America that the customs and land rights of said Pueblo, and the liberties and religious of its members, should forever be protected by the United States of America and forever remain inviolate. As evidence of said recognition, confirmation, and solemn pledge, our beloved President Abraham Lincoln, gave the then Governor of the Pueblo a cane, which has in the course of years become the staff and symbol of the Office of Governor of said Pueblo.

Now, therefore, we the people of the Pueblo of Laguna, New Mexico, in order to establish justice, to preserve and protect our Pueblo self-government and our rights, liberties, benefits, and customs, and to protect our common welfare, do ordain and establish this Constitution of the Pueblo of Laguna.

ARTICLE I-JURISDICTION

This Constitution shall apply within the exterior boundaries of the Pueblo of Laguna Grant, and of such other lands as are now or may in the future be under the jurisdiction of, or used under proper authority by, the Pueblo of Laguna. This Constitution shall apply to and be for the benefit and protection of all persons who are now or may become in the future members of the Pueblo of Laguna.

ARTICLE II-MEMBERSHIP

Section 1. Qualifications.

The membership of the Pueblo shall consist of the following persons provided they have not renounced or do not hereafter renounce such membership by joining another tribe or

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otherwise, and provided further, that any person 21 years of age or over, living on the date of the approval of this revised Constitution, shall not be entitled to membership unless enrolled or unless application for enrollment has been filed within one year from the approval of this revised Constitution in the manner to be prescribed by ordinance of the Council, except as hereinafter provided in subsection (e) of this Section.

- (a) All persons of any Indian blood whose names appear on the 1940 United Pueblos Agency census roll for the Pueblo of Laguna as enrolled members: provided that any person of one-half or more Laguna blood whose name the Council finds to have been erroneously omitted from said roll be added to it upon application by such person within one year from the approval of this revised Constitution, in the manner to be prescribed by ordinance of the Council. Any such addition shall have the effect of recognizing such person's membership from birth. Application for recognition of membership may also be filed on behalf of a deceased person, if done for the purpose of establishing membership rights under subsections (b), (c), or (d) of this Section.
- (b) All persons born since the 1940 census whose mother and father are both members of the Pueblo of Laguna.
- (c) All persons of one-half or more Indian blood borne after the 1940 census but prior to the approval of this revised Constitution whose mother or father is a member of the Pueblo of Laguna.
- (d) All persons of one-half or more Laguna Indian blood born after approval of this revised Constitution:
 - (1) Whose mother is a member of the Pueblo of Laguna; or
 - (2) Whose father is a member of the Pueblo of Laguna, provided the child is born in wedlock.
- (e) Provided that the persons referred to in subsections (b), (c), (d)(1), and (d)(2), above, shall not be entitled to membership in the Pueblo unless enrolled or unless application for enrollment has been made by their parent, parents, or other persons for them, or by themselves, prior to their 22nd birthday; provided further, that all such, persons shall have at least one year from the date of approval of this revised Constitution in which to enroll themselves or make application for enrollment as members of the Pueblo, in the manner to be prescribed by ordinance of the Council.
- (f) All persons naturalized as members of the Pueblo of Laguna, provided that a person who has no Indian blood shall never be naturalized.

SEC. 2. Determination of Qualifications.

The Council shall by ordinance prescribe procedures for the determination, or renunciation of membership pursuant to Section I of this Article. All determinations made in accordance with such procedures shall be final.

APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

SEC. 3. Observance of Pueblo Constitution and Laws.

All members of the Pueblo of Laguna and all other persons who are permitted to live on the reservation of the Pueblo by the proper officers of the Pueblo shall be governed by this Constitution, the Bylaws and all ordinances, customs, and regulations of the Pueblo as the same now exist or are hereafter altered, and as interpreted by the proper officers of the Pueblo. Non-members of any Indian blood may be permitted to live on the lands of the Pueblo only if they agree in writing to be governed in this way. Non-Indians may be permitted to live upon the lands of the Pueblo only if they receive written authorization from the Council and only on such terms and conditions as the Council may prescribe, but a non-Indian may not, without his consent, be subject to any punishment by the Pueblo other than expulsion for failure to abide by his written promise.

SEC. 4.

Every member of the Pueblo of Laguna shall be entitled to an equal share in per capita distribution, provided that no right to a share shall vest in such member unless such member is an enrolled member on the date such per capita distribution is declared by Council ordinance, except as provided in Article VIII, Section 3 of the Bylaws.

ARTICLE III-ORGANIZATION AND ELECTION OF THE PUEBLO COUNCIL AND STAFF OFFICERS

SECTION 1. Council.

The governing power of the Pueblo of Laguna shall be vested in the Pueblo Council. The Council shall be composed of the following persons:

- (a) One Governor.
- (b) One First Lieutenant Governor.
- (c) One Second Lieutenant Governor.
- (d) One Head Fiscale.
- (e) One First Fiscale.
- (f) One Second Fiscale.
- (g) One Treasurer.
- (h) One Secretary.
- (i) One Interpreter.
- (j) The representative or representatives of the respective villages of the Pueblo of Laguna who shall in the customary manner or as provided by the Council be selected by said villages as representatives of each of said villages.
- (k) Such other persons as the Pueblo Council may appoint or recognize as members of the Council.

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SEC. 2. Other Officers.

The Pueblo shall also have the following officers:

- (a) One Captain of War.
- (b) One First Lieutenant of War.
- (c) One Second Lieutenant of War.

None of the officers named in this Section shall be members of the Council.

SEC. 3. Staff Officers.

The Governor, the First Lieutenant Governor, the Second Lieutenant Governor, the Head Fiscale, the First Fiscale, and the Second Fiscale shall serve as the governing officers of the six Laguna villages and with the Secretary, the Treasurer and the Interpreter shall constitute the Staff Officers of the Pueblo. Not more than one Staff Officer (other than the Secretary, Treasurer and the Interpreter) shall come from the same village of the Pueblo of Laguna. The Secretary, the Treasurer, the Interpreter, and the officers not on the staff may come from any village or villages.

SEC. 4. Villages of Laguna.

The recognized villages of the Pueblo of Laguna are:

- (a) Laguna, which is and shall continue to be the capital of the Pueblo of Laguna.
- (b) Paquate.
- (c) Casa Blanca and Paraje.
- (d) Seama.
- (e) Encinal.
- (f) Mesita.

The settlements of Laguna Indians at Gallup and Albuquerque, New Mexico, at Winslow, Arizona, and at Barstow and Richmond, California are hereby recognized as settlements but not villages of Laguna Indians. Additional settlements may hereafter be recognized upon a petition signed by one-third of the adult members of any off-reservation community of Laguna Pueblo Indians presented to and approved by the Council. Settlements shall not be entitled to have a member among the Staff Officers except as hereafter authorized by the Council.

SEC. 5. Calling Council Meetings.

Within a reasonable time before each Council meeting, the Staff Officers shall call from each of the recognized villages of the Pueblo a representative or representatives to said Council meetings from each of said recognized villages. In matters of grave importance or matters which affect the recognized settlements, the Staff Officers shall call a delegate or delegates from each settlement affected. The Council shall be the judge of the qualifications of its own members.

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SEC. 6. Voting in Council.

At all Council Meetings, the Staff Officers and the representative or representatives from each of the villages of the Pueblo of Laguna, and any delegate or delegates from the settlements of the Pueblo of Laguna who may have been called by the Staff Officers to any meeting, shall each be entitled to one vote upon all questions submitted at said Council meeting. In all questions before the Council, a majority vote of those members of the Council present shall decide the question. A majority of the Council shall constitute a quorum. The number of representatives to be selected from each village or settlement shall be determined exclusively by the Staff Officers, whose decisions in the matter shall be final.

SEC. 7. Elections.

Nominations and election of all officials of the Pueblo of Laguna shall be held in accordance with the customs and the ordinances of the Pueblo.

SEC. 8. Who May Vote.

All members of the Pueblo 18 years or more of age who understand the nature of the proceedings shall have the right to vote at all Pueblo elections. Eligibility of any person to vote, in the event of dispute, shall be determined by the method prescribed by the Council.

SEC. 9. Term of Office.

Officers elected shall serve until the next annual election or until their successors have qualified. The Governor shall not serve more than three successive terms in office. The Secretary and Treasurer shall not serve more than four successive terms in office. All other elected officers shall not serve more than two successive terms in office.

ARTICLE IV-THE PUEBLO COUNCIL AND ITS POWERS

SECTION 1. Legislative Power.

The legislative Power shall be vested in the Pueblo Council, and the said power shall be exercised in accordance with the Constitution and laws of the United States applicable to Indians or Indian Tribes.

The Pueblo Council shall have the following rights and powers:

- (a) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior, so long as such approval is required by Federal Law.
- (b) To prevent the sale, disposition, lease or encumbrance of Pueblo lands, interests in lands, or other Pueblo assets; to execute leases, contracts and permits, provided that where the leasing or encumbering of Pueblo land is involved, the approval of the Secretary of the Interior shall be required.

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- (c) To negotiate with the Federal, State, and local governments, and with the Councils and governing authorities of other Pueblos or Indian Tribes.
- (d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Pueblo prior to the submission of such estimates or projects to the Bureau of the Budget and to Congress.
- (e) To enact ordinances to:
 - (1) establish and govern the procedure of a Pueblo Court subject to the provisions of Article V of this revised Constitution.
 - (2) provide for the maintenance of law and order within the Pueblo by enacting ordinances and resolutions governing personal, conduct, subject to Secretarial approval.
 - (3) govern the civil rights and liabilities and domestic relations of Pueblo members and their families within the Pueblo.
 - (4) levy and collect taxes and raise revenue.
 - (5) regulate trade, inheritance, land holdings, and private dealings in land among members within the Pueblo.
 - (6) set up a procedure for naturalization and the determination of membership.
 - (7) establish and operate business or civic enterprise on behalf of the Pueblo and to provide for the management of any, such enterprises.
 - (8) protect public health.
 - (9) equally provide for the welfare of the Pueblo.
- (f) To fix salaries of Pueblo officers and employees; to appropriate and expend available funds of the Pueblo for health and education (including scholarships), salaries and expenses of Pueblo officers and employees, and for public purposes, including (relief of members of the Pueblo, contributions to clarity and) per capita payments to members of the Pueblo; Provided, that with the exception of the initial distribution, the amount distributed per capita in any one year shall not exceed one-half of the net income (including income from minerals) received during the preceding Pueblo fiscal year.
- (g) To regulate the nomination and election of officers, and to prescribe methods for determining eligibility to vote.
- (h) To appoint committees, boards, officials and employees not otherwise provided for in this Constitution, provided that all such appointments shall be by resolutions specifying authorities delegated.
- (i) To operate a loan program for the purpose of making loans to members from the Pueblo funds either under the laws of the State of New Mexico or regulations proved by the Secretary.

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SEC. 2. Delegated Powers.

The Council may exercise such further powers as may be delegated to the Pueblo by the Secretary of the Interior or by any other governmental official or agency.

ARTICLE V—JUDICIAL SYSTEM

SECTION 1. Judicial Power.

Judicial power shall be vested in a Pueblo Court. The Court shall consist of such number of judges as the Council may from time to time provide. Judges shall be appointed by the Council.

SEC. 2. Jurisdiction.

The Court shall have jurisdiction over all disputes between Indians on the reservation, over grievances or claims of Indians against the Pueblo, and over such disputes between Indians and non-Indians as may be brought before the Court by stipulation. Any dispute existing or arising between or among persons in any of the villages which cannot be settled by the parties affected shall be first brought before the village Staff Officer, who shall try to have the parties settle the matter by giving his advice. If the interested parties cannot, with the advice of the Staff Officer, adjust the matter in dispute, the matter shall be submitted to the Pueblo Court.

SEC. 3.

The Court shall have jurisdiction over such offenses not falling within the jurisdiction of the Federal Courts, as may be enumerated by ordinances of the Pueblo.

SEC. 4.

The duties and procedure of the Court and the tenure and salary of the judges shall be such as the Council may provide by ordinance. Before expiration of the terms for which appointed, a judge shall not be removed from office except for cause.

SEC. 5.

Parties shall be afforded the right to have the assistance of a next friend in all matters brought before the Court, but shall not have the right to be represented by an attorney at law unless rules have been adopted by the Council permitting such representation and prescribing the conditions under which attorneys at law may practice before the Court.

SEC. 6.

If any party shall be dissatisfied with the judgment of the Pueblo Court, said person may appeal in accordance with procedures prescribed by ordinance.

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ARTICLE VI-THE GOVERNOR, HIS POWERS AND DUTIES

SECTION 1. Executive Head.

The Governor shall be the executive head of the Pueblo, and his lawful orders must be obeyed and respected by all the members and other who reside within the exterior boundaries of the Pueblo. In the event of his absence from the Pueblo or in the event of his inability to perform his duties, the First Lieutenant Governor shall act in his stead. In the absence or inability to act of both the Governor and the First Lieutenant Governor, the officer next in line of preference then present in the Pueblo and able to act shall act in the Governor's stead.

SEC. 2. Conduct of Meetings.

It shall be the duty of the Governor to assume complete charge of all the meetings and to see that perfect order is preserved. In the discussion of business only one person at a time shall be allowed to speak. When anyone wishes to speak he shall first ask permission of the Governor to do so before proceeding.

SEC. 3. Right of Protest.

Any person who believes that a ruling of the Governor is unjust and that he is being imposed upon by the Governor's orders, shall act as ordered under protest, and he shall then have the right to demand that the matter be brought before the Pueblo Court for adjudication.

SEC. 4. Meeting of General Pueblo.

In special matters of business in which all of the people are equally concerned, the Governor shall send a request to all the members of the Pueblo for their presence when such business is to be transacted. Notice of such general meeting shall be posted in such public places as the Council may by ordinance provide.

