2

HEARING

BEFORE

THE COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

SEVENTY-SECOND CONGRESS

SECOND SESSION

ON

A PROPOSED BILL TO DEFINE THE EXTERIOR BOUNDARIES OF THE NAVAJO INDIAN RESERVATION IN ARIZONA, AND FOR OTHER PURPOSES

DECEMBER 7, 1932

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BOUNDARY, NAVAJO-HOPI INDIAN RESERVATION

WEDNESDAY, DECEMBER 7, 1932

UNITED STATES SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, D. C.

The committee met, pursuant to call at 10.30 o'clock a. m., in the committee room on Indian Affairs, Senator Lynn J. Frazier, presiding.

Present: Senators La Follette, Walcott, Ashurst, Kendrick, and Wheeler.

Also present: Senator Hayden, Hon. Henry J. Scattergood, Assistant Commissioner of Indian Affairs, M. W. Billingsley, on behalf of the Hopi Indians; Albert A. Grorud, special assistant to the committee; William O. Skeels, assistant clerk of committee, and F. S. Milberg, official reporter.

The CHAIRMAN. The hearing will come to order. This meeting is especially called to hear the Hopi Indians of the State of Arizona in relation to a proposed bill setting apart an area for the exclusive use of the Hopi Indians.

(The Executive order creating what was originally called the Moqui Indian Reservation, follows:)

EXECUTIVE MANSION,
December 16, 1882.

It is hereby ordered that the tract of country in the Territory of Arizona lying and being within the following-described boundaries, viz, beginning on the one hundred and tenth degree of longitude west from Greenwich, at a point 36 degrees and 30 minutes north, thence due west to the one hundred and eleventh degree of longitude west, thence due south to a point of longitude 35 degrees and 30 minutes north, thence due east to the one hundred and tenth degree of longitude, and thence due north to place of beginning, be, and the same is hereby, withdrawn from settlement and sale, and set apart for the use and occupancy of the Moqui and such other Indians as the Secretary of the Interior may see fit to settle thereon.

CHESTER A. ARTHUR.

(The following is a copy of a bill proposed by the Bureau of Indian Affairs relating to the Hopi-Navajo segregation:)

A BILL To define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Navajo Indian Reservation, in Arizona, be, and they are hereby, defined as follows: Beginning at a point where the west boundary of the Executive order Navajo addition of May 17, 1884, intersects the Colorado River; thence down that stream to its confluence with the Little Colorado River; thence following the north bank of said river to a point opposite the east boundary of the Grand Canyon National Park; thence south along said east boundary to the southeast corner of section 5, township 30 north, range 6 east; thence east to the southeast corner of section 4; thence south to the southwest corner of section 10; thence east to the south-

HP2708

east corner of section 10; thence south to the southwest corner of section 14; thence east to the northwest corner of the NE. ¼ of section 23; thence two miles to the southeast corner of the SW. ¼ of section 26; thence west one-half mile to the southeast corner of section 27, township 30 north, range 6 east, Gila and Salt River meridian; thence south seven miles to the southwest corner of section 35, township 29 north, range 6 east; thence east one mile; thence south one and one-half miles to the southwest corner of the NW. ¼ of section 12, township 28 north, range 6 east; thence east through the center of section 12 to the range line between ranges 6 and 7 east; thence south along said range line five and one-half miles to the southeast corner of section 1, township 27, north, range 6 east; thence west three miles to the southwest corner of section 3, township 27 north; range 6 east; thence south five miles to the southeast corner of section 33, township 27 north, range 6 east; thence east along township line between townships 26 and 27, six and one-half miles to the northeast corner of the NW. ¼ of section 3, township 26 north, range 7 east; thence south two miles to the southeast corner of the SW. ¼ of section 10, township 26 north, range 7 east; thence east four and one-half miles to the southeast corner of section 8, township 26 north, range 8 east; thence north four miles to the northwest corner of section 28, township 27 north, range 8 east, Gila and Salt River meridian, Arizona; thence east one mile to the southeast corner of section 21; thence north four miles to the northeast corner of section 4, township 27 north, range 8 east; thence east along township line between townships 27 and 28 north, to its intersection with the Little Colorado River; thence up the middle of that stream to the intersection of the range line between ranges 10 and 11 east, Gila and Salt River meridian; thence south along said range line between ranges 10 and 11 east, to the intersection of said range line with the north right of way of the A. T. & S. F. R. R.; thence easterly along the north right of way line of the A. T. & S. F. R. R. to the intersection of township line between townships 19 and 20 north, Gila and Salt River meridian; thence east along this line to the corner of sections 33 and 34, township 20 north, range 14 east, Gila and Salt River meridian; thence north six miles to the fifth standard parallel between townships 20 and 21 north; thence east along said standard parallel to the southwest corner of township 20 north, range 26 east, Gila and Salt River meridian, Arizona; thence north six miles to the northwest corner of township 21 north, range 26 east; thence east twelve miles to the northeast corner of township 21 north, range 27 east; thence south two miles; thence east twelve miles; thence south four miles; thence east along the township line between townships 20 and 21 north, to the boundary line between the States of New Mexico and Arizona; thence north along said boundary line to its intersection with the south boundary of the Navajo Executive order addition of January 6, 1880: *Provided*, That all vacant, unreserved and unappropriated public lands, including all withdrawals of public lands in Arizona heretofore made for Indian purposes by Executive order or otherwise within the boundaries so defined, are hereby permanently withdrawn from all forms of entry or disposal for the benefit of the Navajo and such other Indians as may already be located thereon. All valid rights and claims initiated prior to approval hereof under the public land laws involving any lands witnin the areas so defined, shall not be affected by this act: *Provided further*, That the Secretary of the Interior is hereby authorized to determine and set apart from time to time for the exclusive use and benefit of the Hopi Indians, such areas within the Navajo boundary line above defined as may in his judgment be needed for the use of said Indians. Nothing herein contained shall operate to bar future purchases for the Navajo tribe of Indians of privately owned lands located outside of the boundary lines above defined, and the title to lands so purchased shall be taken in the name of the United States in trust for the Navajo Tribe, as authorized by the act of May 29, 1928 (45 Stat. 899).

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, under rules and regulations to be prescribed by him, to accept relinquishments and reconveyances to the United States of such privately owned lands, as in his opinion are desirable for and should be reserved for the use and benefit of the Navajo Tribe of Indians, including patented and nonpatented Indian allotments and selections, within the counties of Apache, Navajo, and Coconino, Arizona, and any Indian so relinquishing his or her right shall be entitled to make lieu selections within the areas consolidated for Indian purposes by this act. Upon conveyance to the United States of a good and sufficient title to any such privately owned land, except Indian allotments and selections, the owners thereof, or their assigns, are hereby authorized, under regulations of the Secretary of the Interior, to select from the unappropriated, unreserved and nonmineral public lands of the United States within said counties in the State of Arizona lands approximately equal in value to the lands thus conveyed, and where surrendered lands

contain springs or living waters, selection of other lands taken in lieu thereof may be of like character of quality, such values to be determined by the Secretary of the Interior, who is hereby authorized to issue patents for the lieu lands so selected. In all selections of lieu lands under section 2 of this act notice to any interested party shall be by publication. Any privately owned lands relinquished to the United States under section 2 of this act shall be held in trust for the Navajo Tribe of Indians; and relinquishments in Navajo County, Arizona, excluding Indian allotments and selections, shall not extend south of the township line between townships 20 and 21 north, Gila and Salt River base and meridian. The State of Arizona may relinquish such tracts of school land within the boundary of the Navajo Reservation as defined by section 1 of this act, as it may see fit in favor of said Indians, and shall have the right to select other unreserved and nonmineral public lands contiguous or noncontiguous, located within the three counties involved equal in value to that relinquished, said lieu selections to be made in the same manner as is provided for in the Arizona Enabling Act. Pending the completion of exchanges and consolidations authorized by section 2 of this act, no further allotments of public lands to Navajo Indians shall be made in the counties of Apache, Navajo, and Coconino, Arizona, and thereafter should allotments to Navajo Indians be made, they shall be confined to lands within the boundaries defined by section 1 of this act.

SEC. 3. Upon the completion of exchanges and consolidations authorized by section 2 of this act, the State of Arizona may, under rules and regulations to be prescribed by the Secretary of the Interior, relinquish to the United States such of its remaining school lands in Coconino, Navajo, and Apache Counties as it may see fit; and shall have the right to select from the vacant, unreserved and nonmineral public lands in said counties, lieu lands equal in value to those relinquished.

(The following is a bill introduced by Hon. Carl Hayden on February 28, 1933:)

[S. 5696, Seventy-second Congress, second session]

A BILL To define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Navajo Indian Reservation, in Arizona, be, and they are hereby, defined as follows: Beginning at a point common to the States of Arizona, New Mexico, Colorado, and Utah, thence west along the boudnary line between the States of Arizona and Utah to a point where said boundary line intersects the Colorado River; thence down the south bank of that stream to its confluence with the Little Colorado River; thence following the north bank of the Little Colorado River to a point opposite the east boundary of the Grand Canyon National Park; thence south along said boundary to the southeast corner of section 5, township 30 north, range 6 east, Gila and Salt River base and meridian, Arizona; thence east to the southeast corner of section 4; thence south to the southwest corner of section 10; thence east to the southeast corner of section 10; thence south to the southwest corner of section 14; thence east to the northwest corner of the northeast quarter section 23; thence south two miles to the southeast corner of the southwest quarter section 26; thence west one-half mile to the southeast corner of section 27, township 30 north, range 6 east, Gila and Salt River base and meridian, Arizona; thence south seven miles to the southwest corner of section 35, township 29 north, range 6 east; thence east one mile; thence south one and one-half miles to the southwest corner of the northwest quarter section 12, township 28 north, range 6 east; thence east through the center of section 12 to the range line between ranges 6 and 7 east; thence south along said range line five and one-half miles to the southeast corner of section 1, township 27 north, range 6 east; thence west three miles to the southwest corner of section 3, township 27 north, range 6 east; thence south five miles to the southeast corner of section 33, township 27 north, range 6 east; thence east along township line between townships 26 and 27, six and one-half miles, to the northeast corner of the northwest quarter section 3, township 26 north, range 7 east; thence south two miles to the southeast corner of the southwest quarter section 10, township 26 north, range 7 east; thence east four and one-half miles to the southeast corner of section 8, township 26 north, range 8 east; thence north four miles to the northwest corner of section 28, township 27 north, range 8 east, Gila and Salt River base and meridian; thence east one mile to the southeast corner of section 21; thence north four miles to the northeast corner of section 4, township 27 north, range 8 east, thence east along town-

HPD2709

ship line between townships 27 and 28 north to its intersection with the Little Colorado River; thence up the middle of that stream to the intersection of the present west boundary of the Leupp Extension Reservation created by Executive order of November 14, 1901; thence south along the present western boundary of said extension to where it intersects the fifth standard parallel north; thence east along said standard parallel to the southwest corner of township 21 north, range 26 east, Gila and Salt River base and meridian; thence north six miles to the northwest corner of township 21 north, range 26 east; thence east twelve miles to the northeast corner of township 21 north, range 27 east; thence south two miles; thence east twelve miles; thence south four miles; thence east along the township line between townships 20 and 21 north to the boundary line between the States of New Mexico and Arizona; thence north along said boundary line to the point of beginning. All vacant, unreserved, and unappropriated public lands, including all temporary withdrawals of public lands in Arizona heretofore made for Indian purposes by Executive order or otherwise within the boundaries defined by this Act, are hereby permanently withdrawn from all forms of entry or disposal for the benefit of the Navajo and such other Indians as may already be located thereon; however, nothing herein contained shall affect the existing status of the Moqui (Hopi) Indian Reservation created by Executive order of December 16, 1882. There are hereby excluded from the reservation as above defined all lands heretofore designated by the Secretary of the Interior pursuant to section 28 of the Arizona Enabling Act of June 20, 1910 (36 Stat. L. 575), as being valuable for water-power purposes and all lands withdrawn or classified as power-site lands, saving to the Indians, nevertheless, the exclusive right to occupy and use such designated and classified lands until they shall be required for power purposes or other uses under the authority of the United States: *Provided*, That nothing in this act contained shall be construed as authorizing the payment of proceeds or royalties to the Navajo Indians from water power developed within or adjacent to the boundaries defined by this Act; and the Federal Water Power Act of June 10, 1920 (41 Stat. L. 1063), and amendments thereto, shall operate for the benefit of the State of Arizona as if such lands were vacant, unreserved, and unappropriated public lands. All valid rights and claims initiated under the public land laws prior to approval hereof involving any lands within the areas so defined, shall not be affected by this Act. Nothing herein contained shall be construed as repealing the Act of May 29, 1928 (45 Stat. L. 899), which authorizes the purchase for the Navajo Indians of privately owned lands within the boundaries above defined.

SEC. 2. The Secretary of the Interior is hereby authorized in his discretion, under rules and regulations to be prescribed by him, to accept relinquishments and reconveyances to the United States of such privately owned lands, as in his opinion are desirable for and should be reserved for the use and benefit of the Navajo Tribe of Indians, including patented and nonpatented Indian allotments and selections, within the counties of Apache, Navajo, and Coconino, Arizona; and any Indian so relinquishing his or her right shall be entitled to make lieu selections within the areas consolidated for Indian purposes by this act. Upon conveyance to the United States of a good and sufficient title to any such privately owned land, except Indian allotments and selections, the owners thereof, or their assigns, are hereby authorized, under regulations of the Secretary of the Interior, to select from the unappropriated, unreserved, and nonmineral public lands of the United States within said counties in the State of Arizona lands approximately equal in value to the lands thus conveyed, and where surrendered lands contain springs or living waters, selection of other lands taken in lieu thereof may be of like character or quality, such values to be determined by the Secretary of the Interior, who is hereby authorized to issue patents for the lieu lands so selected. In all selections of lieu lands under section 2 of this act notice to any interested party shall be by publication. Any privately owned lands relinquished to the United States under section 2 of this act shall be held in trust for the Navajo Tribe of Indians; and relinquishments in Navajo County, Arizona, excluding Indian allotments and selections, shall not extend south of the township line between townships 20 and 21 north, Gila and Salt River base and meridian. The State of Arizona may relinquish such tracts of school land within the boundary of the Navajo Reservation, as defined by section 1 of this act, as it may see fit in favor of said Indians, and shall have the right to select other unreserved and nonmineral public lands contiguous or noncontiguous located within the three counties involved equal in value to that relinquished, said lieu selections to be made in the same manner as is provided for in the Arizona enabling act of June 20, 1910 (36 Stat. L. 558), except as to the payment of fees or commissions which

are hereby waived. Pending the completion of exchanges and consolidations authorized by section 2 of this act, no further allotments of public lands to Navajo Indians shall be made in the counties of Apache, Navajo, and Coconino, Arizona, nor shall further Indian homesteads be initiated or allowed in said counties to Navajo Indians under the act of July 4, 1884 (23 Stat. L. 96); and thereafter should allotments to Navajo Indians be made, they shall be confined to lands within the boundaries defined by section 1 of this act.

SEC. 3. Upon the completion of exchanges and consolidations authorized by section 2 of this act the State of Arizona may, under rules and regulations to be prescribed by the Secretary of the Interior, relinquish to the United States such of its remaining school lands in Coconino, Navajo, and Apache Counties as it may see fit; and shall have the right to select from the vacant, unreserved, and nonmineral public lands in said counties lieu lands equal in value to those relinquished without the payment of fees or commissions.

I will first call on Senator Ashurst for a brief statement of the case.

STATEMENT OF HON. HENRY F. ASHURST, SENATOR FROM ARIZONA

Senator ASHURST. Mr. Chairman, I thank you for your courtesy. Five Hopi Indians from the Hopi country in Arizona are here. They have an important matter to present to your committee respecting the boundary lines of their lands. They are accompanied by their friend, Mr. Billingsley, whom you met in Arizona at Toreva when we were in the Hopi country.

I do not know whether the committee wishes my own personal opinion or not, but I shall presume far enough to give them the benefit of it or to burden them with it, as they may choose.

Every member of the committee is very familiar with the Indian country, including the Navajo and other Indian lands in Arizona. It is my opinion that the Hopis should have their own reservation; that the boundary lines thereof should be carefully delimited so that every Hopi and every Navajo who wishes to do so may know the boundary lines of the reservation. It is impossible for tribes of Indians to live in peace where the boundary lines of their reservation are uncertain or have never been defined.

Mr. Chairman and gentlemen, we find in the West that intelligent and peace-loving white men, sheepmen and cattlemen, have conflicts, and serious conflicts, over ranges, over water holes, over grass, unless the boundary lines are carefully delimited. Our experiences on the national forests were such that it was absolutely necessary (when a permit was granted to a citizen to graze his cattle or sheep thereon to prevent conflict and serious trouble between peace-loving white men) that the boundary lines of those permits respecting the areas therein contained be carefully delimited, so that a man would know when he had gotten over his own line and upon his neighbor's grass. Therefore, for a stronger reason, it would seem to me that these Hopi Indians ought to have their reservation lines carefully delimited. I go further and say that in some places a fence should be erected if we expect to have peace and tranquility between those tribes.

Senator KENDRICK. May I ask the Senator a question?

Senator ASHURST. Yes, sir.

Senator KENDRICK. Does the difficulty lie in the absence of an official survey?

Senator ASHURST. That is one of the difficulties.

HP2710

Senator KENDRICK: As to what territory the Hopis practically own?

Senator ASHURST. There are in some places great uncertainties as to whether or not it is Hopi land or Navajo land. Nothing so disturbs the serenity of a man, nothing upsets him more, than to be uncertain as to how much of disputed land he owns or whether he actually owns it or not.

The CHAIRMAN. At the present time the Navajo and Hopi reservations——

Senator ASHURST. They coalesce and intermix to some extent.

A word about the Hopis. They are one of the most romantic, one of the most remarkable of all races of men, and I can do no better than to presume upon your patience and reread what I said at our hearings held in the Hopi country, as follows:

> I have known the Hopi people all of my life. From the rim of my father's ranch, which is 140 miles from here, I could, as a boy, look into the far-away Hopi country. I have been amongst them. I have visited them in their houses. I have studied them. They are a gentle, temperate people and have many grand virtues. They do not practice revene. They are industrious. They are rich in mythological lore. They are artists by tradition. Their ancestors were artists. They are lovers of colors, and, beyond any tribe of whom I know, they have the talent, the habit, and art of blending one color into another.
>
> They follow customs which they have had from ancestral and immemorial times; customs strange to us, but, according to their own standards, they have high morals.
>
> They are kind to children. They pay their debts. They are not easily excited. They are somewhat mystic; they have many symbols; and in all my studies of men, both at home and in foreign lands, I know of no more interesting people than the Hopis.

Adverting again to this custom of engaging Indians in shows and troupes, I believe it encourages them. It gives them a broader view of life, its duties, and its claims. I do not see any fault or vice in the whites employing Indians in shows or taking them into ordinary pursuits. I think the result is wholesome and beneficial.

But, Mr. Chairman, whether they be interesting people or uninteresting, prosaic or romantic, they are citizens of the United States and have the same right to have the boundary lines of their reservation delimited that any other citizen would have, and I appeal to this committee to report legislation setting apart out of the body of the Navajo Reservation a reservation for these people under their own superintendent and agent. If a reservation be given to them you will have peace and tranquillity there. If it is not, you will have Hopis and Navajos continuing the irritation they have had for a long time. That concludes what I have to say, but I should like to have Senator Hayden make a statement.

Senator KENDRICK. I would like to ask the Senator this question: Is there any conflict between these two tribes of Indians as to the actual rights of one or the other?

Senator ASHURST. For example, we have a situation somewhat like King Solomon had. A Hopi claimed that a certain cow was his. The Navajo said, "No, it is mine." The Navajo said, "I found it on my land." The Hopi said, "It strayed over there from my land." So the animal was sold and half of its proceeds given to the Hopi and the other half given to the Navajo.

Senator KENDRICK. Do you know what proportionate part of this country is generally agreed upon between the two tribes?

Senator ASHURST. No.

Senator KENDRICK. Well, it would not be a proper settlement to have these people adjust between themselves as to that?

Senator ASHURST. That ought to be done, and the Navajos ought to have a chance to be heard on it, also.

Senator WALCOTT. I would like to ask the Senator a question. I have received three or four telegrams from people in the East. I do not know any of them. The tenor of these telegrams is "Do not let the Hopis steal the Navajo land." What is the answer to that? I do not know that these people know anything about the matter.

Senator ASHURST. I understand. It would be like sending you a telegram saying: "Please do not let one county in Pennsylvania steal the United States." Those telegrams were sent by well-meaning people. To show you first how utterly impossible it would be for the Hopis to steal anything from the Navajos, let me say that the Hopi is gentle; he is a mystic; he sees things which are invisible to our eyes; he hears things inaudible to our ears. He is not a warrior. He only numbers 3,000. The Navajo, on the other hand, is one of the proudest, most aggressive, most dominating of all the races in America. I would no more slap a Navajo chief on the back than I would have slapped General Washington on the back. It would be an affront to his dignity.

Senator WALCOTT. There are about 80,000 of the Navajos?

Senator ASHURST. No; about 40,000. Numerically, the Navajo is stronger. He is able to take care of himself. He believes in resenting insults; he believes in protecting his property, and he was wise enough years ago to abandon warfare because it was too expensive. They are a remarkable people themselves, but wholly different from the Hopis. The Hopi is so much different in his culture, in his view of life and life's problems, that it is difficult to find in all America two things more antithetical in human affairs than the Navajo view of life and the Hopi view of life. The Hopi is mystic, homelike, and agricultural. The Navajo domineering, nomadic, aggressive. But even amongst our whites we have had bitter warfare in days bygone over water holes.

Senator WALCOTT. I am glad to have that as a part of the record. That answers the question.

The CHAIRMAN. These people have lived there together for a long period of years?

Senator ASHURST. Yes.

The CHAIRMAN. Have they not intermarried considerably?

Senator ASHURST. They have, Senator. Now and then you will have a Navajo married to a Hopi or a Hopi married to a Navajo. You will find the Hopi Tribe numbers about 3,000 or 3,100 and nearly all pure-blooded Hopis.

The CHAIRMAN. Senator Hayden, do you wish to make a statement?

STATEMENT OF HON. CARL HAYDEN, SENATOR FROM ARIZONA

Senator HAYDEN. I suggest, Mr. Chairman, that somewhere in this hearing, perhaps at the beginning of it, there be made a part of the record the executive order creating what was originally called the Moqui Indian Reservation, which will show that a large area of land in Arizona was set aside for the use of the Hopi and other Indians.

HP2711

(Executive order on page 1 hereof.) They were not given exclusive tribal right to this area and there was living at the time in the area a considerable number of Navajos.

Senator KENDRICK. Senator, inasmuch as the location seems to be in conflict with the Navajos, would it not be wise to suggest the conditions under which the Navajo Reservation was created also?

Senator HAYDEN. The original Navajo Reservation, which was no part of the Hopi area, but lying to the east of it, was created by a treaty with the Navajos after 1865, if I recollect correctly. The Navajo Indians are the only tribe of Indians who were completely conquered in one campaign. It happened in this way: The California column under General Carleton, after defeating the Confederates on the Rio Grande, remained in New Mexico. There was also raised a regiment of Union troops in New Mexico under the famous Kit Carson, as it colonel. Having nothing to do at the time and the great Civil War being on, which controlled the attention of the country, those California-New Mexico troops invaded the Navajo country. The Navajos were a very vigorous and warlike people, preying upon the Pueblos of New Mexico. The Navajo Tribe was completely conquered in one campaign. The soldiers destroyed all of their livestock, burned their houses and made it impossible for them to live in their country. As a result the whole tribe surrendered and were taken prisoners of war over at Bosque Redondo on the Pecos River. They remained there several years, and then made a treaty with the United States agreeing that if permitted to go back to their own country they would remain at peace. That treaty has been kept. The Navajos have increased in numbers and some of them lived to the north and in the vicinity of the Hopis even at the time of the war. When the Hopi or Moqui Reservation was subsequently created by Executive order it was known there were Navajos within the area. The President in setting the land aside said it was for the Hopi Indians and such other Indians as may reside therein. The area is quite large and was reserved for the benefit of both the Hopis and Navajos.

Senator KENDRICK. Was this set aside subsequent to the treaty with the Navajos?

Senator HAYDEN. Yes; years afterwards.

Senator KENDRICK. Then this later order was in conflict with the first order?

Senator HAYDEN. No, because it covered a different area of land. The original Navajo Reservation, the treaty reservation, lies to the east of the Hopi or Moqui Reservation. There was no conflict at all.

Senator KENDRICK. Then the border lines were undefined in the Navajo country?

Senator HAYDEN. No. The boundaries of the original reservation set aside for the Navajos were definitely established by treaty. Then subsequently by executive order an area was set aside for the Hopis and such other Indians as may reside in there, the other Indians being the Navajos.

Senator KENDRICK. The thing I am trying to determine, Senator, is how they could make a presidential order apply twice to the same territory.

Senator HAYDEN. They did not. The Navajo Reservation as originally created lay along on the eastern side of Arizona and partly

in New Mexico. That reservation has been very greatly extended by Executive orders of various dates making additions to the original Navajo Reservation. Among those orders was one laying aside a tract of land also inhabited by Hopis. If we had a map of Arizona we could see it.

Mr. BILLINGSLEY. Here is a map.

Senator HAYDEN. You will observe that the limits of the treaty area granted to the Navajos is partly in Arizona and partly in New Mexico.

Mr. BILLINGSLEY. The balance of that shows all of the Navajo country.

Senator HAYDEN. This is the Navajo country, and by subsequent Executive orders additional areas in New Mexico and in Arizona were reserved.

Mr. BILLINGSLEY. Here is the original Navajo line [indicating on map].

Senator WALCOTT. Let us get that original boundary line.

Senator HAYDEN. This is the original Navajo area.

Senator WALCOTT. This was increased——

Senator HAYDEN. This was increased by Executive order of 1878 which added on. Another area was added on May 17, 1884. That is the area I mentioned in the first place. I suggested that the text of the order be placed in the record. That is marked here as Executive order of December 16, 1882. This you will notice is almost a square area, in the center of which are the Hopi Indian villages. Surrounding them in that part of the area [indicating on map] have Navajos been living.

This matter came directly to my attention in 1920 when I accompanied members of the House Committee on Indian Affairs to visit the Hopi country. There we met with the Indians and they suggested they desired a definite limit fixed for the land that should be theirs, the remainder, of course, to go to the Navajos. That proposal has been under consideration from time to time. The most definite suggestion that has been made will be found in Senate Document No. 54, Seventy-second Congress, which was printed at the request of Senator Bra[illegible]on and myself last year and embodies a report made by ex-Governor Hagerman of New Mexico, who made a thorough study and who recommends that a large area of land should be defined as Navajo country. He suggests that a part of the area, and he marks it here on this map, a part of this original Moqui reservation, as it was then called, to be set aside exclusively for the Hopi Indians. He has marked upon his map the limits what he thinks it should be.

Mr. SCATTERGOOD. The map as published there is a modification of the original suggestion made by Governor Hagerman in extending the boundaries a little differently and in accordance with natural physical boundaries, widening the area a little to the Hopis.

Senator HAYDEN. It is my understanding of this suggestion made by Governor Hagerman that it was not definite nor final. It was to be the subject of discussion between the two tribes as to what should be done.

Senator WALCOTT. What is the proposal now of the Hopis on this map? Have you got to that?

HP2712

Senator HAYDEN. We have a map here and I want to conclude my remarks and then let them testify.

Senator WALCOTT. The Hopis are chiefly in this area to-day?

Senator HAYDEN. They are all there except a small settlement outside of the area over at a place called Moencopi.

Senator WALCOTT. What is the Moqui Reservation?

Senator HAYDEN. The Moqui and Hopis are the same. They were designated originally Moqui but that was a term not satisfactory to them.

The CHAIRMAN. Where is Oraibi on that map?

Senator HAYDEN. Right here [indicating on map].

Senator KENDRICK. Have they ever had a reservation in another territory?

Senator HAYDEN. No.

Senator KENDRICK. Do they have a reservation and agency?

Senator HAYDEN. Yes; there is a joint agency at a place called Keams Canyon that serves both the Navajos and Hopis.

Senator KENDRICK. When this Executive order was made did it rather clearly define that territory?

Senator HAYDEN. Yes; it clearly defined it, but it took in an area of land inhabited by the Hopis and by the Navajos. The question now that the Hopis would like to have determined, which they stated in 1920 and which they have repeatedly stated, is this: They would like to have Congress definitely set aside a certain area which, of course, will be completely surrounded by Navajo lands that shall be theirs exclusively. That is the situation as I understand it.

Senator KENDRICK. Just a question. Were these Navajos living here at the time this order was made?

Senator HAYDEN. I believe that there were Navajos living in that area at the time the Executive order of 1882 was made.

