

Albuquerque, New Mexico
January 4, 1958

A - ha - la - ni

Here is the report of our yesterday's meeting that I promised to send you.

B.L.M. Grazing District No. 7 is the same country that is also called the Checker Board Area, the Eastern Navajo country and Land Use Districts No. 15, 16 and 19. It has been continuously inhabited by Navajo Indians for many centuries. The old people called this place Dene Tah.

Land is the mother of you Navajo people. From the land you use to make a good living. From your dry farms you use to raise lots of corn, beans and squash. From your goat herds you got meat and milk so your children would grow strong. From your sheep you got the wool to weave your beautiful rugs and lambs to sell to the Traders so you could buy the things you didn't raise on your land.

In those days you had lots of land to move around in and you were a healthy and happy people. To-day, the older people who are listening to me can remember those good times, because it was only about fifty years ago that the land we now call Grazing District No. 7 was part of the Navajo Reservation. Then your Reservation reached out eastward to the Continental Divide. It took in the south half of the present Jicarilla Apache Reservation. It contained nearly six million acres of grass land, mesas and forests of cedar and pinon. YOUR LAND by right of settlement and occupation. But it didn't remain your land very long.

During the administration of Wm. Howard Taft, (acting upon the advice of New Mexican Politicians that your Reservation was too big) your lands were taken away from you and thrown back to Public Domain. This is when the land troubles of the Eastern Navajos started. If at this time New Mexico Indians had had the right to vote, it is very doubtful Mr. Taft would have dared to cancel out your Reservation. After the canceling out of your Reservation the Bureau of Indian Affairs start issuing 160 acre allotments to some Navajos. But through the years the Bureau of Indian Affairs has made a sorry job of allotting land to you Indians. Many hundreds of individual allotments have been canceled out by the Government without proper lawful cause. Titles to exchange allotments lost, etc.

In 1935 Bureau of Indian Affairs reported to Congress--3800 Indian allotments had been issued to Eastern Navajos. How many of these 3800 allotments can the Bureau of Indian Affairs account for to-day?

Ever since the canceling of your Reservation, your land holdings have gotten smaller and smaller, your population larger and larger until today, about 20,000 Indians are living (or trying to live) on only two million acres. Unfortunately while losing land you people also lost a great number of your livestock. This was partly due to the illegal sheep and goat reduction forced upon you by your guardian, the Bureau of Indian Affairs; and by the language of the Taylor Grazing Act, which when passed by Congress never provided rules and regulations to fairly administrate a grazing District with such a large population as had District No. 7. An oversight that might STILL be remedied by an Act of Congress because no other Grazing District in the eleven Western States has such an immense population as has District No. 7.

The following is a Bureau of Land Management land report made in 1950. Study it carefully because it tells a tragic story--a story our great nation should be ashamed of:

R E P O R T

Indian allotments, Indian homesteads, lands leased by individuals and the Tribal Council, and Tribal purchase. . . .	843,952 Acres
Other lands used, including public lands under grazing permit and resettlement purchase	<u>1,211,710</u> Acres
Total used by Navajo Indians	2,055,662 Acres
Lands used by non-Indians - privately owned, leased, and public lands under grazing permit.	<u>1,248,423</u> Acres
Total lands available for grazing purposes in the District . . .	3,304,085 Acres
Number of Navajo grazing permittees and licensees.	1,290
Number of non-Indian grazing permittees and licensees.	50

If all Navajo land holdings in District No. 7 was divided up among the Indian population, each Navajo man, woman and child would have only 100 acres. Who can make a living on 100 acres of dry desert land?

If all non-Indian land in District No. 7 were divided up among the White Ranchers, each Whiteman would have about 25,000 acres.

This report says only 1290 Indian stockmen have permits and licenses to grazing their herds in District No. 7. What about the other 17,000 Navajos living in District No. 7? The landless people who have no livestock, who have no patch of ground to farm, who don't even own the land upon which their hogan homes are built. What is to become of all the landless Indian babies born each year in District No. 7? What is going to happen to all the landless old people--too old and tired to labor on the railroads and in the carrot fields?

Isn't it about time you Navajo Leaders ask the Bureau of Land Management, the Bureau of Indian Affairs, the Tribal Council and the New Mexico Congressional Delegation what can be done for your unfortunate Tribesmen? It would seem, Mr. Murray Morgan, State Land Commissioner has a solution to this problem in District No. 7. He wants the Federal Government to turn over District No. 7 to the State of New Mexico. Mr. Morgan wants the fees from the Grazing Permits. Whether he also wants the financial responsibility of helping the 17,000 landless Indians is not known. New Mexico politics being what it is, do you Indian people want to change managers of your grazing District at this time? If you don't, I suggest you organize, fight and holler for your legal rights as citizens of New Mexico.