SEC. 5. Summoning Council.

The Governor shall have the right to summon any or all the Council members to be present at any of the staff meetings when in his opinion any such member's presence is especially needed, and in case any one of them cannot come when summoned he shall furnish his reasons to the Governor, who shall excuse him without a fine if his reasons are justifiable.

SEC. 6. Disposal of Business.

It shall be the duty of the Governor to see that all unfinished business on hand is disposed of, if possible, before the end of the month in which the business is presented.

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ARTICLE VII-LAND ASSIGNMENT AND LAND LEASING

SECTION 1. Obtaining Use of Land.

When any qualified member of the Pueblo of Laguna desires a piece of unoccupied Pueblo land, he shall select his land and make his application to the mayordomo of the village, who shall take the matter up with the village officer who in turn shall discuss the matter with the Council. If the application is approved by the Council the officer and the mayordomo shall stake out the boundaries for the applicant and shall give him a written assignment describing the land and stating the terms or conditions on which it is assigned. A copy of such assignment shall be retained for the Pueblo records. Assignments may be made conditional on the assignee's making certain improvements within a stated period or on other conditions. The assignee shall then have three years within which to improve and make use of his assignment. Upon failure to improve or make use of the assignment within the three-year period following the approval thereof, or upon failure to make use of the assignment for any period of three successive years, the Council may dispossess the applicant. The Council may otherwise dispossess the applicant in accordance with, or for, violation of this Constitution or the laws of the Pueblo, or for violation of conditions. If at any time an assignment has been abandoned, it may be cancelled by the Council. The Council shall have the duty to provide a system for the recording of all land assignments, and shall have power to regulate the granting of such assignments.

SEC. 2. Qualifications.

The Council shall be the sole judge of the qualifications of any member to receive the use of any Pueblo lands, and to continue in possession of such lands.

SEC. 3. Acreage Limitation.

No member shall be entitled to hold an assignment or assignments of the Pueblo lands in excess of an acreage limitation fixed by the Council.

SEC. 4. Eminent Domain.

When in the public interest and upon payment of just compensation for the improvements placed thereon, the Council shall have the authority to dispossess any member from his assignment, or a portion thereof. In the event of disagreement between the member and the Council as to the value of the improvements, the matter shall be decided finally by the Pueblo Court.

SEC. 5. Full Possession.

The right of full possession shall be guaranteed to any member of the Pueblo holding lands the use of which has been assigned to him by the officers for cultivation or other purpose. The Council shall have power to regulate, limit or prohibit the transfer, during lifetime or on death, and the renting or leasing of assigned lands. No member holding said lands shall rent or lease

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same to any person not a member of the Pueblo without first getting authority from the Council. In no event shall any member be authorized to lease or rent the use of his land to a person not a member of the Pueblo if any member of the Pueblo needs such land. The Council shall be the judge of whether any member of the Pueblo needs such land. No assignments shall be cancelled or terminated except under provisions of Section 4 of this Article or for cause and upon payment of just compensation for any improvements made on the land.

SEC. 6. Non-Indians.

Non-Indians shall not be entitled to receive any Pueblo benefits and shall not be permitted to hold assignments of land or the use thereof, except as provided in Section 7 of this Article and except that the surviving non-Indian spouse of a member may continue to live on the land assigned to the member under terms and conditions prescribed by the Council.

SEC. 7. Leases.

No lease of land shall be given to any company, or corporation or to any non-member of the Laguna Pueblo who wishes to do business of any nature except by the decisions of the Pueblo Council assembled for the purpose. Then the Council shall have the power to execute such lease, and there must be a written agreement signed by the Governor, two members of the Council and the lessee; otherwise, such lease shall be null and void.

SEC. 8. Minerals.

All minerals, in, on or under any lands under the jurisdiction of the Pueblo are and shall continue to remain the property of the Pueblo of Laguna and not of the person having the right to use or hold the surface of the land in, on or under which such minerals may exist or be found. The Council shall have the power to authorize removal of any such minerals with the approval of the Secretary of the Interior so long as his approval is required by law. All proceeds derived from the removal of any minerals shall be placed in the general Pueblo treasury to be expended as authorized by this revised Constitution. Any mining lease shall provide that the lessee shall compensate the Pueblo for any injury to the improvement or occupancy of any lands assigned to individuals under this Article caused by the use of the surface by the lessee. Compensation so received shall be paid over to such individual so injured.

ARTICLE VIII-RIGHTS OF MEMBERS

SECTION 1. Rights of Each Member of Pueblo.

Each member of the Pueblo of Laguna is hereby assured of his rights as a citizen of the United States and no attempt shall be made by the Council or the officers of the Pueblo to enforce any order which shall deprive him of said rights.

SEC. 2. Religious Toleration.

All religious denominations shall have freedom of worship in the Pueblo of Laguna, and each member of the Pueblo shall respect the other members' religious beliefs.

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ARTICLE IX-LIQUIDATION

SECTION 1. Liquidation.

No liquidation of the assets of the Pueblo or dissolution of the Pueblo shall be effectuated except upon affirmative vote of at least 2/3 of all members of the Pueblo entitled to vote at the election called for that purpose.

ARTICLE X-AMENDMENTS

This Constitution and Bylaws may be amended by a majority vote of the members of the Pueblo 21 years of age or over voting in an election called for that purpose by the Secretary of the Interior, provided that at least 30 percent 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 to call an election on any proposed amendment at the request of a majority of the Council or upon receipt of a petition signed by at least one-fifth of the eligible voters.

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BYLAWS OF THE PUEBLO OF LAGUNA

ARTICLE I-COUNCIL PROCEDURE

SECTION 1. Oath.

Each officer shall upon election take oath to support the Constitution of the United States and of the Pueblo and faithfully to discharge his duties as such an officer, and shall pledge allegiance to the Pueblo and to the United States of America.

SEC. 2. Attendance of Meetings.

All Staff Officers and members of the Council shall be required to be present at all meetings of the Staff Officers or of the Council respectively. Should any such official find it impossible to attend any meeting, he must notify the Governor, giving his reasons, and send a substitute in his place. If such official is absent and has not given the Governor reasons for absence, or if the reasons are not acceptable to the Governor, the absent official shall be fined fifty cents (\$0.50) or such higher sum as may be fixed by the Pueblo Council which shall be paid into the Pueblo funds. If a substitute is sent by an official who has given no reason for his absence or whose reasons for absence are not accepted as an excuse, those present at the meeting shall decide whether the substitute may act.

SEC. 3. Voting of Staff—Quorum.

A simple majority shall constitute a quorum; a quorum being present, a majority vote of those present and eligible to vote upon any matter shall decide the matter, unless otherwise provided in the Constitution.

ARTICLE II-DUTIES AND POWERS OF THE SECRETARY AND OF THE TREASURER

SECTION 1. Secretary.

The Secretary shall perform the customary functions of his office and such other duties as the Council may from time to time provide.

SEC. 2. Treasurer.

The Treasurer shall perform the customary functions of his office and such other duties as the Council may from time to time provide. The Treasurer shall, at Pueblo expense, at all times be required to furnish a bond in an amount satisfactory to the Council.

ARTICLE III-DUTIES AND POWERS OF THE WAR CAPTAIN, THE FIRST
AND SECOND LIEUTENANTS OF WAR

SECTION 1.

The War Captain and the First and Second Lieutenants of War shall be elected in the customary manner and shall perform the traditional duties and functions of their offices.

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ARTICLE IV-THE INTERPRETER AND HIS DUTIES

SECTION 1.

It shall be the duty of the Interpreter to do all necessary interpreting at all meetings, and to do any official interpreting outside of the meetings when requested by the Governor. It shall not be his official duty to interpret in private matters not concerning the Pueblo. He shall have such other duties as the Council may from time to time prescribe.

ARTICLE V-OBLIGATION OF STAFF OFFICERS

SECTION 1.

Each Staff Officer shall devote so much of his time to official duties as is necessary to diligently carry on the business of the Pueblo, for which each shall receive such compensation as the Council may from time to time provide.

ARTICLE VI-SELECTION, DUTIES AND POWERS OF MAYORDOMOS

SECTION 1.

Mayordomos shall be selected in the same manner as they have heretofore been chosen and shall have the duty of supervision over all community work and such other duties as the Council may from time to time provide.

ARTICLE VII-VILLAGE, OFFICERS SUBJECT TO GOVERNOR

SECTION 1. Supervision by Governor.

The officer in charge of a village of Laguna Pueblo is subject to the orders of the Governor. He shall give no orders to the people of his village without first submitting them to the Governor, unless he should have a standing order from the Governor to give certain orders or to perform certain duties whenever he deems it necessary.

SEC. 2. Emergency Exceptions.

All cases of emergency are excepted from the procedure in Section 1.

ARTICLE VIII-PUBLIC WORK AND ASSESSMENTS

SECTION 1. Public Work.

Each person over the age of eighteen and residing within the exterior boundaries of the Pueblo is required to perform community work in accordance with established ordinances and customs, unless excused therefrom by proper authority. All members of the Pueblo working under the supervision of the Governor or of any village officer or Mayordomo are required to

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obey orders of the supervising officer. If any person believes that an order is unjust he shall act as ordered under protest and he shall then have the right to demand that the matter be brought before the Governor for a ruling.

SEC. 2. Disobedience.

Since all public work first comes under the Governor, the Mayordomo and the other officers in charge of work shall use only reasonable methods of instruction and discipline and shall strive to have peace and harmony throughout the work. The mayordomo or other officer in charge shall have power to assess such fines as may be provided by ordinance for any disturbance or disobedience. The person fined may bring the matter before the Governor for a ruling if such person considers the treatment he has received as unfair, unjust or unreasonable.

SEC. 3. Assessments.

The Council shall have power to impose an annual assessment of a reasonable amount upon members who reside outside the exterior boundaries of the Pueblo and upon other members who do not perform community work. The Council may excuse defined classes of members from performance of community work and the payment of assessments. The manner and time of paying assessments shall be prescribed by the Council.

Persons who fail to pay assessments due shall not be members of the Pueblo in good standing. Members not in good standing shall not be entitled to any of the benefits accruing to membership in the Pueblo; upon payment of delinquent assessments, a person may be reinstated retroactively to good standing.

SEC. 4. Disability.

Any member may for physical disability, military service in the Armed Forces of the United States, or for such other reason as the Council may find sufficient, be excused from community work or from annual assessments. The Council shall be the sole judge of whether any person furnishes adequate reasons for being excused from said services or payments.

ARTICLE IX-VACANCIES AND REMOVAL

SECTION 1. Removal.

The Pueblo Council may by a majority vote remove any officer or any member of the Council for gross neglect of duty, or gross misconduct; Provided, that the accused shall be given an opportunity to answer any and all charges at a meeting held for that purpose. The decision of the Council shall be final.

SEC. 2. Vacancies.

The Pueblo Council shall fill vacancies caused by death, removal, resignation, or otherwise, such appointments to be in force and effect until the next annual election.

APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

CERTIFICATION OF RATIFICATION

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), the attached amended Constitution and Bylaws approved on May 29, 1958, by Roger Ernst, Assistant Secretary of the Interior was submitted for ratification to the adult Indians of the Pueblo of Laguna in New Mexico, and was on October 8, 1958, ratified by a vote of 1331 for, and 92 against, in an election in which at least 30 percent of those entitled to vote cast their ballots.

/s/ JAMES SOLOMON
Governor, Pueblo of Laguna

/s/ JOHN M. PINO, Jr.
Secretary, Pueblo of Laguna

Council

/s/ GUY C. WILLIAMS
*Superintendent, United Pueblos
Agency*

APPROVAL

I, ELMER F. BENNETT, Acting 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 I amending in its entirety the Constitution of the Pueblo of Laguna in New Mexico as adopted by Indians of the Pueblo of Laguna on December 5, 1949, and as approved by this Department on December 21, 1949.

All rules and regulations heretofore promulgated by the Interior Department or by the Bureau of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution are hereby declared inapplicable to the Pueblo of Laguna.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution. Approval recommended:

/s/ GLENN L. EMMONS
Commissioner of Indian Affairs

/s/ [SEAL]

/s/ ELMER F. BENNETT
Acting Secretary of the Interior

WASHINGTON, D.C.

November 10, 1958.

