Articles of agreement made and entered into this 4th day of December, A. D. 1893, at Fort Yuma, on what is known as the Yuma Indian Reservation, in the county of San Diego, State of California, by Washington J. Houston, John A. Gorman, and Peter R. Brady, commissioners on the part of the United States, appointed for the purpose, and the Yuma Indians:

ARTICLE 1. The said Yuma Indians, upon the conditions hereinafter expressed, do hereby surrender and relinquish to the United States all their right, title, claim, and interest in, and to, and over the following described tract of country in San Diego County, California, established by Executive order of January 9, 1884, which describes its boundaries as follows:

"Beginning at a point in the middle of the channel of the Colorado River, due east of the meander corner to sections 19 and 30, township 15 south, range 24 east, San Bernardino meridian; thence west on the line between sections 19 and 30 to the range line between townships 23 and 24 east; thence continuing west on the section line to a point which, when surveyed, will be the corner to sections 22, 23, 26, and 27 in township 15 south, range 21 east; thence south on the line between sections 26 and 27, in township 15 south, range 21 east, and continuing south on the section lines, to the intersection of the international boundary, being the corner to fractional sections 34 and 35, in township 16 south, range 21 east; thence easterly on the international boundary to the middle of the channel of the Colorado River; thence up said river, in the middle of the channel thereof, to the place of beginning, be, and the same is hereby, withdrawn from settlement and sale and set apart as a reservation for the Yuma and such other Indians as the Secretary of the Interior may see fit to settle thereon: *Provided, however,* That any tract or tracts included within the foregoing described boundaries, to which valid rights have attached under the laws of the United States, are hereby excluded out of the reservation hereby made.

"It is also hereby ordered that the Fort Yuma military reservation, be, and the same is hereby, transferred to the control of the Department of the Interior, to be used for Indian purposes in connection with the Indian reservation established by this order, said military reservation having been abandoned by the War Department for military purposes."

ARTICLE II. Each and every member of said Yuma Indians shall be entitled to select and locate upon said reservation and in adjoining sections five acres of land, which shall be allotted to such Indian in severalty. Each member of said band of Indians over the age of 18 years shall be entitled to select his or her land, and the father or, if he be dead, the mother shall select the land herein provided for each of his or her children who may be under the age of 18 years; and if both father and mother of the child under the age of 18 years shall be dead, then the nearest of kin over the age of 18 years shall select and locate his or her land; or if such person shall be without kindred, as aforesaid, then the Commissioner of Indian Affairs, or some one by him authorized, shall select and locate the land of such child.

ARTICLE III. That the allotments provided for in this agreement shall be made at the cost of the United States by a special agent appointed by the Secretary of the Interior for the purpose, under such rules and regulations as the Secretary of the Interior may from time to time prescribe; and within sixty days after such special agent shall appear upon said reservation and give notice to the said Indians that he is ready to make such allotments; and if anyone entitled to an allotment hereunder shall fail to make his or her selection within said period of sixty days, then such special agent shall proceed at once to make such selection for such person or persons, which shall have the same effect as if made by the person so entitled; and when all of said allotments are made and approved then all of the residue of said reservation which may be subject to irrigation, except as hereinafter stated, shall be disposed of as follows: The Secretary of the Interior shall cause the said lands to be regularly surveyed and to be subdivided into tracts of ten acres each, and shall cause the said lands to be appraised by a board of three appraisers composed of an Indian inspector, a special Indian agent, and the agent in charge of the Yuma Indians, who shall appraise said lands, tracts, or subdivisions, and each of them, and report their proceedings to the Secretary of the Interior for his action thereon; and when the appraisement has been approved the Secretary of the Interior shall cause the said lands to be sold at public sale to the highest bidder for cash, at not less than the appraised value thereof, first having given at least sixty days' public notice of the time, place, and terms of sale immediately prior to such sale, by publication in at least two newspapers of general circulation, and any lands or subdivisions remaining unsold may be reoffered for sale at any subsequent time in the same manner, at the discretion of the Secretary of the Interior; and if not sold at such second offering, for want of bidders, then the Secretary of the Interior may sell the same at private sale at not less than the appraised value.

ARTICLE IV. That the money realized by the sale of the aforesaid lands shall be placed in the Treasury of the United States, to the credit of the said Yuma Indians, and the same, with interest thereof at 5 per centum per annum, shall be at all times subject to appropriation by Congress, or to application by order of the President for the payment of water rents, building of levees, irrigating ditches, laterals, the erection and repair of buildings, purchase of tools, farming implements and seeds, and for the education and civilization of said Yuma Indians.

