

Judge  
RESOLUTION  
OF  
THE PAPAGO COUNCIL.

RES. NO. 759

WHEREAS, Resolution No. 743 amended Section 2 of Article 1 of the Papago Law and Order Code by inviting and authorizing Mr. Nelson Jose, Judge of the Pima Court at Sacaton to serve as Judge of the Papago Tribal Court in the case of the Papago Tribe vs. Philbert Lugo because the Papago Council felt a Papago judge might not insure the defendant a fair and impartial trial, and

WHEREAS, The Papago Court has received a petition for an appeal in accordance with Section 6 of Article 1 of the Papago Law and Order Code, and

WHEREAS, The Papago Court has recognized defendant's right to such appeal

NOW THEREFORE BE IT RESOLVED BY THE PAPAGO COUNCIL: That Section 6 of Article 1 of the Papago Tribal Law and Order Code is hereby amended to read to the effect that the Chief Judge, Juan Jose, together with two associate judges namely, Jose Ignacio and John Manuel shall sit as an Appellate Court and hear the appeal from judgment already rendered in this case, and

BE IT FURTHER RESOLVED THAT: In the event the advisors for the defendant petition to disqualify the Chief Judge Juan Jose for prejudice, or for any other legitimate reason, then Jose Ignacio shall act as Chief Judge and Narcho Ferguson shall substitute as Associate Judge.

The foregoing Resolution was on August 6, 1954, duly enacted by a vote of 13 for and 4 against, by the Papago Council, pursuant to authority vested in it by Section 3(b) of Article V of the Constitution of the Tribe ratified by the Tribe on December 12, 1936, and approved by the Secretary of the Interior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 924). Said Resolution is effective as of the date of its approval by the Superintendent of the Soils Agency, subject to its rescission by the Secretary of the Interior, pursuant to Section 6, Article V of the Constitution and By-Laws of the Papago Tribe.

THE PAPAGO COUNCIL

BY: /s/ Enos Francisco  
Enos Francisco, Chairman

ATTEST:

/s/ Elizabeth Noriego  
Elizabeth Noriego, Secretary and Treasurer

APPROVED: August 16, 1954

/s/ Harry L. Stevens  
Harry L. Stevens, Superintendent