

**HOPI AGRICULTURAL REPORT,**

**1540-1934**

**March 1988**

**by**

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Wash and try to settle the dispute once and for all. This time Mayhugh allotted twelve tracts of land -- nine tracts to Hopis and three to Navajos. The Navajos were allotted the Moenkopi Wash holdings purchased by Itz-ze-tee, while the Hopi allotments included disputed lands in Moenkopi Wash and Reservoir Canyon which Mormons had earlier taken from the Hopis. In 1897, these allotments were certified by the CIA.<sup>47</sup>

Portfolio Map #2 lists the names of the allottees in the Wash, and the location of each allotment. The following is a list of the Hopi and Navajo allottees certified in 1897 and listed on the map. The acreage given to each allotment included all the land between Moenkopi Wash's embankments, including the non-arable cliffs above the Wash.<sup>48</sup>

Hopi Allottees (1893)

1.	Tah-losh-hi-nini-mah	70 acres
2.	Nah-she-ing-ne-wah	67 acres
3.	Yay-she-mah	60 acres
4.	Lay-toke-she	60 acres
5.	Cotch-che-mon-nee	66 acres
6.	Nah-she-le-wee	67 acres
7.	Te-wah-me-meni-mah	67 acres
8.	Ne-bah-yow-in-shee	72 acres
9.	Ah-cow-er-shee	<u>72 acres</u>
	Total	601 acres

Navajo Allottees (1893)

10.	Itz-ze-tee	87 acres
11.	Hos-tell (?)	40 acres
12.	Ish-cla-clol-pah-dan-ne	<u>40 acres</u>
	Total	167 acres

This first allotment attempt establishes that Hopis farmed acreage at the base of Reservoir Canyon and most of the available

farm land along Moenkopi Wash east and west of the village, with the exception of the three Navajo allotments which abutted the Hopi allotments along their western boundary. The Hopi allotments included most of the land they had been farming before Lot Smith and other Mormons started encroaching on their land. The Navajo allotments were based on land usurped from the Hopis in 1889 by Mormons. Charley Itz-ze-tee, one of the Navajo allottees, may have faced some conflict with the Hopis over this situation.<sup>49</sup>

Despite Mayhugh's reallocation work, trouble continued between the Hopi and Mormons. Several Mormons strenuously objected to the Hopi allotments. They felt that they held rights to certain tracts of land in Moenkopi Wash and Reservoir Canyon, and apparently were willing to use force to recover this land. Five months later Lololoma, an Oraibi chief, complained to John Mayhugh that:

the government had given land to some of his people at Moenkopi Wash and failed to protect them and that the Mormons had taken their water and driven them off the land allotted to them besides abusing and beating them ...<sup>50</sup>

Ashton Nebeker, who came to Moenkopi in 1893 shortly after Lot Smith's death, and Robert Sensbury, another Mormon, claimed the former Mormon farming areas in the Moenkopi Wash (the west half of claims 9 and 4, and claims 1, 2, and 3 on Portfolio Map #2). The disputed land was west of the red line marked on Portfolio Map #2.<sup>51</sup>

Ashton Nebeker forced the Hopi to pay him for the privilege of cultivating their own farms, alleging that the land no longer

belonged to the Hopis. This situation continued until 1897, when a white missionary named William Riley Johnson intervened.<sup>52</sup>

Johnson arrived in Moenkopi in 1896 and renovated the abandoned spinning mill (see Portfolio Map #2) into his headquarters. Later, his son reported the following account of the Hopi-Mormon troubles.

