

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, the Tribal Council authorized the Land Claims Committee to develop a plan and submit to the Council, and

WHEREAS, the Tribal Council directed the Land Claims Committee to plan for an 80% per capita and 20% plan for programs, and

WHEREAS, the plan was submitted to the council covering the requirements of Docket No. 22-D and the requirements of the council for 80% per capita and 20% program for recreation improvements.

BE IT RESOLVED by the council of the White Mountain Apache Tribe that the attached plan be accepted and initiated at the earliest possible time.

BE IT FURTHER RESOLVED that the council has set July 16, 1974 for the Hearing of Record in Memorial Hall, Whiteriver, Arizona, 9:00 a.m., Mountain Standard Time.

BE IT FURTHER RESOLVED that the Bureau of Indian Affairs make all the necessary publications, notices and advertisements.

BE IT FURTHER RESOLVED that the Bureau of Indian Affairs conduct the Hearing Of Record, to stand all expenses of the Hearing of Record, recording and publication.

The foregoing resolution was on June 20, 1974 duly adopted by a vote of 9 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Joan Ditchy
Acting Chairman of the Tribal Council

Marble Goodfield
Secretary of the Tribal Council

JUL 12 1974

MEMORANDUM

**To: Area Director
Atten: Tribal Operations**

**From: Superintendent
Fort Apache Agency**

Subject: Tribal Resolution No. 74-107

The Land Claims Committee submitted to the Tribal Council a plan covering the requirements of Docket 22-1 and the requirements of the Council for 80% per capita and 20% programs for Recreational improvements.

Resolution No. 74-107 accepts the plan for Land Claims monies in Docket No. 74-107 and that this plan be initiated at the earliest possible time.

The Council further set July 16, 1974, for the Hearing of Record in Memorial Hall, Whiteriver, Arizona at 9:00 a.m.

The Bureau of Indian Affairs is to make all the necessary publications, notices, and advertisement and that B.I.A. further conduct the Hearing of Record, to stand all expenses of the Hearing of Record, recording and publication.

The resolution was adopted on June 20, 1974, pursuant to authority vested in it by Article V Section 1 (i) of the Amended Constitution. The resolution is not subject to review or approval.

/s/ Tim C. Dye

Superintendent

S. P. V.

*Gloria
Gurfil*

Bureau of Indian Affairs
Phoenix Area Office
P. O. Box 2647
Phoenix, Arizona 85011

August 2, 1974

Tribal Operations

To : Commissioner of Indian Affairs
Attention: Division of Tribal Government Services

From : Area Director

Subject: White Mountain Apache Tribal Plan on Use or Distribution
of Judgment Funds - Docket No. 22-D.

Enclosed are four (4) copies of a Plan for Utilization of Judgment Funds, Docket No. 22-D, which has been prepared by the White Mountain Apache Tribe pursuant to regulations issued by the Secretary of the Interior (25 CFR 60) under date of January 11, 1974. Also enclosed are four (4) transcripts of the public Hearing of Record which was held at Whiteriver, Arizona, on July 16, 1974.

The bound plan is comprehensive in that it contains all the pertinent tribal resolutions and minutes of the tribal Land Claims Committee meetings depicting the efforts that have gone into developing the plan. In addition to other materials, it also has a copy of the Amended Constitution and Bylaws of the White Mountain Apache Tribe, as well as a copy of Tribal Enrollment Ordinance No. 59, which the tribe will utilize in updating its membership roll.

The hearing of record was well attended by the young and old alike. The tribe dispatched buses to the various districts in an attempt to provide opportunities for the members to participate in the hearing process. A barbecued lunch was served. Public notices regarding the hearing appeared in newspapers serving the area. Mr. Raymond Endfield, Jr., a tribal member who coordinated the work of the Land Claims Committee, appeared several times on a radio station in Shew Low, Arizona, a nearby rural trading center, explaining the plan in the Apache language. It was apparent the plan was well publicized and the tribal members had a good understanding of the plan. This was further evidenced by the fact that from 400-500 members in attendance at the hearing only 5 members tendered oral testimony, all essentially in favor of the plan. There was no spoken opposition to the plan. The hearing officer afforded ample opportunity for those in attendance to speak, or give testimony, either in favor or against the plan.

