

Hopi Tribal Council, 7-14-1954, Special Meeting, to introduce Phoenix Area Director,
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SPECIAL MEETING
HOPI TRIBAL COUNCIL

Oraibi, Arizona
July 14, 1954
10:00 a.m.

Attendance List

Tribal Council

Hale Secakuku, Second Mesa - Chairman	Dewey Healing, Polacca - Member
Logan Koopee, Polacca - Vice-Chairman	Roger Quotshytewa, Oraibi - Member
Willard Sakiestewa, Oraibi - Secretary	Lorenzo H. Quanno, Oraibi - Member
Thornton Maho, Polacca - Sgt. at Arms	Julius Toopkema, Bacabi - Member
Emory Sekaquaptewa, Hotevilla - Interpreter	Robert Sakiestewa, Moenkopi - Member
Andrew Seechoma, Polacca - Member	Albert Yava, Parker - Assistant Interpreter
Samuel Nahee, Polacca - Member	

Visitors

John S. Boyden, Tribal Attorney	Walter Lewis, Tuba City
Ralph M. Gelvin, Area Director	Howard Talayumptewa, Hotevilla
Clyde W. Pensoneau, Superintendent	Arthur Puhuquaptewa, Oraibi
Leora R. Weaver, Secretary	Mark Gaswruza, Moenkopi
Else Kingsley, Secretary	George Negestewa, Moenkopi
Sylvia Kerr, Social Worker	Steve Beeson, Sunlight Mission
Otto K. Weaver, Soil Conservation	Alice Sakiestewa, Oraibi
Wendell Cordle, Principal	Abraham Talashoneway, Second Mesa
Kendall Cumming, Range Conserv.	Jesse Poola, Polacca
Jean Fredericks, Water Supply	Mancho McLean, Second Mesa
E. O. Morrow, Reservation Principal	Baldwin Poliyquvima, Oraibi
Wm. Cochoyouama, Policeman	Homer Cooyouama, Oraibi
Frank LeVine, Winslow	Labin Quemoneya, Second Mesa
Dave Murray, Winslow	Harry Kewanimptewa, Bacabi
D. H. Copeland, Winslow	Bennett Cooka, Keams Canyon
Sam Tumkena, Tuba City	Richard Youwytewa, Oraibi
Lewis Numkena, Tuba City	Kay To. Johnson, Oraibi
Sekaquaptewa, Hotevilla	Herbert Yestewa, Oraibi
Sam Pawika, Oraibi	Roland Nechoitewa, Oraibi
Mrs. Henry Archambeau, Oraibi	Henry Polingyouama, Oraibi
John Talashoma, Tuba City	Benjamin Wytewa, Hotevilla
Roger Honahni, Tuba City	Albert Vantena, Hotevilla
Roy Tuchawena, Jr., Tuba City	Frank Kavena, Polacca
Sherwood Numkena, Tuba City	Lorenzo Yoyokie, Oraibi
Franklin Shupla, Polacca	Earl Kamzewa, Polacca
Frisco Johnson, Oraibi	Watson Namoki, Oraibi
Elwood Myron, Oraibi	L. N. Lomavaya, Polacca
P. K. Dickson, Oraibi	Davis Maho, Polacca
Herbert Seeni, Polacca	Homer Homewytewa, Oraibi
Fred Kabotie, Shungopavy	Norris Talayumptewa, Bacabi
Jackson Hoosava, Tuba City	Orlin H. Adams, Keams Canyon
Arthur Honie, Polacca	Adella Adams, Keams Canyon
Cyrus Tungovia, Polacca	

Chairman of the Meeting - Hale Secakuku

Interpreters - Emory Sekaquaptewa and Albert Yava

Recorders - Willard Sakiestewa, L. Weaver, Else Kingsley

Hale Secakuku: Before we go on with our business, we would like to ask one of our members to lead us in prayer. Mr. Beeson, will you lead us in prayer?

Steve Beeson: (Prayer in Hopi)

Hale Secakuku: We will call the roll of the Council members. Our Secretary will call the roll for all Hopi Tribal Council members. (Roll is called) All members are present, so that constitutes a quorum to carry on our business. Do we have an interpreter?

Willard Sakiestewa: Emory Sekaquaptewa will interpret.

Hale Secakuku: If you need any assistance, Mr. Yava will help you. Albert will you come forward please?

Members of the Hopi Tribal Council and Friends: Before we take up any other business, I would like to introduce to you Mr. Ralph M. Gelvin, our new Area Director whose home office is in Phoenix. Mr. Gelvin. We also have our Tribal Attorney whom I would like to introduce. Some of you people do not yet know him. Mr. Boyden. We also have our new Superintendent here from Keams Canyon, Mr. Pensoneau.

First on our agenda today is the introduction of the Phoenix Area Director, Mr. Ralph M. Gelvin, and we would like to hear from Mr. Gelvin.