Historically it may be of interest to know this: I am thoroughly convinced that four centuries ago there were no Navajos in that country at all. I have read very extensively of the Coronado Expedition in 1540. You will find where Coronado came to Zuni. He sent a lieutenant of his, Cardenas, north, he was the first white man to see the Grand Canyon. He passed through the Hopi villages. Certainly if there had been any other Indians in the country he would have reported it. The only Indians he saw were Hopis. That is equally true of the Apaches. I am convinced there were no Navajos or Apaches in what is now the State of Arizona in 1540. They came in a migration from the north at some subsequent date. I am satisfied of that. So that the Navajos have not lived there forever, but nevertheless they were there in considerable numbers at the time the United States acquired this territory from Mexico. They have increased rapidly, perhaps to a greater extent than any other tribe of Indians. The total number of Navajo prisoners in 1865 was around 5,000. They have increased to approximately 40,000 at this time. The Hopi population, on the contrary, has remained rather stationary.

Senator WALCOTT. It is about 3,000 now?

Senator HAYDEN. Yes.

Senator KENDRICK. These Navajos located over here on territory that is in part irrigated have permanent homes there?

Senator HAYDEN. No. It is practically all grazing country. The only Indians that practice any irrigation within the area are the Hopis, who grow their crops with the flood waters.

Senator KENDRICK. It would seem a simple matter to transfer the Navajos to another territory.

Senator HAYDEN. It is not as simple as it would appear, Senator, because the conflict is primarily a question of grazing rights. There is not grass enough to go around, as the Senator well knows, in times of drought, at least.

There is one other statement I would like to make. Either a definite area should be set aside for the Hopis, if that can be done by satisfactory adjustment between the tribes, or grazing areas should be established in that Navajo and Hopi country, where individual Indian stockmen will know that they have certain grazing rights. Congress should adopt the same policy with respect to range rights within this reservation that we have adopted on the national forests. In other words, there must be greater certainty. As it stands to-day, whoever gets to the grass first with his flock or herd uses it, and that is not a sound way of administering grazing on any kind of property.

I thank the committee.

Senator ASHURST. I want to say a word in introducing Mr. Billingsley, who is the representative of the tribal council out there, the high chiefs of the Hopis. I have known Mr. Billingsley about six years. He bears an excellent reputation in Arizona for truth, probity, honor, and sobriety. I thank you very much.

(Thereupon Senator Ashurst obtained permission to include the following for the record:)

PETITION TO COMMITTEE ON INDIAN AFFAIRS OF THE UNITED STATES SENATE

We, the undersigned, beg leave to submit the following petition for your consideration and we respectfully request that it be acted upon at your early convenience:

That whereas a certain reservation was laid off for the Hopi Indians in about 1862, recognizing the right of the Hopi Indians to this reservation,

And whereas the Hopi Indians have possessed, in the highest meaning of the term for centuries, the land included within the boundaries of the above mentioned reservation (the Hopis have lived on this land, they have built their towns here and have cultivated to the greatest extent that any people could cultivate land within this area; they have used the balance of the land not susceptible to cultivation to the fullest extent possible for livestock grazing purposes—as an indication of the antiquity of the Hopis' possession of this area might be cited the fact that Doctor Douglas, of the University of Arizona, within the last few months, upon an investigation made by him of the age of timbers used in building the Hopi houses, found a post that has been holding up the roof of a Hopi Kiva for more than 500 years,

And whereas the Hopis have possessed and used this land for beneficial uses to a greater extent than it would be possible, in our opinion, for any other people to use it (they have grown crops successfully in this area where the best agricultural experts of the United States Government have completely failed in their attempts to produce crops),

And whereas there exists an age-old hatred between the Hopis and the Navajos (a fued handed down from forgotten centuries, a feud that has its origin and basis not in some accidental event, but the roots of which run down deep into the differences in the very natures of these two distinct peoples; the Navajos belong to the nomadic class of Indians that for centuries before the white man came roamed over the country, making their living by hunting and stealing from their neighbors; the Navajos, in particular, have for centuries made it their business in life to raid and plunder the Hopis; the Hopis belong to the great class of home builders who through the centuries before the white man, built their towns and cultivated

HP2713

farms and in this manner made their living; the characteristics and traditions of these two peoples are fundamentally opposed to each other and make them natural enemies and as foreign to one another as the Pacific Ocean divided them; this ancient hatred is still strong to-day and when these two classes of Indians are forced to live on the same reservation it means trouble and suffering, especially for the weaker people),

And whereas there are in the neighborhood of 20,000 Navajos and only 2,000 Hopis,

And whereas the Navajos have been permitted to move into the Hopi Reservation and to encroach upon the rights of the Hopis,

And whereas this encroachment has depleted the resources of the Hopis to such an extent that they are in most cases in a destitute condition,

And whereas the Hopis have always been friendly to the white man,

And whereas the Hopis are a peace-loving people (the name they call themselves, Shinamo Hopitu, means people of peace),

And whereas the Hopis are not asking for anything that does not belong to them by all the rules of equity and fair play between man and man,

And whereas the same principles of freedom and sacred human rights are involved in this request as those fought for at Bunker Hill and Concord, and the same inalienable rights upon which the laws of these United States are supposed to rest: Therefore we

Respectfully petition, That all Navajos be moved out of and away from the Hopi Reservation and that the Hopi Reservation be maintained for the Hopi Indians alone, and further, that the Hopis be protected in their personal and property rights and that the Hopis be encouraged to participate in their own government and encouraged to extend their activities in working out their own problems and helping themselves.

Yours respectfully,

M. W. BILLINGSLEY.
SEQUAHONGEVA

Kolchawteewah (his thumb mark), Sohuh (his thumb mark), Clyde Salojtoche (his thumb mark), Lomahaflewa (his thumb mark), Chief Galaflewa (his thumb mark), Pacvea (his thumb mark), Chief Choyestuva (his thumb mark), Hemehouma (his thumb mark), Qunanlewo (his thumb mark), Quhomvia (his thumb mark), Nequycsva (his thumb mark), Dervanyema (his thumb mark), Nevanutewa (his thumb mark), Josytewa (his thumb mark), Youytewa (his thumb mark), Keanny-ma (his thumb mark), Chemtewa (his thumb mark), Honuna (his thumb mark), Telasavtewa (his thumb mark), Whymo (his thumb mark), Tewanomma (his thumb mark), Kenynva (his thumb mark), Trlayumptewa (his thumb mark).

BUFFALO MUSEUM OF SCIENCE,
Buffalo, N. Y., November 11, 1929.

Mr. M. W. BILLINGSLEY,
Mesa, Ariz.

MY DEAR MR. BILLINGSLEY: It is my wish to thank you and your wife for the very splendid demonstration that you gave us last Saturday with the assistance of your Indians of the Hopi ceremonial dances. My only regret is that our auditorium was not larger so that more people might have had the opportunity to see the performance.

We have seldom had any better presentation, and I am hoping that you will be able to arrange for a return engagement.

Yours very truly,

CHANNING J. HAMLIN.

BOARD OF EDUCATION,
Rochester, N. Y., November 1, 1932.

To whom it may concern:

The Hopi Indians under the direction of Edythe Sterling Billingsley rendered a program in the Andrew J. Townson School, No. 39, Rochester, N. Y., on November 1, 1932.

I find words inadequate to express my gratitude for the privilege of having my pupils witness this marvelous rendition of Indian life.

The atmosphere of the production is so realistic that one could easily imagine themselves at the Grand Canyon—in the shadow of the El Tovar enjoying the Hopi dances—then roaming through the Harvey House studying the industrial life and habits of these Indians.

The program and exhibit is the finest thing of its kind I have ever dreamed of securing for the pupils of the public schools—an opportunity of a lifetime.

Very truly yours,

KATHRYN WARD WRIGHT.

THE PUBLIC SCHOOLS,
Tiffin, Ohio, March 19, 1932.

To whom it may concern:

It is a genuine pleasure to say a word in behalf of the Hopi Indians. Their ceremonial dances, their play, their industrial exhibit, all were of highest type and of real educational value. I have never admitted any entertainment to the public schools which was more valuable, more interesting, and entertaining to pupils and adults alike, than this splendid group.

A real part of the program was the interpretation given by Mrs. Edythe Billingsley. Her knowledge of the life of the Hopi Indians, and her understanding of them helped make the program even more valuable.

I should like to have every boy and girl in the public schools of our country given the opportunity of learning about this most interesting race of people. The Hopi Indians are well worth admitting to your schools.

PAUL V. BROWN, *Superintendent.*

BOARD OF EDUCATION,
Buffalo, N. Y., October 21, 1932.

Mr. M. W. BILLINGSLEY,
Mesa, Ariz.

DEAR MR. BILLINGSLEY: I want to take this opportunity of thanking you in behalf of my boys and girls for the splendid entertainment which your Hopi Indians gave in the auditorium of School 3.

Our pupils were delighted to have seen in person, real, live, red-blooded Indians weaving their blankets and rugs upon hand looms.

Judging from the pupils' attention and enthusiasm, I can truthfully say that it was one of the best educational entertainments we have ever had.

I do hope I shall have the privilege of seeing your Hopi Indians and the interesting industrial exhibit at another time.

Sincerely yours,

GEORGE H. BOUTET, Jr.,
Principal, School No. 3.

JOHN H. LEHMAN HIGH SCHOOL,
Canton, Ohio, January 11, 1932.

Mr. M. W. BILLINGSLEY,
Phoenix, Ariz.

DEAR MR. BILLINGSLEY: I wish you to know that we were very well pleased with your Hopi program. I have had many favorable comments upon it from the teachers and pupils of this school, and from those of the neighboring schools which you visited.

Edith Sterling's interpretation of the Hopi customs and art was particularly good. The dances, the play, and the craft work by the Indians were of high grade. Rarely do the schools have the opportunity to get programs which combine so much of educational and entertaining value. I hope that a future circuit will bring you back this way.

You are personally to be commended upon your efforts in helping to preserve the native art of this country. I hope that one part at least of our country may remain primitive.

The thought comes to me that visual-education departments too often restrict their work to the use of films and slides to the exclusion of real things. Your program was the best visual-education feature that we have had this year.

Very truly yours,

I. W. DELP,
Head Visual Education Department.

HP2714

EAST HIGH SCHOOL,
Rochester, N. Y., October 31, 1932.

To the public school principals and all those interested:

The Hopi Indians appeared twice before our school this afternoon. They made a very unusual impression upon the boys and girls. I am able to recommend this entertainment without any reservation whatever as altogether worth while.

ALBERT H. WILCOX, *Principal.*

BOARD OF EDUCATION,
Lockport, N. Y., October 20, 1932.

Mr. M. W. BILLINGSLEY,
Buffalo, N. Y.

DEAR MR. BILLINGSLEY: The presentation of your Hopi Indian troupe in the John Pound and Charlotte Cross Schools in Lockport recently was very much worth while.

Genuineness of the Indians and of their industrial exhibit was unusual. Both as an educational and entertainment feature, the program was excellent.

Very truly yours,

R. B. KELLEY.

The CHAIRMAN. Mr. Billingsley.

STATEMENT OF M. W. BILLINGSLEY

Mr. BILLINGSLEY. Mr. Chairman, I think I can add to the answers to those questions that have been asked by Senator Kendrick. I will add a little to the information in the questions, Senator Kendrick, you have been asking for your benefit as well as for the benefit of all of you. I am going to add to those statements of our Senators from Arizona by quoting a pioneer resident for 50 years in Arizona, Ralph Murphy, who appeared before this Senate Special Committee on Indian Affairs on the occasion of the committee's recent visit to the Hopi Reservation.

We who can remember the pioneer days of a half century ago remember the Hopis as our friends and allies against a cruel and relentless foe.

Said Mr. Murphy:

The Hopi has always been friendly to the white man. They have ever been devoted to honest industry as a means of livelihood. They have a profound respect for the Government and Uncle Sam's laws and for these things the reward has been poverty and want, insult and degradation.

The Hopi possessed this land they call Hopiland for many centuries and have put the land to the greatest beneficial use.

For many, many moons before the white man came they defended with their life blood this land of theirs against the Navajos. They marked the boundaries of the land by four sacred shrines and called this their own land.

The Federal Government confiscated over half of their land and in 1882 set apart the remainder as the Hopi reservation, and then for some reason, or without reason, moved the Navajos in on the Hopis' territory and have since compelled these two enemy tribes to live together.

The Navajos are superior in number and are able to obtain political favor, which the Hopis are not. Under these conditions the Hopis are losing ground and are slowly but surely being crowded to the wall.

It is clearly the duty of the Federal Government to provide a place for these Navajos and remove from the shoulders of the Hopis the burden of furnishing land for them.

If this is not done, this Hopi tribe, with its long record of friendliness toward the white man, its centuries of honest industry, the respect the Hopis have for the laws of the United States, and their years and years of waiting and faith in getting fair treatment from the white man will perish from the earth—leaving a blot on the escutcheon of the Indian Department that can never be removed.

I will next quote from our present Governor of the State of Arizona, Hon. George W. P. Hunt, who has been governor since Arizona became a State with the exception of four terms and this letter I quote was addressed to the Indian Commissioner, April 29, 1931:

I have the honor to address you on a matter of deep human interest which exists among the Hopi Indians in northeastern Arizona.

The former Indian Commissioners have allowed the Navajos, who are the hereditary enemies of the Hopis, to move into the Hopi Reservation, and to encroach on the rights of the Hopis to their very serious detriment.

It seems to me that the welfare of both the Hopis and the Navajos would be better served, particularly the Hopis, who are the weaker tribe, if separate reservations be maintained for these two tribes.

I strongly recommend this course, and urge your early consideration of this matter.

Yours respectfully,

GEORGE W. P. HUNT, *Governor.*

Senator KENDRICK. May I ask what territory the Hopis would like to have set aside for them at this time?

Mr. BILLINGSLEY. Yes. The Hopis would like to have this area starting from the original Navajo line, continuing all of those subsequent acts, and I will explain their reason for asking for this area.

I am going to quote from the National Geographic Magazine for December of 1929 in which it says at page 758, "Hopi pueblos built about 1400."

On page 759 it is stated:

The question was, where should we next look for some older localities whose building period preceded that of Oriabi—in short, the locality from which the Hopi Indians had last migrated.

It also says:

Fragments of pottery provide a priceless clue. To answer this question a survey was made of that area known archeologically to have been inhabited by the Hopis in pre-Spanish times.

Then again we find on page 767 this statement:

We learned that this charred old stick began its life as a promising upright pine A. D. 1237, just 10 years after the Sixth Crusade moved eastward to compel the Saracens to restore Jerusalem.

Senator HAYDEN. You are reading from an article by Professor Douglas on tree rigns?

Mr. BILLINGSLEY. Yes; this is from Professor Douglas' article on tree ring science. He is professor at the University of Arizona at Tucson. There is the further statement as follows:

The successful dating of the many ruins of the pueblo areas that this research has made possible enables us now to correlate the increases of rainfall that permitted these villages to expand and the drought years that placed upon them the heavy hand of starvation.

It was because of that that the Hopi Indians migrated to another section. I quote again from an excerpt—this an excerpt from the Handbook of American Indians, Bulletin 30, Bureau of Ethnology. It says:

Old Shongopovi—

One of the three villages of which I am a member of the council of the chieftans—

Lay in the foothills at the base of the Middle Mesa, below the present pueblo of that name. This town was inhabited at the time of the Spanish advent and near it was built a church the walls of which, up to a few years ago, served as a sheep corral.

HP2715

And so forth.

Senator KENDRICK. Where is that on the map?

Mr. BILLINGSLEY. That is right in here [indicating]. I quote again:

The Hopis have of late become more or less pastoral. Flocks (officially estimated in 1904 at 56,000 sheep and 15,000 goats), acquired originally from the Spaniards, supply wool and skins.

And they had in addition to that about 1,500 head of cattle and 4,350 head of horses, burros, and mules.

Senator KENDRICK. That was in 1904?

Mr. BILLINGSLEY. In 1904 in this area which was interspersed with Navajos. To-day that has dwindled. Their flocks and horses have dwindled, I am safe in saying, 90 per cent. Now, then, the Hopis will tell you later, but I will mention it here, that the reason these flocks diminished is the Navajos outnumber the Hopi and when the Hopi tries to graze he is driven off; his flocks have been stolen, as well as his horses.

Senator KENDRICK. How much of that territory, if it does not interrupt you to ask questions, between the Hopi Reservation as you outline it and the Grand Canyon is occupied by Navajos?

Mr. BILLINGSLEY. It is all interspersed with Navajos.

Senator KENDRICK. In a considerable number?

Mr. BILLINGSLEY. Yes; they outnumber the Hopis many times.

Now, you see on this map they are even encroaching in here. The Hopis can not even graze in the immediate vicinity of their own homes. They used to plant their fields many miles from these villages in which they lived. The Hopis have been known to arise in the morning at sunrise, dog trot on foot 15 miles into the desert, where they could irrigate a little patch of ground the size of this table, work in their fields, and when it came along towards sunset they would dog trot back after working all day. They can not do it any more because when the Hopis have raised their crops and they are ripened, these Navajos come in in hordes and swarms and take what they raise. This territory has been extended by orders from time to time which have allowed the Navajos to encroach upon the Hopi. But in 1904 (in our day), on this land the Hopis were grazing, but they have been forced back and deprived of their rights.

Senator KENDRICK. Did they occupy all of that territory to the west as late as 1904?

Mr. BILLINGSLEY. Yes, even in spite of the trespassing of the Navajos. The Navajos have not been described as trespassers officially, because these additional acts and Executive orders have given them permission.

Senator KENDRICK. Those Navajos were in that territory then without sanction of the Government up to 1904?

Mr. BILLINGSLEY. No. Previous to that time it was sanctioned by the Government because in this war that Senator Hayden speaks of they were driven to and captured in this locality. They were overtaken. They came into these mesas and into this country to defend themselves and during that same time there were Hopis captured because the soldiers could not tell the difference between a Hopi and Navajo. These Hopis were told if they would sign the treaty they would be permitted to go home and turned out of jail. Well, the Hopis thought if that was all the soldiers wanted, just their putting

a thumb-mark on a piece of paper to get home, they would do it. At the same time they were told this reservation would be theirs if they would stay upon it. The soldiers also kept their hereditary enemies, the Navajos, in Hopi country. Previous to this capture of the Navajos and the Hopis by the soldiers, these Navajos had been the hereditary oppressors of the Hopis. They thought it was their legitimate business to rob and pillage these home builders.

I will come now to the bill as proposed by the Indian Department, which bill is disturbing the Hopis exceedingly. I have the original copy which caused the uneasiness among them and I will quote parts parts of it. This bill—

To define the exterior boundaries of the Navajo Indian Reservation in Arizona and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Navajo Indian reservation, in Arizona, be, and they are hereby defined as follows.

And the definition takes in the entire area, even to the homes of these Hopis and the dwellings they are living in now, and giving the right and title to the Navajos.

Senator KENDRICK. It amounts to a total eclipse of the Hopis?

Mr. BILLINGSLEY. Yes.

Mr. SCATTERGOOD. I beg to differ with that. That really is not the purpose of the bill.

Mr. BILLINGSLEY. Well, it is open to that conclusion. The only place it mentions the benefit of the Hopis is in this:

Provided further, That the Secretary of the Interior is hereby authorized to determine and set apart from time to time for the exclusive use and benefit of the Hopi Indians, such areas within the Navajo boundary line above defined, as may in his judgment be needed for the use of said Indians.

In other words, this asks, as the Hopis interpret it, that this entire area be given to the Navajos and then only as the Secretary of the Interior sees fit to let the Hopis use this land, not giving them title. They would like the title to an equal extent as the Navajos.

Senator WALCOTT. How much actual title has the Hopi now?

Mr. BILLINGSLEY. None.

Senator WALCOTT. It does not change his status any?

Mr. BILLINGSLEY. It does not change his status as much as it would if it were giving to the Navajos the entire area.

Senator HAYDEN. I think he has just as good title as the Navajo has to that area. The reservation was set aside for the benefit of the Hopi and other Indians. So that so far as this square that is now entirely surrounded by Navajo land is concerned, the Hopi has the area within that square and has at least an equal title to the Navajo.

Senator WALCOTT. Because he is specifically mentioned?

Senator HAYDEN. Yes.

Mr. BILLINGSLEY. The latest interpretation, as I gathered it from Mr. Scattergood's copy, is that now they are changing it about. That order said "For the Hopi and other Indians," and now its interpretation is "For the Navajo Indians and other tribes"— and Hopis, you see. It is changing the status around.

Senator WALCOTT. It says "Navajo and other Indians." What is the exact language?

HP2716

Mr. BILLINGSLEY. Here is one place it mentions Hopis. It has the same meaning, as I gather from this copy.

That the Secretary of the Interior is hereby authorized to determine and set apart from time to time for the exclusive use—

Not to own it, but for their exclusive use and benefit—

And benefit of the Hopi Indians such areas within the Navajo boundary line above defined, as may in his judgment be needed for the use of said Indians—

Without giving the Indian, in other words, what he might claim would be necessary for him to use.

The way it is changed in another form is that the—

Secretary of the Interior is hereby authorized to determine and set apart from time to time for the exclusive use and benefit of the Hopi Indians, such areas within the Navajo boundary line above defined as may in his judgment be needed for the use of said Indians—

Which is virtually the same. Both copies of the proposed bill are nearly the same.

Before I finish speaking I want to say that I believe if this bill is presented to Congress it should be killed in its form and not acted upon until such time as the Hopis will have an opportunity to show this committee where they think their boundary line should be. There has been no survey of their boundary lines. From the evidence I have been able to gather, the Hopi situation has been put in a light unfavorable to them—that is, unfavorable to the Hopis—for the following reasons: Because there is no understanding of the Hopi possible with a hasty inspection of them and their premises in a few hours' duration. The Hopis are a primitive people. They do not come in contact with the white man in their daily life. They are ostracized in a world of their own. They do not understand the English language. There are very few of them speak it, outside of a few of the younger generation, so that when anyone comes into their country to have a meeting with them it is too much of a rush. They do not grasp the significance of the English words.

The CHAIRMAN. These Hopi children go to school the same as the other Indian children, do they not?

Mr. BILLINGSLEY. We have to give Assistant Commissioner Scattergood and Commissioner Rhoads the credit. It had been the policy to take Hopi babies when they were four years old forcibly out of their mothers' arms and sending them away to school at Phoenix, Riverside, and all around. They were not told they could not go home, but, they were never able to go home until they were 21 to 23 years old. That has had a tendency to depopulate this tribe, whereas the Navajos have been permitted to live right on the reservation and go to those schools. Assistant Commissioner Scattergood found this condition, which surprised him when he was out there. At Keams Canyon there is a Hopi school maintained for Hopis and it had 715 students attending there, the grades, up to high, and they all remained at home.

Mr. GRORUD. Not 715.

Mr. BILLINGSLEY. Do you know the exact number?

Mr. GRORUD. About 200.

Mr. BILLINGSLEY. I have the figures of the Phoenix school in mind. 500. He was under the impression those were all Hopis because it was maintained for the Hopis and called a Hopi school. However, he did not find over 5 Hopis in that entire school, and those 3 to 5 Hopi children were children of a Hopi family or 2 families that were residing at Keams Canyon, being employed there. Am I right, Mr. Scattergood?

Mr. SCATTERGOOD. I do not remember the number.

Mr. BILLINGSLEY. To verify that, you called in one of your men in the office that had the statistics. Those are the conditions you found.

Mr. SCATTERGOOD. The Hopis are resident in villages, and it is possible to establish day schools within easy distance of their homes. They prefer that method of education. The Navajos move all around with their flocks. They have no established home, and they have been educated more, of course, in boarding schools.

Mr. BILLINGSLEY. They were usurping the rights of the Hopis in that school, however.

Mr. SCATTERGOOD. The Hopis, as a matter of fact, did not want to go to boarding school, but do want to go to day school, so far as we are able to provide the facilities for them to go. That policy we are only too happy to indorse.

Mr. BILLINGSLEY. It is hard for a mind never in contact with a primitive sphere to conceive the fact that the Hopi are as primitive as they were centuries ago. A point in comparison, when one goes to a zoo and gazes upon the magnificent lion in his cage, can one understand his thoughts and know the world in which he lives? No more can the Hopi be understood by a comparatively short inspection. The majority of the Hopi population do not grasp the English language; they are not accustomed to making quick decisions. It is typical of we white Americans to make quick and snap decisions with precision. If one has been in England to transact business there, one may grasp what I mean when I say the English are whirlwinds for action when compared with the Hopis. So that the meetings that have been had out there have not been satisfactory to each side. All of the reports that have been turned in are conscientious but it has not given the Indians their side and the opportunity for a thorough hearing.

I hope to have an opportunity to sum up the Indians' entire statements later, at another date, if possible. I am going to introduce to you now Chief Saloftoche, who has been appointed by the chieftains at home. He will present their plea in reference to the boundary question.

STATEMENT OF CHIEF SALOFTOCHE

Chief SALOFTOCHE. Mr. Chairman, we have come to present this petition of the Hopis as to what they want. The Hopi Indian tribes have not understood about what was going on as to this boundary line. The Hopi Indian chiefs want their own boundary line, just as we have been talking about on these petitions and that has been spoken to you or read to you. You understand what it is all about. This reservation here where we Hopis are located now is to us something like a capital. There is no other place for the other things for the Hopis except this. This little village here, as the map shows you, is the ground where the village stands. We can not raise our cattle and sheep right in our homes and in our fields right surrounding

HP2717

that. That is the reason we have this boundary petition that we want, as the old people want it as theirs and what belonged to the Hopis in the early days.

Senator HAYDEN. What do the old people say were the limits of the boundaries east and west and north and south?

Chief SALOFTOCHE. There is a marked boundary line that is marked by two big shrines that look towards each other like you are pointing from corner to corner. This is pointing to Flagstaff and from there towards the south——

Senator HAYDEN. You mean Flagstaff. Do you mean San Francisco Mountain?

Chief SALOFTOCHE. The San Francisco Mountain.

Senator HAYDEN. That is one mountain on the west?

Chief SALOFTOCHE. That is one mountain in the west side; yes.

Senator HAYDEN. What is the mountain on the east?

Chief SALOFTOCHE. The mountain on the other side toward Winslow, southwest. There is another mountain there. The two mountains look together. It is about that place [indicating on the map] and from there towards another mountain beyond Holbrook, beyond the Petrified Forest and below Gallup and the east. That is the boundary looking towards west to another place with a mountain. From there it is looking up along the Colorado River towards San Francisco peak.

Senator HAYDEN. Do you go as far north as Navajo Mountain?

Chief SALOFTOCHE. Up to somewhere along here [indicating on map]. I can not tell you exactly. It is towards here. This looks up here [indicating on map].

Mr. BILLINGSLEY. Up past Chinlee is their east border, which is the west line of the original Navajo Reservation.

Chief SALOFTOCHE. That is where they were once before when they inhabited that country more in the early days, when there were no Indians there but themselves. There their dwellings can be found in canyons, the cliff dwellings where they were once for many years. Now, the enemy come where they have struggled in defending the land that they owned. They wished them off, drove the herds off, and the cattle and sheep they have raised back out of the Hopi Reservation. They got away. They had nothing to protect themselves. Now they only have a small area. That capital is the same as this capital here, the old primitive villages. So they thought that they could come back until such a time that somebody will do something for them. They come up here little by little. We thought we would wait until they could hear more of what we want, but there is no time that anybody helped the Hopis up to this time. Now, we are here and we are located right in this space here like this house stands on this ground.

Senator HAYDEN. That is at Walpi, Chimopovi, and Shipoulovi. The three villages stand together right there, not a mile apart?

Chief SALOFTOCHE. Yes; not more than a mile apart, may be a mile and a half apart, but from there north may be about 7 miles; I can not tell you the exact mileage of it. There is Oraibi, which is another village of the Chimopovi. That is the oldest building, just like the capitol. From there the population goes out. They are just called villages. The younger generation live there at the present time. There is Hoteville, Mishongnovi, and Bacobi. Those are away down

here. They have the same trouble. We only know and heard from many people what the old people know in those days. The Navajo Reservation is somewhere right back here in the east and as we now know and understand it, that is New Mexico.

Senator HAYDEN. How long do your people say the Navajos have been in the country?

Chief SALOFTOCHE. We do not know exactly just how long, but as this map shows, the Executive order October so and so, and from those days they were all here, the Navajos then.

Senator HAYDEN. Before the Navajos came then you claim that the San Francisco Mountain on the west was one landmark?

Chief SALOFTOCHE. Yes, sir.

Senator HAYDEN. Then it would follow along or it would come down to the Little Colorado by Winslow and Holbrook?

Chief SALOFTOCHE. Beyond that.

Senator HAYDEN. Then you turn north and come up to this line here [indicating on map]?

Mr. BILLINGSLEY. Yes. They recognize this is Navajo territory to the southern line, around over here [indicating on map].

Senator HAYDEN. You follow the west boundary of the original treaty reservation?

Mr. BILLINGSLEY. Yes, sir

Senator HAYDEN. Then north to the San Juan River, by Navajo mountain and back down the main Colorado River?

Mr. BILLINGSLEY. To the Little Colorado.

Senator HAYDEN. To the Little Colorado and up to the San Francisco mountain?

Mr. BILLINGSLEY. Yes.

Senator HAYDEN. That is the original territory?

Chief SALOFTOCHE. That is the original territory.