U. S. BUREAU OF INDIAN AFFAIRS

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IN THE MATTER OF THE
HEARING OF RECORD ON THE
WESTERN APACHE CLAIMS

Docket No. 22-D

Whiteriver, Arizona
July 16, 1974
9:45 o'clock a.m.

BEFORE:

MR. FRITZ L. GOREHAM,
Hearing Officer
Office of Solicitor
U. S. Department of Interior

APPEARANCES:

MR. W. A. MEHOJAH,
Area Tribal Operation Officer
Bureau of Indian Affairs

MR. JOHN (BUD) SHAPARD,
Area Tribal Operation Officer
Washington, D.C.

MR. EDGAR PERRY,
Interpreter.

Sandra P. Konugres,
Official Reporter

1 MR. RONNIE LUPE: May I have your attention, please.
2 (Not translated into the English language.)

3 MR. RAYMOND ENDFIELD: (Mr. Endfield presented the
4 following in the Apache and English languages.)

5 The public law 93-134, commonly known as the Act of
6 October 19, 1973, was formulated for the purpose of
7 distributing Indian land claim. Consequently, the tribe
8 has been working on the land for a certain time and it was
9 finally decided that the tribe should then consider a plan.
10 Basically the plan was to put money together and come up
11 with some sort of formulation on what the plan should be.
12 When it came down to it the tribe then received a lot of
13 assistance from Washington. They received assistance from
14 the two gentlemen, Mr. Mahojah and Shapard and, of course,
15 the hearing officer is here, for the purpose of talking
16 about the land claims.

17 The meeting today is for the purpose of a hearing of
18 record to discuss the tribal plan which would be distributed
19 along the lines of an 80, 20 percent; 80 percent per capita
20 and 20 percent for the purpose of programming. So, then,
21 the people here will have an opportunity to discuss the
22 plan, to talk to the people up front here and tell them
23 what their feelings are about the merits of the plan.
24 Consequently, when you come up here Mr. Goreham here will
25 be the gentleman who will work with you and allow you to

1 give your testimony from where I am standing now. So, all
2 of you will get an opportunity to speak. The only thing
3 we request is that you come up here and give your necessary
4 name and so forth and he will discuss that with you when
5 you come up here. If there are any questions to be asked
6 part of the problem is that Mr. Goreham is here mainly to
7 take testimony and when he gives you his own address he
8 will probably give you more details about what he expects
9 to cover today.

10 MR. GOREHAM: My name is Fritz L. Goreham from the
11 Office of Field Solicitor in Phoenix. I have been
12 appointed as the hearing officer to conduct this hearing
13 of record for the purpose of the distribution of your
14 judgment fund. The hearing today will not be a question
15 and answer session. You will be entitled to come forward
16 and speak your piece on how you feel about the plan that
17 has been adopted by your Council for submission to the
18 Secretary. Pretty soon I am going to read the entire plan.
19 It has been distributed to you but I have to read it into
20 the record so it goes back to Washington.

21 This hearing is held under the regulations adopted by
22 the Secretary in compliance with the Act of October 19,
23 1973, which requires that the members of the tribe have an
24 opportunity at a public hearing to state their feelings and
25 objections, pro or con, for the proposal.

1 Mr. Perry is going to be the interpreter and it is
 2 going to be translated, every speech is going to be
 3 translated from English to Apache and Apache to English.
 4 Everything has to be in English to be recorded to submit
 5 to Washington.

6 (Mr. Edgar Perry, the interpreter, translated the
 7 foregoing statement into the Apache language.)