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APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

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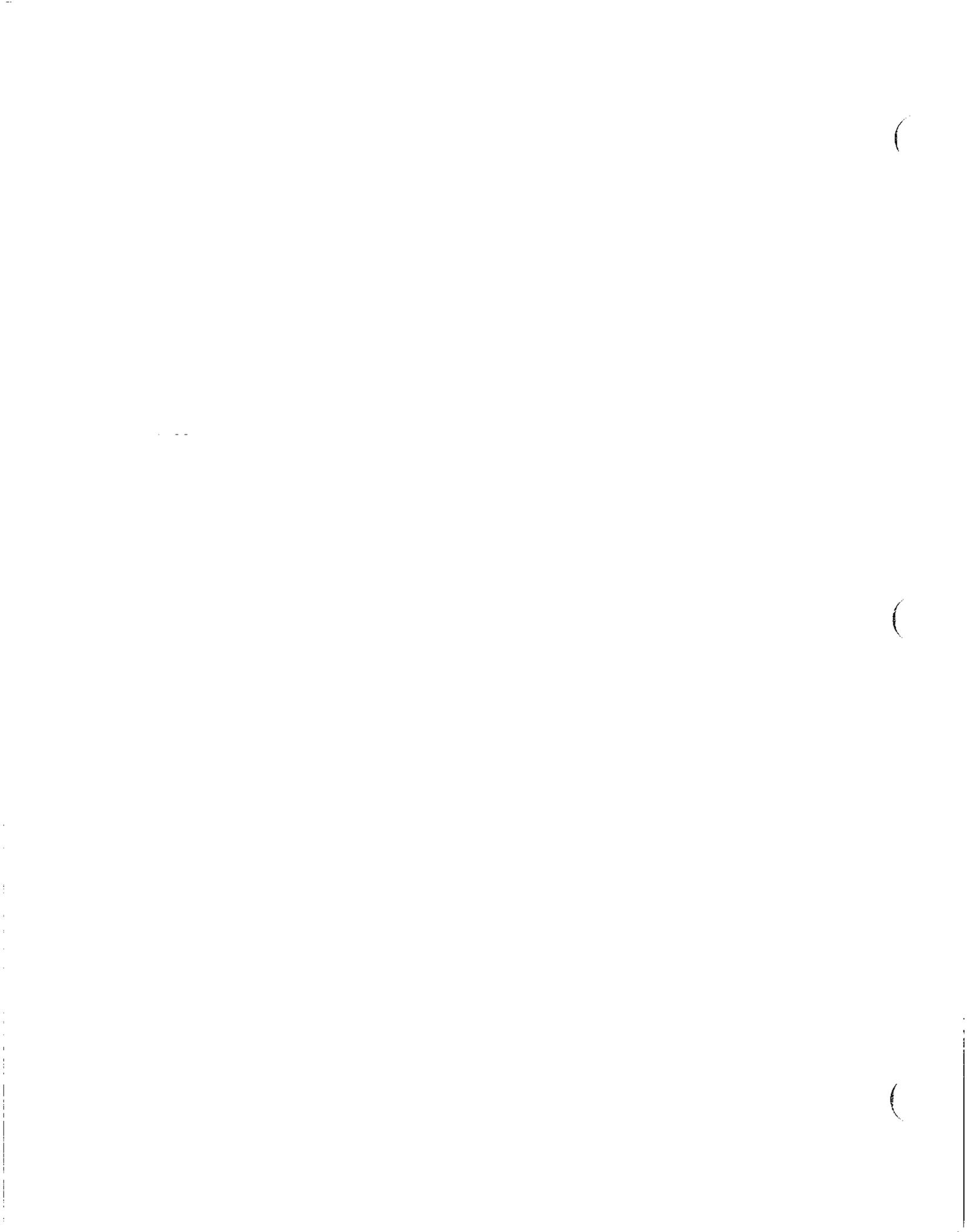
CONSTITUTION AND BY-LAWS
OF THE
PUEBLO OF LAGUNA
IN NEW MEXICO

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APPROVED DECEMBER 21, 1949



UNITED STATES
GOVERNMENT PRINTING OFFICE
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APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

Section 2. Historic Constitution, December 21, 1949

**CONSTITUTION AND BY-LAWS OF THE PUEBLO OF
LAGUNA IN NEW MEXICO**

PREAMBLE

In 1863, Abraham Lincoln, President of the United States of America, recognized and confirmed the right of the Pueblo of Laguna to govern itself, and solemnly pledged the full faith of the United States of America that the customs and land rights of said Pueblo, and the liberties and religions of its members, should forever be protected by the United States of America and forever remain inviolate. As evidence of said recognition, confirmation, and solemn pledge, our beloved President, Abraham Lincoln, gave the then Governor of the Pueblo a cane, which has in the course of years become the staff and symbol of the office of Governor of said Pueblo.

Now, therefore, we the people of the Pueblo of Laguna, New Mexico, in order to establish justice, to preserve and protect our Pueblo Self-Government and our rights, liberties, benefits, and customs, and to protect our common welfare, do ordain and establish this Constitution of the Pueblo of Laguna.

ARTICLE I—JURISDICTION

This Constitution shall apply within the exterior boundaries of the Pueblo of Laguna Grant, and of such other lands as are now or may in the future be under the jurisdiction of, or used under proper authority by, the Pueblo of Laguna. This Constitution shall apply to and be for the benefit and protection of all persons who are now or may become in the future members of the Pueblo of Laguna.

ARTICLE II—MEMBERSHIP

SECTION 1. Qualifications.

The membership of the Pueblo shall consist of the following persons:

- (a) All persons of Indian blood whose names appear on the Pueblo of Laguna census roll as of 1940: Provided, That within one year from the adoption and approval of this Constitution corrections may be made in said roll by the Pueblo Council with the approval of the Secretary of the Interior of the United States of America.
- (b) All children born since the 1940 census whose mother and father are both members of the Pueblo of Laguna.
- (c) All children born since the 1940 census whose mother or father is a member of the Pueblo of Laguna: Provided, Such child is of one-half or more Indian blood.
- (d) All persons naturalized as members of the Pueblo of Laguna.

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SEC. 2. Observance of Pueblo Constitution and Laws.

All members of the Pueblo of Laguna, all conditional members as defined by ordinance, and other persons who are permitted to live on the reservation of the Pueblo by the proper officers of the Pueblo shall be governed by this Constitution, the By-laws and all ordinances, customs, and regulations of the Pueblo, as the same now exist, or are hereafter altered, and as interpreted by the proper officers of the Pueblo. Conditional members and other persons shall be permitted to live on the lands of the Pueblo only if they agree in writing to be governed in this way; only non-Indians who marry a member of the Pueblo and who receive written authorization from the Staff Officers shall be permitted to live upon the lands of the Pueblo, except that a non-Indian may not, without his consent, be subject to any punishment other than expulsion for failure to abide by his written promise. Non-Indians shall never become members of the Pueblo of Laguna and shall never be entitled to any Pueblo benefits or land assignments, except as provided herein and in Article X, Section 2.

ARTICLE III—ORGANIZATION AND ELECTION OF THE PUEBLO COUNCIL AND STAFF OFFICERS

SECTION 1. Council.

The governing power of the Pueblo of Laguna shall be vested in the Pueblo Council. The Council shall be composed of the following persons:

- (a) One Governor.
- (b) One First Lieutenant Governor.
- (c) One Second Lieutenant Governor.
- (d) One Head Fiscale.
- (e) One First Fiscale.
- (f) One Second Fiscale.
- (g) One Secretary.
- (h) One Interpreter.
- (i) The representative or representatives of the respective villages of the Pueblo of Laguna who shall in the customary manner or as provided by the Council be selected by said villages as the representatives of each of said villages for each of the meetings of the Council of the Pueblo.
- (j) Such other persons as the Pueblo Council may appoint or recognize as members of the Council.

SEC. 2. Other Officers.

The Pueblo shall also have the following officers:

- (a) One Treasurer.

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- (b) One Captain of War.
- (c) One First Lieutenant of War.
- (d) One Second Lieutenant of War.

None of the officers named in this Section shall be members of the Council.

SEC. 3. Staff Officers.

The Governor, the First Lieutenant Governor, the Second Lieutenant Governor, the Head Fiscale, the First Fiscale, and the Second Fiscale shall serve as the governing officer of the six Laguna villages and with the Secretary and the Interpreter shall constitute the Staff Officers of the Pueblo. Not more than one Staff Officer (other than the Secretary and the Interpreter) shall come from the same village of the Pueblo of Laguna. The Secretary, the Interpreter, and the officers not on the staff may come from any village or villages.

SEC. 4. Villages of Laguna.

The recognized villages of the Pueblo of Laguna are:

- (a) Laguna, which is and shall continue to be the capital of the Pueblo of Laguna.
- (b) Pagate.
- (c) Casa Blanca.
- (d) Seana.
- (e) Encinal.
- (f) Mesita.

The settlements of Laguna Indians at Gallup, New Mexico, and at Winslow, Arizona, are hereby recognized as settlements but not villages of Laguna Indians. Additional settlements may hereafter be recognized upon a petition signed by $\frac{1}{3}$ of the adult males of any off-reservation community of Laguna Pueblo Indians presented to and approved by the Council. Settlements shall not be entitled to have a member among the Staff Officers, except as hereafter authorized by the Council.

SEC. 5. Calling Council Meetings.

Within a reasonable time before each Council meeting, the Staff Officers shall call from each of the recognized villages of the Pueblo a representative or representatives a delegates to said Council meetings from each of said recognized villages. In matters of grave importance or matters which affect the recognized settlements, the Staff Officers shall call a representative or representatives from each settlement affected. The Council shall be the judge of the qualifications of its own members.

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SEC. 6. Voting in Council.

At all Council meetings, the Staff Officers, and the representative or representatives from each of the villages of the Pueblo of Laguna, and any representative or representatives from the settlements of the Pueblo of Laguna who may have been called by the Staff Officers to any meeting, shall each be entitled to one vote upon all questions submitted at said Council meeting. In all questions before the Council, a majority vote of those members of the Council present shall decide the question. A majority of the Council shall constitute a quorum. The number of representatives to be selected from each village or settlement, and whether matters are of grave importance or affect any settlement shall be determined exclusively by the Staff Officers, whose decisions in the matter shall be final.

SEC. 7. Elections.

Nominations and election of all officers of the Pueblo of Laguna shall be held in accordance with the customs and ordinances of the Pueblo.

SEC. 8. Who May Vote.

Male members of the Pueblo 16 years or more of age who understand the nature of the proceedings shall be required to attend upon and vote at all annual elections of the officers, unless excused by the Governor. Pueblo members, living in recognized settlements, may vote by authorized representative or representatives. The Staff Officers shall determine eligibility of any person to vote in the event of dispute, and the decision of the Staff Officers shall be final.

SEC. 9. Term of Office.

Officers elected shall serve until the next annual election, and may serve not to exceed two successive terms in office.

ARTICLE IV—THE PUEBLO COUNCIL AND ITS POWERS

SECTION 1. Legislative Power.

The legislative power shall be vested in the Pueblo Council, and the said power shall be exercised in accordance with the Constitution and laws of the United States.

The Pueblo Council shall have the following rights and powers:

1. To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior, so long as such approval is required by Federal law.
2. To prevent the sale, disposition, lease, or encumbrance of Pueblo lands, interests in lands, or other tribal assets.
3. To negotiate with the Federal, States, and local governments, and with the Councils and governing authorities of other Pueblos or Indian Tribes.

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4. To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Pueblo prior to the submission of such estimates or projects to the Bureau of the Budget and to Congress.
5. To enact ordinances not inconsistent with the Constitution and laws of the United States and the Constitution and By-laws of the Pueblo of Laguna for the maintenance of law and order within the Pueblo; for the raising of revenue and the appropriation of available funds for Pueblo purposes, for the regulation of trade, inheritance, land-holding, and private dealings in land among members within the Pueblo; for the determination of membership; for the guidance of the officers of the Pueblo in all their duties; for the nomination and election of Staff and other officers of the Pueblo; and generally for the protection of the welfare of the Pueblo and for the execution of all other powers vested in the Pueblo by existing law: Provided, That any ordinance which directly affects persons who are not members of the Pueblo shall not take effect until it has been approved by the Secretary of the Interior or some officer designated by him.
6. To delegate any of the powers described in paragraphs 1, 2, 3, and 4 of this section to appropriate officers of the Pueblo, reserving the right to review any action taken by virtue of such delegated power.

ARTICLE V—JUDICIAL SYSTEM

SECTION 1. Jurisdiction.

Any dispute existing or arising between or among the people in any of the villages which cannot be settled by the parties affected shall be first brought before the Governor who shall try to have the parties settle the matter by giving his advice. If the interested parties cannot, with the advice of the Governor, adjust the matter in dispute, the matter shall be submitted to the Staff Officers, who shall decide the matter in the manner provided in this Constitution.

SEC. 2. Judicial Functions of Pueblo Staff Officers.

The Governor and the other Staff Officers shall constitute the Pueblo Court, and they shall have the power and duty to decide all cases, civil and criminal, that come before them over which they have jurisdiction. After the Staff Officers have examined all witnesses and ascertained full details of the case, and when, in their opinion, the case has been fully commented on, the Staff Officers shall retire to a private place to make their decision. The Governor shall not have the right to vote upon any decision, but it shall be the duty and privilege of the Governor to instruct the other Staff Officers regarding his views on the case before a vote is taken. If the Staff Officers cannot all agree on a decision, the case shall be decided by a standing vote of all of the Staff Officers, excepting the Governor, and the majority shall decide the matter. The Governor shall announce the decision so reached.

SEC. 3. Appeals.

If any litigant shall be dissatisfied with the judgment of the Staff Officers sitting as a court, said person shall have the right to submit the matter within thirty days after the decision has

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been made to the Governor of the Pueblo. If the Governor holds that in error of fact or of law has been made by the Staff Officers, or that the litigant has additional evidence which might change the result of the case, the Governor shall have the right to order the case submitted to the Council at its next regular meeting or at a special meeting to be called in the manner herein provided, if the Governor believes the matter is of sufficient importance. The Council shall then hear all of the evidence in the case, weigh it, apply the law as provided in this Constitution, and decide the case. A majority of the Council shall be sufficient to decide the case. The decision of the Council shall be final and it shall be announced by the Governor.

SEC. 4. Governing Laws.

All decisions shall be made in accordance with the laws of the United States applicable to the Pueblo of Laguna and in accordance with this Constitution and the By-laws, ordinances, customs, and usages of the Pueblo, civil and criminal, as interpreted by the Staff Officers. If none of the laws, rules, or customs specified in this section apply to the matter before the Staff Officers, the matter shall be decided in accordance with the laws of the State of New Mexico as they exist at the time of the decision.

Plaintiffs and defendants shall be afforded the right of counsel in all matters brought before the Staff Officers and the Council.

ARTICLE VI—THE GOVERNOR, HIS POWERS AND DUTIES

SECTION 1. Executive Head.

The Governor shall be the executive of the Pueblo, and his orders must be obeyed and respected by all the people. In the event of his expected absence from the Pueblo or in the event of his inability to perform his duties, he may appoint a member of the Council to act in his stand.

SEC. 2. Conduct of Meetings.

