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José Panto, *Capitan* of the Indian Pueblo of San Pascual, San Diego County

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The history of San Diego County has been sorely deficient in recording the account of a remarkable man. José Panto, the capitan of the Indian pueblo of San Pascual, led his people over a period of at least 37 years through the last decade of the Mexican rule of California and into the era of American dominance. By turns a fighter and a peacemaker, Panto was a highly respected man, both by his own people and by the dominant power of the time, whether it be a Mexican governor or an American Indian agent. As later history has been written, Panto has been largely ignored, perhaps because he did seek the way of peace rather than rebellion. His trust in the authorities was sadly misplaced, as the onslaught of the American frontier prevailed to destroy his village and rout his people from their land.

WHEN secularization of the missions of California occurred in 1833-34, Missions San Diego de Alcalá and San Luis Rey established Indian pueblos populated and run by former mission neophytes. Three such pueblos were organized: San Dieguito, Las Flores, and San Pascual.¹ Two of them (San Dieguito and Las Flores) soon failed, but the third, San Pascual, lasted as a viable community into the American period, at which time it lost the protection of Mexican law, becoming prey for squatters and suffering the white "justice" which did not permit Indians to testify in court.

The success of San Pascual was apparently due to the leadership of a remarkable man named José Panto, who throughout his tenure as *capitan* of the pueblo did his best to protect his people and their rights as granted by the Mexican government. He managed to avoid the limelight and thus did not achieve the same fame as did Gregorio and Tomás, two better-known Southern California Indian leaders of his day (Phillips 1975:passim). He cooperated with the Mexican authorities and thus permitted his people a degree of noninterference for at least the duration of Mexican rule. With the arrival

of the Americans, Panto again sought to cooperate, giving aid to General Kearny at the Battle of San Pasqual and later to Admiral Stockton for his march on Los Angeles. But, in the end, despite individual expressions of sympathy, the anti-Indian sentiment of the new immigrants permitted the inexorable destruction of the once-promising Indian pueblo of San Pascual.

THE EARLY YEARS AND THE ESTABLISHMENT OF THE PUEBLO OF SAN PASCUAL

According to Panto's daughter, Felicita, there was an Indian village by the laguna in San Pascual Valley (Fig. 1), where she and her people lived before the establishment of the pueblo:

at this time [ca. 1835?] the tule huts of our village stood thick on either side of the river, for the mission at San Diego was no longer prosperous, and many Indians had come to our valley from that place [Roberts 1917:22].

This laguna may have been near San Bernardo (E. Roberts, quoted in Peet 1949:89) at the western end of the valley. Also known as



Fig. 1. San Diego County showing location of San Pasqual.

Paguay (Poway) (Merriam 1968:170), it was a rancheria at the time of the mission and later became a land grant under the name of Rancho San Bernardo.

There is a tradition among the Indian people of the San Pasqual Valley that it had been named *Paskwa* before the pueblo was established and that the name San Pascual may have

been derived from this (J. Quisquis, personal communication 1985).

The San Pascual Indian pueblo came into existence subsequent to the secularization of Mission San Diego de Alcalá; the Indians were awarded virtually the whole valley of San Pasqual bordering Rancho San Bernardo on the west. A letter accompanying a census (*padron*) of the “*neofitos desafiados*” was addressed to the administration of San Diego from José J. Ortega and dated November 16, 1835 (Hayes n.d.:No. 39). In his notes, Hayes (1874:497) stated that there were 81 neophytes from the mission of San Diego listed in this census. In a note on the pueblo of San Pascual, Hayes (1873:230) gave the following description of what was contained in the *padron*:

There were thirty-four male adults, all of them married (and living there with their wives), except one “*soltero*” [single man] and nine *viudos* (widowers).

There was one widow (Manuela) and her daughter (Lorenza).

Male—those marked married (24 in number) had living with them there eight male children and ten female children. Three widowers had two boys and one girl: in all 21 children in the pueblo. The ages of none of the parties are given. Their trades or pursuits were as follows: *alcalde* (Juan Cuerpo, *vaquero*), 6 *vaqueros*, 10 *arrieros* [muleteers], 2 *carpinteros*, 1 *herrero* [blacksmith], 2 *tejedores* [weavers], 1 *carbonero* [charcoal-maker], 2 *molenderos* [millers], 1 *cardador* [carder of wool], 5 *labradores* [farmers/plowmen], 2 *gamuseros* [leather workers], and 1 *quesero* [cheesemaker], for a total of 34.