Ralph M. Gelvin: Mr. Chairman, Superintendent Pensoneau, Members of the Tribal Council and Guests: I appreciate very much the opportunity to sit in on your Tribal Council meeting to become acquainted with you people. Before coming up to Hopi-land, I talked with our Commissioner, Mr. Glenn L. Emmons. He asked me to personally convey to the Hopi people and to the employees of the Hopi Agency his personal greetings.

I would like to take this opportunity to welcome the Hopi Agency and Hopi people to the Phoenix Area Office. I wish to assure the people that the members of my staff and myself in the Phoenix Area Office will do anything we can to be of assistance to the people and to the Agency.

I know you folks, the Tribal Council, have a great deal of business to take up today, so I am not going to take a great deal of your time to make a big speech, but I do appreciate the opportunity to be here and become acquainted with you people and have you become better acquainted with me.

Hale Secakuku: Thank you, Mr. Gelvin. We would like to hear more from you, but since you do not want to make any long speech we can excuse you for a little while, but we will come back to you later. It is with the greatest of pleasure that we welcome you to our midst. May the relationship between you and our people be prosperous and fruitful. Some say the Hopi people do not want progress; that they want to be left alone. That is not so. We are no different than anyone else. Our first interest is for the betterment of ourselves. We think that a great step

forward for our Tribe has been made by this transfer to the Phoenix Area. We realize that for any operation to be successful, effort and cooperation are absolute necessities. Mr. Gelvin, the Council wants you to know that cooperation and effort will be the by-words of the Hopis in their endeavor to bring the Hopi people to their rightful place in this civilization. We ask you to help us attain our goal. Thank you, Mr. Gelvin.

The next on our agenda, No. 2, is a report to the Council by our Tribal Attorney, Mr. John S. Boyden. Next, we will have the annual report from our Tribal lawyer, Mr. Boyden, who has recently returned from Washington where he spent several weeks handling Tribal affairs. Mr. Boyden.

John S. Boyden: Mr. Gelvin, Mr. Pensoneau, Mr. Chairman and Members: I am always glad to meet with the Hopi people, but at this particular time I am very happy because in the course of the report that I am going to make to you, it is possible for me to tell you that we have accomplished several things that we have attempted to do for a long time. Let me explain why I didn't come on the first of June as I wished to do. At that time I was required to be in Washington for Congressional hearings on an Indian Bill. It was my intention to come to Hopi just as soon as I was through in Washington, but your new Superintendent thought it would be well to time my coming with that of your new Area Director, and this is the first time that we could both be here at the same time. The Chairman has indicated that I would give an annual report. However, rather than make it on the basis of what has happened during the last year, I would rather make it a report on things that are new rather than things that have happened a year ago.

Now, Mr. Gelvin, we want you to know that the decision of the Commissioner of Indian Affairs for us to be in your Area is a decision that we are very happy about. It has been a long time that we have been advocating that the Hopi people be under a different Director than the Navajo people. We want to be friendly with our neighbors, the Navajo people, and it isn't that we have any great clash with them so much as it is that certain principles involving both the Hopi and Navajo people need a bi-partisan view-point, and we feel that we were handicapped with an Area Director who had the two missions of looking after the Hopi people and the Navajo people. Therefore, we wanted someone who could understand our problems without having the Navajo situation to bring pressure from the other side. Now, we hope, Mr. Gelvin, that such requests as we might make will be reasonable and will be in good conscience; a request that you will feel comes from a sincere and honest people. The Hopi people, I am sure, welcome your leadership, and we also sincerely hope that any request that you have to make of us shall find sympathetic ears and understanding hearts. We hail this change as a move taking the Hopi people out of the category of step-children and placing us in a position where we are free to move and to progress in our own right in justice to the obligations that the Government has towards us and that we have toward the Government and towards each other to make us better citizens of the United States of America. Now, to the Hopi people, I want to add to the many fine things you already know about Mr. Gelvin. In my personal experience as Attorney for other Indian Tribes, I have had much business with him over a period of a good many years, and I have no hesitancy

in saying that I feel that you are now dealing with an Area Director who is energetic, sympathetic and understanding in his approach. I feel that while he may not always agree with us, because he has ideas of his own and sometimes these may be better ideas than ours, he is a man of his own convictions, but if we can convince him of our position, I am sure we will have a champion for our cause. I feel personally that we could not have been placed in a better position anywhere in the United States.

While I have not been intimately acquainted with your new Superintendent, I did meet him a good many years ago, and have heard considerable about him. All of these reports have been good, and last night I spent an hour or two with him, and I feel sure that we are all on the same team and that we are all fighting for the same goal--that is for the betterment of the Hopi people. I like his attitude of having an open mind, and he wants to take in all the Hopi people, and his every action will be for the best interest of all the Hopi people. And we hope, Mr. Pensoneau, that as you work with us you will become convinced that we are working in the interest of all the Hopi people and not for just a few of the people, and you will find that all of the Hopi people from everywhere are welcome here. We want in the worst way most urgently to have all of the Hopi people working together for a common cause.

