

Indian Claims Commission  
 Docket 196 (Hopi)  
 Plaintiff's Exhibit 55

Sekaquaptewa v. MacDonald  
 Civil No. 74-842 Prescott

Hopi Indian Agency  
 Keams Canyon, Arizona  
 August 6, 1938

Honorable John Collier,  
 Commissioner of Indian Affairs  
 Washington, D.C.

Dear Mr. Collier:

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In 1930 and again in 1933, the Second Mesa villages have presented maps outlining their conception of the Hopi country and asking for recognition of it. This boundary running along actual geographic points is not traditional, but I think, is the known geography of the Hopi. It includes the distant mountain peaks they can see from their villages and the farthest shrines, except those in Grand Canyon to the west. The line also includes all but one or two ruins in central Arizona from which the Hopi clans believe they have migrated. This claim is the true Hopi country, and one which Second Mesa would like to have the Government formally recognize as the Hopi, rather than Navajo country. It is undoubtedly far more extensive territory than ever used by the Hopi. True, they went to the San Francisco Mountains for logs, to the Grand Canyon and Salt Lake, now in the Zuni country, for salt and beyond Navajo Mountain and far to the east and south to visit shrines or hunt eagles, but their old farm lands and most extensive range lands are far within these boundaries.

Sipaulovi village has given the section of the geographic Hopi area which they consider theirs. On the west the area commences with a shrine on Sunset Mountain, Navaqueawataka -- a butte just southeast of Sunset Mountain, along the upper side of Clear Creek, where the Sipaulovi eagle cliffs are located to Woodruff Butte, Chimontequi. There is no exact line, but these points mark the southern extremity of the area which this village considers its own territory.

Mishongnovi village claimed no shrine except at Salt Lake, south of Zuni Reservation in New Mexico. This is probably a special shrine used by all Hopi who went to this spot for salt, and not a generally used religious shrine of any clan or society. The southern and western limits of this village's territory vary with clan ideas of their origin. One clan claiming migration from pueblo ruins around Jerome, Arizona, looks to this area as part of the Hopi territory. A definite western line of the village territory was said to run from the village southwest to Montezuma's chair, a butte within the reservation, to the ruins near Winslow, thence to Sunset Mountain area. On the east, the line ran to White Cone Peak, in the southeastern corner of the Hopi Reservation to Greasswood Springs and then southeast to Salt Lake in New Mexico. Their eagle territory is the same as that of the Sipaulovi, along the upper

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edge of Clear Creek.

**First Mesa Attitude on Traditional Boundaries:**

The First Mesa people have usually asked for the retention of the present reservation boundary line when land matters have been brought before them. Since their first contact with Americans at Fort Defiance, when the traditional procedure expected in the return of White Brother did not occur, they have expected to deal with the Government on a realistic basis. They claim that some of their people made a survey with a Government party before the Executive Order for the Hopi Reservation was established, and that the Executive Order follows roughly the same line, although running straight instead of following the natural boundaries of the plateau on which the Hopi have lived. The First Mesa claim begins with White Cone Peak in the southeastern corner of their present reservation, runs northeast through Steamboat Canyon to the east edge of Salakai Mesa, thence north along the eastern and northern edge of Black Mesa passing through a shrine at Chilchinbito Spring and Point, along the mesa edge forming Marsh Pass eastern escarpment, thence to Wildcat Peak just south of the northwest corner of the present reservation, thence southwest to Tuba Butte, thus incorporating Moencopi village, thence southeast along the Moencopi Plateau to Montezuma's chair, a peak just south of the central point of the south line of the present reservation, and thence east to White Cone Peak.

Whether such a claim was made to a survey party I do not know, but I recall the Hopi Reservation was not surveyed at the time surveys were made for other pueblo reservations, due to warlike activities of the Navajo. Except for the extension of the line west to include Tuba Butte and the Moencopi country, this claim includes about the same area as the reservation set up by Executive Order. The northern third is unused now by Hopi at present except as the chief source of wood supply. In the southeast corner from the Jeddito Wash east, it is used by Navajo but should be included in Hopi area.

The First Mesa or Walpi people made an agreement with the Navajo some time about 1850 establishing a boundary line. The Navajo were to cross it only on condition of good behavior. As a sign of good faith the Navajo are said to have presented a feather shrine or symbol, which First Mesa still preserves. A pile of rock some distance west of Ganado and on the old road once marked this line. First Mesa, of course, would like to see this line form the eastern limit of the reservation.

