

Native American Rights Fund

The National Indian Law Library

ANNOUNCEMENTS

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MAKING THE WHITE MAN'S LAW FIT THE INDIAN— THE MENOMINEE RESTORATION ACT

This year, in the midst of the Watergate crisis, Indians made the American political process work for them. There is both irony and hope in this coincidence. Watergate provides the irony. The Indians provide the hope.

Millions of Americans have been stunned and disillusioned by the revelations of Watergate. Few, if any, Indians have been because they have been the victims of an "Indian Watergate Affair" since they signed the first treaties with the United States government. Corruption, obstruction of justice, and abrogation of constitutional and congressional authority by pious men with mis-guided motives have all been a continuous part of Indian experience in the American political system. Congress has been dragging on the Indian Watergate Affair for about 200 years, even though it has had no trouble obtaining evidence, because there has been no public outcry. It is just that Congress has found it easier to deal with the near political ruin of a single President than it has with the near annihilation of an entire race.

The experiences of the Menominee Tribe of Wisconsin include some of the most shocking evidence in Indian Watergate.

This year the Menominee gathered and took their evidence to Congress in the form of a self-designed piece of legislation — The Menominee Restoration Act. They asked Congress to judge that their former trust relationship with the United States Government should be restored. Congress gave the Menominee the exact decision they wanted, and therein lies both the hope and potential resolution of all Watergate affairs.

The fact that after 200 years the Menominee were still willing to risk an encounter with the American political system should provide an example for all citizens who have been disillusioned by past and current political corruption. The fact that the encounter was successful indicates that when the system is not subjected to Watergate-type abuses, it really can work to the benefit of all Americans, even Native Americans.



THE PEOPLE OF THE WILD RICE



Menominee Chief Oshkosh, 1836

This is how the white man's law fits the Indian.

The Menominee Indians had their first encounter with white men in the early 1600's. For the next 200 years they were buffeted and proselytized by both British and French colonists. By the end of the 17th century the majority of the Menominee had been converted to Catholicism by Jesuit missionaries, and the process of acculturation was under way. Compared to other tribes, the subsequent toll in divisiveness between the Catholic Menominee and those following the traditional Menominee religion was small. These divisions were not unlike the later divisions between full and mixed bloods, but for the most part the Menominee maintained strong tribal unity.

In 1817 the Tribe signed its first treaty of peace and friendship with the United States government. At that time the Menominee still occupied their aboriginal lands consisting of more than nine

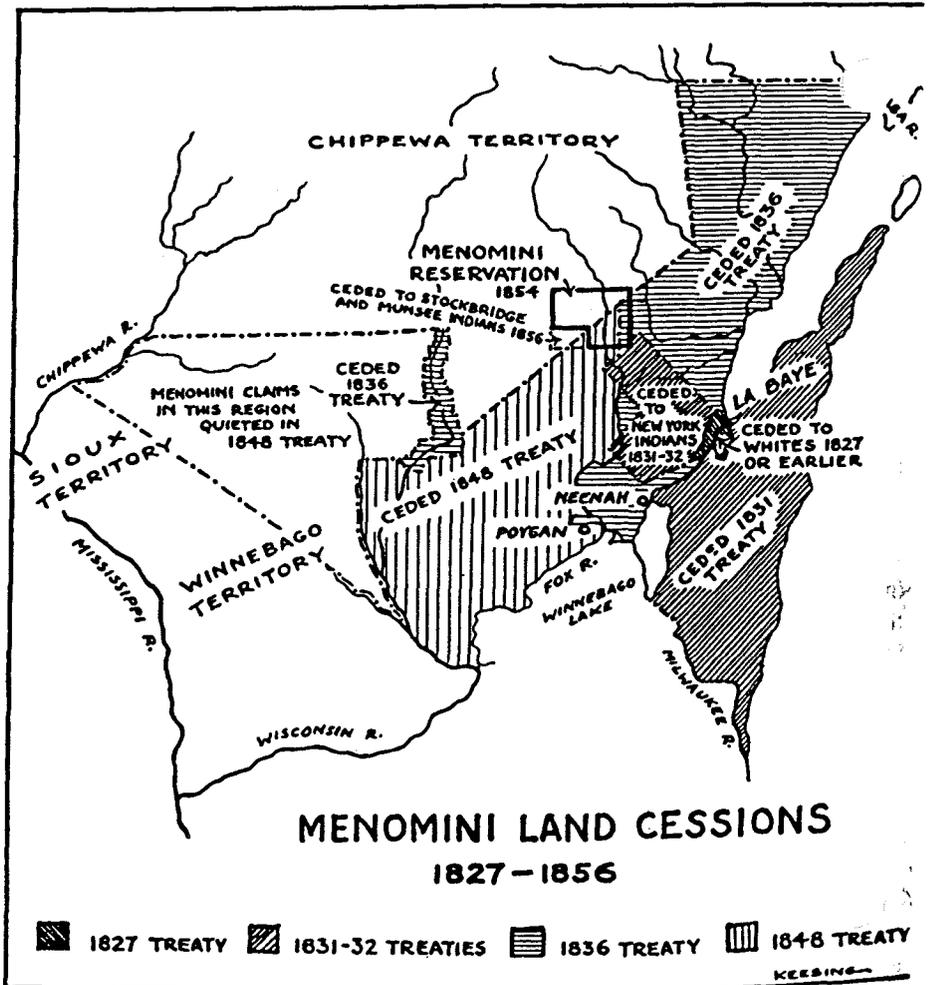
million acres in what is now Wisconsin and upper Michigan. (See map). During the next 40 years the Menominee were forced to cede almost all of their land to the United States. Some was for advancing white settlers — some was for other Indian tribes who, because their own lands were more coveted than that of the Menominee, were conveniently transferred to Menominee territory.

Chief Oshkosh, a tribal spokesman during much of this cessation period, is remembered for his tolerance and humor. He was presented with a gift of a top hat and formal dress coat by Governor Dodge of Wisconsin just after the Treaty of Cedars in 1836 in which the Menominee ceded 3 million acres to the United States.

Chief Oshkosh saved the coat and hat and wore them over his

traditional dress to remind the Menominee people as he moved among them that "this is the white man's law fits the Indian."

In 1854, Chief Oshkosh and the Menominee signed the Wolf River Treaty which confined the Tribe to less than 235,000 acres of forest land along the Wolf River in northeastern Wisconsin. These same acres then shortly became the Menominee Indian Reservation which the United States government agreed to hold in trust. As was the case with hundreds of other Indian tribes the federal government also promised to hold the other Menominee assets in trust to protect the Tribe's various treaty rights and through the Bureau of Indian Affairs to manage the reservation and supply basic community services.





We accepted our present reservation when it was considered of no value by our white friends. All we ask is that we are permitted to keep it as a home.

Neopit, Menominee Chief, 1882

"Nowadays, we undoubtedly ought to break up the great Indian reservations, disregard the tribal governments, allot the land in severalty (with, however, only a limited power of alienation), and treat the Indians as we do other citizens, with certain exceptions, for their sake as well as ours."

Theodore Roosevelt, The Winning of the West, 1889

In 1887 Congress made its first major attempt to deal with the Indian problem by passing the Indian Allotment Act. The Allotment Act was an attempt to force individual Indians to own private property — a concept totally inappropriate to a people whose existence was centered on communally shared mother earth.

The Menominee Tribe was the only tribe in the State of

Wisconsin who refused to participate in the Allotment Act and therefore their tribal lands remained intact. This initial attempt by Congress to "cover-up" the clash between the two cultures by imposing the values of one upon another lasted almost half a century. It saw two-thirds of the Indian land in the United States pass into non-Indian ownership — primarily through flattery, tricks and unmet tax assessments. Unfortunately, the Menominees' decision to not participate in the General Allotment Act was the first in a series of events which led them to near devastation. It was an example of early Indian Watergate irony.

Because the boundaries of the Menominee Reservation, as they were established in 1854, provided for a land base of less than 1/36th the original size of Menominee tribal lands, the Menominee were no longer able to sustain themselves by their traditional means of hunting, fishing and gathering wild rice. The land was, at that point in time, a little-desired, inaccessible, but nevertheless magnificent forest. Beyond its essential significance as a spiritual, cultural and physical refuge, the forest also soon became the basis for a modest tribal lumbering operation.

In 1908 legislation was passed giving the U.S. Forest Service the responsibility for administering a sustained-yield harvest of the Menominee forest. It was the first sustained-yield forest in the United States. In this same year a mill was built at the Neopit settlement on the reservation. Although both the timber cutting operations and the mill were controlled and managed by the BIA in cooperation with the Forest Service, they did provide employment for a significant number of Menominee men.

As the Menominee became more familiar with the white

man's law and the ways of Indian Watergate they discovered that they had the right to review the governmental trustee's operation and management of their assets. They soon saw that local forest service agents — in violation of congressional mandate — had decided to clear-cut their timber. The more the Menominee investigated, the more trouble they found. It was finally concluded that there had been gross mismanagement by the BIA of the Tribe's forest assets and after a long bureaucratic struggle the Menominee obtained permission from Congress to sue their trustee in the U.S. Court of Claims. The suit was filed in 1935, and the case was before the court for the next sixteen years. During this period the government's management tactics improved somewhat and the Menominee's assets increased.



Finally, in 1951, the United States Court of Claims awarded a \$8.5 million judgment to the Menominee for the BIA's mismanagement of their trust. This money, like all tribal assets was deposited to the Menominee account in the U.S. Treasury bringing the Tribe's total assets to almost \$10 million. However, none of the money could be spent without Congressional approval and this restriction turned out to be a fatefully crucial one.

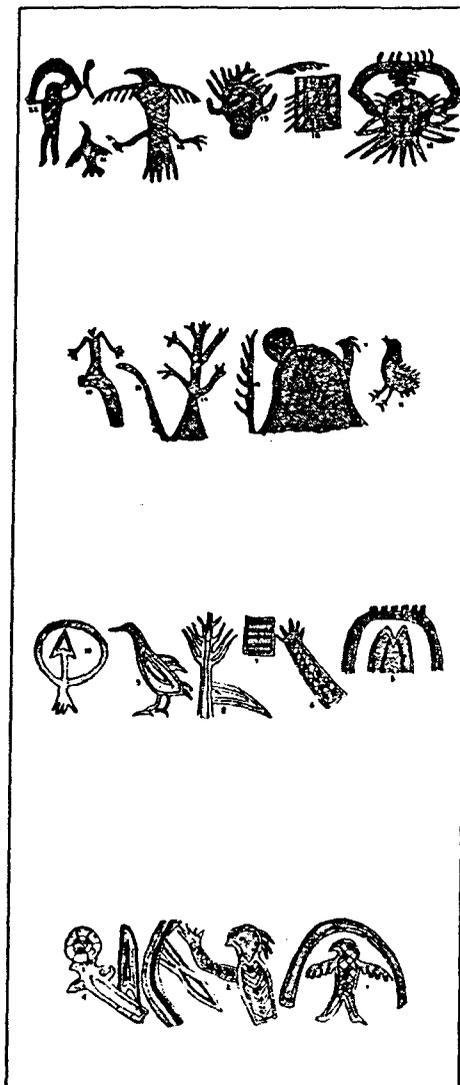
THE MENOMINEE TERMINATION ACT- A PERFECT EXAMPLE OF INDIAN WATERGATE

At some future time
You will think of me
And cry

*Pre-Columbian
Menominee Poetry*

In 1953, the Menominee Tribe was one of only three Indian tribes in the country who were financially able to pay the U.S. government for the cost of most of their federal services. They were able to do so because they were learning how the white man's law was fitting the Indian. They had instinctively resisted participation in one law (the Allotment Act), and that decision had left them with the assets that tempted some Indian Watergate participants to violate another law. The Menominee then successfully prosecuted those responsible only to obtain assets which so irked and provoked a man that he used his will and senatorial position to make yet another law — a law which he belligerently believed fitted the Menominee. It did not. The law, the Menominee Termination Act, was so ill-fitting that the Menominees nearly died from exposure.

Virtually all individual Menominees were poor in 1953. Their incomes, housing, health, and education all fell far below national and Wisconsin norms. Because of this the Menominee felt a need to distribute a portion of the 1951 Court of Claims judgment — about \$5 million — among themselves on a \$1,500 per capita basis. It was a reasonable and sound decision since these monies would have come to the Menominee earlier as annual stumpage payments had the forest been managed properly in



Menominee Record of a Mide Song

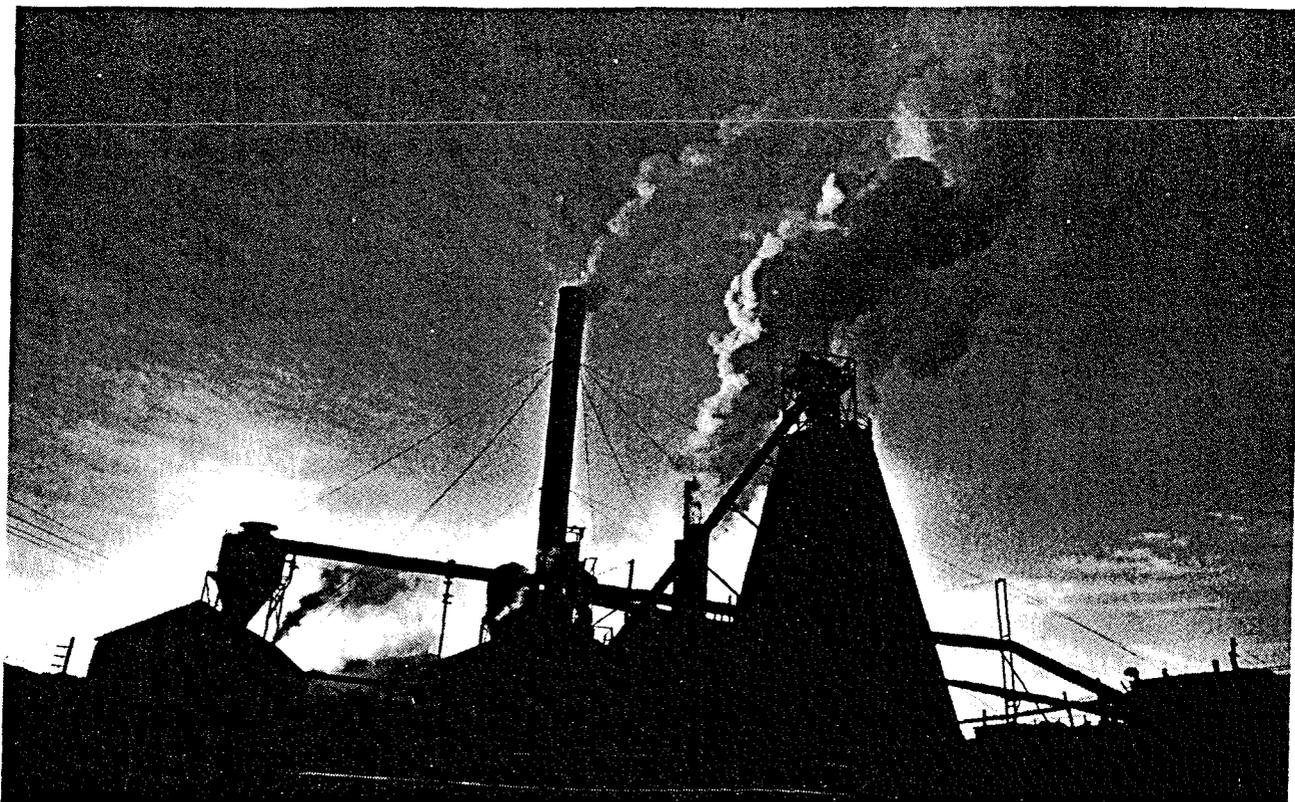
the first place. As wards of the U.S. government they needed congressional approval to distribute their own money to themselves. The then Representative Melvin Laird and Senator Joseph McCarthy introduced the Menominee request bill and it passed the House.

However, in hearings before the Senate Committee it ran up against Senator Arthur V. Watkins.

“What made the white people of this country so strong? What made America so strong? Why is America the most powerful nation in the world today . . . ? I believe that one reason for that is that the people who came here had to stand on their feet from the very beginning. They had to conquer the wilderness So these people had a lot of work to do. They worked, and fought and died . . . They had to struggle and work and plan, and have an ambition to get ahead, — and that is why they did get ahead. In our time, let us look at a man like Henry Ford. He started out with practically nothing . . . he established one of the greatest businesses in the entire world. And he became a great character because he had to struggle”

*Senator Arthur V. Watkins
of Utah, addressing the Menominees
on the benefits of Termination,
June 20, 1953*

Senator Watkins was a Republican from Utah who served in the U.S. Senate from 1947 to 1958. He was also the architect and prime mover of Menominee Termination. When the Laird-McCarthy Menominee distribution bill reached the Senate Committee on Interior and Insular Affairs, it ran up against an amendment sponsored by Senator Watkins. As chairman of the Committee he exercised extraordinary control over the proceedings and refused to report the Laird bill favorably, calling upon the Menominees to submit a plan for “termination” before the \$1,500 per capital payment could be distributed. The amount of confusion, deception, and lack of understanding between the Menominee and the government that followed resembles the microcosm of everything that gone on in the Indian Watergate Affair.



Menominee Sawmill at Neopit, 1971

Senator Watkins: It was a very interesting experience. I appreciated your help in introducing me to those people and giving me the opportunity to see how they lived, how they felt about it. That was one of the most interesting experiences of the whole trip.

Mr. Waupochick (a Menominee): We wish you could have stayed longer.

Senator Watkins: I had the same experiences visiting Europe, the refugee camps of the near East.

There is no word in any Indian language for "termination". It has been translated as meaning "to wipe out" and with real justification in the case of the Menominee. They felt and understood from Senator Watkins that they had no choice but to accept termination even though they, and certainly not Senator Watkins, knew what the implications of it would be.

In June 1953 Senator Watkins spent a few hours on the Menominee Indian Reservation. He spoke to the General Council for about 45 minutes. He told the Menominee that Congress had decided to terminate them and that within three years their affairs would be turned over to them and that they would not receive their per capital payments until after termination.