The following spring [1897] disputes arose between the Mormons at Tuba City and Hopis at Moenkopi with respect to fields in the valley below the village which the Hopis had been planting for many years previous. The Mormons attempted to seize the land by force, and assaulted several Indians engaged in planting them. My father sent a Navajo messenger on horseback to Fort Defiance to ... call in armed Navajos [Indian police] to protect the Hopis while they planted. The permission was granted, and forty Navajos were summoned to stand guard over the Hopis. Although the Mormons threatened violence if this plan was consummated, they made no trouble, and the [Hopi] fields were finally planted....<sup>53</sup>

This Hopi-Mormon dispute over the Moenkopi Wash drew Major Constant Williams, Acting Agent for the Navajo Agency in Ft. Defiance, to investigate the situation. He confirmed that several Mormons had taken from the Hopi the dam and ditches around Moenkopi, and had falsely obtained a decree from local courts awarding them, as prior and original appropriators, all the waters of Moenkopi Wash. Major Williams recommended an extension of the 1882 Reservation to include the entire Tuba City area.<sup>54</sup>

A year later, the government sent Indian Service Inspector James L. McLaughlin to Tuba City/Moenkopi to investigate the situation thoroughly and make recommendations on extending the

reservation. Once there, McLaughlin immediately turned to the land dispute between the Hopi and Ashton Nebeker (Robert Sensbury's claim to Allotment #1 was never mentioned). After some discussion, the Hopi, the Navajo, and Ashton Nebeker signed an agreement which allowed McLaughlin to make the following determinations. McLaughlin gave Nebeker 160 acres of land north of the village of Moenkopi, and the spinning mill situated in Moenkopi Wash, which Nebeker was to remove sometime in the near future. To the Hopi, McLaughlin gave the strip of land surrounding Moenkopi Springs, and water rights to the springs, although this land was not included in the allotments to the Hopi. He also maintained the Hopi claim to the Moenkopi Wash land over that of Ashton Nebeker's claim, thereby validating the Hopi allotments in the Moenkopi Wash made by Mayhugh five years earlier.<sup>55</sup>

However, McLaughlin discovered that five Hopis did not wish to retain their original allotments at Moenkopi. In 1893, when conflicts with the settlers intensified, these Hopis retreated to Oraibi to avoid trouble. They told McLaughlin that "they had never asked, or applied, for said allotments and did not want them, but intended to remain in Oraibi...." This left Mayhugh's allotments #1, 2, 5, 7, and 8 temporarily open (see Portfolio Map #2). There were sixteen Hopi families at Moenkopi at this time, and Inspector McLaughlin reassigned these allotments to several of these Hopis.<sup>56</sup>

The Navajo allotments assigned by Mayhugh also needed readjustment, for one of the original three Navajo allottees, Hos-tell,

appeared to have left the area. McLaughlin reallocated the original three Navajo allotments to five Navajos, two of whom had been allotted land by Mayhugh. They were Charlie Itz-ze-tee and Ish-cla-clol-pah-dan-ne. One Navajo allotment had part of a canal system constructed through it. These canals were probably placed in operation in 1889, when Mormons constructed a dam across Moenkopi Wash (see Portfolio Maps #4, 5, 6, and 11). McLaughlin also readjusted the location and numbering system of the allotments in the entire Moenkopi Wash. No mention was made that the Navajo allotted land was originally Hopi farming land.<sup>57</sup>

In the McLaughlin reallocation, the Hopis lost land while the Navajos gained land. McLaughlin reduced Hopi acreage from 601 to 220 arable acres, while Navajo acreage in Moenkopi Wash increased from 167 to 200 acres. Hopi acreage decreased because McLaughlin did not include in the Hopi allotments the non-arable tracts that lay near and about the Mormon dam. A list of Hopi and Navajo allottees follows:<sup>58</sup>

Hopi Allottees (1899)

1.	Frank Sheumptewa	20 acres
2.	Pole Hongeva	20 acres
3.	Lay-toke-she*	20 acres
4.	Yay-she-wah*	20 acres
5.	Ah-cow-er-shee*	20 acres
6.	Nah-she-le-wee*	20 acres
7.	Se-wil-tah-mah	20 acres
8.	Lo-mah-quap-te-wah	20 acres
9.	Charley Ta-las-me-na-wah*	20 acres

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\* Hopis and Navajos who received allotment assignments from Allotting Agent John S. Mayhugh in 1893.