**Moencopi Claims:**

This village was settled permanently about seventy years ago, but for several centuries has been Hopi ground and is the site of earlier Hopi pueblos and the cotton fields of Oraibi. The first whites into the country found Hopi cotton fields here, and an Oraibi man invited the Mormons to settle there about 1875 to protect the Hopi from the Paiutes then in the

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country. The Moencopi people have given a full account of their history and claim which will be submitted to the Tribal Council.

Undoubtedly the Hopi cattle and sheep once ranged through the area between Oraibi and Moencopi, and Hopi lived in this intervening area. As they have pointed out in their claim, the Navajo kept them from settling in the area in small groups. The territory just east of Moencopi, their best range has been partly taken over by Navajo Service as a Navajo-Hopi buck pasture, a cooperative neither tribe wishes to share, and two hundred head of Hopi cattle driven out. This figure is given by the foreman who established the pasture. Pasture Canyon running into Moencopi village from the north is needed for Hopi agriculture. The water and land in the upper portion is now used by the Tuba City Government agencies at Tuba City or turned over to pasture land.

Upper Moencopi, or the progressive element has no interest in traditional claims, but is deeply interested in being set completely under the Hopi jurisdiction and having sufficient farm and range land set aside for the villages' exclusive use. Such an arrangement would seem best from an administrative point of view.

#### History of Moencopi and the Hopi Land Claims

##### Account of Frank Tiwanemptewa:

These things I have learned in my boyhood days. At that time there was no Tuba City. There was brush and grass and spring running all the time. In Pasture Canyon which runs north from Moencopi, water was running, but it had no outlet then. It was only in lower Pasture Canyon that the Hopi cultivated the land. Before my time the Oraibi Hopi had lived here and used the land for many years.

As I grew older I heard someone had come to Oraibi, -- I do not know what kind of man, White, Mexican or Mormon -- to vaccinate the Oraibi people. The Chief of Oraibi believed that two Hopi, Teuve and Patangsi, had brought this person, and quarreled with them. They left Oraibi, Patangsi going to New Mexico and Teuve with his wife going to the north to a Mormon settlement. Teuve wished to return to Moencopi to settle, but being afraid of the Paiutes who then roamed around that country, he invited the Mormons to make settlement there with him, promising them good land for their protection of his family. The Mormons came, developing the spring and three reservoirs. They also made an outlet for the water in Pasture Canyon bringing water down to the present farmlands at the end of the canyon. Moencopi Wash was then a broad plain with cottonwood trees, having no deep gully as now runs through it. The cottonwood trees were cut for houses for the Mormons.

At this time no Navajos lived anywhere around this countryside. Very rarely a few appeared to trade, but they returned again to their distant homes to the northeast.

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Teuve first settled at Moencopi and then built a log cabin at the spring at Tuba, named for Teuve. He encouraged the Mormons to move near him, but later Teuve returned to the site of Moencopi. The Mormons had built a spinning house here. Tuba City was originally called Kotsatewa or White Sands, when the Oraibi people came here to plant their cotton. During the first years of the Mormon settlement Teuve lived with them only in the summer time, returning to Oraibi in the winter to take part in the ceremonies. Oraibi was then one village.

About this time, the Government wanted to start schools for the Hopi. The Agent at Keams Canyon took the Hopi headmen to Washington. At least Lololoma, kikmongwi or village headman of Oraibi, arrived there, and it was supposed by the Oraibi people that he agreed with the Government to send his children to school and encourage his people to spread out from their village in order to occupy and claim more land. On his return to Oraibi he encouraged his people to carry out what the Government in Washington had advised them to do.

Lololoma asked his associate chiefs and ceremonial headmen to volunteer to settle Moencopi, the summer farming place of Oraibi. For two days they talked, but no official would give up his place or his ceremonail life. So Lololoma opened Moencopi to all the people, asking those who had little or no land, and were without clan rights to land to go to Moencopi. He talked with John Nasinemiwa and the informant, Frank Tiwanimptewa, his brother, and other men to go to Moencopi, and they accordingly led the colonists to Moencopi. The agreement was that Moencopi would be independent of Oraibi and would have no religious duties to perform at the old village. It was only afterward that the people of the lower portion of the split village of Moencopi returned to Oraibi to take part in the Oraibi ceremonies.

The chief, Lololoma, asked all his people to send their children to school. He came to Moencopi to ask the same thing, and he himself sent his children to school at Keams Canyon, the first Hopi school, but Keams Canyon was too distant for the Moencopi people to send all their children. The surperintendent at Keams Canyon asked the Moencopi people if they would like a school at Bluebird Canyon, nearer to the Moencopi village, to which they consented. Mr. Burton was then the Superintendent. Mr. Needham who had been running a school at Mishongnovi, moved to Bluebird Canyon school. With this change of schools, the Moencopi attendance increased greatly, and some Navajo came to the school too, with the permission of the Hopi. Later the school was transferred to Tuba City. Under Mr. Needham the region was called Navajo country, but the Navajo did not know why.

