

FILED

M. J. ...  
1957  
S. J. ...  
Clerk  
INDIAN CLAIMS COMMISSION

BEFORE THE INDIAN CLAIMS COMMISSION

HOPE VILLAGE OF SHUNGOPOVI

Petitioner

vs.

No. 210

THE UNITED STATES OF AMERICA

Defendant

TRANSCRIPT OF TESTIMONY

December 14, 1956

DEARNEY, MEIER & ASSOCIATES  
INCORPORATED  
GENERAL LAW REPORTERS  
ALBUQUERQUE, SANTA FE  
3-6691-2255

EXHIBIT 81a

BEFORE THE INDIAN CLAIMS COMMISSION

HOPI VILLAGE OF SHUNGOPOVI, )  
                                  ) Petitioner, )  
                                  ) vs. )  
THE UNITED STATES OF AMERICA, )  
                                  ) Defendant. )

No. 210

TRANSCRIPT OF TESTIMONY

BE IT REMEMBERED that heretofore, on to-wit, the 14th day of December, 1956, at 10:00 A. M., the above entitled matter came on for hearing at the Federal Court House in Santa Fe, New Mexico, before the Honorable Louis J. O'Marr, Commissioner, of the Indian Claims Commission; that appearances for the parties hereto were entered as follows:

For the Petitioner:

Mr. Richard Schifter  
1700 K Street, NW  
Washington 6, D. C.

For the Defendant:

Mr. Walter A. Rochow  
Room 2134  
Department of Justice  
Washington 25, D. C.

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COMMISSIONER O'MARR: This is Docket No. 210, and the only appearance we can enter at this time, I suppose, is the Government's.

MR. ROCHOW: Yes, but they have personal representatives here.

(Reporter's Note: The personal representatives referred to by Mr. Rochow included a number of Hopi Indians and Mr. Charles A. Minton, Executive Secretary of the New Mexico Association on Indian Affairs, present in the hearing room.)

COMMISSIONER O'MARR: In addition to the Government's attorney, there have appeared here on behalf of the Hopi Village of Shungopovi the following persons: Peter Nuvamsa, Sr.; Vilts Lomahaftewa; Wadsworth Nuvangoitewa; Homer Cooyama; Preston Keevama, the latter being a member of the petitioning group but presently living at San Juan Pueblo in New Mexico. All the others live in the village of Shungopovi, except Homer Cooyama who lives in the Hopi Village of Oraibi. Well, Gentlemen, there has been set for hearing this morning, a motion to dismiss Docket 210, entitled the Hopi Village of Shungopovi vs. the United States. I have been informed that the petitioner in this case is not represented by counsel, but that Mr. Schifter and Mr. Minton have appeared here to represent the petitioners in this case for the purposes of this motion. I wish to state to you gentlemen who appear here for the Petitioner that you will need an attorney. Now, these cases are very difficult and very technical and cannot be handled by members of the tribe. It requires the skill of an attorney, not only to present the case of this character, but also to assemble the facts upon which the claims are based, so let me urge you on behalf of the Indian Claims Commission to employ

counsel to advise you and also to prepare your case for presentation to the Indian Claims Commission. Now, as I say, the matter now before the Commission is a Motion of the Government to Dismiss, but before I consider that motion I would be glad to hear from you, Mr. Schifter, if you have anything to say in connection with the motion.

MR. SCHIFTER: Your Honor, I am appearing here today at the request of Mr. Charles Minton, Executive Secretary of the New Mexico Association on Indian Affairs, in an amicus curiae capacity. I am also appearing with the consent of the official spokesmen of the Hopi Village of Shungopovi who are present here today. I would like to say merely that it appears that no attorney was consulted in this matter prior to this day and I therefore request that the motion to dismiss be continued until June 1, 1957, so that the Hopi Village of Shungopovi be put in the position of retaining counsel and preparing its case.

COMMISSIONER O'MARR: Does the Government have any statement to make in connection with the request?

MR. ROCHOW: Of course this petition has been pending for about five years, but I realize the circumstances are most unusual and therefore I raise no objection to the continuance.

COMMISSIONER O'MARR: Very well. Let me state further to you gentlemen who are here representing this petitioner, that as perhaps Mr. Schifter and Mr. Minton have already advised you, you have to have a contract with some attorney to represent you in this case. Now, the law requires that, and when the contract is made, it has to be submitted to the Bureau of Indian Affairs for

approval, and after that is done the attorney can then proceed to handle your affairs in connection with this particular case. Now, there is another matter that the Government's attorney has called to my attention, and that is a case which is now pending and it was filed on August 3, 1951, Case No. 196. The petitioner is the Hopi Tribe, an Indian Reorganization and Corporation, suing on its own behalf and as representative of the Hopi Indians of the Villages of the West Mesa, the consolidated villages of Walpi, Shitchumovi & Tewa; Mishongnoui, Sipaulavi, Shungopovi, Oraibi, Kyakotsmovi, Bakahi, Hotevilla, and Moenkopi, Petitioners. There are, I think, about ten villages, as I understand this docket, including the Shungopovi Village. Now, I don't know whether you people know anything about this case or not. Would any of you like to express your position? Counsel has called my attention to the fact that this case was filed by John S. Boydon, of the firm of Wilkinson, Boyden and Cragun.

