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DEPARTMENT OF THE INTERIOR  
UNITED STATES INDIAN FIELD SERVICE

Southern Pueblos Agency, Box 563,  
Albuquerque, New Mexico.  
May 12, 1928.

The Commissioner of Indian Affairs,

Washington, D. C.

Sir:

Reference is made to Office letter of April 13, calling attention to the Hopi-Navajo controversy and calling for report thereon. The Hopi reservation was set apart by Executive Order, December 16, 1882, as follows:

MOQUI (HOPI) RESERVE

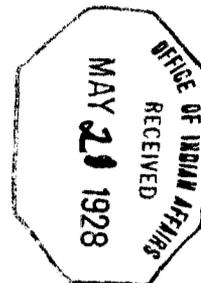
EXECUTIVE MANSION, December 16, 1882.

"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the one hundred and tenth degree of longitude, and thence due north to place of beginning, be, and the same is hereby, withdrawn from settlement and sale, and set apart for the use and occupancy of the Moqui and such other Indians as the Secretary of the Interior may see fit to settle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 reservation a degree in latitude and longitude is 55x70 miles, approximating 3,863 square miles, 2,472,320 acres. The lower valleys have an altitude of 5,500 feet and the higher mesa lands reach an elevation of 8,000 feet, while the Hopi areas - the Tusayan Province - is from 6,000 to 7,000 feet. The rainfall at Keams Canyon perhaps representative of the Hopi area averages about 10 inches per annum. Unfortunately, the seasonal distribution, like that common to the Eastern Navajo country, is unfavorable for agriculture and for the vigorous reproduction of most forage plants since the dry season covers April, May, and June, with only 10% of the annual precipitation in the three months, while July, August, and September show maximum rainfall - about 40%, with the

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first and last quarter of the year about equal with 25% each. The snow and rains of January, February, and March are often sufficient for germination of seeds and starting the range grass and other forage, but the winds of the dry spring months defeat vigorous growth. The fields and range take on new life and color with the July rains, and the corn, beans, melons, and fruit of the Hopis and Navajos then make rapid growth. Their sheltered sand covered fields withstand the winds and the sand mulch conserves the little underground moisture for plant growth - the Hopi dry farming principle.

The average Hopi families may cultivate 3 to 5 acres of land but usually in broken patches of the sheltered nooks about the mesa with perhaps their larger corn fields in the favorable lower flats, which are served by diversion flood irrigation. The acre return is usually small since it measures with the rainfall, but small as it is for the short time required for the production it is their primary industry. Only a few families have sheep, goats, and cattle in number to insure living return but those few are outstandingly the most progressive. Superintendent Miller in his annual narrative for the past fiscal year speaks of the gradual improvement in home conditions, health, and self-support. Their future seems to him bright and promising, though he sees two impediments - tribal and industrial friction between Hopis and Navajos and the gradual depletion of the range.

There is reported about 2,500 and an equal or maybe larger number of Navajos - 5,000 to 5,250 Indians on the 3,863 square miles. Possibly 20% of the reservation is non-productive - barren, rock surfaced, or inaccessible - leaving probably 1,820,000 acres for grazing and agriculture - less than one third of one percent in cultivation and orchard. The dipping count for 1927 shows a total of 123,268 sheep and goats, which would indicate about 90,000 mature sheep and goats with about 40% lambs and kids. Sale of wether lambs and old ewes, slaughter for subsistence, and the usual range loss for the season has reduced their holdings to perhaps 100,000 sheep and goats, one sixth of which belongs to the Hopis and the balance to the Navajos. Their cattle number 4,500 to 5,000, the large majority of which belong to the Hopis. The horses are estimated at 10,000 thus showing the range supporting at present 100,000 sheep and goats, 5,000 cattle, 10,000 horses and burros, which reduced to sheep equivalent at 5 sheep for a horse or cow would mean a grazing load of 175,000 sheep on the 1,800,000 acres grazing lands - 1 sheep to 10 acres, while like calculation on the Navajo range outside the Hopi reserve would show a range load of the equivalent of 1 sheep to 8 acres, or 18% to 20% more burdensome.

