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The Struggle for Native American Self-Determination in San Diego County

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AT the dawn of the American Civil War, southern California native people, including the Luiseño, Mountain Cahuilla, and Northern Diegueño (Ipai), were beginning to slip into a marginal existence among the dominant white society. Although some native villages or settlements were sufficiently removed from white contact to avoid conflict and ill effects, most were clearly influenced by the spread of Anglo-American civilization. Native populations had been severely depleted by European-introduced diseases; settlements were abandoned to avoid contact with whites; lineages were fragmented or destroyed, and traditional lifeways were rapidly disappearing (Cook 1943*a*, 1943*b*; Phillips 1975:20-69; Sutton 1964).

Several native settlements in San Diego County (Fig. 1), which then extended to the Colorado River on the east and almost to Riverside on the north, maintained lush and profitable orchards and gardens. Native-owned cattle grazed the often parched hills; native American vaqueros rivalled their Mexican contemporaries and their successor, the American cowboy. The labor force in the

southern counties was so predominantly native American that an influential white noted: "They are almost the only source of farm servants we have" (Wilson 1952:149). A review of the 1860 federal census reveals that Luiseño and Diegueño peoples practiced a variety of occupations, including vaquero, farmer, servant, cook, whaler, laborer, shepherd, miner, and wood chopper (Carrico 1980: 110-111).

Native workers who could not find steady employment in San Diego County often travelled to Los Angeles, where thriving vineyards, bustling stockyards, and a busy commercial district supported a large native population (Phillips 1979; Reid 1869). Native laborers from the large and important Luiseño settlement at Temecula worked in the Los Angeles commercial district but returned to their native land for fiestas and special occasions (Newmark 1970:124; Phillips 1979).

BACKGROUND ON OLEGARIO

One such Luiseño immigrant was Manuel Olegario, or Olegario, as he was more often noted. Olegario was approximately 30 years of age in 1860 and was described as stout, somewhat tall with erect posture, and noted for his

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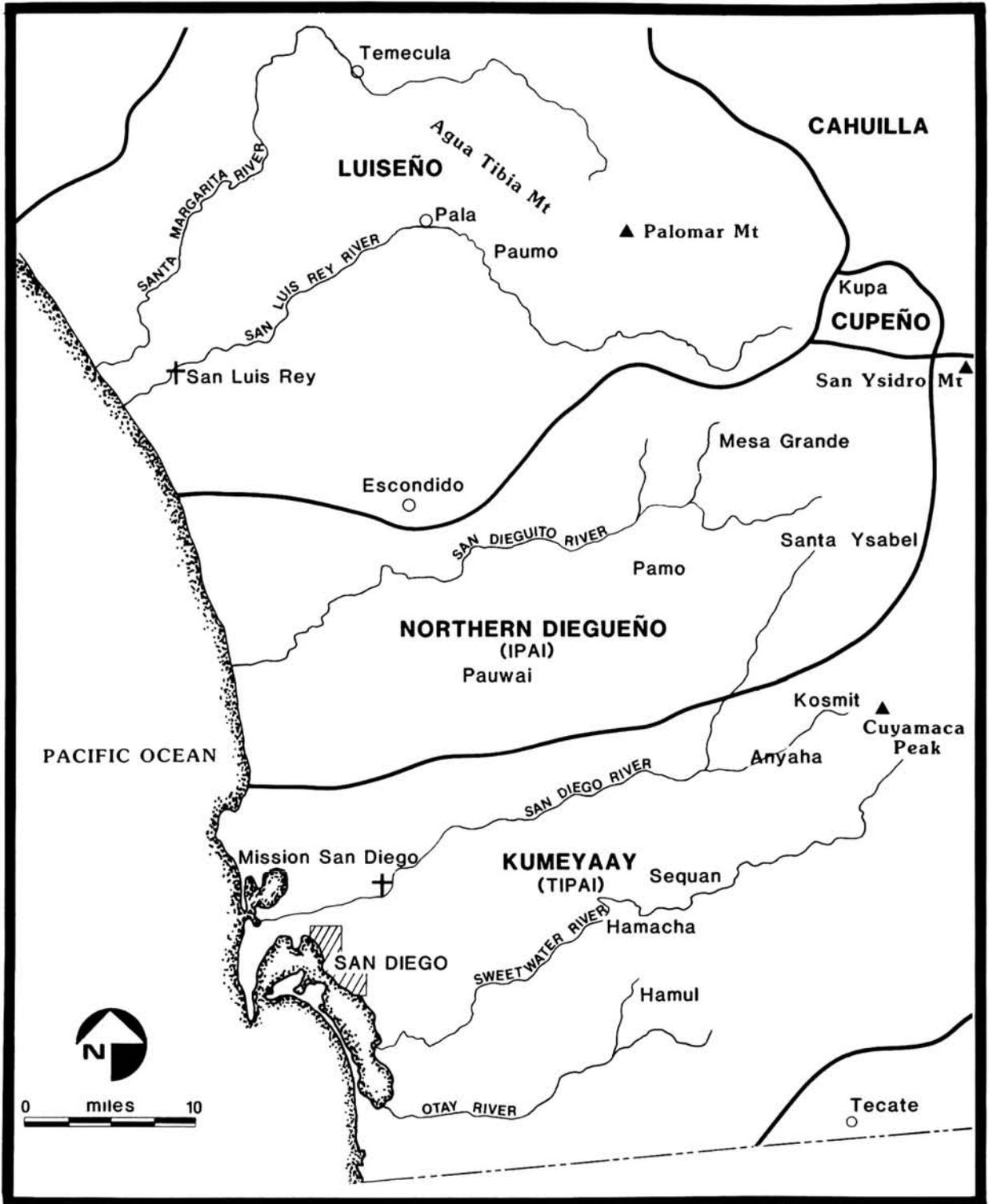