Now, this new change in administrative set-up, we understand as we know you understand, is a matter of administrative decision, but we have advocated and pleaded for so long that we hope you will allow us a little room for pardonable pride in the manner in which the Hopi problems are now to be handled. There is much truth in the fact that we do think a lot of Hopi history, and we are very conscious of things that have happened in the past; but we are also very much aware that at the present time there is an attempt to further encroach upon Hopi rights and privileges, and so it is with a lot of satisfaction that I have just learned that objections we made to the Navajo Tribal Council, concerning the collecting of Traders' fees on the Hopi Reservation and their further attempt to regulate grazing of the Navajo people on the Hopi Reservation have been upheld. New ordinances had to be redrawn by them leaving out reference to the Hopi Reservation. This is indeed significant for the Counsel for the new Area Director of the Navajo Agency and the new Commissioner of Indian Affairs have had an opportunity to go into the matter, and they failed to approve the other ordinances. It looks like that at long last we are getting recognition and some action to prevent further encroachment upon the Hopi Reservation. It has been over a year ago--it was a year ago last Spring that a delegation went with me over to Mr. Harper's office. Superintendent Carnal accompanied us and I believe Jim Beck was with us at that time, when we lodged the protests to these things. When I returned to my Salt Lake City office, I prepared a memorandum setting forth these protests in a letter of April 6, 1953 so that the real legal problem was definitely placed before them. To have that now recognized is an indication of two things: First, that the Hopi people, as peaceful as they have been in the past years, have come to the understanding that they must stand up for their own rights or their rights will be taken away from them. This seems to

be a turning point because it is recognition from the former Area Director and the Commissioner of Indian Affairs that we do need to stand up for our rights, so it is very heartening that legal principles that have been urged in your behalf are being recognized.

You know that for some time I have been working and digging out all of the old records and documents and all of the old historical information I could get with respect to a Solicitor's Opinion in which the Solicitor of the United States Department of Interior stated that the Navajo would have an interest in all of the minerals underlying the Executive Order Reservation. I have always thought that this was not correct, and I have the law and the other documents which I think should bring a change in this opinion. I think I have enough evidence to bring about a change in the legal opinion in connection with this matter on the Hopi Reservation. I have the factual proof and I have the law with respect to it which I think should bring about some changes in your rights in the Executive Order Reservation.

The manner in which this problem should be raised and when it should be raised has always been one of our most particular problems. Now, one of those has been answered. First of all when the Hopi Reservation goes to the Phoenix Area instead of being under the Gallup Area, there is immediately a question as to what should be the extent of the territory, and that is what we have been trying to get settled, and also with respect to the Navajo Tribe trying to collect the Traders' license fees and also trying to regulate the grazing on the Hopi. So now I am satisfied that this is the time for this to be decided, because the Government has a problem themselves, and now to come in with all this material we have been working up shows that this is the right time now. It is the time that we have been working for. You know when a Blacksmith works, he has to get the iron just so hot before he can begin to work or hammer it, and that is what I am referring to. Now, the problem has been raised in another way, it is the right time now. Since the Government has a problem to settle where it is in the Phoenix Area jurisdiction, the manner in which this should be prepared should be, I think, thoroughly discussed with the new Area Director and with legal counsel for the new Area. And it is my opinion that we can jointly arrive at a plan as to how this is to be presented. Last night I discussed with Mr. Gelvin a manner of presenting all this material that I have been able to get together--presenting these things to Washington and determine how to bring to light all of the facts instead of just in light of facts that other people have brought to the Government's attention.

Now, the next matter I have I think will be of particular concern to Louis, Walter, Roger Honanie and others from Upper Moencopi. You will remember that back in 1949 when Mr. Crawford was Superintendent here you tried to organize Upper Moencopi with a constitution. Mr. William Zimmerman, Acting Commissioner at that time, refused that right on the grounds that the Hopi Constitution didn't make provision for it. Now, I met with you people at Upper Moencopi, and we drew up new Bylaws and a new Constitution, and we presented it in a manner provided by the Constitution of the whole Hopi Tribe. Mr. Carnal didn't call that election because he felt that this decision made by Mr. Zimmerman was binding on him until he got different word from the Commissioner of Indian Affairs. Now, when

I was back in Washington last January I took this matter up with the legal staff of the Commissioner, and they said that they would like me to present that officially. So I prepared it in my Washington office and presented that, and I gave copies to the Government, to the Village, to Superintendent Carnal, the Tribal Council and Roger. That letter was not answered at that time. When it went unanswered for several months, I was back again in January, and I again took it up with them and asked if we could please have an answer to that letter. This morning, Mr. Gelvin handed me an answer to that letter signed by Mr. Emmons. They have come to the conclusion that the Hopi people should be entitled to interpret their own constitution. This is the last paragraph of that letter:

"Each Village shall decide for itself how it shall be organized, that is whether in the traditional Hopi manner with a Kikmongwi or under a Village Constitution. The Superintendent is to be authorized to call such an election if after a review of the proper Village Constitution he finds that it is consistent with the Constitution and Bylaws of the Tribe, and that the 25% petition requirement has been met."

We think that both of those things have been met. You did get the petition didn't you, Roger?