Condition of the range is best evidence of over-grazing. In the travels of the past two months over the various Navajo jurisdictions the Hopi reserve shows by very marked

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degree the best range conditions in vegetative cover - density, growth, percent maturity, spread and seeding. Even at that Superintendent Miller is right in his concern as to possible range depletion and the other Navajo Superintendents have occasion for more concern because of their growing range load and their less favorable range areas.

Desert life has made the Navajo a sturdy people, virile rather than apathetic, educated rather than ignorant, industrious and optimistic rather than idle and pessimistic. They want opportunity rather than gratuity, understanding rather than sympathy, toleration rather than assimilation, modified always with the fact that physical features and natural resources of their native lands determine their condition and independence.

The Hopi, community and ceremonial bound, has growing contact with the outside. His four months application at subsistence farming in field and orchard leaves him eight months for prayer, ceremony, diversions, and dreams. Too many of those who would be cattlemen turn their cattle afield and visit them periodically or seasonally, if at all in the year, leaving their care and protection to the Government stockman and to the more progressive tribal members whose better application gives them some measure of success. Too many of those who would have sheep and goats graze out but three and four miles from the mesa home, returning for the night, confining their flocks to the close corrals for more than 50% of the 24 hours each day. A few who venture further with their flocks too often corral or confine them in an arroyo at an early evening hour, returning afoot or horseback to the mesa for the night, and in this way save the sheep the travel over the denuded range but add to their hours in corral. Only a few more aggressive and progressive Hopi flockmasters stay out with their flocks for any extended period. Improper care and poor breeding practices rather than scant range defeat their success.

The wonder is not that the Navajo gets a few of the Hopi sheep but rather he don't get more of them. The best yearlong range on any of the Hopi-Navajo area is that circumscribed in the neutral or joint range of the two tribes, 10 to 20 miles out from the Hopi valleys, particularly to the east, south, and west. Within this zone of some 150,000 acres, too, are such excellent springs as Jedito, Tallahogan, Awatovi, Comar, Coyote, Burro, Honani, and Dennebito total flow in quality to water all the stock that the range could support and for more equitable distribution. Several wells have been located in the area and a number of smaller springs have been developed, all of which could insure most favorable grazing utilization. The future of the Navajo-Hopi stock industry depends

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on the equitable distribution of water on the range, while range control, improved stock, and better breeding practice insure its highest usefulness.

The proposition to segregate the two tribes that their interest will not conflict has been subject of considerable study and correspondence. The range disputes perhaps begun before the birth of the nation and record of the controversies dates with the beginning of jurisdiction following the Mexican war. The Hopis registered their first complaint before the first Indian Agent of the southwest, James S. Calhoun, at Santa Fe in 1850. It has perhaps been repeated in more or less degree each year since and with the establishment of the reserve in 1882, the Department and the President, not unmindful of the rights of the Navajos as well as the Hopis, created the reservation for the use and occupancy of the Hopis and "such other Indians as the Secretary may see fit to settle thereon," and since the Navajos were there in possession, control, and use of vast range areas, the provision was warranted.

Under date of May 26, 1914, H. F. Robinson, Superintendent of Irrigation, made a report on the subject, proposing in partial solution purchase of certain areas south of the reservation and the exchange of script for the alternate railroad sections, thus giving the Indians a solid block of range land then in part unclaimed but largely used by the Navajo folk.

Superintendent Robinson had spent considerable time and funds for water development in the Hopi country - the Tusayan area - and close association with the Hopi people enlisted his sympathy. He noted their tendency to graze their flocks near the mesas and heard expression of their desire to move out further as the water development progressed, but gave as their excuse the preemption of the area by the Navajos. Mr. Robinson saw then that the Hopi range was so restricted and overcrowded that a year of drouth would be fatal to a large proportion of their sheep. Needless to say, the loss to the Navajos under such drouth conditions would have been decidedly more disastrous.