MR. PETER NUVAMSA: My village is Shungopovi which they don't abide by this counsel which If I understand it right you are referring to, so-called Hopi Tribal Council. That does not include the other mesa village of Moenkopi nor Hotevilla Village.

COMMISSIONER O'MARR: I might say this to you, that when you get an attorney, he will look into this thing and advise you as to how it affects your group,--if it does affect you in any way; that is another reason you should have an attorney represent you.

MR. NUVAMSA: I see, yes.

COMMISSIONER O'MARR: Now, is there anything you wish to ask concerning this case?

MR. NUVAMSA: Well, yes, I have. On that particular thing, speaking of traditional side and progressive side. The counsel and those young heads representing young and progressive groups, and through Hopi tradition, is on the other hand, and don't work together, but still in Washington they recognize the tribal council with the intention of getting all the other villages who don't work with it as a group.

COMMISSIONER O'MARR: Do you have a tribal council for the Shungopovi group?

MR. NUVAMSA: We have our own Hopi Establishment.

COMMISSIONER O'MARR: And you have no connection with these other groups here--I will let you see their names. Do you see those names on there? (Paper handed to Mr. Nuvamsa by the Commissioner.) Do you recognize those other Hopi groups or villages?

MR. NUVAMSA: Yes, we recognize them.

COMMISSIONER O'MARR: You recognize the names?

MR. NUVAMSA: Yes.

COMMISSIONER O'MARR: You are not connected with those, is that the idea?

MR. NUVAMSA: Each village has our own by-laws and our customary way. Under this present Constitution which has been approved by the Secretary in around about 1936, it came out with some provision very similar with our village by-laws and general by-laws of the Hopi people.

COMMISSIONER O'MARR: You have separate organizations?

MR. NUVAMSA: Our traditional organization has not been

recognized by the Department.

MR. ROCHOW: You mean by the Secretary of the Interior?

MR. NUVAMSA: Right.

MR. SCHIFTER: I think some groups within the Hopi tribe organized under the Reorganization Act of 1934 and adopted a constitution, and this group apparently did not join.

COMMISSIONER O'MARR: And is not a part of the plaintiff here (Indicating Case No. 196, above referred to)?

MR. SCHIFTER: That's right.

MR. ROCHOW: Not only your village, but some of the other villages named in that case, is that true?

MR. NUVAMSA: Yes, sir.

COMMISSIONER O'MARR: When I get back to Washington, we will make an order in this case giving you people until June 1, of 1957 in which to make your arrangements for employing a lawyer to represent you in this case, and I want to know the name of the person we will send a copy of this order to--who is the head of your organization?

MR. NUVAMSA: I am spokesman for our Hopi organization in that village.

COMMISSIONER O'MARR: All right; we need your name and post office address. Can you give us that now?

MR. NUVAMSA: Yes; Peter Nuvamsa, Sr., Shungopovi Village, c/o Second Mesa, Arizona.

COMMISSIONER O'MARR: Let the record show the motion to dismiss, of defendant, in this case, filed November 23, 1956, has been postponed until June 1, 1957.

MR. ROCHOW: And that means we go ahead and work on it?

COMMISSIONER O'MARR: Oh, yes.

MR. ROCHOW: (Addressing Mr. Nuvamsa) Now you hire a lawyer to work with you, to get all the facts and do the research.

COMMISSIONER O'MARR: I would like to close the record by saying the Commission appreciates the appearance of Mr. Schifter and Mr. Minton on behalf of these Indians because the case has been pending for sometime and they haven't had anyone appearing in their behalf. That will close the hearing then.

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CERTIFICATE OF REPORTER

I, Dorothy B. Myers, a Court Reporter, and designated to report the proceedings in the above entitled matter, do hereby certify that the foregoing pages numbered 1 to 7, this page inclusive, constitute a full and complete record of said proceedings, as the same were recorded by me in shorthand, and transcribed by me, all to the best of my knowledge, skill and ability.

Dated at Santa Fe, New Mexico, this 21st day of February, 1957.

Dorothy B. Myers



BEFORE THE INDIAN CLAIMS COMMISSION

No. 210

Hopi Village of Shungopovi

Plaintiff(s),

vs.

THE UNITED STATES,

Defendant.

\* \* \* \* \*

OATH OF REPORTER

United States of America, )  
State of New Mexico, ) ss.  
County of Santa Fe )  
~~District of Columbia~~ )

I, the undersigned, having been duly named as a reporter to take and transcribe the testimony in the above entitled cause, upon my oath do say; that I will well and truly take down and transcribe the questions propounded to and the answers given by the witnesses at the hearing of said cause, and that I will do all other things required of me by said Commission, a Commissioner or Examiner thereof.

Anthony B. Meyer

Subscribed and sworn to before me this 14th day of December, 1956

James Langston  
Clerk

EXHIBIT 81i

December 21, 1956

Mr. Macsworth Navangoitewa  
Shungopovi Village  
Second Mesa, Arizona

Re: Hopi Village of Shungopovi  
v. United States, Dkt. 210

Dear Mr. Navangoitewa:

Enclosed is a copy of an order postponing hearing on the defendant's motion to dismiss your petition until June 1, 1957. This action is in accordance with the understanding arrived at while I was in Santa Fe on December 14, last.

After you have engaged counsel to represent your village before the Indian Claims Commission, he will take whatever action may be necessary to enable you to present your claim against the United States. I suggest, therefore, that you and the members of the village employ an attorney as quickly as possible and before June 1 of next year. If for any reason you cannot obtain the services of an attorney before that date, please let me know and I will submit the matter to the Commission for a further extension of the time.