This diversity of skills supports Bancroft’s (1885b:628) statement that the pueblo at San Pasqual was “composed of Indians selected from the . . . missions for their intelligence, good behavior, industry, and fitness in all respects for earning their own living and managing their own affairs.”

Although the village was initially organized as a civil pueblo with an Indian *alcalde* named Juan Cuerpo, at some point prior to September 1837, the man who came to be known as the

capitan of San Pascual Pueblo, and who retained the title until his death in 1874, arrived on the scene. His name was Panto.² The word *panto* means *fantasma* in Spanish, and is associated with someone whose spirit can escape his own body (*extasiado*) (Alonso 1958:3127). This name may well have been applied to Panto as a characterization of his status as a shaman. Ipai shamans were well known for their ability to escape their bodies in the form of their guardian animal (Luomala 1978:604). A possibly related term that is still used by Indian people in the vicinity of San Pasqual is *spanto*, meaning “spook” (J. and O. Quisquis, personal communications 1985). This is clearly derived from the Spanish word *espanto*, meaning “something frightening.”

Panto’s age was listed as 42 on the 1852 California Census. If accurate, he would have been born ca. 1810. In an 1856 letter, his full name, José Panto, first appears. The name Panto is unusual, although for a period of time a Fr. José Pedro Panto resided at Mission San Diego. Fr. Panto arrived at San Diego on July 28, 1810,³ and served at the mission from September 1810 until his death on June 30, 1812 (Bancroft 1885a:345).

However, there is evidence that Panto (the Indian) did not come from one of the missions. In 1845, an investigator sent to the pueblo of San Pascual by Governor Pio Pico suggested that Panto was not Christian, but was rather the captain of the unconverted (gentile) Indians of San Pascual (Spanish Archives n.d.:8:50 ff.). San Diego baptismal records for the years 1808 to 1815 were searched in a vain effort to determine if Panto was known to have been baptized (R. Quinn, personal communication 1984). According to his daughter, Felicita, and an old woman (Manuella), Panto was a shaman (spirit-taught man) (Roberts 1917:105) and Felicita was not baptized until she was about 12 years old (Roberts 1917:220-221).

It is interesting to consider the possibility of

Panto having been a nonmission Indian. Though it may seem strange that the captain of the pueblo should derive from the minority representation, such a case is fully consistent with the pattern of chieftainship among the Kumeyaay.

The correlation of ethnographic with ethnohistoric and Mission Register data has clarified the analysis of Kumeyaay political structure by confirming the fact that the Kwaaypaay [capitan] was not a "born" member of his band. He was not the head of the largest *shiiimull* [sib] in a band, but was normally the only adult male of that sib in the band. This structure contrasts with that of the Cahuilla and the San Luiseño where the "Captains" were the heads of the largest lineages. The crosscutting of the *shiiimull* organization by the territorial band organization increased the tribal or national level of Kumeyaay integration [Shipek 1982:302].

Wherever he came from, Panto assumed the position of capitan of San Pascual by the age of 27 and held this position for 37 years.

In an official report dated September 1, 1837, the Indians from San Pascual Pueblo attacked a group of "heathen" Indians led by a non-Christian Indian called Claudio, who had previously attacked a rancho of Mission San Diego and killed two whites and a number of Christian Indians. Nine of the enemy Indians were killed and Claudio was captured. He was then turned over to the Mexican authorities, who were then requested to return him for execution. The document suggests that the request be granted "because there is no security in keeping him [Claudio] in prison" (Hayes 1874: Item 76). Juan Bautista Alvarado also told the story of the attack, providing more specifics:

The *ayuntamiento* at San Diego committed the blunder of dispatching all its available forces to the city of Los Angeles under the command of Francisco Maria Alvarado, who arrived too late to prevent the victory of my faction. Unconverted Indians and renegades, headed by a barbarian Indian named Claudio, who was the Zampay of the south,⁴ having noted that what men were capable of bearing arms had gone to fight at distant points, organized themselves for

the purpose of committing robberies at the *ranchos* lying some leagues from the San Diego presidio.

One of the places they attacked was the Jamul rancho [Fig. 1] belonging to Juan Bandini. There they encountered many Indian neophytes who endeavored to oppose the followers of Claudio. They soon abandoned this plan, however, for those attacking the rancho were armed with muskets and pistols and the first volley killed four neophytes. They took prisoner twelve more who had barricaded themselves in the kitchen of the rancho and forced the others to seek safety in the woods.