Mr. BILLINGSLEY. Yes, but the only way that could be definitely settled, so that the white men would know what the boundaries are would be to have a surveyor go with the Hopis and survey it. It never has been surveyed.

Senator HAYDEN. How many Navajos are now residing within the area that I have described?

Mr. BILLINGSLEY. I do not believe anyone can give you those exact numbers because there are a few here and there. You can not find them all.

Senator HAYDEN. Do they vastly outnumber the Hopis?

Mr. BILLINGSLEY. Yes; they outnumber the Hopis.

Senator HAYDEN. Take the so-called Moqui Reservation created in 1882. How many Hopis lived within that area?

Mr. BILLINGSLEY. They all lived in that area.

Senator HAYDEN. How many to-day?

Mr. BILLINGSLEY. We would say about 2,300.

Senator HAYDEN. How many Navajos live in the area?

Mr. BILLINGSLEY. That is undetermined, but there must be several times that number. We do not know exactly.

Senator HAYDEN. Have you any estimate, Mr. Scattergood, as to how many Navajos live on the so-called Moqui Reservation?

Mr. SCATTERGOOD. I have just phoned to the office to find out the exact number. There are two large jurisdictions, as you know; the western Navajos around Tuba City and the Loop Reservation around

HP2718

Loop School There are probably 12,000 Navajo Indians in that part of the reservation, but I will get the exact figure for you.

Senator HAYDEN. You can supply the record with that information.

Mr. SCATTERGOOD. Within the original Moqui square, as we call it, there are about 3,000 Navajos and less than 2,500 Hopis. That is in the area of the 1882 presidential reservation.

Mr. BILLINGSLEY. Yet within that specific area the stockman of the Indian Department says there is only sufficient space there to support 2,000 people. So someone has to be moved out.

Senator HAYDEN. Let him finish his statement because there are other Indians that have to be heard between now and 12 o'clock.

Chief SALOFTOCHE. That is the reason we wanted to have this boundary made up as people want it, wherever the shrines are.

Senator HAYDEN. If there should be within your ancient boundaries say 12,000 Navajos, as Mr. Scattergood has given a rough estimate, what do you want us to do with those 12,000 Navajos?

Chief SALOFTOCHE. Clear them out to whatever territory you lay aside for them, because we can not breed right here in that little hole there with our stock, cattle, and farm in the district here. There is Navajos here, and there are Navajos on this side and all around. Whenever we tried to raise cattle and drive them out to the mountains, there is where our herds go out, eat them up. The same way on this side.

The CHAIRMAN. Do you know how many cattle and sheep the Hopis have now?

Chief SALOFTOCHE. There is not any hardly, you might say.

The CHAIRMAN. Just a few.

Chief SALOFTOCHE. Just what they can use to live on when it is needed, but many years ago they had more just like he read the paper on it about the herds of cattle and when they have this place here, the Navajos are here right up against the wall, and in the summer time the cattle come into our fields and then when harvest time comes they come in by themselves and steal things from us, and we do not get along. So something has to be done and that is the reason these people of the Hopi Nation, the real chiefs, want us to come out and ask you for it.

STATEMENT OF CHIEF KOL-CHOV-TE-WAH

Chief KOL-CHOV-TE-WAH. Gentlemen, our chief told you what we want for the Hopi Indians and for our tribe. I will tell you a few things and then you will know. A long time ago when the Hopi Indians had their own chieftan, they are telling us about there coming to the Hopi Indian his brother, that somebody will come to the Hopi Reservation who is our brother, a white man, and will fix our land for us. They will fix our land for us and then will move the others, because this Government has taken the Navajo Indians and run our country. I know I have a lot of horses and I lost them. That is why we want more land for our cattle and our horses. Here is the real Navajo Indian Reservation and the Navajo Indians know it. They know where they come from. They originate right here in this canyon, what they call Chinlee. That is the old reservation. One time the soldiers came and chased them back to here. I think they live out there one year and a half, starving, and they came back again to our country because they are in our country. After that nobody protect the Hopi Indians and this Government did tell the Navajo Indians they are going to live around here because nobody is around here and that is why the Navajo Indians live around this country and steal our cattle, our horses, our seed, our corn, and our beans. That is why we want you people, our brothers, to fix this land for us and then we will have more room for the cattle and then we will have something, because the Hopi Indian will then have enough. We never get nothing from this office. A lot of people ask if we get money from the Government, but we never did. If you people, our brothers, fix this, our land, then we will get something. Let these Indians have something. That is why these older people tell us we are going to tell you people and let you people fix this, our land, for us, because the Navajo Indian they know they are going to be put back to their own reservation. Everybody know it. Some of them say, "Don't bother the Hopi Indian if he is satisfied." That is what they are talking to each other. But we do not have any land now. That is all Navajo country here, but we are living just there. You see our reservation when you were out there. We have got just little farms below our reservation. That is what we are raising there, corn and so forth, but we want some more and bigger land for our cattle, and feed to make something from our country. That is what the Hopi Indian chieftans want you to fix as his land. This is what they call the great big mountain. That is a shrine. They call that a shrine [indicating on map].

Senator HAYDEN. That is the Navajo mountain?

Chief KOL-CHOV-TE-WAH. That is right on the Colorado. That is Big Mountain. That is our shrine. Then we come to the Grand Canyon where we get the salt to eat away down in the canyon, right down in the Grand Canyon; where you saw the Hopi house there. That is why we have the Hopi house there, because we use that salt. We get the salt from that canyon. That is why we want that land for ourselves. Then we come up here to the two mountains over here [indicating on map]. That is our shrine. That is our boundary line. Then we come south where the tall mountain is. That is our shrine. But that is away back. I think it is in Mexico. That is a mountain. That is why we do not forget it. That is what we want. And then coming from the south to right here, to Chinlee, clear up to here [indicating on map]. That is what they want you people to have for us. How are we going to live when you people give us this small place? What are you going to do? You people want to kill us because there is no room for us and there is no roads around here. What are we going to do? If you give this to Navajo Indians what are we going to do? How are we going to live? That is what we want. You people fix this as our land and we will be satisfied. We will be glad. That is what we look for. That is why the Hopi Indians never fight, because when the white men came to the Hopi Reservation they said "All right; don't fight; don't kill anybody; don't steal nothing; don't tell a lie." All right. You people out there are kicking us and whipping us. We don't think nothing. You people put us is jail, or something like that. We do not say nothing about that, because we are looking for our brothers. We might fight. If we kill somebody we might kill our brother. That is why we don't say anything. We wait until we see our brothers first; then

HP2719

we will do something. I guess you people know this. This history has been made a long time. The old people said that this is the history right in this Capitol and you people might know it.

The CHAIRMAN. All right, Chief. We thank you.

Mr. BILLINGSLEY. The Hopi Indians are not able to speak the English language as fluently as we would like to have them. Mrs. Billingsley and myself have tried to teach them how to speak English and to construct their thoughts into English language, but it is rather difficult. Yet I think they do quite well. In summing up, let me say that the expression has been used that they once owned the land from ocean to ocean. They are not wanting that land now. That is merely a figure of speech with them to show that they had their country before the white men ever came. That is why that term was used, as I believe, understanding the way the Hopis phrase words.

They have well defined that which they want title given to them at this time and I think if this bill were stopped, and representatives were sent out there and accompanied by these Indians, a great deal could be accomplished. Let the representatives come into the Hopi country and sit in the kivas and the councils of the Hopis. It can not be done in an hour, a day or a week. Those things must be talked over with these Hopi chieftans. I am quite sure if that method is followed out you will find a united Hopi. You will find they will unite.

Senator HAYDEN. Do you think it is possible to work out a satisfactory compromise between the conflicting claims of the Navajos and the Hopis within the area that they have described as their ancient country?

Mr. BILLINGSLEY. Oh, yes. You know, the Navajo will take all he can get and he sees that the policy now is to define as their own property these additional acts, permitting them to use those lands. They see they are going to get more and they want it, but if they were convinced they could not take that Hopi land they would be satisfied to go back on to their own lands which they know are theirs and which they are rightfully entitled to. The Navajo is shrewd enough to know where his own lands are.

Senator HAYDEN. The fact is, of course, that the Navajos have multiplied more rapidly in numbers?

Senator BILLINGSLEY. Yes.

Senator HAYDEN. If the number of Indians concerned was about the same as it was say in 1865, when there were five or six thousand Navajos and say 2,500 or 3,000 Hopis, it would be a very different problem than it is to-day where the Navajos have so tremendously increased in population and the Hopis have decreased in number. Now we have to find a place for the Navajos if we move them out.

Mr. BILLINGSLEY. That is right.

Senator HAYDEN. So we are met with a very practical problem in determining whether it is possible to compromise the difference between the two tribes. What would your method of approach be toward a compromise of that kind?

Mr. BILLINGSLEY. The method of approach would be to spend two or three months among the Hopis and get all of the old chieftans together. Of course, there is a handful of the younger generation that have been converts to white men's churches. In some instances they have been kicked out of the church and went back in again. They would be termed probably renegades and they are trying to usurp the power of the chieftans. In their councils or in their deliberations or talks with the committee, the chieftans have never been associated with those younger ones.

The CHAIRMAN. Of course, the Navajos complain, they have not land enough for their flocks.

Mr. BILLINGSLEY. Undoubtedly that is a fact. The stockman of the Indian Department says that the original Hopi area is only sufficient to support 2,000. Somebody has to be moved out.

The CHAIRMAN. Yes.

Mr. BILLINGSLEY. Because, as assistant Commissioner Scattergood stated, he figures in that area there are about 2,300 of the Hopi.

Mr. SCATTERGOOD. Now I have the exact figures if you want them.

Mr. BILLINGSLEY. What is it? Anyway, it is larger than the Hopis.

Mr. SCATTERGOOD. I can correct those previous figures by giving the exact figures. The total population of the Hopis and Navajos in those three jurisdictions, West Lavajo, Loop, and Keams Canyon Hopi, is 12,552. I overestimated the number of Navajos. The total number of Hopis are 2,495 in the Hopi area proper and 410 over here in Moencopi.

Senator HAYDEN. How many Navajos and how many Hopis in what was called the Mokai square?

Mr. SCATTERGOOD. Two thousand, four hundred and ninety-five Hopis and 410 outside in the Moencopi area.

Senator HAYDEN. How many Navajos?

Mr. SCATTERGOOD. Navajos in Hopi square? Three thousand five hundred and thirty-two Navajos. So there are a thousand more Navajos in that Hopi square than there are Hopis themselves.

Mr. BILLINGSLEY. Yet there is only sufficient land for the 2,000 Hopis.

Senator WHEELER. This Moqui you speak of is what we call the Hopi Reservation?

Mr. SCATTERGOOD. Yes, the one that was set aside in 1882.

Senator WHEELER. Not really the Hopi Reservation. It was designated as the Hopi Reservation, but it was set aside for all the Indians, was it not?

Mr. SCATTERGOOD. Yes, for the Hopis and such other Indians as the Secretary may see fit to place there.

Senator WHEELER. I just want to say this to you. I just recently came from there. I visited a number of the Hopis. I have not heard all of the testimony here this morning, but I just came from that country. We talked with a good many of the Hopi Indians, particularly with the Hopis of the first and second mesa, around Chimopovi. Frankly, I do not find so very much interest as far as they are concerned in the setting aside of a specific, defined reservation for the Hopi Indians. The Hopis I talked with around Chimopovi, I think it was, wanted to go down and take Flagstaff, they wanted to take in Williams, and all that territory. I stated to them very frankly that that was out of the question. Then we talked with the leaders of the Hopis of the first and second mesas.

Now, I want you to get my views straight. It seems to me if you take and divide these Hopis and put them into a separate group,

HP2720

allotting them a separate reservation from the Navajos, that you are going to do just the opposite to what some of the friends of the Hopis want them to do. In other words, you are going to stir up a racial or tribal feeling between those two groups of people. At the present time many Navajos intermarry with the Hopis. They go to the same schools. I think we ought not to look at it as a Navajo proposition or as a Hopi proposition, but from an all-Indian standpoint. If you are going to separate them and put them into separate schools, separate communities, on separate lands, and so forth you are going to do what has been done in Europe where you have these different nationalities in small groups and different territories.

I think the solution of the problem is to send them to the same schools. If they would intermarry, I think, in time, that problem will solve itself. I think if the idea of segregation is carried out, in my judgment, you are going to stir up much more trouble than you have at the present time. You will have to put a fence around the place; you will have to have an army to protect them after you get them there, and for my part I am opposed to it.

Mr. BILLINGSLEY. Senator, you missed the information that was given here by the Senators from Arizona and from other sources that I presented here, namely, from the Governor of the State and other citizens of that State.

Senator WHEELER. I was down there myself and went through all that territory.

Mr. BILLINGSLEY. How long did you take to go through?

Senator WHEELER. I was there for about a week on this occasion. I talked not only with the Indian superintendents and other employees but I talked with the Indians themselves. I talked with the leading Indians there.

Mr. BILLINGSLEY. The testimony presented here shows that they have been hereditary enemies.

Senator WHEELER. To me there is nothing to that. There is nothing to the argument that they are hereditary enemies.

Mr. BILLINGSLEY. They do not get along together now.

Senator WHEELER. They do not get along any more on other reservations than there. They have difficulties on all Indian reservations.

Mr. BILLINGSLEY. But no such difficulties as exist in Arizona.

Senator WHEELER. Oh, yes. I have talked with the Indian agents there.

Mr. BILLINGSLEY. Of course, they all have that same idea.

Senator WHEELER. What idea?

Mr. BILLINGSLEY. As you have.

Senator Wheeler. Exactly. They are in much better position, in my judgment, to know what the real situation is.

Mr. BILLINGSLEY. If the Hopis want to be segregated, why not give them what they want?

Senator WHEELER. They want the whole State.

Mr. BILLINGSLEY. They stated what they want. They have outlined it here.

Senator WHEELER. You have brought here, as a matter of fact, four Hopi Indians. Now, I did not talk with four Hopi Indians. I talked with the leaders of the first mesa and I talked with the leaders of the second mesa. I talked with them at Chimopovi. Of course,

those poor Indians down there are undereducated and somebody has been talking to them to the effect that what they ought to do is try and get the whole State of Arizona turned over to them.

Mr. BILLINGSLEY. I think you are wrong about that.

Senator WHEELER. I am not wrong about that because I talked with a group at Chimopovi. I talked with the leaders of that community, the whole group of leaders. They said they were not interested in this proposition you have put up here, I talked with them about that. They are not interested in it. What they wanted to do was to take in practically the whole State of Arizona. I told them that that was out of the question. They not only wanted that but they said they wanted this whole Navajo territory. I stated to them: "How many Hopis are there and how many Navajos are there?" They said 40,000 Navajos and 3,000 Hopis. I said "What are you going to do with the Navajos?" Then one of the Indians—and by the way, one of the men who belong to the group you represent—stated that "We would drive all these Navajos off."

Now, I think anyone who is agitating segregation between the Hopis and Navajos are doing a disservice to the Indians, because it would give them no advantage, but in my judgment it would tend to breed dissention and strife among them and it can not possibly do any good.

Mr. BILLINGSLEY. Senator, I would suggest that the Hopis be interviewed as I suggested here previously. They do not know the English language to the extent that you might think and I think that a committee should go out there and not spend a day or two or a week, because it can not be done in that time. They can not be united in that time. I believe if a representative of this committee would go out there and spend a couple of months, if necessary, you would get a united Hopi opinion right out there.

Senator HAYDEN. Let me suggest, Mr. Billingsley, of course it would be impossible for the Senators of Congress to put in that much time, but someone from the Indian Bureau might be able to do that. I would like to ask Mr. Scattergood just what steps the bureau is taking toward a solution of this problem. I wish you would answer very briefly, as out time is limited.

Mr. SCATTERGOOD. This whole question has recently come to the fore in connection with this bill which it is expected will be introduced at this session which provides for the enlargement of the outer boundaries of the so-called Navajo Reservation. This is made up of a great many different historical parcels that have been added from time to time. Now, then, that Navajo Reservation, as you already know, is this 1882 reservation providing for the Hopis and "such other Indians as the Secretary may see fit to place there." The fixing of enlarged boundaries outside of the Navajo Reservation is a thing that does not affect this Hopi situation in any way, shape, or form. As Senator Wheeler has so well stated, we realize if we tried to fix in connection with the outer boundaries of the Navajo Reservation a boundary for the Hopis, completely surrounded by Navajos on the outside, we would stir up a great deal of difficulty and could not possibly reach a satisfactory conclusion quickly. Consequently we inserted into this bill a broad feature that from time to time in the future the secretary should have the power to set aside and define a boundary for these Hopis for their use, the idea being when it can

HP2721

be done and amicably worked out, then it should be. But it should not be rushed. We agree most heartily with what Senator Wheeler said, namely, that the last thing we ought to do is to stir this thing up as to dividing the people.

Senator HAYDEN. You not only agree with Senator Wheeler but you agree with Mr. Billingsley that a definite decision on the question of the Hopi boundary should not be determined now?

Mr. SCATTERGOOD. Yes; except he wanted to block the so-called Navajo bill. Why he should be interested in blocking the enlargement of the Navajo land, I do not know. It is extending the Navajo territory and the wider the Navajo territory the less pressure of the Navajos on the Hopis inside. It is the interest of both of them to have the territory made just as big as possible.

Senator WALCOTT. When you say that you are assuming that that specifically includes the Hopi land too?

Mr. SCATTERGOOD. The Hopis are inside.

Senator WALCOTT. It is not restricting the Hopis?

Mr. SCATTERGOOD. There is no thought of taking away from the Hopis the villages and the land they now occupy. The only problem that concerns the Navajos and Hopis, as Senator Ashurst said in the beginning, if it is possible to set a fresh, definite boundary to stop this marauding and trespassing in stock and so forth, it would be really desirable to do.

Senator WHEELER. Let me ask you a question: I talked with the Indian agents down there and I asked them how much of this marauding there was, at the present time, and each one of them said to me that all there was to it at the present time would be that there was occasionally a Hopi would go on some piece of ground that the Navajos claimed or a Navajo would go on some Hopi land and then the Hopis would blame the whole Navajo tribe. I talked with the Hopis. They spoke perfect English and are educated. They spoke perfect English and understood English. They told me that this old feeling between the Hopis and the Navajos is breaking down. I told them what the Hopis ought to do is, instead of getting in and fighting the Navajos and the Navajos fighting the Hopis, that they ought to go about it and fight as Indians to better their own conditions. There is the same feeling between the Hopis and the Navajos as there might be between the Italians and the French or some other group over there, but when they came here to the United States, we have merged them to get into one melting pot which they have done, and they get along a lot better. The suggested segregation would divide them up into specific groups and would stir up and keep alive that old antagonistic feeling which existed between the Navajos and Hopis. Instead of encouraging such enmity and strife we ought to break it down and say to them: "You are all Indians. The Navajos are a fine tribe of Indians and so are the Hopis."

Senator HAYDEN. Let me ask one more question. What have you done recently to try to ascertain the facts?

Mr. SCATTERGOOD. About a month ago we had a request from the first mesa Hopi Indians to send somebody out to them. They asked me to come to explain to them the meaning of this Navajo bill because they had been disturbed about it. Neither Mr. Rhoads nor I could go personally. We did send our Mr. Stewart, connected with our land division, who was thoroughly familiar with all the details of the Navajo and Hopi Reservation. We also had accompany him Mark Radcliffe, who again is familiar with the physical layout there. Those two men went with a letter which Mr. Rhoads and I both signed and perhaps the easiest way to do is to read that because it tells you exactly the purpose. This message is dated November 14, 1932, and is addressed to the Hopi Indians:

> This will introduce to you our representative, James M. Stewart from our Washington office, whom we are sending to you in response to your request because neither of us can be absent from Washington at this time. He will explain to you on our behalf the various suggestions for the boundary line, and also that the proposed bill fixing the outside boundaries of the Navajo Reservation leaves open for the Secretary's later consideration the matter of the Hopi-Navajo boundary, and at present does not fix it.
>
> We hope you will look over the ground with Mr. Stewart. We hope, too, that then we can all work together, both Hopis and Navajos and overselves, so that a definite boundary line fair to all can be fixed. After that, we shall try to get Congress to appropriate money to build a fence, and by it hereafter prevent any more friction from trespassing cattle.
>
> Regretting that we can not be with you at this time, and with best wishes,
>
> Very sincerely,
>
> C. J. RHOADS,
> *Commissioner.*
>
> J. HENRY SCATTERGOOD,
> *Assistant Commissioner.*

Senator HAYDEN. Are they out there now?

Mr. SCATTERGOOD. They went out there. They have held five meetings with representatives. They have had a very large attendance. Almost the whole population of some of those villages were there. They are going to go over the physical ground with representatives of each one of those villages to see what could be fair to all concerned. This is the only instructions relative to the Hopis at the present time. We are feeling the situation out. Now, it may be that Senator Wheeler is entirely right. Our minds are open as to that. It may be that it is unwise to press anything in reference to that at the present time, but, on the other hand, Senator Ashurst expressed the view that we have started out with, namely, if it were possible it would be desirable. That is, if we could work that out. It is being put up to the Indians.

I would like to submit these minutes, not that you may want to publish them, but it is very interesting to note the response from these largely attended meetings of the Indians for this proposal. Mr. Stewart with great patience put the whole meaning of this bill before them, explained the whole thing to them, and then asked them to think it over. He told them that there was no hurry about it, that they did not have to do it within the next week or next month or six months, but the work it out and let us know.

Senator HAYDEN. How much time did he spend in each village?

Mr. SCATTERGOOD. The dates of these meetings are set forth here.

Senator HAYDEN. More than one day in a village?

Mr. SCATTERGOOD. He had a meeting on November 21 for the first mesa, with three villages; November 22 the second mesa, with two villages, 23d another meeting in the second village and the 25th at the third mesa, Oriabi, and the 28th at the fourth mesa, Hoteville, and Bacabi. So all of it is covered and the whole thing was done in a period of about eight days. That is the meetings took that long.

Senator WALCOTT. Were these explanations given to them?

Mr. SCATTERGOOD. In each case a full explanation. They were given through an interpreter. They spent hours at it.

HP2722

Senator HAYDEN. Do the minutes indicate a difference of opinion in one village as compared with another?

Mr. SCATTERGOOD. Yes. The first mesa villages said they would like to have things as they are; they did not care to have a separated agency, just as Senator Wheeler has intimated. There seemed to be an expression in the second and third mesa villages that they would like to see an area set apart differently for the Hopis with a superintendent of their own, apart from the Navajos. The point of view Mr. Billingsley has represented here to-day also was expressed, largely by the people of the second mesa, that is to say, the area they had claimed originally from the San Francisco Mountains on the west to Chinlee and Canyon De Chey in the east, and from the Navajo Mountain on the north to the area roughly where the railroad is—even beyond the railroad—to the south, a very extensive territory, really half of the whole Navajo Reservation.

Senator WHEELER. It takes in more than that. It takes in Flagstaff and Williams, according to the map they showed me.

Mr. SCATTERGOOD. I had not heard [redacted] before, but Flagstaff is beyond the San Francisco Mountains. One of the things that we have tried to be sympathetic about was this sacred shrine. The Hopis want to have access to these shrines and they should be allowed to have that access without molestation by anyone or anything. We have suggested that we set aside as sacred territory and reserve for the Hopis these shrines, the Navajo Mountain, the San Francisco Mountain, and the others that they want to make pilgrimages to, but we told them we ought not to include all of the intervening territory in between. Just because I want to go to another part of Washington I do not have to own the whole of the intervening territory in Washington, and that, it seems to me, ought to satisfy them, if they are sure that those shrines are going to be preserved for them and that they are going to have access to them. Some of those shrines seem to tally with the Navajo shrines. The Navajo Mountain is a sacred place for the Navajo Indians also.

Senator HAYDEN. You have had these meetings. Is Mr. Stewart still in that country?

Mr. SCATTERGOOD. He is on his way back.

Senator HAYDEN. Will there be further meetings after having been informed of these matters and having had an opportunity to talk it over? Will they be allowed then to express an opinion?

Mr. SCATTERGOOD. It was left to them to wait until the minutes were sent back to them so that they could read them and find out what everybody had said. Then they were to be given plenty of time to discuss it, after which they are invited to submit their ideas to the office. If further meetings are needed we propose to call them. If it seems wise to drop the whole subject for the moment and not press it, we will do that; but this was just a sympathetic feeling of the way, to see whether it would be possible to fix this line, but in no way should we disturb what is being done toward enlarging the outer boundaries of the Navajo Reservation.

Senator WHEELER. Does that include the land around Cameron there? I was up there. I was told that the Indian Department was proposing to buy about 60,000 or 70,000 acres of land around Cameron. I went out there and looked it over. I do not know whether you have ever seen it or not, but if you have not looked at it, before you buy an acre of that land from the Santa Fe Railroad you had better go down and look at it, because it is just as barren as the cement on the sidewalk is out here in the street. It would be a crime for the Department of Interior to buy an acre of that land because it would be only fooling the Indians with the idea you are giving them more land when you can not even grow sagebrush or weeds on the place.

Mr. SCATTERGOOD. Was it that land you see coming through from Tuba City to Cameron?

Senator WHEELER. Yes.

Mr. SCATTERGOOD. As a matter of fact, the Navajos are anxious to have all of that territory, bad as it is, included right up to the forest reserves. There is much other land that would be preferable to buy, especially with our limited funds. The only funds we have available——

Senator WHEELER. I am anxious to know whether the department intends to buy that, because if they are I am going to introduce a resolution to ask them not to buy it, because of the fact I talked with some of your Indian agents out there and looked at the land myself. Everybody I talked with down there said it would be nothing less than criminal to buy that land and turn it over to the Indians with the expectation that the Indians would get anything out of it. Yous could not raise a sheep on 50 acres of it.

Mr. SCATTERGOOD. Of course, that land out there all looks about that bad.

Senator WHEELER. No, no; it does not.

Mr. SCATTERGOOD. There is some part good, whereas the other may not be, but I can not tell you——

Senator WHEELER. This particular place is just an ash pile.

Mr. SCATTERGOOD. I can not tell you at the moment whether that is contemplated to be bought or not, but if it is, I think your warning is a timely one. We certainly do not want to spend the funds we have for any particular purchase that would be less advantageous than for lands located elsewhere. There is not much money available anyway.

Senator HAYDEN. How much have you?

Mr. SCATTERGOOD. Practically all of the money that we have now is money coming in from revenues from the tribe, and that has been pledged for certain purchases.

Senator WHEELER. Just a moment. Part of this money that you have then is pledged for some of this land around Cameron?

Mr. SCATTERGOOD. That I do not know.

Senator WHEELER. That is what I want to know, whether it is pledged for that land around Cameron. If it is I am going to protest against it because it would be an outrageous proposition.

Mr. SCATTERGOOD. Is it land owned by the Santa Fe Railroad?

Senator WHEELER. Yes; and very barren.

Mr. SCATTERGOOD. The Santa Fe holdings extend on both sides of the railroad, however, east and west, as you know.

Senator WHEELER. Will you furnish this committee with a detailed report of that land as to what you are proposing to do now and if you are proposing to buy that and you intend to buy it I wish you would hold it up, because I am going to introduce a resolution asking Congress to keep you from buying that if you are intending to do it.

HP2723

Mr. SCATTERGOOD. Yes.

Senator WHEELER. It is just as barren, Senator Hayden, of anything, as the top of this table is.

Senator HAYDEN. In my mind, I can not picture the area that you refer to.

Senator WHEELER. It is around Cameron.

Senator HAYDEN. There was some land in the vicinity of Cameron purchased several years ago under a contract made by Commissioner Burke. The contract required the sale of the entire area. The Indian Office had at that time enough money to buy half of it and did buy half of it and have since bought the other half pursuant to that contract. If that is the land you saw, it all belongs to the Navajo Reservation and has been paid for, so that is a consummated transaction. If the land you have in mind is other than that, that still belongs to the Santa Fe Railroad, I do not know just where it is and I should feel obliged if you would make up a memorandum of your purchases and also send a sketch map to indicate where the land is which you are contemplating purchasing. I think that would simplify the proposition.

Senator WHEELER. If anyone bought and paid for that land around Cameron and turned it over to the Indians they certainly did not do it in the interest of the Indians. All they did it for was in the interest of the Santa Fe Railroad, and I would like to find out who the man was up in the Interior Department that made that contract with them.

Senator HAYDEN. The purchase to which I refer had to do with the acquisition of Tappen Springs, which is the principal living water in that area and the land was bought not so much to acquire land as to acquire water rights, which are exceedingly valuable. I am confused by your description. I think the only way we can determine definitely what you are talking is to have Mr. Scattergood furnish the list.

Mr. SCATTERGOOD. We will be glad to.

Senator HAYDEN. What land you contemplate purchasing, together with a sketch map to indicate where they are located.

Mr. SCATTERGOOD. The Tappen Springs land was not Santa Fe land. That was bought from other owners.

Senator HAYDEN. It was a part of the Santa Fe land grant, or the old Atlantic and Pacific land grant. The intervening land was given——

Mr. SCATTERGOOD. I will be glad to furnish these minutes if you want me to.

