

December 14, 1893

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Land.  
45132-1893.

Department of the Interior.

OFFICE OF INDIAN AFFAIRS

Washington, Dec. 14, 1893.

John S. Mayhugh, Esq.,  
U.S. Special Agent,  
Keams Canon,  
Arizona.

Sir:

I am in receipt of your letter of November 29th last reporting that the entire field work of allotting lands to the Moqui Indians is complete with few exceptions; that in surveying and allotting the land for the Oraibi band headed by Chief Lo-Lo-Lo-my and his people, you found it necessary to take a description of the tracts occupied by the hostiles, who refuse to take their land; that you find several sections in certain townships very much crowded, there being in some instances as many as seven or eight corn and melon patches claimed by as many hostiles and friendlies; that you enclose two sheets showing the field work and the crowded condition of a few sections to show how their tracts lay; that these two are the most crowded of any; that inasmuch as the hostiles have repeatedly refused to take their land and it seems im-

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possible for the friendlies to get a full 80 or 40 acre tract in some places without taking in tracts belonging to the hostiles, the friendlies should have the preference in the making up of their respective tracts of 80 acres each, leaving the hostiles to take such tracts as are left, filling their quota elsewhere on surveyed land; that though you have surveyed all of the first and second rate land claimed by the Oraibi people in the vicinity of their village there will not be enough for full allotments by about 3000 acres; that there is, however, sufficient good agricultural land in other surveyed localities, where water may be had, and from which the allotments to the Oraibis may be completed; that you are now engaged in making duplicate copies of allotments heretofore made for the other six villages, and ask instructions as to whether you shall enter upon your schedules land for the friendly Oraibis without taking into consideration the tracts claimed by the hostiles except where the latter have a full 40 or 80 acre tract covering their corn fields.

In reply, I have to advise you that in sections as thickly settled as the two represented by the sketches enclosed by you, no allotments will be made and the Indians will be permitted, for a while at least, to hold and cultivate

their several patches as they have done in the past. It is evidently impracticable to make allotments in such thickly settled sections, as the "friendlies", in taking even a 20 acre tract, would not only interfere with the "hostiles" but with each other, and the attempt to run provisional lines so as to include separately all of the potato shaped patches describing them by metes and bounds, would be a difficult and expensive undertaking.

You will therefore permit the Indians in such thickly settled sections to make their entire selections of 80 acres on other available surveyed lands, and continue to cultivate their present claims as above stated. In portions of the Oraibi territory less thickly occupied, an allotment of a 40 or 80 acre tract may be made to one Indian provided that in so doing the claims of no other Indian - whether "hostile" or "friendly" - will be interfered with. And in places where only a 40 acre tract can be allowed without interference with other claims, the allottee will be permitted to select his other 40 in another portion of the reservation. In making these allotments the hostiles must not be disturbed in the occupancy of the several tracts claimed by them and they must be treated without prejudice beyond what they will suffer in

having to subsequently make selections for allotment from such land as may be left after the friendlies have made their selections.

After completing allotments to all who will take them, you will submit the schedules to this office together with an accurate list of those who refuse to make selections.

Very respectfully,

*D. Robinson*  
Commissioner.

(Holland)

P.