Claudio, now in control of the rancho, took two daughters of the overseer of Jamul for his own purposes, stole all the livestock in the corral and when there was nothing left to steal or anyone to kill, he ordered all the buildings of Jamul to be burned. The news of the destruction of the *hacienda* of the Bandini family alarmed the San Diegans who were at Los Angeles. The majority of them, including John [Juan] Bandini returned to San Diego in all haste, to protect their families and property. Bandini, accompanied by friends, went to Jamul where he is said to have surprised and killed a large number of Indians.

It may be true that it happened this way, but I have my doubts as to the truth of the information furnished by this famous foreigner who had no qualms about writing to the Minister of Government Relations of the Republic of Mexico.

The barbarous Indians which Bandini stated he had defeated were not defeated by him and his friends, but by the Indian Panto, chief of the Indians at San Pasqual, who pursued Claudio and killed a large number of his warriors. But Bandini who at that time [September of 1837] happened to be near the scene of the battle, thought he had the right to write to Mexico City, appropriating to himself a victory to which he had not contributed . . . [Alvarado 1876:1-3].

This report bears a remarkable resemblance to an Indian "tale" told by an elderly woman named Manuella to Elizabeth Judson Roberts, in which a group of marauding Yuma Indians are pursued and killed by Panto and his men. The supposed spy who led the Yumas on a raid of a neighboring village was subsequently taken and hanged by the Indians of San Pascual (Roberts 1917:101-125). This event was substantiated by

an account related in the notes of Judge Benjamin Hayes (Woodward 1934:150) and attributed to Panto himself:

On one occasion a shepherd was murdered by Indians in the vicinity of Panto's village. The capitan raised a posse of his men and trailed the murderers to their hiding place, a patch of brush and weeds on the heights of San Alejo. Panto set fire to the brush and burned the culprits alive. Thereafter he was sometimes known as "*el quemador de los Indios*" (the Indian burner).

It is certainly possible that these various descriptions are of the same event. If so, this provides a definite date for the occurrence. Alvarado's comment is also important because it places Panto in the position of "chief" (*jefe*) of the San Pascual Indians as early as 1837.

In April 1841, some Mexican officials, under the direction of Pio Pico, visited various Indian pueblos near San Diego to appoint *alcaldes*. At San Pascual, they appointed Juan Flojo and Antonio Solano (Hayes 1874:No. 149). These civil appointments by the Mexican authorities apparently did not affect the position of capitan held by Panto.⁵ On September 10, 1845, a Mexican named Bonifacio Lopez initiated a petition to Governor Pio Pico to be granted the lands of the San Pascual Pueblo:

that it being a notorious fact, that the Indians of San Diego who joined themselves to make a settlement and for which purpose a tract of land was granted to them known by the name of San Pascual, have made no progress, but on the contrary daily go into decay, and instead of organizing themselves to form a pueblo and in some measure improve the same, it appears from their conduct that the only thing they do is to receive the thefts that are committed in those regions. In this manner they intend to support themselves, and with the tolerance of some of their class who are wont to join them, some evils are regularly experienced; on the other hand as they are wicked from their birth and do not desire to live in any other way I am persuaded that they could never make any progress nor improve the land whereon they live. For this reason, and with the assurance that your Excellency desires

the advancement of the country and its inhabitants, never omitting a step to obtain it even to the removal of all impediments, I request that considering the necessity I am in for a place whereon to establish myself and improve my limited means which by dint of hard labor I have obtained for the support of my family, you will be pleased to grant me the tract of San Pascual herein mentioned, giving assurances that I shall not molest the few Indians who with their families are established there, but on the contrary they will be protected by me as far as I am able [Spanish Archives n.d.:8:50].

In response, Pico sent the subprefect of the district (*partido*) of San Diego to investigate conditions there. Following is the illuminating report of his visit on September 23, 1845:

This settlement comprises sixty-one Christian souls, and forty-four unconverted Indians, with dwellings after their manner, huts of tule forming a kind of irregular Plazuela [a small square], the police thereof is under the care of an *alcalde* of the Christian residents appointed by the First *Alcalde's* Court of this place, and of the unconverted Capitan Panto.⁶ All the plain formed by the arroyo is occupied by their summer gardens, agreeably to the partition of lands made to them upon the foundation thereof, and the remaining portion of the Cañada is sowed in those years that the arroyo [Santa Ysabel Creek] runs, with wheat; this is observed by the signs of the water marks in the ditches; Also the space that remains as far as the boundary of San Bernardo where they sow corn and beans. They brought before me 42 head of meat cattle, 52 horses, without including those that have been taken further up to work, ten head of smaller animals, 25 cows bearing their young, on halves during five years and 120 sheep on halves during those years, in charge of the Capitan Panto.