Fig. 1. Native American settlements and territory in western San Diego County (ca. 1876).

good nature and intelligent manner (Anonymous 1971a:1). Olegario worked for Wolf Kalisher, a successful Prussian immigrant merchant (Anonymous 1971b:2). An influential pioneer, Kalisher and his partner, Henry Wartenberg, operated a store and a tannery in Mellus Row, a cluster of adobe shops on the east side of Los Angeles between Aliso and First Streets (Stern 1977).

Olegario and several other Luiseños from Temecula worked in Los Angeles throughout the late 1850's and 1860's. In the fall of 1862 and continuing well into the following year, and again in 1868-69, devastating smallpox epidemics swept through Los Angeles County, killing or physically impairing hundreds of native Americans (Newmark 1970:322). Olegario and his compatriots fled the 1869 scourge and returned temporarily to either Temecula or Pala (Anonymous 1871b:2). The earlier epidemic of smallpox in 1862-63 took the life of Juan Antonio, a longtime friend of the Americans and leader of the Mountain Cahuilla in San Bernardino and Los Angeles Counties.

The death of Chief Juan Antonio in February, 1863 and the demise of an important Luiseño leader, Pablo Apis, in 1855, left Manuel Cota, an increasingly unpopular leader of mixed blood, in near complete control of many Luiseño and several Cahuilla settlements. Cota did not derive his position by heredity or by popular native consensus, but through white support and iron-fisted dominance. Cota's rise to power, coupled with the death of Juan Antonio and the increased white influx, created a mood of despair and fear among Luiseños and Cahuillas in San Diego County (Anonymous 1971b; Thompson 1871).

What transpired over the following fourteen years is a classic example of what anthropologist Lowell Bean has described as the native will to persevere, adapt, and maintain in the face of culture shock and white dominance (Bean *et al.* 1979). Native American efforts to

adapt to white civilization, preserve the fiber of their traditional lifeways and maintain themselves in an increasingly hostile environment have been labelled as a study in power and persistence (Spicer 1971:795-800). When he fled Los Angeles in the midst of another smallpox epidemic in late 1868, Olegario threw himself into a battle for power and persistence that continues among native populations to this day.

RISE OF OLEGARIO

Three years after his return from smallpox ridden Los Angeles, Olegario was elected general, or leader, of the twelve principal villages of northern San Diego County (Hayes 1871a; Greene 1870). In electing Olegario, the Luiseño made two dramatic moves. First, they rejected Manuel Cota, the white-appointed leader who had been placed in office by Indian Sub-Agent Cave J. Coats in 1851. Second, approval of Olegario by peoples and leaders of such geographically disparate and autonomous villages as Pala, Potrero, Puerta de la Cruz, Temecula, and Vallecitos indicates a political cohesion apparently not expressed previously and certainly not extended to the deposed Cota or to other clan leaders.

The ouster of Cota was effected by traditional means in spite of the fact that traditional native political structures did not acknowledge a centralized leader with authority over politically autonomous lineages or villages. Prior to, and during, the American period, village leaders were removed through mutual agreement of village elders or sub-leaders. Grounds for removal included theft, witchcraft, and malfeasance (Bean 1974). Deposed leaders rarely resisted, fearing ostracism, violence, or even death.

Election of Olegario as general or leader of at least twelve villages represented a drastic departure from traditional leadership roles. The role of a centralized leader or leader of leaders was unknown in aboriginal society.

The power of clan or village leaders was particular to their village or lineage and rarely extended into even another nearby clan village (Bean 1974:13-14). Political power, like territory, was as fragmented as it was jealously guarded although occasional mutually-advantageous political confederations were joined (Forbes 1965:80) and trade alliances linked broadly-dispersed culture groups (Bean 1974:17). Individual southern California native leaders were groups of elders or knowledge holders, exceptionally powerful men whose powers crossed secular and nonsecular lines. Native groups relied upon their headmen or chiefs to administer and manage food stuffs and material goods (Bean 1974:25-26). These leaders were non-subordinate to other council members and possessed a great deal of autonomous power and prestige. Cahuilla and Luiseño secular leaders, *nets* and *nots*, were endowed with high status and prestige, as shown by their power to manage or distribute food; a role they shared with the *paxaa* (White 1957:1-3, 10-14).

