

RESOLUTION
OF THE
PAPAGO COUNCIL

RES. NO. 1050

WHEREAS, The Papago Tribe has pending, before the Indian Claims Commission, its claims against the United States Government; and

WHEREAS, THE Papago Tribe is represented by the law firm of MARKS & MARKS under an approved contract which contract was approved by the Commissioner of Indian Affairs on November 29, 1950, and said contract is for a period of ten years; and

WHEREAS, The law firm of Marks & Marks has filed before the Indian Claims Commission, on behalf of the Papago Tribe, Land Petition, Docket 345; and has carried on and conducted considerable research in connection with said claims and petition; and

WHEREAS, The United States Government, acting through the Department of Justice, has to this date not filed its answer to said petition; and

WHEREAS, It is felt to the best advantage of the Tribe and all concerned that the said contract with the law firm of Marks & Marks be extended for an additional period of ten years from and after November 29, 1960, so that the claims of the Papago Tribe may be continued to be prosecuted by the law firm of Marks and Marks; and

WHEREAS, IT IS NOW NECESSARY TO EMPLOY THE SERVICES OF AN anthropologist to assist in the carrying on of the research in connection with said claims and the presentation of evidence before the Indian Claims Commissioner; and

WHEREAS, Henry F. Dobyns, an anthropologist, who has carried on considerable work on the Papago Reservation and has assisted the law firm of Marks & Marks in the presentation of other Indian claims before the Indian Claims Commission, is now ready and willing to carry on research on the Papago Reservation, under the direction of the law firm of Marks & Marks, in order to accumulate and help develop evidence to be presented before the Indian Claims Commission; and

WHEREAS, In connection with the carrying on of said research work it is also going to be necessary to pay for the services of interpreters, witnesses, map makers, preparation of exhibits, reports, and numerous other matters in connection with the proper presentation of said claims; and

WHEREAS, It is the desire of the Papago Council, acting on behalf of the Papago Tribe to assist financially with the payment of these various expenses, including that of the anthropologist, and in order to carry this out it is felt necessary to further amend the Attorneys' Contract to provide for the payment of those various expenses, when funds are available, by the Papago Tribe; and

WHEREAS, Royal D. Marks, of the law firm of Marks & Marks, has in the past

thoroughly discussed with the Papago Council the various problems in connection with properly presenting the Papago claims and the possible expenses that would be involved in connection therewith, and the Papago Council agreed to set aside the sum of \$10,000.00 if available, to cover the expenses that may be incurred in connection with the research and presentation of the Papago claims before the Indian Claims Commission,

NOW, THEREFORE, BE IT RESOLVED by the Papago Council in meeting assembled this 1st day of May, 1959, that the Attorneys' Contract be amended as per the amendment attached hereto extending the term of the contract for a period of ten years from and after November 29, 1960, and further providing for reimbursement by the Papago Tribe to the attorneys Marks & Marks for expenses incurred in connection with the presentation of the Papago claims with the limitation as set forth in said contract, and further that the said attorneys be authorized to employ appraisers, anthropologists, etc., to carry out the obligations of the contract, and payment be made as set forth in said Amended Attorneys' Contract;

BE IT FURTHER RESOLVED, that upon approval of the Amended Attorneys' Contract the sum of \$5,000.00 be set aside, when the funds are available, to start the research and other expenses which may be incurred in connection with the presentation of the Papago claims before the Indian Claims Commission, it being understood that the results of all research work the Tribe pays for will be made available to the Tribe if requested by them, and

BE IT FURTHER RESOLVED, That the additional sum of \$5,000.00, necessary for the carrying on of research and other expenses, be set aside at a later date when the funds are available.

The foregoing Resolution was on May 1, 1959, duly enacted by a vote of 19 for and 0 against by the Papago Council pursuant to authority vested in it by Section 3 (a) & (h) 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. 984). Said resolution is effective as of the date of its approval by the Superintendent of the Papago Agency, and is subject to the rescission by the Secretary of the Interior, pursuant to Section 6 of Article V of the Constitution and By-Laws of the Papago Tribe.

THE PAPAGO COUNCIL

BY: Eros J. Francisco
Eros J. Francisco, Chairman

ATTEST:

Evelyn Antonio
Evelyn Antonio, Secretary

APPROVED: _____

Hercy H. Wilmore
Hercy H. Wilmore, Superintendent