Roger Honanie: Yes, Robert Sakiestewa got it.

John S. Boyden: I would like to discuss this with Mr. Pensoneau while I am here and see if we can do this with dispatch because it is long overdue. This means that we can now organize Upper Moencopi without any difficulty, and it also paves the way to make one for Bacabi. This makes me very happy.

Clyde W. Pensoneau: You mean Moencopi, don't you?

John S. Boyden: No. I mean when we get through with Moencopi, we can also go ahead on Bacabi.

Now, you will remember that the State of Arizona encouraged both the Hopi and the Navajo to adopt a traffic code of regulations so that there could be a more or less uniform code both on the respective reservations and in the State. The Navajos adopted such a resolution, and it was given to me to give to the Hopis for their consideration. You suggested that I type out the ordinance just as it should be, so I have done that. I have the Traffic Ordinance, and it is basically just the same except for a few changes, and so it is now ready for the Council to act on this afternoon. I know it is getting close to the noon hour, and there is one more question with respect to the surveying of Moencopi that we should discuss, if not with the whole group, at least with the group from Moencopi. I want to do that while I am here.

Now, there is also the question of the expiration of my contract which expires at the end of next month. I have been requested to prepare a new contract for presentation while I am here. I have prepared such a contract with a few changes which ought to be discussed while I am here. It is deemed that this is the correct time to do this and it can be done at the pleasure of the Council.

Hale Secakuku: Well, I think it is the lunch hour now, and we will recess for lunch and be back here at one o'clock. I want Mr. Boyden, Mr. Pensoneau and Mr. Gelvin to stand over here by this door and shake hands with each one as they leave.

Hale Secakuku: The meeting will now come to order. We are now on Number 3 of the agenda. Tribal Council new business is now in order. Our lawyer discussed several things this morning, and it is up to the Council to choose which one we should discuss now. The contract or the traffic code could either be discussed now.

Robert Sakiestewa: Mr. Chairman, our lawyer had the floor this morning. Has he finished up all that he had to talk about or does he need more time to finish?

John S. Boyden: I think the details of what I have yet to say can be done in connection with these other matters.

Dewey Healing: Mr. Chairman, I suggest that we take up the General Contract first. I think it will take less time than the Traffic Code.

Hale Secakuku: Dewey suggested that we take up the contract first, so I think we will discuss that matter now.

Dewey Healing: This morning our attorney said there are some changes in the contract. We wish to know what changes there are, if any.

John S. Boyden: I will be glad to explain the changes. Roughly, it is just the same as before. This is a new contract to cover another three years. The old contract did not include litigation. This time I have included litigation. It looks as if we might possibly present our claims to the court between the Navajo and Hopi. If you had any law suits, I would be your attorney for that, too. I didn't put that in before because I didn't think we would have any law suits. However, it would remain the same as before--that is you wouldn't have to pay me unless you had the money in the Tribal Treasury to do so. Now then, here is a change. Under the old contract it says that if you didn't get that money within three years after expiration of the contract you wouldn't have to pay me. I think that in the event you did get money through my efforts on your behalf, you would want to pay me. This contract would extend that deadline for another three years. If you do get money for the tribe, I would make an agreement with the Council as to how much I should be paid, and if we couldn't agree on the amount, then the Commissioner of Indian Affairs would have to decide what would be a fair sum. That would apply to the old contract as well as the new one. It continues as a just and valid obligation until three years after the next contract expires. If you don't have money at that time, then I could never recover it. As a further consideration of this contract, it is mutually agreed that all unpaid compensation and unreimbursed expenses incurred by the Attorney on behalf of the Tribe under the previous contract with the Attorney entered into as of September 1, 1951, and approved by the Commissioner of Indian Affairs on May 28, 1952 (Vol. 20, Page 91) shall continue as just and valid obligations of the Tribe to the Attorney until three years after the expiration date of this contract unless sooner paid; notwithstanding any

provision contracted in said contract to the contrary. On or before December 31, 1954, the Attorney shall file with the Commissioner of Indian Affairs and with the Hopi Tribal Council a statement of all expenses incurred by him for the Tribe under the terms of said contract, itemizing the extent and character of services rendered upon which just compensation may be later determined. In other words, three years after the next contract expires, if you do not have money by that time, then I can never recover it. I have to tell everything I have spent for you under this contract together with a statement of services rendered. I tell exactly what I have done and put it down in writing. I have to file a statement before the end of this year, so that the Commissioner would have it. That is how this contract is different from the other contract.

Now, under the old contract I was supposed to submit to the Tribal Council and the Commissioner semi-annual reports on what I have been doing, but it worked out different than that. It would have taken quite a bit more paper work to have done that. Instead of that I have come here to explain what I have done. So I have changed that and left out the requirement that I report semi-annually and have put this in, "That the Attorney report personally every time I come to a meeting, and then if the Commissioner or the Tribe wants a separate report for any reason, they will ask me for it, and I will have to give it to them. I think that is more practical.