With all good wishes, I am

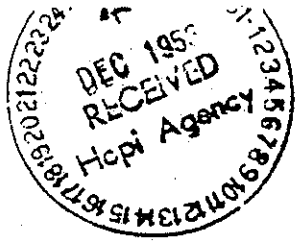
Yours very truly,

Louis J. O'Harr  
Associate Commissioner

Enclosure

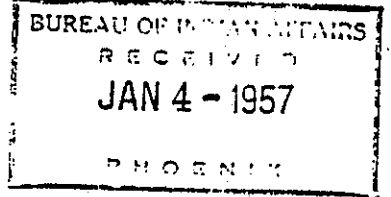
LJO:Mko

EXHIBIT 82 a



FEDERAL TRADE BUILDING  
PENNSYLVANIA AVE. AT SIXTH ST. NW.  
WASHINGTON 25, D. C.

December 21, 1956



Mr. Herman E. O'Hara  
Superintendent, Hopi Indian Agency  
Kaana Canyon, Arizona

Re: Hopi Village of Shungopovi  
v. United States, Dkt. 210

Dear Mr. O'Hara:

Enclosed herewith is a copy of an order this day entered by the Commission in the above-entitled cause. Also, a copy of the letter I have this day written to Mr. Wadsworth Muvangoitewa.

As you perhaps know, a group of Indians of Hopi Village of Shungopovi appeared before me at Santa Fe on December 14. At that time I urged the Indians to employ an attorney to represent them and I believe they understand the great need of having an attorney prosecute their claim against the Government. However, if you are so disposed, it might be well if you explain to them the importance of employing counsel in their case.

2 Enclosures

Yours very truly,

*Louis J. O'Hara*  
Louis J. O'Hara  
Associate Commissioner

EXHIBIT 826

RECEIVED

JAN 4 1957

Indian  
Claims Commission

Mr. O'Neil  
Indian Claims Commission  
7th Floor Trade Bldg  
Penn. Ave. at 6th St N.W.  
Washington 25 D.C.

Handwritten note: *Received by Mr. O'Neil 1/11/57*  
*Jan 7/1957*

Dear Mr. O'Neil

This is to acknowledge the receipt of your letter dated Dec 21, 1956 - together with the enclosed copy of an Order Rescheduling hearing on the defendant's motion to dismiss our petition dated Jan 1, 1957.

Thank you for your suggestion - where we are at this time looking for some one to be our attorney to act on our case, but have not been able to obtain one as yet. However we will let you know what will be the outcome of getting some one who will be familiar with our Ojibwa past history.

With our warmest greetings  
Walcworth Thompson  
and  
Associated Engineers

cc: Mr. [unclear]  
([unclear])

EXHIBIT 83

April 25, 1957

Mr. Wadsworth Nuvangoitewa  
Shungopovi Village  
Second Mesa, Arizona

Re: Hopi Village of Shungo-  
povi v. United States  
Dkt. 210

Dear Sir:

On February 4, 1957, I wrote you about the motion filed by the Government on January 23, 1957, to consolidate your case with that of Docket No. 196 and No. 229 - this being the Navajo case. I also explained to you in my letter of February 14, 1957, the effect of such a consolidation, and while I was at Santa Fe last December, you were given until June 1, 1957 to employ counsel to represent you. Whether you have employed an attorney, I do not know.

The defendant, that is, the United States, has demanded that we set down its motion to consolidate for May 31, 1957, so its motion will be heard on that day and you will be given a opportunity to appear and object to it, if you so desire. However, as I explained to you at Santa Fe, matters of this kind should be handled by an attorney. I trust, therefore, you will have an attorney represent you at the time of the hearing.

The Clerk of the Indian Claims Commission has issued a trial calendar, a copy of which is enclosed, showing the time and place of the hearing before the Commission on the motion.

Yours very truly,

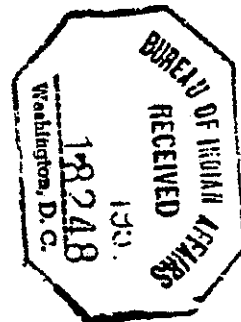
Louis J. O'Marr  
Associate Commissioner

Enclosure

LJO'M:ko

EXHIBIT 84

Hopi Agency  
Keams Canyon, Arizona  
December 31, 1956



Mr. F. M. Haverland  
Area Director, Phoenix Area Office  
Phoenix, Arizona

Dear Sir:

Attached you will please find copies of a communication from Louis J. O'Marr, Associate Commissioner, Indian Claims Commission, relating to a petition filed by the Hopi Village of Shungopavi. Attached also is an Order Proposing Action on Motion to Dismiss, before the Indian Claims Commission at a hearing held in Santa Fe on December 14, 1956.

Neither this office nor the Hopi Tribal Council had any prior notice that the Claims Commission was holding a hearing on the matter, although it was common knowledge that representatives of Shungopavi Village and others were in Santa Fe on the above date.

I find no correspondence in the files of this office relative to the above subject. However, there are attached copies of a document purported to be the claim filed by the Village of Shungopavi with the Indian Claims Commission. Apparently the attached map is the same as referred to on pages 93 and 94 of the "Hopi Hearings"

The Hopi Tribe has retained the legal services of John S. Boyden, by contract approved July 27, 1951, to prosecute the Hopi Claims before the Indian Claims Commission. Mr. Boyden represents all the Hopi people and not any one village or group. In view of the foregoing I do not feel inclined to recommend employment of legal counsel on the part of Shungopavi Village as suggested by Mr. O'Marr.

