

RESOLUTION OF THE PAPAGO TRIBAL COUNCIL

SRS. NO. 1443

WHEREAS, there is presently a case pending in the United States District Court for the District of Arizona entitled the Papago Tribe of Arizona vs. The Papago Farms, a Joint Venture, James Stewart & Company, a corporation, Fresh Land Ventures, Inc., and The New Amsterdam Casualty Company, a corporation, and

WHEREAS, the Tribe has sought damages against Papago Farms, a Joint Venture in the amount of \$283,291.79 and against The New Amsterdam Casualty Company in the amount of \$50,000.00 on the bond, and

WHEREAS, Papago Farms, a Joint Venture, has filed counterclaims and crossclaims against the Papago Tribe, the District Council, all of the members of each of the Councils, the Secretary of Interior, the Superintendent of the Papago Agency and other BIA officials, and

WHEREAS, negotiations have been going on to settle the case as between the Papago Farms and the Papago Tribe, the District and all of the Indians involved, and

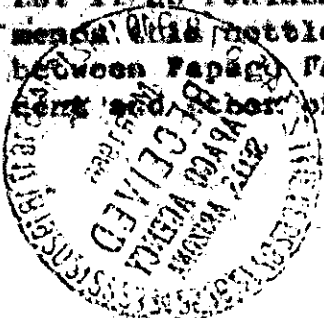
WHEREAS, the Tribal Attorney, Edward B. Berger, has recommended that we settle the case against Papago Farms, and The New Amsterdam Casualty Company for the sum of \$28,500.00, and

WHEREAS, the District Council nor the Tribal Council have any jurisdiction or right to settle any claims as between Papago Farms and the Superintendent of the Papago Agency or any individuals connected with the BIA, and

WHEREAS, it would be in the best interest of the District and the Papago Tribe to end the litigation so as to allow the District to proceed with bids for developing the area once again,

NOW, THEREFORE, LET IT BE RESOLVED that the Papago Tribal Council authorizes the Tribal Attorney, Edward B. Berger to settle the above mentioned case as between the Papago Farms and The New Amsterdam Casualty Company and the District Council, the Papago Tribe and all Indians involved therein for the sum of \$28,500.00.

LET IT BE FURTHER RESOLVED that the Papago Tribal Council recommends that settlement even though a case may still be pending as and between Papago Farms and the Papago Indian Agency, the Superintendent and other officials of the BIA.



The foregoing Resolution was duly enacted by the Papago Council on March 4, 1966, with a vote of 19 for, 0 against, and 1 not voting, during a meeting at which a quorum was present, pursuant to authority vested in the Council by Section 2 of Article V and Article VIII of the Constitution and By-Laws of the Papago Tribe ratified by the Tribe on December 12, 1936, and approved by the Secretary of the Interior on January 6, 1937 (Stat. 984), pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effective as of the date of its approval by the Superintendent of the Papago Agency and is subject to rescission by the Secretary of the Interior pursuant to Section 6 of the Article V of the Constitution and By-Laws of the Papago Tribe.

THE PAPAGO TRIBAL COUNCIL

By: Robert C. Mackett
Robert C. Mackett, Chairman

ATTEST:

Malinda Miguel
Malinda Miguel, Secretary

HOMER B. JENKINS
Homer Jenkins, Superintendent

APPROVED: MAR 14 1966

APPROVED AS TO FORM:

Edward B. Berger, Tribal Attorney
APPROVED AS TO FORM

Edward B. Berger
EDWARD B. BERGER, Tribal Attorney

