

Mrs. Spotted Hawk stated that she had been chaplain for two years, and had never been called upon to offer a prayer. She said she hoped the new members would not hold any grudges and help everyone. Upon request by Mr. McKee, Mrs. Spotted Hawk said a prayer.

Following is a list of the old Council members and a list of the newly-elected Council members:

Old Council
Richard LaRoche, Jr., Chairman
Moses DeSmet, Vice-Chairman
Thomas Eagle Thunder, Sgt at Arms
Josephine Spotted Hawk, Chaplain
Emma Bad Horse
Leslie Langdeau

New Council
Richard LaRoche, Jr.
Moses DeSmet
Herbert Flute
Peter P. S. Flute
Emma Bad Horse
Arlene LaRoche

All members of the new Council were requested to stand. Mr. McKee presided while all members subscribed to the oath of office as provided in Article V of the Bylaws. Mr. McKee then declared the above-mentioned persons of the new Council were duly installed as called for.

Nominations were open for chairman. Mr. LaRoche nominated Mr. Moses DeSmet for Chairman, seconded by Mrs. Bad Horse. No objections.

Mr. Herbert Flute nominated Mr. Richard LaRoche as Chairman. Mr. LaRoche declined the nomination, and Mr. Flute agreed to withdraw his nomination.

Mrs. Bad Horse moved that nominations be closed. Motion seconded by Mr. LaRoche. No objections.

A vote was taken on the nomination of Mr. Moses DeSmet as Chairman. Five (5) for and one (1) against. (Mr. Herbert Flute voting against.)

Nominations for vice-chairman were called for. Mr. LaRoche nominated Mr. Herbert Flute, seconded by Mr. Peter Flute. No objections.

Mr. DeSmet nominated Mrs. Emma Bad Horse, seconded by Mr. Herbert Flute. No objections.

Mr. LaRoche moved that nominations cease, seconded by Mrs. LaRoche. No objections. Vote: 6 for - none against.

The vote was taken by secret ballot: 2 votes for Mr. Herbert Flute, 4 votes for Mrs. Emma Bad Horse.

Nominations for sargeant at arms were in order. Mr. LaRoche nominated Mr. Herbert Flute, seconded by Mr. DeSmet. No objections.

Mrs. LaRoche moved that nominations be closed and that Mr. Herbert Flute be Sargeant at Arms. Motion seconded by Mr. LaRoche. No objections. The vote was unanimous.

Nominations were open for Chaplain. Mrs. LaRoche nominated Mr. Peter Flute, seconded by Mr. LaRoche. Mr. DeSmet moved that nominations cease,

MINUTES:

The meeting was called to order at 2 o'clock p.m. Mr. McKee took charge of the meeting by request of Mr. LaRoche until the members of the new Council are sworn in and the officers elected.

Mr. McKee read a letter from Mr. Graham Holmes, Area Counsel. The letter was dated December 2, 1952, and was written in regard to the last tribal election. The opinion of the Area Counsel was:

1. One election was held in the Lower Brule District according to the provisions of the Constitution on tribal elections, and no protest was made. The four elected from this district should be seated to serve as Council members.
2. Two elections were held in the Fort George District in which Arlene LaRoche and Charles Langbeau had both filed petitions. After the second election, both candidates were both protesting the eligibility of at least two voters of the district. The candidate receiving the highest number of votes in the second election should be seated.
3. Two elections were held in the Iron Nation District. Three candidates filed for election, but the petition of Thomas Two Hawk did not contain the required five names of legal voters. The last decision striking this name from the ballot was correct. The candidate receiving the highest number of votes in the second election should be seated.
4. Mr. Holmes states in conclusion: "In arriving at the above decisions an attempt has been made to be practical and to settle this matter rather than following any express statute or by-law. It is my suggestion, that before the time for the next election the tribe should enact an election law which will provide a method of settling questions such as have arisen in the past election. The above decisions were also made mindful of the fact that no charge of fraud has been used as a ground for any protest. Under the circumstances it appears that this election was held according to the customs and usages of the council and tribal members."

Mr. Eagle Thunder said that Mr. Holmes had not referred to the Council minutes of October 15th wherein the Council had gone on record to amend the Constitution and act on the enrollment before a new Council was seated. Mr. LaRoche explained that although those subjects had been discussed, no resolution was passed on either. He said that according to the Constitution, the terms of the old Council members had expired at the end of two years, and since their terms had expired, they could not act on anything for the Tribe.

The minutes of October 15, 1952, were referred to, and Mr. McKee read parts of the minutes where different members of the Tribe suggested an amendment to the Constitution and action on the enrollment problem, but as Mr. LaRoche stated, no motion or resolution was adopted by the Council on either.

seconded by Mr. LaRoche. No objections. All voted in favor of Mr. Peter Flute for Chaplain.