8 MR. GOREHAM: I believe both the Tribal Chairman and
 9 Mr. Endfield have explained to you the way this thing is
 10 set up. The Council has adopted a plan for submission to
 11 the Commissioner who, in turn, submits the plan to the
 12 Secretary, who, in turn, submits it to Congress. The
 13 purpose of this meeting is for you to make your statements
 14 about the plan because the Council, based on today's
 15 session, may want to change their plan before they submit
 16 it to the Commissioner.

17 Get the ground rules straight; we are not here to
 18 answer questions. You are here to make your speech. I am
 19 going to read the plan now in English. It consists of six
 20 pages, and Mr. Perry will interpret in Apache.

21 We have cards down here and once the plan is read, if
 22 you want to speak about the plan, come down and just sign
 23 your name on a card and then I will put the cards in no
 24 particular sequence and you will come forward and make your
 25 speech. If you haven't signed up you can still come down

1 during the rest of the speeches and sign up. We are going
2 to give everybody the opportunity to speak that wants to
3 speak.

4 All right. I am going to read the plan now.

5 "Plan for the use and distribution of Western Apache
6 judgment funds awarded in Docket 22-D before the Indian
7 Claim Commission: The funds appropriated by the Act of
8 October 31, 1972, (86 Stat. 1948) in satisfaction of the
9 award granted the White Mountain Apache Tribe and San Carlos
10 Apache Tribe in Docket 22-D before the Indian Claims
11 Commission, less attorney fees and litigation expenses but
12 including all interest accrued shall be divided equally
13 between the two tribes. The share of the White Mountain
14 Apache Tribe shall be used and distributed as herein
15 provided:

16 "(a)

17
18 80 percent of the judgment fund principal and its
19 accrued interest shall be paid per capita, in the amounts
20 as equal as possible, to all tribal members born on or
21 prior to and living on the approval date of the plan;
22 except that, subject to the approval of the Secretary of
23 Interior, the White Mountain Apache Tribe shall first be
24 reimbursed from the judgment award for all expenditures
25 made from the program planning and roll preparation

1 purposes.

2 "(b)

3

4 The Secretary of Interior, in arranging for the per

5 capita payment to be made shall withhold sufficient shares

6 for individuals whose entitlement to the tribal membership

7 may be in question. These shares shall be held at interest

8 in a separate individual Indian money account pending

9 determination of enrollment appeals. The amount of any

10 shares, including interest accrued, determined not payable

11 on the basis of enrollment appeals that are denied shall be

12 added to the programming aspects of this plan. Otherwise,

13 the shares of individual beneficiaries, who are living

14 adult competents shall be paid directly to them.

15 "(c)

16

17 The shares belonging to minors, legal incompetents and

18 deceased persons will continue to be invested as Individual

19 Indian Money until a suitable trust is developed and

20 approved by the Secretary of Interior or disposed of in

21 accordance with the Department regulations governing

22 estates. (43 CPI 4.200-4.297) whichever is applicable.

23 For purposes of this distribution only, the trust for

24 minors shall also provide that a minor's share may be

25 released after their 16th birthdate upon a showing of dire

1 and extraordinary need to the satisfaction of the tribal
2 council.

3 "(d)

4
5 Should an unclaimed or undelivered per capita share
6 revert to the White Mountain Apache Tribe pursuant to the
7 Act of September 22, 1961, (75 Stat. 584) funds
8 representing such shares shall be made available for
9 general tribal purposes.