By the emendations on the map Your Excellency will perceive that they have no other land for cultivation than the Cañada formed by the arroyo as far as the boundary of San Bernardo which may contain so far as El Cajon E. to W. one league more or less and one thousand varas in width considering the irregularity of the Cañada and the table land of Pamó where they keep their stock, and cultivate the soil during the years when there is an abundance of water. All the rest is composed of quite rough land, and as the petitioner himself says that he will not molest

the Indians who may be settled there I do not know in what part of this tract of land he can establish himself.

With regard to the conduct of the inhabitants of San Pascual although I was told before the date of this petition that these Indians did not behave well, I have endeavored to inform myself as far as I know from the two (?) adjoining neighbors, and all has proved the contrary; the very ladies whom I found alone at San Bernardo and at the Rancho of José Maria Alvarado remained there so from the confidence they reposed in the Indians of San Pascual, which ladies, whenever they felt any fear called upon Panto for the services of three or four Indians, which is confirmed by the large and small cattle they keep on halves with Don Eduardo Stoques [Stokes] in the former and with Don José Maria Alvarado in the latter.

It is known that these settlers make their contracts of so many men for the job, and arrange the matter with the Capitan Panto for an exchange of cattle, horses and mares receiving nothing until the work is done, when they share the profits equally and with this and their sales of young cows, heifers, mules which they call cocos, do they support themselves. At present they are at work on a dam for Lorenzo Soto some four hundred varas in length and five in width [1,100 feet long by 13.5 feet wide], collecting the product of the labor of those that work outside they share it with those in some way as they say who take care of the pueblo.

In reference to the establishment of the pueblo, it was formed by Superior Order, in accordance with the regulations of secularization of the year '33, agreeably to two official communications I was able to obtain on the subject, which I requested of the Father, the Minister of the Mission . . . [Spanish Archives n.d.:8:50].

Unfortunately, the location of the map mentioned in this report is unknown.

SAN PASQUAL UNDER THE AMERICAN GOVERNMENT

Panto is reported the following year (December 1846) as chief of the San Pasqual Pueblo during the Battle of San Pasqual. He is said to have aided General Kearny against the Mexican force commanded by Andres Pico. His daughter, Felicita, credited him with an

important role in supporting the Americans in the battle.

Early one rainy morning we saw soldiers that were not Mexicans come riding down the mountain side. They looked like ghosts coming through the mist and then the fighting began.

The Indians fled in fear to the mountains on the north side of the Valley from where they looked down and watched the battle. All day long they fought. We saw some Americans killed and knew they were in a bad way.

That afternoon Pontho, my father, called his men together and asked them if they wished to help the Americanos in their trouble. The men said they did. When darkness was near Pontho sent a messenger to the Mexican chief telling him to trouble the Americans no more that night else the Indians would help the Americans. And the Mexican chief heeded the message and the Americans were left to bury their dead and to rest because of my father's message. The Americanos do not know of this but my people know of it [Roberts, quoted in Peet 1949:90].

In an eyewitness account of one of the participants in the battle, it is stated that the troops under Kearny were in desperate straits, surrounded by the California forces on Mule Hill

when, on the second evening, an Indian from San Pascual reached the hill, and no person in the command being able to talk to him, except Kit Carson, in Spanish. This Indian guided Lt. Beale and Carson that night, from the hill, to San Diego. They passed through a strong guard of Mexicans right on the road--by the Indian directing them what way to take . . . [Dunne n.d.].

Panto has been credited as the person who performed this heroic deed (Smythe 1907:220). Whether it was indeed him or someone sent by him, it supports Felicita's assertion of the aid offered by the San Pasqual Indians to the American forces.

In the following year (1847), Panto lent Commodore Stockton a number of oxen and horses to aid in the assault on Los Angeles. The U. S. government never remunerated him for these animals (San Diego Union 1874:3).

On January 7, 1852, Panto signed a "treaty

of peace and friendship between the United States . . . and the captains and headmen of the nation of Dieguino [sic] Indians" (Wozencraft 1857:130-133). Panto, as captain of San Pascual, heads the list of 22 "headmen" of the Diegueño Indians (Wozencraft 1857:132).