Superintendent Crane, commenting on the Robinson report, says, "It is both within and without the facts." He refers to the Executive Order, the right of use and occupancy, commends the industry and zeal of the Navajos, deplores the indifference, timidity and superstition of the Hopis, and their "stubborn insistence" in keeping their flocks near the mesa at the depletion of their immediate range area. He says the Hopi flocks were small because of their "indifferent methods of grazing them and the fact that the Hopi is too spiritless and lazy to do with his flocks as a good shepherd should."

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He further says the Hopi has practically all the water and that no grazing while the Navajo has sufficient grazing for his large herds over an almost waterless territory. "I have had no complaint," he says, "supported by proper evidence that any Navajo has resented the advances of the Hopi herds into the so-called Navajo sections, but the complaints of the Hopis regarding the advances of the Navajo herds to water at time of drouth are legion. The Hopi refuses to take his stock into the Navajo country for apparently a number of presumably good Hopi reasons -

1. He is afraid that the Navajo will do something to him. (Note) - What this is I have not been able to ascertain.
2. He is afraid to be away from the Mesa at night, so few of them sleep on the range with their flocks. It is easier to race the flocks to water and grass from the mesa corral.
3. Although forced to seek better grazing and to complain for it, he wishes his industrious neighbor driven out before him by Government authority. He is a very peaceful man and wishes someone else to do his fighting for him.

The 20 odd windmills placed on this reservation are at Hopi disposal. The best and to be counted on water holes, springs, etc. are in his immediate country. Of every one of these watering places he is jealous and would drive the Navajo even in time of drouth, if he could. At Tallahogan and Burro there is constant friction. The only good spring to which he has not access is that known as Comar spring."

The Hopi stockmen now have access to this spring.

Superintendent Robinson and Superintendent Crane were agreed - first, on disapproval of allotments then in projection, second, that purchase of additional lands was advisable, and, third, that the railroad lands in proximity be bought or exchanged to give block jurisdiction. They were not in accord on the ejection of the Navajos or of the proposed purchases proving much relief, and Superintendent Crane questioned the Hopis using the grazing areas, even with the Navajos removed. Such was the viewpoint in 1912 to 1914, and report of stock at Keams in 1912, Navajo-Hopi, was 6,000 horses, 3,000 cattle, and 142,000 sheep and goats - reduced to sheep equivalent would mean 187,000 head as compared to 175,000 head at this date.

About a year later, July 7, 1915, Superintendent Crane reports that the Hopi Indians are seriously impaired

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in their progress as livestock raisers because of restricted grazing areas and he believes something should be done toward regulating and fixing definitely the areas to be used by the Hopi Indians and those to be used by the Navajo Indians and suggested that a delegation of prominent Hopi Indians visit Washington to present their side of the case, but the Navajos were not to be so represented.

Inspector Traylor visited the reservation in 1916 and after extended investigation recommended that an area of 1,250,000 acres, slightly over half of the reserve, be definitely marked and insured to the Hopis, which might have satisfied them for the time and would have carried with it responsibility of seeing that the Hopis use the area. No mention was made of what would have resulted for the Navajo flockmasters involved in the ejections.

Superintendent Crane, under date of January 31, 1918 (Land Allotments - HVC) submitted a report on questions and answers in the Hearings of the Committee on Indian Affairs in the House of Representatives on the Appropriation Bill for 1919, involving this subject matter - proposed range division. Congressman Hayden, now Senator, suggested proper investigation and consultation with both tribes, and agreement reached incorporated in Executive Order, thus giving such segregation full official action. Superintendent Crane in comment stated that the situation was not one of available range nor water supply, but rather one of law and order.

