

INCL. # 8663



Office of the Governor
Phoenix.

Feb. 9, 1899.

To the President,
Washington, D. C.

Sir:

I have been urged by many influential citizens of New Mexico and Arizona to write you in regard to the status of the property of Mr. J. L. Hubbell, a resident of Ganado, Apache county, Arizona; which place is now within the limits of the Navajo Indian reservation. Mr. Hubbell is a very prominent and influential citizen and has served with credit in the territorial legislature as a member of the Council, and also in various positions of trust within the county in which he lives. He is a staunch supporter of the republican party and its principles, and has been an able and conscientious worker in the interests of good government.

Mr. Hubbell settled upon the land which he now occupies twenty years ago and has resided there continuously ever since. At that time the land he occupied was without the limits of the reservation, but President Hayes, by executive order dated Jany. 6, 1880, extended the limits of the reservation as follows:

"It is hereby ordered that the following described country, lying within the boundaries of the territories of New Mexico and Arizona, viz, commencing in the middle of the channel of the San Juan River where the east line of the Navajo reservation in the Territory of New Mexico, as established by the treaty of June 1, 1868 (15 Stat. 667) crosses said river; thence up and along the middle channel of said river to a point fifteen miles due east of the eastern boundary line of said reservation; thence due south to a point due east of the present southeast corner of said reservation; thence due south six miles; thence due west to the one hundred and tenth degree of west longitude; thence

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north along said degree to the southwest corner of said reservation in the Territory of Arizona, as defined by Executive Order dated October 29, 1878, be and the same is hereby withdrawn from sale and settlement and set apart as an addition to the present Navajo reservation in said territories."

No provision whatever was made for actual settlers, and the effect of the proclamation has been that Mr. Hubbell has been unable to obtain title to his property, and that he risks all his improvements and appurtenances whenever there is a change in administration, and he can only reside there through sufferance. It would seem eminently just that the property occupied by Mr. Hubbell under the conditions stated should be excepted from the reservation, and that he be authorized to secure title to the same under the general land laws. I believe this can be done by executive order, and I most earnestly recommend that such action be taken. A description of the property and affidavits in regard thereto are on file in the Interior Department.

I have the honor to be,

Your obedient servant,

N. A. Murphy
Governor.