Carnal, Dow (Hopi Agency Superintendent), 7-16-1951b, Letter to Allan G. Harper, B.I.A., Area Director, Window Rock Area Office. Copy from Indian Law Resource Center website, Hopi Report, Exhibit 48. (http://www.indianlaw.org/en/hopi_report)

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Hopi Indian Agency
Keams Canyon, Arizona
July 16, 1951

Mr. Allan G. Harper
Area Director
Window Rock, Arizona

Dear Mr. Harper:

As you know, that for some time, the Hopi Villages have been considering the employment of Mr. John S. Boyden of Salt Lake City as an attorney to represent them in filing a claim against the United States before the Indian Claims Commission.

In May, Mr. Boyden and I held meetings at all the Hopi Villages to discuss the terms of the tentative contract with them. We met will all twelve of those villages including the three Consolidated Villages of First Mesa. At that time six of these villages approved a resolution for the hiring of Mr. Boyden and appointed two representatives from each village to sign the contract for them. These villages are namely: Shitchomovi, Tewa, Walpi (known as the Consolidated Villages of First Mesa), Sipaulavi, Kykotsmovi, and Upper Moenkopi. On July 14, the Bakabi village approved the same resolution and confirmed the appointment of the two delegates who signed the contract for them.

The following villages did not approve the resolution for hiring the attorney: Mishongnovi, Shungopavi, Oraibi, Lower Moenkopi and Hotevilla.

The population of the villages according to the 1950 Census is as follows:

| | |
|---|---|
| Shitchomovi | 968 |
| Walpi | |
| Tewa | |
| Mishongnovi | 227 ✓ |
| Sipaulavi | 116 |
| Shungopavi | 511 ✓ |
| Oraibi | 150 ✓ |
| Kykotsmovi | 592 |
| Bakabi | 147 |
| Hotevilla | 427 ✓ |
| Upper Moenkopi | 192 |
| Lower Moenkopi | ~~[illegible]~~ ✓ |
| Total | 3,028 |

EXHIBIT 48a

This gives a total of 1315 people in the villages that favor the resolution and 1413 people in the villages who fail to sign the resolution. Out of the villages who fail to sign, I feel that only one of these will actually offer organized opposition. One village plans to file its own claim. A number of the villages stated that the contract sounded good but it was not in their tradition to sign such a document.

On June 14, 1951, the Hopi Tribal Council as it now stands, passed the resolution for employing an attorney and selected two members to sign the contract for them. It so happened that the Council delegates who constituted the quorum on this day were from the villages who favored the resolution. Since the people from the villages who favor the resolution represent the majority of the Hopi people, I recommend that the contract as it is now drawn up and signed be approved by you and the Commissioner.

I made numerous inquires about the qualifications and reputation of the attorney, Mr. John S. Boyden, who the Hopi people propose to employ. I feel that he is capable and is an industrious and diligent worker. He seems to be honest and lives up to the terms of his contracts. He served for several years as Assistant United States District Attorney and he has had previous experience before the Court of Claims in Washington and would also be capable of taking a claim on up to the United States Supreme Court if necessary. He is very popular with the Ute Tribe with whom he has worked for some time. In light of the above, I recommend that Mr. Boyden is a good prospect for the Hopi people to consider if and when they do hire an attorney to represent their people.

In accordance with Federal Regulations, I am submitting the proposed contract properly signed and executed. Also included are the minutes of the meetings held with the Consolidated Villages of First Mesa, Sipaulavi and Kykotsmovi. The minutes for the Bakabi and Upper Moenkopi meetings are still in progress and will be submitted in the near future.

Since the time is short for the filing of the claim, should the contract be approved, I recommend that the contract be forwarded to the Commissioner immediately.

Sincerely,

Dow Carnal
Superintendent

DC/bw

EXHIBIT 48b