Senator HAYDEN. I think we ought to print them.

Mr. SCATTERGOOD. We had hoped Mr. Billingsley would come soon enough to have the opportunity of reading these minutes at the office in order that he might be familiar with what has happened out on the reservation in the way of quotations from the Indians themselves. It only came since his visit and it was not possible.

The CHAIRMAN. We will be glad to have the minutes for our consideration.

Mr. BILLINGSLEY. May I just add this much, please? These statements I have made here of record originated with the Indians, not by myself.

Senator WHEELER. I talked with the leading Indians personally.

Mr. BILLINGSLEY. We are just speaking by their request.

The CHAIRMAN. The hearing will close.

(Hearing closed at 12.25 o'clock p. m.)

(Copy of minutes of meetings conducted by representatives of the Indian Bureau with the Hopi Indians at the various Hopi villages, in Arizona, commencing on November 21, concluded on November 28, 1932, relating to the proposed Hopi-Navajo segregation, follows:)

MINUTES OF MEETING OF TEWA, SICHUMOVI, AND WALPI VILLAGES NOVEMBER 21, 1932—FIRST MESA

Meeting called to order at 9 a. m. by Superintendent Miller.

There were 120 present, including Otto Lomavitu and Byron Adams. Interpreter, Albert Yava.

Mr. MILLER. About two weeks ago the Hopis of this mesa met and sent to Washington for two men to come out and meet with the different groups of Hopis about this land business so that you could talk to them and see them and ask them any questions. So the office sent back word to you people of the First Mesa that they would send two men and they have sent them and they are here to-day to meet with you people and talk about this matter. Mr. Stewart here is the gentleman who knows all about this bill we are going to talk about and Mr. Radcliffe is the man who went over this reservation and all reservations and got up these maps and knows about the country. So you have two men from Washington who can tell you anything you want to know about it. I want to introduce to you the special representatives from Washington of Mr. Rhoads and Mr. Scattergood—Mr. Stewart and Mr. Radcliffe.

Mr. STEWART. My friends, it gives me a great deal of pleasure to be here among you, meeting you and going over this proposition of the [illegible] boundary matter. It especially pleases me to know that you Indians of first mesa requested that we be sent out here to explain the best we can what the situation is. Both Mr. Rhoads and Mr. Scattergood would have liked very much to have been able to come out here personally and meet with you and discuss the matter but due to the pressure of other very important work on hand they could not find time to do so. They have, however, sent a personal message to all Hopi Indians and I will read it to you and pass it among you to look it over. This message is dated November 14, 1932, and addressed to the Hopi Indians.

"This will introduce to you our representative James M. Stewart from our Washington office, whom we are sending to you in response to your request because neither of us can be absent from Washington at this time. He will explain to you on our behalf the various suggestions for the boundary line, and also that the proposed bill fixing the outside boundaries of the Navajo Reservation leaves open for the Secretary's later consideration the matter of the Hopi-Navajo boundary, and at present does not fix it.

"We hope you will look over the ground with Mr. Stewart. We hope, too, that then we can all work together, both Hopis and Navajos and ourselves, so that a definite boundary line fair to all can be fixed. After that, we shall try to get Congress to appropriate money to build a fence, and by it hereafter prevent any more friction from trespassing cattle.

"Regretting that we can not be with you at this time, and with best wishes,

"Very sincerely,

"C. J. RHOADS, *Commissioner*,
"J. HENRY SCATTERGOOD, *Assistant Commissioner*."

Mr. Stewart emphasizes the words "and at present does not fix it."

Now we will take up the proposed bill. This bill is entitled "A Bill to Define the Exterior Boundaries of the Navajo Indian Reservation in Arizona and for Other Purposes." It is made up of three sections—sections 1, 2, and 3. Section 3 has absolutely no bearing on Indian lands. It permits the State of Arizona, after the proposed Navajo boundary is finally reached, to select and consolidate the school land outside of that boundary. So we can dismiss from any further consideration section 3. These school lands have nothing to do with the Hopi part. There are no school lands or State lands within the Hopi reservation.

HP2724

Section 1 of the bill sets out certain lines beyond which the Navajo reservation in Arizona will not be allowed to extend. It provides that all lands within those lines shall be added to the Navajo reservation "for the benefit of the Navajo and such other Indians as may already be located thereon."

Section 1 also provides "that the Secretary of the Interior is hereby authorized to determine and set apart from time to time, for the exclusive use and benefit of the Hopi Indians, such areas within the Navajo boundary lines above defined as may, in his judgment, be needed for the use of said Indians."

This practically is the substance of section 1 of the bill and I will go on to section 2 now and then come back to section 1 because that is the section that particularly refers to the Hopi lands.

Section 2 of the bill is similar to an act that we are now working under in New Mexico. Under that New Mexico act we are exchanging lands with private owners within the Navajo country. By these exchanges we are able to block out solid areas of land for the Indians. Therefore, this section 2 of this Arizona bill will allow us to do the same thing in Arizona within the boundary lines set out in section 1 of the bill. In other words, all privately owned lands within the red lines shown on that map (Mr. Radcliffe will explain in a few minutes); all privately owned lands within the red lines will some time be Indian lands. Now, I think this is a good time for Mr. Radcliffe to explain those lines and the relation of those lines to the Hopi reservation.

Mr. RADCLIFFE. This map here [points to large map] represents all the Indian country in northeastern Arizona, southeastern Utah, and northwestern New Mexico—that is, the Navajo and Hopi land. This point right here is the corner of Arizona, Colorado, New Mexico, and Utah. This line through here represents the line between Utah and Arizona. This line going down this way represents the line between New Mexico and Arizona. These other lines you see on the map represent the boundaries between the original Navajo Reservation (the Treaty Reservation) and the original Hopi Reservation and Executive orders. It shows the land that has been added from time to time to the reservation. This red line on the map represents the exterior boundary described in the bill Mr. Stewart just discussed. And this proposed land program not only adds to the reservation to Arizona but it adds land also in Utah and New Mexico. It will add within Arizona around a million acres. The greater part of that land is down here in Castle Butte country and over around Houck and Sanders along the Santa Fe Railroad across and to the eastern boundary in Arizona. It will also add quite an area of land north and west of Cameron between the Little Colorado River and Flagstaff.

Now, a good deal of that land I just mentioned has been purchased by the Navajo people. The bill not only adds this to the reservation but it defines the status or makes Indian land of certain Executive order areas in the reservation which are now just withdrawn. You take the Executive order of November 14, 1901, which is down at Leupp. That land is not actually Indian land now. It is withdrawn for Indian use. The whole program is to define this boundary as shown in red on this map to expand and settle these difficulties around the outer edge of the reservation and place title to all the land within this red line in the Indians. Now come down to the Hope Reservation side of this bill. For a long time you know there has been talk of defining a separate reservation or area for the Hopis. Part of it is used by the Navajos and part by the Hopis, that is, the Executive order of December 16, 1882, I will outline the present Hopi lands. That area as shown on this map is the same as this entire small map. Last spring, after talking back and forth over this for a good many years, we made a survey around this country showing, as nearly as possible, a division between the land actually used and occupied by the Hopis and the rest of the reservation used mostly by Navajos. As Mr. Stewart has explained to you, there is nothing definite about this. It was made for the purpose of putting it up to you and seeing how you felt about it. We are here to try to explain everything to you; not to urge that that line be established. We want to know how you feel about it.

Mr. STEWART: Now we are going back to section 1 of the bill, especially that part reading that the lands in those lines are to be permanently for the benefit of the Navajos and such other Indians as may already be located thereon. Now I want you to especially bear in mind that by the "as may already be located thereon" that is put in the bill to especially protect the rights of the Hopi Indians to the lands they occupy around here and there is absolutely no chance of the Hopis' rights to these lands being disturbed.

Now we are going on to that part reading: "*Provided further*, That the Secretary of the Interior is hereby authorized to determine and set apart from time to time for the exclusive use and benefit of the Hopi Indians, such areas within the Navajo boundary line above defined as may in his judgment be needed for the use of said Indians."

I will explain to you that this means that at any time in the future if the Hopi Indians want a separate boundary line for themselves the Secretary of the Interior can set that aside. I want to assure you that it only contemplates a separate Hopi boundary line if the Hopi Indians themselves want it. As Mr. Radcliffe explained a little while ago, suggestions have been made to us by our own field men and white persons outside the Indian Service who are apparently friendly to the Hopis that certain lines should be adopted as their permanent boundary lines. Those lines involve this one large area here which covers all of these villages and the lands the Hopis have been using. Could you have someone go up to the map and show on the map where the villages are so you will get a relative picture of their positions? That area covers about 500,000 acres and in addition to that area it has been suggested that an area of about 32,000 acres be set aside for the use of Moencopi Wash Hopi Indians.

Mr. RADCLIFFE. The area on the Moencopi Wash is outside the Hopi reservation.

Mr. STEWART. Should the Hopi Indians decide that they want separate boundaries we propose to fence the lands that are set aside for them. I want to make it clear now that we are not urging these lines as the boundary lines—we are not urging. It is merely for the purpose of giving you something to work on and consider. It is absolutely up to the Hopi Indians themselves whether they want a separate reservation or whether they want things to remain as they now are. We want you to consider the proposition. There is no hurry. You can take all this winter or next winter. It is up to you to decide—not to us. Now just before I close I want to especially say that this bill, as it is now drawn, would give the department, or the Secretary of the Interior, the authority to draw and set aside all the Hopi shrines and also such firewood lands as necessary so they would have wood for their fires and fences, and so forth, in addition to these boundaries. I have said that you have all the time you wish to consider this. However, if you have considered it before this time and really feel that you have reached a conclusion and want to say what that conclusion is or want to write out that conclusion, we will be glad to hear it. We will also be glad to answer any questions you want to ask.

(Tunah here presents a letter to the Senate committee dated May 22, 1931.)

KOTKA (Chief of Walpi). We, the people of this mesa, do not want any individual Indian agency. We do not want segregation. We want the original boundaries to remain as they are and the Navajos will not be disturbed.

Mr. RADCLIFFE. How do you feel about a separate reservation and agency; how does the group feel?

KOTKA. They do not want a separate reservation. They want to cooperate with the Navajos.

TOM PAVATEA. It pleases me the way this matter was presented this morning. We hope you will take our petition seriously and let us hear from you.

GEORGE COOCHSIE (head judge of Mishongnovi). From way back as far as this tribe can remember this tribe has been instructed that they should not molest the Navajos or any other Indians.

IRVING PABANALA. These matters have been brought up to you. We knew that you two men were coming and we had already made up our minds. We recognize the rights of the Navajos in the reservation and we want the petty troubles between the Navajos and the Hopis to be settled locally.

Mr. STEWART. I will present this whole matter to Mr. Rhoads and Mr. Scattergood as soon as I get back to Washington.

The chiefs agree to have Bryon Adams put his speech in writing and present it to the office. The speech is hereto attached and made a part of the minutes of this meeting.

Judge Hongva of Walpi also present.

Mr. STEWART: With the consent of the chiefs present I desire to state, in brief, my own desires and view on the proposed bill which affects in part the now so-called Hopi Reservation. I have very carefully studied the Navajo-Hopi situation, and am also familiar with the activities of these chiefs and other men on this mesa, and what I may say now is just a concurrence in their position and wishes.

The matter of difficulties between the two tribes was brought to the attention of Maj. Scott, then a member of the Board of Indian Commissioners, about eight years ago. Since then some of our young educated men have been putting forth

HP2725

their efforts in the hope of having set aside a separate and distinct reservation for the Hopi Indians, preferring that the present Executive Order of Dec. 16, 1882, setting aside this reservation for "the use and occupancy of the Moqui and other Indians" be made only for the Hopi Indians. We put much labor, thought and sacrificed our means in the hope that we may, through Congress, see our desires become a reality. The then senator, Hon. Ralph Cameron, gave his attention to our plea; but when a definite expression of feeling from the Commissioner of Indian Affairs in his letter to Sen. Cameron dated April 13, 1926, was received, neither the senator nor we could go forward in our efforts effectively, and the matter dropped. In this effort of the young men many of the older men of the tribe were with us, but a few conservatives would not line up or back us up. We were sincere; we thought we had a good cause, and we worked hard.

After careful study, I have concluded that we made a grave error, for the underlying motive in our desires was to get the Navajo Indians entirely off the reservation, we citing grievances which were petty in nature and only merit rebuke from those in authority. To-day, we clearly see our mistake and have repented of our former activities. Formerly, we tried our very best to picture the Navajo as a liar, thief and robber who would go to any extreme to accomplish his motive, which we tried to show is always wrong. To-day, we all realize that there is badness in every one of us, and instead of trying to rid ourselves from the presence of those whom we class as undesirables, we want to do the manly thing—to look for the best in man regardless of creed, tribe, or race. History is always an excellent lesson. Never in the history of any country has a fight against unity and goodwill won. This great country fought against greed, prejudice, and inequality. And we as a tribe, or as rather residents of this first mesa, can not commence to entertain any thought or idea that this great Government should foster our ill-grounded grievances against the Navajo Indians and permit a segregation in any form of the two tribes. Many of us will look at such segregation as an accomplishment of a grave error by the Government presumably for the best interests of the tribes. We are wards of the Government and many of our people, especially among the Navajos, are uneducated and not familiar with civilized methods, customs, or the thinking power of those in authority. A segregation would tend to lead some of our people into thinking that that is the form of government in this country—one little set or nation here, another there, and so on. But, no; unity as I see it is an essential part of this country, and why permit us to see ourselves as a separate nation and approve anything looking towards the disruption of unity that should be sacred in the two tribes?

Our grievances and complaints are individual. They are minor and petty in character. The department has so graciously and generously created three positions of Indian judges among the Hopis, and also among the Navajo Indians. Very seldom has trouble arisen which is serious in character, and the petty and minor individual troubles can be taken care of by these Indian judges in an amicable and judicial manner. This would relieve our superintendent (and has) of appropriating his useful time to these smaller matters and permit him to put to better use his time for constructive purposes.

I, therefore, make a solemn appeal that this matter of segregation of the Hopi and Navajo tribes be dismissed as silly, un-American in spirit, not in conformity with principles underlying this great Government, and as fostering only the greed, hatred and uncommendable desires of the Hopi Indians. This generation is not wholly adjusted to methods for which the Government has striven for years to attain through its educational program, yet the one following should be in an enlightened position by which it can lay aside malice, prejudice and hatred, and look to other tribes through the eyes of brotherly love.

In conclusion, Mr. Stewart, believe me when I say that we have no elaborate proofs to offer nor have we any eloquent arguments to advance in our plea to hold intact the provisions of the Executive Order of December 16, 1882. We want it to remain unchanged and we want the Navajo Indians to continue on living here with us. By precept and example the Hopi can have a bearing on the Navajo's character, and we want the Government to give every encouragement to have us live side by side in brotherly love. In all humility and humbleness I have only one principle to offer, and that is this: When the Great Teacher was on earth, after explaining what the first and greatest commandment is, He said: "And the second is like unto it, thou shalt love thy neighbor as thyself." And, after all, what is man to defy this teaching, an essentiality to unity? Thank you.

BYRON P. ADAMS.

POLACCA, ARIZ., *November 21, 1932.*

POLACCA, ARIZ., *November 21, 1932.*

THE HONORABLE COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

We the Hopi Indians of First Mesa Polacca, Ariz., and members of the Rodeo Association in assembly do solemnly petition the Department of the Interior and the Commissioner of Indian Affairs that the parcel of land known as the Hopi Reservation, the boundaries of which have been fixed by Executive order of the President of the United States during the term of President Chester A. Arthur, be as effective as in the past, regardless of any petition or petitions that may have been presented for consideration in regard to segregation, by any party or parties. We fully realized that our great and good Government has given full time and thought in forming and signing the Executive order of December 16, 1882, with the full knowledge of all people concerned. Therefore, for the benefit of all the people residing within the said reservation regardless Hopi or Navajo, that time will be wasted in defining new boundaries lines, and that now proposed legislation bearing on the Hopi land be omitted.

Respectfully submitted.

Tunah (his thumb print), head chief; Honi (his thumb print), chief; Kotka (his thumb print), chief; Maho (his thumb print), chief; Ahui (his thumb print), chief; Douglas (his thumb print), Dooma president; Charlie (his thumb print), Noha vice president; Albert (his thumb print), Yava secretary; and Satala (his thumb print), chief.

Witness to all thumb marks—

JACKSON LOMABERNA.
FRANK KAVENA.

MINUTES OF MEETING OF MISHONGOVI VILLAGE AND SHIPAULOVI VILLAGE, NOVEMBER 22, 1932—SECOND MESA

The meeting was called to order at 10 o'clock, a. m., by Mr. Edgar K. Miller, superintendent Hopi Agency. There were 75 men present.

Mr. MILLER. About two weeks ago the Hopis of the First Mesa met and sent to Washington for two men to come out and to meet with the different groups of Hopis about this land business so that you could talk to them and see them and ask them any questions. So the office sent back word to these people of the First Mesa they would send two men and they have sent them and they are here to-day to meet with you people and talk about this matter. Mr. Stewart here is the gentleman who knows all about this bill we are going to talk about and Mr. Radcliffe is the man who went over this reservation and all reservations and got up these maps and knows about the country. So you have two men from Washington who can tell you anything you want to know about it. I want to introduce to you the special representatives from Washington of Mr. Rhoads and Mr. Scattergood—Mr. Stewart and Mr. Radcliffe.

Mr. STEWART. My friends, it gives me great pleasure to be here among you, meeting you and going over this proposition, the Hopi boundary matter. It especially pleases me to know that the Hopi Indians, at least the Hopi Indians of the First Mesa, requested that we be sent out here to explain the best we can what the situation is. Both Mr. Rhoads and Mr. Scattergood would have liked very much to have been able to come out here personally and meet with you and discuss the matter, but due to the pressure of other very important work on hand they could not find the time to do so. They have, however, sent a personal message to all Hopi Indians and I will read it to you and pass it among you for looking it over. This message is dated November 14, 1932, and addressed to the Hopi Indians.

"This will introduce to you our representative James M. Stewart, from our Washington office, whom we are sending to you in response to your request because neither of us can be absent from Washington at this time. He will explain to you on our behalf the various susggestions for the boundary line, and also that the proposed bill fixing the outside boundaries of the Navajo Reservation leaves open for the Secretary's later consideration the matter of the Hopi-Navajo boundary, and at present does not fix it.

"We hope you will look over the ground with Mr. Stewart. We hope, too, that then we can all work together, both Hopis and Navajos and ourselves, so that a definite boundary line fair to all can be fixed. After that, we shall try to get

HP2726

Congress to appropriate money to build a fence, and by it hereafter prevent any more friction from trespassing cattle.

"Regretting that we can not be with you at this time, and with best wishes,

Very sincerely,

C. J. RHOADS, *Commissioner.*
J. HENRY SCATTERGOOD,
Assistant Commissioner."

(Mr. Stewart emphasizes the words: "and at present does not fix it.")

Now we will take up the proposed bill. This bill is entitled, "A bill to define the exterior boundaries of the Navajo Indian reservation in Arizona and for other purposes." It is made up of three sections—sections 1, 2, and 3. Section 3 has absolutely no bearing on Indian lands. It permits the State of Arizona, after the proposed Navajo boundary is finally reached, to select and consolidate the school land outside of that boundary. So we can dismiss from any further consideration section 3.

Mr. RADCLIFFE. You might tell them that these school lands have nothing to do with the Hopi part. There are no school lands or State lands within the Hopi reservation. (The interpreter explains.)

Mr. STEWART. Section 1 of the bill sets out certain lines beyond which the Navajo reservation in Arizona will not be allowed to extend. It provides that all lands within those lines shall be added to the Navajo reservation (I now quote from the bill) "for the benefit of the Navajos and such other Indians as may already be located thereon." Section 1 also provides "that the Secretary of the Interior is hereby authorized to determine and set apart from time to time for the exclusive use ane benefit of the Hopi Indians, such areas within the Navajo boundary lines above defined as may, in his judgment, be needed for the use of said Indians."

This practically is the substance of section 1 of the bill and I will go on to section 2 now and then come back to section 1 because that is the section that particularly refers to the Hopi lands. Section 2 of the bill is similar to an act that we are now working under in New Mexico. Under that New Mexico Act we are exchanging lands with private owners within the Navajo country. By these exchanges we are able to block out solid areas of lands for the Indians. Therefore, this section 2 of this Arizona bill will allow us to do the same thing in Arizona within the boundary lines set out in section 1 of the bill. In other words, all privately owned lands within the red line shown on that map (Mr. Radcliffe will explain to you in a few minutes); all privately owned lands within the red lines will some time be Indian land. Now I think this is a good time for Mr. Radcliffe to explain those lines and the relation of those lines with the Hopi reservation.

Mr. RADCLIFFE. This map here [points to large map] represents all of the Indian country in northeastern Arizona, southeastern Utah, and northwestern New Mexico—that is, the Navajo and Hopi land. This point right here is the corner of Arizona, Colorado, New Mexico, and Utah. This line through here represents the line between Utah and Arizona. This line going down across the map here represents the line between New Mexico and Arizona. These other lines you see on the map represent the boundaries between the original Navajo Reservation (the treaty reservation), the original Hopi Reservation and Executive orders. It shows the land that has been added from time to time to the reservation. This red line on the map represents the exterior boundary described in the bill Mr. Stewart just discussed. And this proposed land program not only adds to the reservation in Arizona but it adds land also in Utah and in New Mexico. It will add within Arizona to the Indian country (I will have to look up the area or do they understand acres)? It will add right around a million acres of land in Arizona. The greater part of that land is down here in Castle Butte country and over around Houck and Sanders along the Santa Fe railroad across and to the eastern boundary in Arizona. It will also add quite an area of land north and west of Cameron between the Little Colorado River and Flagstaff.

Now, a good deal of that land I just mentioned has been purchased by the Navajo people. The bill not only adds this to the reservation but it defines the status—or makes Indian land of certain Executive order lands in the reservation which are now just withdrawn. You take the Executive order of November 14, 1901, which is down at Leupp. That land is not actually Indian land now. It is withdrawn for Indian use. The whole program is to define this boundary as shown in red on this map (the large one) to expand and settle these difficulties around the outer edge of the reservation and place title to all the land within this

red line in the Indians. Now come down to the Hopi reservation side of this bill. For a long time you know there has been talk of defining a separate reservation or area for the Hopis. Part of it is used by the Navajos and part by the Hopis—that is the Executive order of December 16, 1882.

Mr. STEWART. Will you outline the present Hopi lands?

Mr. RADCLIFFE. That area as shown on this map [the large one] is the same as this entire map [the small one]. Last spring, after talking back and forth over this for a good many years, we made a survey around this country showing, as nearly as possible, a division between the land actually used and occupied by the Hopis and the rest of the reservation used mostly by the Navajos. As Mr. Stewart has explained to you, there is nothing definite about that. That was made for the purpose of putting it up to you and seeing how you felt about it. We are here to try to explain everything to you; not to urge that that line be established. We want to know how you feel about it.

Mr. STEWART. Now we are going back to section 1 of the bill, especially that part reading that the lands in those lines are to be permanently for the benefit of the Navajos and such other Indians as may already be located thereon. Now I want especially for you to bear in mind that by the "as may already be located thereon" that is put in the bill to especially protect the rights of the Hopi Indians to the lands they occupy around here and there is absolutely no chance of the Hopis' right to these lands being disturbed.

Now we are going on to that part [reading].

"*Provided further*, That the Secretary of the Interior is hereby authorized to determine and set apart from time to time for the exclusive use and benefit of the Hopi Indians, such areas within the Navajo boundary line above defined as may in his judgment be needed for the use of said Indians."

I will explain this after it has been interpreted to you. [Interpreted.] That means that at any time in the future if the Hopi Indians want a separate boundary line for themselves the Secretary of the Interior can set that aside. I want to assure you that it only contemplates a separate Hopi boundary line only if the Hopi Indians themselves want it. As Mr. Radcliffe explained a little while ago, suggestions have been made to us by our own field men and white persons outside of the Indian Service, friendly, apparently, to the Hopis, that certain lines be adopted as their permanent boundary lines. Those lines involve this one large area here which covers all of these villages and the lands the Hopis have been using. Could you have someone go up to that map and show on the map to the Indians where the villages are so they will get a picture of the relative positions. [Interpreter points them out.] (Mr. Miller requests that the boundary be explained to the people; that it includes Coyote Springs, Burro Springs.)

Mr. STEWART. That area covers about 500,000 acres and in addition to that area it has been suggested that an area of about 32,000 acres be set aside for the Hopis on the Moencopi Wash.

Mr. RADCLIFFE. That area on the Moencopi Wash is outside the Hopi Reservation.

Mr. STEWART. Should the Hopi Indians decide that they want separate boundaries we propose to fence the lands that are set asido for them. I want to make it clear now that we are not urging these lines as the boundary lines—we are not urging. It is merely for the purpose of giving you something to work on and consider. It is absolutely up to the Hopi Indians themselves whether they want a separate reservation or whether they want things to remain as they now are. We want you to consider the proposition. There is no hurry. You can take all this winter or next winter. It is up to you to decide—not us.

Now, over at the First Mesa yesterday, we told the Hopi Indians gathered there just what we are telling you here to-day. I believe the gentleman there will substantiate that, won't you? [Albert Yava vertified it.] And I think in all fairness to each group that you are entitled to know how the Indians of the First Mesa decided. They decided in effect that they were for this bill only as to the setting out of the outer boundaries of the Navajo country and they were for leaving the Hopi reservation as it now is and without disturbing it. They were all together for that sort of an agreement—no one was against it—it was unanimous. However, you Indians are to be guided by your own judgment. Now, we want to hear from you. What you think of it. Not necessarily to-day, but after you have considered it.

I understand there are two villages represented here this morning [this is verified]. We are going from here during the week to the other Hopi villages and tell them just what we have told you here to-day and we will like in the meantime to have each of the villages represented here to-day designate some

HP2727

one man, so there will be two, to meet with Superintendent Miller, myself, and Mr. Radcliffe next Monday and we will, as far as we can, take the two representatives of this group, together with the representatives of any other group, over these proposed lines, then you can come back here and talk it over and discuss it any time you want to. I omitted to state that the First Mesa group of Hopis also stated they did not want a separate Hopi agency—they wanted things to go on as they now are. Please bear in mind that it is up to the Hopi Indians themselves, we are not urging it, we are just putting the subject before you for consideration and you can take all the time you want to and if you care to you can call in any of your white friends and get their views to help you reach your decision.

Now, just before I close I want to especially say that this bill, as it is now drawn, would give the department—the Secretary of the Interior the authority to draw and set aside all the Hopi shrines for the Hopis' exclusive use and we can, under authority that we already have, set aside for the Hopi use such fire-wood land so that they would have wood for their fires and fences, etc., in addition to these boundaries. Now, I have said that you have all the time you wish to consider this. However, if you have considered it before this time and really feel that you have reached a conclusion and want to say what that conclusion is or want to write out that conclusion, like the First Mesa Hopis did, we will be glad to hear it. We will also be glad to answer any questions you want to ask. Thank you.

Mr. STEWART. We have to go down for our lunch and maybe we could leave you here and come back this afternoon and you could think over what we have said and we can come back to answer any questions you might think of between now and then which might not occur to you now. It is up to you Indians what you want us to do, whether you want us to stay here and finish or come back this afternoon.

Mr. RADCLIFFE. We will also leave these maps here and you can go over them together.

Mr. STEWART. You can read that to them. (The agreement of the Hopis of the First Mesa.) Qua-ma-lel-te-wa presents letter which is quoted:

TOREVA, ARIZ., *November 22, 1932.*

Mishongnovi

Very gladly to meet you, my fathers. On this date of November the 22,

I am glad to meet you.

I am glad you are visiting my village by the name of Mishongnovi.

I got this to show you, that what boundary we want is from the San Francisco Peaks, Woodruff Butt, White Ruins, Salina, South wall of the Canon, and on to Salt Canon, then back to the San Francisco Peaks. This is an old Hopi domain, and this is the only traditional boundary, that I know from our forefathers, and so this is the boundary I want for my people.

It has been known that at one time there were no Navajoes on my reservation, as far as I know. Lately the Navajoes has moved in and made troubles among my people. So, therefore, that I do not want no Navajoes on my reservation.

Another tradition that I have known that it's up to the Government officials to clear the Navajoes out.

This is all.

Sincerely,

QUA-MA-LEL-TE-WA.

Mr. STEWART. In regard to that, it is very interesting but it is an issue different and separate to the one we have before us here. However, on that very thing it was brought up a few days ago, so I have been told, and put up to Senator Wheeler who was a member of the committee, who was out here some time ago and I believe he addressed some of the Indians. I do not know just which group. Which was it, Mr. Miller? Are there any here who heard him?

Mr. MILLER. I do not believe there is.

Mr. STEWART. Mr. Miller would you mind telling them what Senator Wheeler told that group?