The Council was then asked to vote on the principal of termination. The vote was 169 to 5. Many of the 169 voting for termination (which was only five per cent of the Tribe) thought that Congress had already decided to terminate them — others believed they were voting in favor of the \$1,500 payments.

Following this first vote the Menominees began to work on a plan for termination while Watkins was working on his own. Another General Council meeting was held and, having had only minimal planning experience

with termination, the same Council voted 197 to 0 to oppose and reject termination. Senator Watkins prevented his Congressional colleagues from ever getting this second message from the Menominee.

Senator Watkins badly wanted our termination. He was firmly convinced that factors such as our status as Reservation Indians, our tribal ownership of land, and our tax exemption were blocking our initiative, our freedom, and our development of private enterprise. He wished to see us rapidly assimilated into the mainstream of American society — as tax paying, hard working, "emancipated" citizens. Senator Watkins did not believe that our consent to termination was necessary for its enactment.

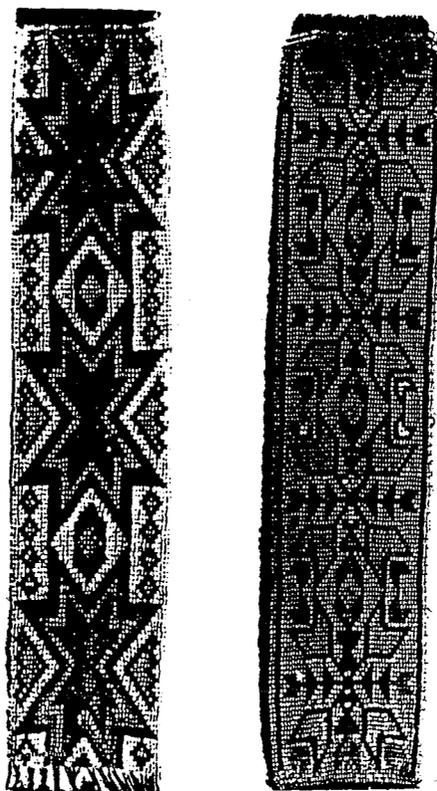
DRUMS Testimony Submitted to the Senate Committee on Interior and Insular Affairs, July 21, 1971

On June 17, 1954, the Menominee Termination Act was signed into law by President Eisenhower. The Act finally gave the Menominee the \$1,500 per capita payments they had originally sought (and to which they were already entitled), but it also closed the tribal rolls, required that the tribe submit a plan to provide for future control of their assets, and ended all federal services. Perhaps most importantly, the act eliminated the tax exempt status of the reservation lands.

It was then to take Congress, Wisconsin and the Menominee seven years to agree on an inordinately complex termination plan. After the plan was completed, the Menominee then were unexpectedly asked to pay the costs for a formidable array of studies, meetings and designs associated with the planning process. The actual plan was such a complex and lengthy legal document that few Menominee, governmental officials, lawyers, or experts associated with it comprehended it. It provided a way of preserving a semi-separate tribal identity by permitting the Menominee to vote to become a separate Wisconsin Country. However, almost immediately their hospital and other health services, including sewage systems were declared below Wisconsin state standards and were condemned and closed. There hasn't been a hospital or a full-time doctor or dentist in Menominee Country since termination. The BIA high school closed and Menominee children are now bussed to schools in adjacent Shawano County, where the curriculum, orientation and atmosphere are totally non-Indian. Correspondingly the dropout, expulsion and absenteeism rates of the Menominee have soared.

The tribal assets were turned over to a new corporation,

Menominee Enterprises Inc. (MEI), and suddenly Menominee survival was based on knowledge of a complicated, corporate-style of living including: par value stocks, voting trusts, income bonds and shareholder rights.



Menominee Beaded Garters

Menominee termination was one of the most abortive operations in Indian Watergate. It is particularly sad because it probably need not have occurred. Congress' own internal system of checks and balances was corrupted by one overzealous senator and several disinterested ones. The excessive absenteeism among members of the Senate Committee on Interior and Insular Affairs permitted Senator Watkins to control the proceedings and therefore the

record which came out of the hearings on the Menominee bill. Menominee objections to termination were plainly evident but like the Watergate tapes — there were “gaps and erasures” in the record where Menominee objections had been voiced. Congress passed the Menominee Termination bill believing that it had been approved by the tribal membership.

The effects of termination and corporate-style management of Menominee assets pitted brother against brother and parents against their children. It increased the poverty of most individual Menominees, created political turmoil, and brought on economic chaos.

But most importantly, termination eroded the Menominee land base. Two-thirds of the net operating income from the MEI's lumber operation went to pay taxes. Because MEI has lacked profits, or had only marginal ones, it lacked the money necessary to modernize or diversify the milling operations. Consequently, it could not compete with the surrounding industry. MEI, as well as individual Menominee, were forced to sell corporate shares and land in order to pay county and state taxes. As a result, acres and acres of the heartland of the magnificent Menominee forest were sold to non-Indians and Menominee reservation lands fell into the hands of non-Indian developers who destroyed religious sites and the cultural character of the community.

Interestingly enough, the corporate structure of MEI did not provide for control by the Menominee. Non-Indian businessmen and so-called experts were given control over the operation to insure its success. The result was collusion with non-Indian interests and the demise of Menominee assets.

TERMINATING TERMINATION

What type of life must these people be living to think that life under the BIA would be better than the life they have now?

*Representative John P. Saylor,
October 16, 1973*

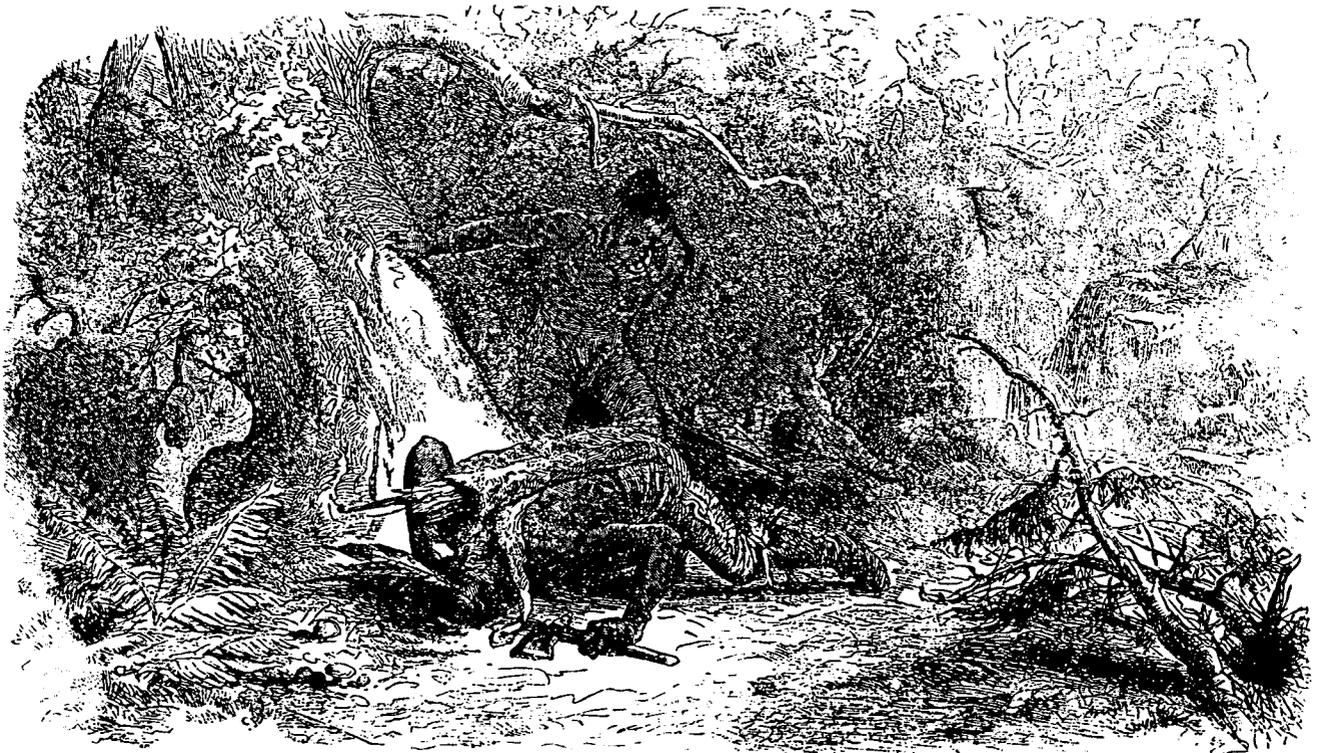
In 1968 after a very costly legal battle, the United States Supreme Court ruled that the Menominee treaty rights to hunt and fish had "survived" termination. (*Menominee Tribe v. U.S.* 391 US404, 1968). This suit was the beginning of the Menominees' battle to reverse the effects of termination. But the actual process of reversal (i.e. restoration) didn't begin until 1970

when a group of Menominee formed an organization known as Determination of Rights and Unity of Menominee Shareholders (DRUMS).

Seeing that MEI was not operating economically or democratically, lawsuits were filed by DRUMS to force a restructuring of MEI so that the Menominee people would have a stronger voice in running its affairs. Another lawsuit was brought to control a MEI land sales program which was stripping the Menominee of their sacred land. However, DRUMS soon recognized that termination had its roots in Congress and that was where they were going to have to be torn out.

DRUMS, and a Madison, Wisconsin, attorney, Joseph Preložnik, who began working with the DRUMS leaders when he was with the OEO legal services program, Wisconsin Judicare, saw that the law suits had achieved important but only preliminary results. They were a little like the trials of those men originally charged with the burglary of the Democratic National Headquarters in the Watergate building. They pointed the Menominee prosecutors in the right direction — toward terminating termination.

Joe Preložnik began consulting with the Native American Rights Fund about the problems of the Menominee soon after NARF



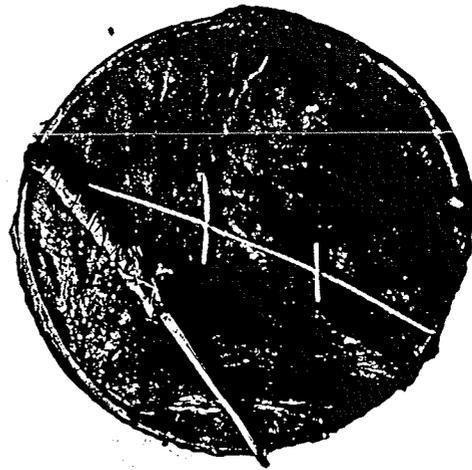
Following a Trail

came into existence. In late 1971, DRUMS asked Preloznik and Senator Edward M. Kennedy to request the Native American Rights Fund to do the time consuming and complex task of drafting a bill to restore the trust relationship and tax free status of Menominee lands. Native American Rights Fund attorneys, Yvonne Knight and Charles Wilkinson, made their first trip to meet with the Menominee in December 1971. These were the first of more than 1400 man-hours they were to spend working with the Menominee on the Menominee Restoration Act (MRA) during the next two years.

DRUMS was determined that the mistakes made during the decision-making process of termination be avoided in seeking restoration. For this reason DRUMS carried on a continuing series of consultations with the Menominee people concerning the provisions they wished to see in the MRA. Community meetings were held in Menominee County, Milwaukee and Chicago. The meetings were repeated and repeated again: No single piece of legislation can possibly include all the ideas of a culture as diverse as that of the Menominee, but the MRA finally came amazingly close to reaching that difficult goal.

On April 20, 1972, the Menominee Restoration Act was introduced into both the House and the Senate. As is the case with virtually all complex legislation, changes were then suggested by many different sources. The same kind of hearings as were held on the Termination Act were repeated. This time, however, Menominee people made certain that there were no gaps or erasures in the record.

From the beginning, the strongest and most effective advocates for the Act in the House of Representatives were Representative David Obey, the



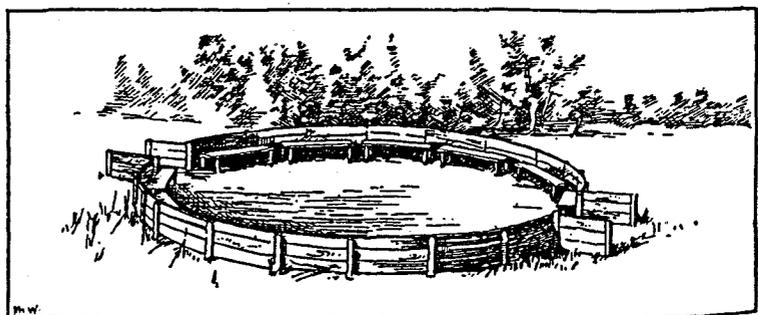
Menominee Tambourine Drum

Menominees' former Congressman, and Representative Lloyd Meeds, Congressman from the State of Washington and Chairman of the Indian Affairs Subcommittee. Field hearings were held in Keshena, Wisconsin and in Menominee County in May, 1973. The hearings began with a traditional Menominee prayer, offered by a Menominee, Don Perote, and were open to anyone who wished to testify. Without exception, all of the many Menominee who testified were in favor of the Restoration Act. The hearings closed with Congressman Meeds' promise that prompt action would be taken on the bill.

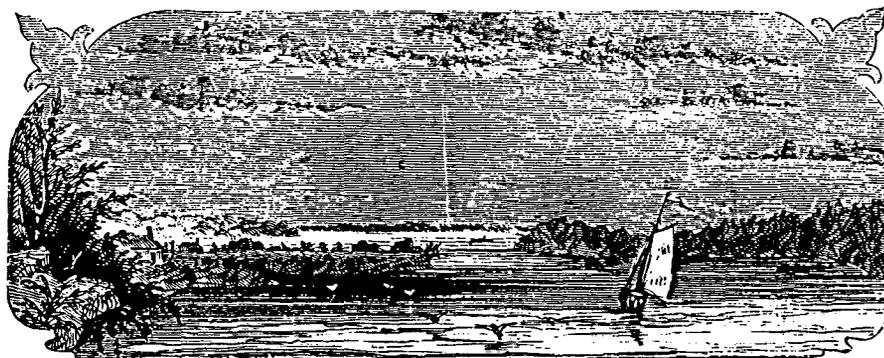
Full House Subcommittee hearings were held in Washington, D.C. on June 28, 1973. As had so consistently been the

case during the restoration effort, the Menominee people turned out for the hearings in great force. Three busloads of tribal members arrived from Wisconsin and many other tribal representatives traveled to Washington by other means. Tribal members and Assistant Secretary of the Interior, Marvin Frank, representing the BIA (which supported termination), testified on behalf of the legislation.

Ironically, only a few weeks before the Menominee Restoration Act was reported out of the full Committee on Interior and Insular Affairs with the unanimous bi-partisan support of its members, Senator Arthur V. Watkins was buried in Utah. The policy of termination was to follow its architect to the grave only four months later.



Menominee Dance Ground



The passage of the Menominee Restoration Act is a historic moment in the Indian history of the United States. It symbolizes an admission of failure on the part of the United States Congress and a formal repudiation of the termination approach.

*Representative Harold Froelich,
October 16, 1973*

The MRA was scheduled for a roll-call vote before the full House of Representatives on October 16, 1973. It passed the House by the overwhelming vote of 404 to 3. The vote represented one of the largest turnouts in the House during the entire year. The Menominee had plainly made their compelling case in the House of Representatives. Unfortunately, the MRA did not move nearly as quickly on the Senate side. The first day of Senate Subcommittee hearings were held on September 17, 1973. The hearings were begun by a moving address by Ernest Neconish, a Menominee-speaking elder spokesman of the Tribe. Senators Jackson, Proxmire, Nelson and Kennedy all personally testified in support of the legislation. Perhaps the most comprehensive testimony during the entire legislation process was given by a panel of seven Menominee including: Sylvia

Wilber, Chairperson of MEI; Theodore Boyd, Vice-President of MEI; Ben Miller, Chairman of the Menominee County Board; Ada Deer, Chairperson of the Menominee Common Stock and Voting Trust; Robert Deer, Vice-Chairman of MEI; and Carol Dodge, Director Menominee County Education Committee. These persons represented all segments of the community. Capitol Hill veterans said that they had never seen more complete or impressive testimony. The Menominee had learned how to make one part of the American political system fit the Indian.

By mid-November, however, it had become apparent that the bill was moving slowly in the full Senate Committee on Interior and Insular Affairs. No hearing had been set and it was feared that the bill might not be reported out of the Committee during the session. Quick action was becoming even more necessary because of the increasingly crushing tax burden upon the Menominee.

Therefore, the Menominee Legislative Delegation stepped up its continuing pressure on the members of the Senate Interior Committee and, almost certainly in response to this pressure, the Committee rearranged its calendar and scheduled an immediate mark-up session for the MRA.

The Committee gave unanimous support and the full Senate approved the Menominee Restoration Act on December 7, 1973. President Nixon signed it into law on Saturday, December 22, 1973.

It is difficult to overestimate the significance of the Menominee Restoration Act. For the Menominee it was the only realistic method of preserving their tribal existence and for this reason MRA has become a symbol for all Native Americans. Restoration is not the first reversal in U.S. Indian policy, but it is probably the most important one. It provides the evidence needed to show that the American political system — imperfect as it has been and will continue to be — can be used as a tool to preserve Indian culture.

Further, after hearing evidence from the Menominee, any jury would conclude that however confining, disproportionate, and paternalistic the original treaties between Indian tribes and the United States are — those treaties have yet to be improved upon. They must be guarded and defended just as carefully as the doctrine of separation of powers for something as important as constitutional government is at stake — it is the survival of a race.

HOW THE MRA FITS THE MENOMINEE

In general, the goal of the Menominee Restoration Act is to return to the Menominee those benefits to which they were entitled before restoration. In addition, the act is broad enough to permit the Menominee to enter into a new, flexible trust relationship which can both provide maximum self-determination to Menominee and serve as a model for other tribes. An analysis of the most important provisions of the act is as follows:

1. The magnificent Menominee forest land, which is in excess of 200,000 acres, will go back into trust. This means that the Menominee will be relieved of the crushing tax burden and that the tribal corporation should greatly improve its present, precarious financial situation.

