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Serial 5226

60TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { REPORT No. 1063.

CONCERNING THE NAVAJO INDIAN RESERVATION IN NEW MEXICO.

MAY 12, 1908.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. LINDBERGH, from the Committee on Indian Affairs, submitted the following

REPORT.

[To accompany H. J. Res. 152.]

The Committee on Indian Affairs, to whom was referred the resolution (H. J. Res. 152) concerning the Navajo Indian Reservation in New Mexico, report the same back with the recommendation that it do pass.

In view of the fact that the land in question was withdrawn from the public domain for allotment to the Indians in the northwestern part of New Mexico the necessity for and advisability of immediate legislation of this character is very apparent, for unless the resolution be passed before the adjournment of Congress the President will not have jurisdiction to restore the land as withdrawn and, furthermore, not allotted to public entry. The committee therefore has unanimously agreed upon, respectfully submits, and urgently recommends the passage of the resolution.

This resolution was referred to the Office of Indian Affairs, Department of the Interior, and the favorable report of that Office, which is made a part of this report, authenticates the virtue of this resolution.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 30, 1908.

SIR: I am in receipt, by your reference for report thereon, of copy of House joint resolution No. 152, entitled "Joint resolution concerning the Navajo Indian Reservation in New Mexico."

The resolution authorizes the President, whenever he is satisfied that all the Indians in any part of the Navajo Reservation in New Mexico and Arizona, created by Executive orders of November 9, 1907, and January 28, 1908, have been allotted, to restore the surplus lands to the public domain.

You are advised that, because of the large number of Indians residing on public lands adjacent to the Navajo Indian Reservation in New Mexico and Arizona without any title to the lands occupied by them, it was necessary, in order to protect

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them in their homes, that a temporary reservation of the lands be made until such time as the Indian occupants could be allotted. It was not and is not the intention of the Department that lands which will not be needed for allotment purposes be withheld from settlement and entry any longer than will absolutely be necessary to insure the Indians securing their homes under authority of law without interference from white settlers.

Special Allotting Agents William M. Peterson and J. D. Kent are at present engaged in making allotments to these Indians, and if the joint resolution should become a law it will be possible to restore the surplus lands to the public domain as fast as the Indians in any particular tract have all been allotted.

The resolution has the approval of the Department, and it is therefore recommended that it be enacted as a law.

Copies of the Executive orders of November 9, 1907, and January 28, 1908, creating the extension, are inclosed as requested.

Very respectfully,

C. F. LARRABEE, *Acting Commissioner.*

Hon. J. S. SHERMAN,
Chairman Committee on Indian Affairs, House of Representatives.

EXECUTIVE ORDER.

It is hereby ordered that the following-described tract of country in the Territories of Arizona and New Mexico, viz:

Commencing at a point where the east line of the Navajo Indian Reservation, as at present constituted, intersects the north boundary of township twenty-three north, range thirteen west, New Mexico meridian; thence due east to the northeast corner of township twenty-three north, range five east; thence south to the southeast corner of township seventeen north, range five east, New Mexico meridian; thence west to the first guide meridian; thence south on the said guide meridian to the southeast corner of township fifteen north, range nine west; thence west to the southwest corner of township fifteen north, range fourteen west; thence north to the northwest corner of township fifteen north, range fourteen west; thence due west to the boundary line between the Territories of Arizona and New Mexico; thence south on the boundary line between the Territories of Arizona and New Mexico to the northeast corner of township twenty-three north, range thirty-one east; thence west to the northwest corner of township twenty-three north, range twenty-nine east; thence south to the northwest corner of township twenty-one north, range twenty-nine east; thence west to the northwest corner of township twenty-one north, range twenty-nine east; thence west to the northwest corner of township twenty-one north, range twenty-six east; thence south to the southeast corner of township twenty-one north, range twenty-five east; thence west to the southwest corner of township twenty-one north, range twenty-two east; thence due north to the southern boundary of the Navajo Reservation as at present constituted, be, and the same is hereby, withdrawn from sale and settlement and set apart for the use of the Indians as an addition to the present Navajo Reservation: *Provided*, That this withdrawal shall not affect any existing valid rights of any person.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *November 9, 1907.*

EXECUTIVE ORDER.

Whereas it is found that the Executive order of November nine, nineteen hundred and seven, setting apart certain lands in Arizona and New Mexico as an addition to the Navajo Indian Reservation, conflicts in part with Executive order of November eleven, nineteen hundred and seven, setting apart certain lands as an addition to the Jicarilla Indian Reservation, New Mexico, said Executive order is hereby so amended that the description of the tract of land set apart as an addition to the Navajo Reservation shall read as follows:

Beginning at a point on the eastern boundary of the Navajo Reservation where it intersects what would be, if extended, the township line between townships twenty-three and twenty-four north; thence east along said township line between townships twenty-three and twenty-four north to the northeast corner of township twenty-three

north, range six west, New Mexico meridian; thence south to the northeast corner of township twenty-one north, range six west; thence east to the northeast corner of township twenty-one north, range five west; thence south to the southeast corner of township seventeen north, range five west; thence west to the first guide meridian west; thence south on said guide meridian to the southeast corner of township fifteen north, range nine west; thence west along the township line between townships fourteen and fifteen north to the southwest corner of township fifteen north, range fourteen west; thence north to the northwest corner of township fifteen north, range fourteen west; thence west along the township line between townships fifteen and sixteen north to the boundary line between the Territories of Arizona and New Mexico; thence south on said boundary line to the northeast corner of township twenty-three north, range thirty-one east, Gila and Salt River meridian, Arizona; thence west on the township line between townships twenty-three and twenty-four north to the northwest corner of township twenty-three north, range twenty-nine east; thence south to the northwest corner of township twenty-one north, range twenty-nine east; thence west on the township line between townships twenty-one and twenty-two north to the northwest corner of township twenty-one north, range twenty-six east; thence south to the southeast corner of township twenty-one north, range twenty-five east; thence west on the fifth standard parallel north to the southwest corner of township twenty-one north, range twenty-two east; thence north on the range line between ranges twenty-one and twenty-two east to its intersection with the south boundary of the Hopi (Moqui) Indian Reservation, Arizona; thence east to the southeast corner of said Hopi (Moqui) Reservation; thence north on the one hundred and tenth degree of longitude west to the south boundary of the Navajo Reservation, Arizona; thence east along the said south boundary to the boundary line between Arizona and New Mexico; thence continuing east along the boundary line of the Navajo Reservation, New Mexico, to the southeast corner of said reservation; thence north along the east boundary of said Navajo Reservation to the place of beginning.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 28, 1908.*

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