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Journal

Journal of California and Great Basin Anthropology, 25(2)

ISSN

0191-3557

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Publication Date

2005

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The Mixed Legacy of Mission Indian Agent S. S. Lawson, 1878–1883

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As Mission Indian Agent from 1878 to 1883, S.S. Lawson presided over a “critical era” in the experience of Southern California Indians. The independent rancherias on private Mexican land grants and public domain lands were imperiled by the mid-1870s because of a surge in population associated with the coming of the railroad. Indian resources were under siege and many Indian communities faced imminent ejection. The federal government hesitated in formulating a reservation policy to secure Indians with trust lands for continued self-support. Lawson was a conscientious, if ethnocentric, administrator who left his mark on history as a passionate advocate of a plan to consolidate the scattered communities on a single reservation. His informative correspondence with the Commissioner of Indian Affairs and others during his tenure as agent provides a window into the legalized theft of Indian resources in Southern California, the efforts of Indians to defend their homelands, and the vacillations of federal policy-makers.

My ‘interest’ in the welfare of my Indians, I leave to the official record on file for vindication. What I have endured in their behalf in the past years while beating back the infamous horde that had been despoiling them is but known to myself and to the [Indian] Dept.—S.S. Lawson¹

S. S. LAWSON WAS THE MISSION INDIAN AGENT in California from 1878–1883, with responsibility for an estimated 3,000 Indians concentrated in San Bernardino and San Diego counties. The Mission Agency was established in 1877, following the action of President U.S. Grant setting aside seventeen reservations in 1875 and 1876 by executive order (Kappler 1971:819–821).² An appointee of the Rutherford B. Hayes administration, Lawson was born in 1838 in Pennsylvania but removed to Cashohton County, Ohio, where he was a pastor in the Evangelical Lutheran Church in the 1860s. He assumed the responsibilities as agent on August 20, 1878, having very little understanding of the cultures or languages in Southern California; nor did he speak Spanish, which was commonly spoken among the Luiseños, Cahuillas, Serranos, Cupeños, and Diegueños (Kumeyaay). Lawson’s character and service were consistent with those of other appointees of Grant’s “peace policy” program. He brought a strict ethical sensibility, a reformer’s zeal, and sincerity to his office. Lawson was a conscientious and dedicated

advocate for the rights of the Mission Indians under his charge. He resided in San Bernardino during his five-year tenure as Mission Indian Agent. He retired under a cloud, subsequent to the muckraking Jackson-Kinney report on the “Conditions of the Mission Indians” of July 1883.³

Agent Lawson’s correspondence from mid-1878 to mid-1883 provides an important supplement to the Jackson-Kinney Report,⁴ for Lawson presided over a volatile era with much uncertainty and hardship for Southern California “Mission” Indian communities. The overarching problem was federal vacillation over and poor execution of a land policy for Southern California, leaving many Indians landless or under the threat of eviction from their homes. Prior to the “Boom of the Eighties,” a wave of homesteaders arrived seeking land in Southern California as the transcontinental railroad was being constructed. As most good land in this dry and mountainous environment was monopolized by large holdings of Mexican rancho grants, they encroached upon public domain lands Indians had improved with adobe homes, orchards, vineyards, and irrigation (Figure 1). As an emergency—but temporary—measure, President Grant withdrew a number of blocks of land from the public domain, thus exempting them from homestead entry. The intent was that these executive-order reservations would encompass the villages and improvements of the major,



Figure 1. Agua Caliente (Warner's Ranch) Indians spinning yucca fibre yarn for making door mats. Note the adobe homes, stable village life, and small-scale manufacturing. The Indian rancherías on Warner's Ranch were displaced in the early 20th century after a long legal fight. (Pierce Collection, Huntington Library)

historic Indian communities, thus preserving their ability to support themselves. Too little arable land had been set aside much too late, however. Moreover, a number of the larger Indian communities located within the boundaries of Mexican land grants at Warner's Ranch, San Jacinto (Soboba), San Pasqual, Cuca, and Santa Ysabel faced imminent ejection.