2. All treaty rights are reinstated.

3. All federal services, too which the Menominee were entitled before termination, are returned. This means that the Menominee will again be entitled to health, education, and other basic services to which Indians are entitled.

4. A tribal constitution will be adopted and a tribal council established.

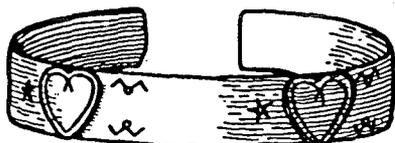
5. The tribal roll will be reopened and all Menominee of at least ¼ blood will be eligible to be added to the roll.

6. The tribe will regulate hunting and fishing on the reservation.

7. Menominee County, which is presently controlled politically by the Menominee people, will remain in existence. Thus the Menominee will have control of the county government as well as the tribal government.

8. The Senate Committee report specifically directs the Secretary, in reaching a trust relationship with the Menominee, to provide for "maximum Menominee Indian self-determination" and to maintain "cultural pride and tribal autonomy".

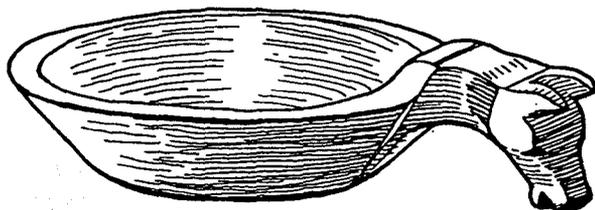
The first priority of the Native American Rights Fund is to assist Indian people to preserve their tribal existence. The legal assistance provided to the Menominee in drafting the MRA was done because restoration was the only means to preserve the Menominee Tribe. NARF attorneys Charles Wilkinson and Yvonne Knight have represented the Menominee in this effort in association with Joseph Preloznik of Madison, Wisconsin. In addition to meeting with the Menominee people on numerous occasions to be certain that their wishes were fully embodied in the legislation, the work also included drafting the original legislation, subsequent re-drafting, meeting with Congressmen and their staffs, testifying in both the Senate and the House, presenting position papers on several different issues and meeting with representatives of the many different administrative agencies involved.



Silver Bracelet



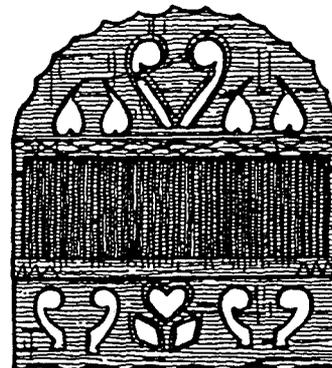
Flute



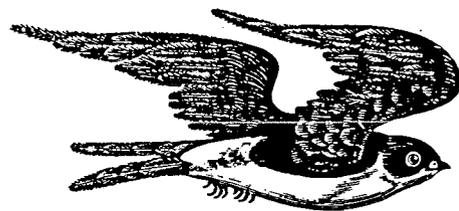
Catlinite Sacrificial Bowl



Menominee Moccasin Cutting Boards



Heddle for Weaving Beadwork



The National Indian Law Library

In the fall of 1969, when the first substantive meetings and correspondence relating to the development of the Native American Rights Fund took place, the Indian representatives, Ford Foundation personnel, and lawyers involved in the planning process were faced with two conflicting problems. One was the immediate and blatant need for highly skilled and aggressive legal representation of Native American people. The other was the unavailability, or in many areas, the total absence of lawyers with the requisite Indian law expertise.

The fact that there was no person or institution aware of all of the law affecting Indians had been particularly detrimental to the restoration of Indian rights. The efforts of those few attorneys involved in the field have been uncoordinated and the results, often even the existence, of Indian litigation have not been generally known to others working in the field. In addition, the standard commercial reporting system which has been applied to Indian law was, and still is, archaic. It uses fewer than 40 major subject headings to cover a field of law well-known as a morass of statutes, treaties and solicitor's opinions. Even published or reported decisions are relatively inaccessible and therefore not readily applicable to appropriate cases.

Early in 1971, David Getches, the Fund's Founding Director, met with Eli Evans of the Carnegie Corporation of New York about the Fund's need for assistance in an Indian legal coordination effort. On May 23, 1972, Alan Pifer, President of the Carnegie Corporation, announced a \$119,000 grant providing monies for the first three years of the operation of the Library. Today, the National Indian Law Library acts as a clearinghouse — collecting, cataloguing and making available information on Indian litigation and related issues.

How To Use The Library

In an effort to make the Library's collection more accessible to tribes and lawyers in the field, NILL has prepared a comprehensive Subject Index to Indian law and has published a catalogue of the Library's holdings using this index as the key to the collection. The index, developed over a two year period, contains ap-

proximately 400 subject headings, employing a key word and phrases system. This system is perhaps the easiest to work with, especially for lawyers new to the specialized field of Indian Law.

The NILL Catalogue, Volume I, 1973-1974 is divided into three parts. Part I contains the Library's current holdings arranged by subject matter. Where the holding is a case, a brief description of the litigation is provided. Part II of the Catalogue lists the holdings numerically by acquisition number and indicates the specific documents in each file. Part III contains a plaintiff-defendant listing and an author-title listing.

Since the Library adds new materials to its collection every day, the holdings listed on the following pages are intended as an update to the Catalogue. New acquisitions will be published in Announcements and cumulated annually in subsequent editions of the Catalogue.

Most NILL materials are available upon request. There is a \$.03 per page reproduction charge which is waived for Indian tribes, individuals, groups and legal services. NILL is unable to supply copies of materials for which copyright permission has not been granted.

If possible, requests for holdings should be made with reference to the acquisition number and, because holdings contain many issues of Indian law, users should specify the issues for which information is being sought. Doing so enables the Library staff to check the NILL in-house card catalogue for any new materials which may have been added to the collection since publication of the Catalogue or Announcements. This results in more precise responses to requests for information, eliminates unnecessary reproduction and mailing costs and enables the Library to quickly fill an order with the most relevant information. Library users should note that the NILL in-house card catalogue provides access to the Library's holdings by tribe, state and defendant-plaintiff. Requests for materials by these categories may be made.

Recent NILL Acquisitions

The holdings listed on the following pages according to subject matter have been acquired since the publication of the

NILL Catalogue, Volume I, 1973-1974. The Catalogue may be ordered from the Library for \$10.00 per copy. Catalogue orders and requests for Library holdings should be addressed to:

Native American Rights Fund
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CASES

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001005 ————— Acquisition Number
Wisconsin v. Richard Gurnoe.
Wisc., Cir. Ct., Sup. Ct., Chippewa, 1970, d. 1972
State Courts Tribe Dates

ARTICLES, STUDIES, HEARINGS, ETC.

The first line is the title of the holding. Below it is indicated the nature of the item and the publication, organization or institution involved. If the item is an article, the volume and page number are given. The third line is the author, if applicable, and the date of the item. The last line indicates the number of pages in the holding and where it may be obtained other than from NILL.



The listing below includes only the most recent acquisitions of the Library and does not show those subject headings that apply only to older holdings. A complete listing can be obtained by consulting the 1973-74 NILL Catalogue and its update: Announcements, Vol. 2, Nos. 2 and 3.

ABORIGINAL TITLE: CLAIMS AGAINST UNITED STATES

001853

Otoe and Missouri Tribe of Indians v. United States.
Okla., Ct. Cl., Otoe and Missouri Tribe, 1954.
Amicus argues that cession of land held by aboriginal title for an unconscionable consideration may be the basis for an award under Indian Claims Commission Act.

001953

Nez Perce Tribe v. United States.
Idaho, Ind. Cl. Comm., Nez Perce, 1963.
Tribe claims it received unconscionable consideration for cession of aboriginal lands under 1855 Treaty.

ABORIGINAL TITLE: EXTINGUISHMENT

001894

"Fishing Rights of Alaskan Indians."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1942.
31 pgs.

002019

United States v. Lego, Raymond.
Cal., 9th Cir., Pitt River, 1973.
Indian accused of cutting timber in violation of federal law argues innocence because law exempts Indian lands and logging occurred on aboriginal land never ceded to government.

ABORIGINAL TITLE: RECOGNITION OF

001851

Yankton Sioux Tribe v. U.S.
So. Dak., Ind. Cl. Comm., Yankton Sioux, 1968.
Yankton claim that as identifiable tribe which had title to lands ceded by 1858 Treaty, they are entitled to compensation from Indian Claims Commission.

001935

The Uintah and White River Bands of Ute Indians v. The United States of America.
Utah, Ct. Cl., Uintah and White River Bands of Ute Indians, 1957.
Tribe claims compensation for loss of lands which it held by recognized title.

001942

James, Albert v. Eureka, City of.
Cal., Super. Ct., Wiyot, 1973.
Descendants of original Indian occupants massacred on island seek return of ownership rights to island.

001959

"The Indians of Michigan and the Cession of Their Lands to the United States By Treaties."
Article, Michigan Pioneer and Historical Collections Annual Meeting, 26:274.
Felch, Alpheus, 1894.
25 pgs.

ABORIGINAL TITLE: USE AND OCCUPANCY

001851

Yankton Sioux Tribe v. U.S.
So. Dak., Ind. Cl. Comm., Yankton Sioux, 1968.
Yankton claim that as identifiable tribe which had title to lands ceded by 1858 Treaty, they are entitled to compensation from Indian Claims Commission.

001892

"Alaskan Indian Fishing Rights."
Memo to Commissioner of Indian Affairs, Office of the Solicitor.
Cohen Felix S., 1942.
2 pgs.

001894

"Fishing Rights of Alaskan Indians."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1942.
31 pgs.

001953

Nez Perce Tribe v. United States.
Idaho, Ind. Cl. Comm., Nez Perce, 1963.
Tribe claims it received unconscionable consideration for cession of aboriginal lands under 1855 Treaty.

ADMINISTRATION OF INDIAN AFFAIRS

001867

"One of the Last Human Hunts of Civilization, And the Basest and Most Brutal of Them All."
Pamphlet.
Bailin, Roxanne and Grossman, Aubrey, 1971.
30 pgs.

001874

"American Indian Reservation Economic Development Retarded or Thwarted Through Abridgement or Loss of Indian Titles to Land and Rights to the Use of Water by Policies, Agencies and Personnel of Federal Government."

Memorandum and Implementation.

Veeder, William H., 1969.

157 pgs.

001890

"Departmental Review of Tribal Ordinance."

Memo to the Commissioner of Indian Affairs, Office of the Solicitor.

Cohen, Felix S., 1941.

2 pgs.

001900

"Hunting, Fishing, and Trapping Rights of the Nez Perce Indians."

Opinion, Office of the Solicitor.

White, Mastin G., 1949.

6 pgs.

001901

"Residence Requirements For Taking Fur Animals in Fur Management Areas in Alaska."

Opinion, Office of the Solicitor.

White, Mastin G., 1950.

4 pgs.

001902

"Klamath Terminal Legislation."

Opinion, Office of the Solicitor.

Armstrong, J. Reuel, 1955.

24 pgs.

001903

"Hunting and Fishing Rights of the Klamath Indian Tribe — Authority to Hire Game Wardens."

Opinion, Office of the Solicitor.

Armstrong, J. Reuel, 1956.

3 pgs.

001904

"State Jurisdiction Over Criminal Trespass Actions on Klamath Indian Reservation."

Opinion, Office of the Solicitor.

Armstrong, J. Reuel, 1956.

5 pgs.

001905

"Imposition of North Dakota State Fish and Game Laws on Indians Claiming Treaty and Other Rights to Hunt and Fish."

Opinion, Office of the Solicitor.

Armstrong, J. Reuel, 1957.

8 pgs.

001906

"Migratory Bird Treaty Act and Bald Eagle Act — Indian Hunting Rights."

Memo to Director, Bureau of Sport Fisheries and Wildlife, Office of the Solicitor.

Vaughn, Charles H., 1962.

2 pgs.

001921

"Interim Procedure for Student Expulsions."

Memorandum, Commissioner of Indian Affairs.

Bruce, Louis R., 1972.

3 pgs.

001923

"Claim of Kootenai Tribe of Idaho to Federally Recognized Fishing and Hunting Rights."

Memorandum to BIA, Regional Solicitor, Portland.

Dysart, George D., 1973.

5 pgs.

001926

"Memorandum Relative to the Titles to Rights to the Use of Water and the Authority to Control and Administer Them on the Flathead Indian Reservation."

Memo, BIA.

Veeder, William H., 1967.

39 pgs.

001944

"Suggestions for Proposed New Regulations for Bureau of Indian Affairs General Assistance Program."

Memo.

Barlow, Sarah W., 1972.

34 pgs.

001948

Klamath Indian Tribe — Termination of Federal Supervision.

Hearings before the Committee on Interior and Insular Affairs and its Subcommittee on Indian Affairs, U.S. Senate, 84th Congress, May 21 and October 18, 1956.

186 pgs.

001949

Federal Indian Policy.

Hearings before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, U.S. Senate, 85th Congress, March 27, May 13 and 16, June 17, July 1 and 22, 1957.

302 pgs.

001950

Survey of Conditions of the Indians in the United States.

Hearings before a Subcommittee of Committee on Indian Affairs, U.S. Senate, May 28 and 29, 1931.

480 pgs.



001956

"Disposition of Funds From Sale of Land by Tulalip Tribes."

Memorandum to Commissioner of Indian Affairs, Associate Solicitor, Division of Indian Affairs. Goss, Earle D., 1972. 9 pgs.

001961

"Requirements of Procedural Due Process in the Bureau of Indian Affairs General Assistance Program."

Memo to Louis R. Bruce. Barlow, Sarah W., 1972. 55 pgs.

001965

"Scope of the Snyder Act of November 2, 1921, 42 Stat. 208, 25 U.S.C. §13."

Memorandum to Commissioner of Indian Affairs, Assistant Solicitor. Soller, Charles M. 1971. 5 pgs.

001966

"Validity of Sections 1.906 and 1.1605 of the Turtle Mountain Tribal Code of 1968."

Memorandum to Commissioner of Indian Affairs, Associate Solicitor. Goss, Earle D., 1971. 8 pgs.

001967

"Requirement of Migratory Bird Hunting Stamp by Members of the Red Lake Band of Chippewa Indians to Hunt Ducks on the Reservation."

Opinion, Acting Commissioner, 1951. Lee, H. Rex. 1 pg.

001968

The Southwest Indian Report.

Report, U.S. Commission on Civil Rights, May, 1973. 177 pgs.

001969

Survey of Conditions of the Indians in the United States.

Hearings before a Subcommittee of the Committee on Indian Affairs, United States Senate, Part 1, November 12, 13 and 16, 1938. 408 pgs.

001972

Federal Funding of Indian Education: A Bureaucratic Enigma.

Report, Legal Action Support Project, Report No. 5. Smith, Susan and Walker, Margaret, May, 1973. 142 pgs.

001985

"A Study of B.I.A. Timber Management on the Quinault Indian Reservation, 1950-1970."

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Vol. II, Johnson, Ralph W., Ed. Beaty, Robert E., 1971. 87 pgs.

001991

Tsosis, Helen and Nelson, Vina Jean, In re. Ariz., B.I.A., Secretary of Interior, 1972.

Action to determine whether welfare recipients are entitled to additional clothing allowance from BIA general assistance for their children attending boarding school.

ADMINISTRATIVE LAW AND PROCEDURE

001909

"Getting Back The Land: How Native Americans Can Acquire Excess and Surplus Federal Property."

Article, North Dakota Law Review, 49:333. Hodge, Ronald A., 1973. 9 pgs.

001911

"Repaying Historical Debts: The Indian Claims Commission."

Article, North Dakota Law Review, 49:359. Danforth, Sandra C., 1973. 45 pgs.

001991

Tsosis, Helen and Nelson, Vina Jean, In re. Ariz., B.I.A., Secretary of Interior, 1972.

Action to determine whether welfare recipients are entitled to additional clothing allowance from BIA general assistance for their children attending boarding school.

ADMINISTRATIVE LAW AND PROCEDURE: EXECUTIVE DISCRETION

001940

"Impoundment of Appropriated Funds by the President."

Joint hearings before the Ad Hoc Subcommittee on Impoundment of Funds of the Committee on Government Operations and the Subcommittee on Separation of Powers of the Committee on the Judiciary, United States Senate, 93rd Congress, Washington, D.C., January 30 and 31, and February 1, 6, and 7, 1973. 1129 pgs.



ALLOTMENTS

001976
"The Indian Heirship Land Problem."
Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Johnson, Ralph W., Ed. Williams, Ethel J., 1970. 82 pgs.

ATTORNEYS

001993
Pitt River Indians of California v. Phelps, Louis L. Cal., Super. Ct., Pitt River Indians, 1973. Indians bring suit against former attorneys charging malpractice in handling of claims settlement before Indian Claims Commission.

ATTORNEYS: CONTRACTS, FEDERAL APPROVAL

001863
Littell, Norman M. v. Udall, Stewart L. Ariz., D.D.C., Navajo, d. 1966. Appeal by Interior Secretary from injunction prohibiting him from terminating contract with Navajo tribal attorney.

001993
Pitt River Indians of California v. Phelps, Louis L. Cal., Super. Ct., Pitt River Indians, 1973. Indians bring suit against former attorneys charging malpractice in handling of claims settlement before Indian Claims Commission.

ATTORNEYS: FEDERAL AUTHORITY

001863
Littell, Norman M. v. Udall, Stewart L. Ariz., D.D.C., Navajo, d. 1966. Appeal by Interior Secretary from injunction prohibiting him from terminating contract with Navajo tribal attorney.

001992
"Tribal Claims Attorney Contracts; 'Approval of Settlement' Provisions."
Solicitor's Opinion.
Melich, Mitchell, June 2, 1972. 3 pgs.