Your office comments are invited.

Sincerely yours,

H. L. O'Harra  
Superintendent

cc: John S. Boyden, w/attachments  
Karl Johnson, Chairman Hopi Tribal  
Council, w/attachments

EXHIBIT 85

F. M. Haverland, Area Director

January 14, 1956

Field Solicitor, Phoenix

Shungopavi Village -- O'Marr Letter

Certain facts are apparent:

1. The Hopi Tribe, thru its Tribal Council, has employed Mr. Boyden as its Claims Attorney.
2. That contract has been approved by the Bureau.
3. The Village is not authorized to act for the Tribe in hiring an attorney to present the Hopi Land Claim.
4. Less apparent is the fact that a suggestion from the Bureau that the Village employ counsel would tend to indicate to some that the Bureau felt the Village had the authority to so act for the Tribe.

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I feel the following should be done:

1. That both the Bureau and Mr. Boyden explain to the Village that he (Boyden) represents all the Tribe in presenting their land claim before the Indian Claims Commission.
2. That the Indian Claims Commission cannot restore land to a tribe but can award money damages only.
3. State that Boyden would welcome all the help, information, and assistance that the Village might be able to give him to more fully and successfully present the Land Claim of the Hopi Tribe.
4. The Bureau representatives should offer to confer with the Village representatives and any attorney or attorneys the Village might desire relative to the need of the Village for a Claims Attorney.
5. There should be a reply to Mr. O'Marr's letter, but first a copy of the "Motion to Dismiss" of the United States, filed on November 23, 1956, should be obtained. I feel it essential that anyone

EXHIBIT 86a

relying to Mr. O'Marr first know the grounds advanced by the United States for dismissal. Superintendent O'Harra is now attempting to obtain a copy of the motion. Mr. O'Marr should also be advised of Boyden's contract and facts surrounding it. So too, should he be advised as to what has been done by the Bureau to explain to the Village that the Hopi Land Claim would be presented in behalf of the Tribe by the Tribal Claims Attorney, and that representatives of the Village and of the Bureau conferred with an attorney who advised them that there was no need for independent representation or action by the Village (if such be a fact).

- - -

Wm. J. Truswell  
Field Solicitor, Phoenix

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EXHIBIT 86b



February 4, 1957

Mr. Madsworth Muvangoitewa  
Shungopovi Village  
Second Mesa, Arizona

Re: Hopi Village of Shungopovi  
v. United States, Ekt. 210

Dear Mr. Muvangoitewa:

Since I wrote you on December 21, 1956, the Government has filed a motion to consolidate the trial of your case with that of Hopi of the First Mesa, Docket No. 196, and that of the Navajo Tribe of Indians, Docket No. 222. By the consolidation of the cases is meant that they be tried at the same time.

The Government is insisting upon early action on its motion and for that reason the Commission is in hopes that you can employ counsel in the near future so that you can be represented when the motion is submitted to the Commission for decision.

While at Santa Fe, and in my letter of December 21 last, it was suggested that you have until June 1, 1957, in which to employ counsel to represent you. At the time of my letter, we had overruled the defendant's motion to consolidate but since that time, and on January 23, 1957, the Government filed its new motion to consolidate, which no doubt has been served upon you. This changed situation makes it advisable that you employ an attorney with as little delay as possible and not wait until June 1, 1957, if you can possibly avoid it.

We will take no action on the Government's motion for the time being, and if it is necessary to hear it before you have hired an attorney, we shall give you advance notice of the time of the hearing.

I am sending copies of this letter to Mr. Charles E. Minton and Mr. Herman E. O'Hara, the latter being the Superintendent of the Hopi Indian Agency.

Yours very truly,

cc: Mr. Charles E. Minton  
Executive Secretary, New Mexico  
Ass'n. on Indian Affairs, Inc.  
Mr. Herman O'Hara, Supt., Hopi  
Indian Agency  
Mr. H. Lundin, Dept. of Justice

Louis J. O'Hara  
Associate Commissioner

EXHIBIT 87

**FILED**

MAY - 8 1957

*Joseph R. ...* Clerk  
INDIAN CLAIMS COMMISSION

May 4, 1957  
Shungopovi Village  
Second Mesa, Arizona

Associate Commissioner Louis J. O'Marr  
Indian Claims Commission  
Federal Trade Building  
Pennsylvania Ave. At Sixth St. NW.  
Washington 25, D.C.

Dear Sir:

We, in docket No. 210, request herein to withdraw our land claim from its consideration by the Indian Claims Commission for the present time due to the following reasons:

1. We have tried our best to find a attorney to represent us in docket No.210, in the time allotted to us for that purpose however we find the time limit too short.
2. Our intention in presenting this claim is for us to receive the land and not payment for damages inflicted to the Hopi Indians by the United States which resulted when our land was taken away.
3. We have been correctly informed that this Indian Claims Commission has no authority to restore the land claimed in docket NO.210 back to us therefore we will withdraw our claim from your Commission and if possible, resubmit it again to a Indian Claims Commission which will have the authority to restore land back to the Indians if such be created by the Congress of the United States of America.

