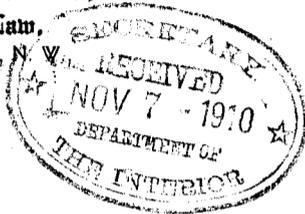


S. M. BROSIUS,
AGENT

TELEPHONE MAIN 1952.

Indian Rights Association,

and Counselor at Law,
McGill Building, 908 G St., N. W.
WASHINGTON, D. C.



Washington, D.C.,
November 7th, 1910.

Hon. Secretary of the Interior.

Sir:-

On behalf of the Indian Rights Association I visited Coconino County, Arizona, the past summer, with a view of ascertaining the basis of the claim made by the Navajo Indians that the schedule of lands selected for their allotments on the public domain in Coconino Basin in that County, should be approved.

Special allotting agent George A. Keepers, with the aid of the Navajos, selected from the public domain the land covering one hundred and fifteen allotments within the past year in Coconino Basin, under authority of law.

Inspector W. M. Tipton of your office, we are informed, has reported against the approval of the allotments scheduled, the basis of the adverse report being that the Indians were not the first settlers, that many years ago it was suggested that they be confined to the east side of the Little Colorado River, and that therefore they should not be allowed in the Coconino Basin to the detriment of the stock men whose herds pasture over these lands.

Coconino Basin briefly described embraces the country bounded on the north by the Grand Canon, on the south by the San Francisco mountains, on the west by the railroad leading to the Grand Canon, on the east by the Little Colorado River.

The Navajo Indians claim to have occupied the Coconino Basin as their homes and for pasturage of their herds

S. of the I. #2

for time almost immemorial, and the evidences of their habitation including their hogans they claim still remain scattered over a broad expanse of country within the limits of the Basin.

The Coconino Rim or top land, which affords pasture in the winter months, has each year been the wintering place of the Navajos, since the snow affords ample moisture for their stock. This upland is not suitable for a summer pasturage on account of the lack of moisture.

The allotments in question were made on the bottom land adjacent to the Coconino upland or Rim, for the reason that these bottom lands are nearer the water supply, provided by springs and the Little Colorado River. In the ravines leading from the lowland to the Rim of the Basin we find the only wood available for the use of the settler and protection from the wintry blasts which has often been taken advantage of by the Navajos for living quarters. The Navajos make the claim that there may be evidences remaining of many score of their hogans or other habitations showing their former occupancy of these lands, and that there is practically no evidence of early settlement by any other people.

The Indians claim that the limit of thirty-one years occupancy by their people, which they understand is made by Inspector Tipton, may as well be counted as thirty-one days so far as its correctness is concerned, their claim being that they have occupied these lands for several generations. They further claim that at no time have they agreed to abandon these lands which are now sought by the stock men for their exclusive use merely for grazing purposes. In fact it is believed that it can be satis-

S. of the I. #3

factorily shown that the stock men never have settled in this country but have utilized it as a winter pasture, without attempt at permanent occupation.

It is positively asserted by the Indians that Inspector Tipton in his investigation of the Indian claim to this country did not call upon the Indians themselves and give them the opportunity to present any evidence to substantiate their claim of prior occupancy. And many of the friends of these Indians, who have been watchful of their interests and especially solicitous to see that the Navajos secured justice in the matter of allotments, make the claim that although being in their midst they were not given notice of the investigation by Inspector Tipton, so that they were thus denied the privilege of presenting what to their minds is convincing proof that the Indians are entitled to the lands allotted by reason of being the first settlers in the Coconino Basin country.

For the reasons stated, and to the end that absolute justice may be done the Indians in this matter, we request that you will direct that a further and more complete investigation be made of the claim of right by these Indians to have the lands allotted to them. We urge that this further investigation be made without delay for the reason that stock men, in whose interests it is sought to deprive the Indians of these lands, are charged with destroying the hogans of the Indians and otherwise injuring their property and mistreating them.

S. of the I. #4

We believe a great wrong to these Navajos is impending through the alleged exparte character of Inspector Tipton's report, or other reasons, to avert which a further and prompt inquiry and report of the existing conditions should be made.

It is important that when an investigation is directed the Inspector should be instructed to notify the Superintendent in charge of the Leupp Indian School, Leupp post office, Arizona, so that he may apprise the Indians of the approaching hearing, to the end that they may be prepared to present whatever evidence they have to support their claim. We further request that Mr. W. R. Johnston, of Tolchaco post office, Arizona, for many years a Missionary among these Indians, be notified of the time and place of the investigation, so that the Inspector may have the benefit of his knowledge and of any citation of facts which he may be enabled to present.

Very respectfully submitted,

S. M. Johnson
Agent, Indian Rights Association.