Here is another provision that is rather unique in this contract, Mr. Gelvin. At any time the Tribe or the Commissioner wants to get rid of me, they would just have to give me 30 days notice, and they would terminate me. On the other hand, if I want to terminate the contract, I would only have to give them 30 days notice. That is the same in the old contract, and I do not intend to change it. I have not only talked about the changes, but about things that should not be changed. That is all the changes there are. I have drawn this up just the same as before for the approval of the Council and the Villages. I had hoped that we would have more villages at this time so that I know that a bigger majority of the people want me. I would like it very much better if we have the villages take this up as well as the Tribal Council. If I really felt that the majority of the people did not want me, I wouldn't want to be here. Now that is entirely up to you if you want to bring it to the villages. I think it should be presented to the villages, not only those villages that signed it before, but the other villages to see if they have had any change of heart. If the majority of the people want me to continue with this work, then I would feel like going ahead and doing it. If the majority of the people want me, I am willing to take it for another three years under these terms.

Hale Secakuku: I think it is up to us now to discuss this.

Logan Keepee: Mr. Boyden, let me ask this question. Under this new contract does it provide that you be paid three years after the expiration of this contract?

John S. Boyden: No. It says that if after three years after the expiration date you have money, you will pay me. If you don't have it three years

after it has expired, you won't pay me anything. You see I have done a certain amount of work under this present contract. By December, I will file a statement with the Commissioner of Indian Affairs and with you saying, "This is what I have done." I will do the same under the new contract. Then if you strike it rich some way or another and get a lot of money, we would sit down and decide how much my pay should be. If, after you have the money and after my last contract is ended, I let it go three years more without doing anything about it, then I am too late and I can't get anything. That is the statute of limitations. Any money I have coming must be paid within three years after the contract expires, and the obligation doesn't go on and on. Now do you understand?

Logan Koopee: It is getting clearer all the time.

John S. Boyden: Logan says I am getting better all the time so I will keep going. Here is the first contract. It started in August, 1951 and ends in August, 1954. Suppose that the work that I did would be worth \$1,000.00 and I had \$500.00 costs. That would be \$1,500 coming under the old contract. Now then, suppose under this new contract from August, 1954 to August, 1957 that I do another \$1,000 worth of work and spend another \$500; if I am going to collect any of this I have to get it by August, 1960 or I don't get anything. If I don't do that, then the Tribe is free from it, and I can't accept anything. Is that clear?

Logan Koopee: Yes. It is clear.

Friseo Johnson: Is this discussion just for the Council members or is it open to the whole crowd to express their opinion?

John S. Boyden: This is a discussion with the Council, but I think the Tribal Chairman should answer that for you.

Hale Secakuku: Mr. Johnson, this meeting is more for the Council members now, and it will be for the villages later. You listen closely.

Firsco Johnson: But Mr. Boyden won't be here than. I think this is the time to ask questions.

Julius Toopkema: Mr. Chairman, I suggest that it would be better to hear from the Village Representatives first, and then give it to the members of the Tribe and let them express their opinions.

Hale Secakuku: We will open it to the Representatives first then. I will speak first for my village of Sipaulovi. We met twice for discussing the renewal of the contract of our attorney, and each time we decided we would like to hire him back. Some of us have been to school and learned how to speak English, but we do not know how to fight these court cases, so we feel that we must have some one who really knows the law; and therefore, we will want Mr. Boyden as our lawyer. We, ourselves, are unable to do these things, and that is the conclusion from my Village. How about the First Mesa Consolidated Villages?

Andrew Seechoma: Speaking for the First Mesa people; we had our meeting, discussing having Mr. Boyden for our lawyer for another term. We are

net in a position to present anything in the courts. Some of our people worked hard acquiring an education well enough to speak English, but they are not capable of carrying on anything in a legal sense, you might say. With this handicap we have decided to try to rehire Mr. Boyden as our lawyer.

Roger Quotshytewa: I am speaking for Kyakotsmovi. We also had our meeting twice, and we also arrived at the same decision of rehiring Mr. Boyden because of our lack of experience in handling anything in a legal way. It is up to us to cast our votes to rehire him.

Julius Toopkema: I am speaking for Bacabi Village. Our reason for suggesting that the members of the Council carry on this business of discussing the rehiring of our lawyer is because it should be within the Council. After it will be open to the people as a whole by villages. We at Bacabi also have discussed this, and because we have confidence in Mr. Boyden and believe that he is in sympathy with us by not asking any immediate pay, we would like to rehire him.

Robert Sakiestewa: I am a representative from the Upper Moencopi Village. We have discussed this a while back and have voted to rehire him for our attorney. We feel that he is capable and willing, and this man knows our problems. If we had to find another lawyer, he would have to start from the bottom up to learn our problems. This man has been working with us and he knows all about it and can start right off. We want to rehire Mr. Boyden.

Samuel Nahee: I would like read our Bylaws, concerning what we have to go by. Article 2, Number 4 reads: All members of the Hopi Tribe may attend any meeting of the Council but may not speak except by invitation of the Council. This is just to remind you people of our Constitution and Bylaws so you can remember it next time that the Chairman gives you a suggestion.