It shall be the duty of the Governor to assume complete charge of all the meetings and to see that perfect order is preserved. In the discussion of business only one person at a time shall be allowed to speak. When anyone wishes to speak he shall first ask permission of the Governor to do so before proceeding.

SEC. 3. Right of Protest.

Any person who believes that a ruling of the Governor is unjust and that he is being imposed upon by the Governor's orders, shall act as ordered under protest, and he shall then have the right to demand that the matter be brought before the Staff Officers for adjudication.

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SEC. 4. Meeting of General Pueblo.

In special matters of business in which all of the people are equally concerned, the Governor shall send a request to all the members of the Pueblo for their presence when such business is to be transacted. Notice of such general meeting shall be given in the manner fixed by the Governor.

SEC. 5. Summoning Council.

The Governor shall have the right to summon any of the Council to be present at any of the meetings when in his opinion any such member's presence is needed, and in case any one of them cannot come when summoned he shall furnish his reasons to the Governor, who shall excuse him without a fine if his reasons are justifiable.

SEC. 6. Necessity for Meetings.

The general Pueblo or the Council shall not be requested to appear unless their presence is absolutely necessary.

SEC. 7. Disposal of Business.

It shall be the duty of the Governor to see that all unfinished business on hand is disposed of, if possible, before the end of the month in which the business is presented.

ARTICLE VII—VILLAGE OFFICERS SUBJECT TO GOVERNOR

SECTION 1. Supervision by Governor.

The officer in charge of a village of Laguna Pueblo is strictly subject to the orders of the Governor. He shall give no orders to the people of his village without first submitting them to the Governor, unless he should have a standing order from the Governor to give certain orders or to perform certain duties whenever he deems it necessary.

SEC. 2. Emergency Exceptions.

All cases of emergency are excepted from the procedure provided in Section one.

ARTICLE VIII—PUBLIC WORK AND ASSESSMENTS

SECTION 1. Public Work.

Each male member of the Pueblo is required to perform community work in accordance with established ordinances and customs, unless excused therefrom by proper authority.

All members of the Pueblo working under the supervision of the Governor or of any village officer or major domo are required to obey the orders of the supervising officer. If any person believes that an order is unjust he shall act as ordered under protest and he shall then have the right to demand that the matter be brought before the Governor or the Staff Officers for adjudication.

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SEC. 2. Disobedience.

Since all public work first comes under the Governor, the major domo and the other officers in charge of work shall use only reasonable methods of instruction and shall strive to have peace and harmony through the work. The major domo has free power to assess the fine specified in the By-laws for any disturbance or disobedience. The person fined may bring the matter before the Staff Officers for final adjudication if such person considers the treatment he has received as unjust or unreasonable.

SEC. 3. Assessments of Non-Residents.

Each male member of the Pueblo not residing on the Reservation who wishes to remain a Member of the Pueblo must pay an annual assessment of \$1.50 each year, or such other reasonable amount as may be fixed by the Council, in the manner and at the time prescribed by the Council.

SEC. 4. Disability.

Any member under physical disability shall be exempt from community work and from any annual assessments. The Council shall be the judge of whether any person suffers sufficient physical disability to be exempt from said services and payments.

ARTICLE IX—RIGHTS OF MEMBERS

SECTION 1. Rights of Each Member of Pueblo.

Each member of the Pueblo of Laguna is hereby assured of his rights as a citizen of the United States, and no attempt shall be made by the Council or the officers of the Pueblo to enforce any order which shall deprive him of said rights.

SEC. 2. Religious Toleration.

All religious denominations shall have freedom of worship in the Pueblo of Laguna, and each member of the Pueblo shall respect the other members' religious beliefs.

ARTICLE X—LAND ASSIGNMENT AND LAND LEASING

SECTION 1. Obtaining Use of Land.

When any qualified member of the Pueblo of Laguna desires a piece of unimproved Pueblo land, he shall select his land and then make his application to the officer in charge of the village, who shall take the matter up with the major domo. If the application is approved, the officer and the major domo shall stake out the boundaries for the applicant. The grantee shall thereafter have the right to use said land, unless the officers dispossess him for violation of the constitution or laws of the Pueblo. The Council shall be the judge of the qualification of any members to receive the use of any Pueblo lands, and to continue in possession of such lands.

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SEC. 2. Non-Indians.

Non-Indians shall not be allowed to hold any land or the use thereof, except that the surviving non-Indian spouse of a member may continue to live on the land assigned to the member under terms and conditions prescribed by the Council.

SEC. 3. Leases.

No lease of land shall be given to any company, or corporation, or to any non-member of the Laguna Pueblo who wishes to do business of any nature except by the decisions of the Pueblo Council assembled for that purpose. Then the Council shall have the power to execute such lease, and there must be a written agreement signed by the Governor, the Council, and the lessee; otherwise, such lease shall be null and void.

SEC. 4. Full Possession.

The right of full possession shall be guaranteed to any member of the Pueblo holding lands the use of which has been granted to him by the officers for cultivation or other purposes; Provided, That no member holding said lands shall rent or lease same to any person not a member of the Pueblo without first getting proper authority from the Council. In no event shall any member be authorized to lease or rent the use of his land to a person not a member of the Pueblo if any member of the Pueblo needs such land. The Council shall be the judge of whether any member of the Pueblo needs such land.

SEC. 5. Minerals.

All minerals in, on, or under any lands under the jurisdiction of the Pueblo are and shall continue to remain the property of the Pueblo of Laguna and not of the person having the right to use or hold the surface of the land in, on, or under which such minerals may exist or be found. The Council shall have the power to authorize removal of any such minerals with the approval of the Secretary of the Interior as long as required by law and of the Pueblo, while all proceeds derived from the removal of any minerals shall, as rapidly as the law permits, be placed in the general Pueblo treasury to be used for the welfare and benefit of the general Pueblo. The occupant of any land in, on, or under which minerals exist and from which such minerals are removed shall be compensated by the person removing the minerals for any injury to his improvements and occupancy caused by the use of the surface of the land in removing such minerals. If the occupant of the surface and the person removing minerals cannot agree upon the amount of damage done, the amount thereof shall be fixed by the Staff Officers.

ARTICLE XI—Amendments

This Constitution and By-laws may be amended by a majority vote of the members of the Pueblo 21 years of age or over, voting in an election called for that purpose by the Secretary of the Interior, provided that at least 30 percent of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the

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Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment at the request of a majority of the Council or upon receipt of a petition signed by at least one-fifth of the eligible voters.

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BY-LAWS OF THE PUEBLO OF LAGUNA

ARTICLE I—COUNCIL PROCEDURES

SECTION 1. Oath.

Each officer shall upon election take oath to support the Constitution of the United States and of the Pueblo and faithfully to discharge his duties as such officer, and shall pledge allegiance to the Pueblo and to the United States of America.

SEC. 2. Attendance of Meetings.

All Staff Officers shall be required to be present at all meetings of the Staff Officers and of the Council. Should any Staff Officer find it impossible to attend any meeting, he must notify the Governor, giving his reasons, and send a substitute in his place. If a Staff Officers is absent and has not given the Governor reasons for absence, or if the reasons are not acceptable to the Governor, the absent Staff Officers shall be fined fifty cents (\$0.50) or such higher sum as may be fixed by Pueblo ordinance, which shall be paid into the Pueblo funds. If a substitute is sent by any Staff Officers who has given no reason for his absence or whose reasons for absence are not accepted as an excuse, the Staff Officers shall decide whether the substitute may act at the meeting.

SEC. 3. Voting of Staff—Quorum.

A majority of the Staff Officers shall constitute a quorum; a majority vote of the Staff Officers upon any matter shall decide the matter, unless otherwise provided in the Constitution.

ARTICLE II—DUTIES AND POWERS OF THE SECRETARY

SECTION 1. Assistance at Meetings.

The Secretary shall keep a record of all business transacted in Council, Staff and Pueblo meetings. At each Council, Staff, and Pueblo meeting he shall call the roll of the persons required or summoned to be present. At each Council meeting he shall read the minutes of the previous Council meeting, and the officers shall then decide whether the minutes should be approved as they stand. All persons present shall have the right to suggest corrections. When the minutes have been approved, the Secretary shall so mark them.

SEC. 2. Correspondence.

The Secretary shall attend to all official correspondence as directed by the Governor.

SEC. 3. Other Duties.

The Secretary shall have such other duties as the Council may hereafter provide.

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ARTICLE III—DUTIES AND POWERS OF THE TREASURER

It shall be the duty of the Treasurer to receive all money due to the Pueblo and to give a receipt for the same. He shall deposit the Pueblo money in a bank which shall be approved by the Pueblo Council. He shall keep a record in his books of all moneys received and paid out. Moneys of the Pueblo shall be paid by check signed by the Treasurer and countersigned by the Governor. No moneys shall be paid out unless the same have been authorized to be expended by the Council and vouchers for same have been signed by the Governor and the Secretary. At each regular meeting of the Pueblo Council, the Treasurer shall present a statement of receipts and disbursements made by him since the last regular meeting, and he shall submit to the Pueblo Council at each regular meeting all of his books and a statement of the financial condition of the Pueblo funds. The Treasurer shall be required to give a bond satisfactory to the Pueblo Council.

ARTICLE IV—DUTIES AND POWERS OF THE WAR CAPTAIN, THE FIRST AND SECOND LIEUTENANTS OF WAR

It shall be the duty of the War Captain and the First and Second Lieutenants of War to perform the traditional functions of their offices and such other duties as prescribed by the Governor.

ARTICLE V—DUTIES AND POWERS OF THE INTERPRETER

It shall be the duty of the Interpreter to do all necessary interpreting at all meetings, and to do any official interpreting outside of the meetings when requested by the Governor. It shall not be his official duty to interpret in private matters not concerning the Pueblo.

ARTICLE VI—LOANS FROM PUEBLO FUNDS

SECTION 1. Loans.

Loans from the local funds of the Pueblo are hereby prohibited, excepting that in cases where a most urgent and uncontrollable emergency arises affecting a member of the Pueblo, the matter of a loan shall have the wise and thoughtful consideration and decision of the Council.

ARTICLE VII—OBLIGATIONS OF STAFF OFFICERS

Each Staff Officer must devote his full time for at least nine months of each term of office to his official duties, and shall not during such period do any other work for compensation. Each Staff Officer shall have the privilege of engaging in work, other than his official duties, for compensation during three months of his term. Any Staff Officer who shall do work other than his official duties for compensation for more than three months, shall pay into the Pueblo funds \$1.50, or such larger sum as may be fixed by ordinance. Staff Officers shall not be

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exempt from community work. All assessments paid under this section shall be paid from the Pueblo Funds to the Major-domo of the village of which the Officer is a member, to compensate the major-domo for his services.

ARTICLE VIII—SELECTION, DUTIES AND POWERS OF MAJOR-DOMOS

SECTION 1. Selection.

Major-domos shall be selected in the same manner as they have heretofore been chosen.

SEC. 2. Duties and Powers.

The major-domo shall take charge of and direct all work on ditches, dams, and roads. He shall have the power to appoint some member to take care of the general stock while public work is being done under his supervision. At the commencement and at the conclusion of all public work of any nature done under his supervision the major-domo shall give a short address of encouragement and praise. All members must obey his orders while working under his supervision. No member shall leave the work until the major-domo has given the order to cease and until after the major-domo's brief talk has been completed. Violators of this section shall pay a fine of twenty-five cents (\$0.25), or such sum as may be fixed by ordinance. The major-domo shall have the authority to excuse a person from work if request is made and it is found by the major-domo that it is urgent and necessary that the applicant be excused. All requests to be excused must be made in person by the applicant before work commences except excuses based upon sickness or other urgent incident. The major-domo shall carefully consider all requests for absence whether made by the person seeking to be excused or, because of urgent reasons, by someone for him.

SEC. 3. Safety Measures.

The major-domo in charge, with his other officers, must use all precautions against accidents. They must arrange for some kind of quick conveyance so that any person injured on the job may be rushed to the doctor or nurse.

SEC. 4. Stock.

The major-domo shall take up all loose stock and arrange for their care, in accordance with the law of the Pueblo relating to trespassing and loose stock.

SEC. 5. Additional Duties and Powers.

The major-domo shall have such additional powers and duties as may be provided by the Council.

ARTICLE IX—RATIFICATION

This Constitution and By-laws, when adopted by a majority vote of the members of the Pueblo over 21 years of age voting in a special election called by the Secretary of the Interior,

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in which at least 30 percent of the eligible voters participate, shall be submitted to the Secretary of the Interior for his approval and shall be effective from the date of such approval.

CERTIFICATION OF ADOPTION

Pursuant to an order approved July 7, 1949, by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the Indians of the Pueblo of Laguna and was on December 5, 1949, duly adopted by a vote of 801 for, and 75 against, in an election in which over 30 percent 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).

/s/ JOHN C. SARRACINO,
Governor, Pueblo of Laguna.

/s/ GEO. K. PRADT,
*Acting Secretary, Pueblo of
Laguna.*

/s/ ERIO T. HAGBERG,
*Superintendent, United Pueblos
Agency.*

APPROVAL

I, William E. Warne, Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and By-laws of the Pueblo of Laguna, New Mexico.

All rules and regulations heretofore promulgated by the Interior Department or by the Bureau of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution and By-laws are hereby declared inapplicable to the Pueblo of Laguna.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

Approval recommended: December 19, 1949.

/s/ JOHN H. PROVINSE,
*Assistant Commissioner of In-
dian Affairs.*

[SEAL]

/s/ WILLIAM E. WARNE,
*Assistant Secretary of the Inte-
rior.*

WASHINGTON, D. C., December 21, 1949.

