

TITLE 2 - AGRICULTURE AND LIVESTOCK

CHAPTER 6 - CONTROL OF LIVESTOCK; LIVESTOCK BOARD

Legislative History: Ordinance No. 12, governing control of livestock, was enacted by the Papago Council on April 8, 1944 and approved by the Sells Indian Agency Superintendent on April 14, 1944; amended by Ordinance No. 23, which was enacted by the Papago Council on November 13, 1953 and approved by the Sells Indian Agency Superintendent on November 23, 1953.

Related Legislation: References to Ordinance No. 10, containing the same subject matter as Ordinance No. 12, appears in the legislative record but no certification for Ordinance No. 10 has been found. Ordinance No. 10 appears to have been amended by Resolution No. 317 [no certification found] and was further amended by Resolution No. 404, which was enacted by the Papago Council on April 1, 1949 and approved by the Sells Indian Agency Superintendent on [date unreadable].

Ordinance No. 6, prohibiting the running of domestic sheep or goats within Organ Pipe Cactus National Monument, was enacted by the Papago Council on October 7, 1939 and approved by the Sells Indian Agency Superintendent on October 9, 1939.

See Res. # 261

ORDINANCE OF THE
PAPAGO COUNCIL

*See Ord. No 23
Amendment.*

No. 12

Ordinance No. 12 enacted by the Tribal Council to control the horse, mule, and burro population on the Papago and San Xavier Indian Reservation for the purpose of aiding in the eradication of dourine and the preservation of the forage, the land, and the water resources.

BE IT ENACTED BY THE PAPAGO COUNCIL:

Section I: That the number of horses, mules, and burros required for the use and subsistence of each family group shall be determined by a committee of District councilmen of their respective districts, or by a committee appointed by the Council in case any district council should fail to function, with the Papago Livestock Board making final decisions in questionable cases, but in no case will any family group be permitted more than 10 head of horses, mules, or burros to utilize tribal range resources.

Section II: That any family group possessing more horses, mules, or burros than the number determined for them by a committee of their authorized district representatives shall dispose of these horses, mules, or burros as they are instructed to do so by the Superintendent and Tribal Council.

Section III: That in the event any horse, mule or burro owner is not present or available during an interview or roundup period the District Council committee shall have the right to appoint another individual to represent the absent person. The individual appointed will be authorized to dispose of any horses, mules, or burros in excess of the number allowed by the committee.

Section IV: That when ever an individual's circumstances change so that the allowed number of horses, mules, or burros he possesses no longer fits his circumstances, or when the district committee deems it necessary, the horse allowance of an individual may be reviewed and the number of stock possessed may be changed to fit the circumstances but in no way shall conflict with other sections of this ordinance.

Section V: That all colts upon reaching one year of age must have the approval of the authorized district representative in order to remain on the range, and are not to be included in the number authorized by the committee until they reach 2 years of age.

Section VI: That a permit shall be issued to each family group by the Papago Tribal Council stating the number of horses, mules, or burros that each family group shall be allowed to run on tribal range in accordance with Section I of this Ordinance.

Section VII: To control spread of scouring and effect horse improvement, no stallion over two years of age shall be allowed to run loose on the open range land of the districts.

Section VIII: That any stallion over two years of age found running loose after July 1, 1944, shall be destroyed or confiscated without compensation to the owner.

Section IX: That there shall be annual roundups held by the people of each district for the purpose of culling, castrating, counting, and any other work necessary in carrying out the provisions of this Ordinance, horses, mules, and burros in compliance with the section herein outlined.

Section X: That the Papago people shall cooperate with their tribal representatives and the Superintendent and his authorized representatives in carrying out the sections outlined herein.

Section XI: Any unbranded horses, mules, or burros found in any district shall be sold or otherwise disposed of and any monies derived from the sale of these animals shall be deposited to the credit of the District Council of that district.

Section XII: That amendments to this Ordinance may be made by the Papago tribal Council when necessary.

Section XIII: That any member of the Papago Tribe violating any provision of this Ordinance, or in any way interrupting or interfering with this Ordinance shall be guilty of a misdemeanor punishable by a fine of \$300 and/or imprisonment for not more than one year and confiscation or destruction of the animal or animals involved.

Section XIV: Definition: Family group: a single home economic unit, living closely associated in one or more grouped houses, which shares its livestock and agricultural income and recognized one individual as family head.