BUREAU OF INDIAN AFFAIRS

001965
"Scope of the Snyder Act of November 2, 1921, 42 Stat. 208, 25 U.S.C. § 13."
Memorandum to Commissioner of Indian Affairs, Assistant Solicitor.
Soller, Charles M., 1971. 5 pgs.

001985
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Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Vol. II, Johnson, Ralph W., Ed. Beaty, Robert E., 1971. 87 pgs.

BUREAU OF INDIAN AFFAIRS: SERVICES, ENTITLEMENT AND ELIGIBILITY

001870
Santa Rosa Band of Indians v. Kings County. Cal., E.D. Cal., Santa Rosa Band, 1973. Indian band alleges that county's enforcement on rancheria of ordinance requiring mobile home permits interferes with B.I.A.'s provision of housing improvement services.

001912
"Indians — Protection of Personal Rights in General — The Right of Off-Reservation Indians to Receive General Welfare Assistance (Ruiz v. Morton, 462 F.2d 818, 9th Cir. 1972)."
Article — Case Note, North Dakota Law Review, 49:405.
Myhre, Russell J., 1973. 6 pgs.

001944
"Suggestions for Proposed New Regulations for Bureau of Indian Affairs General Assistance Program."
Memo.
Barlow, Sarah W., 1972. 34 pgs.

001961
"Requirements of Procedural Due Process in the Bureau of Indian Affairs General Assistance Program."
Memo to Louis R. Bruce.
Barlow, Sarah W. 1972. 55 pgs.



001990

Lamy, Lucson v. Maes, Paul.
N.M., D.N.M., Zuni, 1972.

Class action against BIA general assistance administrators by welfare applicants seeking prompt action on their applications.

001991

Tsosie, Helen and Nelson, Vina Jean, In re.
Ariz., B.I.A., Secretary of Interior, 1972.

Action to determine whether welfare recipients are entitled to additional clothing allowance from BIA general assistance for their children attending boarding school.

001999

Statistics Re BIA General Assistance For Indians.
Study.
Ward, Martha, 1973.
200 pgs.

BUY INDIAN ACT

001946

"Negotiability of Construction Contract Under the 'Buy Indian' Act of June 25, 1910."
Memorandum to Commissioner of Indian Affairs,
Office of the Solicitor.
Melich, Mitchell, 1971.
8 pgs.

CAPACITY TO SUE

001993

Pitt River Indians of California v. Phelps, Louis L.
Cal., Super. Ct., Pitt River Indians, 1973.
Indians bring suit against former attorneys charging malpractice in handling of claims settlement before Indian Claims Commission.

CAPACITY TO SUE, INTERVENTION

001854

San Pasqual Band of Mission Indians of California v. United States.
Cal., Ind. Cl. Comm., San Pasqual Band, 1973.
Tribe moves to file an amended petition or a petition in intervention in a claim before Indian Claims Commission.

001859

Blackfeet and Gros Ventre Tribes v. United States.
Mont., Ct. Cl., Blackfeet, Gros Ventre, Assiniboine, Sioux Tribe of Fort Peck Reservation, Mont., 1958.
Tribe seeks to intervene in claim for lands ceded to government.

001988

United States v. San Diego, City of.
Cal., S.D. Cal., Capitan Grande Band of Mission Indians, 1973.

Tribe moves to intervene in suit arising from municipal and public use of reservation roads providing access to city-owned reservoir and campground, resulting in trespass and damage to Indian land.

002004

Public Service Company of New Mexico v. Environmental Protection Agency.
N.M., 10th Cir., Jicarilla Apache, 1972.
Utility seeks judicial review of EPA's disapproval of New Mexico State Implementation Plan for achieving air quality standards established for Four Corners region.

002005

Arizona Public Service Co., et al. v. Environmental Protection Agency.
N.M., 10th Cir., Jicarilla Apache Tribe of Indians, 1972.
Utility seeks judicial review of EPA's disapproval of New Mexico State Implementation Plan for achieving air quality standards established for Four Corners region.

002006

Arizona Public Service Company, et al. v. Environmental Protection Agency.
Ariz., 9th Cir., Navajo, 1972.
Utilities petition for judicial review of EPA administrator's disapproval of the Arizona Implementation Plan relating to air quality in the Four Corners region.

002021

United States and Bay Mills Indian Community v. Michigan.
Mich., W.D. Mich., Chippewa, 1973.
Government and tribe sue to enjoin state interference with the right of treaty Indians to fish in Lake Superior free of state regulation.

CAPACITY TO SUE: TRIBES

001953

Nez Perce Tribe v. United States.
Idaho, Ind. Cl. Comm., Nez Perce, 1963.
Tribe claims it received unconscionable consideration for cession of aboriginal lands under 1855 Treaty.

**CIVIL JURISDICTION: CIVIL ACTIONS
ARISING IN INDIAN COUNTRY**

002022

Yellowstone Loan Co. v. Brown, Francis B.
Wyo., Dist. Ct., Arapahoe, 1973.

Indian debtor challenges jurisdiction of state court to hear action on promissory note because loan and service of process were made on reservation.

**CIVIL JURISDICTION: CONSENT TO
APPLICATION OF STATE LAWS**

001957

**"Indians — Civil Jurisdiction in New Mexico — State,
Federal and Tribal Courts."**

Article, *New Mexico Law Review*, 1:196.

Ransom, Richard E. and Gilstrap, William G.,
January, 1971.

10 pgs.

002008

**Chiefs of St. Regis Mohawk Reservation for Removal
of Intruders Upon Tribal Lands, In re Complaint of.**

N.Y., Franklin County Ct., Mohawk, 1973.

Tribal chiefs invoke state Indian laws to support their removal of non-enrolled Indian from reservation.

**CIVIL JURISDICTION: CONSENT TO
APPLICATION OF STATE LAWS;
PUBLIC LAW 280**

001865

Comenout Children, In re.

Wash., Super. Ct., Quinault, 1973.

Action to prevent state court from taking away Indian couple's parental rights by showing that state jurisdiction had been retroceded to the federal government.

**CIVIL JURISDICTION: HEALTH LAWS
AND REGULATIONS**

001888

**"Enforcement of Florida Deer Removal and
Quarantine Law on Seminole Indian Reservation."**

Opinion, Office of the Solicitor.

Kirgis, Frederic L., 1940.

7 pgs.

**CIVIL JURISDICTION: INDIAN
COUNTRY**

001870

Santa Rosa Band of Indians v. Kings County.
Cal., E.D. Cal., Santa Rosa Band, 1973.

Indian band alleges that county's enforcement on rancheria of ordinance requiring mobile home permits interferes with B.I.A.'s provision of housing improvement services.

**CIVIL JURISDICTION: LOCAL LAWS
AND ORDINANCES**

001870

Santa Rosa Band of Indians v. Kings County.
Cal., E.D. Cal., Santa Rosa Band, 1973.

Indian band alleges that county's enforcement on rancheria of ordinance requiring mobile home permits interferes with B.I.A.'s provision of housing improvement services.

CIVIL RIGHTS

001920

**"The Eighteen-Year-Old Vote Amendment As Applied
to Indian Tribes."**

Memorandum to Commissioner of Indian Affairs,
Solicitor.

Melich, Mitchell, 1971.

6 pgs.

001986

**"Blacks and America's Tribal Indians: A Comparison
of Civil Rights."**

Study, University of Washington Indian Legal
Problems Seminar, *Studies in American Indian Law*,
Vol. II, Johnson, Ralph W., Ed.

Bishop, William L., 1971.

48 pgs.

CIVIL RIGHTS: EQUAL PROTECTION

001907

"Indian Control for Quality Indian Education."

Article, *North Dakota Law Review*, 49:237.

Gross, Michael Paul, 1973.

29 pgs.

001925

White Eagle, Melvin v. One Feather, Philomene.

N.D., 8th Cir., Standing Rock Sioux, d. 1973.

Tribal members claim unequal apportionment of elective districts denies them equal protection in tribal election.



001943

McCovey, Mary Ann v. Humboldt, County of Cal., N.D. Cal., Hoopa, 1973.

Indian employee discharged during change of hospital management claims that racial and sexual discrimination were the only bases for her not being reinstated by new administration.

001978

"Freedom of Religion for the American Indian in the Twentieth Century."

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Johnson, Ralph W., Ed.

Pressly, Thomas J., 1970.

40 pgs.

002007

United States v. Pollman, Harlan Frank.

Mont., D. Mont., Confederated Salish and Kootenai, 1972.

Non-Indian is accused of trespassing with intent to fish on lake within boundaries of Flathead reservation in violation of federal and tribal law.

CIVIL RIGHTS: PRISONERS' RIGHTS

001964

Cunningham, Larry W. v. Wolff, Charles L. Neb., D. Neb., 1973.

Indian penitentiary inmates claim violations of their first and fourteenth amendment rights by prison officials.

002003

Calf Looking, Albert v. Richardson, Elliot. Wash., D.C., D.D.C., 1973.

Indian prisoners and their spiritual and cultural advisor seek damages and relief from denial of visitation rights by prison officials.

CIVIL RIGHTS: TRIBAL ACTION

002002

Oglala Sioux Civil Rights Organization v. Wilson, Dick. S.D., D.S.D., Oglala Sioux, 1973.

Politically active members of Oglala Sioux Tribe seek relief from harassment and deprivation of civil rights by tribal officials.

CLAIMS AGAINST UNITED STATES

001982

"Indian Rights Secured by Treaties: A Survey of Remedies."

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Vol. II, Johnson, Ralph W., Ed.

Wagner, Ruth Ellen, 1971.

124 pgs.

COMPENSATION FOR TAKING BY UNITED STATES

001885

"Umatilla — Hunting and Fishing."

Memo to the Commissioner of Indian Affairs, Office of the Solicitor.

Kirgis, Frederic L., 1937.

7 pgs.

001887

"Bonneville Dam Area — Fishing Rights."

Memo to Acting Solicitor from Assistant Solicitor. Westwood, C.T., 1938.

2 pgs.

001934

Southern Ute Tribe or Band of Indians v. The United States of America.

Colo., Ind. Cl. Comm., Southern Ute, 1964.

Tribe claims compensation for lands taken by U.S. without payment and seeks accounting from government for proceeds of land sales.

001935

The Uintah and White River Bands of Ute Indians v. The United States of America.

Utah, Ct. Cl., Uintah and White River Bands of Ute Indians, 1957.

Tribe claims compensation for loss of lands which it held by recognized title.

001936

The Uintah Ute Indians of Utah v. The United States of America.

Utah, Ind. Cl. Comm., Uintah Ute Indians, 1952.

Tribe seeks recovery for lands in Uintah Valley Reservation taken by government in 1881 and established as reservation for White River Utes.



001951

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana v. United States. Mont., Ct. Cl., Confederated Salish and Kootenai Tribes, 1963, d. 1971.

Tribal confederation contends that survey error resulted in loss of reservation lands and that federal government wrongfully profited from lease of power sites on tribal lands.

CONFLICT OF INTEREST

001863

Littell, Norman M. v. Udall, Stewart L. Ariz., D.D.C., Navajo, d. 1966.

Appeal by Interior Secretary from injunction prohibiting him from terminating contract with Navajo tribal attorney.

001874

"American Indian Reservation Economic Development Retarded or Thwarted Through Abridgement or Loss of Indian Titles to Land and Rights to the Use of Water by Policies, Agencies and Personnel of Federal Government."

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Veeder, William H., 1969.

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"Repaying Historical Debts: The Indian Claims Commission."

Article, North Dakota Law Review, 49:359.

Danforth, Sandra C., 1973.

45 pgs.

001992

"Tribal Claims Attorney Contracts; 'Approval of Settlement' Provisions."

Solicitor's Opinion.

Melich, Mitchell, June 2, 1972.

3 pgs.

**CONSTITUTION, UNITED STATES:
AS A SOURCE OF FEDERAL
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001920

"The Eighteen-Year-Old Vote Amendment As Applied to Indian Tribes."

Memorandum to Commissioner of Indian Affairs, Solicitor.

Melich, Mitchell, 1971.

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**CONSTITUTION, UNITED STATES: AS A
SOURCE OF FEDERAL AUTHORITY
OVER INDIAN AFFAIRS; COMMERCE
CLAUSE**

001945

Rainbow's End Trailer Sales, In re.

Cal., Board of Equalization, Yurok, 1973.

Indians claim exemption from state sales tax on trailer sale completed on reservation.

002000

Walker River Paiute Tribe v. Sheehan, John J.

Nev., D. Nev., Walker River Paiute, 1973.

Tribe and its licensed trader seek to enjoin state taxation of interstate shipments of cigarettes to the reservation.

**CONSTITUTION, UNITED STATES:
CLAIMS AGAINST UNITED STATES
BASED UPON**

001885

"Umatilla — Hunting and Fishing."

Memo to the Commissioner of Indian Affairs, Office of the Solicitor.

Kirgis, Frederic L., 1937.

7 pgs.

**CONSTITUTION, UNITED STATES:
LIMITED FEDERAL AUTHORITY OVER
INDIAN AFFAIRS; DUE PROCESS
CLAUSE**

001951

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana v. United States.

Mont., Ct. Cl., Confederated Salish and Kootenai Tribes, 1963, d. 1971.

Tribal confederation contends that survey error resulted in loss of reservation lands and that federal government wrongfully profited from lease of power sites on tribal lands.

**COURT OF CLAIMS: SPECIAL
JURISDICTION ACTS**

001934

Southern Ute Tribe or Band of Indians v. The United States of America.

Colo., Ind. Cl. Comm., Southern Ute, 1964.

Tribe claims compensation for lands taken by U.S. without payment and seeks accounting from government for proceeds of land sales.



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CREDIT AND LOANS: TO INDIVIDUALS

001949

Federal Indian Policy.

Hearings before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, U.S. Senate, 85th Congress, March 27, May 13 and 16, June 17, July 1 and 22, 1957.

302 pgs.

CREDIT AND LOANS: TO TRIBES

001899

"Fish Trap Loans and Use of Statistics Relating to Alaska Salmon Fishery."

Memo to Assistant Secretary of the Interior, Office of the Solicitor.

White, Mastin G., 1947.

4 pgs.

001949

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Hearings before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, U.S. Senate, 85th Congress, March 27, May 13 and 16, June 17, July 1 and 22, 1957.

302 pgs.

CRIMINAL JURISDICTION

001968

The Southwest Indian Report.

Report, U.S. Commission on Civil Rights, May, 1973.

177 pgs.

CRIMINAL JURISDICTION: CONSENT TO APPLICATION OF STATE LAWS; ACTS OF CONGRESS

001896

"State Jurisdiction Re Game Laws on Allotted Lands Within the Sisseton Reservation."

Opinion, Office of the Solicitor.

Gardner, Warner W., 1943.

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CRIMINAL JURISDICTION: CONSENT TO APPLICATION OF STATE LAWS; PUBLIC LAW 280

001904

"State Jurisdiction Over Criminal Trespass Actions on Klamath Indian Reservation."

Opinion, Office of the Solicitor.

Armstrong, J. Reuel, 1956.

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002007

United States v. Pollman, Harlan Frank.

Mont., D. Mont., Confederated Salish and Kootenai, 1972.

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CRIMINAL JURISDICTION: INDIAN COUNTRY

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"Enforcement of Florida Deer Removal and Quarantine Law on Seminole Indian Reservation."

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Kirgis, Frederic L., 1940.

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001889

"State Jurisdiction Over Hunting and Fishing on Lands Purchased for Indians by Federal Government."

Opinion, Office of the Solicitor.

Margold, Nathan R., 1941.

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001896

"State Jurisdiction Re Game Laws on Allotted Lands Within the Sisseton Reservation."

Opinion, Office of the Solicitor.

Gardner, Warner W., 1943.

7 pgs.

001930

United States ex rel. Douglas Blacksmith v. Erickson, Don R.

S.D., D.S.D., Sisseton-Wahpeton Sioux, d. 1973.

Action to determine if crime committed on land owned by non-Indian on reservation was in Indian Country and thus subject to federal Jurisdiction.

001958

"Criminal Procedure on the American Frontier: A Study of the Statutes and Court Records of Michigan Territory 1805-1825."

Article, Michigan Law Review, 57:195.

Blume, William Wirt, 1958.

62 pgs.



001996
"Federal Indian Criminal Law."
Staff memo, Native American Rights Fund.
Vollmann, Tim, August, 1972.
23 pgs.

002019
United States v. Lego, Raymond.
Cal., 9th Cir., Pitt River, 1973.
Indian accused of cutting timber in violation of federal
law argues innocence because law exempts Indian
lands and logging occurred on aboriginal land never
ceded to government.

**CRIMINAL JURISDICTION: TEN
MAJOR CRIMES ACT (18 U.S.C. § 1153)**

001996
"Federal Indian Criminal Law."
Staff memo, Native American Rights Fund.
Vollmann, Tim, August, 1972.
23 pgs.

CUSTOMS, TRADITIONS AND CULTURE

001869
Indian Americans: Unity and Diversity.
Book, Prentice-Hall, Inc., Ethnic Groups in American
Life Series.
Wax, Murray L., 1971.
245 pgs., On Shelf.

001871
"Indians in Minneapolis."
Study.
The League of Women Voters of Minneapolis, 1968.
115 pgs.

001914
"The Iroquois in the American Revolution."
(book review)
North Dakota Law Review; 49:417.
Price, Linda, 1973.
3 pgs.

001915
"The Ponca Chiefs: An Account of the Trial of Stan-
ding Bear."
(book review)
North Dakota Law Review, 49:419.
Schoppert, Thomas K., 1973.
4 pgs.

001916
"The Search For an American Indian Identity —
Modern Pan-Indian Movements."
(book review)
North Dakota Law Review, 49:423.
Raymond, Arthur, 1973.
9 pgs.

001953
Nez Perce Tribe v. United States.
Idaho, Ind. Cl. Comm., Nez Perce, 1963.
Tribe claims it received unconscionable consideration
for cession of aboriginal lands under 1855 Treaty.