10 "(e)

11
12 Subject to the approval of the Secretary of Interior,
13 20 percent of the judgment fund principal and accrued
14 interest shall be used in accordance with the following
15 schedule:

16 "The tribal council believes that our juvenile
17 delinquency problem can be alleviated by providing for a
18 youth activities program, and therefore decrees that 20
19 percent of the judgment funds be expended on provision of
20 the recreational facilities and equipment, and on funding
21 for the operation of a program. The 20 percent is to be
22 considered in two parts; one half of it to go to the nine
23 communities for facilities and minor equipment, the other
24 half for program direction (a) one half of the 20 percent,
25 calculated on the day on which the 20 percent becomes

1 available for the tribal use, will be expended on
 2 community facilities such as, baseball fields, lights for
 3 fields, playgrounds, basketball courts, softball fields, et
 4 cetera; in accordance with the following schedule:

5 "Percent of Funds Available for Community Facilities
 6 at Each Community: Cibecue, 18 percent; Canyon Day, 11
 7 percent; Cedar Creek, 6 percent; East Fork, 13 percent;
 8 7-Mile, 7 percent; N. F. Rainbow Diamonds Creek, 19
 9 percent; Whiteriver, 9 percent; McNary, 5 percent; Carrizo,
 10 12 percent.

11 "For example, if on the day that the 20 percent funds
 12 becomes available to the tribe the total amount in the
 13 claims funds were \$2,600,000.00, then 20 percent of that,
 14 or \$520,000.00 would be for the recreation program. One
 15 half of that amount, or \$260,000.00 would be for community
 16 facilities and of that amount Cibecue, for example, would
 17 be entitled to 18 percent or \$46,800.00. (b) One half of
 18 the 20 percent, calculated on the day which the 20 percent
 19 becomes available for tribal use, plus all interest
 20 accruing on the 20 percent after that day and while all or
 21 any part of the 20 percent remains unused in the investment
 22 account, will be expended on the cost of operating a
 23 recreational program and on buses used for the purpose of
 24 transporting recreational program participants, according
 25 to the following tentative breakdown: Buses, approximately

1 \$115,000.00; program direction, approximately \$67,500.00
2 for each of the first two years for program implementation
3 and direction. Total, \$135,000.00. Any additional funds
4 available from accrued interest will be expended on
5 program direction. A detailed budget for the expenditures
6 of this portion of the recreational funds will be prepared
7 by the program director. Each community is to submit to
8 the tribal council their proposal for expenditure of their
9 funds, such proposals containing specific information on
10 the facilities to be constructed or purchased to include
11 cost estimates, construction schedule, and the outline of
12 the program for subsequent use of these facilities. Upon
13 council approval of each proposal and suggestion to
14 Secretary approval, funds will be released to the
15 communities under monitorship of the tribal business office.
16 One year from the date at which the 20 percent funds
17 became available to the tribe, the funds for any
18 community which has not secured council approval of their
19 proposal will automatically and irreversibly be transferred
20 to the program direction office for its use in general
21 direction of the recreational program.

22 "Within two months after notification that the 20
23 percent is available to the tribe, the Tribal Council will
24 have appointed, hired or otherwise caused a position of
25 Recreation Program Director to be established and filled

1 by a capable individual whose function it will be to
2 develop the outline of the recreational program, assist
3 the communities in developing their proposals, assist the
4 Council and Business Office, in monitoring the progress of
5 facility construction in the various communities, and to
6 implement and direct the reservationwide recreational
7 activities program."

8 The law provides that at least 20 percent of your
9 judgment funds must be used in some type of program as
10 adopted by your Council. Your Council has proposed to
11 use that 20 percent and 80 percent per capita. This is
12 your opportunity to speak at this public hearing to your
13 people and to your Council how you feel about this plan.
14 Now, Mr. Perry will translate the plan in Apache and after
15 he finishes I will ask you to come forward, everybody that
16 wants to talk, and sign a card.

17 (Mr. Edgar Perry, the interpreter, translated the
18 foregoing statement into the Apache language.)