In 1854, there was a period of power manipulation on the part of the whites in which Panto was to replace Tomás, nominally captain general of the Diegueños. On March 18, 1854, the San Diego Herald suggested that Cave Coutts, the Indian agent, replace Tomás with Panto, but Tomás refused to acquiesce to this arrangement (Phillips 1975:138). On May 7, 1854, Panto is again mentioned in a letter from Cave J. Coutts to B. D. Wilson:

I only sought the appt. of the San Luis Indians, and never meddled with the Dieguinos [sic] until the most prominent Rancheros [sic] in their midst Call [sic] twice, requesting the removal of Tomas and appt. of Panto [Caughey 1952:132].

On January 17, 1856, Panto met with U. S. Army Captain H. S. Burton, commander of the Mission San Diego garrison at Rancho San Bernardo, and

during a long conversation with him he urged most forcibly the right to protection from our government against the encroachments of squatters upon the lands legally granted to his people.

The letter from Don José J. Orteja [sic], accompanying my previous report, and the letter I now send you from Don Santiago Arguello . . . will give the reasons why Panto is so urgent in his wishes for protection against some five or six squatters, who are taking possession of the best lands granted to his people. It appears to me, that this is a very just and proper occasion for the personal interference of the superintendent of Indian affairs.

The Indians of San Pascual are friendly and are anxious to remain so, but if their lands are taken from them without scruple, they must retire to the mountains, naturally discontented, and ready to join in any depredations upon the whites [Burton 1856:117].

Don Santiago Arguello's (1856:117) letter is well worth quoting at length:

The undersigned [Arguello] certifies, on honor, that the "pueblo" of San Pascual, in San Diego county, was founded by order of the superior government of Upper California, in consequence of the secularization law of the missions, for which reason the parcel of land named San Pascual was granted to these same Indian families from the mission of San Diego, according to the regulation or order given by the government. At the same time were founded San Dieguito, Las Flores &c. [sic], all by the same order; and the documents ought to exist in the archives, because those orders were sent to the undersigned, being then the authority of San Diego and its jurisdiction. In confirmation of the abovesaid, I will mention that, in the year 1846 [sic], Dr. [Don] Bonafacio Lopez made a petition for this same land, and the government (declared) decreed "that the land could not be given because it belonged to the Indians of San Pascual"; therefore it seems unjust to deprive them of their lands with the pretext that they have no titles, when it is so well known that, in foundations of this kind, they only report to the government, and place all the documents in the archives. . . .

In the 1860 U. S. Census, Panto is still listed as captain of the San Pasqual Indians and his age is given as 50. Also listed in his household are Maria, 50, female; Juan, 30, male, alcalde; and Maria de Jesus, 28, female. Whether these latter three were actually related to Panto is uncertain. In this same census there is a special section concerned with "Production of Agriculture" in the state of California. José Panto is listed as captain of both the San Pascual village and the Mesa Grande village. The San Pascual village of the time is shown to have a population of 134, 100 acres of improved land, a cash value of \$1,000, \$200 worth of farm tools, 50 horses, 14 milch cows, 15 working oxen, 50 "other cattle," and 160 sheep, for a livestock value of \$2,000. In addition, there were about 10 acres in peas and beans. At Mesa Grande the population was 122. There

were 50 acres of improved land worth \$500, \$100 worth of tools, 30 horses, 4 milch cows, 10 other cattle, 1 sheep, and 6 swine valued at \$400, 150 (?) wheat, and 100 (?) barley. The link with Mesa Grande is important because when the people of San Pascual were forced out of their homes, many of them apparently migrated to Mesa Grande.

An end of the fiscal year (June 30, 1869) report submitted by B. C. Whiting (1869), Superintendent of California's Indian Bureau, stated:

Since my last annual report, and since it was known that I contemplated establishing a reservation for the Mission Indians, all the best lands claimed by the Indians at Pala and San Pasqual, and especially the watering places, have been taken up and occupied by settlers. The immigration has crowded off the Indians and left thousands without a home. By sharp practices, and under various pretenses they have also been deprived of their horses, working oxen, their cows and stock cattle. Illicit traffic in ardent spirits, unquestionably aided much in the accomplishment of these wicked robberies.

Whiting (1869) also published a map of San Pasqual showing the placement of the village and fields (Fig. 2). There are both adobe buildings and brush structures illustrated on this map.