Hale Secakuku: We will now open the meeting to all members.

Frisco Johnson: I am like Logan about the contract about the three years that he has already served and for the three years that he shall be appointed again. It is kind of blurry to me. In the next three years if you can't accomplish anything for the tribe, do you get paid for the three years that you have already served? I don't understand this.

John S. Boyden: I don't get paid for what I don't do at any time. What I do and what is accomplished must be taken into consideration. We know that we have accomplished certain things and we hope to accomplish more now because we hope we won't run into the difficulty that we had before. Suppose that the Tribe begins to have an income because of the things I have done--income that we haven't had before, then I will come to the Tribal Council and put before them what I have done. Then we will decide together what a fair amount of pay would be and if we can't agree, then the Commissioner of Indian Affairs will say, "This is the amount." And we will both be bound by that.

Frisco Johnson: How about the 10 percent?

John S. Boyden: That has nothing to do with this. There is no 10% in this contract. You are talking about the Claims Contract. This is the General Contract, and in it I am paid for the amount of work I do and you agreed to pay. I haven't asked for anything that I am entitled to. You have had more than \$500 in the treasury, but I have never put in a bill because I knew you couldn't afford it. The only money I have received during this time, on one trip to Washington you paid my expenses. And you paid for one of my trips from Salt Lake City down here. I didn't ask for that, but you paid it. I don't know how you raised the money, but you did. I haven't presented any bills to you because I didn't have to have it, and I knew that you needed it badly.

Frisco Johnson: That was on my mind about asking. Did you ever send us a bill? Some of the people around here think we owe you already quite a bit; that you sent us a bill for \$30,000.

John S. Boyden: I would be glad to settle for that. No. I have never sent any bill. I can prepare a statement of exactly what I have spent. I have that on an itemized statement. I can prepare that for you so you can know what it is. As to the services I have performed, I will just tell you that there is a limitation of \$5,000 per year on the whole contract. No matter how much work I do I can't recover more than \$5,000 so that \$30,000 is a little high. The amount is determined according to your ability to pay as well as the work done.

Adella Adams: Any payments that have been made are recorded in that book, and the reports were read at the Council meeting. Any time you need to check back on reimbursements, it is all in the records.

John S. Boyden: The services I render shall not be more than \$5,000 a year. If I do more work than that, I can't collect more than that.

Frisco Johnson: I was asked about your sending us a bill of \$30,000.

John S. Boyden: Someone must have thought something like that had been done, but there is nothing to that at all.

Logan Koopee: I suggest that we put this to a vote now.

Hale Secakuku: Before putting this to a vote, I would like to ask Mr. Pensoneau whether he would like to clarify a few points.

Clyde W. Pensoneau: I think maybe I can make a few statements that might help clarify this thing a little bit because I did have something to do with it soon after my arrival here. Several Councilmen were in my office and expressed concern at the situation of the Attorney's contract expiring soon. They asked me at that time what the procedure must be to renew the contract, providing the people and the Council were willing to approve. Under the Constitution and Bylaws the Tribal Council has the power to renew this contract. However, at the last Council meeting the Chairman asked those who had not taken this up with their villages to do so, and we would hear today how those meetings came out. In the

meantime, I made a call to Mr. Boyden to check further and see just how he would want us to handle this. During the telephone conversation, Mr. Boyden stated that there had been questions raised by some people both outside and from the Hopi people, expressing the opinion that he had never obtained the majority consent of the people on the previous contract. Now, I think, Mr. Boyden, in his desire to be fair about this thing and also to re-substantiate his feeling on the thing thought it might be best to go through the same procedure as had been followed with the first contract; which went back to the villages for discussion. He also made the offer to do it any way that you people would like to have it done. He stated, "I will go with you to each village or stay away--any way you want to work it." But he does prefer to have the substantial proof that he is representing the majority of the Hopi people. Am I right on that?

John S. Boyden: That is right.

Clyde W. Pensoneau: In discussing this with Mr. Boyden this morning and last night he thought that since we had asked for this report which was given today, at the last meeting or that the Chairman suggested that the Council members go back and discuss this contract renewal with the villages, that we could discuss today how you wanted to do this. The majority of the representatives here today, according to Mr. Gelvin's score board, have said that they have already discussed this in the villages and have decided to re-hire Mr. Boyden. I think what Mr. Boyden is getting at is that he would like to feel sure that he represents the majority. I think most of the people here feel that he does. He wants to be sure that he has done this the way it ought to be done so there would be no room for criticism.

John S. Boyden: I am satisfied because I know you men, and I know you talked this over. That part I am satisfied with. However, in order to have a resolution attached to the contract so that the proof is there if anybody raises any question in Washington like they did before, I would like to have a resolution from each village, and I think that such a meeting must be called by the Superintendent. His representative must ~~be there~~ and the proceedings must be recorded. You should pass a resolution and name two people to sign it for the Council. We will have it all in writing then and it will all be before the Commissioner and we will be able to win out like we did the last time. I would still like to have these other villages who are not represented here be included, and it is possible that they may be willing to join the Council, and it is for that reason that I would like to have meetings called in those villages also.