19 MR. GOREHAM: Those that want to speak on the plan
20 come forward now and sign a card.

21 MR. RONNIE LUPE: (Translated into the English language
22 by Mr. Edgar Perry, the interpreter.) Probably you don't
23 know the 20 percent and I would like to explain to you.
24 The councilman plan for this meeting and they plan in the
25 paper what you think I should bring it out here because

1 this is your money. And, so, come out and write your name
2 down on a paper here so you can come up and we have
3 interpreter for you here and this plan is going to
4 Washington, D. C. The plan of the White Mountain Apache
5 Tribe, if you say yes, then we will get the money. If you
6 say yes on this plan then we will go ahead with the plan
7 and the money that is given to us is about time to give
8 out now. Each individual are counted and children are
9 counted and the membership enroll. Those that aren't
10 enrolled should be counted and then we will need your
11 help, even the older people will need to help to find
12 these other people, the older people. And, the land claim
13 committees will have committees of land claim and then the
14 councilmen is ruling, you know, able to listen too.

15 After this meeting there is still a lot of work to be
16 done, the paper work and stuff. And, so, come over and
17 write your name and all the children will be counted. And,
18 then, the man has already read to you and you know the
19 money, you should know the money and how much money should
20 be given to the children and to you. You should ask and
21 then it will show. So, come on over and sign your name.
22 We are asking you to come over and write your name on the
23 paper and we will take this back to the Chief back to the
24 White House. When they said all right for the money, you
25 know, then we can pass it out. 22-D lands was taken away

1 from us and this is why we are getting the money. We still
2 got one more thing to go, county claim, and there is still
3 lots of money in this and still we got some more, still we
4 are talking about another money. Agency BIA is paying the
5 Bureau of Indian Affairs for the Indian and the Bureau
6 hasn't been using this money to help the Indians, and,
7 then, San Carlos, and, then, our people here are the same
8 and so the money is for us. And, then, it seems like
9 there is still lots of money yet in this. Docket 22-D is
10 from the land that is taken away from us, from this
11 people. If it's been passed around to you the paper has
12 been passed around to you.

13 See if you like it or not and come out and say. This
14 is why it's been told to them again.

15 MR. NELSON LUPE: (Translated into the English
16 language by Mr. Edgar Perry, the interpreter.) In 1850
17 when, way back in the days of the old Apaches, when we
18 people were talking about, when they were talking about
19 acorns and when they were talking about medicine man and
20 used to count all of these things back, you know, of how
21 much they got, you know. And, so the same way with the
22 land claim and the land claim sort of got alive again and
23 we said that you like this word that we got to you. This
24 is a question, this is the question for you, whatever you
25 think, you know, and Congress from Washington brought this

1 word and say, you know, go to the reservation and see what
2 they have to say about the land claim.

3 20 percent and 80 percent is one thing and this is
4 just like 20 percent is 20 cents, 80 percent like 80 cents;
5 make 100, you know. So, we don't have anything for the
6 kids. Kids just run around and get into trouble and a lot
7 of things. And, so, we need this program for the young
8 people and we are planning since. So, this 20 percent
9 will go for the recreation; the 80 percent will go to
10 individuals, you know. And, so, come out with work, there
11 is a lot of work to this and that is why we came here
12 today to get this thing all straightened out.

13 Many years ago we had our land go all the way out to
14 Old Mexico and then go all the way to El Paso, Texas, and
15 then all the way to Colorado River. Our land was extended
16 by Supai and Geronimo and arrow stuck in the chief in the
17 Supai. And, then, there is mountain back here, the
18 Phoenix area too and Apaches would go down to Phoenix to
19 get some food, and Tucson, and then they took that land
20 away from us.

21 The councilmen made this plan and 20 percent for the
22 recreation and 80 percent is for the individual and for
23 the children, each individual. The little kids 16 years
24 old, might hold the money for them in trust fund, under
25 16. And, so, and then when they grow to a certain age,

1 you know, we give them money.

2 Now, old people are all gone. Now, no one is talking
3 for us now. We used to have older people to talk for us
4 but now all the old people are gone and now no one talks
5 to us and encourages us and we just stare at each other
6 and we just don't move. But, we must come back and talk
7 about it and the land claim. So, it is up to you to come
8 up.