10. Tah-wah-min-tah-wah*	20 acres
11. Na-she-nim-pte-wah	<u>20 acres</u>
Total	220 acres

Navajo Allottees (1899)

12. Ga-maun-bit-se	20 acres
13. Charley Itz-ze-tee*	60 acres
14. Hosteen Clitsoey	40 acres
15. Shoie Clitsoey	40 acres
16. Ish-cla-clol-pah-dan-ne*	<u>40 acres</u>
Total	200 acres

The lands farmed by the Hopis at this time were watered by Moenkopi Wash and by water flowing from Reservoir Canyon. The land allotted to the Navajos was watered from nearby springs and the Mormon Moenkopi Wash irrigation system. At this time, no other Indians than those listed farmed along this section of Moenkopi Wash. However, Mormon settlers such as David Brinkerhoff and Joseph H. Lee continued to farm land west of the Navajo allotments. McLaughlin's report recommended that in the future, the government purchase this non-Indian irrigated land along with the Mormon improvements.<sup>59</sup>

For the next three years, a process began whereby the government withdrew the Moenkopi area from the public domain; and then negotiated with Mormon settlers for the purchase of their lands and improvements.

On January 8, 1900, by Executive Order, the Moenkopi Wash and the surrounding area west of the 1882 Reservation were

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\* Hopis and Navajos who received allotment assignments from Allotting Agent John S. Mayhugh in 1893.

"withdrawn from sale and settlement until further ordered." The Executive Order did not spell out whether the area would be attached to the Navajo or Hopi Reservation and there were differing opinions on which tribe should benefit.<sup>60</sup>

Some officials, such as CIA William A. Jones, thought the area should be added to the 1882 Hopi Reservation, as had been recommended by other officials previously. In April 1900, Jones recommended this action for several reasons:

1. The area included the village of Moenkopi.
2. The area had few permanent Navajo settlers but did have roving "bands of Navajos and Paiutes."
3. The Hopi on the 1882 Reservation would be surrounded three sides if Moenkopi were not added to the Hopi Reservation.
4. The school site chosen for the Hopi at Tuba City was located in the area, and therefore should be part of the Hopi Reservation.
5. The Fort Defiance agency was too distant to govern the area, and therefore the area should come under the Hopi agency at Keams Canyon.<sup>61</sup>

Hopi Superintendent Charles E. Burton and the Hopis living on the 1882 Reservation also believed the area should be added to the Hopi Reservation. Burton wrote Commissioner Jones that if the Tuba City area were included under the Navajo Reservation, there would be difficulties administering it. In addition, he noted that many of the Hopis who owned land at Moenkopi were also "residents of this reservation [1882 Reservation] and [they] are exceedingly anxious that they be brought under the control of this

Superintendent." Despite these recommendations, the area was not officially attached to either reservation.<sup>62</sup>

In 1903, the Mormon holdings were purchased by the federal government for \$48,000. Included in the purchase were the farm lands held by David Brinkerhoff and Joseph H. Lee in Moenkopi Wash and farm land in Reservoir Canyon held by Ashton Nebecker. The following year, Tuba City officially became the jurisdictional headquarters for the area. For want of a better designation, it was thereafter called the Western Navajo Reservation Agency.<sup>63</sup>

In the 1930's, Poli Naimkiwa, an 1899 allottee, recalled the transaction:

It was difficult to budge the Mormons. The Moencopi petitioned against the Mormons being there, through their agent Mr. Needham. The Government could not move the Mormons without paying for their improvements on the land. The land was turned over to the Hopi. The Mormons wanted it paid for, but the Hopis have always considered it theirs, and they saw no reason to pay for anything but the improvements, which was suggested by the Government. After the petition, the orchards, the farms, and the woolen mill and the settlements on upper Pasture Canyon were paid for with \$45,000.00.<sup>64</sup>