~~Reggie~~ Quotshytewa: I want to bring out this point in favor of the lawyer here. I have met with the Hotevilla people when they expressed their thoughts in regard to the workings of the Tribal Council. It is more a criticism of the way the Tribal Council operates. Whenever they pass a resolution it seems that the Hotevilla people are not considered. They prepare a resolution including Hotevilla, but these people have had no part in it and yet it involves them also. If you want to approach these villages with this contract it seems like it will be quite a task as they have been opposing right along. It is doubtful in my mind whether they would

accept this. But if you wish to do so, you can follow some method of approaching them with this. If you want to do it yourself, it is entirely up to you as the Lawyer with the help of the Agent.

Frisco Johnson: I think that kind of puts Mr. Boyden in a spot, going out there alone and trying to work with opposing people and trying to convey to them what he is doing for us. It would be a problem for any man to try to do that himself. And it would be hard and embarrassing for any one of these members to go along. I would be afraid to tackle it.

John S. Boyden: If the Superintendent calls the meeting and the matter is explained properly, then no one can say they have not been consulted. Even if they do oppose it, they have been consulted, whether or not you get a single vote. I was just going to say that the form of resolution requires the Council to assign two members to sign this contract, and then it has to be certified by the Superintendent, showing that he knows it was properly prepared after full discussion.

Gene Fredericks: I believe the last time that we had this general contract up for consideration, the Superintendent and Secretary and Lawyer came to each village to discuss the matter very thoroughly. I happened to be Chairman at that meeting at our Village, and I can certainly attest to the fact that we had a pretty hot meeting. It was thoroughly understood by the majority of the people that we needed an Attorney. I think the reason that Mr. Boyden would like to follow the same procedure is that our Constitution and Bylaws gives the power of rehiring exclusively to the Tribal Council, but each village has certain authority, and that should be respected. I think that is the right procedure, and with this in mind, I think the same procedure should be followed. I know that we respect the authority of each village leader. I don't think anyone should be embarrassed because I think we have to accept these responsibilities, and I think we should face the fact that we have to contend with this sort of thing. It is in our Constitution and Bylaws and we should not lose sight of that. I welcome the suggestion by the Attorney to come out and speak to each village. There is much criticism from the outside, and those people have no understanding of what the real problem is on the Reservation. They would listen to anything to tear us down. If they really want to learn the workings of the Tribal Council, they should participate in these things. I want to say to my representative that I think that we should go to each of these villages as Mr. Boyden has recommended. We have this traffic code on our agenda, and I think we should have in mind that in the future we need to be prepared with an attorney to give legal advice to Hopi individuals. No person on this reservation is financially able to protect himself in any court of law.

Logan Koopee: I suggest that the Secretary read this resolution to the Council members.

Hale Secakuku: Will you read the resolution?

(Resolution is read)

John S. Boyden: Now, I would like the record to show that copies are now to be furnished to the Superintendent and to the Tribe so that there will be no question as to what we are discussing. I think it would also be well to have the Area Director read one too while he is here, even though all these will all have to be certified. The way we did that before was to select two people to act as delegates to sign the contract, and they have to go before a Judge.

Hale Secakuku: It has been discussed long enough. We all understand, I hope. The members of the Tribal Council will take a vote to approve this and two members will be chosen to sign the contract. Will anyone make a motion that we vote to adopt the resolution?

Dewey Healing: I move that we vote to adopt the resolution.

Lorenzo Horace Q.: I second the motion.

Hale Secakuku: It has been moved and seconded that we take a vote of the Tribal Council. All those in favor raise your hand. (8 for) (0 opposed)

Hale Secakuku: The vote is unanimous. Now for the selection of two members to execute this resolution.

Julius Toopkema: I nominate Samuel Nahee.

Dewey Healing: I nominate Hale Secakuku.

Samuel Nahee: I nominate Logan Koopee.

Lorenzo Quanno: I move that nominations be closed.

Dewey Healing: I second the motion.

Hale Secakuku: We have three names. All in favor of closing nominations raise your hands. (8 - Unanimous). Now we have three candidates, All those in favor of Samuel Nahee, raise your hand (3). All those in favor of Hale (4). All those in favor of Logan (1). I guess that means that Samuel and I will sign the contract.

Hale Secakuku: Now, I would like to ask Mr. Gelvin to say a few more words before we go onto another subject.

Ralph M. Gelvin: Mr Chairman, I would like to restate what I stated this morning—that I appreciate meeting with the people here. There is a point or two which I didn't cover this morning that I should perhaps mention. In the few remarks I made this morning I purposely avoided mentioning your Tribal Attorney, Mr. Boyden, and I did that for a purpose. The reason I avoided mentioning him because I did not want to in any way influence the thinking of the Tribal Council or any of the visitors here before the official action had been taken by the Tribal Council regarding the continuation of Mr. Boyden as Tribal Attorney.