9 MR. GORHAM: The first speaker will be Thomas Cosen,
10 Jr.

11 MR. COSEN: (Mr. Cosen presented the following in the
12 Apache and English languages.) I am going to try to say
13 this in English now and try to cover some of the things
14 that I have just mentioned about the plan.

15 I just told the people that the plans, a plan for the
16 use of the distribution of Western Apache judgment fund.
17 So, I just said that this plan was a real good plan, what
18 the tribe was set up for, the White Mountain Apache Tribe.
19 And, actually, 80 percent will go to the Apache people and
20 20 percent will go to the community recreation facilities
21 for juvenile delinquency. And, I urge all the White
22 Mountain Apache people to set up the community meeting and
23 to invite the Council to discuss some of the things that
24 has been said here in this plan. And, I also mentioned
25 that I am very in favor of this program for the juvenile

1 delinquency according to the activity program for each
2 community.

3 And, I also mentioned that this, according to, you
4 know, to all the Apache people, that they should discuss
5 some of the things that I said on the trading post or need
6 motels and so forth for to have a job providing for a
7 younger people for a new future.

8 And, I also said that I should attend a meeting in
9 San Carlos yesterday but I thought I haven't anything to
10 do with it so I didn't go, and I should have mentioned
11 what had been taught yesterday. And, so, really it is up
12 to the White Mountain Apache people to set up a meeting
13 and invite Tribal Council to discuss some of their needs
14 and in their community, like specific information about
15 what their ideas or suggestions and to discuss and then
16 resolution back to the council for approval.

17 So, that is all I can say for today now and thank you
18 for your time.

19 MR. GOREHAM: Gertie Lupe.

20 GERTIE LUPE: (Gertie Lupe presented the following in
21 the Apache and English languages.) I just wanted to bring
22 out, we should have a good recreation center for all of
23 teenagers. This will help them to keep out of trouble and
24 it will also help us parents too. If we have a real good
25 recreation center we will have more high school graduates.

1 And, I think we should help the high school, after they
 2 finish school I think we should help them too. We should
 3 have more money for them to go on to school for their
 4 clothing and their transportation and whatever they need.
 5 I think we should have a lot of money for them because
 6 that's our trouble now. A lot of these kids, when they
 7 finish school, they don't have any money, the parents
 8 don't have any money and it will only discourage them more.

9 I think we should have some money set aside for the
 10 kids going on to school and help them in every way we can
 11 as far as money with that 20 percent.

12 (Applause.)

13 MR. GOREHAM: Ernest Palmer.

14 MR. PALMER: (Mr. Palmer presented the following in
 15 the Apache and English languages.) First of all, I would
 16 like to compliment the tribal council and all the people
 17 that have anything to do with the formulation that
 18 somebody put a list of money in our behalf. I think that
 19 this has been in the process, as we were told, since 1942,
 20 and it's not every day that we have a windfall of this
 21 nature. It is not necessarily a windfall because it's
 22 been a lot of work done to bring this money into our area.

23 And, people are talking about juvenile and everything
 24 else, but I think that a certain portion of this 20 percent
 25 should be expended in behalf of the old folks. I think

1 that the teenagers have their parents and they have
2 certain amount of money that we consider for them.
3 However, the older folks are the ones too that really are
4 in need of this type of help. They have gone beyond their
5 prime and some are getting to the stage where they more or
6 less are not able to help themselves. I know this because
7 this was brought out in Phoenix where we went to an old
8 age meeting and it seemed that this is more or less a
9 broad scope of area of old age program. The people in
10 that area where we were talking, they claim that the old
11 age were not getting sufficient assistance, so, I think,
12 that this amount of money should be expended equally as
13 well as for the juvenile or young kids or high school age
14 kids and also for the old folks.