As Lawson took office in 1878, the federal government was bogged down in indecision and ignorance, though it was aware of the building crisis and had a will to find a solution. A bill for the "relief of Mission Indians" was under consideration by the Indian office within the Department of the Interior and by the congressional committee on Indian Affairs. Relieving Indian homelessness, poverty, and discontent would perhaps

necessitate a congressional appropriation in order to purchase privately-held lands for one large reservation on which the scattered bands would be consolidated.

The present study draws upon Lawson's correspondence to elucidate this "critical era" for the Mission Indian bands of Southern California. A primary objective is to examine the nature of the problems confronting them, and their actions and responses. A close examination of Lawson's correspondence ultimately yields information for a second objective of this study: to reevaluate Lawson's record as Mission Agent. What did he try to accomplish, and what was his impact on the Indians' condition? It is not my intent to focus on Lawson's personal or professional failings or achievements *per se*, but rather to keep the focus on Indian people and their

changing circumstances. The predominant understanding of Lawson's career as agent is that the crusading Helen Hunt Jackson, as Special Agent to investigate the conditions of the Mission Indians, precipitated Lawson's departure from office because of his ineffectuality, which involved his alleged failure to visit or adequately protect the Indians under his charge. Friction between Agent Lawson and Helen Hunt Jackson peaked in May, 1883. Though Jackson denied any responsibility for Lawson's resignation, she gloated over it to friends.⁵ J.G. McCallum replaced Lawson as agent to the Mission Indians on October 1, 1883. Thereafter, S.S. Lawson was relegated to the shadows of history. Helen Hunt Jackson is widely credited with exposing the problems within the Mission Indian Agency in the Jackson-Kinney Report and prodding Congress to act; many of the recommendations in this report were incorporated in the Act for Relief of the Mission Indians, which belatedly passed in 1891. Lawson's relationship with Helen Hunt Jackson has been examined in the works of historian Valerie Sherer Mathes. Mathes and historian Edward Dale endeavored to redeem the popular misconception that Lawson was a do-nothing. Dale, for example, vindicates Lawson, saying he was "conscientious and able" (Dale 1949:87; Mathes 1990:23).

CONDITIONS IN THE MISSION AGENCY, 1878: LAWSON'S TOURS AND EARLY REPORTS

When Lawson became agent, the Indian Office instructed him to find land for landless or soon-to-be homeless Mission Indians stemming from pressure from homesteaders, rancho owners, and Southern California citizens. Of most urgency was finding a new home for the approximately 200 Cahuilla and Serrano Indians in the San Geronio Pass (along the corridor of the Southern Pacific Railroad), whose adobe homes, vineyards, orchards, and cultivated lands (in Section 36 of Township 2 south, Range 1 east) had been set aside by executive order by Grant in 1876. Subsequently, the federal government realized it had erred, as sections 16 and 36 in every township were designated as state school lands. These sections in eight executive-order reserves reverted to the public domain in an executive order in May, 1877 (Kappler 1971:821). Lawson's early impressions had a strong influence on him, and he found the plight of

the Portrero⁶ people in the San Geronio pass (now Morongo Reservation) particularly compelling. He labored persistently to redress the injustice done to them. With the knowledge that this desirable Cahuilla land had been returned to the public domain, Lawson wrote in August, 1878 that "certain white men have squatted on them producing a state of dissatisfaction among the Indians which threatens to result in serious complications if matters are not adjusted speedily." Lawson made two recommendations: first, if possible, "restoring so-called school lands to Indians occupying them and giving the state other lands in lieu of them," and second,

ordering the boundary lines of all these Indian lands to be marked out that it may be known where they are. Then, I earnestly recommend that the titles to the lands occupied by the so-called "Mission Indians" especially those of the Portrero, be at once settled beyond further dispute by the issue of an Executive Order and by the proper adjustment of boundaries by survey, so that the lands on which they now live, the only spots which will afford subsistence, may be confirmed to them [Lawson n.d.a:613–1878, Aug. 28, 1878].