Amongst the Luiseño the *not* or *nota* was a headman or leader. The *not* was a hereditary position passed from father to son. Responsibilities of the *not* were carefully prescribed and included resolution of disputes, selection of hunting and gathering areas, clan representation, and recordation of ownership rights (Strong 1929:278-279). The *not* was a ceremonial as well as secular leader who often conducted ritual activities (although some activities were the sole domain of a shaman, *paxaa*). The *not* of the Luiseño, like his Cahuilla counterpart the *net*, maintained ritual and religious symbols, including the ceremonial house and the ceremonial bundle (Bean 1972:104). As a member of the secret association of *pumelum*, which governed Luiseño political affairs, the *not* exercised political power along with other possessors of knowledge power.

In 1779, the Spanish California governor decreed that converted natives at missions had

the privilege to annually elect two magistrates (*alcaldes*) and two councilmen (*regidores*) (Gifford 1926:389-401). Law and order in native villages beyond direct mission control was the responsibility of mission-appointed *capitanes*. Although this system was a departure from the traditional native political system, it did not advocate or foster a central political leader. Moreover, there is little evidence to suggest that non-missionized frontier natives, who far outnumbered converts, subscribed to or carried out the Spanish decree.

OTHER NATIVE LEADERS

Secularization of the missions in 1832-1834 and the growth of the Mexican ranchos brought Mexican landowners into more direct contact with native peoples (Phillips 1975:46-56). Mexican governmental officials and civic figures sought out native leaders as liaisons and protectors against so-called wild desert tribes. However, instances of native leaders grabbing the reins of power beyond a lineage or village appear to have been infrequent (Strong 1929:54) and largely a product of political adaptation fostered by white contact. Prior to 1860, but after 1840, only three native leaders dared to assume powers beyond their traditional role. Two of these men, Cabezon of the Desert Cahuilla and Juan Antonio of the Mountain Cahuilla, expanded and elaborated upon their traditional powers as village/lineage *nets*. Cabezon was a member of the highly influential *kauwkpameauitcem* clan. With the backing of both Mexican officials and his own people, Cabezon assumed control of several Desert Cahuilla settlements in the Palm Springs region (Phillips 1975:44; Strong 1929:53-54). Juan Antonio was a member of the highly regarded *costakiktum* (coyote moiety) clan (Strong 1929:149-150) and served as a protector of both Mexican and native interests throughout the San Bernardino region. Both Cabezon and Juan Antonio were respected by their tribes prior to, and subsequent to, their

ascendancy to the headman or general role. Separately or as combined forces, Cabezon and Juan Antonio kept peace throughout present-day San Bernardino and Riverside Counties well into the early 1860's.

Juan Antonio's ability to lead his people and maintain peace was well known to local ranchers and government officials. In 1856, Lt. William A. Winder reported that he met with Juan Antonio at San Jacinto and found him a peaceful man and a respected leader (Winder 1956:124). Lt. Winder stated that in spite of a bad crop year, broken government promises, and increased white settlement, Juan Antonio and his people were friends of the government, largely because of Juan Antonio's leadership.

By contrast, Manuel Cota, the third leader among leaders, did not come from a respected or influential clan, was apparently not a member of the Luiseño tribe over which he assumed power and was reputed, by native and white alike, to be a half-breed Diegueño (Hayes 1862:230; Anonymous 1871*b*). Manuel Cota owed his power and position to the Bureau of Indian Affairs beginning with his appointment as head chief by Cave J. Coutts in 1851 (Wilson 1952).

Several early observers, including a United States Army officer, H. S. Burton, found that Cota had minimal support among his people (Burton 1856:115-116), support which waned over time. More worrisome to Burton was the fact that Cota claimed power over so many settlements. Burton suggested that retaining a single Indian leader was ill-fated and not in the best interests of natives or whites. As an example of the potential dangers, Burton noted that Cota was at that time enraged at Juan Antonio, the Cahuilla leader, and requested permission to engage him in war; Burton denied Cota's request and the sword rattling ceased.

Over the next six years Cota fought unsuccessfully to retain his power. In early 1862, his own people ousted him as general and replaced

him with Francisco, a traditional *tcori* clan chief at Pala. Francisco was a signator to the Treaty of Temecula in 1852 (Heizer 1972:56-57) and was acknowledged as an important Luiseño leader. Cave J. Coutts, acting as Justice of the Peace, recognized Francisco's authority and frequently called upon him to represent the Pauma Band in the 1859-1862 period.