Before the gathering of the Navajo at Fort Sumner, the Hopi and the Spanish settlers had worked against the Navajo. Because of the action against the Navajo they spread out and fled into the western country. They were in need of cattle, sheep and supplies and so took to raiding the Hopi towns more and more. The actions of the United States Army did

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the same thing so that Navajo came into the west and took over much of the western territory of the Hopi.

At the time when Oraibi was trying to settle its people out on its land, a small group settled at a spring called Dine. This spring was called after a Havasupai Indian of that name, one of a band who used to live there while gathering wild seeds and hunting. But after the Hopi had half constructed their houses at Dine Spring, the Navajo attacked them, forcing the Hopi to return to Oraibi for protection. A later attempt at settlement here and other places had the same result. The name Dinnebito Spring is miscalled. Hearing the name Dine the Navajo have thought it was from their own name for themselves, Dine, and so have considered the spring their territory. Whites, too, have been misled by names of Dine and Dine, and thought the spring must be a Navajo place.

And now after we have settled in this country first, and come to Moencopi at the request of the Oraibi Chief, who even asked his own daughters to settle here, and through the original encouragement to Lololoma by the Government, we see all our land, our range, our school at Tuba City being taken away for the Navajo. Through an agreement with the Government who told us to claim our lands by spreading out we settled here in an old Hopi territory. Only later did the Navajo come and take it over. The development of the upper village government under a written constitution for itself is in keeping with the tradition and promise surrounding the settling of Moencopi. We wish to be free of Oraibi domination and lower village domination who have returned to Oraibi ceremonies. It is because of this the village has split.

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Account of Poli Naimkiwa:

At the time when Teuve was at Oraibi, all the farming at Moencopi was cotton raising by Oraibi. The farmers would leave at dawn, walk to Moencopi, irrigate and cultivate the fields and return by evening. There was some danger then from outside people, and rarely did anyone stay overnight, except to irrigate. There was no settlement. The reason of this planting was because the land was best adapted to cotton, needed for our clothing. The land had been cultivated always although no settlements were made. Such trouble as there was, was with the Paiutes, not with any Navajo. This is a true story, handed down by our elders.

It was during this time of farming at Moencopi, salt was found in the Grand Canyon -- where the Hopi believe they originated. The trail to this salt led through Moenave just west of Moencopi. Three miles below this place is a shrine where the Hopi salt parties stopped. In passing every member always put a sign of his clan in the stone there. This is about twelve miles from Moencopi. There were other points along this salt trail to the canyon where ceremonies were performed and which had their names, but only here did the Hopi write their clan signs.

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As to the eagle hunting territories, it is hard to know how far they traveled. Each clan claimed the ground and eagle places back to the place from where they originated. These places are Navajo Mountain, the Grand Canyon, Flagstaff, Lukachukai Mountains and so on. These are traditional claims, but the distances were too far to retrace, so the Hopi have used eagle grounds nearer. These places are not those that mark the boundary of the land claimed, but show places of origin which are in traditional Hopi country.

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Allotments were first made to the Hopi at Moencopi, and there being no interpreter at the survey for allotting, I was chosen.

At the time when the school was moved to Blue Canyon under Mr. Needham, the western Navajo Reservation was established. The Blue Canyon School ran one year. The Mormons saw lots of difficulty over the establishment of the reservation. They talked with Mr. Needham about getting their lands back. It was difficult to budge the Mormons. The Moencopi petitioned against the Mormons being there through their agent Mr. Needham. The Government could not move the Mormons without paying for their improvements on the land. The land was turned over to the Hopi. The Mormons wanted it paid for, but the Hopi have always considered it theirs, and saw no reason to pay for anything but the improvements, which was suggested by the Government. After the petition, the orchards, the farms, and woolen mill, and the settlements on upper Pasture Canyon were paid for with \$45,000.00.

To get the school nearer, the Hopi asked to have it moved to Tuba City. It was first about one half a mile east of the city at the turn in the road to Kayenta. This was about 1890, the school being in the old Mormon fort. We Moencopi feel that we instigated the settling of the school at Blue Canyon and then at Tuba City at the two sites. When the Mormons left we were asked by the Government to choose the houses of the Mormons we wished to have. The Government came to us and asked us to vote on taking over the Mormon land. We all raised our hands for it, but now we see it was no gift to us, and all of it has been given over to the Navajo. All the Mormon farms have been given to the Hopi, and four men went over and selected the best farms. After one man, Siwiestiwa, had taken over a farm, a small family of Navajo living by, pulled up all the fence posts around the fields for firewood.