Mr. MILLER. In talking over the matter of segregation with Senator Wheeler, in my house when he stopped over night with me, he mentioned the fact that he had talked with Peter and the Chimopovi people and spent quite a little time with them when he came through here. Senator Wheeler told me that he told the Chimopovi people when they brought out a map showing these boundaries that the Chief here has already mentioned in this statement that he gives Mr. Stewart, that he was in a position to state positively to them that they could not take up anything outside of their present boundaries except possibly a shrine or so. Senator Wheeler is a very strong member of the Indian Committee in the Senate. You will all remember that he has fought a good many battles for the Indians and did a great deal for them and is intensely interested in their problems and is a strong friend of the Indians. So what he says has great weight. He states positively that the idea of the Indians getting any additional land outside their present boundaries is impossible under present conditions. He stated that to the Indians of Chimopovi when he was over there.

Mr. STEWART. Now, my friends, if it is agreeable to you to adjourn now and come back in the afternoon about 1.30. Thank you very much for your attention this morning.

(Meeting adjourned at 11.35 until 1.30 p. m.)

Meeting called to order at 1.30 p. m. Philip (interpreter.)

Mr. STEWART. The main thing this afternoon will be to hear from you folks if you have anything to tell us.

INTERPRETER. Secakamama asks if you want to speak about the boundary again.

Mr. STEWART. I will be glad to answer if he will tell us anything he wants to be informed about.

INTERPRETER.—Do you want Secakamama to speak?

Mr. STEWART. I will be glad to have anyone speak.

INTERPRETER. Secakamama represents both villages and he will speak.

SECAKAMAMA.—It has been in my boyhood days that older folks have been talking about the boundary I am going to speak about. It is the old boundary that we have speak about this morning. It is near Flagstaff on south of Winslow Chavez Pass and on up to Woodruff Butte, then down to Salina and up the Little Colorado River—then following the river down Salt Canyon then back to San Francisco Mountain. This we have known from our forefathers and it has been told to me that I will speak this whenever it is necessary. This has been told to me by my forefathers and so I can speak out when white brother comes in to investigate about the land proposition. This is all we have known and been instructed from our early days up to this time and this is all I have known. This has been told by my forefathers and I know it is true that we should stand by this for this land whatever the old people have told. This we have known from our forefathers and it is our belief that you white men are brothers or fathers or uncles and to settle this. This we all have known so it is up to you to consider this and settle this for us for we have known that you men from Washington would settle this for us. We have all known this a long time ago and have been looking forward to some one to come out from Washington to settle this. That is what I am here to tell you. This is all. There is nothing that has been hidden that I am talking about. It is the only truth that I have known.

Mr. STEWART. I have been glad to listen to the claim of the Indians to this far flung line from San Francisco Peaks around and up to the Canyon but on referring to that this morning we pointed out that that is a separate issue than what is before us now. What is before us now is whether or not the Hopi Indians want a separate boundary involving their present lands. This question of a separate boundary of the present lands should first be settled and the matter of their claim to the far-flung lines would have to be settled by Congress at some future date, if at all.

SECAKAMAMA. We won't try to settle on this present boundary. What we want is our own domain—the outside line—the old reservation from San Francisco Peaks and around.

Mr. STEWART. A great deal of that area that you claim, according to your traditions, is not any longer owned by the Government and my personal belief is that under no circumstances could the Government get control of that land and turn it back to the Hopi Indians. In cases similar to this involving Indians of other reservations, for instance the Warm Springs Indians of Oregon up in the northwest and the Great Sioux Nation in the northwest; they also have advanced claims similar to the claims just advanced by the Hopi Indians and they have based their claims on the fact that there was a treaty or agreement on the part of the Indians with the United States; consequently in view of the fact that a treaty does exist between these and other Indians and the United States they have been able to convince Congress of the merit of their claim and obtain what we call a jurisdictional act or law whereby it permits that particular tribe involved to carry its case into court and the court decides the questions raised by and the claims of the Indians and if the court decides in favor of the Indians money damages are usually awarded, but to my knowledge no lands. I have personally

HP2728

examined all of the old records in Washington and have not been able to find any record of a treaty between the United States and the Hopi Indians. And so I would say that it would be almost impossible for the Hopi Indians to get a case involving their claim into the courts for adjudication. However, as I mentioned before, that is something that will have to be settled in the future and not at this time.

LUKE. I want to speak a few words. The old people have spoken, and they speak about the old boundaries. So we put all this to you people to have you consider it. This is all the Hopi knows, and it is up to you. And about the Navajos, we believe or know that we do not want Navajos on our reservation. We know that you white people are brothers and are going—and we have been expecting that you would drive these Navajos off from our reservation. And about the matter over at the First Mesa, and they have already put it before you that they want to have one superintendent with the Navajos. Our tradition says that we do not want Navajos on our reservation. Our white brothers are coming out here to clear Navajos off our reservation so there won't be any trouble for our people. We want to have a superintendent of our own reservation. We want one superintendent for the Hopis and one for the Navajos. So it is best then for us to let this all out toward you, and we want—you have got to do something about this case or see if you do anything for the Hopis about this. Would there be any objection to this? What I would say now would probably hurt Mr. Miller, but it is just what we want to say. If that would be the right thing for us to do or for the Government to have a separate superintendent, so that there would be any one working for the superintendent who is looking after two sides. Sometimes he speaks to Mr. Miller about this, and he does not mean to hurt him, but sometimes he is on the Navajos side and sometimes on the Hopi side. So then we do not mean him harm to anybody, but it has done a lot of damage among us, and if you like to work for this kind of principle I think it is up to you to take all this message and turn it in to Congress so that they will decide about what we are talking about. If this was not carried on from generation to generation from old people, but that is the only file we carry on from old people to young folks. So if you are really interested in Indians affairs, it is up to the Government, with you, Mr. Radcliffe, Mr. Stewart, to take this and speak to the Senate in Washington and talk this over among yourselves. We depend on you to take care of this and do what you can for the Hopis. We are leaving it all up to you, and we are glad you are here to investigate this hearing so we are willing to say what we can say. That is all.

Mr. STEWART. I want to get it clear first. We are talking about the present reservation as we now know it and the suggestion has been made that the Navajos be kept outside of the reservation; that you have a separate Hopi Agency and superintendent and that we should take it up with Congress. That covers it. Now, the present Hopi Reservation was created by an Executive order of the President in 1882. The President, when he made that order, said the lands were for the Hopis and such other Indians as may be located thereon. I have personally looked up the letters in the Washington office, the old letters, regarding the circumstances, and about the order by the President making the Hopi Reservation. Those letters indicate that there were at that time a number of Navajos living a little bit up to the north of here and so the order was made to read, "for the Hopis and such other Indians as may be located thereon," so as to take care of the Hopis in their villages and farm lands here and the Navajos who were a little bit north but still within this area. So, under the law, what we know as the Hopi Reservation is considered to be as much Navajo Reservation as Hopi. Therefore, that is why it has been suggested that within this area the President set aside—that the Hopi agree on some lines something like we outlined this morning on the maps. Taking into consideration that we would also be able to protect the Hopi shrines and fence those areas and perhaps some of those shrines for the Hopis' exclusive use, thereafter the matter of a separate Hopi Agency to look after the Hopi Indians only, would naturally have to be considered. Hence the matter of a separate Hopi Agency is—for just looking after the Hopi Indians—is necessarily dependent upon the Hopi Indians agreeing to some sort of definite Hopi boundary line within this Executive order area. It is not a matter for the Government to decide, it is more the responsibility of the Hopi Indians themselves, and so we have tried to outline to you this morning something to work on and as I pointed out, it is not a matter that we want you to hurry into and arrive at a quick decision, but for you to take your own time and think it over and let us know. Another thing, of course, we brought out this morning that any area that might be finally agreed upon—any lines—would

be fenced so as to keep the Navajos out and to keep their flocks out and to keep the Hopis in.

(Discussion among the Hopi Indians.)

LUKE. I want to speak about the present line you spoke of this morning. You have just come here and you do not know just where that boundary line is—how wide or how big it is. The way that we look at it it seems more like a garden to us—it is a little piece where the Hopi can really support himself. On the south side it is all right but for First Mesa it is right at their front door; it is narrow same as it would be with Hotevilla so if it is really necessary to have this settled I would like you to go around the land shown on the map. My boyhood—at the time when I was a child—I was sent into Keams Canyon at the time when Mr. Collins was superintendent. Mr. Collins talked to the Hopis that Keams Canyon was put there to have the school for Hopis instead of Navajos. Then it seems like the people you see in the crowd here they are all afraid to talk before your people; they are afraid to talk to public here and it is simply in cowardice that Polacco people have turned the thing loose and given it to the Navajos.

Mr. RADCLIFFE. Do they believe that the Polacco people have agreed to this boundary?

LUKE. No. The people have been knowing among themselves in these three villages that this should be settled by all people. It has been fixed by the First Mesa. The First Mesa just answered that they would live there among the Navajos.

Mr. STEWART. The thought has been expressed that the line we showed this morning on the map rather narrowed down the reservation on certain ends too much. I had hoped that I had made the matter clear this morning that those lines are not final lines. They are something only to put before the Hopi Indians to begin on to work out. It is for the Hopi Indians to think about and to consider whether those lines give them enough land to reasonably support them. And so that is the reason for wanting representative Hopi Indians from each of the villages represented here to come with us next Monday to go over those lines to see if the Hopi Indians think it is large enough. We will go around the boundary with you—with a man from each village—next Monday then after the representatives of these villages come back they can tell all of you what the lines are, in your own language and in your knowledge of the country—tell you what hills they go around, what washes, what springs, so you will realize just what it is. I know the maps do not show you just what they do to us who made them. Then, after I return to Washington, any time after you have considered it carefully, you write us through Superintendent Miller, what you think about the lines and if they do not cover enough tell us what you think should be the lines.

(Discussion between the Indians.)

INTERPRETER. There is nothing else we could talk about but only the outside boundary we are standing by.

Mr. STEWART. We won't accomplish anything by talking about that. The main thing is whether you want a segregated area and we want you to take your time and discuss it after I am gone and after we have gone over the land and you write the Washington office through your superintendent what you think about it.

Mr. RADCLIFFE. To-morrow we will be at Chimopovi and if they think of anything further we will be there to-morrow.

Mr. STEWART. It is understood that the two villages are agreed on one man representing each of the villages to meet us—or you get word where to meet Monday and we will have the cars somewhere to pick up the men from here and other villages and try to show you the boundaries on the ground as they are on the map as much as possible. Now, it is understood as to two men coming?

INTERPRETER. Yes; that is the understanding.

Mr. STEWART. One man representing each village and you will get word to us here to pick you up Monday. We won't be able to take more than one because we have the other groups to consider.

LO-MAN-LA-QUE: I want to speak a few words. I was very glad to-day that we have gathered here and we are glad to hear what you have talked. You have come a long way to consider this with us, the land proposition, so I am very glad that you have come and these older people have spoken and this is not our words—it has been taken from centuries ago from our forefathers and this is the tract we have known as to the old boundaries. Our forefathers have told us that we are coming to this land proposition just like it is now—at present. They have handed this down to their children up to this time now. And we have learned from you that these villages—the only particular villages are going to speak for their own villages. Are we going to send in a petition just as the

HP2729

villages. I have known from our forefathers that the old Hopi tribe sort of organized a body to work on this land propsition but it seems that it has turned out different—that only individual villages will speak about what they know of the old traditions. We have known a long time ago the only tradition this land proposition boundaries have been handed to us from our forefathers and we know that we will have no Navajos on our reservation. Here, Mr. Miller, knowing what has been happening from Navajo to the Hopi. It is only yesterday or this morning since light that I had heard or witnessed that a Navajo hit a Hopi man here at Talahogan. We have known that Navajo have put down his arms—instead of putting it away he just seems to step on it—at any time these disagreements come up he will pick up his arms again and the same thing has been going on right now. We do not know what will happen in the future if we let the Navajo on with us in this reservation—live with us. We do not know what will happen—he might have taken up his arms against us and have a war with our children. I have known, white people, that they have been having trouble with the white man and this Hopi never hit back to Navajo when Navajo strike so Hopi is nothing to Navajo. We have known this that the white man some day will come and settle this for us but it seems like you white people are afraid of the Navajo yourselves; that you could not do a thing for the Hopis. We have known and everybody knows that the Navajos are getting rich by other people; by stealing; by running off his stock. And I have known this so I have spoken to you and I am glad that you have listened and I have spoken.

Mr. STEWART. We have gone about taking this up with the villages mainly because there is no tribal organization among the Hopi Indians. If there was a tribal organization of Hopi Indians; a council or business committee composed of leading men of the various villages, whose word was to be followed in all matters, we could then take the matter up with a council of Indians but as it is we have to proceed slowly with each village because of the disorganized state. If you could organize so you would have a tribal committee representing all of the Hopi Indians you could get much more and get ahead much faster than you can through lack of organization.

SECAKAMAMA. Yes, that is what we have known a long time ago but it seems like we have scattered.

Mr. STEWART. So we have to proceed slowly and get the views of the groups as we talk to them and that is the point—we would like to have the views of the group here after I get back to Washington and you have had time to consider it. Of course, you realize that the time is long past when there will be any wars or harm between the Indians now. The government is so powerful and can get around so quickly that anything that might start would be very quickly stopped. So you need never fear any wars or anything with the Navajos.

GUY'S FATHER. I want to speak a few words to you. I have known from my forefathers that you white men are coming some day to help the Hopi out about his troubles. This I have known. And I guess you are the ones who are here to-day. And I have known that some day you would come in and would ask about this our land proposition—our old domain that we are having trouble with. And the white man comes here asking me about my land boundary lines there is nothing I could tell him but this old boundary line that we have been speaking about. And we know that you white men from Washington have a map of the Hopi Reservation. We Hopis have no map of any kind only we have known from our forefathers what our reservation is. And it is that to-day we have met you and spoken that you go back and consider this for us. That is all there is about our reservation.

Mr. STEWART. I have been very glad and had a lot of pleasure in listening to what you had to tell men and what you have told me has been put down and will be read in Washington and we will write to you through your superintendent and we want to hear from you some time after you have had plenty of time to study over this whole thing and after we have gone over these lines with your village representatives as much as we can, we want to hear from you. Have your superintendent write us and let us know what this village thinks, after I have gone back to Washington and after you have considered it. And I want to thank you for the good attention and your kindness in listening to me and the friendliness you have shown to us. And just one word more—you will get a copy of all that has been said here at this meeting.

(Meeting adjourned at 3 o'clock p. m.)

MINUTES OF MEETING OF CHIMOPOVI VILLAGE, NOVEMBER 23, 1932—SECOND MESA

Meeting called to order at 10 o'clock, a. m., by Superintendent Miller. There were 87 present.

Interpreters selected: Peter, George Washington, and Pinto.

Mr. MILLER. Now, gentlemen of Chimopovi, about two weeks ago they had a meeting at First Mesa in regard to the segregation matters and at that meeting they asked the superintendent to request representatives from the Washington office be sent out here to meet with and talk to the Hopis in the different groups about segregation. Before that time some of the Oriabi Hopis had asked the office in a round-about way to send our representatives too. So the office, in order to have the matter gone into carefully and you people all satisfied, as to just what the office thinks and wants you to do, they agreed to send out two men to talk to you. The office is very glad indeed to hear from you people and to have that request go into the office because they are very anxious to have you see all sides and hear all sides of this matter and they are glad to have a chance to explain it to you. Now, Mr. Stewart has come all the way from Washington out here just to meet the Hopis. He comes direct from the Indian Commissioner to the Hopis. Mr. Radcliffe over there has been connected with the lands of the Indians of the Southwest for a number of years. He is the man who goes along with this instrument they stick up and he looks through and finds the lines and he knows all the Indian lands in the Southwest so the Indian Office sent him along to answer any land questions and point out anything about these lands that you want to know and he is working with Mr. Stewart. I know both of these gentlemen and they are sincere friends of the Indians, working for their benefit and all they want to know is what is best to do. I am very glad they are here to-day and you people I know appreciate the great interest the Indian Office has taken to send these people out here and they are here now to answer your questions and help you with your problems.

Mr. STEWART. My friends, I have been looking forward to coming out here to meet the Hopi Indians and discussing this matter and I greet you with pleasure. Commissioner Rhoads and Assistant Commissioner Scattergood would have liked to have come out here and they told me before I left to express their regrets at not being able to come at this time because of the pressure of work on hand in the Washington office. They have, however, given me a written message to deliver to you, expressing their regrets at not being able to come out here now. I will read it to you. It is dated November 14, 1932, and addressed to The Hopi Indians.

"This will introduce to you our representative James M. Stewart, from our Washington office, whom we are sending to you in response to your request because neither of us can be absent from Washington at this time. He will explain to you on our behalf the various suggestions for the boundary line, and also that the proposed bill fixing the outside boundaries of the Navajo Reservation leaves open for the Secretary's later consideration the matter of the Hopi-Navajo boundary, and as present does not fix it.

"We hope you will look over the ground with Mr. Stewart. We hope, too, that then we can all work together, both Hopis and Navajos and ourselves, so that a definite boundary line fair to all can be fixed. After that, we shall try to get Congress to appropriate money to build a fence, and by it hereafter prevent any more friction from trespassing cattle.

"Regretting that we can not be with you at this time, and with best wishes,

"Very sincerely,

"C. J. RHOADS,
"*Commissioner.*

"J. HENRY SCATTERGOOD,
"*Assistant Commissioner.*"

I have had a copy made of the message to you and I will leave it here with you to keep.

Now, in regard to this bill that is referred to in the message from the commissioner and assistant commissioner, that means that it is a method by which we can go to Congress and get the consent of Congress to do things. Now the bill, I have a copy of it here, is all in writing and is presented to Congress and if Congress and the President approves it we can do what the bill sets out. Before explaining what this bill—this copy here—means, I want to have you especially remember this part of the message of the commissioners which they have sent to you. This is very important, this part of the message and I will read from the

HP2730

message "and also that the proposed bill fixing the outside boundaries of the Navajo Reservation leaves open for the Secretary's later consideration the matter of the Hopi-Navajo boundary and at present does not fix it.

(Interpreter calls for Albert to get a full explanation of "Secretary.")

That means that after this bill which I have in my hand is approved by Congress, it does not set out any definite Hopi boundary line but leaves things as they now are for future consideration and action. Now, have I made it clear that this bill does not change or make any new or different boundary lines?

Now, I will explain the bill, just what is in it, what it will do, what it means. There are three parts to the bill—three sections—three pieces—1, 2 and 3 sections. The last part, which is section 3, has no bearing at all on Indian lands or Indian matters. This section 3 merely grants the State of Arizona the right to consolidate State lands outside of all Indian reservations in the State in three State counties. Now I will try to say that a little differently. The State of Arizona owns land outside of the Navajo boundary and there are scattered pieces that they own and to make it one piece this section will give the State the right to give up its scattered pieces and bring them all together. The reason we have that section in the bill is because it will help us in regard to working out sections 1 and 2 or the first parts of the bill involving Indian lands. It will help us to get the bill approved and also help us in getting our Indian reservation land matter settled. Mr. Radcliffe has a few suggestions to make.

Mr. RADCLIFFE. I would like to say this—that within the present boundaries of this entire Indian country there are no State lands but outside of the present boundaries in some additions we are trying to make to the reservations, there are some State lands. If we get these additions made which are now outside the present reservation, this gives the State the right to take their land out of there and select them some other place—add their land to the Indians'. But you understand there is no State land in what the Hopis call their reservation.

Mr. STEWART. Now, the reason I brought up the last part or section 3 of the bill first is to get it out of the way because it has no bearing on Indian land matters and we can devote our time now to the other sections of the bill which affect Indian land matters very strongly. Section 1 of this bill describes and sets out definitely the limit to which we can extend the Navajo Reservation in Arizona—the boundary lines. Now Mr. Tadcliffe will show you on those maps there on the wall what this Navajo line will be and what the relation is between that line and the Hopi lands.

Mr. RADCLIFFE. This map you see here is a map showing all the Indian country—the Navajo country and the Hopi country in the northeastern part of Arizona; the northwestern part of New Mexico and the southeast part of Utah. I know it is pretty hard for a lot of you to understand the map, but this point right here is where Utah, Colorado, Arizona, and New Mexico come together all at one point. It is the only point in the United States where four States come together in one place. It is over a hundred miles from here.

One of the first reservations made in this country is what we call the Navajo Treaty Reservation. That is a reservation lying half in New Mexico and half in Arizona. That treaty reservation was made to the Navajos about 1868 or 1867—about 64 or 65 years ago. Before that time we know all of this country was Indian country. We know that the Navajos were in this country here and we know that the Hopis were right here where they are to-day. Since that time the Indian population in this country has increased and in 1878 there was an Executive Order made, making an addition to the Navajo Reservation—that is about 54 years ago. In 1880 there was another Executive Order made, 52 years ago. That was another addition to the Navajo Reservation. The next reservation that was made was called the Hopi Indian Reservation. That was made 50 years ago. That covers this country here where you now are and considerable country to the north of here. That order reads that this land was withdrawn for the Hopi Indians and such other Indians as the Secretary of the Interior may see fit to settle thereon. That is this area right here that you see on the map. That was a tract of land, the south boundary of which was a little below Tovar Mesa. (There is discussion as to the location of Tovar Mesa.) That line runs from over here across to Red Lake close by this Tovar Mesa to a point over close to White Cone. Then it takes in a straight line north up through this country to White Mesa, quite a long way north of Tuba City. Since that reservation was made there have been other additions to the Navajo country around here.

One addition to the Navajo country was north of that—between that and the Utah-Arizona line. And another addition was made around Tuba City and

Monecopi from the Little Colorado River east to the boundary called the Hopi boundary. Then another addition was made around Leupp down here. Now, outside of these areas as just described, there are a lot of allotments, nearly all of them Navajo. And this bill we are talking about that Mr. Stewart has just explained to you, sets out a line in Arizona here shown on this map by this red line, describing the exterior boundaries of this Indian country in Arizona here and making a permanent line of it—a permanent line.

Mr. STEWART. It takes in those Navajo allotments he just spoke of and keeps them in Indian country—all around this red line.

Mr. RADCLIFFE. Now, entirely within this line is the Hopi Reservation—this part lying here. Now this part right here is shown on this map—that is the whole map. That is the Hopi Reservation as shown on this map.

Mr. STEWART. Now, I will pick it up here. I want to point out at this time that what Mr. Radcliffe explained as the Hopi Reservation—that area was set aside from the public domain by President Arthur in 1882—50 years ago. When it was set aside by the President he said in the Executive Order that it was set aside "for the Hopi and such other Indians as the Secretary of the Interior may see fit to settle thereon." So what we now call the Hopi Reservation was set aside for the use of the Hopis and the Navajos.

Before coming our here I personally looked the old records up in Washington to see what it was all about and the indications from the old correspondence of 50 years ago indicates that at that time there were a number of Navajos living north of these mesas up in here and that is why it was set aside for the Hopis living here on the mesas and the Navajos living up here.

Now, because of the fact that the Hopis and the Navajos live in this Executive order area, or live in this area, it has been suggested that separate Hopi boundaries be fenced so as to keep out the Navajos and their cattle and to keep the Hopis from using the outside land and to keep their cattle in. It has been suggested that two areas be set aside for the Hopi Indians. One large area in here and then over there where the Moencopis are. Mr. Radcliffe will tell you about those areas and the description of the proposed lines.

Mr. RADCLIFFE. We all know that for a long time it has been indicated and talked that the Hopis have a separate area set out here and a separate agency. So last spring I came out here and went over all this country and drew a line as nearly as could be determined on the ground between the Navajos in this area and the Hopis. And setting out such an area as that is what that bill means, giving the Secretary the right to set aside from time to time areas used exclusively by the Hopi Indians and it also gives him authority, if the areas set out are found to be too small, to enlarge them later on.

Now, we are not out here to urge you to establish that line. We are out here to try to explain it to you and see how you feel about it. We are out here to try to answer any questions that we can in regard to this. I think that is about all.

Mr. STEWART. Will you show them that it takes in all their villages?

Mr. RADCLIFFE. This line here—anybody can come up here and see where these villages are located. Here is first mesa, here is second mesa and here is Oraibi and here is Hotevilla. This line runs five miles north of Hotevilla. It runs from the Denabito Wash across here almost to Keams Canyon. That is to a point 10 miles north of Keams Canyon. Then it comes from there south to the Jadito Wash. Then it runs down the Jadito Wash to five miles below the road crossing the Jadito—the main road out to Winslow. Then it goes from there back across, taking in Burro Springs, back to the Denabito Wash—a mile and a half below Burro Springs. It hits the Denabito Wash over there close to where the store is on the wash—just above the store. Then it follows up the Denabito Wash back to where we started north of Hotevilla. Now, as I said before, we are not here to urge you to take that line but to know what you think about it.

Mr. STEWART. Those areas, or this area, just explained here, covers approximately 500,000 acres, which, as I understand it, would take in practically all of the lands actually occupied by the Hopis and also practically all the water in this part of the country. In addition to this area, which takes in all of these Hopi villages, about 32,000 acres are to be set aside for the Hopis over in the Moencopi Wash area.

We want to repeat that we are not urging these lines on you. We have set them out merely as something for you to work on and consider. There is no hurry about reaching a conclusion, because this bill does not change things any different from what they are now. What we want you to do is to consider whether you want definite Hopi boundary lines and what you think of these lines

HP2731

if you do want separate lines, and for you to take your time, all winter or next summer or all next winter—all you need to reach a conclusion as to what you want. It is up to the Hopi Indians themselves to decide what they want; whether they want a segregated area which would be fenced, and also a setting aside of the Hopi shrines and a Hopi firewood reserve, or whether they want things to remain as they are. Now, we have told this same thing practically to the Hopi Indians of the first mesa and to the two other villages on this mesa and it is only fair to you to know what the other groups have thought about it, so I will tell you. The three villages on the first mesa were unanimously for not changing conditions from what they now are. They want the Hopis and the Navajos to continue living side by side. They want the agency to be kept as it is for the benefit of the Hopis and the Navajos. They just do not want anything changed. They think this bill is all right if we change it a little bit so as to bring out that this area here which is now known as the Hopi Reservation shall still be continued to be known as the Hopi Reservation. (Albert verifies this.) That is, leave the name of the reservation as it is, leaving the Indians living as they are and not changing it in any way.

Now, as to the other two villages on this mesa, we talked to them yesterday and told them just what we have told you but they did not arrive at any definite conclusions or agreement and we suggested that they think it over and consider it, taking their time and letting us hear from them as to what they wanted done. We told them to write us their views through the superintendent, and I will say to this group here that they also let us know sometime in the future after they have thought it over; that they let us know through their superintendent what they think of it. Mr. Miller, do you think of anything we have left out?

Mr. MILLER. I think you should speak about going around the boundary.

Mr. STEWART. Now, before closing and listening to your questions, we proposed to the First Mesa Hopis and to the other two villages on this mesa that they agree on some one representative to meet next Monday at some convenient place and we would drive around as much as possible and point out these proposed lines. Since the first mesa Hopis went on record as against any change they also stated it would not be necessary for them to send anyone along next Monday to go over the boundary. We do, however, expect a representative—there will be two, one from each of the other villages on this mesa to be on hand Monday, and we would like you to get together and designate some one in here to be on hand Monday unless you have already decided.

Now, in regard to this trip. The field men here tell me it would be a week's work to actually go over all of the lines and to carry it right down to the last point. Well, with that in mind we have made arrangements so that after I leave the actual going over will be made by Mr. Howell and Mr. Bigham—they will actually go over the lines with you. What we will do Monday will be to go to the different places that you can see from and point out as much as possible what the lines are. The matter of going through all those washes—a meeting can later be held with the same representatives and Mr. Bigham and Mr. Howell will go over the boundaries with them. The purpose of showing these lines is so that you, as representatives, can come back and tell in your own language and understanding of the country, just where they are because we realize these maps are quite hard to understand.

Now it is getting pretty near lunch time and if you are willing we will adjourn so as to give you a little time to eat and think it over and we will come back here at 1.30 and answer any questions you might like to ask. (Interpreter asks them if they want to make up their mind now or later.)

Mr. STEWART. At the first mesa they wrote out what they wanted done and handed to me but there is no hurry and you can write later. Now I want to make it clear—you do not have to settle this in a week. You have all year to settle it. Decide what you want to do yourselves. Keep that in mind. We are not urging you settle this now or next week. It is up to you when you want to settle it. Is that clear? You could write into the office any tine through the superintendent, setting out what you think about it.

VEITS. I want to say a few words regarding the matter and since he is on the side of the people of this village he will say a few words just to take along.

Mr. STEWART. Wont it be well for us to come back this afternoon?

They agree and the meeting is adjourned until 2 p. m.

Meeting reconvenes at 2.05 p. m.

Mr. STEWART. We will resume the meeting and we would like to hear any questions you might like to ask.

VEITS. I am very pleased with you to be here talking with us to-day and I personally appreciate being here with you and having a chance to talk with you about the rights of the people here of Chimopovi. I will talk on our side and hope whatever I say you will take along with you direct to the Washington office.

Mr. STEWART. I am very glad to be here and we want to hear what you have to say and every other Indian here and what is being said here is being taken down and will be taken back to the office with me and will be considered.