The foregoing ordinance was on April 8, 1944, duly enacted by a vote of 13 for, and 0 against, by the Papago Tribal Council, pursuant to authority vested in it by Section 2 (m), Article V; Section 3(h) (k), Article V; of the Constitution of the Tribe, ratified by the Tribe on December 12, 1936, pursuant to Section 16 of the Act of June 18, 1934, (48 Stat. 984). Said Ordinance is effective as of the date of its approval by the Superintendent of Galla Agency subject to its rescission by the Secretary of the Interior pursuant to Section 6 Article V of the Constitution and By-laws of the Papago Tribe.

ATTEST:

/s/ Suzanne I. Enos
Suzanne I. Enos,
Secretary-Treasurer

APPROVED: APR. 14, 1944

/s/ O. Guxia: Acting Supt.
W. G. Guxia, Superintendent,
Galla Agency, Galla, Arizona.

THE PAPAGO COUNCIL
BY:

/s/ Henry A. Throssell
Henry A. Throssell, Chairman

ORDINANCE OF THE
PAPAGO COUNCIL

NO. 23

WHEREAS: Dourine has again been found on the Papago Reservation and a quarantine has been placed against the movement of horse, mule or burro stallions and mares to and from the reservation; and

WHEREAS: The containment, control, and eradication of the disease is of vital importance to the Papago people;

THEREFORE BE IT ENACTED BY THE PAPAGO COUNCIL: That Ordinance No. 12 of 1944, the Papago Council be amended, as provided in Section XVI thereof, by the addition of the following sections: Section XVII: That no horse, mule or burro stallions and mares shall be moved from one district to another district of the Papago or San Xavier Reservations unless such animal has had a negative dourine test within 30 days of its being moved, or upon a written permit signed by the Tribal Livestock Inspector. Section XVIII: That no horse, mule or burro stallions and mares shall be moved to or from the Papago or San Xavier Reservation unless the district to which or from which it is moved has been declared free of Dourine test within 30 days of its being moved or upon a written permit signed by the Tribal Livestock Inspector.

The foregoing amendment to Ordinance No. 12 was on November 13, 1953, duly enacted by a vote of 17 for and 0 against, by the Papago Council, pursuant to authority vested in it by Section 2 (m), Section 3 (h), (k), Article V, of the Constitution of the Papago Tribe, ratified by the Tribe on December 12 1936, and approved by the Secretary of the Interior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984). Said Ordinance is effective as of the date of its approval by the Superintendent of the Papago Agency, and is subject to its rescission by the Secretary of the Interior, pursuant to Section 6, Article V of the Constitution and By-Laws of the Papago Tribe.

THE PAPAGO COUNCIL

ATTEST:

BY: /s/ Enos Francisco
Enos Francisco, Chairman

/s/ Evelyn Lopez
Evelyn Lopez, Acting Secretary & Treasurer

APPROVED: 11/23/53

/s/ Harry L. Stevens
Harry L. Stevens, Superintendent

3/2/54

Approved by the Bureau J

ORDINANCE OF THE
PAPAGO COUNCIL

No. 6

An ordinance to regulate the kinds of stock and their range in the following described area: the parts of Sections 6, 7, 18, 19, 30, and 31, Township 18 South, Range 3 West, G. & S. R. Meridian, in Arizona, which fall on the east side of the crest of the Ajo Mts., and the east side of the Organ Pipe Cactus National Monument. The above mentioned lands belonging to the Organ Pipe Cactus National Monument, and are being opened up for regulated use by the Papago Indian stockmen in the vicinity of said lands.

BE IT ENACTED BY THE PAPAGO COUNCIL:

Section I. That it shall be unlawful to run domestic sheep or goats in the above described area.

Section II. Any member of the Papago Tribe violating any provisions of Section I of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than \$10.00 or imprisonment for not less than 10 days, or by both such fine and imprisonment as the court may determine.

This ordinance shall take effect and be in force from and after its passage and approval.

The foregoing ordinance was on October 7, 1939, duly enacted by a vote of 13 for, and 0 against, by the Papago Council, pursuant to authority vested in it by Section 3 (k), Article V. of the Constitution of the Tribe, ratified by the Tribe on December 12, 1936, pursuant to Section 16 of the Act of June 18, 1934, (48 Stat. 984). Said Ordinance is effective as of the date of its approval by the Superintendent of Sells Agency, subject to its rescission by the Secretary of the Interior pursuant to Section 6, Article V. of the Constitution and By-Laws of the Papago Tribe.

THE PAPAGO COUNCIL
By:

Attest:

Jose Ignacio
Jose Ignacio, Chairman

Eugene Greenko, Jr.
Eugene Greenko, Jr., Acting-Secretary

APPROVED:

October 9, 1939
Date

T. V. Hall
T. V. Hall, Superintendent