CONSTITUTION
OF THE
PUEBLO OF LAGUNA
NEW MEXICO

EFFECTIVE JUNE 6, 1984

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APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

Section 3. Historic Constitution, June 18, 1934

CONSTITUTION
PUEBLO OF LAGUNA

PREAMBLE

In 1863, Abraham Lincoln, President of the United States of America, recognized and confirmed the right of the Pueblo of Laguna to govern itself, and solemnly pledged the full faith of the United States of America that the customs and rights of said Pueblo, and the liberties and religions of its members, shall forever be protected by the United States of America and forever remain inviolate. As evidence of said recognition, confirmation, and solemn pledge, President Abraham Lincoln, gave the then Governor of the Pueblo of Laguna a cane, which is the staff and symbol of the office of the Governor of the Pueblo.

In 1908 the Pueblo of Laguna adopted its first written Constitution. It was replaced by a Constitution adopted under the provisions of the Act of Congress of June 18, 1934, known as the Indian Reorganization Act, which Constitution was approved by the Secretary of the Interior on December 21, 1949. That Constitution was then replaced by the Amended Constitution and Bylaws, approved November 10, 1958. It is now the consensus of the membership of the Pueblo of Laguna to adopt this Constitution for the Pueblo of Laguna.

Now, therefore, we the members of the Pueblo of Laguna, New Mexico, in order to establish justice, to preserve and protect our Pueblo self-government and our rights, including land and water rights, liberties, benefits, traditional practices and customs, and to protect our common welfare, do ordain and establish this Constitution of the Pueblo of Laguna.

ARTICLE I - JURISDICTION

Section 1. Jurisdiction.

This Constitution shall apply within the exterior boundaries of the lands of the Pueblo of Laguna and within such other lands as may in the future come under the jurisdiction of the Pueblo of Laguna. This Constitution shall be for the benefit and protection of all persons who are now or may become, in the future, members of the Pueblo of Laguna, and to all other persons who are now or may in the future, come under the jurisdiction of the Pueblo of Laguna.

Sec. 2. Observance of Pueblo Constitution and Laws.

All members of the Pueblo of Laguna and all other persons permitted to reside on the lands of the Pueblo, and all persons who enter upon the lands of the Pueblo, shall be governed by this Constitution, ordinances, customs, traditions and applicable laws.

Sec. 3. Non-members residing on Pueblo Land.

Non-members may reside on the lands of the Pueblo only with the written consent of the Pueblo Council and appropriate officials of the Pueblo. Any non-member who violates the

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Pueblo Constitution, ordinances, customs, traditions, and applicable laws protecting the lands or people of the Pueblo may be excluded from Pueblo lands in accordance with ordinances of the Pueblo, which shall provide for due process.

ARTICLE II - MEMBERSHIP

Section 1. Qualifications.

The membership of the Pueblo shall consist of the following persons; provided, that they have not renounced their membership or do not hereafter renounce their membership in the manner set forth in Section 2 of this Article:

- (a) All persons heretofore recognized as members of the Pueblo of Laguna pursuant to Article II, Section I, of the Amended Constitution and Bylaws of the Pueblo approved November 10, 1958 (the "1958 Constitution").
- (b) All persons qualified for membership in the Pueblo pursuant to Article II, Section 1, of the 1958 Constitution and the enrollment ordinances of the Pueblo, whose application for membership has not been finally determined on the effective date of this Constitution.
- (c) Any person of one-fourth ($\frac{1}{4}$) or more Laguna Indian blood born after January 1, 1940, but prior to the effective date of this Constitution; provided, that such person shall, within two (2) years of the effective date of this Constitution, file an application for membership pursuant to the ordinances of the Pueblo. A parent or legal guardian may file an application for membership on behalf of a minor.
- (d) Any person of one-fourth ($\frac{1}{4}$) or more Laguna blood born after the effective date of this Constitution; provided, that such person shall not be entitled to membership in the Pueblo unless application for enrollment has been made by the parent, parents, or other person for him or her within two (2) years following his or her date of birth.
- (e) All persons who are naturalized as members pursuant to ordinances of the Pueblo. Such ordinances shall prescribe the conditions, limitations, and benefits of said naturalized membership status. Only the following persons shall be eligible for naturalization:
 - (1) Persons of at least one-half ($\frac{1}{2}$) degree of Indian blood of federally recognized tribes who possess at least one-eighth ($\frac{1}{8}$) degree of Laguna Indian blood.
 - (2) Persons possessing at least one-half ($\frac{1}{2}$) degree Indian blood married to members of the Pueblo and who are members of a federally recognized Indian tribe; provided, such membership is relinquished.
 - (3) Persons of Laguna blood who have previously renounced their membership in the Pueblo of Laguna.
- (f) Any person born out of wedlock who is applying for membership under this Article may be afforded consideration of a greater degree of Laguna blood quantum, or Indian blood quantum in the appropriate case, if paternity has first been determined by a judicial

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decree of the Laguna Pueblo Court or other courts of competent jurisdiction. Provided; however, that foreign court decrees shall be subjected to legal review and analysis, as prescribed by enrollment ordinances of the Pueblo, prior to submission to the Pueblo Council for consideration as evidence of eligibility for membership.

- (g) This Constitution may be amended, by majority vote, pursuant to Article XV, to change the blood quantum required for membership in the Pueblo at an election called for that purpose by the Secretary of the Interior; provided, that at least seventy-five percent (75%) of the qualified voters residing upon the lands of the Pueblo, cast ballots in such election.

Sec. 2. Renunciation of Membership.

A member of the Pueblo may renounce his or her membership by (a) becoming a member of another Pueblo or Indian Tribe; provided, that such person's membership in another Pueblo or Indian Tribe shall have been confirmed pursuant to written verification from the individual, or (b) by filing with the Secretary of the Pueblo a verified written statement expressly renouncing membership in the Pueblo; provided, that no renunciation by a member under the age of eighteen (18) shall be effective unless approved by the parent or legal guardian of such member and by the Pueblo Council. Renunciation shall be effective on the date of either event specified above and all rights derived from membership in the Pueblo shall cease on that date.

Sec. 3. Powers of Pueblo Council over Membership.

The Pueblo Council shall have the sole authority to determine eligibility for enrollment as a member of the Pueblo. No decree of any Court purporting to determine membership in the Pueblo, paternity, or degree of Laguna Indian or other blood shall be recognized as determinative of membership in the Pueblo.

Sec. 4. Loss of Membership.

The Pueblo Council shall have the power to enact ordinances, subject to approval by the Secretary of the Interior, pertaining to loss of membership for reasons other than renunciation; provided, however, that such ordinances shall specify the grounds for loss of membership and shall provide for a hearing prior to final determination on loss of membership.

ARTICLE III - THE PUEBLO COUNCIL, STAFF OFFICERS AND SETTLEMENTS

Section 1. The Pueblo Council.

The governing power of the Pueblo shall be vested in the Pueblo of Laguna Council. The Pueblo Council, functioning as one (1) governmental entity, shall be composed of the following officials:

- (a) One Governor
- (b) One First Lieutenant Governor

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- (c) One Second Lieutenant Governor
- (d) One Head Fiscale
- (e) One First Fiscale
- (f) One Second Fiscale
- (g) One Treasurer
- (h) One Secretary
- (i) One Interpreter
- (j) Representative elected in the customary manner, in accordance with this Constitution and the Election Ordinance required by Section 1 of Article VII, from each of the following villages of the Pueblos Laguna, Paguete, Casa Blanca-Paraje, Seama, Encinal, and Mesita.

The Village of Laguna is, and shall continue to be, the Capital of the Pueblo of Laguna.

Sec. 2. Staff Officers.

The Governor, First Lieutenant Governor, Second Lieutenant Governor, Head Fiscale, First Fiscale and Second Fiscale are the cane-bearing Staff Officers of the Pueblo and, as such, are vested with traditional governing authority. They shall serve as the governing officers of their respective villages and shall also act on such matters as are delegated to them by the Pueblo Council. No more than one (1) Staff Officer shall reside in the same village jurisdiction.

Sec. 3. Secretary, Treasurer and Interpreter.

The Secretary, Treasurer and Interpreter shall perform the administrative functions provided in Article VI, Sections 3, 4, 5 and 6. They shall also provide advice and assistance to the Staff Officers, as required.

Sec. 4. Council Meetings.

The Pueblo Council shall meet at such times and places as the Staff Officers shall determine. Each member of the Pueblo Council shall be entitled to one (1) vote upon all questions submitted to the Pueblo Council; provided, however, that the Governor shall vote only to break a tie vote. A quorum shall consist of at least two-thirds ($\frac{2}{3}$) of the total Pueblo Council membership; provided, however, that from each village, the Staff Officer and at least one (1) Village Representative must be present in order to transact official Pueblo business. No action of the Pueblo Council shall be effective for any purpose unless it is approved by a majority of those voting at a meeting at which a quorum is present.

Sec. 5. Settlements.

Populations of adult Pueblo members residing outside the external boundaries of the Pueblo of Laguna Reservation may seek recognition by the Pueblo government as organized bodies without separate, distinct, or delegated Pueblo governmental powers, except as specifically

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authorized by the Pueblo Council. Such recognition shall be initiated via petition to the Pueblo Council and processed as further prescribed by ordinance of the Pueblo. Such ordinance shall describe the procedure for petitioning and provide how petitions are determined to be valid. Populations of Laguna Pueblo members heretofore recognized as settlements of the Pueblo shall remain in such status and privileges granted pursuant to said status shall be preserved and protected.

Sec. 6. Settlement Representation.

The Staff Officers may call a delegate or delegates from any settlement to attend any Pueblo Council meeting in which matters pertaining to the settlement are before the Pueblo Council. A delegate must be a member of the Pueblo of Laguna and over the age of eighteen (18) years. Delegates shall advise the Pueblo Council on matters pertaining to that settlement, but they shall not be entitled to vote at Pueblo Council meetings.

ARTICLE IV - THE PUEBLO COUNCIL AND ITS POWERS

Section 1. Statement of Sovereign Powers.

The sovereign powers of the Pueblo of Laguna shall be vested in the Pueblo Council and shall be exercised in accordance with this Constitution, the ordinances, customs and traditions of the Pueblo, and the laws of the United States applicable to the Pueblo of Laguna.

Sec. 2. Specific Powers.

The powers of the Pueblo Council shall include, but not be limited to, the following:

- (a) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior, so long as such approval is required by Federal Law.
- (b) To prevent the sale, disposition, lease or encumbrance of Pueblo lands, interests in lands, or other Pueblo assets; to execute leases, contracts and permits; provided, however, that the leasing or encumbering of Pueblo land shall be subject to the consent of the Pueblo and the approval of the Secretary of the Interior, so long as such approval is required by Federal Law.
- (c) To negotiate and contract with Federal, state, local and other governments; and with the councils and governing authorities of other Pueblos or Indian tribes, or Indian organizations; and private organizations, corporations and other entities.
- (d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Pueblo prior to the submission of such estimates or projects to the Office of Management and Budget and to Congress.
- (e) To establish and enforce ordinances governing the conduct and civil relations of residents of the Pueblo and providing for the maintenance of law and order and the administration of justice within the lands of the Pueblo.

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- (f) To levy and collect taxes, including general and special assessments from any member or other person or entity residing on or engaged in an activity on the lands of the Pueblo, and to raise revenue for the needs of the Pueblo.
- (g) To regulate trade, inheritance, land holdings and use, and private dealings in land among members and other persons or entities residing or engaged in an activity on the lands of the Pueblo subject to Article IX of this Constitution.
- (h) To enact ordinances governing membership consistent with the requirements of Article II of this Constitution and to establish procedures for the recognition, renunciation and loss of membership.
- (i) To provide by ordinance for the establishment and regulation of organizations or entities, including public and private corporations, for any lawful purpose, which may be non-profit or profit-making.
- (j) To borrow money and issue bonds and other evidences of indebtedness, for the public purposes of the Pueblo both general obligation bonds and bonds secured by the revenues of specific Income producing properties, and to qualify such bonds as tax exempt under the Internal Revenue Laws of the United States.
- (k) To promote and protect the public health and the welfare of the members and other residents of the Pueblo and to administer aid to those in need, in accordance with the ordinances or written policies.
- (l) To establish salaries, per diem rates, employment qualifications and benefits for employees of the Pueblo.
- (m) To establish salaries, per diem rates, and benefits for Pueblo Council members.
- (n) To appropriate funds of the Pueblo for any lawful public purposes as authorized by this Constitution or the laws of the United States.
- (o) To declare per capital distributions to the members of the Pueblo pursuant to Article X hereof.
- (p) To regulate the conduct of Pueblo elections.
- (q) To appoint commissions, committees, boards, officials and employees not otherwise provided for in this Constitution; provided, that all such appointments shall be by resolution or ordinance specifying delegated authorities.
- (r) To establish and operate a loan program for the benefit of the members of the Pueblo.
- (s) To remove the Governor or any other Staff Officer or other members of the Pueblo Council for malfeasance of office; provided, that the accused shall be given an opportunity to answer charges at a hearing before the Pueblo Council held for that purpose. Any person so removed shall not be eligible for re-election or re-appointment to any Staff Office or Pueblo Council position for such a period of time as prescribed by the Pueblo Council. The decision of the Pueblo Council in all matters under this subparagraph shall be final.

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- (t) To fill, in consultation with the affected village(s), vacancies caused by death, removal, resignation or otherwise, for the unexpired term of any Staff Officer or Pueblo Council member.
- (u) To call for a referendum of members of the Pueblo eligible to vote, on questions of major concern to the entire membership.
- (v) To exercise its powers under this Constitution whenever limitations thereon imposed by Federal laws are removed and to exercise all inherent powers of the Pueblo of Laguna not expressly excluded from its authority by Federal Law.

ARTICLE V - JUDICIAL SYSTEM

Section 1. Statement of Judicial Power.