VEITS. Being the descendants of the Chimopovi people here and being considering the tribal land claims I will point it out through from here north to the Colorado River and down along the river through that Marble Canyon and down away distant from that bridge at Lee's Ferry, down along a line and at a certain place coming up from the Canyon and on southwest from there along the San Francisco Peaks, recognized as being an old shrine of the Hopis in considering that as a boundary, the original line, but a little farther down, and along from there south through them blue ridges up to the last point and southwest from Winslow and then from there eastward along the highest point, along there and up to this Woodruff Butte along there a little ways ahead up there at a certain point turning north and a little above Ganado along the pine ridges coming down along there and intersecting with the Canyon (what do you call it) Canyon de Chelly, and along there coming up pointing north straight up to the Navajo Mountain and down into that river. That is the tribal land claim of the first people here.

Mr. STEWART. Just so that I make sure that I understand it, the statement is made that through Hopi shrines scattered away out around there, through those Hopi shrines you claim the boundary of the Hopi land should follow those lines, all based on the fact that the Hopi shrines are scattered around there?

Mr. VEITS. This is all that I have to say. The people here are only interested in that. But the belief of the first people here, as he marked out the original line, and inside of that we are told that he was to depend on you to protect this land for him—that inside of this land that whoever does those things wrong and mean should be moved out of that place. He is looking upon our white friends and brothers as their duty to do this. It is your duty to look after this. I am not supposed to be the one to fix it out. In doing this, in looking after these Indians you are in this land and doing whatever thing they need and helping, they will depend on you for that also. It seems that they love their land and have realized that they were not to be taken off anywhere or moved out of this place and I think in such condition as it is now and the land that I am speaking of that my aim is to keep on and get you to go after it for me until I get it because as the way the thing is now there is nothing improving, no improvements, and it ought to be of some way so it could be. I want to help to uplift my people here and get them into better conditions. Since I heard about the people at first mesa from your statement this morning, in your statement as to their wants on the reservation including the Navajos and leaving things the way they are, it displeases me as it is quite a different way here than it is at the first mesa. We believe that by not allowing the Navajos into the reservation here or in this land here. I do not believe in keeping the Navajos in here as they have been an intrusion to the Hopi people.

Mr. STEWART. Does that represent the idea of this village or just his idea?

INTERPRETER. That is the idea of this village. He is the spokesman for the whole people here. Have you any question to that?

Mr. STEWART. I am going to answer when he is through.

VEITS. I am much interested in having a separate superintendent and agency; one for the Hopis only and one for the Navajos so that there will be no disturbances. It is my aim ahead to be in touch with you people with correspondence through the agency. Personally he sometimes, you know when his time is necessary for such question he wish to know and the expects an answer from you people. Since you have shown this map to the people here, these people here—there are quite a number of us who do not understand the map here and they do not get anything out of it. But they have learned a little from it but yet they are much desirous of holding on to their own original line and that is what I want—I am very anxious to hear about what has to be done about that. Mr. Miller, I am talking to you, inquiring of you that some time ago there was a letter come addressed to Veits and he found it opened down here at the post office and of course you know he never knew what had been done to it and he asks that you be careful about your men about this; that he thinks it has been opened in one of these places here.

Mr. MILLER. Does he want me to say anything about that?

INTERPRETER. Yes.

HP2732

Mr. MILLER. That was reported to Mr. Wheeler and Mr. Wheeler asked me to attend to that and find out how that happened and when it happened and also told me that I speak to Mr. Potts about it and he asked me what I thought about action in the case and I told him it should be reported to the Post Office Department in Phoenix to the inspector, and have him to attend to it when he came out and Mr. Wheeler thought it a good idea.

Mr. POTTS. I sent that in to the inspector in charge in San Francisco with regular report. The postmaster has to make a report on anything of that kind and so I made a report to the inspector in San Francisco.

VEITS. That is all I will say.

Mr. STEWART. In order that there be no misunderstanding I would like to put before these Indians that it has been indicated that Mr. Veits Lomata is the official spokesman for this village on this matter to-day and I would like to have all of these Indians told that and see if there is any objection and then I will go ahead and answer those questions. [They agree.] First, it was brought out that through the Hopi traditions and mythology it has been passed on down to the present generation that the claim of the Hopis to the old ancestral or old far flung lines would be protected for them so that when the white brother came he would see that something was done to protect the Hopi rights. And that we, the Government, are now the white brothers and it is up to us to protect the claim of the Hopis to those ouside boundary lines; is that what he means?

INTERPRETER. Yes, that is just what he means.

Mr. STEWART. That very question in a little different language was put to us yesterday by the other villages of this mesa and we told them that it was an issue separate from this segregation matter, or this boundary matter here on the map, separate from that and should be decided separately. We also told them that as far as our records in Washington show there is no treaty, written treaty or agreement between the Government and the Hopi Indians, and that being so it would be extremely doubtful whether the claims of the Hopis to those far flung lines could be substantiated. The reason for that statement is that usually in cases of this nature where claims for large areas of land by Indians are made it is decided by Congress whether those claims have any merit. We also told the other two villages on this mesa that other Indians in the United States, especially the Warm Springs Indians in Oregon and the Great Sioux Nation up here in the north have made claims similar to the Hopi old boundary claim. Now, the situation involved in those cases is the same involved in this Hopi claim. That is, the lands they claim, if they are not already Indian lands, have passed out of the control of the Government into white ownership. That being so, and realizing the lands claimed can not be returned to the Indians, the matter is usually presented to Congress for what we call a jurisdictional bill or authority or act to take the claim of the Indians of that kind into court for adjudication, for clearing up. Before Congress will grant authority to any Indian tribe to go into court with such claims, it has to be convinced that there is merit in the claims.

Now that is usually decided—or we will change that—that is usually determined by whether or not there is a written treaty or agreement between the United States and the particular Indian tribe, the obligations of which have not been fulfilled. If there is a treaty that says the Indians are entitled to certain land, but the Indians have only part of it, then it is a claim but it has to go to court. Now, as I said before, there is no treaty known between the Government and the Hopi Indians and that being so, and further that all the lands within these far flung boundaries out along the Colorado River, San Francisco Peaks, Winslow and on up—all lands in that boundary are now either Indian lands or have passed from Government ownership to whites, why it is practically a matter that really I do not think Congress or the courts would consider as having merit.

Now that brings us to the matter of this village, through its spokesman, wanting a separate Hopi Agency or superintendent and a separate Navajo Agency and superintendent. Of course, I am glad that was brought out because it must be clear to you that until you have a definite Hopi boundary line, a separate superintendent and agency could not very well administer or carry on the affairs of the Hopi Indians very successfully—without conflict. So that brings us right home to the situation that I am here to try to explain, which we went over this morning. And that is—that before any separate Hopi Agency which is to be just for the Hopi Indians, could be created, it would first be necessary to have definite Hopi boundary lines beyond which the Navajos would be kept out. Now, it is a matter entirely up to the Hopi Indians themselves as to what boundary lines they want covering an area reasonably large enough to support them—enough land for cultivation and farming; enough land with wood on it for firewood and fencing and

building these places here and enough of their shrines reserved for their exclusive use so that in the end we just get right back to the point of considering some area—not that but some area which they want for their exclusive reservation.

Now, referring again to the claim for those far-flung lines way out—you know those old lines. I understand that Senator Wheeler, who was a member of that committee that came through here some time ago, made an informal address to some of the Indians of this village regarding that. Now if there is one of the Indians here in this gathering who was present and heard Senator Wheeler, I would like to have him get up and tell you Indians what Senator Wheeler told them so we can also have a record of it. It is very important, I think. A man of his standing in the Senate, it is very important when he expresses his views in these matters.

(Veits was present.) Will you tell everybody in Hopi what Senator Wheeler said and then tell us so we can have it.

VEITS. A few days ago along about 5 o'clock Mr. Wheeler and Mr. Grorud came in here and began talking with these people. These people were in there with him about thirty minutes, something like that. He showed them the same and explained the same something like this you got here and told me just how the thing is. Veits stood up and talked and told them that this is what these people do not want and then, of course, I began to tell them what these people want—that old line they claim. They told him similar to what they have told you here and they answered the question saying that the matter would take a close consideration for the matter about this big land—the original line—and it would be kind of impossible to say that it would come. He also urged him to speak in both sides to this present matter and to the traditional lines both and he also took the sketch of just what they have told him of about the line of about where, they made a close guess showing the old claim, and he took it along.

Mr. STEWART. I understand that Senator Wheeler indicated that as all those lands out there are now white owned and the thing is in such a position that it looks very dubious that he said the Hopi Indians ought to forget it. Is that so?

VEITS. There was nothing of that kind.

Mr. STEWART. Now, to get on with this in regard to these Indians—he will write the office through the superintendent and expect an answer. He said that?

INTERPRETER. Yes.

Mr. STEWART. We will be glad to answer, and promptly too, any communications. We certainly will.

Now, getting back to the map here. We realize it is hard to understand for everybody here and that is the reason we would like to have one of you meet us for that trip Monday and show you all we can and then have Mr. Bigham and Mr. Howell follow the whole thing out with you a little later on.

Now, I want to make it clear toward the end of our talk that that line is not the final line by any means. We are just working on something so that we will have something to work on and what we want is the expression of the Indians here themselves as to whether we should change that line somewhere along here to extend it or whether it is satisfactory to them. We want their views in general as to the whole thing. And it is up to the Indians whether they are to have a separate reservation. It is not up to us. You have to decide that. Now, if there is anything else just let us hear about it.

VEITS. This is all under their interest what I delivered to you and that is the best we can do.

Mr. STEWART. Well, I think you made a very good showing—a fine showing—and I was glad to have you tell us what you Indians here thought and it has been a pleasure for me to come out here—a big pleasure—and I hope I will be out here again to see you Indians and this whole thing will be settled up as soon as possible. And as a last word on that proposed boundary, I just want to say that it is up to the Indians themselves and we are not urging any hurry. They can take all the time they want and I want to thank you for the wonderful attention you have given me and the fine turnout. There are quite a few here and I am very much pleased with everything. I thank every one of you.

OLD MAN. I am the man who made a trip into Washington from here with a group as a delegate and I want to tell you what I have and how I met the head men and with the others personally and how they have made an agreement that by coming back and improving around the little springs and I want to tell you that was around the Bear Springs—not the one you have on the map—and that this other Bear Springs you have on the map would mean pointing out to that boundary line up next to the mesa here reporting as grasping that area of land.

Mr. STEWART. That is the thing to work out when we go around here with the representatives of the villages and then the men can come back and tell you

HP2733

because the Indians know the country better than a map and then you can work out where you want the line to be.

OLD MAN. My idea is to go around the springs where they want to put their houses. If there was a line it seems that I meant by pointing it out to you what you call far flung boundary line. He thinks that is what he meant; talking about that and probably a misrepresentation or misinterpretation of the office and it is plenty hard to find out how it is.

Mr. STEWART. Just tell them that a copy of the minutes that were taken down here will—when I get back to Washington I will have a copy made and sent out to Superintendent Miller—a copy for this village.

Mr. STEWART. If there were any record kept in the file about the old arrangement made 50 years ago the Old Man talked about we would know of it, but I have had men look through all our old records and can not find anything.

MAN. I want to know if there is any objection—I am trying to put a house up at Sand Springs where the most Navajos are around those washes and they have made me come home.

Mr. STEWART. That is a matter over which I have no say; it would be up to the superintendent.

Mr. MILLER. I will do all I can for him.

Meeting adjourned at 3.30 p. m.

MINUTES OF MEETING OF ORIABI VILLAGE, NOVEMBER 25, 1932—THIRD MESA

Meeting called to order by Superintendent Miller at 10.05 a. m.; 82 present. Interpreter, Otto Lomavitu.

Mr. MILLER. We are opening the meeting, as the majority are here.

You will remember some time ago, you Oriabi people, that in a meeting you asked Otto to write the department and ask that a couple of representatives on this land matter be sent out from the Indian Office, and later the people from First Mesa had a meeting and they also made the same request; so the Indian Office, through Mr. Rhoads and Mr. Scattergood, very graciously agreed to send Mr. Stewart out here, of the land division of the Indian Office. He has been all over this southwest field and is conversant with land matters. They also sent Mr. Radcliffe here, who has done the actual field work and made all the reports. He is conversant with the country and the Indians and the laws and the legal status of the Indians and the lands, and I do not think the office could have sent any two men who could have been able to give you more information or have the interests of the Indians more at heart than these two men. They have very sincere interest in doing all they can for the benefit of the Indians. They have been sent out from the Indian Office directly to the Hopi people on this trip, and I assure you that they will be very glad to go into any proposition or any phase of the land matters that you may put up to them. I want to introduce Mr. Stewart and Mr. Radcliffe.

Mr. STEWART. Thank you, Mr. Miller.

My friends, it is with great deal of pleasure that I am greeting you this morning and I first want to say that I have addressed six other Hopi villages within the past week and the response in turning out and giving me their undivided attention, and also Mr. Radcliffe, has been wonderful and it looks like we have a splendid turnout here this morning and I hope we will get somewhere before the day is over.

Now Mr. Rhoads and Mr. Scattergood especially told me before I left Washington that they would have liked to have gotten out here and meet you people and discuss this matter. Due, however, to the pressure of important legislative matters which demands all their time there now, they could not come. They did give me a message to the Hopi people—to all the Hopi people—which I will read to you. This message is dated November 14, 1932, and is addressed to the Hopi Indians.

"This will introduce to you our representative, James M. Stewart, from our Washington office, whom we are sending to you in response to your request because neither of us can be absent from Washington at this time. He will explain to you on our behalf the various suggestions for the boundary line, and also that the proposed bill fixing the outside boundaries of the Navajo Reservation leaves open for the Secretary's later consideration the matter of the Hopi-Navajo boundary, and at present does not fix it.

"We hope you will look over the ground with Mr. Stewart. We hope, too, that then we can all work together, both Hopis and Navajos and ourselves, so

that a definite boundary line fair to all can be fixed. After that, we shall try to get Congress to appropriate money to build a fence, and by it hereafter prevent any more friction from trespassing cattle.

"Regretting that we can not be with you at this time, and with best wishes,

"Very sincerely,

"C. J. RHOADS, *Commissioner.*

"J. HENRY SCATTERGOOD, *Assistant Commissioner.*"

I have had that copied and I am going to leave a copy here with you for your information and to keep. I think you would appreciate having that and I will leave this original here for looking over. That message speaks for itself and I do not believe any comment is necessary. Before we get to the matter of the land problem here, I would like to emphasize part of this message. And that is that part reading as follows: "And that the proposed bill fixing the outside boundaries of the Navajo Reservation leaves open for the Secretary's later consideration the matter of the Hopi-Navajo boundary and at present does not fix it." That is quite important. Now I will come back to that later.

Before getting on with the land discussion I would like to say or rather compliment the band for its performance this morning although I noticed that it needs some additional equipment. I am mentioning this part so it will go back to Washington in the minutes and be seen by the people back in Washington when they read these minutes in case I forget it.

Now, in regard to this land bill, it is necessary to bear in mind that any bill, as we term it, which is in fact proposed legislation. Any bill that considers Navajo, Arizona land must also consider the Hopi land. They are so closely related; in fact, the Hopi lands here are practically surrounded by Navajo lands. So with that situation in mind we were confronted with this fact—that there are a great number of Navajo Indians—in fact there are so many that they have migrated from the reservation and settled off the reservation but adjacent to it on the public domain. It has been suggested that instead of giving those Navajo Indians who are off the reservation on the public domain, instead of giving them individual homesteads or allotments, that we extend the present boundary line in Arizona so as to cover them into the reservation. And so we have drawn this bill extending the reservation lines to include these outside Navajos, as we will term them, within the reservation. That line is indicated on that farther map by red line and I will turn over to Mr. Radcliffe the matter of interpreting that line to this gathering.

Mr. RADCLIFFE. My friends, I think we all realize and we all know here that this land problem of the Indians in this whole northeastern part of Arizona and northwestern part of New Mexico and Utah has taken a great amount of work. This map here indicates and takes in a part of four States, Colorado, New Mexico, Arizona, and Utah. This point right here is where all those States come together. It is the only point in the United States where four States join in one place.

We all know that a long time ago all of this country was Indian country. In fact, all the United States was Indian country. One of the first areas set aside in this country for Indian use is what we call the Navajo Treaty Reservation. Then there has been added from time to time to this original treaty reservation by Executive order other lands in New Mexico and Arizona and Utah. And in recent years as the Indians kept increasing and spreading out there have been a lot of allotments and homesteads made in New Mexico and around the outer edge of the reservation. Within these additions that we propose to add to the reservation so we will have more room to expand, we have have railroad lands, Indian allotments, Indian homesteads, white homesteads, and State lands all together. Now, this red line you see here represents the boundary that will be established in the bill Mr. Stewart has just mentioned to you. Now, within this red line we have considerable land that has been purchased by the Navajos out of their oil money. And in this Castle Butte country which we propose to add down here we have Indian allotments and railroad lands and a few white homesteads. A great deal of that land will be turned over to the United States by exchange. In Arizona at the present time we do not have an exchange law. We do have one in New Mexico. This bill will give us an exchange act in Arizona. Now, within all of this Indian country as mapped out here, we have what is called the Hopi Indian Reservation. That is shown on the map right here. That was set aside by Executive order dated December 16, 1882. Now this part as shown on this map here is this entire map. This is made on a larger scale than that one. This is what we call the Hopi Indian Reservation—this map right here.

HP2734

After talking for a good many years about Hopi segregation, last spring I came over here and made a survey, with the cooperation of Mr. Miller and some of his field force, and we set out as nearly as possible, a division between the Navajos and the Hopis on this reservation. Now, this map outlined here, which you see here, was not put up with the purpose of urging you to do this but it was put up here so we could try to explain it and see how you feel about it.

Now, Mr. Stewart, you can go ahead with the bill.

Mr. STEWART. This talk to this point is preliminary toward trying to give a background on which we can discuss the bill.

Now, there are three parts to this bill, or three sections, and in order to get this last section, which is section 3, out of the way I will talk about it first because it has on bearing on Indian lands or Indian matters and then we can devote our time to sections 1 and 2 which are sections which bear on this matter.

This section 3 will allow the State of Arizona—after this line has been determined as a reservation line, the outside line of the Navajo reservation, and after the privately owned lands inside are exchanged, this section will allow the State to solidify all school lands, or block them up, in any of these three counties, Coconino, Apache, and Navajo, so we can just do away with section 3.

Mr. RADCLIFFE. That means not block within that area but they can take their lands outside.

Mr. STEWART. Section 1 of the bill describes, or rather sets out, this line here in red so on down here (pointing out on map), it will come down along here and up here and across over to here and brings it back again up to here. That sets out that line as the exterior or outside boundary of the Navajo reservation in Arizona. This bill relates only to Arizona. Section 1 of the bill also contains this phrase. That after this line is set out that the lands in there are withdrawn "for the benefit of the Navajos and such other Indians as may already be located thereon." That is very important, that phrase there. We put that phrase "and such other Indians as may already be located thereon" in the bill so as to protect especially the rights of the Hopi Indians to what is called their reservation.

(Otto asks right to call for corrections if he has misinterpreted anything.)

Mr. STEWART. Now I want to emphasize that this bill, as now drawn, does not in any way change or effect what is now known as the present Hopi reservation, however, realizing that the Hopi Indians are practically surrounded by Navajo lands and Navajo Indians, it has been suggested to us that perhaps it would be desirable if the Hopi Indians were to have a particular area for their own exclusive use. And also that their shrines be reserved for their exclusive use and necessary land with wood on it be reserved for fire wood and fencing purposes. With that suggestion in mind we caused tentative lines to be set out which Mr. Radcliffe referred to and this line represents one of the tentative areas and over in here is another area proposed to be set aside for the Moencopi Hopi Indians.

Mr. RADCLIFFE. This area that is set aside for the Moencopi Indians is not within the present Hopi reservation. You understand that?

Mr. STEWART. This area here within this red line covers about 500,000 acres. It takes in all of the Hopi Mesas, villages, and also takes in Burro Springs down here and practically all of the water in this part of the country, including Coyote Springs. The separate tract for the Moencopi group of Hopi Indians covers about 32,000 acres.

Mr. RADCLIFFE. I would like to say right at this point that these lines shown here were not drawn by one man or two men but after there had been a lot of reports sent in on this subject and Doctor Colton has been consulted about that map and several others. It was not by just one man. I did the field work, but the map was made after consultation with a number of others and after all this work and consulting everybody concerned we agreed that if we did have to set out an area that that would be the best we could do.

Mr. STEWART. Now, with that background, we will go back to the bill, section 1. That contains a proviso which I will read here:

"*Provided further*, That the Secretary of the Interior is hereby authorized to determine and set apart from time to time for the exclusive use and benefit of the Hopi Indians such areas within the Navajo boundary line above defined as may in his judgment be needed for the use of said Indians."

That proviso means simply this, that if at any time in the future the Hopi Indians themselves feel that they want a separate boundary line, the Secretary of the Interior can define it for them and set it aside as an exclusive reservation for the Hopi Indians. It does not at all mean that there will be any arbitrary action, any action without the consent of the Hopi Indians for the setting aside

of any lands. It just gives power to the Secretary of the Interior to act in the future on anything the Hopi Indians decide, if they think it is wise.

Now, section 2 of the bill gives us an exchange right that Mr. Radcliffe referred to similar to the one we have in New Mexico, whereby we can move private owners, with their consent, outside of the outside lines—get them out by exchange. They give up the lands they have within the lines and select land outside.

Mr. RADCLIFFE. Tell them right there that there are no school lands concerned in the Hopi Reservation.

Mr. STEWART: This section 2—these private owners, as a rule, are the State and the Santa Fe Railroad with grant lands and some homesteaders, perhaps, and the New Mexico and Arizona Land Co. It gives those private owners the right to give up all their holdings on the inside of these lines and select land of equal value on the public domain.

So that really we are only concerned with section 1 of the bill. Section 2 and section 3 are immaterial to the matters we have on hand here. We will refer to Commissioner Rhoads's and Assistant Commissioner Scattergood's message to you which we read at the early part of this meeting where they say that an attempt would be made to get Congress to appropriate money to build a fence. Now commenting on that—that means that should the Hopi Indians decide that they want an exclusive area for their reservation we would try to get money to fence it—not only this large area but the small area over there for the Moencopis and the shrines and perhaps the firewood tracts.

Now we are not urging those lines at all—we are suggesting them with a view of giving you folks something to work on. Something that you will have as a guide to work on and it is up to you Indians whether you want those lines or any lines for a separate reservation and there is no hurry in reaching a conclusion. This winter or next summer or next winter you can consider it and so on.

Before closing I think it only fair that we tell you what the other Hopi villages have told us and thought of this proposition. I am not telling you this with any idea of influencing this group. I think it is a matter of fairness.

The three villages of the first mesa went on record, on a written record, that they did not favor segregation. That they favored conditions remaining as they now are. The intermingling of Hopis and the Navajos, working for the common good of all. They went on record, I believe, as not objecting to this bill but, however, suggesting that they would like the present Hopi area to be continued to be known as the Hopi area. I think that is right, is it not, Mr. Adams? (Mr. Adams verifies it.) The villages on the second mesa we addressed, Mishongnovi and Schaupolovi, we addressed those two villages on Tuesday and Chimopovi on Wednesday, and they did not reach any conclusion but indicated they wished and would consider it and perhaps write us through Superintendent Miller some time—no definite time—as to their views. In looking around here I was struck by the fact that I have seen so many present I have met on this visit that it looks like there are people from all those mesas we have talked to present. Is that so? (Yes.)

OTTO: LOMAVITU. I just want to ask—they did not indicate any area?

Mr. STEWART: They did not indicate any particular segregation. They talked about the ancestral home area, everything way around, and we answered them. And I might say that copies of these minutes of all the groups are going to be sent out here for your own information and if you want to exchange them to get the views of each you may.

So we will bring our talk to a close as far as we here are concerned, Mr. Radcliffe, Mr. Miller, and myself, and I would like to say you are free to call in any of your white friends and get their views and we want you to do this and I want to emphasize that this bill does not in any way set up or change the Hopi land and the matter is up to the Hopis to reach a conclusion if you care to and give us the benefit of your suggestions.

Mr. MILLER. Could I ask Otto if he got over to the people here that the full minutes as taken down by the stenographer of all the meetings will be given—not just their part but all of them.

OTTO: LOMAVITU. I understood that the minutes of the different councils would be returned to the people and then we can exchange.

Mr. STEWART: We are putting it all under one cover, the minutes of all the villages and each group can then see in one glance what has been going on. There is just one more word. That is we have told the other groups that we have talked to, that we would like to have a man representing that group be designated to accompany us Monday and we are going over, as far as possible, these lines. I

HP2735

have been told that it may be necessary to pack outfit into the areas that you can not drive in places, so Mr, Miller has arrangements made with Mr. Howell and Mr. Bigham and Mr. Lomavitu and any time after I have left we want you to come forward and take advantage of that and go over those lines. Now, the position taken by the first mesa people, although they indicated definitely just how they feel about it, I would appreciate it if they would send a representative from each of those villages (I am now talking to the representatives here from the first mesa) if they would send a representative along Monday just to make it unanimous, and later on they can go out with this pack outfit, if necessary, to go over the actual lines.

Now we will be glad to answer any questions to the best of our ability that you might care to ask.

OTTO: LOMAVITU. I wonder if I may be permitted to ask them to consider among themselves as to how they understand it.

Mr. STEWART. How about letting you all get together and we will come back this afternoon about 1 or 1.30 and hear what you have decided.

Meeting adjourned at 11.25 a. m. until 1.30 p. m.

The meeting was again called to order at 1.30 p. m.

Mr. STEWART. I guess everyone is here who was here this morning so we will resume and we will be glad to listen to any questions and will be glad to answer as best we can.

OTTO: LOMAVITU. There is one or two questions we like to ask before taking up the subject further. There is one particular point on which we of this little group or organization have been quite anxious to get definite information and that is as to the possession of title to this Executive order reservation called the Hopi Reservation. We would like to have answered this afternoon our question. In the Executive order of December 16, 1882, there is a clause which reads "and such other Indians," has been interpreted as meaning the Navajo Tribe, who are residing in this area and so according to that there has been explanation made to the Hopi people that this reservation is more or less a common property though called the Hopi Reservation. Has the Hopi or has he not any title to this reservation?

Mr. STEWART. The Executive order of December 16, 1882, reads as follows:

"It is hereby ordered that the tract of country in the Territory of Arizona lying and being within the following-described boundaries, viz, beginning on the one hundred and tenth degree of longitude west of Greenwhich, at a point 36 degrees 30 minutes north; thence due west to the one hundred and eleventh degree of longitude west; thence due south to a point of longitude 36 degrees 30 minutes north; thence due east to the one hundred and tenth degree of longitude west; thence due north to place of beginning, be, and the same is hereby, withdrawn from settlement and sale, and set aprat for the use and occupancy of the Moqui and such other Indians as the Secretary of the Interior may see fit to settle thereon."

I took occasion during the past winter to look through the old records and findings—papers of the department in Washington—to see just why, if I could, the use of that last phrase "for the occupancy of the Moqui and such other Indians as the Secretary of the Interior may see fit to settle thereon." The reports I found indicated that the Government officials who made those reports wanted to save this land and this area that the Hopi Indians have been living on for so long from encroachment by the white people. It was reported by those Government agents in those days that white people were beginning to get into this country and it was also indicated in the correspondence that a number of Navajo Indians were living north of these mesas. In order to protect the Hopi Indians in the long-continued occupancy of the mesas here and the use of the low lands for farming, which the record indicates they have been doing from time immemorial, this Executive order was obtained from the President. Now, the fact that there were some Navajos living well to the north of these mesas is the explanation of that clause "for the Moqui and such other Indians," etc. And it has been construed by the department that this Executive order of 1882 was for the joint use and benefit of the Hopi and Navajo Indians. Of course, you realize that these distinctive Hopi villages and Hopi mesas are Hopi lands as distinguished from the lands to the north occupied by the Navajos at that time. In other words, we do not believe that this Executive order gave the Navajos any rights to this mesa or to these villages. It only recognizes the fact that they were then living within part of the Executive order area and therefore we have been obliged to consider this Executive order as being for the joint benefit of the Hopi and the Navajo Indians. Does that answer your question?

OTTO: LOMAVITU. Yes; that explains the whole thing. Now, in other words, the title to the whole area does not rest with one tribe.

Mr. STEWART. That is true.

OTTO: LOMAVITU. Now, the second question I wish to ask is this. According to the clause "As the Secretary of the Interior may see fit to settle thereon" may I ask: Have these people ever been officially settled there; if so, was there an official action taken which would be necessary and at what time?

Mr. STEWART. To my knowledge there has never been any official movement of these Navajos from one part of this country, any movement by the Government taking them from outside, do you mean?

OTTO: LOMAVITU. Yes.

Mr. STEWART. No; there has never been, to my knowledge, in fact our records do not show that. It is just a matter that has come about by itself. Those Navajos were there and they have come in since that Executive order. There has been no official movement by the Government moving them in. They have been there and come in there on their own initiative.

Mr. JOHNSON. Now, you visitors and the rest of the people here, you have no doubt some questions. (He means the representatives from the other villages.) You have had your conferences already and expressed your views and you will have realized that in none of your conferences have you delved into these questions. You have never gone into these questions in your conferences.