Seeing the trouble that was for us with the Navajo, who began herding sheep in the fields, the four Hopi men who took Mormon farms did not cultivate the fields the first year. The following year it looked impossible to plant and grow a crop too, so George Siwiestiwa, one of the four, went to upper Pasture Canyon to plant on the land that was fenced in. As soon as the Navajo saw good crops on the land, they moved in and took the land. The Agent may have helped to move them in. It has been a fight ever since, and the Hopi have been kept in the lower part of the Pasture Canyon where they have always farmed. The one farmer, George

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Siwiestiwa, lost his land, but the Navajo have only looked upon this good land as pasture. Other Hopi have gone up with George Siwiestiwa to farm, but have been driven out. Now, the Government has come in and fenced this land off for grazing the dairy dry cows.

This canyon has always been a Hopi shrine. We use its water in the upper canyon for mixing our paints for prayer sticks. We wish it for this reason and because it is very fertile land that could be under cultivation and not wasted as pasturage. We have asked for this land for many years since it was first offered to us with no results or Government interest shown by any reply.

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Account of Roger Honahni, Moencopi Tribal Council Delegate:

Frank Tiwanimptiwa, Poli Niamkiwa and George Siwiestiwa have spoken the truth of our history. It is because of the things that have been told that we feel a strong claim to this part of the country. Our traditions have been told from generation to generation and we have tried to live up to our traditions. It is following this that we feel a right to the land here. Because of the conditions we have made these claims. We feel that none of these adjustments can be made with the Navajo. It is our tradition that the arrangements, adjustments and settlements are to be made with a White Brother. He was with the Hopi when they first moved across the land from Grand Canyon. This White Brother and the Hopi started out together, and before parting they agreed they would meet again. They alone would be the only ones to settle the troubles and the problems of the Hopi. This is the story of the Chief of Oraibi who has been trying to follow this tradition and lead his people according to it. It was handed down through the generations. It all points to the life we are leading today. All this accounts for what Lololoma did and what the men told before me. It was his desire for us to go to school and get the benefits that he believed we would find. He wanted us to learn the White man's way and his language to clear the obstacles of the Hopi when the time came for it, or when our White Brother returned. The Chief of Oraibi seemed to know what was coming and by education his children could talk and hear for him and clear up the misunderstandings. This is not all that he asked us to do.

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We have learned that one who builds his house on the land and develops his fields can make claim to the land. This is a Hopi law and a Government one, but the Navajo comes and builds a house of a few sticks, or throws a blanket over a little frame, and makes no development of the land, and whole areas are turned over to him for it.

The Government has taught us to build our new, permanent homes, which should be taken into consideration, but now the Government thinks

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differently, and seems to encourage the Navajo to live as they are -- like wild animals instead of a civilized human being. We are taught differently and we improved ourselves -- having fine houses like Whites, but what has it brought us? It is due to our improvements of our home and our lands, that we can not consider a boundary line which runs through our front yards, nor the present district divisions, cutting us off from our own people and our former ranges, and letting us be forgotten in the midst of a Navajo reservation. For our land boundary, we must look back to the time of our fathers and forefathers, and claim the land they held and traveled over.

These are the grazing lands the Hopi used to use before the Navajo came in and took them away, stealing our cattle and sheep while we were in our villages. The Hopi once ranged their cattle as far north as the Colorado River. If it was not for the Navajo thefts, we would range now to Rat Spring where the cattle used to go. We used to go over Howell Mesa, but the Navajo and the Navajo Service have crowded us out. Only recently they have limited us to range to the south of the village. A buck pasture for Navajo sheep has been established in the middle of our best range. It was the best grass that could be found because we did not overgraze. (When this area was fenced Mr. Alvin A. Hunter, Foreman for Soil Conservation Service, states that he herded about two hundred head of Hopi cattle out of this area.)

Formerly when Oraibi village had not divided, these people there let their cattle go as far as Cow Spring, (about forty miles north of Moencopi) and from our cows being there it go its name. In coalmine Canyon we held our round-ups and did our butchering, but all these areas have been crowded with Navajo who stole our stock. Nothing has been left to us, cattle or range. When this village was founded, there were great herds of cattle and horses belonging to the Hopi. They just disappeared.

It is because we know the land we used to have and the herds we used to own when they were free to roam, that we lay claim to these old ranges. We know that we can not share land with the Navajo, as then and now under District 5, and wish our own land under our own reservation. If we could only make the Government understand that they have already spent too much for the Navajo uselessly, and that if we could have our own land to use and develop that the Government would save money.

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Gordon MacGregor  
Anthropologist