In a letter dated August 27, 1869, from Major General J. B. McIntosh, Whiting's successor as Superintendent of Indian Affairs in San Francisco, to E. S. Parker, the Commissioner of Indian Affairs in Washington, D.C., another mention of Panto is made:

SIR: I have the honor to inclose [sic] to you a translation of a paper, the original of which is now held by an old Indian named José Panto, who is the captain of the Indians at San Pasqual, by which it will be seen that in consequence of the secularization of the missions the valley of San Pasqual was set aside for the Indians belonging to the mission of San Diego, by order of the governor of Alta California; that in 1846 [sic] this land was asked as a grant by Don Dyonifario [sic] Lopez, from the Mexican government, and that the answer to the petition was, there was no vacant land, as it belonged to

the San Diego Indians of San Pasqual.

This original paper was given to José Panto by San Antonio Aroicillo (sic), on January 2, 1856.⁷

Translation of the paper was made to me by Mr. J.Q.A. Stanley, acting special agent for the Mission Indians. I wrote it down as he translated it. . . . I should have sent this paper on with my report of San Pasqual, made on the 25th instant, but in the hurry of business it was overlooked. I think the paper is important, as showing the government will take measures to have the valley reserved for the Indians, and have all the white settlers removed [Heizer 1976:71-73].

This whole latter-day exchange seems to point up a fundamental bureaucratic confusion, since the letter of support in question had been known to the Indian Bureau in Washington and had even been published in the Executive Documents in 1857. Though McIntosh seemed unaware of the earlier correspondence, he was proposing the same view as late as 1869; that the Indians of San Pasqual had legal right to their land.

In the 1870 U. S. Census, Panto's age is given as 65, aging him by five years, which is not inconsistent with some of the age errors common in this form of census taking. The only other person shown in his household at the time is a woman named Dolores, age 40, whose occupation is listed as "keeps house." His real estate is shown to be valued at \$250 at the time and his personal property at \$200. Both he and Dolores are marked under the column "can't read, can't write."

On July 15, 1873, Luther E. Sleight, clerk of the San Luis Rey Indian Agency, visited San Pascual and provided the following report:

I reached San Pasqual on the 15th instant, from Pawai, where you [Reverend John G. Ames, Special Agent for the Mission Indians] were yourself detained. I proceeded at once to the house of Panto Lion,⁸ captain of the village, and requested him to summon his people together on the following morning for a conference, at the same time explaining to him that we had been sent by the Government at Washington