However, we request that you keep our claim in docket NO. 210 in your records as your record and as our record. Thank you for your consideration and the help that you have given us thus far. We remain

Sincerely,

*Wadsworth Muvangoitewa*  
Mr. Wadsworth Muvangoitewa  
Shungopovi Village  
Second Mesa, Arizona  
Docket No. 210

EXHIBIT 88

COPY

Hopi Indian Nation  
Hotevilla, Arizona  
March 26, 1956

Mr. Karl Johnson  
Oraibi, Arizona

Mr. Johnson:

Immediately following our last meeting with you and Mr. O'Harra, Superintendent at Keams Canyon Agency on March 6, 1956 here in Hotevilla village, we have given your words and actions and that of Mr. O'Harra our most careful consideration and study in the light of our Hopi traditional and religious principles upon which our whole Hopi way of life depends and by which we hold our homeland for all of our people. As Hopis we are all bound by our sacred oaths to our Great Spirit Massau'u to guard, uphold and honor this land and life.

After seriously reviewing our ancient teachings and instructions that has been passed on down to us by our forefathers we feel now that it is time for us to make known our decisions on all matters vitally concerns our way of life in writing and present them to you, Mr. O'Harra, who represents the Indian Bureau and to the world in general. We take this necessary step today in order that all people everywhere will know our strong and determined stand for our rights to remain as Hopis always and to keep our sacred homeland and to make our own livelihood by adhering to our own way of life. We want the whole world to know that inspite of our many long years of calling to the Government of the United States for justice and for our rights as human beings they have not heard us but continue on creating more troubles and wrongs for us. Inspite of their all-out attempt to destroy our land and life we have not yet deterred from our stand one moment nor have we abandon our religion, culture and aboriginal sovereignty to any nation. Instead we have resolved to carry our our sacred obligations and duties by following out the instructions given to us by our Great Spirit and the traditional life plan of the Hopi people in our future dealings with the United States government and other nations of the world.

We stand united on this decision and with our Sacred Stone Tablets in our midst and our knowledge of the Hopi life plan; with our sincere prayer we will wait for our True Brother to come upon this land of the Indian People and will purify land and life according to the plan so that there will be permanent peace and everlasting life thereafter. And all Indian people thoroughout the land will be given back their original homelands which the white man has taken by force or trickery. All people will then recognize that there is only one Great Spirit over us all and there will be no more wars because all people of evil hearts will be forever destroyed and all the good people of the earth will enter everlasting life.

This is the aim and plan of the Hopi life in this land and we are determined to stand fast on this ancient life plan until our True White Brother comes and fulfill his sacred mission given to him by our

EXHIBIT 89 a

CONTINUED: Page 2

Great Spirit when we first settled on this land long before the white man came. This is the real Hopi life Plan.

Now your words and actions indicates plainly that you are speaking, though a Hopi and because of white man's education, the words and thoughts of a white man. You claim to be speaking and working for the Hopi people but that is not true. You are speaking and working only for the Indian Bureau and a white man as a Chairman of the Council a creation of the Indian Bureau which has a complete control and domination of the Council activities. You have been raised by the Christian missionary away from home and has been christianised therefore feel that Hopi religion, tradition and even Hopi life is wrong and evil. Naturally you feels, as many of our educated ones do, that white man's way of life is the only way to live; only to progress, happiness and everlasting life. That is only a white man's words and thoughts. We the real Hopi people firmly believed that our way of life is just as good perhaps even better. At least it is good for us and we are not going to let go of it.

If you want to live a white man's life we cannot deny you that. But as we have pointed out to you at our meeting that you should not undertake to lead the whole Hopi people into a whiteman's life which many Hopi people do not want and which is foreign to us. We have also said to you that when you or any Hopi who is not satisfied with our Hopi way of life should go out and live a white man's life for a while and find out first what its like before disturbing the well organized and peaceful way of life of the Hopi people.

We have never approve nor will ever recognize the present so-called Hopi Tribal Council to be the representative of the Hopi people. We will never cooperate with you or the Council members even though it has been recognized by the present Commissioner of Indian Affairs, Glenn L. Emmons. We will hold all actions of the so-called Hopi Tribal Council illegal, null and void in view of the fact that the real traditional Hopi leaders have never given their consent or approval to the Council to be the representative of the Hopi Tribe. In the future therefore bear in mind that any matter concerning the Hopi Tribe must be taken up with the true traditional Hopi leaders by the Superintendent. We will never, never take part in the Council and we do not want the Council Chairman to try to take up any problems for us. We will do it ourselves as a Hopi people. We will cooperate with you only as a Hopi but not as a Council member.

The Council you lead will take the Hopi people to its defeat and shame. It will not bring rain, peace or everlasting life to the Hopi people. It will bring only a white man's life upon us which in turn will trample underfoot our Hopi way of life. Knowing this fact we have been voicing our protests against Indian Bureau policies and plans for many years but they do not seem to hear us. Instead by closing their eyes to all the troubles, hardships and humiliations forced upon us by their rules and regulations the Indian Bureau has recognized the present illigally organized body. By this shameful act on the part of the Commissioner of Indian Affairs we were greatly shocked and grieved for he has shown to us a total disregards of our words during the Hearings he conducted just pass summer. He has disregarded our grievances, our religion, and our very life. He has shown us the Indian Bureau's unwillingness to

EXHIBIT 89 b

CONTINUED: Page 3.

correct the wrongs and injustices that is being done to us by their rules. He has put aside all honor, justice and fair play. We, therefore, deemed it very necessary now to bring this matter direct to the President of the United States and to the good people everywhere in order that justice shall be done on this land so that our ver life, culture, religion and homeland shall be respected and preserved for our people and our posterity.