ARTICLE V. Upon the approval of the allotments provided for herein by the Secretary of the Interior, he shall cause patents to issue therefor in the name of the allottees, which patents shall be of the legal effect and declare that the United States does and will hold the land thus allotted for the period of twenty-five years in trust for the sole use and benefit of the Indians to whom such allotments shall have been made, or in case of his or her decease of his or her heirs or devisees according to the laws of California, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs, or devisees, as aforesaid in fee, discharged of said trust, and free of all incumbrance whatsoever.

And if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void. And during said period of twenty-five years, these allotments and improvements thereon shall not be subject to taxation for any purpose, nor subject to be seized upon any execution or other legal process, and the law of descent and partition in force in California shall apply thereto.

ARTICLE VI. All lands upon said reservation that cannot be irrigated are to be open to settlement under the general land laws of the United States.

ARTICLE VII. There shall be excepted from the operation of this agreement a tract of land including the buildings situate on the hill on the north side of the Colorado River, formerly Fort Yuma, now used as an Indian school, so long as the same shall be used for religious, educational, and hospital purposes for said Indians; and a further grant of land adjacent to the hill is hereby set aside as a farm for said school; the grant for the school site and the school farm not to exceed in all one-half section or 320 acres.

ARTICLE VIII. This agreement shall be in force from and after its approval by the Congress of the United States.

In witness whereof we have hereunto set our hands and seals the day and year first above written.

WASHINGTON J. HOUSTON, [SEAL.]
JOHN A. GORMAN, [SEAL.]
PETER R. BRADY, [SEAL.]
Commissioners on the part of the United States.

BILL MOJAVE.

1. Chief Me ta pa am, his x mark (Jose Palmer), seal.
2. Ma le vah, his x mark, Capt. Juan Mauchado, seal.
3. Mat coup, his x mark, Capt. Tom, seal.
4. Ka wan na cum, his x mark, Capt. Chino, seal.
5. Scha char, his x mark, seal.
6. Et sar yar wat, his x mark, seal.
7. Kol cu ran, his x mark, seal.
8. Ou rau cu ra, his x mark, seal.
9. Mes ce tu rel, his x mark, seal.
10. Co mo how, his x mark, seal.
11. Sa pu suk, his x mark, seal.
12. A wit ut, his x mark (Chino), seal.
13. Su mil tu ha, his x mark, seal.
14. Cul a sa, his x mark, seal.
15. Co mitch hu sau, his x mark, seal.
16. Co al, his x mark, seal.
17. Net cor mitz, his x mark, seal.
18. Com e tole u sin, his x mark, seal.
19. O cauk u rau, his x mark, seal.
20. Wo cau un yu, his x mark, seal.
21. Poc can ma hun, his x mark, seal.
22. Etchor ca po cot, his x mark, seal.
23. Han o puts cu rau, his x mark, seal.
24. O mil, his x mark, seal.
25. Qua heil pa, his x mark, seal.
26. Sum e dom, his x mark (Chappo), seal.
27. Oh to gu rau, his x mark (James), seal.
28. Mo ca dunk, his x mark (Joan Town), seal.
29. Hara ma sa, his x mark (Jim), seal.
30. Sco whum, his x mark, seal.
31. Mut u sa cew, his x mark, seal.
32. Yar a cu pet, his x mark, seal.
33. Tu whan, his x mark, seal.
34. Te nau cu wils, his x mark, seal.
35. To kits cu rau, his x mark, seal.
36. Oh tel su rim, his x mark, seal.
37. Haut tu ker, his x mark, seal.
38. Hau shaw, his x mark Fred, seal.
39. Met au ma au, his x mark, seal.
40. Um pah qu rau, his x mark, seal.
41. Haut na yum, his x mark, seal.
42. Hon yo pot nu ya, his x mark, seal.
43. Tu sau cu yel, his x mark, seal.
44. Mul yah, his x mark, seal.
45. Oh pas mu how, his x mark, seal.
46. Es pou a ma hot e, his x mark, seal.
47. Po cu rau, his x mark (George Escal seal.
48. Er a thou, his x mark, seal.
49. Es hi a who, his x mark, seal.
50. Ca ya cu su, his x mark, seal.
51. So hur mar, his x mark, seal.