The official Mormon church ward history blamed Superintendent Milton J. Needham (1901-1904) for influencing the Hopi to petition for the ejection of the Mormons from the Tuba City area. The L.D.S. ward history account stated that:

soon after the close of the century complications arose between the Saints at Tuba city and the Indians. The settlers had no title to their land which had not been surveyed and it seems that certain Indian agents influenced the Indians to crowd

the "Mormons" out, telling them that the land by right belonged to them.<sup>65</sup>

Whether the local agent influenced the Hopi to petition for the removal of the Mormons, or whether the Hopi did so on their own initiative, is unclear. The central fact was that the Hopi, not any other Indian tribe, petitioned the government to remove the Mormon settlers from their lands. Only Hopis considered their rights to the land impaired. They fought to keep possession of their land and to regain lands that had been usurped by the growing Mormon community at Tuba City.

#### E. Moenkopi Wash, 1901-1914

On August 8, 1901, Milton Needham became the first Western Navajo Superintendent. Under his administration the trust patents to the Hopi and Navajo allotments were delivered on October 20, 1902. Later it was discovered that the township survey embracing these Indian allotments was erroneous and a new survey was made. Allotments with the correct legal descriptions were approved July 23, 1904, and trust patents were reissued May 23, 1905.<sup>66</sup>

For one year the agency and school was located at Blue Canyon, twenty-five miles east of Moenkopi. In May, 1902, Superintendent Needham moved it to Tuba City. Needham's first impressions of the Moenkopi area indicated that Mormon settlers monopolized the water from Pasture Canyon and sold the water and rented farm land to Hopis and Navajos. On his arrival, he described the conditions at Moenkopi.

58. See Portfolio Maps #2 and #3.
59. Hopi Exhibit 294B, James McLaughlin to Secretary of Interior, June 12, 1899 with enclosures; Hopi Exhibit 294A, Exhibits 13-15, enclosures to James McLaughlin to Secretary of the Interior, June 12th, 1899. See also Portfolio Map #3.
60. Hopi Exhibit 29, Executive Order, January 8, 1900 n.p.
61. CIA William A. Jones to Hopi Supt. Charles E. Burton, April 16, 1900 abstracted by S. Nagata, Keams Canyon Letterbooks, Roll No. 1, Item 360.
62. Hopi Supt. Charles E. Burton to CIA, May 3, 1900 abstracted by S. Nagata, Keams Canyon Letterbooks, Roll No. 1, Item 383-4.
63. See Portfolio Maps #4, #5, #7 and then #11. For a list of the Mormon settlers whose property the federal government purchased see B. Ira Judd, "Tuba City, Mormon Settlement," The Journal of Arizona History 10 (Spring 1969): 41-42.
64. Hopi Exhibit 205, Gordon MacGregor to John Collier, August 6, 1938, p. 6.
65. Hopi Exhibit 399, C.E. Rachford, "Hopi Testimony on Proposed Boundary Change," Tuba Ward history submitted by Moenkopi delegates at Oraibi, December 12, 1939.
66. James E. F. Gammon to Frederick M. Haverland, n.d. circa 1950's; and Individual allotment patents issued to Hopis and Navajos, July 23, 1904.
67. Milton Needham to unknown person, May 23, 1902, abstracted by S. Nagata, Tuba City Letterbooks, p. t1.
68. Milton Needham to unknown person, May 15, 1903, abstracted by S. Nagata, Tuba City Letterbooks, p. t4; and Milton Needham to unknown person, September 18, 1903, abstracted by S. Nagata, Tuba City Letterbooks, p. t4.
69. Milton Needham to unknown person, September 18, 1903, abstracted by S. Nagata, Tuba City Letterbooks, p. t4.
70. Hopi Exhibit 233, "Interview with Roger Honanie of Moenkopi Village," 1965, Land Operations Office, Hopi Agency, Keams Canyon, Arizona, pp. 19 and 38. See, Portfolio Map #11 for the location of the Mormon farms in Moenkopi Wash and Pasture Canyon.