Bear in mind that no white man or any outsider has influenced or caused us to make this decision. It is our very own and in line with our ancient traditional and religious teachings and instructions of our forefathers. This is a divine plan of life laid down for us by our Great Spirit Massau'u and therefore it will have to be fulfilled on this land. We are determined to follow this life plan to the end. We are,

Traditional Hopi People of Hotevilla.

\_\_\_\_\_  
Dan Katchongva

\_\_\_\_\_  
Aquilla Sekayumptewa

\_\_\_\_\_  
William Pahongva

\_\_\_\_\_  
George Naseweseuma

\_\_\_\_\_  
Robert Dahweoma

\_\_\_\_\_  
Paul Sewemaenewa

\_\_\_\_\_  
Ollen Nutunya

\_\_\_\_\_  
Walton Kooyohoema

\_\_\_\_\_  
Sequaptewa

\_\_\_\_\_  
Kenneth Quevehema

\_\_\_\_\_  
Simon E. Scott

\_\_\_\_\_  
Silas Hoyungowa

\_\_\_\_\_  
Ruben Cheykoychi

\_\_\_\_\_  
Jack Pongyesvisa

\_\_\_\_\_  
Rex Loloma

\_\_\_\_\_  
Amos Howesa

\_\_\_\_\_  
Nelson Kursgowva

\_\_\_\_\_  
Lester Quanumptewa

\_\_\_\_\_  
David Monongye

\_\_\_\_\_  
Gilbert Duvaquaptewa

\_\_\_\_\_  
Poleyumptewa

\_\_\_\_\_  
Frank Sekayuma

EXHIBIT 89c

CONTINUED: Page 4

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Charlie Ponyahoya

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Jack Kootshongnewa

---

Harry Masletstewa

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Perry Sehongva

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Martin Gashweseoma

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Sidney Namingha

EXHIBIT 89 d

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

FIELD SERVICE  
Hopi Agency  
Keams Canyon, Arizona

April 9, 1956

Confidential

Mr. F. M. Haverland

Area Director, Phoenix, Arizona

Dear Mr. Haverland:

Attached you will please find two copies of a letter directed to Karl Johnson, Chairman of the Hopi Tribal Council, indicating that 28 members of the so-called traditional group at Hotevilla have signed the letter.

Although the copy received at this office was not manually signed, I had occasion to view the original which had been signed manually, although a number of these signatures were signed by one and the same person. I am also advised some of the men whose names appear cannot write.

I believe the Commissioner would be interested in having a copy of this letter.

Sincerely yours,

*H. E. O'Hara*  
H. E. O'Hara  
Superintendent

Encl.

EXHIBIT 89e

C O P Y

February 14, 1957  
Mushongnovi Village, Arizona  
Second Mesa, Arizona

We, the undersign, do not want this bill, H.R.3789, the bill which Udall introduced into the House of Representatives, which in effect would set up a Court which then solve this boundary dispute between the Hopi Indians and the Navajo Indians. We do not want this bill to pass and become a law. We are the bloodline chiefs or his official representatives who do not want this bill to pass and become a law. We give the following reasons:

1. The so-called Tribal Council is only a representative of a minority of the Hopi people and we, the Chiefs were not consulted in this matter before this bill was given its approval by the said Tribal Council.
2. We, the Hopi people are not under one real Tribal Govt. and until at such time when we are under one Tribal Government; this type of bill should not be passed.
3. We, the Chiefs, are in the majority as far as people are concerned and we should have been consulted and our approval should have been obtained prior to such approval as was given to this bill by the so-called Tribal Council.
4. Since this bill, if passed, would affect the whole Tribe and all its people now and in the future and since in fact we, a great part of the people of this Tribe were not consulted for our opinion or approval; We will not want this bill to pass.

Signed:

Lomahaftewa  
Shungopovi, Arizona

Lomayaktewa  
Mushongnovi, Arizona

Charley Humihongva  
Shipaulovi, Arizona

Signed, Wittnesses

Peter Navumsa  
Shungopovi, Arizona

Neilson Fonyktewa  
Mushongnovi, Arizona

Jane Nichols  
Shipaulovi, Arizona

-OVER-

EXHIBIT 90a



COPY

HOPI INDIAN NATION  
Second Mesa  
Mushongnovi Village  
March 12, 1957

Hon. James A. Haley  
Subcommittee on Indian Affairs  
House of Representatives  
Washington, D.C.

Dear Sir:

We, the undersigned Recognized Hereditary Hopi Tribal Leaders and people, do hereby present to you and members of Congress of the United States our strong protest against a Bill H.R. 3789 which a majority of our people do not want.

Because the so-called Hopi Tribal Council has brought this about without our knowledge nor consent we have met here in Mushongnovi to make our protest known to Supt. O'Harra and Karl Johnson, chairman of the so-called Hopi Tribal Council. Since they are not on the Hopi Reservation we decided to have another meeting with them soon.

On July 16, 1956 a protest was made against a similar bill which was defeated in House of Representatives.

