

CALIFORNIA  
STATE MINING BUREAU  
SAN FRANCISCO.

Apache  
1909

APACHE NATIONAL FOREST  
ARIZONA

By the President of the United States of America

A Proclamation

WHEREAS, an Executive Order signed July first, nineteen hundred and eight, directed that a part of the Black Mesa National Forest be known as the Apache National Forest;

And whereas, it appears that the public good will be promoted by including in the Apache National Forest certain lands within the Territory of Arizona, shown on the diagram hereto attached and forming a part hereof, which are in part covered with timber, and which constitute a part of the White Mountain Apache Indian Reservation, established by Executive Order dated November ninth, eighteen hundred and seventy-one, and modified by subsequent Orders;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power in me vested by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," do proclaim that the said lands are hereby added to the Apache National Forest and that the boundaries of said National Forest are now as shown on the said diagram, and such National Forest so enlarged shall, except as hereinafter provided, be subject to all the laws affecting National Forests including the mineral land laws of the United States; *Provided*, that, nothing herein shall, for the term of 25 years from the date hereof, operate to terminate or abridge the rights of the Secretary of the Interior and of the Commissioner of Indian Affairs, under existing laws, to allot to individual Indians any of such of the above described lands as were included in the said White Mountain Apache Indian Reservation by the said Executive orders modified as aforesaid; to use any of such lands or the timber thereon for Agency, school, or other tribal purposes; to permit the use of any of such lands for grazing purposes; to permit the free use by individual Indians of timber and stone from any of said lands necessary for domestic use upon their allotments; to dispose of the proceeds arising from grazing as provided for by law for other Indian funds; and to dispose of the dead timber standing or fallen upon such lands; *Provided further*, that said powers and rights of the Secretary of the Interior and Commissioner of Indian Affairs or permittees

under or through them or either of them, and of individual Indians, except as to allotments to such Indians, shall be subject to such rules and regulations as the Secretary of Agriculture may from time to time prescribe for the protection of the National Forest; and said powers and rights shall not be construed to apply to any land except such parts of said White Mountain Apache Indian Reservation as are included in the Forest by this proclamation, and all said powers and rights except the rights of individual Indians and their heirs to hold and enjoy their allotments, shall cease and determine twenty-five years after the date hereof, and thereafter the occupancy and use of the unallotted parts of said lands shall in all respects be subject to the laws governing National Forests.

The withdrawal made by this proclamation shall, as to all lands which are at this date legally appropriated under the public land laws or reserved or used for Indian Agency, school, or church purposes, or reserved for any public purpose other than for Indian occupancy and use under such Executive Orders, be subject to, and shall not interfere with, or defeat legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained, or such reservation remains in force.

This proclamation shall not prevent the settlement and entry of any lands heretofore opened to settlement and entry under the Act of Congress approved June eleventh, nineteen hundred and six, entitled, "An Act to provide for the entry of Agricultural lands within forest reserves."

**In Witness Whereof**, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.]           DONE at the City of Washington, this second day of March,  
in the year of our Lord one thousand nine hundred and  
nine, and of the Independence of the United States the  
one hundred and thirty-third.

**THEODORE ROOSEVELT**

By the President:

ROBERT BACON  
*Secretary of State.*

[No. 866.]