001960
**Lewis Cass and the Indian Treaties: A Monograph on
the Indian Relations of the Northwest Territory From
1813 to 1831.**
Monograph.
Comfort, Benjamin F., 1923.
54 pgs.

001964
Cunningham, Larry W. v. Wolff, Charles L.
Neb., D. Neb., 1973.
Indian penitentiary inmates claim violations of their
first and fourteenth amendment rights by prison of-
ficials.

001970
Aboriginal Society in Southern California.
Reprinted from the University of California
Publications in American Archaeology and Ethnology,
Vol. 26, 1929.
Strong, William Duncan, 1972.
358 pgs.

002003
Calf Looking, Albert v. Richardson, Elliot.
Wash., D.C., D.D.C., 1973.
Indian prisoners and their spiritual and cultural ad-
visor seek damages and relief from denial of visitation
rights by prison officials.

**CUSTOMS, TRADITIONS AND CULTURE:
RELIGION**

001978
"Freedom of Religion for the American Indian in the
Twentieth Century."
Study, University of Washington Indian Legal
Problems Seminar, Studies in American Indian Law,
Johnson, Ralph W., Ed.
Pressly, Thomas J., 1970.
40 pgs.



DOMESTIC RELATIONS: CUSTODY

001865

Comenout Children, In re.

Wash., Super. Ct., Quinault, 1973.

Action to prevent state court from taking away Indian couple's parental rights by showing that state jurisdiction had been retroceded to the federal government.

DOMESTIC RELATIONS: SUPPORT AND ALIMONY

001987

Story, Edith May v. White Owl, Ronald Gene.

N.D., Dist. Ct., Three Affiliated Tribes of Fort Berthold Res., 1973.

Order dismissing case for lack of jurisdiction because alleged non-support by Indian took place in another state and jurisdiction over Indian was the tribal court, not state court.

DUE PROCESS: ADMINISTRATIVE PROCEEDINGS

001921

"Interim Procedure for Student Expulsions."

Memorandum, Commissioner of Indian Affairs.

Bruce, Louis R., 1972.

3 pgs.

001961

"Requirements of Procedural Due Process in the Bureau of Indian Affairs General Assistance Program."

Memo to Louis R. Bruce.

Barlow, Sarah W., 1972.

55 pgs.

001963

Azbill, Debra v. Keller, Arthur H.

Cal., N.D. Cal., 1973.

Student expelled from public school without prior hearing or approval of Board of Trustees and without provision for continuing education claims denial of due process.

DUE PROCESS: ADMINISTRATIVE PROCEEDINGS; JUDICIAL REVIEW

002004

Public Service Company of New Mexico v. Environmental Protection Agency.

N.M., 10th Cir., Jicarilla Apache, 1972.

Utility seeks judicial review of EPA's disapproval of

New Mexico State Implementation Plan for achieving air quality standards established for Four Corners region.

002005

Arizona Public Service Co., et al. v. Environmental Protection Agency.

N.M., 10th Cir., Jicarilla Apache Tribe of Indians, 1972.

Utility seeks judicial review of EPA's disapproval of New Mexico State Implementation Plan for achieving air quality standards established for Four Corners region.

002006

Arizona Public Service Company, et al. v. Environmental Protection Agency.

Utilities petition for judicial review of EPA administrator's disapproval of the Arizona Implementation Plan relating to air quality in the Four Corners region.

DUE PROCESS: ADMINISTRATIVE PROCEEDINGS; RULE MAKING

002005

Arizona Public Service Co., et al. v. Environmental Protection Agency.

N.M., 10th Cir., Jicarilla Apache Tribe of Indians, 1972.

Utility seeks judicial review of EPA's disapproval of New Mexico State Implementation Plan for achieving air quality standards established for Four Corners region.

002006

Arizona Public Service Company, et al. v. Environmental Protection Agency.

Ariz., 9th Cir., Navajo, 1972.

Utilities petition for judicial review of EPA administrator's disapproval of the Arizona Implementation Plan relating to air quality in the Four Corners region.

EDUCATION

001940

"Impoundment of Appropriated Funds by the President."

Joint hearings before the Ad Hoc Subcommittee on Impoundment of Funds of the Committee on Government Operations and the Subcommittee on Separation of Powers of the Committee on the Judiciary, United States Senate, 93rd Congress, Washington, D.C., January 30 and 31, and February 1, 6, and 7, 1973.

1129 pgs.

001968

The Southwest Indian Report.
Report, U.S. Commission on Civil Rights, May, 1973.
177 pgs.

001979

"The Indian and Equality of Educational Opportunity."
Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Johnson, Ralph W., Ed. Lewis, Michael L., 1970.
47 pgs.

002011

Indian Participation in the Government and Education of Indian People.
a) U.S. Senate Bill S.1017, 93rd Congress, 1st Session (1973), 27 pgs.

EDUCATION: BUREAU OF INDIAN AFFAIRS

001921

"Interim Procedure for Student Expulsions."
Memorandum, Commissioner of Indian Affairs. Bruce, Louis R., 1972.
3 pgs.

001972

Federal Funding of Indian Education: A Bureaucratic Enigma.
Report, Legal Action Support Project, Report No. 5. Smith, Susan and Walker, Margaret, May, 1973.
142 pgs.

EDUCATION: DISCRIMINATION

001871

"Indians in Minneapolis."
Study.
The League of Women Voters of Minneapolis, 1968.
115 pgs.

001907

"Indian Control for Quality Indian Education."
Article, North Dakota Law Review; 49:237.
Gross, Michael Paul, 1973.
29 pgs.

EDUCATION: FEDERAL AUTHORITY

001929

"Indian Education Legislation of 1972 Pending Before the Ninety-Second Congress."
Study.
Robinson, David B., 1972.
23 pgs.

001994

Redman, John Charles v. Ottina, John R.
Wash., D.C., D.D.C., 1973.
Beneficiaries of 1972 Indian Education Act seek to compel defendant to issue guidelines, promulgate regulations and otherwise begin implementing act.

EDUCATION: IMPACT AID (20 U.S.C. § 236)

001929

"Indian Education Legislation of 1972 Pending Before the Ninety-Second Congress."
Study.
Robinson, David B., 1972.
23 pgs.

EDUCATION: TITLE I (20 U.S.C. § 241a et seq.)

001972

Federal Funding of Indian Education: A Bureaucratic Enigma.
Report, Legal Action Support Project, Report No. 5. Smith, Susan and Walker, Margaret, May, 1973.
142 pgs.

EMINENT DOMAIN

001885

"Umatilla — Hunting and Fishing."
Memo to the Commissioner of Indian Affairs, Office of the Solicitor.
Kirgis, Frederic L., 1937.
7 pgs.

001887

"Bonneville Dam Area — Fishing Rights."
Memo to Acting Solicitor from Assistant Solicitor.
Westwood, C.T., 1938.
2 pgs.

EMPLOYMENT

001968

The Southwest Indian Report.
Report, U.S. Commission on Civil Rights, May, 1973.
177 pgs.

EMPLOYMENT: DISCRIMINATION BY EMPLOYERS

001943

McCovey, Mary Ann v. Humboldt, County of, Cal., N.D. Cal., Hoopa, 1973.
Indian employee discharged during change of hospital



management claims that racial and sexual discrimination were the only bases for her not being reinstated by new administration.

ENVIRONMENTAL REGULATION: FEDERAL LAWS

001894
"Fishing Rights of Alaskan Indians."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1942.
31 pgs.

ENVIRONMENTAL REGULATION: NATIONAL ENVIRONMENTAL POLICY ACT

002004
Public Service Company of New Mexico v. Environmental Protection Agency.
N.M., 10th Cir., Jicarilla Apache, 1972.
Utility seeks judicial review of EPA's disapproval of New Mexico State Implementation Plan for achieving air quality standards established for Four Corners region.

002005
Arizona Public Service Co., et al. v. Environmental Protection Agency.
N.M., 10th Cir., Jicarilla Apache Tribe of Indians, 1972.
Utility seeks judicial review of EPA's disapproval of New Mexico State Implementation Plan for achieving air quality standards established for Four Corners region.

002006
Arizona Public Service Company, et al. v. Environmental Protection Agency.
Ariz., 9th Cir., Navajo, 1972.
Utilities petition for judicial review of EPA administrator's disapproval of the Arizona Implementation Plan relating to air quality in the Four Corners region.

ENVIRONMENTAL REGULATION: TRIBAL POWERS

001886
"Hunting and Fishing — Tribal Power — Bad River."
Memo to the Commissioner of Indian Affairs, Office of the Solicitor.
Kirgis, Frederic L., 1938.
2 pgs.

FEDERAL AUTHORITY OVER INDIAN AFFAIRS

001947
"Justice and the American Indians."
Article, Contact, 3:33.
Echohawk, John E., 1973.
6 pgs.

001998
Program of Legal Studies for Native People: Cases and Materials on Native Law (Canada).
Textbook.
Sanders, Douglas, 1973.
404 pgs.

FEDERAL AUTHORITY OVER INDIAN AFFAIRS: CONTRACTS

001856
Red Elk, Elgin (Atetwuthtakewa), In re Estate of.
Okla., Dept. of the Interior, Comanche, 1964.
A contract among heirs not to contest decedent's will which disposed of her restricted property is assertedly null and void for lack of Interior Secretary's approval.

001965
"Scope of the Snyder Act of November 2, 1921, 42 Stat. 208, 25 U.S.C. 13."
Memorandum to Commissioner of Indian Affairs, Assistant Solicitor.
Soller, Charles M., 1971.
5 pgs.

FEDERAL AUTHORITY OVER INDIAN AFFAIRS: FUNDS; TRIBAL

001852
An Analysis of the Course of Actions and Dealing Between the United States and the Yankton Sioux Tribe Following the Treaty of April 19, 1859, to 1888.
Study re Yankton Sioux Tribe v. United States, Ind. Cl. Comm.
Foley, Dr. Michael F. and Champe, Dr. John L., June, 1972.
206 pgs.

001956
"Disposition of Funds From Sale of Land by Tulalip Tribes."
Memorandum to Commissioner of Indian Affairs, Associate Solicitor, Division of Indian Affairs.
Goss, Earle D., 1972.
9 pgs.

**FEDERAL AUTHORITY OVER INDIAN
AFFAIRS: WELFARE**

001990
Lamy, Lucson v. Maes, Paul.
N.M., D.N.M., Zuni, 1972.
Class action against BIA general assistance administrators by welfare applicants seeking prompt action on their applications.

**FEDERAL BENEFITS, ENTITLEMENT
TO**

001909
"Getting Back The Land: How Native Americans Can Acquire Excess and Surplus Federal Property."
Article, North Dakota Law Review, 49:333.
Hodge, Ronald A., 1973.
9 pgs.

001949
Federal Indian Policy
Hearings before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, U.S. Senate, 85th Congress, March 27, May 13 and 16, June 17, July 1 and 22, 1957.
302 pgs.

001971
The Menominee Restoration Act: Legal Analysis.
Study, Native American Rights Fund.
Wilkinson, Charles F., Knight, Yvonne T. and Preloznik, Joseph F., 1973.
101 pgs.

001972
Federal Funding of Indian Education: A Bureaucratic Enigma.
Report, Legal Action Support Project, Report No. 5.
Smith, Susan and Walker, Margaret, May, 1973.
142 pgs.

**FEDERAL BENEFITS, ENTITLEMENT
TO: SOCIAL SECURITY**

002020
Eagle Elk, Edward, In re the Appeal of.
S.D., Dept. of Inter., Sioux, 1972.
Interior Secretary rules that social security survivor's benefits held in child's BIA trust account should be turned over to duly appointed guardian.

**FEDERAL BENEFITS, ENTITLEMENT
TO: WELFARE**

001912
"Indians — Protection of Personal Rights in General — The Right of Off-Reservation Indians to Receive General Welfare Assistance (Ruiz v. Morton, 462 F.2d 818, 9th Cir. 1972)."
Article — Case Note, North Dakota Law Review, 49:405.
Myhre, Russell J., 1973.
6 pgs.

001944
"Suggestions for Proposed New Regulations for Bureau of Indian Affairs General Assistance Program."
Memo.
Barlow, Sarah W., 1972.
34 pgs.

001961
"Requirements of Procedural Due Process in the Bureau of Indian Affairs General Assistance Program."
Memo to Louis R. Bruce.
Barlow, Sarah W., 1972.
55 pgs.

001999
Statistics Re BIA General Assistance For Indians.
Study.
Ward, Martha, 1973.
200 pgs.

GRAZING

001935
The Uintah and White River Bands of Ute Indians v. The United States of America.
Utah, Ct. Cl., Uintah and White River Bands of Ute Indians, 1957.
Tribe claims compensation for loss of lands which it held by recognized title.

GRAZING: TAYLOR GRAZING ACT

001696
Kale, Kenneth M. v. United States of America.
Calif., 9th Cir., d. 1973.
Indian claims his application for an allotment in public land was wrongfully denied with the result that the land was patented instead to a developer.



HEALTH AND SAFETY

001968
The Southwest Indian Report.
Report, U.S. Commission on Civil Rights, May, 1973.
177 pgs.

HOUSING

001870
Santa Rosa Band of Indians v. Kings County.
Cal., E.D. Cal., Santa Rosa Band, 1973.
Indian band alleges that county's enforcement on
rancheria of ordinance requiring mobile home permits
interferes with B.I.A.'s provision of housing im-
provement services.

001871
"Indians in Minneapolis."
Study.
The League of Women Voters of Minneapolis, 1968.
115 pgs.

HOUSING: FINANCIAL ASSISTANCE

001945
Rainbow's End Traller Sales, In re.
Cal., Board of Equalization, Yurok, 1973.
Indians claim exemption from state sales tax on trailer
sale completed on reservation.

HOUSING: PUBLIC HOUSING

001872
"Indian Housing Authority Organization and Sites in
Indian Areas."
Information and instructions, U.S. Dept. of Housing
and Urban Development, 1972.
48 pgs.

HUNTING, FISHING, TRAPPING AND GATHERING RIGHTS

001890
"Departmental Review of Tribal Ordinance."
Memo to the Commissioner of Indian Affairs, Office of
the Solicitor.
Cohen, Felix S., 1941.
2 pgs.

001898
"Jurisdiction of Flathead Tribal Council to Regulate
Hunting in Reservoir Areas."
Opinion, Office of the Solicitor.
White, Mastin G., 1947.
5 pgs.

001998
Program of Legal Studies for Native People: Cases
and Materials on Native Law (Canada).
Textbook.
Sanders, Douglas, 1973.
404 pgs.

HUNTING, FISHING, TRAPPING AND GATHERING RIGHTS: ABORIGINAL

001887
"Bonneville Dam Area — Fishing Rights."
Memo to Acting Solicitor from Assistant Solicitor.
Westwood, C.T., 1938.
2 pgs.

001892
"Alaskan Indian Fishing Rights."
Memo to Commissioner of Indian Affairs, Office of the
Solicitor.
Cohen, Felix S., 1942.
2 pgs.

001894
"Fishing Rights of Alaskan Indians."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1942.
31 pgs.

001923
"Claim of Kootenai Tribe of Idaho to Federally
Recognized Fishing and Hunting Rights."
Memorandum to BIA, Regional Solicitor, Portland.
Dysart, George D., 1973.
5 pgs.

001983
"Muckleshoot Fishing Rights Question."
Study, University of Washington Indian Legal
Problems Seminar, Studies in American Indian Law,
Vol. II, Johnson, Ralph W., Ed.
La Clair, Leo, 1971.
56 pgs.

001989
Confederated Tribes of the Colville Reservation v.
United States.
Wash., Ind. Cl. Comm., Confederated Tribes of the
Colville Reservation, 1972.
Tribes bring suit under fair and honorable dealings
clause claiming U.S. caused and permitted destruction
of fisheries in which plaintiffs had special rights and
prior to extinguishment of title, aided third persons in
removal of resources from reservation and granted
railroad rights of way without fair compensation.



001997

Washington v. Quigley, Frank.
Wash., Super. Ct., Sup. Ct., Chinook Tribe, 1956, d. 1958.
Member of a tribe having no treaty with U.S. claims
aboriginal hunting rights on land located on tribe's
former usual and accustomed hunting ground which he
purchased from non-Indian.

**HUNTING, FISHING: FEDERAL
CONTROL**

001880

**"Migratory Bird Treaty Act — Swinomish Indian
Reservation."**
Opinion, Office of the Solicitor.
Fahy, Charles, 1934.
3 pgs.

001894

"Fishing Rights of Alaskan Indians."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1942.
31 pgs.

001897

"Indian Rights in Columbia River Reservoir."
Opinion, Office of the Solicitor.
Gardner, Warner W., 1945.
33 pgs.

001899

**"Fish Trap Loans and Use of Statistics Relating to
Alaska Salmon Fishery."**
Memo to Assistant Secretary of the Interior, Office of
the Solicitor.
White, Mastin G., 1947.
4 pgs.

002007

United States v. Pollman, Harlan Frank.
Mont., D. Mont., Confederated Salish and Kootenai,
1972.
Non-Indian is accused of trespassing with intent to fish
on lake within boundaries of Flathead reservation in
violation of federal and tribal law.

**HUNTING, FISHING, TRAPPING AND
GATHERING RIGHTS:
OFF-RESERVATION**

001877

**"Blackfeet Indians — Right to Hunt, Fish and Cut
Timber — Glacier National Park."**
Opinion, Office of the Solicitor.
Finney, E.C., 1932.
12 pgs.

001891

**"Right to Fish in Usual and Accustomed Places as
Provided by Early Treaties — Indians Contend State
Law Not Applicable."**
Memo to Secretary of the Interior, Office of the
Solicitor.
Margold, Nathan R., 1941.
1 pg.

001906

**"Migratory Bird Treaty Act and Bald Eagle Act —
Indian Hunting Rights."**
Memo to Director, Bureau of Sport Fisheries and
Wildlife, Office of the Solicitor.
Vaughn, Charles H., 1962.
2 pgs.