While at Temecula in May, 1862, Judge Benjamin Hayes (1862:230) reported that Francisco was well-respected, kept order among the natives, and was favored over Manuel Cota. Hayes found the Temecula Indians, who numbered 300, to be well fed and generally satisfied with conditions, although unwilling to submit to Cota's rule. In spite of Hayes' report and the promises of Indian Affairs officials to support self-determinism, forces were actively working to replace Francisco with Cota.

Cave J. Coutts, Indian Sub-Agent and influential rancher-politician, provided government officials and civic leaders with a depiction of Francisco that contrasted sharply with Hayes' earlier portrayal. In May, 1864, Coutts wrote to civic leader Ephraim Morse suggesting that he "drop a line . . ." (Coutts 1864) to the Superintendent of Indian Affairs. Coutts alleged that Francisco was a thief and drunkard but, more importantly, that Francisco refused to recognize the Justice of the Peace "as superior to himself" (Coutts 1864). Coutts was infuriated at Francisco's refusal to abandon Luiseño claims to portions of Rancho Pauma. In 1859, Coutts issued a Notification of Intent to Dispossess, which Francisco ignored, claiming that Pauma Valley belonged to the Luiseño (Coutts 1859). Indian Agent W. E. Lovett, acting on instructions from the Superintendent of Indian Affairs, visited Manuel Cota and Francisco at Pala in 1865, removed Francisco from his position and reinstated Cota (Stanley 1865:295), thus thwarting the wishes of the Pala and Pauma bands.

Reinstatement of Cota in 1865, the death of Juan Antonio earlier in 1863, and the American government's preoccupation with the Civil War, and later with Reconstruction, set the stage for a pan-Indian self-determination movement. Although Cota retained his ebbing power until early 1870, the election of Olegario as Cota's successor clearly indicated Luiseño, and later Cahuilla, desires to be free of government-appointed leaders.

THE GROWING CONFLICT

The struggle to establish Indian reservations in San Diego County served as the watershed for the growing conflict between Olegario and Manuel Cota and ultimately led to Cota's ouster. After almost 20 years of sporadic effort, two reservations were finally approved for San Diego County. President U.S. Grant set aside portions of Pala and San Pasqual Valleys by an Executive Order signed January 31, 1870 (United States Congress 1870:1-2). More than 138,000 acres were set aside for the use of Diegueño and Luiseño peoples (Fig. 2). Yet, in spite of assurances from Cota and Indian Agent Augustus Greene, Olegario and his people feared the worse (Greene 1870:93).

White response to the establishment of Indian reservations on arable land was immediate and vociferous. Local whites, including attorneys, newspaper editors, and ranchers, petitioned the government to revoke the reservation orders. The *San Diego Union* carried editorials and letters claiming that the whole plan was land fraud scheme (Anonymous 1870a), that the Indians were content to work on local ranches (Anonymous 1870b) and that land rights for natives were absurd. Reportedly, a petition with over 500 signatures from irate southern California whites quickly found its way to the desk of President Grant.

While Cota fought to get his people moved onto ill-defined and controversial reservations, Olegario paid heed to local whites who told Indians that if they moved onto the land, they

"were to be made slaves of the Government: smallpox was to be introduced in the clothing sent; their cattle taken from them . . ." (Greene 1870:92). Hearing of the petition sent to Grant and aware of the government's past treaty record, Olegario cautioned his followers to remain in their settlements until agencies were actually established, fences constructed, and promises of deeds verified.

Fearing that Cota was merely a tool of the white ranchers and bureaucrats and that he was forcing them into an ill-advised and ambiguous reservation system, native American leaders "commenced taking steps for the management of their own affairs [including] discarding Manuelito, who was considered to be a "reservationist (so to speak) . . ." and elected Olegario as their leader (Hayes 1871a:244). Aware of the government's rejection of the 1852 treaties and recent harsh dealings with the northern California Modocs, Olegario remained adamant in his demands for protection of his people's land rights.

Throughout summer and early fall of 1870, Olegario and his followers, including Cahuilla and Luiseño leaders, sought to certify or legitimize their actions. In the presence of San Diego County Judge Thomas H. Bush and District Judge Benjamin Hayes, Olegario and other tribal leaders swore on July 1, 1870 that his election was genuine and reflected the wishes of their people. Tribal leaders declared that they sought to manage their own affairs as promised by the government and had removed Manuel Cota because he had tried to force them into giving up their traditional lands and move them to an ill-defined reservation (Hayes 1871a:243; Anonymous 1870c).

