

May 10, 1892

#1

17721

OFFICE OF
INDIAN AFFAIRS
Rec'd MAY 12

1892

Case 147
147

Interior Dept.
May 10, 1892.

Returns, with approval, letter
of instructions for the guidance
of J. P. Mayhugh in making
pledgments to Indians on
Moguin reservation.

and

1 Encl. Sent to Mayhugh
for return - See 13680/92

To Mayhugh and to
Supr Collins, May 13/92
d. 19 237/244

25/188

Allen

RG 75, BIA, E. 102
Special Case 147, Box 149
Moguin
1892-17721

500

DEPARTMENT OF THE INTERIOR,

WASHINGTON, May 10, 1892.

The Commissioner of Indian Affairs.

Sir:

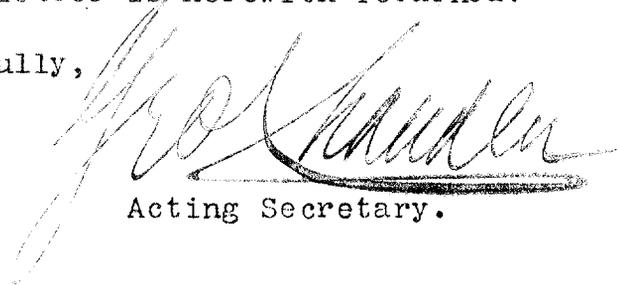
I have approved and return herewith the supplemental letter of instructions for the guidance of Special Agent Mayhugh assigned to the duty of allotting lands in severalty to the Indians of the Moqui reservation in Arizona which was submitted with your communication of 7th instant.

Special Agent Mayhugh's letter is herewith returned.

Very respectfully,

3821 Ind. Div. '92.

2 enclosures.


Acting Secretary.

May 10, 1892

17721

13680

Report

¹⁴¹
Kearns Canon Arizona
Mogui Reservation

April 1892

John S. Mayhugh U.S.
Special Allotment Agent
inc.

Special Report relating to water
sources and supply and the
allotment of lands to Mogui Indian
and other matters relating thereto

To Secy May 7/92 43
To Spe. Agt. Mayhugh by Sup. Bell
Allen May 13/92
241 Sec-17721/92-237-264-124

RG 75, BIA, E.102
Special Case 147, Box 149
Mogui
1892-17721

Report

Morgan, Richard
Washington, D.C.
April 10, 1954

Dear Sir:

Re: Affair

of

the

the conditions under which

the contract was made, and the

fact that the contract was made

on page 10 of your report, and

the fact that the contract was

made as a result of my the contract

was made since they are not

the actual terms of the contract

and the fact that the contract

was made on the basis of the

fact that the contract was made

on the basis of the fact that

the contract was made on the

basis of the fact that the

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of the fact that the contract

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fact that the contract was

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that the contract was made

on the basis of the fact that

below the general appearance of the surrounding country is uninviting but the Village sites are much more so. A more unpropitious place or unfavorable locality for the erection of a Village by the abode of man can hardly be imagined as found in Arizona, being exposed to the wind storms so prevalent in this region.

The Yuma Indians proper, all reside in these different Mesa's the first Mesa contains three villages which are separated only a few hundred yards apart - the houses are chiefly built of rock and mud - the style and arch-construction of the buildings are exceedingly rude and irregular in the houses being alike - The first Mesa is situated in a westerly direction from Keam's Canyon school at a distance of some twelve miles and the three villages contain ^{an estimated} population of about five hundred persons. The second Mesa has two villages and is about six miles from

the first Mesa and is also situated in a westerly direction from Keam's Canyon school.

Still further ^{north} west than these miles from the 3rd Mesa proper is situated another Village belonging to the second Mesa these villages are similar to those of the first Mesa and the surrounding conditions are the same and contain a population of about five hundred.

