March 15, 1893

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Department of the Interior,

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March 15, 1893.

The Honorable

The Secretary of the Interior.

Sir:

I am in receipt of a communication, dated the 23rd. ult., from John S. Mayhugh, Special Allotting Agent, Keam's Canon, post office, Apache County, Arizona, reporting that an Indian from Moencopie named Tar-losh-mep-teah, son-in-law of Nar-she-le-we, a Moencopie Indian of the Moqui tribe, while working on said Nar-she-le-we's homestead which he (the agent) allotted to him last July, under instructions from this office, was assaulted by a Mormon known as "Mormon Jim", who horsewhipped the Indian and drove him from the land while he was at work thereon; that the Mormon took the Indian's hoe from him declaring that the land belonged to the Mormon and not the Indians, and threatening to kill the Indian if he or any other member of the Moqui tribe attempted to cultivate the same or use the water from the Moencopie springs; that that Indian and others allege that the Mormons have taken nearly all of the lands allotted to the Indians by him under instructions above referred to; that they are greatly distressed for the reason that they are prohibited from planting a crop upon their land and say that they will starve

RG75, BIA, Ltr Sent
Land Div, Vol 127, p. 190

USPRI000510

the coming winter for want of food.

The Agent adds that he directed the Indians to lay their complaints before the U. S. Indian Agent at Fort Defiance, whereupon they replied that it was too far to walk at this season of the year, the weather being bad, and that their horses were too poor to travel so far, and that they begged him to lay the matter before the Department in order that they might be protected in the use and occupation of their homes and fields.

In connection with this matter I have the honor to state that under date of July 2nd., last, Special Allotting Agent Maynugh was instructed by this office to proceed to the vicinity of Moencopie and Tuba City, Arizona, for the purpose of assisting certain non-reservation Indians in that section of the country in making applications for allotments of lands in severalty, under the 4th. section of the General Allotment Act, approved February 8, 1887 (24 Stats. 388) as amended by Act of February 28, 1891 (26 Stats., 794). He was furnished with the necessary blanks and other documents for use in connection with the work assigned him.

He reported compliance with the instructions given, and has several times since the completion of the work there reported interference upon the part of the Mormons in that vicinity with the lands allotted to the Indians.

In view of the foregoing facts I would respectfully recommend that an Inspector of the Department be sent to the vicinity

of Moencopie and Tuba City, Arizona, for the purpose of investigating the matter of alleged trespasses upon the lands allotted to the Indians by the Mormons, and to warn all persons so guilty of interfering with the lawful rights of Indian allottees, that they will be prosecuted if they do not immediately desist therefrom.

A clause in the Indian Appropriation Act, approved March 3, 1893 (Public #135) provides that "In all States and Territories where there are reservations or allotted Indians, the United States District Attorney shall represent them in all suits at law and in equity".

I think the presence of an Inspector, who shall explain to the whites complained against, just what the rights of Indians are, and that the Government will protect them in their rights, will have a wholesome effect and perhaps put an end to the disturbances that have occurred in that locality on account of interference on the part of the whites with the Indians who have sought to acquire legal title to the lands settled upon and occupied by them.

I would be pleased to be advised of your action in the premises. Copy of this report herewith.

Very respectfully,

Your obedient servant,

Acting Commissioner.

(Hinton - Ca)

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