Ten years later, January 7, 1925 (#17824-16, 99561-21) Inspector L. A. Dorrington commenting on the report of General Hugh L. Scott on the Navajo encroachments says, "It is a fact that Navajos have closed in on the Hopis, taking possession of the best range." He further states that the Hopis may be somewhat to blame in the premises, and refers to their corralling their stock at night at the foot of the mesas and their not going further than return at night could be covered in safety. He spoke too of friendly relations of the Navajos and Hopis in the home and at their respective ceremonies. He mentions too the contentions common to the members of the Hopi tribe and refers to the Territorial Claims of the Hopis as defined by them with a line from Oraibi to San Francisco Mountain and from Oraibi to Tallahogan Spring, thus disregarding the third and south line of the triangle. Such claims do not include Hotevilla, Bacobi, and the First Mesa pueblos - Tewa, Sichomovi, and Walpi, totaling over half of the Hopi folk. This he characterizes as ridiculously unreasonable and unwarranted and indicates their contentions among themselves are hardly exceeded by their disputes with the Navajos. In his Findings he suggests that 1,200 square miles, or less than one third of the reserva-

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tion be set aside for the "exclusive use and benefit of the Hopi Indians, with the understanding that within a reasonable specified time they will abandon their mesa villages and establish permanent homes thereon and make beneficial use thereof", thus giving them the alternative of "helping themselves by helping the Government to help them or forfeiting their rights to the exclusive occupancy of the tract. Should the Hopis take the favorable alternative, it would call for substantial assistance in home building and school arrangements, and would call for the ejection of the Navajos and require police for enforcement."

Three problems are projected - would the Hopis accept the alternative and if they did where would the Navajos have to go, and at what cost.

Superintendent Miller under date of February 27, 1925 (#2705-25 Hopi Boundaries), commenting on Inspector Dorrington's report, says that one side of the controversy is presented. - just then the most popular and promulgated by the Hopis themselves. He doubts the justice of the procedure suggested and would await concerted movement of the two tribes for division. He recites the gradual range movement of the Hopis, saying "Many of them have moved out away from the mesas, establishing small communities and ranches, controlling farming, gardening, and grazing sections." Additional members are doing this each year and we have also a number now living among Navajos in peace and prosperity. In instances the Hopi has displaced the Navajo and I know of no good reason, unless the Hopi is afraid of the Navajo, why flocks of the Hopis cannot go where they please within reason. To establish any such lines, as suggested, would mean confiscation of property for a number of prominent Navajos who have been within the confines of the reservation as long as any Hopi. "Some of the statements made on behalf of the Hopis are ridiculous to those who know actual conditions. There is always trouble here over the range, stock, and crops; both between the two tribes and members of each tribe. None of this trouble seems serious. We promptly adjust these troubles, which are bound to arise as long as these Indians have to try to farm and run stock without adequate fencing. To me it is ever astonishing that they get along as well as they do and that there is not more trouble of this nature."

"I know that the Navajo is more aggressive than the Hopi and that there will always be some hereditary antagonistic feeling between the members of the tribe, but this seems to be generally disappearing and not wholly responsible for the appeal of the Hopis for all this land. Nor is this feeling now retarding the Hopi, who has many admirable qualities, and who is so well thought of because of

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his friendly attitude and his picturesque ceremonies."

About three years later, January 16, 1928, the Superintendent submits quite a different view of the subject and seemingly out of harmony with former representations. He says in part, "The Hopis have spread out so much and we have located so many far afield and at such distances from their mesas in new territories, that additional friction and misunderstanding has developed, and more determined opposition from the Navajos has been encountered. This we are unable to control under present conditions, where there is absence of definite boundaries.

The Hopis are spreading out more each year from the Mesa villages and the more we encourage this and protect them in this matter the more they expect and the more they complain about the Navajos. In other words, our successful policy to get Hopis out into the valleys brings more determined opposition from the Navajos and more courage to the Hopis.

Opening the Hopi reservation schools for Navajos displeased the Hopis, and grating administration over the northwest area of the reserve to Western Navajo accentuated the differences. The Hopis will always believe they should have all the land now within the confines of the Hopi reservation."