Efforts of Olegario and other native leaders to certify the election and to make legitimate what they understood as their right of selection clearly reveals that they were aware of the American political-legal system. Their attempts at certification were hardly the efforts of a wild, war-crazed band who had grabbed power

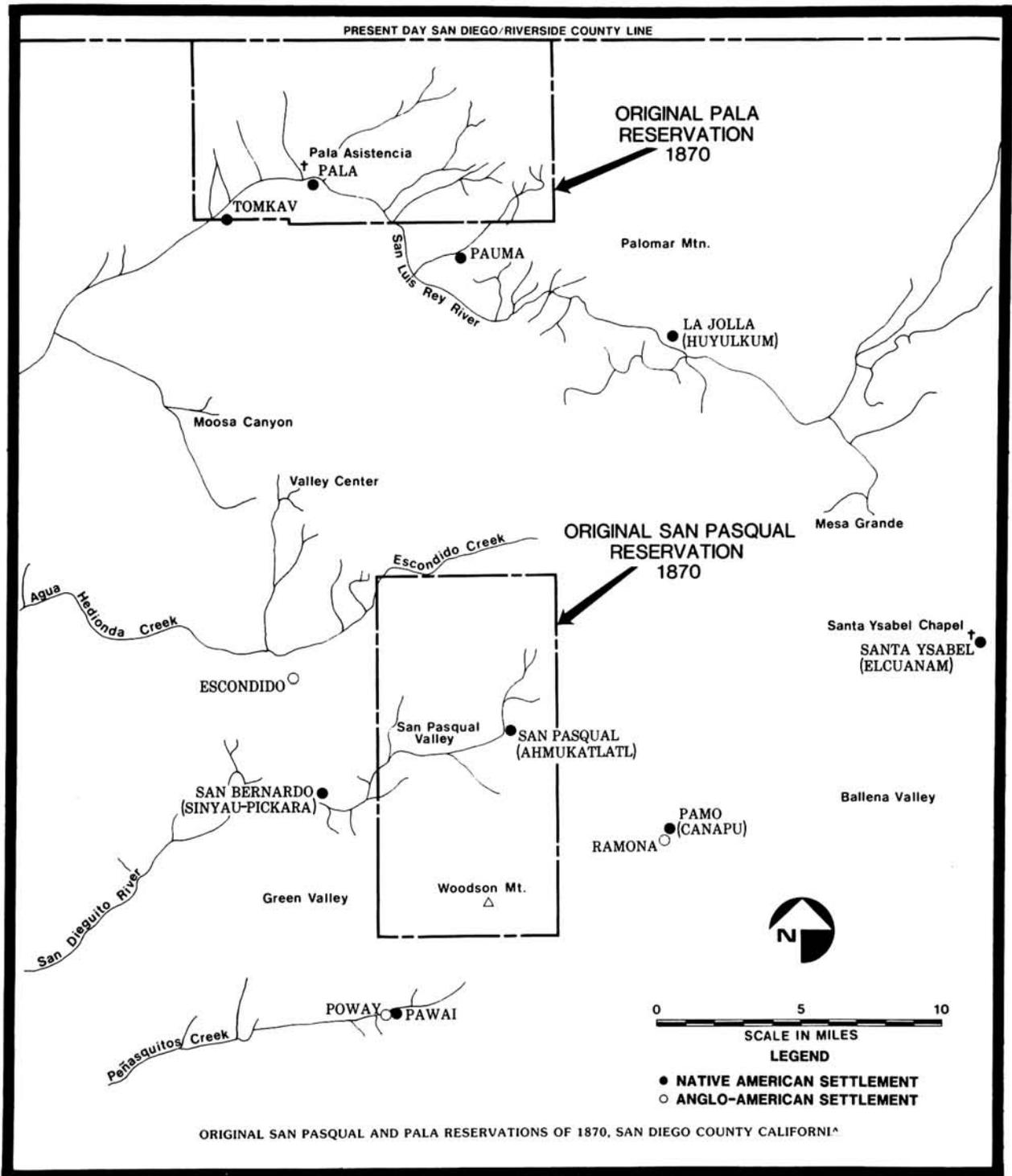


Fig. 2. Original San Pasqual and Pala Reservations of 1870, San Diego County.

from a legitimate leader. Olegario sought to make official with the white bureaucracy the fact that he was chosen in a democratic fashion in concert with American ideals. As is frequently the case, the colonial or dominant intrusive power refused to acknowledge the extension of self-determinism even when the processes practiced by natives followed the colonial or dominant society's political system.

In his several visits with local and federal officials in San Diego, Los Angeles and San Bernardino, Olegario was unable to obtain valid certification of reservation establishment. Visits to Pala and San Pasqual Valleys revealed white squatters camped on land designated as reservation tracts. Indian Agent Greene (1871: 341-345), a supporter of Manuel Cota, avoided white settlements because of threats on his life. It became clear that Pala and San Pasqual reservations existed on papers filed in Washington but not on land in San Diego County.

On February 13, 1871, E. S. Parker, Commissioner of Indian Affairs, recommended to President Grant that the Pala and San Pasqual reservation orders be revoked because:

It appears . . . that the citizens of San Diego County protest against the order of the President setting aside lands for Indian reservations; that the Indians are unanimously opposed to going on said reservation; that citizens have made valuable improvement thereon; and that there are but few Indians on the land set apart as foresaid . . . and that the opinion of the press, together with other evidence, would indicate that it would be in the best interest and welfare of the Indians, as well as others, that . . . the order of the President . . . should be rescinded [Parker 1871].