The judicial power of the Pueblo shall be vested in a Pueblo of Laguna Court, Court of Appeals, and such other courts as the Pueblo Council may hereafter establish by ordinance.

Sec. 2. The Pueblo Court.

The Pueblo Courts shall consist of such number of judges as the Pueblo Council appoints. The term, qualifications and tenure of judges shall be provided by ordinances of the Pueblo. The Pueblo Council may remove a judge from office prior to the expiration of his term after notice of charges and a hearing by the Pueblo Council. A Court Clerk and such other employees of the Court as shall be deemed necessary by the Pueblo Council shall be employed in accordance with the personnel system of the Pueblo.

Sec. 3. Jurisdiction and Procedure.

The Pueblo Courts shall exercise such civil and criminal jurisdiction and shall operate under such rules of procedure as provided in this Constitution and the ordinances of the Pueblo and as may be consistent with the laws of the United States applicable to the Pueblo of Laguna. The Pueblo Courts shall have jurisdiction over members and non-members who reside upon or enter the lands of the Pueblo. Any person who shall enter upon the lands of the Pueblo shall be deemed to have implied his consent to the jurisdiction of the Pueblo as prescribed by this Section.

Sec. 4. Criminal and Civil Codes.

The criminal offenses over which the courts have jurisdiction and the respective penalties therefor shall be specified in the ordinances of the Pueblo. The civil matters over which the Pueblo Courts have jurisdiction shall be specified in ordinances of the Pueblo. Any ordinances so adopted shall be given wide publicity, periodically updated as necessary, and enforced.

Sec. 5. Settlement of Private Disputes.

Any dispute existing or arising between or among persons which cannot be settled by the parties affected may first be brought before the Village Officers who shall try to have the

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parties settle the matter by giving their advice. If the interested parties cannot, with the advice of the Village Officers, settle the matter in dispute, the matter may be submitted to the Pueblo Courts by one (1) or more of the parties in accordance with the procedures provided in ordinances of the Pueblo. The pursuit of this process shall be discretionary with the interested parties.

Sec. 6. Advocates and Attorneys.

Parties before the Pueblo Courts may, at their own expense, be represented by an advocate who is not an attorney at law, or an attorney at law under such terms and conditions as the Pueblo Council may establish by ordinance.

Sec. 7. Appeals.

Any party dissatisfied with a judgment or final decision of the Pueblo Court shall have the right to appeal such judgment or decision to the Court of Appeals, in accordance with procedures provided for in ordinances of the Pueblo. The decision of the Court of Appeals shall be final.

ARTICLE VI - POWERS AND DUTIES OF OFFICERS

Section 1. Powers and Duties of Governor and Acting Governor.

The Governor shall be the chief executive officer of the Pueblo, shall perform the customary and traditional responsibilities and duties of the position, shall preside at Pueblo Council meetings and shall carry out and implement all ordinances, resolutions, and directives of the Pueblo Council, and his lawful orders must be obeyed and respected by all members and by all other persons within the boundaries of the Pueblo of Laguna. In the event of his absence from the Pueblo or in the event of his death, disability, resignation, removal, or if for any reason he is unable to perform his duties and responsibilities, the First Lieutenant Governor shall act as Governor. If the First Lieutenant Governor is unable to act by reason of any such event, the Second Lieutenant Governor shall act as Governor; provided, that the Governor may, for good and sufficient reason, appoint another Staff Officer as Acting Governor for periods of time that the Governor is absent from the Pueblo. The Acting Governor shall serve with the authority to carry out the powers, duties and responsibilities of the Governor.

Sec. 2. Staff Officers.

In addition to their other duties specified in Article III, Section 2, the Staff Officers shall perform such duties in special areas of responsibility as may be assigned to them, respectively, by the Governor or Pueblo Council. The Staff Officers shall have the power, authority, and responsibility to administer the day-to-day affairs of their respective villages as is consistent with custom, tradition, and this Constitution. In the event of his absence or if for any reason he is unable to perform his duties and responsibilities, he shall designate a member of the village to serve as Acting Staff Officer. The person so designated shall have complete authority

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and responsibility to perform the duties of Village Staff Officer. In the event of such designation by the Governor, said person shall be deemed to have been designated as Village Staff Officer, and not as Governor.

Sec. 3. Treasurer.

The Treasurer shall have no governing authority. The Treasurer shall supervise the financial affairs of the Pueblo in accordance with policies, direction, and subject to such controls as are established by the Pueblo Council, and he shall be responsible for maintaining the necessary financial records. Funds of the Pueblo may not be expended without appropriate Pueblo Council authorization. The Treasurer shall make financial reports to the Pueblo at least twice annually or on a more frequent basis as the Pueblo Council may direct. The Treasurer shall be subject to the immediate day-to-day supervision of the Governor.

Sec. 4. Secretary.

The Secretary shall have no governing authority. The Secretary shall be responsible for maintaining the records and files of the Pueblo other than financial records. He shall also be responsible for maintaining a current membership roll and keeping the Pueblo Council and Staff advised as to all additions to and deletions from said roll. The Secretary shall be responsible for taking and recording the minutes of all Pueblo Council meetings and Staff meetings and such other official meetings as the Pueblo Council may direct. The Secretary shall be subject to the immediate day-to-day supervision of the Governor.

Sec. 5. Interpreter.

The Interpreter shall have no governing authority. The Interpreter shall, when necessary, interpret at all meetings of the Pueblo Council and Staff and at all times when directed by the Governor.

Sec. 6. Other duties.

The Treasurer, Secretary and Interpreter shall have and perform such other duties as the Pueblo Council or the Governor may prescribe.

Sec. 7. Vacancies.

In the event of a vacancy in any position among the Staff Officers, the person appointed to fill the vacancy shall not assume the office vacated but shall, instead, become the Second Fiscale and the other Staff Officers of lower precedence than the vacated position shall move one (1) position forward in the order of precedence as shown by the listing in Section 2 of Article III. Vacancies shall be filled pursuant to Section 2(t) of Article IV.

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ARTICLE VII - ELECTIONS

Section 1. Election Ordinance.

The Pueblo Council shall enact an ordinance, consistent with this Constitution, setting forth the procedures to be followed in conducting each of the various types of Pueblo elections called for under this Constitution. The ordinance shall at least include provisions for:

- (a) Secret balloting;
- (b) Absentee voting;
- (c) Maintenance of a current list of eligible voters;
- (d) Screening of prospective candidates;
- (e) Settling election disputes;
- (f) The establishment of a Pueblo Election Board having responsibility to ensure that Pueblo elections are conducted objectively and fairly.

Prior to each election of village representatives, the Pueblo Council shall adopt a resolution setting forth the number of representatives which shall be elected from each village for the next term of office.

Sec. 2. Eligibility of Voters.

All members of the Pueblo eighteen (18) years of age or over shall have the right to vote at all Pueblo elections in accordance with the ordinances of the Pueblo. The Pueblo Council shall take appropriate action to accord members the opportunity to exercise their right to vote including an absentee voting process.

Sec. 3. Qualifications for Staff Officers and Village Representatives.

Any member of the Pueblo who is qualified to hold office according to traditional standards shall be eligible to be a Staff Officer or a Village Representative. No person shall be Staff Officer or Village Representative if he shall have been convicted of a misdemeanor involving moral turpitude or any felony by a Court of competent jurisdiction.

Sec. 4. Terms of Office.

The Governor, Staff Officers, Secretary, Treasurer and Interpreter shall be elected for a period of two (2) calendar years or until their successors have been duly elected and installed. The Governor, Staff Officers, Secretary, Treasurer and Interpreter shall not serve more than two (2) consecutive terms in the same office.

Sec. 5. Residence of Pueblo Council Members.

The Governor, First Lieutenant Governor, Second Lieutenant Governor, Head Fiscale, First Fiscale and Second Fiscale, shall at all times during their term of office, physically reside in the village in which they are enrolled; provided, however, that in the event any such officer

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does not reside in such village at the time of his election, he shall have a reasonable time, to be determined by the Pueblo Council, to establish residency within such village. All other members of the Pueblo Council shall reside on the lands of the Pueblo at all times during their term of office; provided, that in the event any member of the Pueblo Council does not reside on the lands of the Pueblo at the time of his election, he shall have a reasonable time, to be determined by the Pueblo Council, to establish residency on the lands of the Pueblo. If the Pueblo Council, after a full hearing on the matter, determines that a Staff Officer or Pueblo Council member has failed to establish the required residency within the time allotted therefor, such Staff Officer's or Pueblo Council member's office shall thereupon be declared forfeited.

Sec. 6. Election of Staff Officers, Secretary, Treasurer and Interpreter.

The election of the Staff Officers, Secretary, Treasurer and interpreter of the Pueblo shall be held on the third Monday of December of each even-numbered year unless such Monday is a legal holiday in which case the election shall be held on the next succeeding day. The nomination and the election of such officials of the Pueblo shall be held in accordance with the election ordinance provided for in Section 1 of this Article. Beginning in 1985, the incoming Pueblo officials mentioned in this Section shall be installed no later than January sixth of each odd-numbered year.

Sec. 7. Election of Representatives from Villages.

Beginning in December 1985, Representatives to the Pueblo Council from each village shall be elected for terms of two (2) calendar years by the members residing in the village in accordance with the customs of the Pueblo; provided; however, that for the terms of office beginning in January 1985, one (1) Representative from each village will be elected for one (1) year, and one (1) Representative will be elected for two (2) years. One (1) Representative will be elected in each year thereafter to serve a term of two (2) years. Village Representatives shall not serve more than two (2) successive terms in the same office. The village elections for the election of Representatives to the Pueblo Council may be held on the third Monday of December of each year, unless such Monday is a legal holiday, in which case the election shall be held on the next succeeding day. Villages shall, however, have the discretion of electing their village Representatives and officers following the traditional Christmas activities as is customary, but not later than December thirty-first (31st) of that year. Newly-elected Village Representatives shall take office no later than January sixth of each year.

Sec. 8. First Election.

The first election of staff officers and village representatives under this Constitution shall be held during December 1984. Those officials elected in December 1983 under the previous Constitution, shall serve for one (1) year terms of office or until their successors are duly installed during January 1985. In the December 1984 elections, village representatives shall

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be elected pursuant to Section 7 of this Article; Section 6 shall govern the election of the remaining Pueblo Council members. Thereafter, Pueblo Council members shall be elected for two (2) year terms as provided in Sections 6 and 7 of this Article.

ARTICLE VIII - VILLAGE ORGANIZATION AND CUSTOMARY OFFICERS

Section 1. Supervision of Village Staff Officers by the Governor.

The Staff Officer in charge of a village of the Pueblo is subject to the orders of the Governor. He shall give no orders to the people of his village which are inconsistent with the policies, traditions or customs of the Pueblo, or contrary to the orders of the Pueblo Council or the provisions of this Constitution. He shall, however, act on his own judgment in emergencies.

Sec. 2. Village Officials.

Mayordomos and other Village Officials shall be elected and installed in the customary manner and such officials shall perform the traditional and customary duties of their respective positions, under the supervision of the Village Staff Officer. Village Officials shall perform other duties as may be directed by the Staff Officers or Pueblo Council.

Sec. 3. Customary Officers.

The Pueblo shall have as customary officers a War Captain, a First Lieutenant of War, and Second Lieutenant of War, who shall be elected and installed in the customary manner and shall perform the traditional duties and functions of their offices.

ARTICLE IX - LAND ASSIGNMENT, LAND LEASING, MINERALS AND WATER RIGHTS

Section 1. Assignment Policy.

An assignment under this Article may be obtained by qualified members of the Pueblo and used only for the purposes for which it is assigned. All assignments will be obtained in accordance with the Mayordomo's Ordinance and/or other applicable processes and procedures and will be located in such areas as may hereafter be prescribed in the ordinances of the Pueblo. The Pueblo Council shall have the power to establish maximum acreage limitations for different types of assignments and shall have the power to cancel assignments for non-use over a fixed period of time as established by ordinance. The Pueblo Council shall also prescribe by ordinance the right of and the conditions under which naturalized members of the Pueblo may acquire and hold assignments.

Sec. 2. Nature of Interest Acquired.

An assignment is an interest in and to the exclusive use and possession of a tract of Pueblo land for lawful purposes recognized by the Pueblo. The title to an assigned tract shall forever remain in the Pueblo of Laguna subject only to such rights of use and possession as are recognized by the Pueblo Council and to the right of an assignee to be compensated for improvements as hereinafter provided.

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Sec. 3. Assignment Application Procedures.

Any qualified member of the Pueblo may apply for an assignment in the customary manner and in accordance with the procedures established in the ordinances of the Pueblo. Assignments shall be approved by the Pueblo Council in the manner and subject to the terms and conditions provided in such ordinances. The assignment procedures shall include the approval of assignments by appropriate village officials and final concurrence by the Pueblo Council, and shall prohibit the assignment of lands for any purpose within areas considered to be sacred or grounds of religious significance.

Sec. 4. Termination of Assignments in the Public Interest For Just Cause.

Any assignment or portion thereof may be terminated in the public interest by the Pueblo upon the payment of just compensation for the value of any improvements located thereon or the assignee shall have the right to remove his improvements from the assignment or portion thereof. If a dispute arises between the Pueblo and the assignee as to the amount of compensation, the issue of the amount of compensation alone may be submitted for compromise or settlement by the assignee in accordance with the procedures provided in ordinances of the Pueblo. If improvements located on an assignment were constructed at the cost of the Pueblo or with funds provided by a government agency under a public housing or public works program, the assignee shall be compensated only for his equity in these improvements.

Sec. 5. Termination for Cause.

Any assignment may be terminated in the event that the Pueblo Council determines, after a hearing held in accordance with the ordinances of the Pueblo, that the assignee has violated any term or condition of the assignment. The Pueblo Council shall be the final authority in termination proceedings under this Section.