Lawson was quite surprised when there was no response from the Indian Office and wrote again the following month, stressing the need for action:

I find there is a very dissatisfied and unsettled state of feeling because of the encroachments of the whites upon what they regard as their lands. The consequence is a general wandering about through the country in idleness and dissipation to the serious annoyance of the settlers in towns and country. I have held out to them the promise that Government would do something toward establishing their claims. And I do hope their expectations and needs will not be neglected.... These Indians having lived here for generations, will not be driven from it except by force. And the universal sentiment of the whites, except of those few who claim the land—is, that it would be gross injustice to remove these Indians from it. They have nowhere else to go, as all around them are barren mountains: without water, and beyond the mountains is nothing but desert. The Dept. may not be aware of the fact that water exists only in a few localities in these mountain ranges, viz, in the few Portreros now occupied by the Indians and to drive them from these, would be to subject them to starvation... [Lawson n.d.a:662–1878, Sept. 17, 1878].

From his headquarters in San Bernardino, Lawson had quickly realized that Southern California's arid climate was quite unlike the east, and he endeavored to educate policy makers in Washington, D.C. about this

fact. Lawson realized private lands would have to be purchased for the dispossessed. There was absolutely no place on the public domain to relocate these Cahuilla and Serrano Indians if they were forced to leave Section 36. Section 36 could be purchased for the reasonable sum of \$5,000, he believed:

Wherever there is the least water, you will find white men living, which lands come under the head of "land the title to which has passed out of the United States." This fact seems not to be clear to the Dept. that this is a desert country...Where the least water is found, you find some white settler owning it, though he be 30 or 40 miles from any other habitation [Lawson n.d.a:826-1878, Nov. 28, 1878].

By November, 1878, based upon his slight familiarity with San Bernardino County, he had formulated a plan for solving the Indian problem in Southern California by creating one large reservation at the Portrero in San Gorgonio Pass:

I would recommend that the sections *north, east, and west* of the above described sections be added to it, making 3 sections. For this reason: the one north has on it the head of the stream which waters the Portrero, as also contains pasture lands that would be needed by the Indians. This would obviate any future dispute about the rights of water. To the east and west are two little canyons leading into the head of the Portrero, which have a little wood and might also be cultivated. Given these *three sections*, and the boundaries marked, so that they might know where is their limit, there would be no future disputes, and they would be provided for amply. In which case I would gather [the] wandering [desert] Indians upon it, keep them there with the few hundred now on it, and set them all to work to improve it and make their living. The adjustment of matters at this place as I have indicated, *if at all in the range of possibility*, will solve substantially the whole difficulty with regard to the Mission Indians.... I say this is the best that can be done, and the *only* thing that *should* be done. Speedy actions should be taken to quiet the restlessness and uncertainty which is felt on all hands here in relation to these matters [Lawson n.d.a:826-1878, Nov. 28, 1878].

As instructed, Lawson made a fact-finding tour of the country under his jurisdiction in late 1878. The first tour of about a week in length was made of five reservations in Cahuilla country, including Morongo, Agua Caliente, Cabezón, Torres, and Martinez; in a second trip in mid-December, 1878, Lawson visited nine reservations in mountainous country to the south in eleven days, including San Jacinto, Pechanga, Cahuilla, Pala, Rincon,

Santa Ysabel, Aguanga, and Agua Caliente (Warner's Ranch), as well as the besieged San Pasqual community. The two reports filed with the Indian Office in late 1878 provide a window into conditions at the time and are reproduced almost in their entirety below. The first report reiterated his plan for the reservation at Portrero in San Gorgonio Pass. The second report suggested that the San Diego Indians be also transferred to his proposed reservation in San Bernardino County.

LAWSON TO COMMISSIONER OF INDIAN AFFAIRS E. A. HAYT, DEC. 26, 1878

...On the 13th of last month I started on a tour of inspection among the Indians living on the desert toward Yuma, and known as "desert Indians,"—with the view, both to learn their condition and to enable me to make an intelligent estimate of agricultural implements needed by them, as ordered by the Department. The same day I came to the Portrero in San Gorgonio Pass. It may not be necessary to call attention to the situation of the Indians at this place, since the Department has full knowledge of it. ...An order from the Dept. is now pending for their removal. I know not yet whither.