Mr. DeSmet took the chair. He promised that during his term as Chairman he would uphold the duties of his office and administer all affairs of the Tribe to the best of his ability. He spoke briefly on the new programs for withdrawal of Federal supervision from this reservation. He said that he has always been in favor of a complete rehabilitation program for our reservation and that we should give serious thought to better schooling for the children and the acquisition of more land for the Tribe. He asked the members to cooperate with the people in order that we may accomplish things which would benefit our people.

Mr. LaRoche was excused from the meeting.

A supplemental budget for the Lower Brule Livestock Enterprise for the month of December, 1952, was presented. Mr. John Dunham, Manager for the Enterprise, was called in to the meeting. The supplemental budget was in the amount of \$6,610.21:

Wages and salaries for December, 1952.....	\$1,400.00
Over-expenditures of the yearly budget.....	\$5,210.21

Mrs. Bad Horse moved to adopt a resolution authorizing the necessary expenditures as called for by the supplemental budget. Motion seconded by Mrs. LaRoche. No objections. Vote: 4 for - none against.

Mrs. LaRoche asked Mr. Dunham if he had ever been checked in by the Enterprise. Mr. Dunham said he had not. In reference to his bond, he stated that he still did not have a bond. Mrs. LaRoche said this should have been taken care of and that our auditor should have checked the books. She stated also that notices should be put out so that people could send in the names of those who should be on the dividend list for the dividend payment of 1951.

Mrs. LaRoche moved to adopt a resolution to employ Mr. E. M. McCauley, a government accountant, to audit the books of the Enterprise. Motion seconded by Mr. Peter Flute. No objections. Vote: 4 for - none against. Mr. McKee advised that he would contact the officials in the Aberdeen Area Office to see if our auditor could come at the earliest possible date. He said the reason they do not allow a Government auditor is for the reason that it would give a feeling that the office is attempting to control the activities of the Enterprise.

The annual operating budget of the Lower Brule Livestock Enterprise for the year of 1953 was presented. Mr. DeSmet said action on this would be withheld until after the audit is complete.

Mr. DeSmet stated that nominations were in order to elect the committees. The members expressed the opinion that they would rather have the Chairman appoint the committee members as has been the policy in the past.

The Chairman appointed Mrs. Arlene LaRoche and Mr. Herbert Flute to the Loan Committee with the understanding that he will work with all committees.

Mr. DeSmet selected Mr. Herbert Flute and Mr. Peter Flute to serve on the Land Committee. No Relief Committee was appointed.

Mr. Adams advised that Dr. Davis, the veterinarian at the Bureau of Animal Industry at Pierre, called him concerning the State program on vaccinating heifer calves. He said it is desirable to vaccinate these calves when they are between the ages of 6 to 10 months; however, they can be vaccinated up to a year if the heifers are not bred. He said all heifer calves vaccinated would be branded this year with a 2 inch "V" brand facing towards the mouth, and each year after that, the "V" would be placed facing another direction. He also advised that the cost per head would be approximately 25¢ each.

Mrs. Bad Horse stated that the Two Hawk Brothers and Mrs. Dorothy Jandreau wanted her to find out about the calves they asked to have returned to them this year. Mr. Adams said both parties had already paid their repayment contracts with the Tribe, and although the Council did pass a resolution approving this, the superintendent did not sign it as approved, and it was not approved in the Area Office. He said the office felt it was an unreasonable request. He stated that this year, the Tribe allowed the operators still under contract to keep their turnback cows through the summer and to sell the calves off these cows. It was done in this manner because of the effects of the past winter on the Enterprise and the individual operators. Mr. Adams said too that if these people who had already settled their contracts with the Tribe were allowed to get calves back a year afterwards, it would open the door to a lot of other claims.

Two letters, both under date of December 12, 1952, from Ralph H. Case were read:

1. The first letter advised that the brief on Appeal from the adverse decision of the Indian Claims Commission on our behalf was filed in the Court of Claims on November 24, 1952, in our reservation boundary lines. Under this Appeal, the Federal Government is allowed 90 days from the date of filing in which to answer, after which our Sioux Attorney will be allowed 30 days in which to file a reply brief. Mr. Case has requested our comments on the brief.
2. The second letter states that the Black Hills Claim comes up for argument on December 15, 1952. The question to be presented at that time is whether or not the Sioux Tribe is entitled to recover just compensation for the Black Hills area and other lands taken from them under the Act of February 23, 1877. If this is held as planned, it will allow us to present evidence to prove what should be a reasonable royalty on the gold extracted from the Black Hills and the amount of timber cut over these years on which we claim a stumpage rate. The claim also includes demand for payment or a rental payment on farming and grazing lands, and compensation for the loss of hunting rights which were guaranteed the Sioux under the Treaty of April 29, 1868.