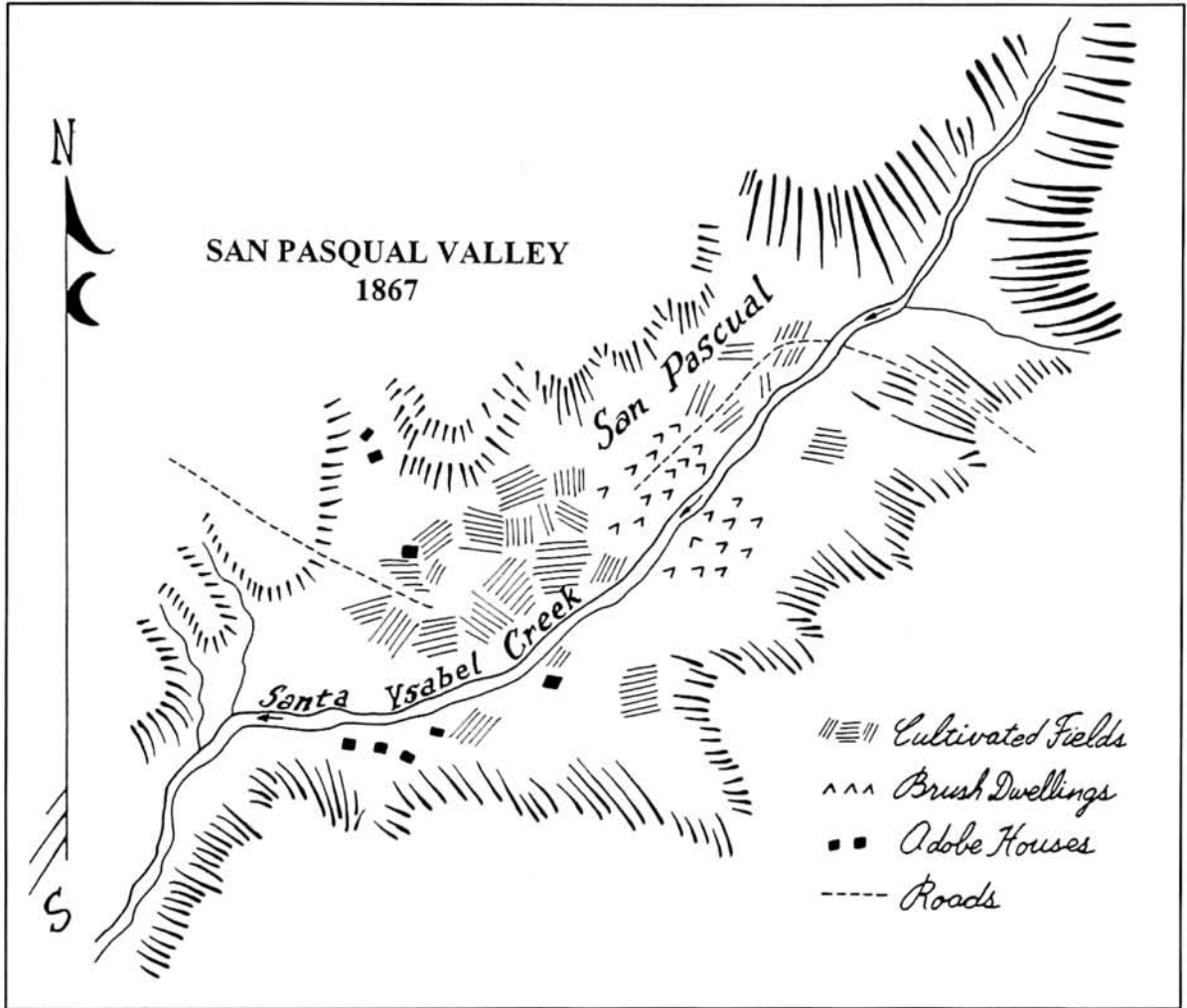


Fig. 2. Indian pueblo of San Pasqual ca. 1867 (after Whiting 1869).

to inquire into their condition and to ascertain if anything could be done by the Government to aid them.

The villagers began to assemble early. At the appointed hour the captain rose, and in a short speech in the Indian language, which seemed to be both eloquent and well appreciated, gave his hearers to understand the errand upon which I visited them. A lively interest was manifested by every one. They complained of the encroachments of their American neighbors upon their land, and pointed to a house near by, built by one of the more adventurous of his class, who claimed to have pre-empted the land upon which the larger part of the village lies. On calling upon the man afterward, I found that such was really the

case, and that he had actually paid the price of the land to the register [registrar] of the land-office of this district, and was daily expecting the patent from Washington. He owned it was hard to wrest from these well-disposed and industrious creatures the homes they had built up. "But," said he, "if I had not done it somebody else would, for all agree that the Indian has no right to public lands." These Indians further complain that settlers take advantage of them in every way possible; employ them to work and insist on paying them in trifles that are of no account to them; "dock" them for imaginary neglect, or fail entirely to pay them; take up their stock on the slightest pretext and make exorbitant charges for damages and detention of the stock seized. They are in

many cases unable to redeem it. They have therefore little encouragement to work or to raise stock. Nor do they care to plant fruit-trees or grape-vines as long as land thus improved may be taken from them, as has been the case in very many instances. Among the little homes included in the pre-emption claim above referred to are those adorned with trees and vines. Instead of feeling secure and happy in the possession of what little is left to them, they are continually filled with anxiety. They claim that they ought to be allowed to remain where their forefathers have lived for so long, and that they should be protected by law in the peaceful possession of the homes that have been handed down to them.

I asked them how they would like for their children to go to school, learn to speak the English language, and to live more like white people. It would be very nice, they replied, but it would do them little good if they could not have their homes protected.

I asked them how they would like to be moved to some place where they could be better protected, have ground of their own secured to them, and more comfortable homes. The answer was, "Our fathers lived and died here, and we would rather live here than at any other place."

In conclusion I assured them that I should report what I had learned about them, and that I had little doubt but that the Government at Washington would be able to do something to better their condition, charging them at the same time to strive, as I felt they had been doing, to keep the peace among themselves and with the whites.

At San Pasqual and Agua Caliente I was called upon by white settlers, the majority of whom had no good word for their dusky neighbors. "They are thieves; they are treacherous; they are vagabonds." It was urged that they should be taken to some one of the Territories and surrounded by soldiers to keep them at home, or to some island in the sea. I found, however, little in my journey to confirm such opinions, but was glad to note many indications of thrift. I could but wonder, indeed, that they are as reliable, honest, and peaceable as I found them to be. The sentiments entertained by very many white men in Southern California toward the Indians are well illustrated in the conclusion to which the proprietor of a small ranch near Temecula came in presenting the subject to me from his stand-point. It is well to mention that a family of Indians has occupied one corner of

his ranch "from time immemorial." His wise and humane conclusion was that the owners of large ranches should not drive "their Indians" away, but should keep them to work for them, and set apart certain portions of the ranch for them. "There is worthless land enough upon every ranch," he said, "for Indians to live on" [Heizer 1976:54-56].