On the 14th I visited the Agua Caliente [Palm Springs]. Here the situation is little better. On account of the limited supply of water, only a small part of the section of land set apart for them can be cultivated and even this is claimed in part by a "land grabber" who owns lands on Rail Road land adjoining it. Here I found most of the Indians absent, laboring for ranchmen fifty and sixty miles away. The old men and women were at home, in a condition of wretchedness, by reason of destitution, such as I had never seen. Among their number were some helpless on account of age and literally naked. I found them lying on the ground in their huts, their shoulders and sides being callous from constant contact with the hard earth. They had nothing to eat but a sort of bean [mesquite], which grows on the desert and which is pulverized in a mortar and moistened with water. The sight was pitiable in the extreme. And I wished in my heart, that the men of this great Government, who have it in their power to provide something better for these unfortunate Mission Indians, could have the opportunity to see what I here witnessed.

I purchased a sack of flour on my return and requested an Indian woman, the only one able to do anything, to feed the others with it. What little land these Indians have, that produces anything, is utterly insufficient to afford them any better living. It would be an act of mercy to remove them at once, if there were any place to put them that promised anything better.

On the 15th I went to Torres, thirty miles farther east on the desert, visiting on the way a small Rancheria, known as "the Rincon." The Indians living here, are few and destitute, the few acres they can cultivate being inadequate for their support, while little or no labor can be had with white settlements more than forty miles away. At Torres, the situation is this: about forty Indians are living here on a Rail Road section. The adjoining section was reserved for them: but all of it is alkali land, except about 40 acres, and upon this a white man has been living for the past eight years, having at an expense of more than a thousand dollars developed a little water to irrigate it. He cannot of course be dispossessed. Nor could the Indians live, if they were on it. So that, summing up the situation, the Indians here have nothing. While, for many years they have cultivated their little fields of corn and wheat, at an immense cost of labor to bring water in it, their ejection is only a question of a very short time, as the improvements made by them, if nothing else, will tempt white men to secure it.

Beyond Torres some eight miles farther on the desert, is a settlement known as Martinez. These came to see me at Torres, and complained that white men were shooting their horses and otherwise troubling them. I found on inquiry, that they too, were on rail road land, and hence the trouble. Some ten miles farther on, is Cabezon, a settlement of Indians, who, I was informed, were living on a sandhill, such being the character of their land, most of them naked and all obliged to subsist upon [mesquite] beans which grow on the desert. These latter settlements are on the extreme boundary beyond which the desert is uninhabitable until you get to Yuma.

On the 16th I began to retrace my steps, thoroughly impressed with the fact that while government has set apart for these Indian lands to a greater or less extent, they have nothing that is of any use to them. That while they are destitute of agricultural implements it would be next to useless to give them any, till suitable lands are provided for them to cultivate. That all these desert Indians, living beyond the Portrero should be speedily removed from the places now occupied by them and consolidated with the Portrero Indians in San Gorgonio Pass. That the government to this end should extinguish the private claims to the section known as the Portrero and six or seven sections adjoining it, since there is abundance of water there, and enough arable and pasture land to subsist the Indians so consolidated. Their number will not aggregate 400. The land includes a body of about eight sections, and less than five thousand dollars will secure it. It would bring these Indian within reach of white settlers who would gladly give them employment at certain seasons and once for all settle the vexatious question relating to these desert Indians. Common humanity, if nothing else, calls for the removal of these desert Indians from the places where they are literally

starving, while their consolidation and settlement as above indicated, is the only feasible place worthy of consideration.

This being my report and plan concerning this class of Indians, I will report a tour of inspection among the mountain Indians living south of the desert and suggest my plans respecting them. Desiring that the Department with a view to an intelligent understanding of the whole subject, should consider it in separate parts [Lawson n.d. a: 15-1879].

SUPPLEMENTAL REPORT: LAWSON TO HAYT, DEC. 27, 1879

As supplemental to the accompanying report marked "A" I would respectfully represent that, on the 4th of the present month, I set out on a tour of inspection among the mountain Indians, living mainly in the territory embraced in San Diego County, with the same object in view, as in my visit to the desert Indians.

The same day I came to a settlement known as the San Jacinto Indians, living now, for many years on a Ranch by that name. Land adjoining this has been reserved. But it is all inaccessible mountain land, except about two acres: this little spot being utilized by one Indian family, while the rest are living on the aforesaid Ranch. The coming spring, however, this body of land is to be divided up between its respective owners, and the Indians required to remove.

