

ernment gave the Indians 100 head of registered cows and some bulls, but only 20 head were to be grazed on the lands they are now claiming. They were grazing some "scrub" livestock on the Forest Range at that time.

Be that all as it may, it is certain that the Taos Indians could have established no ancestral rights on the area in question any more than any early settler could have done by grazing livestock on any public land.

The only ancestral claim to the lands they are trying to acquire would be for hunting and fishing. But that activity was not limited to that area. Instead it included all lands within reach of the Pueblo. They still have those rights in accordance with State laws on all the public lands of the State of New Mexico.

Another important item that I wish to bring to the attention of the Committee is this: Included within the lands the Indians are now claiming there are two tracts embracing a total of 5,901 acres which were a part of the old Antoine Leroux Spanish Land Grant. These tracts were not a part of the original Carson National Forest established in 1906, but they were privately owned lands until the Forest Service acquired them through land exchange in 1950. Also there is another tract of 3,000 acres which was owned by the State of New Mexico until it was acquired by the Forest Service through land exchange in 1952.

During the time that I was on the Carson National Forest, 1912 to 1919, and Forest Supervisor 1915 to 1919, so far as I was aware the Indians were asserting no claims to ownership of the lands they now seek to acquire. They did want special privileges for free grazing of livestock on the area now covered by the Secretary of Agriculture's Special Use Permit dated October 24, 1940.

We did issue them free grazing permits for summer grazing of livestock on the area. But at that time the Forest Service's policy was to issue free grazing permits up to ten head of domestic livestock to settlers adjacent to or within the National Forests. The free permits probably would have been issued to the Indians anyway but it actually was about the same as the settler free permits except that the Indians' permit was to the unit and not to individual Indians.

Mr. Chairman, I believe the following paragraphs relating my personal experiences on the lands here involved in the matter of trail building, stocking of trout and in forest fire fighting are highly significant to this issue.

When I became Forest Supervisor there was no trail up the Rio Pueblo de Taos to Blue Lake at its source. With such a trail that route would be the nearest and easiest route to their Sacred Lake. Besides such a trail would provide ready access to the Canyon and its side canyons in case of fire. Burnt Ridge trail up over a mountain was the only access into the upper part of this area.

I personally laid out the route for a trail up the River to Blue Lake. With a crew, including some Indians, we cut out a trail through the mass of logs and timber in the Canyon to the Lake. I sweat it out along with the crew for a week using an ax and one end of a two-man crosscut saw.

The Indians did not express any objections to the Forest Service doing that job, nor did they offer to donate labor to help establish a new access route to their ceremonial area. The trail was built for the public, the Indians and for fire protection.

Also while I was Forest Supervisor we obtained from the U.S. Bureau of Fisheries several thousand brook trout fry to stock Blue Lake which had never had any fish in it. It required two pack animals carrying two ten gallon cans of water each to transport the trout fry to the Lake. The Indians made no objection to that. As I recall it was done just as we would stock any other water.

The late fall of 1917 was exceedingly dry and forest fire hazard was great. One day I inspected the Gold Hill fire lookout station and spent the night with the Lookout man. Next day, horseback alone, I rode through the timberline country southward to the lands now being claimed by the Taos Indians. Topping a ridge I saw smoke rising out of the canyon ahead. I rode to the fire as fast as the rugged terrain would permit.

The fire had covered some two acres and, with a stiff west wind, it was far too big for me to attempt to put out with the light ax I carried on my saddle. I knew it was man-caused because there had been no lightning for weeks. I hastily skirted the windward side and found an abandoned hunter's camp fire. There were Indian moccasin tracks around it and signs that a deer had been eviscerated nearby. It was out of season for deer hunting. The fire has started there and the wind had driven it eastward away from the little campfire.

It was late afternoon and I hastened down the rugged, trailless mountain, much of the way after dark, to the Indian Pueblo arriving at about ten P.M. There I woke up an Indian who I knew well and asked him to alert the Governor