Panto was actively involved in the activities of that time (late 1860s and early 1870s) to persuade the U. S. government to recognize the rights of Indians (Carrico 1980), and was preparing to go to Washington to plead his case:

The old man [Panto] had important papers from the Mexican government showing that San Pasqual was intended for an Indian reservation. He was preparing to make a trip to Washington, D.C., to present these papers and try to have our government set aside San Pasqual as an Indian reservation when he was suddenly killed by a kick of a vicious horse [Peet 1949:90-91].

Panto died at San Pasqual on April 27, 1874. His obituary (San Diego Union 1874:3) read:⁹

Death of a Noted Indian Chief

On Monday last, at San Pascual, Panto, the venerable chief of that village, was thrown from a horse and died instantly. The old settlers of Southern California will remember him for his polite manners and good character. Under the Mexican rule he always had the confidence of the authorities, and was often called upon to aid them in pursuit of malefactors. He commanded at San Pascual at the time of the battle of Gen. Kearney with the native Californians. He then had considerable property in cattle and horses, and loaned Commodore Stockton a number of oxen and horses, when the latter started his march to Los Angeles. Panto was never remunerated for these animals by our government. His land at San Pascual had always been respected--and in fact did constitute a regularly organized pueblo--until within the past year or so. Now that Panto, who governed his people so well, is gone, it is believed that they will not linger long upon their old planting ground.

The final expulsion of the Indians from San Pasqual was described by S. F. Wood:

In 1878 the Superior court of San Diego

County after hearing the testimony relative to the Indians' claim to said land issued a writ of ejectment in favor of Bevington and Deputy Sheriff Ward demolished the Indian huts and moved them off of the land, which land was afterward patented to Perry Bevington. San Pasqual Indians . . . moved into the mountain valleys on the north side of San Pasqual Valley [Rustvold 1968:134].

CONCLUSION

José Panto's life covered a span of Indian history from the Spanish Mission period through Mexican control, from the secularization of the missions and the establishment of a civil pueblo to the Battle of San Pasqual and the subsequent American period encroachment. In spite of the fact that he was not a Christianized, mission neophyte, he obviously had a highly respected position within the Indian society. Whereas *alcaldes* were appointed by the Mexican authorities, Panto was recognized as the captain of the San Pascual Pueblo, apparently due to the enormous moral authority he exercised. He has too long been but a footnote in the history of southern California. But, seen as a microcosm of the Native American experience in San Diego County in the nineteenth century, his is a story which richly deserves telling.

It has become fashionable of late to dwell upon the Indian leaders who chose the path of violent resistance. Panto, though clearly able to lead his people in battle, chose diplomacy. Tragically, he faced a raw, new society with an overabundance of unscrupulous people. Despite losing ground following the American arrival in 1846, his people followed his lead until his death in 1874.

NOTES

1. The original Spanish spelling of San Pascual changed to San Pasqual under the Americans. Both will be used here, as appropriate to the context.
2. Various other spellings have been Pontho, but "Panto" seems to be the accurate spelling (cf. Burton 1856; California Census 1852; Wozencraft 1857:130-133).

3. Maynard Geiger (1969:181) wrote that Fr. Panto arrived first in San Francisco.
4. Reference to a Northern California Indian who terrorized the upper part of the state in 1838.
5. The 1852 Census of the San Pasqual Indians shows Panto as captain, but also lists three *alcaldes*.
6. In the Spanish version it is written, *evida de su policia un alcalde de los cristianos nombrado p' el juzgado 1° (primero) de este lugar, y de los gentiles el Capitan Panto*.
7. See above for the accurate, original account.
8. This is the only case I know of in which this form is given.
9. Although Hayes (1874) correctly gave April 27, 1874, as the date of Panto's death, some confusion crept into the record due to a published statement by Woodward (1934:149) that the article about Panto's death said it occurred on May 4, 1874. What actually happened was that the daily version of the San Diego Times published the article on Sunday, May 3. The "Monday last" would therefore be April 27. However, there was a weekly version of the Times published on Thursdays. The following Thursday edition, May 7, 1874, printed exactly the same article without clarifying what was meant by "Monday last" and this led to Woodward's assumption that May 4 was the date of death.

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