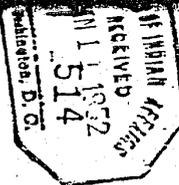


Harper, Allan G. (B.I.A. Area Director, Windowrock), 1-7-1952, Letter to the Commissioner of Indian Affairs. Copy in Exhibit files (Exhibit 25) to Chambers and Lynch 1985 (q.v.). Copy courtesy Hopi Tribal Chairman's Office.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS
FIELD SERVICE
WINDOW ROCK AREA OFFICE
Window Rock, Arizona



Air Mail

Commissioner, Bureau of Indian Affairs

Washington 25, D. C.

Dear Sir:

Enclosed find one (1) signed copy of the contract between John S. Boyden, Attorney, and the Hopi Villages set forth in the contract, providing for the employment of John S. Boyden as General Counsel for the Hopi Tribe. Mr. Dow Carnal, Superintendent of the Hopi Reservation has sent five copies of this proposed contract to your office as well as two copies of the minutes of the meeting of the Hopi Council.

This contract is an exact copy of the contract furnished to your office by Mr. Boyden at an earlier date, which copy of such proposed contract he stated had been discussed with the Department and that the form of the contract had been approved; therefore no comment or suggestions are made concerning the form of the contract.

The investigation made by this office as to the character and qualification of John S. Boyden establishes the fact that he is a capable attorney and is competent to handle the legal matters provided for in his contract before any Courts or Commission, and is thoroughly capable of handling such legal matters in appellate courts, including the Supreme Court of the United States. Mr. Boyden bears a very good reputation among the Indians and is a respected member of the bar of his State. He has the reputation of fulfilling his contractual obligations and of being loyal to the clients represented by him.

I recommend that this contract be disapproved.

Reference is made to the signatures of Roger Honahni and Andrew Seechoma, purporting to approve the contract on behalf of "The Hopi Tribe, organized pursuant to the Indian Reorganization Act of June 18, 1934." The Tribal Council, represented by Messrs. Honahni and Seechoma, has not been approved by the Bureau, and as you know, I have strongly recommended that the said Council be not so approved. It has been my understanding that the Bureau has accepted the policy, recommended by Superintendent Carnal and me, that the said Council shall not be recognized to speak on behalf of the Hopi Tribe.

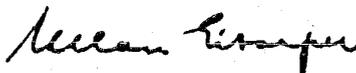
Exhibit 25

approval of the proposed contract would effect recognition of the Tribal Council by indirection, thus reversing the basic Hopi policy which has been worked out in the field with the Bureau's consent and approval. I am not prepared to recommend reversal at this time.

Within the past few weeks, I have discussed this contract and other matters with Mr. Boyden here at Window Rock. Mr. Boyden told me quite frankly that approval of the contract would constitute only the first step in a sequence, under which recognition of the Tribal Council would be brought about, contrary to the administrative policy of this Area Office. After approval, he proposes to recommend transfer of Tribal funds to the control of the Council and to proceed to negotiate oil leases under authority of the Council. These subsequent actions, it would appear, are to be proposed in order to create Tribal funds with which to pay Mr. Boyden compensation in accordance with Section 4 of the proposed General Council contract.

I believe that if the proposed contract is approved and the other proposed actions are attempted, there will be a rebirth of bitterness and extreme controversy among the Hopi villages, thus destroying any prospect of developing a representative body in accordance with the policy and procedure on which we have had to devote so much time, resulting from the inept and non-comprehending policy and actions of the previous Superintendent, Mr. James Crawford. I do not believe that our administrative policy should be changed in order to accommodate Mr. Boyden.

Sincerely yours,



Allan G. Harper
Area Director

Enclosure