Last month we were informed that a Bill S. 692 was reinstated by Senator Goldwater and Carl Hayden. Again Dan Katchongva presented to Goldwater a protest against it for the people (copy enclosed).

On February Mr. Caleb Johnson sent you and to others a telegram protesting against a bill H.R. 3789 introduced by Udall of Arizona. This telegram was signed by 3 Hopi leaders.

Mr. Fred Johnson read your letter of reply of March 4th to us today and we were shocked to learn that someone else has sent you another telegram through Comm. Emmons stating that the 3 Hopi men have "changed their minds and are now for the bill." This we know is not true therefore we demand that you find out who sent the telegram.

We have also noted that someone has been putting up a fence around District 6 without our knowledge or consent. We do not want that either.

Sincerely,

(Sgd.) Lomayaktewa, Starlie  
(Sgd.) Viets Lomahaftewa

Also signed by 34 Traditional and Religious Leaders of Shungopavy Village,  
39 Mushongnovi Religious and Traditional Leaders and People, and  
83 Hotevilla Religious and Traditional Leaders and People

EXHIBIT 906

COPY

HOPI INDIAN NATION  
HOTEVILLA, ARIZONA  
JULY 3, 1953

SENATOR JAMES E. MURRY, CHAIRMAN  
Senate Committee on Indian Affairs  
Senate Office Building  
Washington, D. C.

Dear Sir:

I am enclosing you several copies of letters of protest against the bills H.R.3789 and S.692 for the Hopi Traditional and Religious Leaders.

We have fully explained to Senator Goldwater, Udall, Rep. James A. Haley and we have circulated our letters of protest all over this land and others because we have not ask for these bills and because we have never authorized or recognized the illegal so-called Hopi Tribal Council to represent or speak for us therefore we urgently request you to stop these two bills immediately and take action to investigate the so-called Hopi Tribal Council, Indian Bureau and any others who have a hand in attempting to destroy our Way of Life, Land, Religion and Culture.

This serious matter which involved land and life of the Hopi people must be settled between the highest leaders of the Hopi and White People. This cannot be done by young men or who has turned away from their religious beliefs or way of life. This matter involves Hopi, other Indians and White men who are living with us in this land.

If this or these bills passed by both Houses in Congress of the United States I will take this matter to the United Nations or other nation until this matter is settled in a manner that is fair, just, honorable and in accordance with our Ancient Instructions which means Purifying of this land by our awaited True White Brother who is to come to this land to correct the wrongs done to the Indian Race and to punish all evil men. This has been decreed and will be fulfilled. Therefore consider this vital matter before you act on these bills which the majority of the Hopi people do not want.

Sincerely yours,

DAN KATCHONGVA  
Hotevilla Village

EXHIBIT 90c

COPY

HOPI INDIAN NATION  
SHUNGOPAVY VILLAGE  
SECOND MESA, ARIZONA  
JULY 1, 1958

HON. JAMES A. HALEY, CHAIRMAN  
SubCommittee on Indian Affairs  
House of Representatives, U.S.  
Washington, D. C.

Dear Sir:

Recently we the traditional and religious Leaders of Shungopavy have been informed that your Sub-Committee has approved and passed a bill H.R. 3789 to a full House of Representative for action. Perhaps your committee believed that you have done right in passing this bill. To us as Traditional and Religious Leaders you have committed a great wrong for you have not heard our strong protests against these two bills neither make any attempt to investigate whether the majority of the Hopi people want this bill or not.

This is a serious matter, a large issue and involve the very life and land of the Hopi Nation and it also involve other Indian tribes and even white race who are living on our land. For these reasons we have repeatedly requested a Congressional investigate of all Hopi problems on the spot. You must come face to face with our Highest Hopi Leaders to settle the land question. There should be no stealing, lying, cheating or working under-cover. We still believed that members of Congress to be men of honor, lovers of justice, fairplay and honest.

We have never approve nor recognized the so-called Hopi Tribal Council for the reason that they are composed of young, educated and some christianized Hopis and therefore have no knowledge of the Hopi Religion or Life Plan. They are only being used as a tool for the Indian Bureau to approve certain projects against the wishes or desire of the real Hopi Traditional Headmen. They have only caused confusion, misunderstanding and hatred among our Hopi people. This land matter can only be settled by the highest leaders of the Hopi and White people in this country.

Gen. Herbert C. Holdridge has told the truth at a recent Hearing in Washington, D.C. and we are supporting him for he has acted in accordance with our Ancient Instructions. The so-called Hopi Tribal Council needs investigation as well as the Indian Bureau. It is your duty to do so for we are following the Great Spirit's Life Plan and who ever try to destroy it shall destroy him self. This land belongs to the Hopi people and not to the Navajos and it is the duty of the United States to correct the wrongs done to us now. We intend to take this matter to the United Nations or to other Nation until this matter is settled right and justly.

Sincerely yours,

*Andrew Heremequaftewa*

Andrew Heremequaftewa

EXHIBIT 90d

COPY

HOPI INDIAN NATION  
ORAIBI, ARIZONA  
July 2, 1953

HON. CLAIR ENGLE, CHAIRMAN  
Committee on Interior and Insular Affairs  
House of Representatives, U. S.

Dear Sir:

Your letter of June 28th received. Thanks for information regarding H.R. 3789 which was tabled by the House Committee and S. 692, amended and in lieu, now scheduled for the Consent Calendar Call on July 7.