To the west from the school Keam's Canyon is situated at a

distance of some 30 miles the last and most people
 these with one village but contains considerable
 more than one third of the Mogui Indians of this
 Reservation - These people although they belong
 to the Mogui Tribe are known as the Quaitis
 - they are less civilized and less communicative
 than their neighbors of the other two Mesas
 and they seem less inclined to adopt and accept
 the white man's ways and being less inclined
 to accept their allotment of lands and to come
 down from their crowded villages and build
 houses at more acceptable places for farm
 work and more convenient for wood and water
 yet I saw a number of houses under construction
 and two about finished -

The Indians of the first Mesa are by reason of their
 close proximity to the Agency Boarding School
 are more civilized and more inclined to leave their
 villages and build more convenient and
 comfortable quarters in the Valley below - The people
 of the first Mesa are very pleasant and kind
 and as they are able and well built I
 believe I am fully warranted in saying they
 will all readily accept their allotments which
 I think the Quaitis will be slow in their
 acceptance - The above and foregoing comments
 are merely preliminary and are a foundation
 for the more important facts that will now follow

In company with Superintendent Collins of Beau's
 Rivers Boarding school I visited and examined
 some fine springs at various points and places of
 the Reservation on all sides of the three
 rivers many of which are outside of the
 present survey. Some of these springs discharge
 a volume of pure cold water sufficient
 to supply the needs of a large school
 building. The place where these springs are
 situated has been selected by Superintendent
 Collins as a very suitable place for new
 school buildings. The site is most favorably
 situated having a splendid view of the sur-
 rounding country with an abundance of water
 available that it can be carried to the
 highest part of all the necessary buildings
 and to the school building. The water also
 is of a high quality. The water from
 the springs discharging about 1 1/2 million
 gallons (more or less) the other springs
 about such while the third one is 1/2 million
 gallons making a total of over three million
 gallons. There is also plenty of land of good
 quality for farming purposes with an un-
 limited amount of pastoral land to the north
 and west from the proposed school site. Timber
 for fuel and other purposes is usually plenty
 and convenient. Beside the above mentioned

THE NATIONAL ARCHIVES

water supplies I found in the neighborhood of the Third Mesa some native springs in water-
ing places in close proximity to several large
orchards belonging to the Oraibi's.

Then with other watering supplies that
I shall hereafter mention will increase the
number of springs or watering places to 10,
inclusion of the Worrock, away west a clay
and a reservoir a small lake of water the water
is some 25 odd miles south with the first

where there are two large springs run-
ning out of the hill some 200 yards into a
depression, this water lasts the entire year
and is two miles north from the southern
boundary of the Moqui Reservation.

Reams Canyon proper which has been made
a base as to distances and direction of springs
and mesas runs east and west for a dis-
tance of some 10 or 12 miles commencing
at a point some three miles east from the Gov-
ernment school Building there is a res-
ervoir direction increasing in height until
it reaches an open plain some 200 feet
high. During the course to the west west
the general trend of the intervening valleys
and mesas are from the north east to the
south west. In Reams Canyon there are some
flowing springs of water more than sufficient

of which

but they are not included in the above mentioned sixty Springs
 for all school purposes, all of the Springs of water
 are found at or near the base of some mesa on
 both sides sometimes the water flows or seeps out
 from the rock cliffs some distance from their
 base. Many of the Springs are found in close prox-
 imity to each other - sometimes in groups of two
 and one being from 100 to 200 feet apart
 what are the other sources of water supply
 in the region or pools which are generally found
 some distance from the base of the Mesas.

One pool or more flowing spring of water was
 found some four miles east from the ^{1st}
 Mesa in the Valley - The discovery of this water
 supply was somewhat novel - A wolf that crossed
 the Valley was hard pressed for water and by natural
 instinct or some natural law of its own it scented
 the water near the surface at a point in the Valley
 when there were no surface indication of water
 being near by - He dug with his paws and with his
 teeth by digging with his paws some 10 or 20 inches
 deep - This act of the wolf was observed by the
 Indians who at once proceeded to the spot and
 commenced to dig and soon opened out a pool
 of good water which has resulted in the
 erection of some three nice adobe Buildings
 and the water supply seems to be ample for a
 dozen or more families or what is taken out does
 not seem to diminish the supply. In fact the
 incident to show that this is a permanent affluence