The following applications for loans from the revolving credit fund were presented as follows:

1. Emma Good Face, the amount of \$125.00 for building repairs,

to be repaid from lease income.

2. Moses DeSmet, the amount of \$1,000.00 for a tractor, to be repaid from sale of livestock and crops.

3. Herbert Flute, the sum of \$100.00 for clothing for school children and fuel, to be repaid from lease income.

4. Viola Quilt, the amount of \$150.00 for house repairs and paint, to be repaid from lease income.

5. Jobe Small Jumper, the amount of \$100.00 for fuel, to be repaid from lease rentals.

6. Ernest Bad Horse, the amount of \$150.00 for house repairs, to be repaid from lease income.

7. Thomas J. Johnson, Sr., the sum of \$60.00 for fuel, to be repaid from lease rentals.

Mr. Peter Flute moved to approve the 7 loan applications as presented, seconded by Mrs. LaRoche. No objections. Vote: 4 for - none against.

All land transactions brought into the meeting were referred to the Land Committee.

An application for a beaver permit was presented on behalf of Thomas Johnson, Sr. to trap 5 beavers at Iron Nation. Mrs. LaRoche moved to approve this request, seconded by Mrs. Bad Horse. No objections. Vote: 4 for - none against.

A letter from the Lower Brule Day School was read thanking the Tribe for the contribution to the school of calves which were sold and the funds used by the school.

An application to cut 1500 cedar posts on Jungle Island was presented on behalf of Alfred Ziegler or to cut all cedars from this island and return a one-third share to the Tribe. Mr. Herbert made a motion to approve the request as presented. Mrs. LaRoche asked how many acres the Tribe owns on Jungle Island. She said Mr. Eagle Thunder had advised that the Tribe's share of this island was only 80 acres. Mrs. Bad Horse asked that this be investigated before any action is taken.

A letter from William Fire Cloud was read wherein he requested \$14.00 for keeping order at 2 Indian dances on November 11th and 12th. Mr. Eagle Thunder stated that Mr. Pierce authorized Henry Good Face, Sr. to hire 2 men to serve as deputies for these 2 nights at \$7.00 each per night to be paid from the tribal court fund. Mrs. LaRoche moved to authorize payment of \$14.00 from the court fund to William Fire Cloud. Mrs. Bad Horse seconded the motion. No objections. Vote: 4 for - none against. Mrs. LaRoche said, however, that hereafter these things should be authorized by the Tribe in advance.

A request from Merrill Karlen, Jr. was presented. He requested an exchange lease on the land he owns on the reservation for land that joins his place. This was referred to the Land Committee.

The Manager's report for the month of November, 1952, was read.

A memorandum dated November 6, 1952, from the Area Office was read for the information of the people on the procedure for mortgaging trust land as security for loans. This would deal with loans to Indians by non-Indian Service lenders. The following documents would be required:

1. A written statement from the person requesting the mortgage, his personal history, etc.
2. A financial statement showing the net worth of the applicant.
3. A repayment schedule.
4. A title status report covering the land to be mortgaged.
5. A certificate of indebtedness.
6. The original and 3 copies of the mortgage.
7. A letter of recommendation from the Agency Superintendent.

The following bills were presented for payment from the General Fund of the Tribe:

Moses DeSmet, Council,.....	\$ 47.00
Thomas Eagle Thunder, Council.....	\$ 21.00
Arlene LaRoche, Council.....	\$ 44.00
Herbert Flute, Council.....	\$ 21.90
Peter Flute, Council.....	\$ 9.00
Leslie Langdeau, Council.....	\$ 10.60
Charles Langdeau, Election.....	\$ 12.00
Eliza Flute, Election.....	\$ 6.00
Abe Langdeau, Election.....	\$ 13.00
Henry Good Face, Sr., Election.....	\$ 25.58
Emma Bad Horse, Council.....	\$ 26.00
Marilyn Harmon, Office.....	\$ 30.00
Total:	\$326.08

Mrs. Bad Horse moved to approve payment of the above listed bills as presented, seconded by Mrs. LaRoche. No objections. Vote: 4 for - none against.

Mrs. Bad Horse made a motion authorizing the Council members to attend the NACI meeting to be convened at Pine Ridge Agency on December 18, 19, and 20th.

A motion to adjourn was made by Mrs. LaRoche, seconded by Mrs. Bad Horse. No objections. Vote: 4 for - none against. The meeting was adjourned at 5:30 p.m.

Moses DeSmet
Moses DeSmet, Chairman

Alice H. Jandreau
Alice H. Jandreau, Secretary