The assignee shall have the right to remove his improvements from the assignment, or portion thereof, or receive just compensation for the value of any improvements located thereon. If a dispute arises between the Pueblo and the assignee as to the amount of compensation, the issue of the amount of compensation alone may be submitted for compromise or settlement by the assignee in accordance with the procedures provided in ordinances of the Pueblo. If improvements located on an assignment were constructed at the cost of the Pueblo or with funds provided by a government agency under a public housing or public works program, the assignee shall be compensated only for his equity in these improvements.

Sec. 6. Prohibitions on Assignments.

No assignment shall ever be granted to any person not a member of the Pueblo of Laguna, nor shall any non-member ever acquire an assignment, or interest therein, by sale, gift, devise or inheritance; provided, however, that a surviving non-member spouse of a deceased member or a non-member person in the immediate family of such a deceased member may continue to live on the assignment subject to such terms and conditions as may be provided in the

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ordinances of the Pueblo. The Pueblo Council shall also prescribe by ordinance, the conditions, processes, and procedures for disposal by sale or otherwise of personal property and improvements located on assigned lands.

Sec. 7. Land Leases to Pueblo Members for Business Purposes.

Business leases may be obtained according to procedures established in ordinances of the Pueblo. No assignment may be obtained or used for business purposes. All assignments previously granted which are presently being used strictly for business purposes shall be converted to business leases within six (6) months from the effective date of this Constitution. The Pueblo Council shall determine the appropriateness of the assessment of lease fees for lands leased to Pueblo members.

Sec. 8. Leases.

Lands of the Pueblo of Laguna may be leased in accordance with ordinances of the Pueblo for public, religious, educational, recreational, residential, business, or agricultural purposes; provided, that consideration as determined by the Pueblo Council shall be paid; and provided further, that where the lessee is a public or private non-profit agency, the Pueblo Council may waive the requirements of consideration. The Pueblo Council shall take action to safeguard against the lease of lands which are regarded as sacred or having religious significance and to ensure that leases are not made which would be detrimental to the health, welfare, and lives of people of the Pueblo of Laguna. All leases shall be in writing, shall be approved by the Pueblo Council and executed by the lessee and by the Governor on behalf of the Pueblo of Laguna.

Sec. 9. Termination of Leases.

All leases entered into pursuant to this Article shall terminate on their own terms or a lease may be terminated by the Pueblo Council for breach of the lease terms, for violation of the customs or laws of the Pueblo, or for violation of applicable Federal statutes or regulations.

Sec. 10. Natural Resources.

All natural resources on or under any lands of the Pueblo are and shall remain the property of the Pueblo and not of the person having the right to use or hold the surface of the land. The Pueblo Council shall have the power to authorize the removal of any such natural resources, subject to the approval of the Secretary of the Interior, so long as such approval is required by Federal Law.

Sec. 11. Water Rights.

No person or entity shall acquire any interest in or to water rights owned by the Pueblo except by recognized custom or ordinance of the Pueblo of Laguna. No person or entity may drill on the lands of the Pueblo for underground water or develop surface waters for individual, private or corporate use without the written consent of the Pueblo Council.

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ARTICLE X - PUEBLO OF LAGUNA GENERAL FUND AND PER CAPITA DISTRIBUTION FUND

Section 1. Creation of Per Capita Distribution Fund.

On the first day of the next fiscal year following the effective date of this Constitution, the Treasurer of the Pueblo shall take necessary action to establish a fund which shall be known as the Per Capita Distribution Fund ("PCD Fund"). This fund shall be established initially by the transfer of the sum of Ten Million Dollars (\$10,000,000) from the Pueblo of Laguna General Fund.

The initial per capita distribution made in accordance with this Article shall be made after the first full fiscal year following the effective date of this Constitution.

Sec. 2. Additions to the PCD Fund.

Within sixty (60) days following the receipt of the audited financial statements of the Pueblo of Laguna General Fund, the Pueblo Council shall direct the Treasurer to transfer an amount equal to twenty-five percent (25%) of the excess, if any, of revenues over expenditures from the General Fund to the principal of the PCD Fund.

Sec. 3. Transfers from the PCD Fund.

Within sixty (60) days following the receipt of the audited annual financial statements of the Pueblo of Laguna General Fund, the Pueblo Council shall direct the Treasurer to transfer an amount equal to twenty-five percent (25%) of the excess, if any, of expenditures over revenues from the principal of the PCD Fund to the General Fund.

Sec. 4. Maintenance and Use of the PCD Fund.

- (a) The principal amount of the PCD Fund established pursuant to Section 1 of this Article and the amount added thereto pursuant to Section 2 of this Article shall be maintained, invested and reinvested in accordance with sound and prudent guidelines promulgated by the Pueblo Council.
- (b) The net investment income earned by the PCD Fund shall be used to pay annual per capita distributions in accordance with the formula set forth hereafter:
 - (1) Eighty percent (80%) of the net investment income shall be distributed to enrolled members of the Pueblo.
 - (2) Twenty percent (20%) of the net investment income shall be added to the principal of the PCD Fund.
- (c) All operating and administrative expenses of the Per Capita Distribution Fund shall be paid by the General Fund.

PUEBLO OF LAGUNA CODE

Sec. 5. Per Capita Distributions.

Per capita distributions to enrolled members of the Pueblo shall be made in accordance with the following procedures and conditions:

- (a) Within sixty (60) days of the receipt of the audited annual financial statements of the PCD Fund, the Treasurer shall confirm the net investment income earned by the PCD Fund.
- (b) The Secretary shall certify to the Treasurer the total number of enrolled members of the Pueblo on the declaration date specified in an ordinance authorizing the per capita distribution.
- (c) The Treasurer shall compute the amount of the annual per capita distribution to be made to each enrolled member by dividing that portion of the net investment income earned by the PCD Fund available for distribution pursuant to this Article by the total number of enrolled members.
- (d) Per capita distributions shall be made to all enrolled members within sixty (60) days following the declaration date; provided, that the Pueblo Council may by ordinance prescribe that distributions may be in kind rather than in cash. The Pueblo Council may by ordinance provide for the administration by trustees of per capita distributions to minors and incompetents.
- (e) No portion of an undeclared or declared but undistributed per capita distribution may be assigned by any member to any other person to satisfy a debt or other obligation. However, such distributions may be encumbered to satisfy debts owed by a member to the Pueblo or to any organization created by the Pueblo.
- (f) Per capita distribution checks not claimed and negotiated within one (1) year of the date of the PCD check shall be void and the amount thereof shall be forfeited and revert to the PCD Fund.

ARTICLE XI - RIGHTS OF MEMBERS

Section 1. Bill of Rights.

The Pueblo of Laguna, in exercising its powers of self-government, shall not take any action which is in violation of the laws of the United States as the same shall exist from time to time respecting the civil rights and civil liberties of persons subject to the jurisdiction of the Pueblo of Laguna. Nothing in this Section shall abridge the concept of self-government of the Pueblo of Laguna or the obligations of the members of the Pueblo to abide by this Constitution and the ordinances, resolutions, customs and traditions of the Pueblo.

Sec. 2. Religious Toleration.

Members of the Pueblo shall have the freedom to worship in accordance with their respective religious beliefs and practices; provided, that the exercise of said religious beliefs and practices is not in violation of any established ordinance, policy or custom of the Pueblo.

APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

No religion shall interfere with the traditional religious practices of the Pueblo. This Section does not permit the construction or establishment of houses of worship without the written consent of the Pueblo Council.

Sec. 3. Other Rights.

The enumeration of certain rights in this Constitution shall not be construed to extinguish or limit other rights of the members of the Pueblo of Laguna existing prior to the effective date hereof.

ARTICLE XII - BONDING AND AUDIT

Section 1.

The Treasurer, the Staff Officers, and other Pueblo personnel as identified by the Pueblo Council shall be bonded in a sum established from time to time by the Pueblo Council.

Sec. 2.

The financial records of the Pueblo of Laguna General Fund, Per Capita Distribution Fund, and General Fixed Assets shall be audited at least once every fiscal year by a certified public accountant. The Pueblo Council, Governor, or Treasurer may request audits of other funds as deemed appropriate.

ARTICLE XIII - LIQUIDATION

No liquidation of the assets of the Pueblo or dissolution of the Pueblo shall be effectuated except upon affirmative vote of at least three-fourths ($\frac{3}{4}$) of all members of the Pueblo eligible to vote pursuant to Article VII, which affirmative vote shall also include at least three-fourths ($\frac{3}{4}$) of all members eligible to vote pursuant to Article VII, residing on the lands of the Pueblo. A special election shall be called for the purposes of determining such liquidation of assets or dissolution of the Pueblo.

ARTICLE XIV - REPEAL AND SAVINGS CLAUSE

Section 1. Repeal of 1958 Constitution.

The Amended Constitution and Bylaws of the Pueblo of Laguna approved on November 10, 1958, under the provision of Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (40 Stat. 378), is hereby repealed and superseded by this Constitution.

Sec. 2. Existing Ordinances and Resolutions.

All ordinances and resolutions heretofore enacted by the Pueblo of Laguna Council shall remain in full force and effect to the extent that they are consistent with this Constitution.

PUEBLO OF LAGUNA CODE

Sec. 3. Incumbents.

The Pueblo Council and Staff Officers incumbent on the effective date of this Constitution, shall remain in office and shall be entitled to exercise all powers as provided in this Constitution until their successors are elected and installed pursuant to Article VII.

ARTICLE XV - AMENDMENTS

Section 1. Call.

It shall be the duty of the Secretary of the Interior to call and conduct an election for the amendment of this Constitution at the request of the Pueblo Council.

Sec. 2. Adoption.

Upon the adoption of an amendment by a majority of the qualified voters voting in an election called by the Secretary of the Interior, at which election at least thirty percent (30%) of those who qualify to vote pursuant to regulations of the Secretary, the amendment shall be presented to the Secretary of the Interior for approval and upon his approval, shall become effective; except, that, in elections dealing with a change in blood quantum as set forth in Section I(g) of Article II, at least seventy-five percent (75%) of the qualified resident voters must cast their ballots.

ARTICLE XVI - ADOPTION

This Constitution, when adopted by a majority vote of the qualified voters of the Pueblo of Laguna voting at an election called for that purpose by the Secretary of the Interior, in which at least thirty percent (30%) of those entitled to vote shall cast their ballots, shall be submitted to the Secretary of the Interior for his approval. It shall become effective on the date of such approval.

ARTICLE XVII - CERTIFICATE OF ADOPTION

Pursuant to an order issued on November 18, 1983, by Mr. John Fritz, Deputy Assistant Secretary - Indian Affairs (Operations), this Constitution of the Pueblo of Laguna, was submitted for adoption to the qualified voters of the Pueblo and was on February 15, 1984, duly adopted by a vote of 960 for, and 523 against, in an election in which at least thirty percent (30%) of the 2,330 entitled to vote, cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 13, 1934 (48 Stat. 984) as amended by the Act of June 15, 1935 (49 Stat. 378).

/s/

Chairman, Election Board

APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

/s/

Election Board Member

/s/

Election Board Member

Date: February 22, 1984

ARTICLE XVIII - CERTIFICATE OF APPROVAL In that this Constitution was duly adopted as evidenced by Article XVII, I, John W. Fritz Acting , Assistant Secretary - Indian Affairs by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and delegated to me by 209 DM 8.3, do hereby approve this Constitution of the Pueblo of Laguna. It is effective as of this date; provided, that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.

/s/

ACTING Assistant Secretary -
Indian Affairs
John W. Fritz

Washington, D.C.

Date: JUN 6 1984

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APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

Section 4. Historic Constitution, 1908

By-laws and Constitution of the
Laguna Pueblo Indians

In effect January 1, 1908.

- | | | | | | | | | | | | | | |
|---|---|----------------|-----------------|-------------------------|---------------|-------------------------|-------------------|---------------------|------------------|---------------------|---------------------------|-----------------------|---------------------------|
| <p><u>Section</u>
Clauses 1 etc.</p> | <p><u>1.</u> An election shall be held on or near the first day of each calendar year, in which the following officers shall be chosen to serve the ensuing year; all officers being elected by a standing vote of the general pueblo:</p> <table border="0" style="margin-left: 40px;"><tr><td>* One Governor</td><td>* One Secretary</td></tr><tr><td>* One 1st. Lt. Governor</td><td>One Treasurer</td></tr><tr><td>* One 2nd. Lt. Governor</td><td>* One Interpreter</td></tr><tr><td>* One Fiscal (Head)</td><td>One Capt. of War</td></tr><tr><td>* One 1st.Lt.Fiscal</td><td>One 1st. Lt. Capt. of War</td></tr><tr><td>* One 2nd. Lt. Fiscal</td><td>One 2nd. Lt. Capt. of War</td></tr></table> <hr style="width: 100%; margin: 10px 0;"/> <p style="text-align: center;">(Mayordomas) <u>Mayrodomas</u></p> | * One Governor | * One Secretary | * One 1st. Lt. Governor | One Treasurer | * One 2nd. Lt. Governor | * One Interpreter | * One Fiscal (Head) | One Capt. of War | * One 1st.Lt.Fiscal | One 1st. Lt. Capt. of War | * One 2nd. Lt. Fiscal | One 2nd. Lt. Capt. of War |
| * One Governor | * One Secretary | | | | | | | | | | | | |
| * One 1st. Lt. Governor | One Treasurer | | | | | | | | | | | | |
| * One 2nd. Lt. Governor | * One Interpreter | | | | | | | | | | | | |
| * One Fiscal (Head) | One Capt. of War | | | | | | | | | | | | |
| * One 1st.Lt.Fiscal | One 1st. Lt. Capt. of War | | | | | | | | | | | | |
| * One 2nd. Lt. Fiscal | One 2nd. Lt. Capt. of War | | | | | | | | | | | | |
| <p>"Court
Officers"</p> | <p>* -These eight (8) officers shall be termed the "Court Officers", and shall be the sitting jury in all cases coming before the court.</p> | | | | | | | | | | | | |
| <p>Choosing
Mayrodomos.</p> | <p>Any number of Mayrodomos that the Pueblo deems advisable may be chosen.</p> | | | | | | | | | | | | |
| <p><u>Section</u>
Power of
Governor</p> | <p><u>2.</u> The Governor shall be the supreme ruler, and his orders must be obeyed by the people in general. It is understood, however, that if any person considers that the ruling of the Governor is unjust, and that he is being imposed upon by his order, he shall perform the duty as ordered under protest, and then he shall have the right to demand that the matter be brought before the court officers for adjudication at the next meeting of said officers.</p> <hr style="width: 100%; margin: 10px 0;"/> | | | | | | | | | | | | |

PUEBLO OF LAGUNA CODE

All Decisions
to be made
by
Court officers.