more water than is generally supposed by those who have not taken the pains to investigate the matter. In using the term water foot in contrast to water to running Springs I do not wish to convey the idea that the water is stagnant or unfit for use. It occurs to me that other flowless Springs may be found when the conditions and surroundings are similar to the one found by the wolf. Some of the opinion that considerable water may be found and Springs developed in the intervening valley between the Mesas by digging, flushing and boring thereby increasing the water supply. This fact and at a moderate expense.

Among the Pacific Mesas and using them as some Springs and I have no doubt but that other Springs and water supplies may be found upon further exploration.

With a view of decreasing further water supply I visited and examined a certain well known by the Indians in the vicinity which is usually within a half or a mile or more of the distance of a mile and a half or more at or near the 10th Mountain or western boundary line of the Meigs Reservation being about 25 miles west from the Meigs Agency to the point where the water in the well at a certain first appearance seemingly coming from both sides and the bottom of the well being

very little at first but increasing as it flows south-
ward until it reaches a point some five miles
down when the chain enters a Cañon - Here the
volume of water has increased to some 10 or 20
times what it was when it commenced to decrease until at
the distance of four miles southward the water is
scarcely perceptible - The water is not good being strongly
impregnated with Alkali and is used for
irrigation purposes and for raising
livestock I found several living near the banks of
the stream having sheep and horses grazing
in the vicinity -

Close to this stream on the east side of the
Cañon I found two living springs of good water
discharging as much as an inch to each spring
The land on which the Cañon through which
the water runs is very fertile for cultivation
and is some half to three quarters of a mile
wide I am informed by one of the men
employed in making the road in the way
to establish the western boundary but the survey
was not positive that the observation and survey
to be made was absolutely correct - The survey was
made by bringing this chain and water into the Cañon
but the line has since run a half mile east a
well for the one made - if the survey was west
it would bring the entire water and water at
the Cañon and consequently would not
be available for the permanent use of the people

In my examination around the mesa for additional
 water resources I noticed in the Valley a number of thick
 cottonwood trees some as tall as 30 feet or more. Upon inquiry
 I found that these trees had been planted by the Indians for
 shade purposes while watching and protecting their grazing
 crops from the ravages of their stock. The presence
 of these trees growing luxuriantly in the dry barren
 sandy soil suggested to me that the presence of un-
 usual amount of moisture and impressed me
 strongly that water could be found by digging a
 well from ten to fifteen feet and that a suf-
 ficient supply of water might be secured for
 agricultural crops but more particularly for domestic
 purposes. The water from these wells could be readily
 lifted to the surface by means of a windmill. If a
 very considerable amount of water is found at the
 bottom there is sufficient moisture below the surface
 to cause the thrifty growth of these trees in water. It
 is a most encouraging fact and even the Valley around
 the mesa will be converted into a forest which will
 not only be valuable for shade and protection and pro-
 ducing of moisture but the timber growth will be
 valuable for building and farming purposes and by
 diminishing the desolate appearance of the country
 around the mesa will be greatly benefited.
 Now I have examined the possible water supply. I am
 much encouraged to find that the amount of water
 which was expensive than I had at first anticipated.
 In the arid regions of Nevada and Utah water is
 always found within a few feet of the surface where

Cottonwood trees grow. The failure to find water at
 such places are so exceptional that the presence of
 the cottonwood trees are always regarded as a sure
 indication of water. Therefore any conclusions based
 upon a mere examination as to the present and future
 water supply is that water can be eventually re-
 ceived in sufficient quantities at least for domestic
 purposes for these people. From what I can learn
 the Indians they are apparently favorably in-
 clined to the plan of holding the present water
 rights as common property - except when it
 is so small as to be only a seepage or small
 spring and is only enough for domestic purposes
 for one family or where an Indian has developed
 water by his own labor, such water should belong
 to him individually and he should be allowed
 to make an allotment of land upon which he has
 developed the water unless some very urgent and
 important reason can be shown to the con-
 trary. All other water rights such as springs
 and unrunning springs streams of water or ponds
 that have heretofore been in common use should
 should be exempt from personal allotment
 and held for the common use of all Mogon Indian
 and of the Springs are allotted to one individual
 person it should be with the distinct understanding
 that the Mogon Indian within the vicinity
 shall have the right to enter his property for the
 purpose of securing water for domestic purposes
 and to be taken care of by the government as to

