

Mrs. Walther 1/16



December 29, 1945

MEMORANDUM for Commissioner Brophy.

Subject: Hopi problem.

Superintendent Ladd of the Hopi Reservation, under date of December 6, sent us copies of several letters written by Byron Adams and Mrs. Genevieve Walther. In one of these letters Byron Adams reports that he saw Roger Baldwin of the Civil Liberties Union who, so Adams reports, offered the help of a lawyer to draft a bill to return all of the Hopi Executive Order Reservation to the Hopis. The copy of another letter from Mrs. Walther to Senator O'Mahoney discusses the difficulties that arose out of the wording of the 1882 Executive Order. Mrs. Walther writes on this point as follows:

"The Hopi land problem, which dates back to 1882, when was proclaimed the Executive Order, with its clause stating that the area was for the use of the Hopis 'and such other Indians' as the Secretary of the Interior should settle thereon. The Indian Bureau apparently interprets this to sanction the few Navajos residing on Hopi lands at that time. Other students, however, maintain that such was not the intent of the Order, inasmuch as at the time of creating the Hopi Reservation the Navajo Reservation was considered adequate, together with the fact that formally there was never action to settle Navajos thereon. In fact, during those early days the U. S. Army offered to force the Navajos back to their own lands where they belonged, the Indian Bureau declining to agree for fear of trouble.

"With both Hopis and Navajos increasing, with more Navajos entering the region from their own reservation, which completely surrounds Hopiland, and with the Indian Bureau taking no positive action for years, trouble came. Now, I guess there is no doubt that, if needs of both tribes are to be met proportionately, the Navajos should continue to use part of the area of the 1882 Hopi Reservation. In the opinion of Dr. Harold Colton, Director of Northern Arizona Museum, they should have 1/3 of the Hopi area on the basis of need. Why, though, should they continue to use 4/5 of this area, as he declares that they are?"

In another part of the letter Mrs. Walther admits the desirability of a drift fence to make possible good range management and to keep the Navajo livestock out, but she winds up her statement on this point by writing:

"The fence is necessary, but in justice to the Hopi the fence should include an area greater than District 6."

Mrs. Walther then interprets the Solicitor's opinion of October 1941 to mean that the Hopis have the right of grazing their animals on the entire 1882 Executive Order area and she asks, "Why was their reduction based solely on the range capacity of 1/5 of that area?"

Mrs. Walther then reiterates her charges against Superintendent Ladd, especially the allegation that Roger Quoohytewa was jailed on trumped-up charges in order to break the morale of Third Mesa. In connection with this matter, Mrs. Walther writes Senator O'Mahoney:

"I might mention another matter regarding Ladd-- whom I'm not prepared to say is a scoundrel, but whom I think the Indians have a right to have investigated in a hearing in which they participate."

From a perusal of the minutes of the meetings conducted by Mr. Zeh during his November visit at the Hopi Reservation, I deduced that neither this nor any other charges and issues on administrative matters raised by Roger Quoohytewa were taken up. I'm wondering whether it is worth-while to ask Mr. Zeh to go back to Hopi and dig into these specific charges.

I'm sending a copy of this memorandum to Mr. Flanery so that he and Mr. Hyden may be familiar with the activities of Mrs. Walther.

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