In all the correspondence no mention is made of the Hopi settlement on what may be regarded Navajo territory - Moencopi at Tuba, Western Navajo. This area, largely Hopi at present, has perhaps been in dispute between Navajo and Hopi for centuries, but for a time it was largely occupied by the Mormon people at the exclusion of both tribes. A Mormon Mission was established there in 1881 and a year later a Hopi family moved over to that neighborhood. The lure of the irrigable water appealed to them, and irrespective of the Executive Order establishing the Hopi reserve 200 to 300 Hopis settled at Moencopi in two years - 10% of the Hopi folk. Probably as much as \$50,000 has been spent on the irrigation project and most of the irrigable area is used by the Hopi people. This settlement dates subsequent to the establishment of the Hopi reservation and they have been there less than a half century, but it would be inadvisable and impracticable to attempt their dispossession just as it seems impracticable to attempt the ejection of any considerable number of Navajos from the Hopi reservation. The Hopis of Moencopi would be little more welcome on the Hopi reservation than are the Navajos who would suffer dispossession.

It would seem equity and satisfaction are without

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promise in any attempted division and nothing short of a stock-proof fence or close line riding at prohibitive cost could insure security to crops and stock of either party, and fence and police could expect reluctant observation and frequent disregard.

The territory defined by the Executive Order of 1882 has been occupied by both Hopis and Navajos since national jurisdiction was assumed following the Mexican war. There has been in all these years range disputes, crop depredations, and petty thefts, aggravated by drouth conditions, shortage of water, etc., and not all the contentions are Hopi-Navajo, but quite as common among members of the same tribe. The most pronounced contention current at this time is the construction of a drift fence between the First and Second Mesa Hopis. The Superintendent and stockman can handle it and will, as they can and should tribal contentions.

Fortunately there are no sheep nor cattle barons on the Hopi reserve. The dipping record of the 65 Hopi flocks and the sale of lambs following show but three flocks having over 500 sheep and goats, with the largest ownership under 600 head and the average flock of less than 300 head.

The 225 Navajo flocks, with the lamb sales subtracted, show but four exceeding 1,000 head, with an average of about 350. There are less than 1,200 families on the reservation and the 300 flocks of sheep and goats of dipping record possibly contribute to the support of over 80% of the Navajos and 50% of the Hopis.

The average flock of sheep, Navajo and Hopi, here as elsewhere among the Indian people carry too many goats and mature wethers. Throughout the Navajo areas of the mature sheep no less than 10% are wethers and the goats represent about 20% of flock totals. The ratio is not far different at Hopi - wethers among the Hopi flocks seemingly in excess of 10%. Their excessive travel to and from the Mesa corrals prompts their favoring wethers, which are better feeders, hardier in travel, and give more wool, while the death rate of ewes and lambs under such unfavorable practices are often discouraging to the Hopis.

Elimination of worthless horses, reduction of the surplus goats and wethers, and trimming their cattle herds for better return will mean conservation of considerable range forage. With these reductions of unprofitable stock the present holdings of mature breeding sheep could be doubled, and with reasonable range control the grazing load would not approach that common to other Navajo areas.

Superintendent Miller has projected the one practical procedure for better range use by the Hopi people and which calls for no sudden break in community and ceremonial life of the Hopi folk. If 3, 4, and 5 young men, Hopi or Navajo,

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select a suitable water supply, make settlement, construct substantial homes, control a reasonable range area, and meet with creditable industrial success, the multiplication of the procedure is promised.

The so-called neutral zone of 150,000 acres as the best all year grazing on the reservation offers every inducement for the young Hopi families who would stretch community and ceremonial ties to gain remunerative foothold in the stock industry. Three to five families could select suitable location, make further water developments, build sanitary homes, and each with a small garden and 200 to 300 improved sheep reasonably managed could count on annual return of \$800.00 to \$1,000.00 each. The five families would have but a total of 1,000 to 1,500 sheep which could be attended by two of the men, leaving three for other pursuits, thus permitting turn at the care and management of the flocks. The loneliness characteristic of shepherd life would not obtain in this practice and such a flock could find ample forage within a radius of  $2\frac{1}{2}$  to 3 miles from the central location and water. The neutral zone could accommodate 10 to 15 such flocks - 50 to 75 Hopi families - a larger number than will leave the Mesa homes for a generation. This procedure does not overlook the Navajo rights and usages - simply puts the neutral range up to the home builder as the public range was patented to the homesteader at the defeat of the peripatetic range people. Such procedure, too, in less time than we can imagine would be emulated by the Navajo, and the competition between the tribes would promise better homes than is common to either Navajo or Hopi at the present time.