AT THE NATIONAL ARCHIVES

the common use of the water of the Reservoir
 in view of the fact that all lands not allotted to
 people may at some future period pass into the hands
 of the general Government for Reservoir purposes. In
 view of the Allotment Act of 1887 therefore if the idea
 of reserving all the springs from allotment as first
 suggested is adopted it would be best to take
 the steps that some steps be taken by your Board
 of Agents to preserve the unallotted lands containing
 the springs and other sources of water available
 from the operation of said Act. otherwise they
 may be deprived of the free use of such water
 at some future period.

To make use the members of the tribe to whom
 lands may be allotted to have free use of all
 the water supplies they should be permitted to
 build their dwellings and other necessary in-
 conveniences in family groups forming small
 settlements of 5 or 8 families at such points
 where as a few springs are found. It is also
 impracticable to cause the people to make
 allotments and reside on them. A great deal
 of land which might be allotted from
 above for water as well as from water. It would
 supply a great deal of the ^{water} going to and returning
 from the water this, about the Reservoir a few
 which they now farm. It is also impracticable to
 have water any distance unless made regular course
 and labor but an Indian may cultivate his allotted

land at a distance of 4 or 5 miles from his home by
 taking with him a small supply of water for his daily
 use and those with him of his family and domestic
 animals are domiciled at some spring or pond where
 water for his family can be fully supplied. This village
 however is more or less practiced in some high civ-
 ilized countries particularly Germany and under the pe-
 culiar water conditions of this country it would be
 a matter of course an Indian owning the water
 he may discover upon his allotted land because his
 individual property it will be an incentive for him
 to hunt for water. I understand that as soon as the
 Department are approved by the War Secretary of the Interior
 that when these people become citizens of the United States
 and are subject to all the laws of the Territory or State
 of Oregon as the case maybe and among other laws
 that the Indian citizens will be subject to all the
 laws relating to the use and distribution of water what
 I have recently informed prohibits the exclusive
 appropriation by any one individual or association,
 of the water of any springs lakes or creeks within
 the most Territory of Oregon, under the laws as
 well providing for the equal use and distribution
 of the water within the limits of Oregon. The
 small the springs or water supplies will under
 the act pass from the control of the Bureau of Land
 Management Office, unless some special legislation
 be devised and enacted for the protection of the
 same for the benefit of the Indians.

I have through Superintendent Collins and from
 some personal observation that there is considerable
 good soil land that has been left unsurveyed
 at different points in the neighborhood of the East
 middle and Oxide Muses. As to the Township
 reports of Townships that have been omitted &
 amount at present determinations as there is no
 way of ascertaining the number and range
 of surveys; on the Township that these pieces of
 unsurveyed land would appear. I have a
 plot of survey of what has been surveyed as
 a guide to assist in determining the question
 of what is already surveyed. The stakes
 are placed in an excavation about
 a foot deep and rarely set into the ground more
 than three or four inches. I found many of them
 lying on the ground and were covered by sand
 that had drifted into the excavation and were few
 that had been covered previously by the
 sand. These stakes close to the houses were
 the half and quarter mile stakes and were
 in some places to have been in any place that
 they could readily have been seen from the
 observation corner. I have been able to find do
 not indicate what sections they represent. In
 some places I found certain a number of the
 corners representing the 4 cardinal points of the compass
 but nothing else except a small stone placed by the
 side of the mound and upon the pattern that
 indicated above the ground contained in upper
 part of the except six straight marks on each side
 that were without any figures or initials other than

There has not been any timber land surveyed as far as the
Indians and myself can ascertain. Timber land is
of the highest importance to these people not only
as fuel but for fencing and building purposes.
The Indians are desirous of having some timber
land as part of their allotment.