Mr. STEWART. Yes; we did.

Mr. JOHNSON. Now, you will realize that just these two questions now asked has given to us a wide scope of the situation. I think it would be good for you people to ask questions now if you have anything to ask or we would also be glad to have you explain to us at your convenience just the reason for your decision as to what you want to do. We will be glad to explain our reason. We want to get a clear understanding so we will be able to cooperate in these things.

BYRON P. ADAMS (from first mesa). That is a good point brought out by Johnson but I feel that this is no time for argument between ourselves. Mr. Commissioner has sent out his representatives and we do not want to be shown to the Indian Office as a bunch of scrappers, never to be able to reach any conclusion but try to prevent. Mr. Stewart requests that we will try to work toward one end and if we take these matters up in the presence of Mr. Stewart I feel we will make a bad impression to the department and cause the department to make a decision which might be regretted by us in the future.

GEORGE (of first mesa). I feel that this is your conference and we had our time and the whole time was devoted to our wishes and consideration, and so forth, and I feel that we should not intrude into your conference; we have dealt into those questions which we liked to ask and they have been answered so we will just let the matter go as it is.

OTTO: LOMAVITU. We extended that invitation to you because of these particular questions—if you want to ask any questions. Mr. Stewart and the rest of your gentlemen: We have reduced to writing that which we wish to present before you this afternoon.

Mr. STEWART. Fine. Would you be kind enough to read it.

OTTO: LOMAVITU. Out of fairness to all here, I would like to go over it in Hopi after reading this in its entirety.

HOPI-NAVAJO LAND DISPUTE

Mr. CHAIRMAN and FELLOW CITIZENS: A year ago last May we petitioned the subcommittee of the Committee on Indian Affairs that they request the Commissioner of Indian Affairs to send out investigators to the Hopi country to make thorough survey as to its mineral, agricultural, and grazing resources, together with the inhabitants thereof and their several livestock. The Commissioner is to make a thorough study of their findings and is then to outline a proposed boundary for the Hopi and Navajo Indians. He is then to submit this proposal to the Indians concerned for their consideration along with his reasons.

We now have outlined for our consideration an area which is approximately one-fifth of the Executive order area which, it is proposed, should become exclusively Hopi land. No data or reason for outlining this area has been furnished us.

We believe in fair play and justice to all. We believe that settlement should be made along the line of practicability in order to be lasting and satisfying.

In the Executive order of December 16, 1882, just 50 years ago, this year, the clause, "and such other Indians" was undoubtedly put there without the consent of the Hopi Tribe. The clause was placed there with the idea of giving equal

HP2736

benefit to the two tribes involved. This was done with full knowledge of the traditions and characteristics of these two people, which are fundamentally opposed and which make them natural enemies. It was but 14 years before, that is, in 1868, that the Navajo Tribe was liberated from captivity at Fort Sumner where they were taken because of their misdeeds against their neighboring white people and Indian tribes who made common cause against them.

Fourteen years later, that is, on December 16, 1882, President Arthur set aside a tract of land which contains 3,860 square miles or 2,472,320 acres. The Government conceded that this land belonged to the Hopis Indians, recognizing their right thereto by the order above mentioned although it reserved to itself the right to dispose of it as it saw fit.

To a discerning mind it is evident that the Government relied upon educating and christianizing these people in order to bring harmony and cooperation among them. Had this hope been realized there would be no occasion for a conference such as we are having this day. Whenever two objects of diametrical character are placed together the weaker of the two is soon consumed.

Consequently skirmishes, recriminations, and retaliations ensued. The Government agents at Keams Canon and Tuba City were given the job of keeping order and doing justice to all but found it almost impossible to remain neutral. With what authority they have been vested, they have fought to save these people.

The Hopi people, who are the home builders, were told by the Government to build homes on choice lands and springs, giving them material aid to accomplish this object. The Hopis responded and homes were built but were soon torn down, walls, roof, furniture, stoves and all, by the Navajos. Believing and trusting in the Government's promise of protection, the Hopi people reported these happenings to their respective agents and principals who again promised protection but more often neglected action. The Hopis were and are being driven back onto their mesas. Thefts of serious nature, of cattle, sheep, horses, and crops were and are still being committed. Fences torn down and blows given.

Up till this day no Hopi who has attempted to farm or graze his cattle and sheep amongst this people has yet succeeded in reaping a full harvest due to depredations upon his property by the neighboring Navajos. He is molested, insulted, and otherwise ill-treated by his neighboring Navajos who seem to joy in making it unbearable for him to remain and this in such a way as to present an innocent front before the law. It is more than we can bear to have these indolent and lazy people come prowling and congregating around our choice fields when we of miniature stature have stood the brunt of sandstorms, cutworms, drought, and burning sun with aching and blistered backs to nurse one stalk of corn to maturity in this desert waste while these tall and muscular people have spent their time in visiting hogans, their groups of wives (for the Government does not seem to mind that these people live in polygamy), and gambling while feasting at their host's expense having forced their infant children no sooner out of cradle to tend their sheep and cattle while their women weave rugs to support men. When a man has to work and till his field with one eye on his work and the other on the lookout and then is chased back to his mesas for the last half of a century, he has reason to complain and demand justice. How long shall these self-supporting, peaceful, and industrious Hopis suffer these injustices? Who among the people of the United States can brook oppression in his own case another year? O justice, where art thou?

One need but turn over the leaves of history and reports to Washington office made by the Government agents, investigators, and disinterested individuals to confirm our narrations. Petitions and pleas for immediate action for remedying existing conditions on the part of the Indian Office have been made numberless times but conditions remain little short of being stationary.

Now as to the division of the land. What we have to say regarding this matter, for this we claim no authority from the elders or chiefs of the different villages except in the matter of segregation. What we have to say is based upon the findings of the members of the Hopi Council of Oraibi, which is composed of educated Indians and some uneducated but experienced Indians.

We do not want this division made yet. Neither the Hopi nor the Navajo are able to draw a line which can be satisfactory to both tribes. We see this from the outlay of the proposed Hopi area which is but one-fifth of the Hopi Reservation, although there are about 3,000 Hopis and a few hundred more Navajos dwelling therein. If the land be divided according to the number of livestock possessed and actual occupancy, the division would be unequal. Here again is brought into prominence the opposite characteristics of these people, namely town builders or village dwellers, agricultural (though also stock raisers) and

HP2737

deep-seated religious people as against nomadic or roving people, stock raisers and people of Bedouin character. The area under consideration actually ignores Hopi occupied and utilized lands and throws back Hopi cattle, sheep, and horses unto a much overgrazed land, land that is full of rocky and almost useless mesas, adobe and alkaline ravines, deep washes, rolling country almost bereft of vegetation; land in which every productive and a likely productive land has been utilized for agricultural purposes for centuries so that it is well nigh depleted. The area proposed is depleted of grazing and fuel resources. Many places are barren, the result of erosion due to overgrazing. At other places soil depletion makes it no longer possible to support vegetation. A large portion of this area is covered with snakeweed, another evidence of overgrazing. It gives no room for or promise of deferred and rotation grazing. The grasslands are given no rest throughout the year. The proposed boundary leaves no room for expansion but literally "kills" the tribe. Farewell to this propsition.

We want that Executive Order area of December 16, 1882, be made exclusively Hopi, free from any debt if there be any. The clause "an such other Indians" must be dropped from the order. Congress has power to do this.

In asking for this area we are not asking for something which does not rightfully belong to us by all the rules of equity and fair play. We believe it to be possible and practical in spite of obstructions and expense. The Hopis feel that the United States Government is responsible for existing conditions. It has power to grant or refuse admission. It has power to remedy conditions. We feel that it is the duty of the United States Government to find lands for the Navajo people from an unused public domain and to take this crushing burden from off the shoulders of the Hopi people. We appeal to this Nation's sense of justice.

As for the future of the Navajo Indians immediately concerned, we think a period of 25 years should be allowed them in order that they may have sufficient time for adjusting themselves to new conditions. It is to be understood and put into writing by proper authorities and agreed to that at the expiration of this period from the time the present Hopi Reservation is proclaimed exclusively Hopi, they are to leave this area for all time. In the meantime they must be segregated and each given an Agency. This order of course will require new regulations peculiar to the Hopi and Navajo group, the Hopi people occupying one end of the reservation while the Navajos enjoying the other end. It is to be hoped that by that time both tribes will have flourished, especially the Hopi, so that they will have utilized the land so that they will be able to use the rest of the reservation having become educated thereto. We think, however, there should be an attachment of a small fee to cover fuel and other consumption.

As to the matter of segregation all the Hopis, with the exception of those of Walpi or Polacca, (of whom a large portion dissent with their elders in their decision in this matter) desire it. We contend that fifty years is sufficient time to have tried out the policy of the government for harmonizing these people. To ask that this policy be continued is to court endless trouble due to the very nature of each tribe, their mode of life. A change of heart is necessary which the law can not accomplish. While this policy exists both tribes suffer. It is not that we have no friendly or cooperative spirit towards this people but it is to maintain this spirit that we desire segregation. Our present agent, Superintendent Miller evidently realizes this and has recommended and urged it during the senatorial investigation in 1931. This is to be done in order to afford efficient administration and to give an equal opportunity to both tribes to progress.

In conclusion we ask once more that the Executive order Moqui (Hopi) Reservation of December 16, 1882, be made exclusively Hopi and that the two tribes involved be segregated and given proper supervision.

Thank you.

Respectfully submitted.

OTTO: LOMAVITU,
President Hopi Council of Oraibi.
SEBA S. JAMES,
Vice President.
JACOB COIN,
TOM MOATZKA,
K. JOHNSON,
Elders.

Mr. STEWART. This is indeed an extraordinary statement and very well prepared too. It is quite formidable to answer on such short notice. After boiling it down it seems to boil down to four main items, that is land matters. Leaving out matters not relative to land matters as I see it it boils down to this:

First. That we have drawn certain proposed lines and given no reasons for those lines.

Second. That this representative gathering of the Hopis locally is unanimously against settling this matter on those proposed lines. In other words, those lines are out.

Third. All of the Executive-order area is desired for the exclusive Hopi Indian use.

Fourth. Twenty-five years be given those Navajos living in this Executive-order area within which to get out. That this be accomplished by legislation and that regulations be drawn providing for a fee to be paid by those Navajos until they do get out.

Substantially, that is what it is. Now those are the four very pertinent items, as I see it, in boiling down this very well prepared statement just presented. Now are there any other items that I have overlooked?

OTTO: LOMAVITU. No.

Mr. STEWART. I would like just to consider that I am not from Washington in the next few minutes and I am just some one interested in this very perplexing situation. To begin with, there is no Hopi treaty or agreement, written or otherwise, as far as I can find out with the United States Government. They have no treaty obligation, obligating the Government to set aside any particular land, neither have they a written agreement. This 1882 Executive order was a gratuitious act on the part of the Government. And in answering the question just previously asked, we brought out the fact that this Executive order was obtained for the joint benefit of the Hopi and Navajo Indians living within that area. Now, if I may I would like to answer items 3 and 4, and 1 and 2 last.

Three, we will say, wants all of the Executive order by legislation for the Hopi Indians. Four is the 25 years for the Navajos to get out and the payment of a fee by them while they are getting out. In the past we have had attempts made by the Government to remove small groups of Indians from their home sites without success. As we say sometimes a man's home is his castle and we certainly can not drive a man out of it and that has been well indicated in the past. Here we have, according to this book of hearings of the last committee, I think it is in volume 18, page 9314, we have a statement indicating that in 1930 there were 3,300 Navajos and 2,472 Hopis within this Hopi Executive order reservation. It is reasonable to assume that out of this 3,300 Navajos many of them were born in that Executive order Hopi area and to them it is their home. To obtain or seek to obtain legislation, in fact legislating them out of their home, it seems to me would raise such a howl that, as we say, you would not get to first base. I honestly and sincerely believe that would be the result if we tried to obtain legislation, legislating this land all away from the Navajos. I really do, in all honesty.

SCOTTS. Undoubtedly there would be such a turmoil, but if the Indian Office may know of or has it considered the fact as we brought out that these people are polygamous people, that they practice that to-day; they have wives which is the real explanation of the fast increase of the tribe. Does the Government know about that?

Mr. STEWART. Yes, steps have been taken to break down that form of life or marriage and I believe that to a large extent it has been broken down and will continue to be broken down until it is extinguished. I really believe that. In the office my work is land work. This matter is a little outside of my jurisdiction, but from listening to conferences here and there about the office it is my understanding that they are making inroads against that practice which has existed to a great extent in the past.

OTTO'S FATHER. As to that matter, as to your remark as to making legislation to drive the people out of their homes, let it be said this that to the Navajos there is really no place he can call his home. He is a nomad. And no place that he really calls his home. He recognizes that people from Chin Lee, from that district, them come clear over here to Leupp district in the winter, abandoning all of their locality there.

Mr. STEWART. Of course, I had in mind in a larger sense that these areas—not that they build their homes and live on a particular place—but this large area is their home land though not in the same sense as the building of a house.

OTTO: LOMAVITU. In other words, it comes to the effect that the Government conceded that these lands that we occupy now and have lived on for centuries, that by the rights belong to us, they recognize that. But the Navajo, wherever he spends the night that is considered his home. A Navajo comes over and makes up his mind to camp and that is his home. It is the roving habit makes him owner of the whole thing.

Mr. STEWART. Not so much that. If we will refer to the north end of this Executive order area. For years there have been more Navajos moving in there, living in there, than Hopis. Therefore, the common opinion existing is that the Navajos are well up to the north and the south is preponderantly Hopi land and Hopi inhabited. So realizing that we will create quite a storm of protest, why that is in effect an answer to item 1; the drawing of these tentative lines and our reasons for it. We do not say to you here are the lines, take them. No indeed. What we say is, these have been suggested to us by our field men, by white persons who apparently have the interest of the Hopis at heart, and it has been given to us to present to you to consider. Now, that is our reason right there. No other reason. It is up to you, not to say off-hand, why we do not want that. We want you consider it carefully so that you will be able to say, we have considered it and we think if you will give us more time maybe we can arrive at a better understanding and that area may not be large enough. Therefore, we want more time. That is why this bill has been drawn so as to give all the time necessary. And that is why it has been drawn reading that the "Secretary of the Interior may from time to time." If this bill were passed and you agreed to set that line out, if you came back a year later and showed and convinced them that line was not enough, the language in this bill is so that he could increase that line. There is nothing fixed. It is elastic and can be stretched; that is why we particularly put it in the bill so the Hopi will be protected as far as possible. So I say to you that perhaps the opposition that naturally will develop to any legislation of that nature, perhaps it was not considered by you and I would commend to your further consideration of this matter this winter or any time with a view of arranging for some particular area because as far as trying to obtain that old area is concerned my personal view—now this is not the office speaking—this is my personal view. I do not think you will get to first base with it. So I would suggest that after I have gone back to Washington you consider further and write to us as to whether you would care to revise somewhat your findings as expressed very ably by your spokesman. We would be very glad to hear from you and we would help you as much as we could. Thank you.

OTTO: LOMAVITU. The thought has come to me and that is this: We presume it is desirable on the part of the Government to give a tract of land to the Hopi Indians which they can really call their own. At the present time the tribe has no land at all it can really call its own; it is a common property according to the words in this order. The Hopis desire, on the other hand, to have a tract he can have real title to to avoid further difficulties that may arise from land, questions that may arise later on about minerals, etc. That is what the Hopi people want, something they can really call their own.

Mr. RADCLIFFE. Let me suggest this in regard to mapping out a boundary. I know there are some Hopi people here who are able to go out on the ground with a blank copy of the map and map out what they want. Appoint a delegation and send them out on the ground and let them map out an area and submit it to the department.

Mr. MILLER. As I understand that bill, if these Hopis designated any area that would not be a final division. The Secretary could give them additional land any year or two years until they got what they deserved or what the Secretary thought they ought to have.

Mr. STEWART. The bill does not fix any line between the Hopis and the Navajos but the Hopis must fix the line and then we will accept it.

Mr. MILLER. I mean the bill does not fix any lines that can not be enlarged at any time.

RALPH and HOMER. As far as the members see there is no end to dispute over that. When you desire to take away part of the property occupied by other people and give it back to other people there is no end to that. It is unworkable.

Mr. STEWART. That is so. We will leave some blank maps here and we expect to hear from you later.

BYRON P. ADAMS. May I be given a little time to express my views? When this matter was brought up at first mesa none of us had had time to familiarize ourselves with just what we would do with the matter. I was called upon and when I got to the village I was asked to take my place with the group and what I said there I had not prepared until I got on my feet and said what I did. Now, sometimes it is better for a man to acquiesce in a question that involves the welfare of a neighboring race or tribe. I commend the spirit of all these educated young men of this village. You are all as one man in this what you deem to be a question of the personal rights of the Hopi Indians. But we must understand that none of us know the meaning of policy or political prestige. None of us can

HP2738

realize the extent of the authority of these three men, Mr. Miller and Mr. Stewart and Mr. Radcliffe. We must concede ourselves to be the children of the Government over whom Mr. Miller has absolute authority. Your petition, to me, has brought out matters which may not hit the right spot. You know very well that this land proposition was heard first by Albert Yava, then he called on me for assistance and I gave it. Then I called on you and you lined up with us and the old land matter has been going forward through our planning and our digging into the records, but the moment I saw the expression of the department I found that it was a useless fight regardless of the fact that we have argued principles which we deem to be in favor of the Indian. Now, the expressing of Mr. Stewart this afternoon is equivalent to this—that the Government has power to tell us where we should eventually draw our lines as our exclusive reservation. Policy forbids these expressed statements but you and the other educated men can sense the meaning of it all. Now it is a losing proposition the way we are divided in the separate villages and insist on certain lines. Let us strive on for better things for both tribes. I feel that it is only manly on the part of your president here to let every essential of the Executive order of 1882 remain in force and let the Navajos remain to reside on here. You and I know that I think the Government is under obligation to the Navajo Tribe for the fact that it has put out many thousands of dollars that belong to that tribe and they can not conservatively do anything that will hard or bring disruption among the Navajo Indians. While many people look upon the Hopis as nothing, they have materially helped the Government in many ways and hence we have been or will be, if we do not lay down our arms, given an area which will be too little for us in the long run. We can not talk about practical methods, claiming the four corners, for we for some reason can not get away from these villages and if we insist on it we are as good as lost if we are to demand the whole reservation for the exclusive use of the Hopis. Therefore, in closing, I appeal to you as a brother with a sense of reason to disregard and put aside your petition and ask them to conclude this afternoon that the original proviso of the Executive order remain in force. You and I know that if the matter is to be left up to us to talk it over we will reach no conclusion. That has been proven and it is for that reason that I have withdrawn from active part in any matters because we are unable to get our people lined up in anything.

OTTO: LOMAVITU. We wish to go on record here not as people who are stubborn. We are open to conviction. But in the light of past affairs it is reasonable that the two tribes be segregated. That must by any means be. Segregation and give proper supervision in their own way. The common mingling of these people among those will always give trouble. That has been proven for the last 50 years. It is to be hoped that eventually the object of the Government might be realized. However, in the mean time it is proving detrimental to the two tribes. That has been proven over and over again. For instance, which of the Navajo groups who live within 8 or 10 miles from us who are occupying that district, which of them will be willing and ready to vacate in favor of the Hopis in case the Hopis come up to that place to graze or farm.

Mr. STEWART. In answer to that question—as I see it—it would be answered in this way. That if any lines are definitely agreed upon by the Hopis themselves, we will put the lines up to the Navajo Tribal Council and if they agree to those lines they will see to it that every Navajo within those lines gets out. There will be no trouble there.

RALPH. That, in my mind is somewhat short of being worked out—not likely to be worked out. It is a very difficult thing. It is not that the Navajo is pushing on to this place or just pushing out of his present location. However, if things should remain as they are and further additions needed to that, there will be just as much argument.

Mr. STEWART. Last July at the Navajo council meeting this matter was put up to them and their reaction was that any reasonable lines will be agreed to without any opposition at all.

BYRON ADAMS. I believe that this talk here is simply to prevaricate the question on your part. It was really to give the wrong impression. The smooth talk they carry on in such manner, notwithstanding, their action. We know from experience, actual contact, that that does not work. It never has worked.

Mr. STEWART. This brings us right to the proposition of giving the Secretary the right that if you designate a line he can make it exclusively Hopi. The matter of mentioning the Navajo Tribal Council was the matter of getting the Navajo within any line outside. We would work that through the council rather than trying to get out there with policemen to get them out of the boundary. I had that in mind about getting the Navajos outside the line. That is what we put up to them at the council and if that is adopted I think they would get out. Did I make that clear? The matter of the boundary would be fixed by the Secretary of the Interior but if there are any Navajos we would work them out through the tribal council. I do not want to get anyone confused on that. The council does not set up any boundary and the matter of getting any Navajos would be worked out through the Navajo Council.

Mr. RADCLIFFE. I wish that the people here would give this matter of taking the map and putting their lines on it consideration and also the people of the other villages and let us know what they think about it. I have some extra copies of it here and you are perfectly welcome to them.

OTTO'S FATHER. As to that part we have already said our say on that subject for the present—about this proposition. As far as this is concerned we have unanimously discarded that outline. That has been done away with.

Mr. STEWART. You might put it this way. This is a map of the Executive order. We are giving you a copy without these lines and will you indicate lines you want?

SCOTTS (one of the large cattle owners). Do I understand it this way. Now I have purchased a better breed of cattle or stock. I got it from the agency and other places, a steer and a horse. Now and then I keep on improving but due to lack of water now over on my range I have had to lose them. I desire to move on a different locality. Is it understood that I have permission to drive my cattle up toward the Little Colorado River, up toward that location? I have invested money in it and I have lost the steer and some cattle. Have I a permit to rove about to those localities? Those are some of the things that may come up that are very serious. I have lived in that district for some time and I might say that I have every spring for the round-up I have always found my cattle less in number. I take good care of them. I know exactly what the number of the cattle are. I might say these are the only ones who really stay with their cattle. I know the number of the head. I have lost a number of head but five [redacted] the largest I ever lost. They are valuable to me and they are lost. Just what becomes of them I do not know, but I live among the people who have that reputation and I know them and it is reasonable to think they do those things. They keep on coming closer and closer. These people use our water holes and all this. They have used our grazing lands without compensation. And now just before I came here they have moved over to another choice field. We do not bring these things before the agency. We have done it a number of times but no action has been taken on it so the authorities may think we are getting along nicely. We know from experience it does no good to bring these things to your attention. They are doing this right now. Now this comes to our point. This area is over-grazed and there is no room for rotation. Here is a number of sheep for instance. The man sees the grass is giving out, winter is coming. What is he to do. He moves to another district. But someone else from over here moves on.

Mr. STEWART. That is true all over Arizona and New Mexico.

OTTO: LOMAVITU. Consequently this is a tract of land on a good deal of which it is very doubtful to keep a single goat.

Mr. RADCLIFFE. I just recently made a survey of the country and I could almost count the blades of grass in that country now. I might say this in connection with the whole program; that within that Executive order that takes in Leupp and clear up to Cameron and as far as the original Santa Fe grant line here there were 327,000 acres of land that belong to the Santa Fe Railroad. This order was made—this order of 1900 and 1901—that did not take this Santa Fe land out of there but the Navajos are now buying that at the rate of $1 per acre; they will buy 327,000 acres in that area. I want you to undersatnd that I am not referring to this to talk about the Navajos but I am merely mentioning it to show you some of the problems we have on the range question.

SCOTTS. Here is the problem we have to confront. Our cattle we brand IDH of this jurisdiction. The Leupp district, however, has the L. Now I was listening to a conference carried on by Superintendent Balmer of Leupp and he made the statement that all cattle branded IDH were to be driven over this district. But to my knowledge sheep from Leupp district come over to graze on this district. They bring them in. Sheep from the Leupp district come over to feed on the Hopi district. They come over to our range and live there some time. We have pointed out sheep from Chin Lee district coming way over south here. They go back and forth from great distances from different jurisdictions and they are permitted to stay. Now that is what they do; they permit them to come on this reservation. Now five days ago I saw a drove of sheep come from first mesa around toward my range and go right in front of my range, about 1,000. Yet and

HP2739

again a like number passed in south there of my district; that is how they use our range and give us no room for expansion. The people from the mountain in north have system of dividing sheep in two flocks, keeping one on the mountain and driving the other back and forth.

Mr. STEWART. The answer to those sheep and cattle questions is this: Should any Hopi definite area be set aside it would be wrong to set it aside unless it was fenced. Is that not apparent? And until a fence is somewheres you would have to keep watchmen day and night to catch these sheep going and coming. And that seems to me to be one of the reasons behind this proposed segregation. We propose, if anything is adopted, to ask an appropriation from Congress to fence it. It will take several thousand dollars to do it.

SCOTTS. I am speaking these things from actual experience and observation of these things. My brother and I we have lived there for the last eight years without let-up. We take care of our stock all these years and we know exactly the number of cattle we own. There is no material increase. They are just about holding their own, having the same range but they are not increasing and we know exactly what time of day or night, for that matter, that the encroacher appears. The encroacher always makes it a point to approach during sand storms and also during snowfall—while the snow is falling he appears and at the setting of the sun. We who are cattlemen also raise a little crop on the side. After driving our cattle up to water we can not chase them. We were taught not to rush our cattle so we have to take time and after watering them we turn them loose and then they rest until they are ready to move off again. We can not afford to be looking after them during the night, as we are tired from our work in the field. There is no increase in spite of all the efforts we put in.

Mr. STEWART. That is a little out of my line but I am glad it was brought up and it will be read by Mr. Rhoads and Mr. Scattergood and no doubt they will take steps to look into it and remedy it. The fact that it is going down here assures you that it will be given attention.

ROGER (cattle owner). Let me just add a few words and let it go on record. I have my range and ranch house 13 miles north of this place. I live within about a third or quarter mile from a Navajo hogan. I have lived there for years. I drive my cattle about 6 or 7 miles west of my place to range. Up to the Denabito wash—Sand Springs, and I understand the boundary of the Hopi Reservation lies a short distance to the outside of that. Here's a man, my neighbor Fred. He still has a little ranch beside my place and his cattle range up to within a mile of the reservation line the other way. Up to the Red Buttes within a mile distance of the Executive order line. Now, these Navajos live away from me and they have flocks of sheep. For one reason or another they always drive these sheep up to my door—on hot days the Navajo sheep found shelter under my roof. I don't know what to do. I might think of retaliating and drive my cattle up to the foothills where he lives for water. That is how it works. What can be done about that? Here's a proposition. You can readily see that we are already occupying all of the south district. There is nowhere you can enlarge on this thing. On this map they come clear over here—the Hopi cattle. That is why I say this.

Mr. STEWART. That is just what we are out here for, to get this information and to get your reaction.

ROGER. Furthermore, it is very confusing. Our cattle are mixed up. Some solution must be found for this. That is why the Indians, as far as this proposition is concerned, we bid farewell to it.

Mr. STEWART. We are not urging that you accept that. What has been told just shows why the suggestion has been made to make a definite boundary line to be determined by the Hopi Indians themselves.

FRED. That is just the reason why because of our occupancy of all of this district we want the old Executive order area. Because of the death of grasslands as stated by you gentlemen, it becomes necessary, if the Hopi is to progress, to give him range and field so he can have rotation grazing. That is why they are demanding the whole Executive order. There is no chance whatever for a Hopi to wedge himself between the Navajos. That causes conflict, which Mr. Miller will verify. That is why the Hopi demands that the whole Executive order area be proclaimed exclusively Hopi, but because they are not now ready to use the whole thing, he is willing to extend 25 years which he believes is a fair proposition.

SCOTT. Once more I wish to say that these are the very reasons why we are asking that the whole Executive order area be given to us and let us have that [illegible] to progress at all and if there is any mind and

OTTO: LOMAVITU. Now the point is this. We should like to have the Executive order area proclaimed exclusively Hopi and the Hopi given title to that area. It is not our purpose, however, to kick these occupants out now. That will eventually work out. What Hopis living here are occupying the district together with the Navajos but a line of demarcation must be made on the same principle you are suggesting now; that the two tribes must be separated and grouped in the two portions of the reservation, one part occupied by the Hopis and the other part by the Navajos, but the title must be in the Hopis.

Mr. MILLER. Does that include the Moencopis?

OTTO: LOMAVITU. We are not concerned with the Moencopis as they are provided for. Let the title be given to the Hopis and the Hopis will let the Navajos remain 25 years and let them work out their salvation during that time. To let things continue as they are is a death blow to the Hopi Tribe. As I say, there is no chance of the Hopi wedging himself into the already occupied sections; the water holes are already occupied by Navajos. The thing to do now is to proclaim the reservation exclusively Hopi and legislate so the Hopis will have it and the Navajos be permitted to live there the next 25 years and in the meantime segregate the two tribes and give each an agency.

Mr. STEWART. Are you not afraid if you keep the Navajos in there 15 or 25 years they will grow so fast they will overrun down in here?

OTTO: LOMAVITU. I think according to regulations it will be the Secretary's business to keep them out.