001941

Satiacum, Robert v. Washington.
Wash., U.S. Sup. Ct., Puyallup, 1973.
In affirming conviction of Indian for wasting fish
caught under treaty rights, petitioner contends court
unnecessarily determined that reservation no longer
exists.

001980

**"Indian Hunting and Fishing Rights: Northwest
Developments."**
Study, University of Washington Indian Legal
Problems Seminar, Studies in American Indian Law,
Johnson, Ralph W., Ed.
Wallen, Woodrow, 1970.
47 pgs.

001983

"Muckleshoot Fishing Rights Question."
Study, University of Washington Indian Legal
Problems Seminar, Studies in American Indian Law,
Vol. II, Johnson, Ralph W., Ed.
La Clair, Leo, 1971.
56 pgs.

001997

Washington v. Quigley, Frank.
Wash., Super. Ct., Sup. Ct., Chinook Tribe, 1956, d. 1958.
Member of a tribe having no treaty with U.S. claims
aboriginal hunting rights on land located on tribe's
former usual and accustomed hunting ground which he
purchased from non-Indian.

**HUNTING, FISHING, TRAPPING AND
GATHERING RIGHTS: RESERVATION**

001881

**"Red Lake Reservation — Title to Submerged Lands —
Indian Fishing Rights."**
Opinion, Office of the Solicitor.
Kirgis, Frederic L., 1936.
9 pgs.



001883

"State and Federal Jurisdiction Over Restricted Indian Reservation Lands."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1936.
2 pgs.

001886

"Hunting and Fishing — Tribal Power — Bad River."
Memo to the Commissioner of Indian Affairs, Office of the Solicitor.
Kirgis, Frederic L., 1938.
2 pgs.

001893

"Conflict Between Migratory Bird Treaty With Great Britain and Treaty With the Yakimas Re Hunting Rights on Reservation."
Memo to Commissioner of Indian Affairs, Office of the Solicitor.
Margold, Nathan R., 1942.
3 pgs.

001900

"Hunting, Fishing, and Trapping Rights of the Nez Perce Indians."
Opinion, Office of the Solicitor.
White, Mastin G., 1949.
6 pgs.

001903

"Hunting and Fishing Rights of the Klamath Indian Tribe — Authority to Hire Game Wardens."
Opinion, Office of the Solicitor.
Armstrong, J. Reuel, 1956.
3 pgs.

001905

"Imposition of North Dakota State Fish and Game Laws on Indians Claiming Treaty and Other Rights to Hunt and Fish."
Opinion, Office of the Solicitor.
Armstrong, J. Reuel, 1957.
8 pgs.

001967

"Requirement of Migratory Bird Hunting Stamp by Members of the Red Lake Band of Chippewa Indians to Hunt Ducks on the Reservation."
Opinion, Acting Commissioner, 1951.
Lee, H. Rex.
1 pg.

HUNTING, FISHING, TRAPPING AND GATHERING RIGHTS: STATE CONTROL

001879

"Fishing Rights — Yakima Tribes."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1934.
6 pgs.

001881

"Red Lake Reservation — Title to Submerged Lands — Indian Fishing Rights."
Opinion, Office of the Solicitor.
Kirgis, Frederic L., 1936.
9 pgs.

001883

"State and Federal Jurisdiction Over Restricted Indian Reservation Lands."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1936.
2 pgs.

001884

"Upper Red Lake — Fishing Rights of Indians."
Memo to Assistant Commissioner of Indian Affairs, Office of the Solicitor.
Margold, Nathan R., 1936.
1 pg.

001888

"Enforcement of Florida Deer Removal and Quarantine Law on Seminole Indian Reservation."
Opinion, Office of the Solicitor.
Kirgis, Frederic L., 1940.
7 pgs.

001889

"State Jurisdiction Over Hunting and Fishing on Lands Purchased for Indians by Federal Government."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1941.
9 pgs.

001891

"Right to Fish in Usual and Accustomed Places as Provided by Early Treaties — Indians Contend State Law Not Applicable."
Memo to Secretary of the Interior, Office of the Solicitor.
Margold, Nathan R., 1941.
1 pg.

001895

"Hunting and Fishing Regulation on Diminished and Ceded Portions of the Wind River Reservation."
Opinion, Office of the Solicitor.
Gardner, Warner W., 1943.
17 pgs.

001896

"State Jurisdiction Re Game Laws on Allotted Lands Within the Sisseton Reservation."

Opinion, Office of the Solicitor.

Gardner, Warner W., 1943.

7 pgs.

001901

"Residence Requirements For Taking Fur Animals in Fur Management Areas in Alaska."

Opinion, Office of the Solicitor.

White, Mastin G., 1950.

4 pgs.

001924

Wisconsin v. Bodin, Roger.

Wis., Bayfield County Ct., Lake Superior Chippewa, d. 1973.

Action to determine whether non-Indian's purchase of game fish caught by Indian under treaty rights is allowable.

001980

"Indian Hunting and Fishing Rights: Northwest Developments."

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Johnson, Ralph W., Ed.

Wallen, Woodrow, 1970. 47 pgs.

001997

Washington v. Quigley, Frank.

Wash., Super. Ct., Sup. Ct., Chinook Tribe, 1956, d. 1958.

Member of a tribe having no treaty with U.S. claims aboriginal hunting rights on land located on tribe's former usual and accustomed hunting ground which he purchased from non-Indian.

002021

United States and Bay Mills Indian Community v. Michigan.

Mich., W.D. Mich., Chippewa, 1973.

Government and tribe sue to enjoin state interference with the right of treaty Indians to fish in Lake Superior free of state regulation.

HUNTING, FISHING, TRAPPING AND GATHERING RIGHTS: TERMINATION OF RIGHTS BY WITHDRAWAL

001877

"Blackfeet Indians — Right to Hunt, Fish and Cut Timber — Glacier National Park."

Opinion, Office of the Solicitor.

Finney, E.C., 1932.

12 pgs.

001878

"Wenatchee — Fishing Rights."

Memo, Office of the Solicitor.

W.H.F., 1933.

1 pg.

HUNTING, FISHING, TRAPPING AND GATHERING RIGHTS: TREATIES

001879

"Fishing Rights — Yakima Tribes."

Opinion, Office of the Solicitor.

Margold, Nathan R., 1934.

6 pgs.

001880

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Fahy, Charles, 1934.

3 pgs.

001885

"Umatilla — Hunting and Fishing."

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7 pgs.

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Margold, Nathan R., 1941.

1 pg.

001893

"Conflict Between Migratory Bird Treaty With Great Britain and Treaty With the Yakimas Re Hunting Rights on Reservation."

Memo to Commissioner of Indian Affairs, Office of the Solicitor.

Margold, Nathan R., 1942.

3 pgs.

001905

"Imposition of North Dakota State Fish and Game Laws on Indians Claiming Treaty and Other Rights to Hunt and Fish."

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Armstrong, J. Reuel, 1957.

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Mich., W.D. Mich., Chippewa, 1973.

Government and tribe sue to enjoin state interference with the right of treaty Indians to fish in Lake Superior free of state regulation.

INDIAN

001915

"The Ponca Chiefs: An Account of the Trial of Standing Bear."

(book review)

North Dakota Law Review, 49:419.

Schoppert, Thomas K., 1973.

4 pgs.

INDIAN: DEFINED

001974

"Who is an Indian in Federal Indian Law?"

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Johnson, Ralph W., Ed.

Vogel, Bart, 1970.

40 pgs.

INDIAN CIVIL RIGHTS ACT

001925

White Eagle, Melvin v. One Feather, Philomene.

N.D., 8th Cir., Standing Rock Sioux, d. 1973.

Tribal members claim unequal apportionment of elective districts denies them equal protection in tribal election.

001966

"Validity of Sections 1.906 and 1.1605 of the Turtle Mountain Tribal Code of 1968."

Memorandum to Commissioner of Indian Affairs, Associate Solicitor.

Goss, Earle D., 1971.

8 pgs.

001975

"The Indian Bill of Rights."

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Johnson, Ralph W., Ed.

Sloan, Marilyn, 1970.

61 pgs.

INDIAN CIVIL RIGHTS ACT: DUE PROCESS

002002

Oglala Sioux Civil Rights Organization v. Wilson, Dick. S.D., D.S.D., Oglala Sioux, 1973.

Politically active members of Oglala Sioux Tribe seek relief from harrassment and deprivation of civil rights by tribal officials.

INDIAN CIVIL RIGHTS ACT: HABEAS CORPUS

001995

Enos, Lawrence v. Rhodes, William Roy. Ariz., D. Ariz., Pima-Maricopa, 1973.

Indian petitions for writ of habeas corpus and money damages.

INDIAN CIVIL RIGHTS ACT: JURISDICTION IN FEDERAL COURTS

002002

Oglala Sioux Civil Rights Organization v. Wilson Dick. S.D., D.S.D., Oglala Sioux, 1973.

Politically active members of Oglala Sioux Tribe seek relief from harrassment and deprivation of civil rights by tribal officials.

INDIAN CLAIMS COMMISSION

001911

"Repaying Historical Debts: The Indian Claims Commission."

Article, North Dakota Law Review, 49:359.

Danforth, Sandra C., 1973.

45 pgs.

INDIAN CLAIMS COMMISSION: AMENDED PLEADINGS AND MOTIONS

001854

San Pasqual Band of Mission Indians of California v. United States.

Cal., Ind. Cl. Comm., San Pasqual Band, 1973.

Tribe moves to file an amended petition or a petition in intervention in a claim before Indian Claims Commission.

001858

Blackfeet and Gros Ventre Tribes v. United States.
Mont., Ct. Cl., Blackfeet and Gros Ventre Tribes, 1966.
Indian Claims Commission denies motion to dismiss
Tribe's claim without prejudice or, alternatively, to
grant an indefinite continuance so that evidence could
be sought to support claim for loss of land.

INDIAN CLAIMS COMMISSION: CLAIMS WITHIN JURISDICTION OF

001853

**Otoe and Missouri Tribe of Indians v. United
States.**
Okla., Ct. Cl., Otoe and Missouri Tribe, 1954.
Amicus argues that cession of land held by aboriginal
title for an unconscionable consideration may be the
basis for an award under Indian Claims Commission
Act.

001935

**The Uintah and White River Bands of Ute Indians v.
The United States of America.**
Utah, Ct. Cl., Uintah and White River Bands of Ute
Indians, 1957.
Tribe claims compensation for loss of lands which it
held by recognized title.

001938

**Klamath and Modoc Tribes and Yahooskin Band of
Snake Indians v. The United States of America.**
Cal., Ind. Cl. Comm., Klamath and Modoc Tribes and
Yahooskin Band of Snake Indians, 1964.
Terminated tribe claims additional compensation for
land erroneously excluded from reservation by
government survey and ceded to government in 1906.

INDIAN CLAIMS COMMISSION: DAMAGES, RELIEF, OFFSETS AND INTEREST

001934

**Southern Ute Tribe or Band of Indians v. The United
States of America.**
Colo., Ind. Cl. Comm., Southern Ute, 1964.
Tribe claims compensation for lands taken by U.S.
without payment and seeks accounting from govern-
ment for proceeds of land sales.

001937

**Klamath and Modoc Tribes v. The United States of
America.**
Cal., Ind. Cl. Comm., Klamath and Modoc, 1964.
Commission's approval sought for proposed com-
promise settlement of tribe's claim that government
paid unconscionable consideration for lands ceded in
1864 Treaty.

001938

**Klamath and Modoc Tribes and Yahooskin Band of
Snake Indians v. The United States of America.**
Cal., Ind. Cl. Comm., Klamath and Modoc Tribes and
Yahooskin Band of Snake Indians, 1964.
Terminated tribe claims additional compensation for
land erroneously excluded from reservation by
government survey and ceded to government in 1906.

001939

**Ute Indian Tribe of the Uintah and Ouray Reservation,
an Indian Reorganization Act Corporation, For And On
Behalf of the Uncompahgre Band of Ute Indians v. The
United States of America.**
Utah, Ind. Cl. Comm., Ute Indian Tribe of the Uintah
and Ouray Reservation on behalf of the Uncompahgre
Band of Ute Indians, 1965.
Tribe proposes settlement of claim against govern-
ment for failure to provide tribe with a reservation as
required by 1880 agreement.

001954

Nez Perce Tribe v. United States.
Idaho, Ind. Cl. Comm., Ct. Cl., Nez Perce, 1970.
Tribe seeks additional compensation for reservation
lands ceded by 1893 agreement to defendant for un-
conscionable consideration.

INDIAN CLAIMS COMMISSION: INTENT OF CONGRESS IN CREATING

001853

Otoe and Missouri Tribe of Indians v. United States.
Okla., Ct. Cl., Otoe and Missouri Tribe, 1954.
Amicus argues that cession of land held by aboriginal
title for an unconscionable consideration may be the
basis for an award under Indian Claims Commission
Act.

INDIAN CLAIMS COMMISSION: PROCEDURES

001858

Blackfeet and Gros Ventre Tribes v. United States.
Mont., Ct. Cl., Blackfeet and Gros Ventre Tribes, 1966.
Indian Claims Commission denies motion to dismiss
Tribe's claim without prejudice or, alternatively, to
grant an indefinite continuance so that evidence could
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**Klamath and Modoc Tribes v. The United States of
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Cal., Ind. Cl. Comm., Klamath and Modoc, 1964.
Commission's approval sought for proposed com-
promise settlement of tribe's claim that government
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1864 Treaty.



001939

Ute Indian Tribe of the Uintah and Ouray Reservation, an Indian Reorganization Act Corporation, For And On Behalf of the Uncompahgre Band of Ute Indians v. The United States of America.

Utah, Ind. Cl. Comm., Ute Indian Tribe of the Uintah and Ouray Reservation on behalf of the Uncompahgre Band of Ute Indians, 1965.

Tribe proposes settlement of claim against government for failure to provide tribe with a reservation as required by 1880 agreement.

**INDIAN CLAIMS COMMISSION:
REHEARING AND RECONSIDERATION**

001954

Nez Perce Tribe v. United States.

Idaho, Ind. Cl. Comm., Ct. Cl., Nez Perce, 1970.

Tribe seeks additional compensation for reservation lands ceded by 1893 agreement to defendant for unconscionable consideration.

**INDIAN CLAIMS COMMISSION:
UNCONSCIONABLE CONSIDERATION**

001938

Klamath and Modoc Tribes and Yahooskin Band of Snake Indians v. The United States of America.

Cal., Ind. Cl. Comm., Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, 1964.

Terminated tribe claims additional compensation for land erroneously excluded from reservation by government survey and ceded to government in 1906.

001954

Nez Perce Tribe v. United States.

Idaho, Ind. Cl. Comm., Ct. Cl., Nez Perce, 1970.

Tribe seeks additional compensation for reservation lands ceded by 1893 agreement to defendant for unconscionable consideration.

**INDIAN CLAIMS COMMISSION:
VALUATION**

001859

Blackfeet and Gros Ventre Tribes v. United States.

Mont., Ct. Cl., Blackfeet, Gros Ventre, Assiniboine, Sioux Tribe of Fort Peck Reservation, Mont., 1958.

Tribe seeks to intervene in claim for lands ceded to government.

001860

Cheyenne-Arapaho Tribes, et al. v. United States.

Okla., Ind. Cl. Comm., Cheyenne-Arapaho, 1959.

Tribes dispute government's valuation of lands in claim before Indian Claims Commission.

001933

The Confederated Bands of Ute Indians v. The United States of America.

Utah, Ind. Cl. Comm., Confederated Bands of Ute Indians, 1961.

Tribe contends that Government failed to base its proposed findings of fact in mineral claim on the entire record and rejected critical data in its proposed valuation.

001935

The Uintah and White River Bands of Ute Indians v. The United States of America.

Utah, Ct. Cl., Uintah and White River Bands of Ute Indians, 1957.

Tribe claims compensation for loss of lands which it held by recognized title.

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Klamath and Modoc Tribes and Yahooskin Band of Snake Indians v. The United States of America.

Cal., Ind. Cl. Comm., Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, 1964.

Terminated tribe claims additional compensation for land erroneously excluded from reservation by government survey and ceded to government in 1906.

001954

Nez Perce Tribe v. United States.

Idaho, Ind. Cl. Comm., Ct. Cl., Nez Perce, 1970.

Tribe seeks additional compensation for reservation lands ceded by 1893 agreement to defendant for unconscionable consideration.

002025

Pillager Bands of Chippewa v. United States.

Minn., Ct. Cl., Chippewa, 1972.

Treaty terms expressly state that Indians cede lands outright to government and thus date of taking for valuation purposes is date treaty became effective.

INDIAN COUNTRY

001955

Waterman, Delia v. Mayor, City of Oneida.

N.Y., Sup. Ct., Oneida, d. 1973.

Indian receiving water service from city refuses to pay tax on reservation property as repayment for construction cost.

INDIAN COUNTRY: DEFINED

001889

"State Jurisdiction Over Hunting and Fishing on Lands Purchased for Indians by Federal Government."

Opinion, Office of the Solicitor.

Margold, Nathan R., 1941.

9 pgs.

001930

United States ex rel. Douglas Blacksmith v. Erickson,
Don R.

S.D., D.S.D., Sisseton-Wahpeton Sioux, d. 1973.
Action to determine if crime committed on land owned
by non-Indian on reservation was in Indian Country
and thus subject to federal jurisdiction.

INDIAN COUNTRY: JURISDICTION, GENERALLY

001875

To Amend Title 18, U.S. Code, Entitled "Crimes and
Criminal Procedure."

Hearing, Committee on Interior and Insular Affairs,
House of Representatives, 1953.
47 pgs.

001876

"Navigable Waters — Exclusion — Quinaielt Reser-
vation."

Opinion, Office of the Solicitor.

Graves, O.H., 1928.

9 pgs.

001932

Jim, Allen v. CIT Financial Services Corporation.

N.M., Ct. App., Navajo, 1973.

Action to determine if state or tribal law governs
repossession of vehicle located on reservation.

001957

"Indians — Civil Jurisdiction in New Mexico — State,
Federal and Tribal Courts."

