

R E S O L U T I O N

WHEREAS, The Southwest Lumber Mills, Inc. of McNary, Arizona, as purchaser, has a timber contract on the Smith Park-Horse Mesa timber unit of the Apache Indian Reservation, and

WHEREAS, The said timber contract provides that the Purchaser shall cut and remove from the said timber unit 30,000,000 board feet prior to March 31, 1939, and further provides that if the Purchaser fails to cut in any contract year ending March 31 the minimum of timber required by the contract to be cut during such year, he shall pay to the Superintendentthe value of the uncut balance of the required minimum, and

WHEREAS, The Southwest Lumber Mills, Inc., in cutting and paying for a cut of only 17, 930, 260 board feet during the year ending March 31, 1939, has failed to comply with the said cutting and payment requirements of the Smith Park-Horse Mesa timber unit contract, now, therefore,

BE IT RESOLVED, by the Council of the White Mountain Apache Tribe in regular session this date August 1, 1939 that relief be granted the Southwest Lumber Mills, Inc. from the minimum cutting and payment requirements of the Smith Park-Horse Mesa Unit Timber Contract for the year ending March 31, 1939, and, that the cut of 17,930,260 board feet, for said year and payment thereof to the Superintendent, be considered as satisfactory compliance with the minimum cutting and payment clauses of said contract for the year ending March 31, 1939.

The foregoing resolution was on August 1, 1939 duly adopted by a vote of 9 for and 0 against, by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article VI, Section 1 (c) of the Constitution and By-laws of the Tribe, ratified by the Tribe on August 15, 1938 and approved by the Secretary of the Interior on August 26, 1938 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

/S/ Roe Clark
Chairman of the Tribal Council

/S/ Lawrence Johnson
Secretary of the Tribal Council

Approval recommended:

/S/ Wm. Dorner
Superintendent