To me the procedure seems practical and possible, and while any successful industrial program calls for application, aggressiveness, and determination, controversies and contentions will mellow with the successful issue, and there would result the same range friendliness that now obtains in the home and ceremonies, as above mentioned. It is believed attempted segregation and the arbitrary ejection of either Hopi or Navajo would aggravate rather than ameliorate conditions.

The Superintendent would of necessity be the guiding spirit in furthering these range settlements, but much of the problem could be met by the substantial field employees. The day school principals, five in number, in cooperation with the stockmen and other field employees, can play a very appreciable part in this home building campaign in their community meetings, returned student assemblies, etc., and concerted and cooperative effort with both Hopi and Navajo folk will do more to assist them in the solution of their tribal differences and range controversies than any other possible procedure, and at no sacrifice of funds,

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home ties, or justice. Any attempted arbitrary division will of necessity create unforeseen difficulties and call for ejections and readjustments that argument and persuasion can never satisfy. Any part short of half the reservation, and that the south half in which the pueblos are located, would not satisfy the Hopi folk. Such division would leave the Navajo only the higher Black Mesa country - maybe equity in acreage only.

I have talked with both Navajos and Hopis on the subject - not in council nor gatherings, but rather quietly to leading influential men of the respective tribes and they see no division that would satisfy the contending factions. The majority of those with whom the subject was discussed see progress in the home building program as a practical possible solution of the tribal factions, though range and water contentions will continue tribally and intertribally so long as range is open for community utilization.

A number of Hopi families now living out 10 and 15 miles from the village request enrollment of their children at the Hopi Boarding School, not at the exclusion of the Navajos but with them. Some of these families have relatives with whom they can board their children in the villages for day school attendance, but it usually means an expense that the home builder can hardly afford to meet and hence their request for the school privilege. With the reopening of this school, enrollment was confined to the Navajos with the thought that the day schools could accommodate the Hopi people. This would be the case should they continue their life in the villages, but diffusing as they are to the range areas, warrants a reconsideration for enrollment at the local Boarding School.

In summary, then, it is believed any attempted division of the Hopi reservation would aggravate rather than correct range and intertribal controversies. Responsibility for utilization would measure with equity and division and influential and progressive men of each tribe favor judicious utilization as basis for segregation, and this is promised through range improvement, water development, and home building. Four and five good sanitary homes surrounding a dependable water supply for home and stock and a thousand sheep and goats, possibly small gardens and orchards, and goats or cows for milk could dot the favorable range at 5 and 6 mile intervals, insuring self-support, better health, better homes, and better life.

This procedure is evidenced in Laguna, Acoma, Isleta, and other progressive pueblos. Laguna has her Mesita, Seama, Pagate, and Encinal that were first range centers, growing in measure with resources of range and field in

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proximity, yet always looking to Laguna pueblo as capital, official and ceremonial center. Acoma has her Acomita and McCarty, growing from settlement of a few stockmen and farmers, leaving the old pueblo for industrial progress, yet looking to the old Gibraltar village as their ceremonial and official center. Isleta has her Chicale where progressive stockmen and farmers have the best homes common to the pueblo, and other examples could be cited.

In furtherance of the general policy should come the reduction and elimination of unprofitable stock - the thousands of worthless horses, the excessive wethers and goats, the mature steers and unprofitable cows, and with better breeding practices with the sheep, goats, and cattle success and progress would be assured the range industries.

Respectfully submitted,

*CC to Supr Miller*  
CEF:AD

*C. E. Faris*  
Chester E. Faris,  
District Superintendent.