In my position, I work with many different tribal attorneys, and over a period of years that has been quite a number of different tribal attorneys. I think the Hopi people are indeed fortunate in having a man of the caliber of Mr. Boyden as their Tribal Attorney. I consider him the best in the business, and I say that with all earnestness and in all sincerity. I do not say it because I feel that those are the words you want to hear. I say it because I honestly believe it. Regarding your Superintendent, I have known Mr. Pensoneau for many years. We have worked together, and we have been friends for many years. When it came to selecting a new Superintendent for the Hopis, I was very fortunate in being called upon to make a recommendation, and I was happy to call upon Mr. Pensoneau as the best man I knew of in the Field for the job. He has my complete confidence and my complete support. I have asked Mr. Pensoneau to follow the same policy and the same practice here that I intend to follow myself, and that is to work with all of the Hopi people. I think that is what you people want, and I believe that is what your Tribal Council wants. I think they will want him to be completely fair to the some 3,000 Hopis rather than just a few. I want to pledge to the Hopi people that I will do everything in my power to work with the people, the Superintendent, and your Attorney to help solve some of these problems that are bothering you now. I think that by all of us working together we can solve some of these problems, but if one of us keeps on going this way and one that way we aren't going to get much done. During the few days that I have been here, I have had the privilege of meeting quite a large number of Hopi people. I have had an opportunity to visit the Hopi villages--not officially, but I have been there even if I have not had the opportunity of meeting with the people of all the villages. I like what I have seen. The people have been very friendly, and I like them. I hope that we can work together, and I know that we can.

Hale Secakuku: Thank you, Mr. Gelvin. Now, the traffic code regulations will come next.

John S. Boyden: We have discussed this at some length before, and I have prepared it the way you asked me to do. There are several copies of it and I will keep one copy myself.

Logan Koopee: (Explains the traffic code.)

Samuel Nahes: I think it still requires that the Safety Committee has something to do with it.

Hale Secakuku: It has been suggested that we take this ordinance home and discuss it with the various village people, and at the next meeting, we will make a report and act on it in each village. I think that finishes our new business. Is there any other new business?

Hale Secakuku: What is your idea on authorizing our Secretary to handle the money along with his secretarial work? I suggest that we ask our Secretary if he will handle that until we can find a man to fill the job. If he will take it, that will be much better.

Clyde W. Pensoneau: We should have something there in the minutes to indicate that he has the right to sign vouchers too.

John S. Boyden: You mean to say that you appoint the Secretary to act as temporary Treasurer with authority to sign vouchers until a permanent Treasurer is elected.

Willard Sakiestewa: I would be glad to take care of it until such time as we find someone else.

Dewey Healing: I make a motion that we elect our Secretary as temporary Treasurer until we get a permanent one.

Andrew Seechoma: I second the motion.

Hale Secakuku: It has been moved and seconded that our Secretary act as Treasurer. All those in favor raise your hands. (8) Unanimous.

Dewey Healing: Mr. Cumming asked this morning to have a Ram Enterprise Committee re-appointed so that he can work with an authorized group on that project. The Council some three or four years back set up a committee, but for some reason or other have not given the committee any specific duties to perform. It was requested by the Committee Chairman that the Council draw up specific duties for them so that they could cooperate with the Range Management Department. If the Council could find time at this session to take this matter again, Mr. Cumming wishes that they would do so, so that he can be informed about who the committee is and what their duties should be.

Emory Sekaquaptewa: Mr. Chairman, being former Chairman of the Committee, when I was selected as Chairman for that Committee, I requested that the Council draw up in specified form just what the duties of this Committee were to be but got no reply from them. We were unable to operate without knowing what duties to perform. Then the Extension Agent, Mr. Jim Beck, took over the responsibilities and disregarded the Committee as far as I can recall, and this Committee did not function at all for that reason. Just last Spring or Winter when Mr. Carnal and Mr. Beck or Mr. Cumming recommended to the Council that they re-activate the Committee that was done, but we still did not receive any duties or responsibilities as requested. Now they must be getting into problems where they don't like to take that responsibility. I have mentioned several times that one man cannot hold several responsible positions in the Tribal Council all at one time. I am now Tribal Judge, Interpreter, Committeeman and almost everything else, so I would like to remind the Council again with respect to this so I can be freed from that Committee and give more time and study to other responsibilities. I am willing to cooperate in any way possible to help the Tribal Council along, but holding all these responsible positions at once is too much work on one man to handle anything efficiently. That is my reason for making this statement this afternoon.

Hale Secakuku: What are the suggestions of the Council about re-appointing a committee and giving specified duties and selecting one person from among the Association on the Reservation and one from among the

sheep owners to to be members on this committee,

Dewey Healing: (Long speech - no interpretation)

(General discussion on arrangements for holding meetings
in all villages)

Dewey Healing: I make a motion that we adjourn.

Andrew Seechoma: I second the motion.

Hale Secakuku: All in favor of the motion, say I. The vote is unanimous.

Meeting adjourned at 6:10 p.m.