When the arrival of the plate they may possibly
think there has been some timber land surveyed.
If any part of the timber land upon the
plate is to be put to pasture land, and the
rest all the same should be allowed double quantity
of the land in question is really more suitable
for grazing purposes, when stripped of its scanty
growth of timber than it is for timber purposes
only.

Some after my arrival I expressed a desire to visit the
Indians and have a talk with them and explain
the purpose of my presence among them. I left
the morning and to have a meeting called the
following Monday March 1st at the
meeting place of the Government of the east
where the Mogis were present including a
number of men from the head men also a number of
women. The white persons present were Capt
Cullum, Lewis Hos. O'Keane with some other white
persons. Lewis Keane kindly volunteered to
act as interpreter for the occasion. The process of
making the English into the Mogis language
with the English had rendered in Spanish to the
interpreter a Mogis Indian who translated the

Spoke to the council in the Hologan tongue in the
 way that was able to make known the object of business
 and the good and kind purposes of their great father
 at Washington. I fully explained to them
 in the form I thought they would fully understand
 all that referred to them and the land they
 were about to receive letting them know each
 individual member was to receive an allotment
 of land to be held for them by the government
 for a period of years of age. I also fully explained
 to them in as concise a form as possible that after
 the allotment of land to them in severalty they
 they would be citizens of the United States and in
 a certain sense be Indian no longer when they
 received the high honor of a citizen they would be
 no longer under the old Indian laws and customs
 of the state but by the elevation they would be taking
 a new life with higher and better purposes
 and they would be subject to the white man's laws
 and customs. In order to meet the new condition of
 affairs they must prepare themselves by erecting com-
 fortable houses and come down from the woods and
 lead a comfortable lives as to live in the Hologan
 to water and their land to send their children to
 school so as to enable them to become intelligent
 intelligent citizens and prepare them to cope with
 their white brothers for food clothing and shelter.
 On the part of the council talk in about the
 Hologan men made some remarks in the

nature of inquiries for further information about the allotment of land or in giving them general assent and concurrence as to what had been said and explained to them, some of the Indians said they were willing to do what their great father at Washington desired them to do. Those present said they spoke for themselves the few Ojibwa present did not seem to participate much in the Council proceedings nor did they speak in any way as to their own interests & what they would do.

The 1st and 2nd Mesa people taking their land they too will accept them without any particular trouble. Accompanying the report is a rough sketch or diagram showing the relative position of the three Mesas the principal springs and water supplies also the land allotted by Mr. Collins for school purposes also used to the East Mesa to Grand Canyon. It also indicates all of the water of the current channels and pools visited by us including the stream which flows into the River at a point on the western

boundary of the Reservation to aggregate not less than 100 to 150 inches - it may not be out of place for me to say while travelling in search of water that I noticed some 12 new houses finished and some 88 others under different stages of construction. About half way between the Oraibi Mesa going westward to the wash or stream there occurs an entire change in the appearance of the rock and sand surface forming this zone is not over three quarters to one mile in width and is about 3 to 3 1/2

under long I discovered in a deep gorge or opening
but even though this gave strong evidence of coal
at another point there was a vein cut through by the
action of the water at some former period which discloses
a large strata that look like half burnt coal or
something of the kind. I have no doubt but that a system
of heating will develop out of this quality
of coal.

It is of such importance that it is being
worked in the vicinity in consequence of its being
used for fuel purposes within reasonable distances
of the coal fields and other matters relating thereto and
which will be of great value.

All of which is now
respectfully submitted to your consideration
Very respectfully
John L. ...
...

I have read this report and am
in the possession and communication
of Special Agent ...
...

JERRY'S BARON - ARIZ. TEP.
APR 5 1892

SUPPLY ...