52. Sol hal yu wits, his x mark, seal.
53. A cu yal e, his x mark, seal.
54. Mot mu hil, his x mark, seal.
55. Ma re cau puts, his x mark, seal.
56. Cho hil, his x mark, seal.
57. Oh co el, his x mark, seal.
58. Ae u tha, his x mark, seal.
59. Oh ma u co, his x mark, seal.
60. Mat um sa u way, his x mark, seal.
61. Hau co mut, his x mark, seal.
62. Oh sets cu worm, his x mark, seal.
63. To ra ne cum, his x mark, seal.
64. E hal nu hau, his x mark, seal.
65. Ser quit quer, his x mark, seal.
66. Au cau qu ru, his x mark, seal.
67. Cha la co, his x mark (Jim), seal.
68. So cuts cu rau, his x mark, seal.
69. Jim, his x mark, seal.
70. A spau tu el, his x mark, seal.
71. So pish ya, his x mark, seal.
72. Au no chets, his x mark, seal.
73. Se cam ta, his x mark, seal.
74. Ca mou su ca, his x mark, seal.
75. Hon a ma tu, his x mark, seal.
76. Hot a when, his x mark, seal.
77. Ach uch, his x mark, seal.
78. Oh yer sum, his x mark, seal.
79. Cau sah, his x mark, seal.
80. Ne ya co wha, his x mark, seal.
81. Co pah hu han, his x mark, seal.
82. To men yo, his x mark, seal.
83. Au chu no re ah, his x mark, Pauch, seal.
84. To ca mu wal, his x mark, seal.
85. Es cu nor u wah, his x mark, seal.
86. Mo ca u wa, his x mark, seal.
87. Ka ua ck, his x mark, seal.
88. A theil, his x mark, seal.
89. A hil what a ha, his x mark, seal.
90. Mes hi up, his x mark, seal.
91. Au che au quo to el, his x mark, seal.
92. Oh rau um yer, his x mark, seal.
93. Jer au mal, his x mark, seal.
94. Cut u cus e mal, his x mark, seal.
95. Ka fay, his x mark, seal.
96. Ea sas, his x mark, seal.
97. Se yer no, his x mark, seal.
98. So mits cu yau, his x mark, seal.
99. So men u hau, his x mark, seal.
100. Paup el, his x mark, seal.
101. Hat pau yet e chil, his x mark, seal.
102. Co pue, his x mark, seal.
103. Oh u wam, his x mark, seal.
104. E yau, his x mark, seal.
105. Hot a what i, his x mark, seal.
106. Au pul cu ri, his x mark, seal.
107. Ah nul yau, his x mark, seal.
108. Oh tau wa, his x mark, seal.
109. Et spau cu rau, his x mark, seal.
110. Cau tu pah, his x mark, seal.
111. Te nau yum a, his x mark, seal.
112. U yahn, his x mark, seal.
113. Pil yu dou, his x mark, seal.
114. Co mu tolz, his x mark, seal.
115. Se nu cul su nor, his x mark, seal.
116. Ho suh, his x mark, seal.
117. Orau cu sew, his x mark, seal.
118. Spin au pi, his x mark, seal.
119. Joseph Hamer, seal.
120. Co sau nu rau, his x mark, seal.
121. Yo men how, his x mark, seal.
122. Ca pay, his x mark, seal.
123. Ho nu ya, his x mark, seal.
124. Sau ta lay, his x mark, seal.
125. El hau chil, his x mark, seal.
126. A yac a muck, his x mark, seal.
127. To mic au mou, his x mark, seal.
128. Pet la how, his x mark, seal.
129. Es cor a pe que, his x mark, seal.
130. Al ma yor, his x mark, seal.
131. Pau tu wits, his x mark, seal.
132. Way ya cu ep, his x mark, seal.
133. Tim yer nau qui sau, his x mark, seal.
134. Ta som u cau, his x mark, seal.
135. So mauts cer aeu, his x mark, seal.
136. Mau cul yau, his x mark, seal.
137. Et ca whom, his x mark, seal.
138. Na car um yaw, his mark, seal.
139. Col a yet caun, his x mark, seal.
140. Yal, his x mark, seal.
141. Ul co ter nuc, his x mark, seal.
142. Au co tu wits, his x mark, seal.
143. Lel lu leve, his x mark, seal.
144. Sau vil, his x mark, seal.
145. Ca cau u whim, his x mark, seal.
146. Cau houz, his x mark, seal.
147. Tau et sick, his x mark, seal.
148. E me au itck, his x mark, seal.
149. Ho u cau ic, his x mark, seal.
150. Ya u pi, his x mark, seal.
151. Che yer a mal, his x mark, seal.
152. Yet nau yu mits, his x mark, seal.
153. Nis cau yu mitz, his x mark, seal.
154. Tow witz, his x mark, seal.
155. Au sey, his x mark, seal.
156. Ea tal, his x mark, seal.
157. Au tick, his x mark, seal.
158. Sau un ya, his x mark, seal.
159. Au scell, his x mark, seal.
160. Sam po u yu puts, his x mark, seal.
161. Poc yu air, his x mark, seal.
162. Ul yum un ya, his x mark, seal.
163. Quan nits, his x mark, seal.
164. Ouch su pel, his x mark, seal.
165. Coul le au chuts, his x mark, seal.
166. Spau want, his x mark, seal.
167. Mat chu sam ca chat, his x mark, seal.
168. Au wa cu rau, his x mark, seal.
169. Mau no cum, his x mark, seal.
170. Haut su ca, his x mark, seal.
171. So quil e au, his x mark, seal.
172. Au os tu pin, his x mark, seal.
173. Spau que u, his x mark, seal.
174. Zu gu rau, his x mark, seal.
175. El e pau yi, his x mark, seal.
176. Tauck, his x mark, seal.
177. Sim tau so hau, his x mark, seal.
178. Jo ka man, his x mark, seal.
179. Pi ush, his x mark, seal.
180. So cots u run ya, his x mark, seal.
181. John, his x mark, seal.
182. Al mul qui, his x mark, seal.
183. Ah puc ki, his x mark, seal.
184. How u wits, his x mark, seal.
185. Au un ca tel, his x mark, seal.
186. Sham sin, his x mark, seal.
187. Aut sa cu pit, his x mark, seal.
188. Maun sohn, his x mark, seal.
189. Au what, his x mark, seal.