Demand Tribal funds with which to hire a lawyer. And for God's sake don't get an Eastern lawyer. It takes those boys five years to find out what "Yaa teh hey" means. Demand from Bureau of Indian Affairs an accounting of your Indian allotments for the past fifty years. Find out why and how come the National Monument people can fence off 20,000 acres of your range in Chaco Canyon. Demand fair share of Educational and Medical funds appropriated by Congress. Demand proper law enforcement. After all you people are tax payers you know. Organize voting precincts because you may need political ammunition. Meet regularly with your chapter officers and Tribal Delegates and discuss issues. And always remember that, "The Wagon Wheel That Squeaks the Loudest Always Gets the Most Grease."

Goodbye and God Bless You All!

Belicanna Nez

CHAPTER VII

NEW MEXICO INDIAN LIEU RIGHTS

IN ADMINISTERING its land, the Santa Fe Pacific encountered Indian rights of occupancy as well as white. In 1872 the railroad filed a map of definite location with the Secretary of the Interior to establish its claim to all odd-numbered sections in the grant not yet appropriated. The company obviously sought no land within the already established Navajo reservation, then only a fifth as large as now, or the Laguna also smaller than at present. Later the federal authorities established new reservations and enlarged others. The government assigned the Indians only the even-numbered sections, because previously it had granted the railroad the odd-numbered ones, and created a checker-board of intermixed land as awkward as that in the San Francisco Mountains Forest Reserve. Subsequently it often, but not always, solved the difficulty by a lieu scrip transaction with the railroad.

The most perplexing situation was in the reservation of the Navajos, located north of the Atchison main line in the northwestern sixth of New Mexico, the northeastern quarter of Arizona, and the adjoining parts of Colorado and Utah. There the federal government in 1868 had placed ten thousand Indians on 3,500,000 acres of land; these grew by 1940 to forty-nine thousand people in an area of 15,000,000 acres. The expansion in land provoked the inevitable conflict between the best interests of white men and red. The arguments centered on the removal of so much acreage from the tax rolls, the development of additional water resources on the reservation, the practices causing range deterioration, and the methods to secure maximum utilization of Indian-controlled land. A related problem was the Navajos' use of the public domain outside the reservation in competition with white ranchers; all too often neither had any scruples about trespassing upon the other's range.

The strongest advocate of the Navajos was Father Anselm Weber, Father Superior of the Franciscan Friars at St. Michaels, Arizona, from 1897 to 1921. Of him Jones once wrote:

He has great influence with the Navajo Indians, with the various county officials, with the Indian Agent, and with everyone with whom he comes in contact. He is sincere, and he is devoted to the work of elevating the Indian. I have had a great deal to do with him for a number of years and my admiration for him grows. He knows every spring, every valley and every bit of timber on the southern portion of the Navajo reserve.

¹ Jones to W. B. Jansen, July 21, 1906, TSW 28-110.

Weber concentrated on uplifting the red men morally and economically rather than on preaching the Gospel to unprepared and unwilling listeners. He vigorously advocated lieu land exchanges. He accomplished much, securing results sometimes immediately and other times after a lapse of as much as twenty-five years. Weber and Howel Jones co-operated since both favored lieu transactions. The railroad man greatly admired the padre personally. Jones's letters to the priest contain a warm note of friendliness and good will to be found in no other land department correspondence, not even that sent Hugo Sea-



SOME NEW MEXICO INDIAN RESERVATIONS

berg. Jones and Weber were both fortunate to have each other as allies in seeking to solve the problem of intermixed Navajo and railroad land.²

After this general consideration of the problems the railroad and the government encountered in the various Indian reservations, it is time to turn to the specific details.

In 1902 the Santa Fe Pacific abandoned the unrealistic dream that somehow it might solidify all its grant and turned to securing more scrip, which commanded an immediate market. Jones, guided by the orders of General Solicitor E. D. Kenna, took the initiative in Washington to secure a law authorizing lieu transactions to eliminate private land within Indian reservations. He convinced Secre-

² Many of the railroad's difficulties with the Navajos were solved by lieu exchanges, but it also sold the government 11,200 acres in Arizona to them at \$1.25 an acre and leased a relatively small amount of land to individual men or their economic advisers. (TSW 39, *passim*.)