Four days later, U.S. Grant revoked his own Executive Order and returned 138,000 acres to public domain. Olegario's worst fears were realized; rumors, protests, and threats by local whites prevailed. Had Olegario's people

moved to reservations as Cota insisted, they would have become landless indigents without even the tenuous claims which they now held for traditional settlements.

The disillusioned Indian Agent Augustus Greene still maintained a loyalty to Cota and spoke well of him in his annual report for 1871. Greene reported that in spite of the difficulties Manuel Cota was a "good counsel" to the Luiseños at Pala and an "excellent chief" (Greene 1871:342). Agent Greene reported that Cota still had a following and that an undetermined number of Luiseños were willing to move to a reservation at Pala if one were established.

THE DECLINE OF COTA

In spite of Greene's backing and his assertion that Cota was a respected leader who could rally the disheartened Luiseño, Cota was clearly losing his power. Greene admitted that the Pauma Indians were neutral regarding the Olegario and Cota controversy (Greene 1871:343).

A group of influential white settlers and leaders were anything but neutral. In a terse petition, Billington C. Whiting, Superintendent of Indian Affairs, and twenty-four men, including Judge Benjamin Hayes, Father A. Ubach, and the owner of the Pauma Rancho, Jose Antonio Serrano, supported Manuel Cota. In spite of what other whites were saying and Indians were fighting over, the petitioners called Cota "a man of experience, honesty and vigor." Olegario's election was called "an improper interference" (Whiting 1871a:251).

With the revocation of the reservations, Manuel Cota's fate was sealed. Increasing numbers of his people viewed him as a non-traditional, white-supported leader. His past years of leisure and relative affluence, which once seemed consistent with native social organization (Bean 1974:24-25), now appeared excessive and unsuitable. With support from whites, Cota would continue to struggle to

regain power, but a new age had dawned.

In mid-August 1871, tempers flared and Luiseño resentment against Manuel Cota reached a fever pitch. The Pala band revolted against Cota and drove him and his family from their home. Cota complained to Agent Greene that he was "virtually a prisoner in Pala; that his life is in danger" (Greene 1871: 342). Followers of Cota and Olegario fought at Potrero and at Pala, leaving several natives seriously wounded. Margarita, sister of Cota, was captured by Olegario supporters and hung by the wrists (Hayes 1871*a*). Badly bruised and shaken, Margarita was cut down by sympathetic Luiseños and hidden. By late August, Cota was a man without a country; a leader with few followers.

Having ousted Cota, Olegario and his sub-chiefs continued their attempts to gain official government recognition of their political structure. Failing to win support from the Bureau of Indian Affairs and other federal agencies, Olegario took his fight to local judicial authorities.

On August 30, 1871, Olegario and Manuel Largo, leader of the Mountain Cahuilla, met with Justice Wagner of San Bernardino. In Wagner's sweltering office, Olegario and Largo swore that Manuel Cota was robbing the Luiseños and causing great ill will among both tribes (Anonymous 1871*b*). Olegario requested a warrant for Cota's arrest, a warrant which Wagner issued and which Olegario personally served.

PANIC AMONG WHITES

News that Olegario was allied with the Cahuilla under Manuel Largo spread across white ranches like wildfire. The alliance between hundreds of Luiseño and Cahuilla, coupled with the warrant for Cota's arrest, led some North County ranchers and farmers to fear for their lives. Whites imagined hordes of Luiseño and Cahuilla warriors running unbridled through white communities spurred on

by Cota's followers and alcohol. Cota assured white leaders that the money which Olegario had recently raised among the Luiseño and Cahuilla was to be used to purchase ammunition and not to pay for a trip to Los Angeles, as Olegario maintained (Brown 1871*a*).

The *San Diego Daily Union* reported that residents of San Luis Rey Valley were preparing "to defend their homes against the expected assault of Olegario and his allies . . ." (Anonymous 1871*d*). Other southland papers followed the *Union* lead, and local papers, normally lifeless and filled with week-old news from the outside world, sprang to life. Emotion ran high and phrases such as "Indian outbreak" (Anonymous 1871*e*), "attack feared" (Anonymous 1871*d*), "Olegario hoping to clear out whites" (Anonymous 1871*f*), and other rhetoric both reported and spread the alarm. Cota's following was so small, however, that he could "not depend on more than 18 or 20 men" (Brown 1871*b*).

When Olegario received word that whites feared an attack and were arming a pitifully small vigilante party for defense, he sought to avert open warfare. Fearful that innocent Indians would be shot down out of anxiety and hatred, Olegario asked Mr. Daniel Sexton, a respected rancher from Mission San Gabriel, to accompany him to Los Angeles. Olegario, Sexton, and tribal leaders from San Jacinto and Temecula appeared at the *Los Angeles Star* offices on September 1, 1871, declaring Olegario's desire for peace.