15 While the rest of us are capable of making money for
16 ourselves or working, earning a wage, I believe, though,
17 that we can leave that to handle our own finance. However,
18 I also agreed with the statement made that we should help
19 those people who are trying to gain education. I know
20 this to be a fact because I went to Haskett Institute from
21 grant from the Apache tribe and there were certain portions
22 of that money granted to me for, well, say, expenses,
23 laundry and other things, and I know from personal
24 experiences that this is the hardest thing for a person
25 that's trying to get educated; and I know that we need to

1 get educated. A lot of these people, and when they go off
2 the reservation and get education, let's give them all the
3 help, all the support, all the money that we can afford.
4 Let's make it available to them because in this way of
5 life the whole State of Arizona seems to be headed for
6 Hawley Lake.

7 And, Hawley Lake, is this another big city, for that
8 matter, because I worked up there and I seen this thing
9 transpire. So, it is that the more we educate our people
10 the more that they can get anywhere. They can be able to
11 handle themselves among the public. I think that juvenile
12 and those other areas of troublesome can be alleviated.

13 Therefore, I am glad that this list, this nature of a
14 thing came to pass. It has been in the process for a long
15 time. A lot of people put their efforts into getting this
16 across. However, now that this has come about we are all
17 entitled to 80 cents out of every dollar and the 20 cents
18 requested for other purposes. I believe that it is not
19 necessary to argue about it. Thank you.

20 (Applause.)

21 MR. GOREHAM: Nick Thomas.

22 MR. THOMAS: (Translated into the English language by
23 Mr. Edgar Perry, the interpreter.) Today I am going to
24 speak to you. Nelson has spoke good, you know and the
25 white man took our land, land marking has been taken from

1 us and now we are getting the money back. We should say
2 yes, not no. Yes, raise his hand, he is the first one
3 from Cibecus. This is up to the councilmen. He is from
4 Cibecus and came from Cibecus and encouraged young people
5 that all their children go to school. And, if you speak
6 English you would seem like it's good for you and, then,
7 everything is easy. And, then, you go to a store and drive
8 a car, you can be a teacher and, then, seems like it's all
9 from the English, seems like all from white man. But,
10 from the Apache it seems like the Apaches, you know, are
11 going down and his children are all behaving real good.

12 And, then, all the children that are teenagers under
13 20 years old are all juveniles. It seems like they are
14 all getting bad. And, particularly children, when he
15 talks to the kids, you know, kind of gets mad at them, I
16 guess, and this is, he agrees with everything. He likes
17 to have the money and he says he is an old man and he
18 likes the money.

19 (Applause.)

20 He says he doesn't care if he pass out somewhere with
21 money in his pocket and he appreciate it. And, then, he
22 said he appreciate Nelson and all the councilmen and we
23 voted for them so they are good leaders. Get mad at them;
24 it's all right. You know, don't get mad at the policemen,
25 don't get mad at the councilmen. The star is like, it's

1 like forever, like, you know, and don't talk about each
2 other. And, I am glad I came. He said he is hungry, he
3 wants to go on and go eat. They got children and plant a
4 lot of corn and so the children would have some food to
5 eat on the ground.

6 And, so this is good to have corn. And, the money,
7 don't spend it on beer and liquor, you know. And, so,
8 please, children, be good and don't go to councilmen drunk,
9 but go to them sober, but we are all relative to each
10 other and the councilmen will protect you and guide you
11 into all and you can all be good.

12 (Applause.)

13 And, then, councilmen, you behave yourself. You be
14 like San Carlos, you know, you be where the White Mountain
15 Apache Tribe should be happy all the time. This has been
16 good. I am glad I came down from Cibecue. And, I used to
17 go all over the place but he doesn't go all over the place
18 now; he stays at one place.

19 (Applause.)