190. Me nau au reike, his x mark, seal.
191. Kesh u mau, his x mark, seal.
192. Hus u nau, his x mark, seal.
193. Sear u nuck, his x mark, seal.
194. Poc o mau how, his x mark, seal.
195. Se rau cape, his x mark, seal.
196. Ouc ho pil, his x mark, seal.
197. Tobe il, his x mark, seal.
198. Cal e cu how, his x mark, seal.
199. Bill Mojave, his x mark, seal.
200. Co teen yam, his x mark, seal.
201. Au lu, his x mark, seal.
202. Ea poc, his x mark, seal.
203. Et e yer mo hou, his x mark, seal.

I, Bill Mojave, hereby certify that I am the official interpreter of the Yuma Indians, in the State of California; that I am an adopted member of said tribe, and speak and understand both the Yuma and English languages; that the foregoing contract was by me fully interpreted to said Indians, and they were made to fully understand the same before it was signed by them; and I further certify that I was personally present when each and every person's name was signed thereto, and witnessed the same, and that those whose signatures appear to said contract signed same understandingly, and when signed by mark or otherwise I attest the same.

Given under my hand at Fort Yuma, Cal., this 5th day of December, A. D. 1893.

BILL MOJAVE.
Interpreter.

U. S. INDIAN SERVICE,
MISSION TULE RIVER "CONS" AGENCY,
Yuma, Cal., December 2, 1893.

SIR: I have the honor to certify that Bill Mojave is the official interpreter of the Yuma Indians, and that he is fully qualified and competent.

Very respectfully,

FRANCISCO ESTUDILLO,
U. S. Indian Agent.

Hon. W. J. HOUSTON,
Chairman Yuma Commission, Yuma, Cal.

WASHINGTON, *February 14, 1894.*

SIR: I have the honor now to make report to you in obedience to your additional instructions conveyed to me by letter of January 4, 1894.

Referring to the report of the commission appointed to negotiate with the Yuma Indians in California, it will be observed that the commissioners strongly recommended the construction of a levee to protect the lands to be allotted to the Indians, as well as those ceded, from the overflow of the Colorado River at high water.

This levee question presented itself to the commissioners when we were at Yuma and the necessity for going into it fully and making a report was discussed, but as our letter of instructions was silent on the matter, and as there was a difference of opinion as to whether the Interior or War Department controlled this character of work, nothing was done further than to report the facts, and these will be found in the original report of the Yuma commissioners now on file in the Indian Office.

I find it impossible with the data before me to fully comply with your request to give you an approximate estimate of the probable cost of the construction of a levee, or levees, that will permanently protect the lands in question from overflow.

Since the receipt of your letter of January 4, 1894, I have been in communication with my colleagues of the commission, Messrs. Houston and Brady, also with Mr. Rockwood, the chief engineer of the Colorado River Irrigating Company, and others, and there appears to be some difference of opinion as to what the cost may be.

Mr. French, of this city, who was formerly employed as a surveyor on the irrigating canal through the Yuma Reservation, says that in the month of January, 1893, under instructions from the chief engineer of the Colorado River Irrigating Company, he made a topographical survey of the west bank of the Colorado River from the Pot Holes to the west end of the Southern Pacific Railway bridge, opposite Yuma, Ariz. That the nature of the survey was for the topography of that part of the Colorado River, and particularly to note the mouths of sloughs and the low places that overflow at high water.

On the accompanying map some of the sloughs are accurately drawn, while others are mere guesswork. This survey was not made with any intention of determining the location, or estimating the cost of a levee. Up to the present it is the best data obtainable, and only a rough estimate can be made from it. Any figures that are hereafter given are as close as he can give from the information at hand.