Sexton was convinced that Olegario was peaceful, not plotting war and was the rightful leader of his people (Anonymous 1871*b*). Sexton and Olegario asserted that Manuel Cota was both a robber and an assassin who was feared but not respected by the natives. Olegario stressed that he was elected by the people to replace Cota and would step aside at their command but not in favor of the white-appointed Cota. The *Star* concluded by noting that another election was scheduled for Sep-

tember 15 which could resolve the issue. The optimism of the *Star's* editor was not rewarded.

The outcome of the proposed election was never in doubt as far as Superintendent Billington C. Whiting was concerned. In mid-August Whiting wrote Cota to assure him that "under no circumstances whatever will Manuel Olegario [sic] be recognized as Captain or General . . ." (Whiting 1871*b*). Whiting told Coutts that if the Luiseño wanted Cota removed "he will honor their wishes" but he personally had great esteem for and confidence in Cota (Whiting 1871*b*).

Superintendent Whiting held a meeting with Luiseño and Cahuilla tribal members during the second week of September, 1871. Attempting to strike a compromise but still voiding native self-determination, Whiting accepted Manuel Cota's forced resignation, set aside the prior native-sanctioned election of Olegario and appointed José Antonio, a relative of Cota's as General-In-Chief of the Luiseño people (Whiting 1871*c*). Whiting declared that José Antonio could choose his own subchiefs and *alcaldes* and control those settlements not claimed by the Cahuilla leader, Manuel Largo.

OLEGARIO'S STRUGGLE

The Luiseño people rejected Whiting's efforts at ousting Olegario and continued to support the leader whom they had duly elected. After a month of relative quiet, Olegario held an interview with the *San Diego Weekly Union* editor. Olegario felt slighted by Superintendent Whiting and stated that government officials had made a serious mistake (Anonymous 1871*c*). Olegario pointed out that the Luiseño people were definitely against Manuel Cota, that Cota was not entitled to chieftainship because he was not a Luiseño clan member and that Superintendent Whiting had denied Olegario's people the right to determine their own leadership. The dejected leader closed the interview by informing the editor that Whiting had

appointed a relation of Cota as chief and that he was becoming unpopular because he was dividing Luiseño tribal land among his family members.

Over the next six years, from 1871 to 1877, Olegario and the Luiseño people continued to struggle for native self-determination, land rights, and government recognition. By 1873, local white leaders and the federal government acknowledged Olegario's leadership, albeit unofficially. In July 1873, Indian Agent John G. Ames (1873:3) reported that "by far the larger part of these Indians recognize Olegario as their Chief, and have done so from the time of José Antonio's appointment by Mr. Whiting." Yet Ames admitted that Whiting's unpopular appointee, José Antonio, still held his official commission.

Working with Indian Agent Ames, and through a prominent Los Angeles attorney, Christopher N. Wilson, Olegario kept prodding federal and local authorities throughout 1873 to 1874 to set aside land for the increasingly homeless native Americans (Anonymous 1873). White resentment toward allotting land to natives apparently subsided after the San Pasqual affair and the climate for establishment of reservations was more favorable. Local newspapers blamed the native's plight on the federal government and actively voiced support for some type of a reservation system.

In 1874, James Pascoe, San Diego County Surveyor, was instructed to conduct field surveys of native settlements in hopes that they could be purchased from rancho owners or, if on public land, set aside for native use (Anonymous 1875*a*). Whether Pascoe was commissioned to map native land holdings or just native villages is unclear, although it is highly unlikely that he was given authority to determine the validity of native claims beyond occupation sites.

In July, 1875, Pascoe began his survey in the upper San Luis Rey River Valley near present-day Rincon and Pauma valleys.

Pascoe's efforts to survey native settlements were blocked by Olegario and his followers (Anonymous 1875a). Olegario feared that Pascoe's maps would be used to wrest more land from native control and that Pascoe, like surveyors before him, would file maps that would exclude lands held by natives. While at San Luis Rey, Pascoe was told that he could survey native lands only as sanctioned by Olegario through the consent and permission of his people.

Meeting with Pascoe at Rincon, Olegario reaffirmed his stand and stressed that he wished a complete survey of native holdings, not just village sites and gardens. Stymied, Pascoe (Anonymous 1875a) reported that "no violence was offered and the conference was quiet and orderly in every respect, but there was an evident determination on the part of 'Olegario' to impede the progress of any steps that did not meet his consent and approval . . ." Pascoe returned to San Diego without completing his job and, while upholding basic land rights, Olegario again enraged local and federal officials.

Following his refusal to allow Pascoe to survey native settlements, Olegario made a determined effort to ensure that Indian Agent John G. Ames and the federal government were aware of large native land holdings. Olegario made repeated trips to Los Angeles through late summer of 1875 in an effort to solidify reservation plans. Through Wilson, his attorney, Olegario sought an audience with President U.S. Grant to better explain the needs of San Diego County natives.