On June 19th and 30th the Hopi Traditional and Religious men of the Hopi Tribe from Lower Moencopi, Hotevilla, Bacabi, Oraibi, Shungopavy, Mushongnovi and some of the people from Lower Oraibi and other villages heard the reports on the Hearing on H.R. 3789 on June 3th.

Viets Lomafewa of Shungopavi village made a personal report of the Hearing which he attended with Mr. Caleb Johnson of Oraibi who is now attending University in East at the present time. Mr. Fred Johnson read the report of Mr. Caleb Johnson. I read the report of Gen. Herbert C. Holdridge.

The Hopi Traditional and Religious Leaders after a full and free consideration of the reports all agreed that neither of these (2) men who went to Washington, D.C. for a Hearing represent them. Majority of the people in Mushongnovi and Shungopavy village did not know about these men representing them at the Hearing. Neither the so-called Hopi Tribal Council or the two men from Shungopavy village were authorized to represent the Hopi Traditional Leaders.

It was found that Gen. Herbert C. Holdridge did told the truths and facts at the Hearing and has won the support and confidence of the Hopi Traditional Leaders. It was agreed that Gen. Herbert C. Holdridge be called to meet the Hopi Leaders soon to consider action to be taken to stop these two bills which are being pushed in Congress without the knowledge, consent, nor approval of the Hopi Traditional Leaders.

Within two weeks after returning from the Hearings in Washington, D. C. and without fully explaining Mr. Karl Johnson, former, Chairman of the so-called Hopi Tribal Council quit, resigned and left the Council and took off to Parker, Arizona to work.

Sincerely yours,

*Thomas Banyacya*  
THOMAS BANYACYA

cc: Haley  
Goldwater  
Sam Rayburn  
Gen. Herbert C. Holdridge

EXHIBIT 90e

COPY

HOPI INDIAN NATION  
MUSHONGNOVI VILLAGE  
SECOND MESA, ARIZONA  
JULY 2, 1958

SENATOR JAMES E. MURRAY, CHAIRMAN  
Senate Committee on Indian Affairs  
Senate Office Building  
Washington, D. C.

Dear Sir:

On June 30th we the Traditional and Religious men of the tribe met to hear and consider the two bills pending in Congress of the United States. After a full and free discussion the Hopi Leaders from various villages all agreed that the so-called Hopi Tribal Council has failed to consult with the Traditional and religious men of the Hopi people before authorizing Mr. John S. Boyden to draft and introduce a bill to setting up Courts for the settlement of the so-called 'dispute over the land' of the Hopi and the Navajo tribe.

When I and other Leaders heard about this we all agreed that it is contrary to our religious and traditional instructions and therefore we will not want these bills to pass in Congress of the United States.

I have talked with my Highest Priest in this village during our Prayer Feather Making for our Father Sun and all living things in this land. We all determined to hold on to our land and life. The land area according our Religious Instruction covers all land in this continent for our footprints show plainly that we did cover this land. Our Indian Brothers have their own area of land but the White man has taken away from them their areas of land which the Great Spirit has given them. We work our religious ceremonies in order to hold all land for our children. This you are ready to destroy by passing these two bills against our approval, consent nor knowledge. There will be a time in which all evil people shall be punished and perhaps destroyed so that a new peace and everlasting life shall be reached for all good people. Therefore we determined to stand fast on our religion, land and way of life, to die if we must. But at no time we will turn away from our faith in our Great Spirit.

On behalf of my Hopi Traditional and Religious men and Hopi People I demand that you stop this bills S.692 and H.R.3789 and cause an investigation to be made on the Hopi land of all problems concerning Hopi Tribe. This has never been done and it is your duty to protect Hopi's life, land and property.

Sincerely yours,

*Starlie Lomayaketewa*

CHIEF - STARLIE LOMAYAKETEWA

EXHIBIT 90f

COPY

HOPI INDIAN NATION  
HOTEVILLA, ARIZONA  
JULY 12, 1958

President Dwight D. Eisenhower  
President of the United States  
The White House, Washington, D.C.

Mr. President:

On behalf of the Hopi Traditional and Religious Leaders and people who met in Hotevilla on July 11, 1958 to seriously consider the two bills now pending in Congress, Bills S.692 and H.R.3789, we, the undersigned duly authorized to request you to VETO these bills should one of them reached your office.

Your Government has been well informed about the reasons why the majority of the Hopi Leaders and people do not want this or these bills. General Herbert C. Holdridge has well explained to you and your Government Officials in Washington, D.C. and he has told the truth and we support him for what he has said in his letters to you.

On March 28, 1949 the Hopi Traditional Leaders has presented to the White House their true sentiments and explanations for their strong stand against all attempts on the part of the United States Government to destroy our ancient homeland, Way of Life and our own Religion. These two bills will do just that to the life of a Peaceful Hopi People who have not steal, lie, kill or fought against the people of the United States.

We have all determined to live our own way of life as Hopi People and we will bring this serious issue to the United Nations or to any nation until reason, justice is done should you sign any of these bills now.

You are requested also to initiate immediately an action to investigate the charges directed against all those who have a hand in drafting, introducing and passing these illegal bills to destroy our very lives.

We enclosed a copy of a letter of March 28th, 1949.

Sincerely yours,

Gene Maseverema  
Paul Lovemaneewa  
Melton Kuzigowva

Sam Katchongwa  
DAN KATCHONGWA  
Paul Maseverema

EXHIBIT 909