Article, New Mexico Law Review, 1:196.

Ransom, Richard E. and Gilstrap, William G.,
January, 1971.

10 pgs.

001958

"Criminal Procedure on the American Frontier: A
Study of the Statutes and Court Records of Michigan
Territory 1805-1825."

Article, Michigan Law Review, 57:195.

Blume, William Wirt, 1958.

62 pgs.

001977

"Jurisdiction Over Indians and Indian Lands In
Washington."

Study, University of Washington Indian Legal
Problems Seminar, Studies in American Indian Law,
Johnson, Ralph W., Ed.

Newman, Nicholas C., 1970.

50 pgs.

INDIAN REORGANIZATION ACT

001920

"The Eighteen-Year-Old Vote Amendment As Applied
to Indian Tribes."

Memorandum to Commissioner of Indian Affairs,
Solicitor.

Melich, Mitchell, 1971.

6 pgs.

IRRIGATION

001868

"The Navajo Irrigation Project."

Memo, B.I.A.

Veeder, William H., 1965.

12 pgs.

IRRIGATION: FEDERAL AUTHORITY

001926

"Memorandum Relative to the Titles to Rights to the
Use of Water and the Authority to Control and Ad-
minister Them on the Flathead Indian Reservation."

Memo, BIA.

Veeder, William H., 1967.

39 pgs.

JURISDICTION, FEDERAL COURT: CIVIL RIGHTS

002002

Oglala Sioux Civil Rights Organization v. Wilson, Dick.
S.D., D.S.D., Oglala Sioux, 1973.

Politically active members of Oglala Sioux Tribe seek
relief from harrassment and deprivation of civil rights
by tribal officials.

LANDS

001909

"Getting Back The Land: How Native Americans Can
Acquire Excess and Surplus Federal Property."

Article, North Dakota Law Review, 49:333.

Hodge, Ronald A., 1973.

9 pgs.

001969

Survey of Conditions of the Indians in the United
States.

Hearings before a Subcommittee of the Committee on
Indian Affairs, United States Senate, Part I, November
12, 13 and 16, 1938.

408 pgs.



LANDS: VALUATION

001938

Klamath and Modoc Tribes and Yahooskin Band of Snake Indians v. The United States of America.

Cal., Ind. Cl. Comm., Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, 1964.

Terminated tribe claims additional compensation for land erroneously excluded from reservation by government survey and ceded to government in 1906.

001948

Klamath Indian Tribe — Termination of Federal Supervision.

Hearings before the Committee on Interior and Insular Affairs and its Subcommittee on Indian Affairs, U.S. Senate, 84th Congress, May 21 and October 18, 1956.

186 pgs.

001951

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana v. United States.

Mont., Ct. Cl., Confederated Salish and Kootenai Tribes, 1963, d. 1971.

Tribal confederation contends that survey error resulted in loss of reservation lands and that federal government wrongfully profited from lease of power sites on tribal lands.

LEASING

001969

Survey of Conditions of the Indians in the United States.

Hearings before a Subcommittee of the Committee on Indian Affairs, United States Senate, Part 1, November 12, 13 and 16, 1938.

408 pgs.

MINERAL RIGHTS: CLAIMS AGAINST UNITED STATES

001989

Confederated Tribes of the Colville Reservation v. United States.

Wash., Ind. Cl. Comm., Confederated Tribes of the Colville Reservation, 1972.

Tribes bring suit under fair and honorable dealings clause claiming U.S. caused and permitted destruction of fisheries in which plaintiffs had special rights and prior to extinguishment of title, aided third persons in removal of resources from reservation and granted railroad rights of way without fair compensation.

MINERAL RIGHTS: VALUATION

001933

The Confederated Bands of Ute Indians v. The United States of America.

Utah, Ind. Cl. Comm., Confederated Bands of Ute Indians, 1961.

Tribe contends that Government failed to base its proposed findings of fact in mineral claim on the entire record and rejected critical data in its proposed valuation.

PROBATE

001902

"Klamath Terminal Legislation."

Opinion, Office of the Solicitor.

Armstrong, J. Reuel, 1955.

24 pgs.

PROBATE: STATE INHERITANCE LAWS

001919

"Probate Tax on Property of Indian Living on Reservation."

Opinion, Attorney General of Virginia.

January 30, 1970.

2 pgs.

PUBLIC DOMAIN

001877

"Blackfeet Indians — Right to Hunt, Fish and Cut Timber — Glacier National Park."

Opinion, Office of the Solicitor.

Finney, E.C., 1932.

12 pgs.

001878

"Wenatchee — Fishing Rights."

Memo, Office of the Solicitor.

W.H.F., 1933.

1 pg.

PUBLIC DOMAIN: SURPLUS LANDS

001866

"Restoration of Lands Formerly Indian to Tribal Ownership."

Instructions, B.I.A., 54 Interior Decisions 559.

Collier, John, 1934.

4 pgs.



001898

"Jurisdiction of Flathead Tribal Council to Regulate Hunting in Reservoir Areas."
Opinion, Office of the Solicitor.
White, Mastin G., 1947.
5 pgs.

001909

"Getting Back The Land: How Native Americans Can Acquire Excess and Surplus Federal Property."
Article, North Dakota Law Review, 49:333.
Hodge, Ronald A., 1973.
9 pgs.

PUBLIC LAW 280

001875

To Amend Title 18, U.S. Code, Entitled "Crimes and Criminal Procedure."
Hearing, Committee on Interior and Insular Affairs, House of Representatives, 1953.
47 pgs.

001945

Rainbow's End Trailer Sales, In re.
Cal., Board of Equalization, Yurok, 1973.
Indians claim exemption from state sales tax on trailer sale completed on reservation.

001949

Federal Indian Policy.
Hearings before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, U.S. Senate, 85th Congress, March 27, May 13 and 16, June 17, July 1 and 22, 1957.
302 pgs.

001977

"Jurisdiction Over Indians and Indian Lands In Washington."
Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Johnson, Ralph W., Ed.
Newman, Nicholas C., 1970.
50 pgs.

PUBLIC LAW 280: RETROCESSION

001865

Comenout Children, In re.
Wash., Super. Ct., Quinault, 1973.
Action to prevent state court from taking away Indian couple's parental rights by showing that state jurisdiction had been retroceded to the federal government.

RESERVATIONS: BOUNDARIES

001913

"Indians — Reservations — Effect of Later Congressional Acts on Act Establishing Reservation Boundaries (New Town v. United States, 454 F.2d 121, 8th Cir. 1972)."
Article — Case Note, North Dakota Law Review, 49:410.
Boulger, John V., 1973.
7 pgs.

001951

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana v. United States.
Mont., Ct. Cl., Confederated Salish and Kootenai Tribes, 1963, d. 1971.
Tribal confederation contends that survey error resulted in loss of reservation lands and that federal government wrongfully profited from lease of power sites on tribal lands.

002018

Clarification of L'Anse Reservation.
Letter to Raymond P. Lightfoot, Area Director, B.I.A., Minneapolis, Minnesota from Marina R. Shulstad, for the Field Solicitor, U.S. Department of Interior, Twin Cities, Minnesota.
June 26, 1973.
7 pgs.

RESERVATIONS: CREATION

001889

"State Jurisdiction Over Hunting and Fishing on Lands Purchased for Indians by Federal Government."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1941.
9 pgs.

001897

"Indian Rights in Columbia River Reservoir."
Opinion, Office of the Solicitor.
Gardner, Warner W., 1945.
33 pgs.

**RESERVATIONS: CREATION;
TREATIES**

001959

"The Indians of Michigan and the Cession of Their Lands to the United States By Treaties."
Article, Michigan Pioneer and Historical Collections Annual Meeting, 26:274.
Felch, Alpheus, 1894.
25 pgs.



RESERVATIONS: DIMINISHED BY ACTS OF CONGRESS

001895
"Hunting and Fishing Regulation on Diminished and Ceded Portions of the Wind River Reservation." Opinion, Office of the Solicitor. Gardner, Warner W., 1943. 17 pgs.

002022
Yellowstone Loan Co. v. Brown, Francis B. Wyo., Dist. Ct., Arapahoe, 1973. Indian debtor challenges jurisdiction of state court to hear action on promissory note because loan and service of process were made on reservation.

RIGHTS OF WAY AND EASEMENTS: HIGHWAYS AND ROADS

001988
United States v. San Diego, City of. Cal., S.D. Cal., Capitan Grande Band of Mission Indians, 1973. Tribe moves to intervene in suit arising from municipal and public use of reservation roads providing access to city-owned reservoir and campground, resulting in trespass and damage to Indian land.

RIGHTS OF WAY AND EASEMENTS: RAILROADS

001989
Confederated Tribes of the Colville Reservation v. United States. Wash., Ind. Cl. Comm., Confederated Tribes of the Colville Reservation, 1972. Tribes bring suit under fair and honorable dealings clause claiming U.S. caused and permitted destruction of fisheries in which plaintiffs had special rights and prior to extinguishment of title, aided third persons in removal of resources from reservation and granted railroad rights of way without fair compensation.

RIGHTS OF WAY AND EASEMENTS: TRIBAL LAND

001988
United States v. San Diego, City of. Cal., S.D. Cal., Capitan Grande Band of Mission Indians, 1973. Tribe moves to intervene in suit arising from municipal and public use of reservation roads providing access to city-owned reservoir and campground, resulting in trespass and damage to Indian land.

SOVEREIGNTY

001981
"Indian Tribal Sovereignty." Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Vol. II, Johnson, Ralph W., Ed. McGimpsey, Earl R., 1971. 76 pgs.

SOVEREIGNTY: CONFLICT OF LAWS

001894
"Fishing Rights of Alaskan Indians." Opinion, Office of the Solicitor. Margold, Nathan R., 1942. 31 pgs.

001932
Jim, Allen v. CIT Financial Services Corporation. N.M., Ct. App., Navajo, 1973. Action to determine if state or tribal law governs repossession of vehicle located on reservation.

001952
Law and the American Indian: Readings, Notes and Cases. Book, Contemporary Legal Education Series. Price, Monroe E., 1973. 841 pgs.

STATE BENEFITS, ENTITLEMENT OF INDIANS

001922
"Eligibility of the 'Expanded Swinomish Indian Fish Company Project' for a Grant of State Funds." Opinion, Attorney General of Washington. Murphy, Charles F. and Gingery, William M., 1972. 8 pgs.

STATE BENEFITS, ENTITLEMENT OF INDIANS: EDUCATION

001963
Azbill, Debra v. Keller, Arthur H. Cal., N.D. Cal., 1973. Student expelled from public school without prior hearing or approval of Board of Trustees and without provision for continuing education claims denial of due process.

**STATUTE OF LIMITATIONS AND
LACHES**

001993

Pitt River Indians of California v. Phelps, Louis L.
Cal., Super. Ct., Pitt River Indians, 1973.
Indians bring suit against former attorneys charging
malpractice in handling of claims settlement before
Indian Claims Commission.

**STATUTES: AS A SOURCE OF FEDERAL
AUTHORITY OVER INDIANS**

001897

"Indian Rights in Columbia River Reservoir."
Opinion, Office of the Solicitor.
Gardner, Warner W., 1945.
33 pgs.

002001

**"Summary of Statutory Authorizations For Bureau of
Indian Affairs Activities and Appropriations."**
Bureau of Indian Affairs, 1973.
27 pgs.

**STATUTES: CONSTRUCTION
FAVORABLE TO INDIANS**

001893

**"Conflict Between Migratory Bird Treaty With Great
Britain and Treaty With the Yakimas Re Hunting
Rights on Reservation."**
Memo to Commissioner of Indian Affairs, Office of the
Solicitor.
Margold, Nathan R., 1942.
3 pgs.

001894

"Fishing Rights of Alaskan Indians."
Opinion, Office of the Solicitor.
Margold, Nathan R., 1942.
31 pgs.

001955

Waterman, Delia v. Mayor, City of Oneida.
N.Y., Sup. Ct., Oneida, d. 1973.
Indian receiving water service from city refuses to pay
tax on reservation property as repayment for con-
struction cost.

STATUTES: STATE

001924

Wisconsin v. Bodin, Roger.
Wis., Bayfield County Ct., Lake Superior Chippewa, d.
1973.
Action to determine whether non-Indian's purchase of
game fish caught by Indian under treaty rights is
allowable.

SUBMERGED LANDS AND WETLANDS

001881

**"Red Lake Reservation — Title to Submerged Lands —
Indian Fishing Rights."**
Opinion, Office of the Solicitor.
Kirgis, Frederic L., 1936.
9 pgs.

001897

"Indian Rights in Columbia River Reservoir."
Opinion, Office of the Solicitor.
Gardner, Warner W., 1945.
33 pgs.

002007

United States v. Pollman, Harlan Frank.
Mont., D. Mont., Confederated Salish and Kootenai,
1972.
Non-Indian is accused of trespassing with intent to fish
on lake within boundaries of Flathead reservation in
violation of federal and tribal law.

002018

Clarification of L'Anse Reservation.
Letter to Raymond P. Lightfoot, Area Director, B.I.A.,
Minneapolis, Minnesota from Mariana R. Shulstad, for
the Field Solicitor, U.S. Department of Interior, Twin
Cities, Minnesota.
June 26, 1973.
7 pgs.

**SUBMERGED LANDS AND WETLANDS:
RIVERBEDS**

001876

**"Navigable Waters — Exclusion — Quinaielt Reser-
vation."**
Opinion, Office of the Solicitor.
Graves, O.H., 1928.
9 pgs.



SURVEY ERRORS: CLAIMS AGAINST UNITED STATES

001951

Confederated Salish and Kootenai Tribes of the Flathead Reservation, *Montana v. United States*. Mont., Ct. Cl., Confederated Salish and Kootenai Tribes, 1963, d. 1971.

Tribal confederation contends that survey error resulted in loss of reservation lands and that federal government wrongfully profited from lease of power sites on tribal lands.

TAXATION: ALLOTMENTS

001857

Big Eagle, Hayes v. United States. Okla., Ct. Cl., Osage, 1961.

Noncompetent Osages challenge government trustee's deduction of monies from their restricted trust funds to pay federal tax on headright income.

TAXATION: CIGARETTES

002000

Walker River Paiute Tribe v. Sheehan, John J. Nev., D. Nev., Walker River Paiute, 1973.

Tribe and its licensed trader seek to enjoin state taxation of interstate shipments of cigarettes to the reservation.

TAXATION: ESTATE AND INHERITANCE

001855

Wook-Kah-Nah, In re Estate Of. Okla., Dept. of the Interior, Comanche, 1964.

Heirs of deceased Indian contend that estate tax and other probate expenses should be charged to estate before distribution to beneficiaries rather than against inheritance of each devisee.

TAXATION: IMMUNITY, EXEMPTION

001857

Big Eagle, Hayes v. United States. Okla., Ct. Cl., Osage, 1961.

Noncompetent Osages challenge government trustee's deduction of monies from their restricted trust funds to pay federal tax on headright income.

001910

"State Taxation On Sales to Reservation Indians: A Comment on the North Dakota Attorney General's Position."

Article, *North Dakota Law Review*, 49:343.

Hamlin, Thomas, 1973.

16 pgs.

001919

"Probate Tax on Property of Indian Living on Reservation."

Opinion, Attorney General of Virginia.

January 30, 1970.

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001945

Rainbow's End Trailer Sales, In re.

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Waterman, Delia v. Mayor, City of Oneida.

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Indian receiving water service from city refuses to pay tax on reservation property as repayment for construction cost.

TAXATION: INCOME, FEDERAL

001857

Big Eagle, Hayes v. United States.

Okla., Ct. Cl., Osage, 1961.

Noncompetent Osages challenge government trustee's deduction of monies from their restricted trust funds to pay federal tax on headright income.

TAXATION: LICENSE TAX

001895

"Hunting and Fishing Regulation on Diminished and Ceded Portions of the Wind River Reservation."

Opinion, Office of the Solicitor.

Gardner, Warner W., 1943.

17 pgs.

TAXATION: SALES

001879

"Fishing Rights — Yakima Tribes."

Opinion, Office of the Solicitor.

Margold, Nathan R., 1934.

6 pgs.

001910

"State Taxation On Sales to Reservation Indians: A Comment on the North Dakota Attorney General's Position."

Article, North Dakota Law Review, 49:343.

Hamlin, Thomas, 1973.

16 pgs.

001928

"Tribal Taxing Authority Over Traders on Reservation."

Letter, Pirtle, Robert L., 1973.

5 pgs.

001945

Rainbow's End Trailer Sales, In re.

Cal., Board of Equalization, Yurok, 1973.

Indians claim exemption from state sales tax on trailer sale completed on reservation.

TAXATION: TRIBAL PROPERTY

001857

Big Eagle, Hayes v. United States.

Okla., Ct. Cl., Osage, 1961.

Noncompetent Osages challenge government trustee's deduction of monies from their restricted trust funds to pay federal tax on headright income.

TERMINATION

001902

"Klamath Terminal Legislation."

Opinion, Office of the Solicitor.

Armstrong, J. Reuel, 1955.

24 pgs.

001984

"The Last Days — An Inquiry Into the Proposed Colville Termination."

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Vol. II, Johnson, Ralph W., Ed.

Holland, N. Huntley, 1971.

60 pgs.

TERMINATION: CONTINUING FEDERAL OBLIGATIONS

001971

The Menominee Restoration Act: Legal Analysis. Study, Native American Rights Fund.

Wilkinson, Charles F., Knight, Yvonne T. and Preloznik, Joseph F., 1973.

101 pgs.

TERMINATION: DISTRIBUTION OF ASSETS

001948

Klamath Indian Tribe — Termination of Federal Supervision.

Hearings before the Committee on Interior and Insular Affairs and its Subcommittee on Indian Affairs, U.S. Senate, 84th Congress, May 21 and October 18, 1956.

186 pgs.

TERMINATION: RESERVATIONS

001948

Klamath Indian Tribe — Termination of Federal Supervision.

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186 pgs.