20 MR. GOREHAM: Mary Endfield.

21 MARY ENDFIELD: (Mary Endfield presented the following
22 in the Apache and English languages.) I have been on the
23 Council for many years, approximately 29 years, and came
24 aboard when I was a young single girl and first served as
25 secretary to superintendent Donner. At that time the

1 Council were still using the agency personnel in their
 2 meetings and I had interpreted and took the minutes of
 3 all the Council meetings. When I came to work I was
 4 secretary to the superintendent and I was allowed to take
 5 the minutes of the Council and the Council were all old
 6 men at the reservation that were leaders of the tribe.
 7 And many, and the majority of them did not speak English
 8 language. Many of the times in their meetings that I set
 9 in their meetings, they spoke about their land and the
 10 resources of the reservation.

11 At the time these old men were already aware of the
 12 land claims in the various parts of the United States.
 13 And, there was much discuss about the lands that the
 14 tribes were already concerned about, their lands, and
 15 they wanted their lands to be kept in a boundary reserved
 16 for them, never to be given out to the public. And, they
 17 wanted to know more about the land claim. At that time
 18 we were told that we had to deal with the Bureau of
 19 Indian Affairs as a tribe and we had to get our own
 20 tribal attorneys. Our first tribal attorneys were James
 21 Ocury and Charles McFarite. Charles McFarite is, at the
 22 present, in Tucson and is also participating in our land
 23 claims award. He introduced to us Wisebrow and Wisebrow
 24 who were the first land claims attorneys that was hired by
 25 the tribe to represent them in our future claims.

1 As time went on some of these men, the lawyers that
2 were representing us in our land claims passed on and were
3 replaced. And, then, the tribal attorney came to our
4 office one day. Nelson Lupe was chairman and he told us
5 that we had to get started on our land claims, to start
6 working on it now and you probably take about 20 to 30
7 years before we could ever see anything from it.

8 Mr. Lupe brought some tapes and we brought in the old
9 men off the reservation. We brought in John Chowbig;
10 David DeClay; Newton Gale; Will Lupe, Sr.; John Lupe;
11 David Ethelbah; Yahit Kane; Jesse Palmer; Lambert Stone;
12 Chief Baha; Nellie Duryea; Issac George; Ira DeClay;
13 William Burnette, G5; Silas Tenjieth; Charles Cosen; Luke
14 Riley; William Major; Eli Opah; Oga Altaha. All these men
15 and more, many more that I din't have time to write their
16 names, but these men were the very men that made the
17 foundation of what is now coming to pass today.

18 At the time I never thought I would be the mother of
19 a man, the young man that is now participating in the
20 final plan of the tribe, Raymond Endfield, Jr. I was
21 single at that time, so it never occurred to me that my
22 own child would be involved in this. And, I praise the
23 Council; they have come a long ways. They have worked
24 long tedious hours late into the night trying to form this
25 plan. The Council chairmen that I had worked with and

1 that were involved in the earlier days of the land claims
2 when it was first introduced to the Council were: Silas
3 Tanijath; Joe Crocker; Fred Larzelere, Sr.; Lester
4 Oliver; Nelson Lupe; Clinton Kessay, Sr.; Ronnie Lupe;
5 Fred Zanashley, Sr.; Roe Clark; Superintendent William
6 Donner; R. D. Holtz; Robert E. Robinson; Albert M. Hawley;
7 John O. Crow; and Superintendent Tim Dye, and he seems
8 like he will be the last superintendent to see that this
9 land claims award is completed.

10 I want to thank everybody that's here. This is the
11 first time that I have ever made a public speech and I
12 was telling my people that I want to say something to
13 them before I get too old. Thank you everybody.

14 (Applause.)

15 MR. GOREHAM: Is there anybody else that wants to
16 speak on the plan?

17 The meeting will be adjourned, then. Mr. Endfield
18 will explain about the barbecue.

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THIS IS TO CERTIFY that the attached proceedings before the Bureau of Indian Affairs in the matter of the Hearing of Record on the Western Apache Claims, Docket Number 22-D, heard at Whiteriver, Arizona, on July 16, 1974, were had as therein appears, and that this is the original transcript thereof for the files of the Bureau of Indian Affairs.

HANDEA P. KONDORIS
Official Reporter