On the 5th, I came to Temecula [Pechanga]. Here, a remnant of seven families of those who were forcibly ejected from the valley a few years ago, live among the rocks in the foothills, with no land to cultivate. Their substantial, but now unoccupied adobe houses, built with much toil, still dot the plains below.

On the 6th I came to Pala. Here is a small settlement of Indians of the San Luis Rey Tribe. The records show 240 acres reserved for them: but I learned some of this had been occupied by whites before the order setting it apart was promulgated. Here, as everywhere else, it is impossible to define the boundaries of the Indian land. The result is, some of the Indians are living on land claimed by whites and disputes and trouble reign supreme. A part of the land here, that is known to belong to the Indians, is embraced in a wide riverbed of sand and gravel. By special request on my part, a few of the Indians living on private land at this place, have received permission to put in crops this year, on the little patches they have long cultivated, with the understanding that, by another season, some provision be made for them.

On the 7th I came to Rincon, a settlement of the same tribe, about 12 miles south of Pala. Here the situation is this. The Indians have occupied this place for many years. They have considerable good land under cultivation: but it was discovered recently, that the executive order of 1875, which was supposed to set

aside this land, places it in Tp. 10 south, Range 1 east, whereas these Rincon Indians are living just over the line, in Range 1 west. The result has been that white men, have filed on their land and they are liable to ejection. To remove them east of the line, where the order places them, and which covers Yapiche and La Jolla cannot be done, since the land is next to worthless to those already on. So that the Indians at these three places, I may say, have nothing. I remained at the Rincon over the 8th and 9th by urgent request of the Indians, who were divided among themselves about the election of head man, or General, as they wished to get all the Indians of the San Luis Rey Tribe together, and desired I should help settle their trouble. I did so and succeeded in adjusting their differences to the complete satisfaction of all parties.⁷

...It would require too much time to tell of all the wrongs the San Luis Rey Indians have endured at the hands of white men during late years. Only as late as four years ago, these Indians had herds of sheep, and cattle, and horses, and they had money. But they were led into litigation through the bad counsel of the lawyers until all their property and money was spent. The correspondence of Chief Olegario, now dead, reveals the fact that in the space of about two years, the Indians of the Rincon paid in legal fees to certain lawyers in San Diego nearly one thousand dollars. One instance was related to me by an intelligent half-breed, where they paid to a lawyer at San Luis Rey for the privilege of having been led into difficulty by him several hundred dollars, and as they had no more money, they turned over to him 31 steers to satisfy their account.

I have not the patience to relate the individual cases of hardship that came to my knowledge during my stay of two days. The record of wrongs inflicted upon these unfortunate Indians, if written in full, would mark the blackest page in our Indian history.

On the 10th I came to San Pasqual. Until of late years, this valley was regarded as an Indian Pueblo, and the first settlers respected the Indians' claim to it. Now, however, they are being dispossessed. Driven from one portion of the valley, they have settled on another, year after year, in turn erecting their adobe houses: but now it is announced that in the coming spring they are to be removed from the entire valley.

On the 11th I came to Santa Ysabel. Here, and at the Mesa Grande near by, which I also visited, are perhaps one hundred Indians. They have little land that is of any use, and that little as is claimed, partly over the line on some white-man's domain. No pasture for their horses. And when they trespass on pasture that a white man wants, though it be public land—the white man either shoots the horses or corrals them, and forces the Indian to pay from \$3 to \$4 to have them released. That these inoffensive Indians should be peaceable and patient under such treatment is more than should be expected, yet it is true I could scarcely restrain my own

combativeness, as these wrongs were recited to me in the presence of some of those *white* men, so called.

On the 12th I came to Agua Caliente [Warner's Ranch]. The situation of the Indians here, is somewhat better than I expected to find it, in view of what I had found up to this time. They told me no white men had ever disturbed them so far: but that a party of surveyors had stalked over their land a few days before, raising a suspicion in their minds, that, they are not to be left undisturbed much longer.

These Indians as indeed all that I met so far, are steady, sober and industrious: but their land is insufficient for their number, and, isolated as they are in those mountains, far away from white settlements, they can earn little by labor off the reservation. They ask for no agricultural implements, nor seeds. Being supplied with both, for the limited lands they have.