001971

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Wilkinson, Charles F., Knight, Yvonne T. and Preloznik, Joseph F., 1973.

101 pgs.

001973

"The History, Meaning, and Effect of Termination of Federal Supervision Over Indian Reservations."

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Johnson, Ralph W., Ed.

Peterson, Rod, 1970.

47 pgs.

001984

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Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Vol. II, Johnson, Ralph W., Ed.

Holland N. Huntley 1971.

60 pgs.

TIMBER

002019

United States v. Lego, Raymond.

Cal., 9th Cir., Pitt River, 1973.

Indian accused of cutting timber in violation of federal law argues innocence because law exempts Indian lands and logging occurred on aboriginal land never ceded to government.



TIMBER: MANAGEMENT PROBLEMS

001985

"A Study of B.I.A. Timber Management on the Quinault Indian Reservation, 1950-1970." Study, University of Washington Indian Legal Problems Seminar, *Studies in American Indian Law*, Vol. II, Johnson, Ralph W., Ed. Beaty, Robert E., 1971. 87 pgs.

TIMBER: VALUATION

001938

Klamath and Modoc Tribes and Yahooskin Band of Snake Indians v. The United States of America. Cal., Ind. Cl. Comm., Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, 1964. Terminated tribe claims additional compensation for land erroneously excluded from reservation by government survey and ceded to government in 1906.

TRADERS

002024

The Trading Post System on the Navajo Reservation. Report to the Federal Trade Commission, Los Angeles Regional Office, June, 1973. 134 pgs.

TRADERS: REGULATION

001928

"Tribal Taxing Authority Over Traders on Reservation." Letter, Pirtle, Robert L., 1973. 5 pgs.

TREATIES OR AGREEMENTS WITH SOVEREIGNS OTHER THAN UNITED STATES

001998

Program of Legal Studies for Native People: Cases and Materials on Native Law (Canada). Textbook. Sanders, Douglas, 1973. 404 pgs.

TREATIES WITH UNITED STATES

001947

"Justice and the American Indians." Article, Contact, 3:33. Echohawk, John E., 1973. 6 pgs.

001959

"The Indians of Michigan and the Cession of Their Lands to the United States By Treaties." Article, Michigan Pioneer and Historical Collections Annual Meeting, 26:274. Felch, Alpheus, 1894. 25 pgs.

001960

Lewis Cass and the Indian Treaties: A Monograph on the Indian Relations of the Northwest Territory From 1813 to 1831. Monograph. Comfort, Benjamin F., 1923. 54 pgs.

001962

"Indian Land Cessions in Northern Ohio and Southeastern Michigan (1805-1808)." Article, Northwestern Ohio Quarterly, 29:27. Smith, Dwight L., 1957. 11 pgs.

TREATIES WITH UNITED STATES: CLAIMS AGAINST FEDERAL GOVERNMENT UNDER

001851

Yankton Sioux Tribe v. U.S. So. Dak., Ind. Cl. Comm., Yankton Sioux, 1968. Yankton claim that as identifiable tribe which had title to lands ceded by 1858 Treaty, they are entitled to compensation from Indian Claims Commission.

001852

An Analysis of the Course of Actions and Dealing Between the United States and the Yankton Sioux Tribe Following the Treaty of April 19, 1859, to 1888. Study re Yankton Sioux Tribe v. United States, Ind. Cl. Comm. Foley, Dr. Michael F. and Champe, Dr. John L., 1972. 206 pgs.

001982

"Indian Rights Secured by Treaties: A Study of Remedies." Study, University of Washington Indian Legal Problems Seminar, *Studies in American Indian Law*, Vol. II, Johnson, Ralph W., Ed. Wagner, Ruth Ellen, 1971. 124 pgs.

TREATIES WITH UNITED STATES: CONSTRUCTION FAVORING INDIANS

001893

"Conflict Between Migratory Bird Treaty With Great Britain and Treaty With the Yakimas Re Hunting Rights on Reservation."

Memo to Commissioner of Indian Affairs, Office of the Solicitor.

Margold, Nathan R., 1942.

3 pgs.

TRESPASS TO INDIAN LAND

001861

United States v. Escondido Mutual Water Company. Cal., S.D. Cal., Rincon Band, La Jolla Band, San Pasqual Band, Pala Band of Mission Indians, 1972, (C. 001259, 001510).

Government, on behalf of tribes seeks adjudication of water rights and damages from water companies for trespass and breach of contract.

001904

"State Jurisdiction Over Criminal Trespass Actions on Klamath Indian Reservation."

Opinion, Office of the Solicitor.

Armstrong, J. Reuel, 1956.

5 pgs.

001917

"Trespass Upon the Reservation of the Mattaponi Tribe."

Opinion, Assistant Attorney General of Virginia.

Garnett, Leslie C., Mattaponi, 1917.

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001918

"Protection of Indian Tribes."

Memorandum, Attorney General of Virginia.

Saunders, Jno. R., Mattaponi, 1918.

1 pg.

001988

United States v. San Diego, City of. Cal., S.D. Cal., Capitan Grande Band of Mission Indians, 1973.

Tribe moves to intervene in suit arising from municipal and public use of reservation roads providing access to city-owned reservoir and campground, resulting in trespass and damage to Indian land.

002007

United States v. Pollman, Harlan Frank.

Mont., D. Mont., Confederated Salish and Kootenai, 1972.

Non-Indian is accused of trespassing with intent to fish on lake within boundaries of Flathead reservation in violation of federal and tribal law.

TRIBAL COURTS

001908

"The Limits of Indian Tribal Sovereignty: The Cornucopia of Inherent Powers."

Article, North Dakota Law Review, 49:303.

Bean, Jerry L., 1973.

29 pgs.

TRIBAL COURTS: DUE PROCESS

001995

Enos, Lawrence v. Rhodes, William Roy. Ariz., D. Ariz., Pima-Maricopa, 1973.

Indian petitions for writ of habeas corpus and money damages.

TRIBAL COURTS: JURISDICTION

001957

"Indians — Civil Jurisdiction in New Mexico — State, Federal and Tribal Courts."

Article, New Mexico Law Review, 1:196

Ransom, Richard E. and Gilstrap, William G., January, 1971.

10 pgs.

001987

Story, Edith May v. White Owl, Ronald Gene.

N.D., Dist. Ct., Three Affiliated Tribes of Fort Berthold Res., 1973.

Order dismissing case for lack of jurisdiction because alleged non-support by Indian took place in another state and jurisdiction over Indian was the tribal court, not state court.

002022

Yellowstone Loan Co. v. Brown, Francis B. Wyo., Dist. Ct., Arapahoe, 1973.

Indian debtor challenges jurisdiction of state court to hear action on promissory note because loan and service of process were made on reservation.

TRIBAL GOVERNMENT: SELF-GOVERNMENT, POLICY OF

001882

"Fort Hall Reservation — Remedies Available to Tribe Against Trespassing Hunters."

Memo to the Commissioner of Indian Affairs, Office of the Solicitor.

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"The Eighteen-Year-Old Vote Amendment As Applied to Indian Tribes."

Memorandum to Commissioner of Indian Affairs, Solicitor.

Melich, Mitchell, 1971.

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TRIBAL LAW: ELECTIONS

001925

White Eagle, Melvin v. One Feather, Philomene.

N.D., 8th Cir., Standing Rock Sioux, d. 1973.

Tribal members claim unequal apportionment of elective districts denies them equal protection in tribal election.

TRIBAL LAW: SOURCE AND STATUS OF, GENERALLY

001952

Law and the American Indian: Readings, Notes and Cases.

Book, Contemporary Legal Education Series.

Price, Monroe E., 1973.

841 pgs.

TRIBAL LAW: TRIBAL CODES

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"Fort Hall Reservation — Remedies Available to Tribe Against Trespassing Hunters."

Memo to the Commissioner of Indian Affairs, Office of the Solicitor.

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001932

Jim, Allen v. CIT Financial Services Corporation.

N.M., Ct. App., Navajo, 1973.

Action to determine if state or tribal law governs repossession of vehicle located on reservation.

001966

"Validity of Sections 1.906 and 1.1605 of the Turtle Mountain Tribal Code of 1968."

Memorandum to Commissioner of Indian Affairs, Associate Solicitor.

Goss, Earle D., 1971.

8 pgs.

002007

United States v. Pollman, Harlan Frank.

Mont., D. Mont., Confederated Salish and Kootenai, 1972.

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"Fort Hall Reservation — Remedies Available to Tribe Against Trespassing Hunters."

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"Klamath Terminal Legislation."

Opinion, Office of the Solicitor.

Armstrong, J. Reuel, 1955.

24 pgs.

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001974

"Who is an Indian in Federal Indian Law?"

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law,

Johnson, Ralph W., Ed.

Vogel, Bart, 1970.

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Law and the American Indian: Readings, Notes and Cases.

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"Hunting, Fishing, and Trapping Rights of the Nez Perce Indians."

Opinion, Office of the Solicitor.

White, Mastin G., 1949.

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"Trespass Upon the Reservation of the Mattaponi Tribe."

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Jim, Allen v. CIT Financial Services Corporation.

N.M., Ct. App., Navajo, 1973.

Action to determine if state or tribal law governs repossession of vehicle located on reservation.

001955

Waterman, Delia v. Mayor, City of Oneida.

N.Y., Sup. Ct., Oneida, d. 1973.

Indian receiving water service from city refuses to pay tax on reservation property as repayment for construction cost.

001975

"The Indian Bill of Rights."

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law,
Johnson, Ralph W., Ed.

Sloan, Marilyn, 1970.

61 pgs.

001981

"Indian Tribal Sovereignty."

Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law,
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McGimpsey, Earl R., 1971.

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Price, Monroe E., 1973.

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002008

Chiefs of St. Regis Mohawk Reservation for Removal of Intruders Upon Tribal Lands, In re Complaint of.

N.Y., Franklin County Ct., Mohawk, 1973.

Tribal chiefs invoke state Indian laws to support their removal of non-enrolled Indian from reservation.

TRIBAL SOVEREIGNTY AND POWERS: LICENSING AND REGULATION

001882

"Fort Hall Reservation — Remedies Available to Tribe Against Trespassing Hunters."

Memo to the Commissioner of Indian Affairs, Office of the Solicitor.

Margold, Nathan R., 1936.

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"Hunting and Fishing — Tribal Power — Bad River."

Memo to the Commissioner of Indian Affairs, Office of the Solicitor.

Kirgis, Frederic L., 1938.

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"Departmental Review of Tribal Ordinance."

Memo to the Commissioner of Indian Affairs, Office of the Solicitor.

Cohen, Felix S., 1941.

2 pgs.

001895

"Hunting and Fishing Regulation on Diminished and Ceded Portions of the Wind River Reservation."

Opinion, Office of the Solicitor.

Gardner, Warner W., 1943.

17 pgs.

001898

"Jurisdiction of Flathead Tribal Council to Regulate Hunting in Reservoir Areas."

Opinion, Office of the Solicitor.

White, Mastin G., 1947.

5 pgs.



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"Hunting and Fishing Rights of the Klamath Indian Tribe — Authority to Hire Game Wardens."
Opinion, Office of the Solicitor.
Armstrong, J. Reuel, 1956.
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United States v. Pollman, Harlan Frank.
Mont., D. Mont., Confederated Salish and Kootenai, 1972.
Non-Indian is accused of trespassing with intent to fish on lake within boundaries of Flathead reservation in violation of federal and tribal law.

TRIBES: RECOGNITION BY UNITED STATES

001941

Satiacum, Robert v. Washington.
Wash., U.S. Sup. Ct., Puyallup, 1973.
In affirming conviction of Indian for wasting fish caught under treaty rights, petitioner contends court unnecessarily determined that reservation no longer exists.

TRUST AND RESTRICTED LANDS: CONVEYANCE

001976

"The Indian Heirship Land Problem."
Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Johnson, Ralph W., Ed.
Williams, Ethel J., 1970.
82 pgs.

TRUST FUNDS: ACCOUNTING

001934

Southern Ute Tribe or Band of Indians v. The United States of America.
Colo., Ind. Ct. Comm., Southern Ute, 1964.
Tribe claims compensation for lands taken by U.S. without payment and seeks accounting from government for proceeds of land sales.

TRUST FUNDS: INDIVIDUAL

002020

Eagle Elk, Edward, In re the Appeal of.
S.D., Dept. of Inter., Sioux, 1972.
Interior Secretary rules that social security survivor's benefits held in child's BIA trust account should be turned over to duly appointed guardian.

TRUST RELATION

001868

"The Navajo Irrigation Project."
Memo, B.I.A.
Veeder, William H., 1965.
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"American Indian Reservation Economic Development Retarded or Thwarted Through Abridgement or Loss of Indian Titles to Land and Rights to the Use of Water by Policies, Agencies and Personnel of Federal Government."
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"Inventory of Rights to the Use of Water on the Flathead Indian Reservation."
Memo, BIA.
Veeder, William H., 1969.
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001985

"A Study of B.I.A. Timber Management on the Quinault Indian Reservation, 1950-1970."
Study, University of Washington Indian Legal Problems Seminar, Studies in American Indian Law, Vol. II, Johnson, Ralph W., Ed.
Beaty, Robert E., 1971.
87 pgs.

TRUST RELATION: BREACH, CLAIMS AGAINST FEDERAL GOVERNMENT

001951

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana v. United States.
Mont., Ct. Cl., Confederated Salish and Kootenai Tribes, 1963, d. 1971.
Tribal confederation contends that survey error resulted in loss of reservation lands and that federal government wrongfully profited from lease of power sites on tribal lands.

UNCONSCIONABLE DEALINGS: CLAIMS AGAINST UNITED STATES

001989

Confederated Tribes of the Colville Reservation v. United States.

Wash., Ind. Cl. Comm., Confederated Tribes of the Colville Reservation, 1972.

Tribes bring suit under fair and honorable dealings clause claiming U.S. caused and permitted destruction of fisheries in which plaintiffs had special rights and prior to extinguishment of title, aided third persons in removal of resources from reservation and granted railroad rights of way without fair compensation.

URBAN INDIANS

002023

Reservation to City.

Book, Univ. of Chicago Dept. of Geography Research Paper No. 131.

Neils, Elaine M., 1971.

198 pgs. On Shelf.

VOTING

001920

"The Eighteen-Year-Old Vote Amendment As Applied to Indian Tribes."

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Melich, Mitchell, 1971.

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"American Indian Reservation Economic Development Retarded or Thwarted Through Abridgement or Loss of Indian Titles to Land and Rights to the Use of Water by Policies, Agencies and Personnel of Federal Government."

Memorandum and Implementation.

Veeder, William H., 1969.

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001968

The Southwest Indian Report.

Report, U.S. Commission on Civil Rights, May, 1973.

177 pgs.

WATER RIGHTS: RESERVED RIGHTS

001861

United States v. Escondido Mutual Water Company. Cal., S.D. Cal., Rincon Band, La Jolla Band, San Pasqual Band, Pala Band of Mission Indians, 1972, (C. 001259, 001510).

Government, on behalf of tribes seeks adjudication of water rights and damages from water companies for trespass and breach of contract.

001864

"Analysis of Opinion November 16, 1967, to the Extent That it Relates to the Rights of the Crow Indians in the Bighorn River."

Opinion, B.I.A.

Veeder, William H., 1967.

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"The Navajo Irrigation Project."

Memo, B.I.A.

Veeder, William H., 1965.

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"Memorandum Relative to the Titles to Rights to the Use of Water and the Authority to Control and Administer Them on the Flathead Indian Reservation."

Memo, BIA.

Veeder, William H., 1967.

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001927

"Inventory of Rights to the Use of Water on the Flathead Indian Reservation."

Memo, BIA.

Veeder, William H., 1969.

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WELFARE

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"Indians in Minneapolis."

Study.

The League of Women Voters of Minneapolis, 1968.

115 pgs.

001991

Tsoscie, Helen and Nelson, Vina Jean, In re. Ariz., B.I.A., Secretary of Interior, 1972.

Action to determine whether welfare recipients are entitled to additional clothing allowance from BIA general assistance for their children attending boarding school.



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INDIAN STREAMBED OWNERSHIP AFFIRMED

On December 17, 1973, The United States Supreme Court decided the Bonelli case which, although not an Indian case, may have an important and beneficial impact on Indian claims to the beds or former beds of navigable streams on their reservations.

The rule is that the state is the owner of the streambed of navigable streams and lakes, at least in those instances when the establishment of an Indian reservation came after the admission of a state into the Union.

In the Bonelli case, the State of Arizona not only claimed that it was the owner of the streambed underlying the current course of the Colorado River, but that it also owned the land where the Colorado used to flow before its course was altered. Arizona's position, if it had been upheld, could have been very costly for many Indian tribes for it would have meant that states could claim ownership of parts of Indian reservations through which navigable streams formerly ran.

Despite the fact that the Arizona State and Supreme Courts found in favor of Arizona, the United States Supreme Court rejected Arizona's position. It ruled that the only land owned by the state at any given time was the land underlying the River and that when the River altered its course, the state lost its title to the land abandoned by the stream. Now the Supreme Court has effectively precluded states from asserting ownership to the

abandoned beds of navigable streams that traverse or border Indian reservations even where the state owns the actual streambed.

The Native American Rights Fund filed a brief amicus curiae on behalf of the Cocopah Tribe of Indians in Bonelli calling attention to the potential impact on the Cocopah Tribe and other tribes that are similarly situated of a decision which would have upheld the state. Fund attorneys A. John Wabaunsee, Charles F. Wilkinson and David H. Getches represented the Cocopahs. The National Indian Law Library acquisition number for documents in Bonelli is 002055.

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The American Indian Lawyer Training Program has announced publication of the Indian Law Reporter. The Reporter will provide a unique service to the practitioners of Indian law by compiling and editing on a monthly basis all current developments in the field of Indian law including: digests and summary analyses of recent federal and state court decisions; federal administrative decisions, orders and rulings falling within the official sphere of agency responsibility in the area of Indian affairs; litigation and program status reports from the federal agencies; and legislative information of particular relevance.

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