Despite the efforts of Olegario and sympathetic whites, including newly-appointed Indian Agent D. A. Dryden, local ranchers continued to push northern San Diego County natives off traditional lands. While Olegario was in Los Angeles seeking legal aid, the legal owners of the large Temecula, or Santa Rosa, Rancho ejected native inhabitants. Co-owners of the rancho, Murietta, Saujarjo, and Pujol

insisted that Sheriff Nicholas Hunsacker serve papers on all Indian males and that Hunsacker move rapidly to clear title for the rancho (Anonymous 1875b:3). Even as they were being evicted by local authorities on September 20, 1875, the Luiseños were assured by the federal government that they had rights to the land (Anonymous 1875c:2); rights earlier upheld even by local courts (Shipek 1969:26-32).

Eviction of Luiseños from Temecula convinced local newspapers, and apparently government officials, that reservations were a necessity if continued strife and the possible outbreak of warfare were to be averted. In October, 1875, Charles A. Wetmore was appointed Special Commissioner of Indian Affairs and instructed to prepare a Congressional report on the feasibility of Indian reservations in San Diego County (Anonymous 1875d:3). Wetmore met with local white leaders, Olegario, and past Indian Agents. Wetmore and an assistant, E. C. Kemble, concluded that a strong appeal to Congress and to the President on behalf of Olegario's people was necessary (Wetmore 1875:4-15).

In November, 1875, Olegario travelled to Washington where he had an interview with U.S. Grant on November 16. President Grant promised Olegario that he would provide relief to the recently ejected Temecula Indians and would instruct Congress to set aside lands for them (Anonymous 1875e:2). Olegario returned to his home at Pala and waited to see if Grant would honor his promises.

Olegario was not disappointed this time; on December 27, 1875 Grant signed an Executive Order establishing nine Indian reservations in present-day San Diego and Riverside Counties (Anonymous 1876:3). For Olegario's people the reservations at Pala and Rincon finally provided land, although it was reservation land and not individually allotted.

Following establishment of the various reservations, Olegario turned his attention to

ensuring that his people remained peaceful and productive. Throughout 1876 and the first six months of 1877, tranquility reigned. Olegario's name rarely appeared in newsprint and Indian Agent reports were as optimistic as they were traumatic in previous years.

THE LAST RESISTANCE

The calm was broken in June, 1877 when Olegario and 60 of his warriors sought to block Antonio Varela, a cattleman from Los Angeles, from occupying the Cuca, or Potrero, Rancho. Olegario physically resisted Varela's efforts to cross the ranch resulting in the arrest of several of Olegario's men. Tempers flared and bloodshed seemed inevitable. Hostilities were averted when both sides appealed to Justice of the Peace Courts for a ruling. Courts decreed that he had no jurisdiction in such matters (Anonymous 1877a:1). The Luiseños were released and Olegario thought that he had won the battle. Olegario was so sure of his victory that he instructed the proprietor of the rancho, Margarita Trujillo, to vacate the premises.

Olegario's stand at Cuca was too much for local leaders and ranchers. Almost in unison, they and the *San Diego Union* demanded Olegario's arrest and suggested that natives living on the Cuca Rancho be immediately evicted (Anonymous 1877a:1). On July 13, 1877 Deputy Sheriff Ed Bushyhead, himself a part Cherokee, served papers on Olegario. While at Pala, Bushyhead was threatened by Olegario's men (Anonymous 1877b:1). After several tense hours of confrontation between Bushyhead and Olegario, the deputy was allowed safe passage out of Pala; the papers were served but went unrecognized.

Within a week Olegario was in San Diego presenting his case to Judge Moses Luce (Anonymous 1877c:1). Olegario protested that the Cuca band had lived on the land since time began and that the Mexican government recognized Luiseños as rightful owners of settle-

ments within the rancho. Judge Luce promised that he would investigate the matter but he doubted if any land beyond reservation boundaries would be considered as Indian-owned.

A feeling of tension between whites and Luiseños gradually increased through July, 1877. Amid white appeals to the federal government and growing resentment of Olegario, who retained an attorney and made trips to Los Angeles and Washington, Olegario died in his sleep on July 31, 1877. Olegario's followers claimed that he had been poisoned by either scheming whites or resentful members of Manuel Cota's band (Anonymous 1877d:1). An autopsy was ordered; Coroner T. C. Stockton and Justice Courts performed the examination and found no evidence of foul play (Anonymous 1877e:1), a finding still disputed by local Luiseños who are familiar with oral tradition and the story of Olegario.

With the death of Olegario a significant chapter in native American history closed. José Chanate was elected to replace Olegario (Anonymous 1877e). Without the dynamism and forcefulness of a strong leader like Olegario, Luiseños at Pala, Pauma, and Rincon gradually developed an isolationist policy. Leadership returned to the localized clan or village level; the sphere of influence once controlled by Olegario faded as individual reservations sought to survive in Victorian America. Self-determination as a political movement became dormant until well into the twentieth century.

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