3. The Governor with the other seven court officers shall have the power to decide all matters of business that comes before the court. After they have examined all witnesses and ascertained full details of the case, and, in their opinion, it has been sufficiently commented upon, they shall then retire to a private place to make their decision. If they cannot all agree upon a decision, the case shall be decided by a standing vote of all the officers except the Governor, and the majority shall rule. The Governor not having a vote, it shall be his duty and privilege to instruct the other officers regarding his views in the case before a vote is taken.

All troubles
arising
referred to
Governor for
instructions.
To Harmonize
with
Territorial Laws.

4. In case of any and all troubles arising among the people in any of the Laguna villages, including any associations, which cannot be mutually righted by the parties directly concerned in a manner wholly satisfactory to all parties directly effected, it shall be brought directly before the Governor for instructions. The Governor shall then have the power to order the method of settlement. It being understood that all actions of the Governor and court state officers shall be in full harmony with the Territorial Laws, and must not conflict in any way with said laws.

Hours in
session.
Monthly meet-
ings of Officers.

5. Unless otherwise ordered by the Governor, all meetings shall convene from 9 A.M. to 12 P.M. and from 1 P.M. to 4 or 5 P.M., as ordered by the Governor. Regular meetings of the court officers shall be held monthly on the last Saturday of each month.

Governor to
preserve or-
der in all
meetings.

6. The Governor being in full charge of all meetings, it shall be his duty to see that perfect order is preserved in every respect. In the discussion of all business but one person shall be allowed to speak at a time. When any one wishes to speak he shall first ask permission of the Governor to do so before proceeding.

APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

- Requesting presence of General Pueblo & summoning Principal men. Called when necessary, only.
7. In special matters of business in which all of the people are equally interested, the Governor shall send a request to the Pueblo in general for their presence at the time such business is to be transacted. The Governor shall also have the right to summons any of the principal men to be present at any of the meetings, when in his opinion, their presence is needed; and in case any one of them cannot come when summonsed, he shall furnish the Governor with his reasons for not being present, who shall excuse him if his reasons appear justifiable. But the general pueblo shall not be requested to appear, nor the principal men summonsed unless their presence is absolutely necessary or very important.
-
- Transacting business within month.
8. It shall be the duty of the Governor to see that all business on hand or coming up within any month be disposed of if possible before the beginning of the next month.
-
- All court officers required to be present at meetings.
9. All court officers shall be required to be present at each regular monthly meeting, and each special meeting when called by the Governor, unless it should be absolutely impossible for him to be there; in which case he shall send a substitute and notify the Governor of his inability to attend, giving his reasons therefor. The Governor will then refer the matter to the court, and if in the opinion of the court, his reasons are justifiable he shall be excused, otherwise, he shall be subject to the usual fine for being absent without proper reasons.
-
- Each village officer subject to orders of the Governor
10. Each officer in charge of a village is strictly subject to the orders of the Governor. He shall give no orders to the people of his village without first submitting same to the Governor, unless, however, he should have a standing order from the Governor to give certain orders or perform certain duties whenever he deemed it necessary. All cases of emergency excepted.
-
- Governor to receive Pueblo funds first.
11. The Governor shall receive all money belonging to the general fund, and turn same over to the secretary at the first regular meeting of the court officers, taking his receipt for same.

PUEBLO OF LAGUNA CODE

Duties of
the
Secretary

12. The Secretary shall keep a record of all court proceedings and all business transacted by the court. At the beginning of each regular meeting he shall call the roll of court officers and all specially summonsed persons who were expected to be present. He shall then read the minutes of the preceding meeting, and the officers will then decide as to whether they shall be approved as they stand; all persons present having a right to suggest any necessary corrections. After they have been accepted the Secretary will then mark them "approved."

He shall receive all money belonging to the general fund from the Governor, giving him a receipt for same. He shall then turn this money over to the Treasurer at the first regular court meeting, taking his receipt therefor. He shall keep a record in his book of all pueblo money passing through his hands, showing from what it was received and for what paid out.

All disbursements of the treasury shall be made through the secretary. It shall also be his duty to attend to all official correspondence as directed by the Governor.

Duties of
the
Treasurer.

13. It shall be the duty of the Treasurer to accept all Pueblo money offered him by the secretary, and to give him a receipt for same. He shall keep a record in his book of all money received and paid out. He shall pay out no money except through an order from the Governor attested by the secretary; and then he shall pay the money to the secretary, who keeps a record of same.

Duties of
the
Interpreter.

14. It shall be the duty of the Interpreter to do all necessary interpreting at each regular meeting of the court officers, and at each special meeting when called by the Governor. Also to do any other official interpreting when requested to do so by the Governor. It will be understood, however, that it shall not be his duty to interpret for private parties on business not concerning the Pueblo.

APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

Duties
of
or
Mayrodomos.

15. It shall be the duty of the Mayrodomos to take charge, look after and direct all work on ditches, dams and roads. He shall have the power to appoint someone to take care of the general stock while any public work is being done under his supervision.

They shall make their reports to the officer in charge of their respective villages, which officer shall repeat such report to the court officers at the next regular meeting. In case the village officer deems it necessary for the Mayrodomo to report in person at the convening of the court officers, he shall order to do so, provided, he has a standing order from the Governor giving him the power to do so. In this case it shall be the duty of the Mayrodomo to obey the command, and if he should refuse it will be sufficient cause for further action by the Governor.

In all work in which the Mayrodomos have charge, all who come under their jurisdiction are subject to their orders, and any willful disobedience of his orders shall be sufficient reason for the Mayrodomo to fine the guilty party the usual fee for such disobedience. But if the person effected has reason to believe that he is being treated unjustly, he shall have the right to demand that the matter be brought before the court officers for adjustment. All fines in such cases shall go to the mayrodomo who made the charge.

Mayrodomos
regarding
stock.

It shall be his duty to take charge of all loose stock he may find on forbidden lands of the Pueblo, put them in a corral or otherwise take care of them, and immediately notify the owner; also to take charge of any similar stock turned over to him by other members of the pueblo. He shall collect the usual fee from the owner as a recompance for his services. In case the stock has been turned over to him by another party, he shall have one-half of the fee for his trouble, the other half going to the man who brought in the stock.

All damages to crops & etc. being determined according to the pueblo law hereto attached.

PUEBLO OF LAGUNA CODE

Officers
have power to
Grant
individual
allotments.

16. When any member of the Pueblo desires a piece of unimproved Pueblo land, he shall select his land, and then make his application for same to the officers then in charge of the Pueblo. If the officers decide to grant him the land, or any part thereof, they shall mark out the boundaries of same. The Grantee shall thereafter have full possession of said land, unless the officers have cause to dispossess him for the violation of the Pueblo Laws regarding same, hereto attached.

APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

Laws of the Pueblo of Laguna in
Effect January 1, 1908.

<u>Section</u>	March 1 to Nov. 1 of each year
Taking up stock on cultivated fields.	<p><u>1.</u> That from and after the above date it shall be the duty of all members of the Pueblo of Laguna to take up all loose animals found without herders remaining in the vicinity of cultivated fields of the said Pueblo, and deliver the same to the Mayrodomo or overseer of that district. By cultivated fields are meant all fields on the Laguna Pueblo Lands in the vicinities of all the Laguna villages.</p> <p>That for said services the rate shall be 50¢ for the first animal and 10¢ for each succeeding one belonging to any particular owner. In case the person taking up the stock turns same over to the Mayrodomo, then the Mayrodomo shall receive one-half of this fee for his services, the person taking up the stock receiving the other half. It shall be the duty of the supervisor to place such animals under the care of a herder, who shall receive 10¢ per day for each animal; provided the owner does not call for them immediately after being notified.</p>
Pay for services in taking up stock.	<p>Upon payment of all damages to crops & etc., including cost of herding, by the owner; they shall be delivered up to him.</p>
Payment of damages.	
Damages to fields or orchards	<p><u>2.</u> It shall be the duty of all members of the Pueblo whose fields or orchards have been damaged by animals to seize the same and turn them over to the nearest Mayrodomo together with a report of the damage done.</p> <p>The Mayrodomo shall at once appoint three disinterested persons to go upon the grounds and assess the damage done. The persons so appointed shall immediately perform their duty in the matter and make report without delay to the Mayrodomo. They shall be entitled to receive 50¢ each for said services, to be paid equally by the parties most interested.</p>
Determining damages reported.	
Length of time in effect.	<p><u>Provided</u>, that this law shall be in full effect from the 1st. day of March to the 1st day of November of each year.</p>

PUEBLO OF LAGUNA CODE

Section
No divorces
to be
granted by
the Pueblo.

3. That no divorces shall be granted by the officers of the Pueblo of Laguna. They shall have the right, however, to examine the case and try to mutually adjust the matter if possible, by giving wholesome advice to the parties concerned. Should they find a probable reason for divorce, they shall advise the complaining party to take his or her case before the proper Territorial Authorities for further action in the case.

Private rights
of each
member of the
Pueblo.

4. That each member of the Pueblo of Laguna shall be assured his private rights as a resident of the Territory of New Mexico, and that no attempt shall be made by the officers of the Pueblo to enforce any order upon him depriving him of said rights.

Section
Co-owners of
unimproved
Lands.

5. That all the members of the Pueblo are declared co-owners of all lands of the Pueblo that are unimproved. Unimproved lands shall mean all lands belonging to the Pueblo of Laguna except that which has been granted to the various members of the Pueblo, by the officers thereof, for cultivating or other purposes as may be designated by the officers.

Individual
rights of
possession
to improved
lands
guaranteed.

6. That the right of full possession shall be guaranteed to any member of the Pueblo, holding lands granted to them by the officers of the Pueblo, for cultivation or other purposes; Provided, That no member holding said lands shall rent same to an alien, or if it is land secured for cultivating purposes he shall cultivate same within 3 years from the date he was given possession. Any violation of the above provision shall be sufficient cause for the officers to dispossess him of said land. He shall have the right, however, to rent or sell said lands to any other member of the Pueblo after he has secured permanent possession of same.

APPENDIX A—HISTORIC CONSTITUTIONS OF THE PUEBLO OF LAGUNA

<p>Officers only have power to lease lands to non-members</p>	<p><u>7.</u> That no lease of land shall be given to any person not a member of this Pueblo for any purpose whatever, except by decision of the officers of the Pueblo of Laguna assembled for that purpose. The officers of the Pueblo will then have the power to execute such leases in the name of the Pueblo; and all such leases must be signed by all of the court officers of the Pueblo, otherwise it shall be null and void</p>
<p>Salaries of Court offi- cers.</p>	<p><u>8.</u> The eight Court officers of the Pueblo shall receive compensation for their services as follows:—Governor \$50.00 per annum, each of the remaining seven officers: \$23.00 per annum.</p>
<p>Law for pasturing sheep.</p>	<p><u>9.</u> That sheep herds of 1000 or more shall pay \$2.00 per day for pasturing within the limits of cultivated fields; herds of 300, \$1.00; herds of 100, .50¢; provided, that he shall have the right to bring his sheep through the limits of cultivated fields over certain designated lines for the purpose of dipping and shearing, first notifying the proper official of the time he intends to drive his flock in.</p>
<p>Officers absent liable to fine.</p>	<p><u>10.</u> That in any case where a court officer is absent from a regular meeting, or a special meeting when properly notified, and his reasons therefor are not considered justifiable, in the opinion of the court, he shall be fined the usual fee of .50¢ for such absence.</p>
<p>Court fee of .50¢ to be paid</p>	<p><u>11.</u> That both the plaintiff and the defendant shall each pay a fee of .50¢ for each and all cases which they may bring before the court for action.</p>
<p>Pueblo only to make amendments.</p>	<p><u>12.</u> That no amendments or changes shall be made in these by-laws, constitution or laws, except by a decision of the general Pueblo.</p>
<p>In full force Jan. 1, 1908. All other written laws null & void.</p>	<p><u>13.</u> That the foregoing Laws, By-laws and Constitution shall be in full force and effect on and after January 1, 1908; and that after this date all other written laws and regulations of the Pueblo of Laguna, not embodied in the foregoing, shall be declared null and void.</p>

PUEBLO OF LAGUNA CODE

Approved by
general
Pueblo.

14. That the above laws, By-laws and constitution were approved unanimously by the general Pueblo in a meeting convened for that purpose on December 21, 1907.

Signed by the Officers of the Pueblo as follows:

William Paisano	Governor
John M. Graves	1st. Lt. Governor
Hill Kae (his mark)	2nd. Lt. Governor
Vicente Alonzo (his mark)	Fiscal (Mayor)
Jose Ross	1st. Lt. Fiscal
Santiago Cheromia	2nd. Lt. Fiscal
Ulysses G. Paisano	Secretary
Frank Paisano	Interpreter

Witnesses: Robert W. Cassady
R. N. Marmon