Mr. STEWART. You believe that a line of demarcation should be set up, that about two-thirds in the south should be Hopi and about a third in the upper part should be Navajo for the time being?

OTTO: LOMAVITU Yes.

Mr. STEWART. All I can say is to refer to the position that I took during the afternoon on that point. The storm of protest that would arise would probably defeat any legislation on that line.

OTTO LOMAVITU. No move these Navajo people from the lower part to the upper after the demarkation should be made; to remove the Navajos it would not be the same principle.

Mr. STEWART. You mean to leave that upper third of the Executive order land Navajo land. It is very simple to move a few families but it is very difficult to move 500 families, approximately 500 or 600 families. Here's the argument regardless of where they are; they are in this area. If this from here on down were to be made Hopi land you have Navajos down in here. Where are they going? They are either going up or out. We can not escape that fact, and it is already overcrowded.

RALPH. That is just the point. That is where the whole situation lies. Mr. Miller knows very well the admonition given him. We move to a new locality. Perhaps we do not move into the right locality. In other words, no location on this common property is certain to anyone person.

OTTO: LOMAVITU. We appreciate this conference very much and we wish to thank you very much. We want this organization to go on record as being open. We are willing and glad to cooperate with the Government. We shall give further consideration to these statements we have presented and we will send the other conclusions over to you or to the office later on. In regard to these statements we desire to leave them with you now. Now, aside from this conference, may I ask have you planned to have meeting at Hotevilla to-morrow?

Mr. STEWART. Yes.

OTTO. I do not know whether there is any further business to be had before you this day. As there is pending our reconsideration of these things I am just wondering if it would inconvenience you to have another conference here.

Mr. STEWART. I will be in this country until Monday night and if you want to reconsider or question further that could be between now and Monday night. I would like to make this suggestion. Inasmuch as I am only going to be here a few more days and considering the importance of this, I would like to suggest that you write to the office through the superintendent after further consideration, referring to this meeting, and then we will have the whole thing before us and what you write in will be placed with these minutes and I want to express my appreciation for the attention and fine gathering here to-day and say that I thoroughly enjoyed the questions brought up and also answered them as best I could and I hope that I did answer them satisfactorily to you. Thank you all.

Meeting adjourned at 4.50 p. m.

HP2740

MINUTES OF THE MEETING AT THIRD MESA, NOVEMBER 28, 1932, VILLAGES OF HOTEVILLA AND BACABI

Meeting called to order at 11 o'clock a. m. by Superintendent Miller.
There were 78 present.
Interpreters, Emory, Thomas, and Guy.

Mr. MILLER. We are opening the meeting now and if you boys can get up close it will just be fine.

Several months ago the boys at Oriabi had a meeting and they requested the Washington office, Mr. Rhoads and Mr. Scattergood, through the Hopi agency, for some representatives of the Indian Office to come out and talk to them in regard to the segregation and other land matters and then about two weeks ago the First Mesa people had a meeting and they also requested a representative from the Indian Office be sent out to the people of the different villages of the Hopis to talk to them about this segregation and their land problems. The commissioner and the assistant commissioner have been very eager to have the Hopis meet a representative from the Indian Office and they were very glad to acquiesce or grant the request of the Hopis to have these people come out and talk to them. The commissioner and assistant commissioner could not get away at this time themselves or they would probably have come too, but they sent out here into the field the men who have been working on this land question and the gentleman in the office who handles land matters, especially the matters pertaining to the lands and segregation of the Hopis. The office has sent Mr. Stewart here and Mr. Radcliffe here, who has been all around this country surveying it for the last 10 or 15 years, out here especially to talk to the Hopis. They have sent this man clear from Washington out here just especially to give his time to these Hopis and talk to them about this matter. These people are very sincere in their work and they have been with the Indian Office a long time and they understand land matters better than any other two people probably in this part of the country and they are very friendly and sympathetic and they will answer anything in the way of questions about this matter that you want. I am sure that they will be the very best two people that you people could have out here to talk to you about this matter. Now, when anything goes into the Indian Office about lands, Mr. Stewart answers the letters. When Dan writes anything in or Otto or Albert or Byron Adams or anyone else, Mr. Stewart has handled the correspondence and he knows all about what has been written and all about these maps. Mr. Radcliffe made these maps. He has been out in the field everywhere and he is a surveyor and he can tell you anything about the maps or about the country. That is Mr. Radcliffe and this is Mr. Stewart and they will be glad to do anything you want them to do about explaining things.

Mr. STEWART. My friends, I am very happy to be here this morning and meet with you and discuss this matter. We had planned to meet with you last Saturday but when we learned that you had some of your ceremonials under way we were very glad to postpone it until to-day. Commissioner Rhoads and Assistant Commissioner Scattergood asked me to tell the Hopi Indians that they would have liked to have come out here personally and meet the Indians and talk this matter over with them but because there are some very important legislative matters now before the Indian Office they were unable to come. They did, however, give me a written message to the Hopi Indians which I will now read. This message is dated November 14, 1932, and addressed to the Hopi Indians.

"This will introduce to you our representative James M. Stewart, from our Washington office, whom we are sending to you in response to your request because neither of us can be absent from Washington at this time. He will explain to you on our behalf the various suggestions for the boundary line, and also that the proposed bill fixing the outside boundaries of the Navajo Reservation leaves open for the Secretary's later consideration the matter of the Hopi-Navajo boundary, and at present does not fix it.

"We hope you will look over the ground with Mr. Stewart. We hope, too, that then we can all work together, both Hopis and Navajos and ourselves, so that a definite boundary line fair to all can be fixed. After that, we shall try to get Congress to appropriate money to build a fence, and by it hereafter prevent any more friction from trespassing cattle.

"Regretting that we can not be with you at this time, and with best wishes,

"Very sincerely,

"C. J. RHOADS, *Commissioner*,
"J. HENRY SCATTERGOOD, *Assistant Commissioner*."

Now, I have had copies of this made and I will leave copies here for you to keep.

Before discussing the land matter I would like to emphasize a few lines of the message just read; that part reading as follows: "and that the proposed bill fixing the outside boundaries of the Navajo Reservation leaves open for the Secretary's later consideration the matter of the Hopi-Navajo boundary, and at present does not fix it." Please bear those few lines in mind because they are very important and we will come back to it later after we get into discussing the bill.

In regard to this land bill, which is in fact an act or proposed legislation. Here is a copy of it which I have in my hand and we take this and send it to Congress and recommend that they approve it and after Congress and the President approve it it is the law or becomes a law.

We realize that any bill effecting Navajo lands in Arizona must also be considered as effecting Hopi lands, because the Navajo and Hopi lands are so closely related. In fact, the Hopi lands are practically surrounded by Navajo lands—that in any bill such as this we have to bear in mind that we have to protect the rights of the Hopi Indians. In regard to this bill it is composed of three sections, 1, 2, and 3. Section 3 has no bearing whatever on Indian lands so I refer to it now in order that we can dispose of it and discuss sections 1 and 2 fully. Briefly, section 3 grants the State of Arizona certain rights or privileges in the State with respect to State lands. It has no bearing at all on Indian lands in any way.

Now we will take up section 1 of the bill. Before discussing it I would like to try and give a background showing the reason for it. There are, as you know, a great number of Navajo Indians. In fact, they have increased in numbers so greatly that there is not enough land within the reservation to take care of them and consequently they have gradually gone outside of the reservation on the public domain. With that situation in mind we have set out in section 1 of this bill the descriptions necessary to extend the present reservation line so as to bring within that line all of these Navajos who have gradually gotten outside of the present line. That extended line, as we will call it, is shown on this map here by the red line and I will turn this over to Mr. Radcliffe at this point for the purpose of explaining that line.

Mr. RADCLIFFE. This map you see here on this side takes in a great deal of country. It takes in all of the Navajo country in New Mexico, Arizona, and Utah as well as the Hopi Reservation. This point right here is the point where four States come together. It is the only place in the United States where four States join in the same place. Those States are Utah, Colorado, New Mexico, and Arizona. This part of the map right here is the original treaty reservation to the Navajos and this part around here that you see that is checked off represents areas that we propose to add to the Navajo Reservation in Arizona and also in New Mexico and some in Utah. Within that area that is marked out by this red line and outside of the reservation as it is now, we have all kinds of land. We have Indian allotments, State lands, white homesteads, railroad lands, and it is all mixed up. And also within this red line is quite a lot of land that the Navajos have purchased. And this bill that Mr. Stewart has just told you about, the descriptions in that bill, follow this red line in Arizona. And also within this red line is what we call the Hopi Reservation. That reservation was made by an Executive order just 50 years ago—just 50 years ago the 16th of December.

Now this Executive order reads that this reservation was made to the Hopi Indians and such other Indians as the Secretary of the Interior should see fit to settle thereon. Now this Hopi Reservation as you see on this map here (the large one) is the same as this map over here. And for a long time we know that there has been talk of a separate area for the Hopis and a separate agency for the Hopis and last spring we came out here and made a survey around this country showing as nearly as we could the area actually occupied and used by the Hopis and the area used by the Navajos. Now that area is marked out in this colored line you see on this map. This map shows the different villages. Here is Hotevilla; here is Bacabi; here is Oriabi, and here is Second Mesa, and here is First Mesa, and here is Keams Canyon. It shows all of this country around here.

Now there is nothing certain about this line—nothing definite about it. It is not settled at all. It is just put up here for the purpose of showing it to you and trying to find out what you think about it. I believe that is all I can say right now. Mr. Stewart will go ahead and explain the bill.

Mr. STEWART. The talk up to this point has been preliminary as a means of putting before you a background for the discussion of the bill, which now follows. Referring further to section 1 of the bill, after setting out the descriptions of [illegible] Radcliffe has just explained, the bill sets out that these

HP2741

lands are to be "for the benefit of the Navajos and such other Indians as may already be located thereon." Bear that in mind because it is also very important. That phrase "and such other Indians as may already be located thereon" was especially put in this bill so as to protect the rights of the Hopi Indians in there to this so-called Hopi Reservation. In other words, to protect their rights to the lands they are now using and occupying. I want to emphasize that fact, that the bill as now drawn does not in any way affect or change the present so-called Hopi Reservation. However, realizing that the Hopi Indians are surrounded, you might say, by Navajo Indians and by Navajo lands, it has been suggested to us by some of our field men and by white people who apparently have the best interest of the Hopi Indians at heart, that a separate or distinct area be set aside for the Hopi Indians' exclusive use; and also that the Hopi shrines be reserved for the Hopi Indians and that sufficient land with firewood on it be reserved for the Hopi Indians for firewood and fencing purposes. This suggestion to us for separate Hopi areas has been brought about mainly because the Executive order setting aside what is now known as the Hopi Reservation, this Executive order of 1882 area, that order said that was set aside for the use of the Hopis and such other Indians as the Secretary of the Interior may see fit to settle thereon. The use of that phrase "and such other Indians as the Secretary of the Interior may see fit to settle thereon," the use of that phrase in that Executive order was brought about because reports from the Government field officers at that time indicated strongly that the Hopis were living down on these mesas and down on this end but up around here quite a few Navajos were living, and in order to take care of those Navajos they had the Executive order read that way. And so it has been construed or held by the department in Washington that this Executive order area referred to commonly as the Hopi Reservation, was set aside for the joint use of the Hopi and Navajo Indians—not for any particular tribe. There is no title in the Navajos to it nor is there title in the Hopis. It is for their joint use. And so that has been the cause underlying the suggestion made to us that it would be well that certain areas be segregated for the exclusive use of the Hopis and later fenced for them, together with their shrines and a firewood and fencing reserve. And so two particular areas have been suggested by our field officers and also by Doctor Colton, I think, of Flagstaff, Ariz., who is connected with the museum over there. They have suggested two particular areas. This large scale map on this side [pointing to smaller map] indicates the Hopi Executive order reservation shown on this other map by a small area. These two areas I am talking about, one is large and one is small. This large area covering about 500,000 acres is indicated by this orange colored line on this map.

We will say that this way: It has been suggested to us that two distinct areas be set aside for the Hopi Indians; one area taking in all the Hopi mesas and another smaller area taking in the Moencopi Wash Hopi Indians. This orange line here is the large area taking in the Hopi mesa. Now the Moencopi area is now shown on these maps. The small area for the Moencopi Wash Indians covers about 32,000 acres. Both areas are shown on these blue prints which I will leave here, one for Hotevilla and one for Bacabi. Now we have reached this point and it is essential that we go back to section 1 of the bill. It also contains this proviso; "that the Secretary of the Interior is hereby authorized to determine and set apart from time to time for the exclusive use and benefit of the Hopi Indians, such areas within the Navajo boundary line (within that red line we are talking about) as may in his judgment be needed for the use of said Indians." That proviso simply means this. That if at any time in the future the Hopi Indians themselves feel that they want a separate boundary line, the Secretary of the Interior can define it for them and set it aside as an exclusive Hopi reservation. It does not mean at all that there will be any arbitrary action—action without the consent of the Hopi Indians—setting aside any lands. It just gives power to the Secretary of the Interior to act in the future on anything the Hopi Indians themselves may decide upon if they think it wise. That is as to particular Hopi lines. Now these lines that have been suggested to us are not final in any way. It is for the Hopi Indians themselves to decide on the lines, if any, that they want, and there is no hurry in reaching this decision—this winter or next summer or next winter. This bill, if it is passed, leaves the whole thing open for the future consideration or agreement of the Hopi Indians.

Now, we have discussed this with the other Hopi villages along the same lines that we are telling you here to-day. We are going to send copies of the minutes of all the meetings had with the other villages and with this village—all the meetings had on this trip—to Superintendent Miller so he can give each village a copy of the full minutes, not just the minutes of just one village but the full minutes of all the meetings so you can see what has gone on in the other villages.

We also told the other groups that we have addressed that we would like to have each village designate some one man to go around with us and see these proposed boundaries on the ground. We told them that we wanted their representatives ready this morning to go around with us because we thought we would be able to meet and visit and discuss this meeting with the Hotevilla and Bacabi villages Saturday. Now, owing to your ceremonials, we changed our plans, of course, and we could not go out this morning to go with anybody to go over these proposed lines. However, Superintendent Miller has told me that prior to my coming out here he had made plans to do that very thing—take a representative of each village out here and go over the lines on the ground with Mr. Howell and Mr. Bigham and, I believe, Mr. Simpson, and some others.

So we would like, as soon as you possibly can before the snow comes—some day this week—to designate a man in each of the two villages represented here to-day to go around with the other village representatives and we will get word to the other villages of this change in plans. We had to change our plans because circumstances forced us to. In closing I want to point out and especially bear down on the fact that the Indian Office or the department is not urging those lines; that is the large area and the Moencopi area. We are merely suggesting them to the Hopi Indians to give them something to work on and to work from, and you are to feel perfectly free to work it out in your own way and if you think it advisable, with the help of any of your white friends not in the Government service. Any way that you think is best. It is up to you to decide. Just a few more words and that is I think it fair to tell you generally what the other village groups decided upon in a general way.

The three villages on the first mesa concluded to leave things as they now are. Not to ask for any separate Hopi Agency or Hopi Reservation but to continue as things are now. They did, however, suggest that this bill be changed a bit so as to keep this area now known as the Hopi area, to keep that area known as the Hopi area in the future. The villages on the Second Mesa indicated that they had not arrived at any definite conclusion and further that they would like to write to the Indian Office through their superintendent some time in the future. If there are any Indians in the audience here from those mesas who were present during the hearings or meetings there—if I have left out anything as to their conclusions I would like to have you pick me up on it.

Now in regard to Oriabi, they thought that this whole Executive order Hopi area as we term it, should be made the exclusive Hopi reservation. However, it was pointed out to them the fact that there were over 3,000 Navajos living in this Executive order and to get them out would be a job that perhaps and no doubt we could not carry to a conclusion, and they further indicated that if we left one of these large-scale Hopi reservation maps with them they would consider where they thought the line should be—something along that line—and let us know through the superintendent. We will send copies of those maps to the superintendent, copies of the minutes of all the meetings also and he will furnish each village with copies of the maps and of the minutes after I return to Washington, so I will close now, thanking you for the very kind reception and undivided attention which you have shown me and we will be glad to answer any questions.

DAN. Do I understand that the Oriabi two villages combined want this Executive order line made exclusively Hopi.

Mr. STEWART. They did at first but when we pointed out the difficulty of getting the Navajos out they indicated that if we left one of these maps with them they would give the matter further study and indicate on the map some lines they thought should be the permanent Hopi lines.

Of course, I just want to say as I said before, there is no hurry in reaching any decision or conclusion. To-day, to-morrow, next week, next winter, or next year. This bill does not in any way affect the present Hopi lands or boundary of the present Executive order area. It is something to be thought over and worked out carefully between themselves by the Hopi Indians in the future.

DAN. I want copy of the map sent out and we will study it over when we get the map and copy of the minutes and we can study it out and decide. That will give us a chance to study it out.

Mr. STEWART (to interpreter). He wants us to adjourn now with the understanding that when I get back to Washington we will have copies of the maps and copies of the minutes made and sent out and they will study it out between themselves and let us know some time in the future.

INTERPRETER. Yes.

HP2742

DAN. If you will send out copies to this village, I will give it my attention and let you know through the superintendent. But whenever you get another chance to be out here, let us know ahead of time so we may be somewhat ready to meet you again.

Mr. STEWART. We will be glad to do that; especially if we know when you are going to have ceremonials in the future, we will be sure to pick some day that won't conflict with your ceremonials.

DAN. That will fix things out straight.

Mr. STEWART. Will you put it up to these Indians if they want to adjourn and we will send out the maps and papers very soon.

DAN. I ask if the representatives of the villages will help to think this matter out thoroughly and be in readiness if you might send out a representative in the future.

Mr. STEWART. Some time this week get in touch with the superintendent about a man from each village here to go around the boundary line so as to explain to the Indians just where the proposed line will run in their own language regarding their knowledge of the country. The maps we realize confuse them.

Dan agrees to do this.

Mr. STEWART. I will ask if you consider this meeting and if these Indians here all agree and consider this meeting adjourned now and we will send out the maps and papers very soon so that you can see what it is all about.

Dan agrees.

Mr. STEWART. I will say just a word to show that I appreciate the consideration given us here and I think you have decided on a very wise course to follow; that is, to wait until we can send you copy of the minutes of all the meetings we have had here and copy of the maps and in the meantime have representatives go over the proposed lines with Mr. Miller and some of his staff and after all of this has been gone over, write us, that is write the Washington office, through your superintendent, as to what you think about the whole proposition. Thank you all.

GUY. I mentioned when we first started that I mentioned who is chief in this village and I asked if you know if Dan wrote a letter in and signed it as chief and you said you think so. The way we understand it from my uncles and all the people in the village that James Quoiaoma is chief of this village so I was figuring that he would be in this meeting.

Mr. STEWART. I do not understand. Is there some one in the village who should be here?

GUY. Yes. We want to call him here too.

Mr. STEWART. Well, let's get him.

GUY. I was asking this morning here if that fellow should come I was asking if he would put it up to the younger folks, the educated boys. He says it is up to us to talk this matter over ourselves, the educated boys, so I will start now. I think it is my opinion it is the best the way we want to have our Hopi Reservation for ourselves. That is the way I look at it.

Mr. STEWART. You mean you want to have a separate area for yourselves?

GUY. Yes. Of course, in that matter, the way we see it we will have a hard time to get the Navajos out and I know it will take time to put these Navajos out and we do not know how it is going to be done.

Mr. STEWART. You mean you should have all of that Executive order area?

GUY. All of that Executive order area.

Mr. STEWART. That question came up at Oriabi Friday and we pointed out to them that there are over 3,000 Navajos in this area and there would be no possible way we could think of getting them out. We have been unsuccessful in the past in moving small groups of Indians and that is why it has been suggested that a division of the Executive order reservation be made and it is being put up to the Hopis to agree on some line of division and that is why we would like to send out the minutes of all meetings and copies of the maps and let all factions of each village consider it and write us through the superintendent as to what they think some time in the future. It seems to me that that is all that can be done. The matter of who is the head man or chief of the village is something to be settled between the Indians of that village and not at all by any of the officials of the Government. That is something to be settled between the Indians themselves.

GUY. The way I look at it, if I start this up someone will say something.

Mr. STEWART. There has to be organization. There has to be some organization in order that what comes to the office will represent the views of the majority of that organization. And it is up to the Indians themselves to organize and get together. All we can do is present the situation and the facts and hope that we will get some definite views of the Indians as a whole rather than as individuals. That is what we are working for. The views of the Indians as a whole, not as individuals. What they think best.

GUY. Well, as I see these things then this cannot be our reservation.

Mr. STEWART. This will all go in the record there, but your views, unless there is something to show that the Indians of this village have agreed upon you or somebody else as their head man or chief, we won't seem to be getting anywhere. We like to have your personal views but your personal views would not control the village here. My view may not be the same as the Commissioner of Indian Affairs but that does not control. The man who controls is the Commissioner of Indian Affairs. He controls the majority.

GUY. I understood a while ago you were putting it up to us.

Mr. STEWART. As a group but not as individuals. You with your educated Hopis and those who have not been to school should get together and work this thing out. That is the only way it possibly can be done.

GUY. But they are still here yet. If I started up I think they would talk. That is why I want to keep on.

Mr. STEWART. Go ahead and talk. We will be glad to have it.

GUY. We know that the Navajos have a law. They got a law that they want to be increased and up to this time you said there was more Navajos in this reservation than Hopis. Well, whose fault is it? It is their own fault, the Hopis ways. They are slow. They take their time increasing and suppose a Hopi does like a Navajo and increases like Navajos. Right-to-day they would be doing the same thing. We would be making them trouble. For this reason I think we Hopis have a right to and are entitled to the Executive order.

Mr. STEWART. We are glad to have your personal views. They will be put in the record and considered.

GUY. On top of that why is it that Hopis have not increased? The way I look at it we want to have a superintendent of our own, all for the Hopis. And I say that Mr. Miller has two tribes to take care of. He has full hands. Of course, he would stick up for a tribe that we are trying to accomplish anything. I know that Mr. Miller will not try to stick up for a tribe that does not want to increase or do anything. For that reason I want to have our own superintendent who will look after the Hopi Indians.

Mr. STEWART. I am glad you brought that up. It is very important. The matter of a separate agency and separate superintendent, of course, depends on a separate Hopi area. This morning we pointed out the troublesome condition confronting us with reference to making all of the Executive order area Hopi land. Apparently if there is to be a separate superintendency and separate agency there must be a separate reservation and it appears almost impossible to give the Hopis all of the Executive order area. Hence the necessity of a segregated area. In other words, a separate superintendency for the Hopis will depend on the Hopis themselves agreeing on some definite area. It could not be otherwise.

GUY. You think it could be done?

Mr. STEWART. Well, as soon as you could agree upon an area agreeable to all and it was fenced, it would naturally follow that there would have to be a Hopi agency. As it is now there does not have to be because this Executive order area is as much Navajo as Hopi. If segregated and made exclusively for the Hopis then you have another situation.

GUY. On top of this if the Navajos should get out of this Hopi Reservation when it is made and fenced in, I think there is going to be trouble between the villages like say First Mesa; they have certain areas of land claimed. And Second Mesa and Oriabi and Hotevilla. I think there should be something one way or another fixed so that they won't be fighting among themselves.

Mr. STEWART. You mean a division of the lands? Well, that would follow after any segregation for the Hopi were set aside. That would probably follow. But it would have to depend on a segregated area.

GUY. For this reason I think the best way is to keep the Navajos out of the Hopi Reservation when this is fixed. That is all I have to say.

Mr. STEWART. Thank you. We are glad to have your personal views and if anybody else wants to express personal views we will be glad to hear them. This is not a one-sided meeting.

JAMES QOCIAOMA (the party who was called late). The time I was young the old folks tell me what is coming and I am going by that and I want to know what we have discussed here about this land question. I want to know if you are the men who are going to fix this reservation and where you are from.

HP2743

Mr. STEWART. About two weeks ago the Commissioner of Indian Affairs advised the superintendent that he was sending some one out from the Washington office to go over this land matter.

JAMES QUOIAOMA. The reason why I ask it has been many times that the white man comes out here and tells this Indians that they are going to fix this thing up. They all say they are from Washington yet they are from some place else and never anything has been done what they promised.

Mr. STEWART. I am from Washington but was sent here by the commissioner. Mr. Radcliffe also has been sent here from [illegible] and nine days ago Superintendent Miller sent out notices that we were to be here and anybody that was interested in being present has had plenty time to have been present this morning. Now there has been indicated here a difference of opinion as to who is chief or head man and I want to say that is a matter to be settled between the Indians here themselves and also that we very fully went into this land matter this morning and we pointed out that the Government is leaving it up to the Indians themselves to settle on a boundary and those who are sorry of what went on this morning can be found in the minutes, copies of which will be made and sent out here and can be discussed with anyone who was not here present this morning and that, I think, is the proper course to follow now. Now, this man who has just come here can fully acquaint himself with the whole story because we will send the maps out here; we will send out copies of what has been said here and at the other villages and through an interpreter, if he does not read English, he can get a full picture of what has gone on here and it won't help this land matter out any by going over that again, now that it is a matter of record that he can have read off to him. And I suggest that the matter be left as it is until you get copies of the maps and papers and minutes of this meeting, then write to us in Washington of the views of the people here. That seems to be the only logical procedure now.

Mr. RADCLIFFE. I can leave a map here now.

Mr. STEWART. Do you think that is the thing to do?

JAMES QUOIAOMA. A while back our forefathers had fixed this up together with the white man that they all agreed that the land shall belong to the Indians so I still claim that all the lands belong to the Indians and they have come in here, mistreating these Indians and telling them that they would do something for them in the future that they have never done yet. So all the land still belongs to him. They know that in the Indian Office at Washington. It ought to be there somewhere.

Mr. STEWART. That is interesting and is going in the record and will be considered with the rest of the minutes of this meeting.

JAMES QUOIAOMA. So I do not care to have the map. I am not the one who is going to fix this but I am claiming all the land.

Mr. STEWART. We are glad to get his views and we will consider them.

JUAN FREDERICK (from Oriabi). I think this should be settled by the older and the young people. The old people do not seem interested in the lines. They have to be settled by the young people. Of course, we have to take into consideration the views of the old people. They have a right to the land here before us and they have taken it from the older pelple and they have traditions they like to follow but we younger people have been educated and gone through this and we too have come to realize the seriousness of this situation. This land question is the most serious question that has come to the Hopi people. It is not a matter of having a definite area but it is a matter of life. The Indians are dependent on natural resources of the country. You take this reservation. It is an arid country. You can see for yourself, nothing but dry land. You can not raise cattle and sheep there. How are the sheep going to increase if it does not rain during the summer. There is no grass this summer. And what is coming this year. All they have in stock will be eaten up. These Navajos are in a terrible state. They are poverty stricken. They can not live on what they have for the simple reason that these Indians have not stored things for the future. We work hard here for everything. We have made little farms. Now these Navajos are around here. They come closing in. They practically depend on the Hopis as well as themselves. And the Hopis too are dependent on them in some ways. But you take the natural resources. How many coal mines have we around here? And has the Government encouraged them to dig in the coal mine and furnish fuel and water. Take the wood land. Has the Indian—after he runs out of fuel what will he do? There is no oil here. The Government has not encouraged them in any way financially because an Indian can not do it themselves because they are helpless. They are dependent on the Government to help them out.

Now, the proposed boundary line, in my opinion, is awfully small. From my observation on this reservation—I admit I have not been here very long—there is seldom a herd of sheep or cattle that has been able to find anything. And if this is going to be all—that small area—then there is no grass land for the Hopis. That is what they will fight for. They want a place where they can herd their sheep. There is no water around here where they can water their stock. If they remain on one side of the country and it should rain on the other side what can they do? Are they to be shut up in this small area and look across at green country and starve because there is a line? If I put a fence around there and put you on a dry island are you going to stay on that island and starve or are you going to try to get out? This is what will happen. The Indians will try to get out. If the grass is low, the water is low, they will try to get out to other country. For my opinion, my point of view, is that the original boundary line is satisfactory, but the question of moving the Indians, the Navajo Indians, out, of course, is serious. We all know we can not drive them out. We can not drive anyone from his home. But you take this into consideration. Are the Navajos settled in a community or are they just nomads?

Mr. STEWART. Now, let me interrupt. All that has been gone over at Oriabi, those very points you are discussing, and this is merely a repetition and we have it all in the record and those same views will be given consideration. You young people should get together and decide on the question.

Mr. RADCLIFFE. Let me make this suggestion, that when these minutes, or copies of all the minutes, of what they all said, are mailed out here, that all the Hopi people take these and study them. Not only what has been said here, but what the other villages have said, and then let them try to reach a conclusion.

Mr. STEWART. We have to get on, and I think we have given you the picture, and we do not want to get in any discussion involving the feelings of anybody here, and it is going to reach that if we keep on. I can see that. The best thing we can do is adjourn this meeting and send the papers out here and hear from the different groups. As we have covered the situation, as I think pretty fully, I just feel we will have to bid you goodbye, and hope to see you again, and go on back to Washington and send the papers out here.

Meeting adjourned at 3.15 p. m.

HP2744