On the 13th I started for the Cahuilla Valley [Anza], the last Indian settlement not yet visited. On the way I visited a few families living in the mountains, known as Aguanga Indians. They had seen me at the Rincon and complained of wrongs endured.

I found the principal case, substantially this: A father and mother, two sons, two widowed daughters, having each two children are living on a piece of land containing about 40 acres, they have lived on this land 11 years. Built themselves a comfortable adobe house on it [and] have fenced it into little fields, cultivated it and planted fruit on it. They thought themselves secure, no doubt, in their little mountain home: but it was public land, and an Indian has no rights, which a white man is bound to respect. A white man 3 miles away, having a large Ranch, tempted by the improvements which eleven years of toil had wrought, has lately filed on it; and because this helpless family would not instantly leave their little home, he, with club in hand a few days before I was there, ordered them to leave or he would kill them.

This Indian family would willingly file a declaration of citizenship if thereby they might retain their home. And certainly if I had the power I would annul the purchase and sale, for I found them most worthy and excellent Indians.

The Indians in the Cahuilla valley, under Manuel Largo, an intelligent man, as their chief, number about 75 all told. A tract of land 9 miles by 3 in extent was reserved for them: but it is all inaccessible mountain rock and brush land, except about 240 acres.

Here I found the most serious trouble I had yet met with, because of the peculiar nature of the case, and the fact that these Indians are less peaceably disposed than any other of the Mission Indians. The case is this, when the reservation was set apart, and the lines surveyed, as I was told, it left a good piece of land outside, as well as about one half the Indian villages including the chief's house, a very comfortable adobe house. A white man bought the land adjoining, took forcible possession of the chief's house, and now

threatens to dispossess of their homes, all, whose houses are on his land.

The Indians in turn, are resenting this injustice by tearing down his fences and corral, and it is doubtful if they can be restrained, since they lay the whole blame upon the government for allowing this man to come in among them when no other white man had ever disturbed them. Unless one or the other of the parties is removed, I would not be at all surprised to hear they had killed the white man. The little land they have is wholly inadequate for their wants and even what they have, is left uncultivated because of the confused and unsettled condition they are in.

The purpose for which this tour was undertaken, being now accomplished, I started on my return to the Agency on the 14th arriving on the 15th. The places herein mentioned may be said to embrace all the organized settlements of Mission Indians in San Diego County, except a few insignificant ones, that could only be reached by mountain trails. These do not however, embrace all the Indians in the county. There are roving bands who stop to work, or loaf, as the case may be, awhile at one place, then at another. Just now the San Diego papers are discussing the question whether the Indians who are coming into their town at present, as they think to winter there, are to be tolerated or driven out as “nuisances.” The number roving about in idleness, is not by any means very large—not near so large as might be expected, considering the unsettled, and unsatisfactory condition of things at all their settlements. The great wonder to me is that all are not roving tramps.

From a thorough acquaintance with the situation of these mountain Indians, these are my impressions. That they should all be taken from the places where they now are. That they should be consolidated on one reservation with sufficient land for pasture and agricultural purposes. That so situated, under judicious management, with schools for the education of their children, they would soon become a thriving and industrious community.

And further, from my knowledge of San Diego County, its mountainous character, the insufficient water supply that is afforded on any of its large Ranches, the frequency of frosts inland from the coast, which makes it difficult often to raise corn and other vegetables in their season, the sparseness of white settlers as a source of employment to Indians, and the almost inaccessibility of the country, I am convinced that these Indians should be removed from that county, and settled in San Bernardino Valley and county: where a sufficient body of land can be purchased with sufficient water for irrigation; where pasture land may be found adjacent, and government land may be found adjacent, and government land not yet disposed of, which will produce wheat and barley without irrigation; where the climate is such that vegetation is never injured by frost; where the

Indians would be able to find remuneration labor in adjacent white settlements when not otherwise employed; where they would have easy and quick access to a market for the disposal of surplus products; where they would be accessible by Rail Road; and where *they* and the “desert Indians,” provided the place suggested concerning them were carried out, could be under the supervision of the same agent—the distance between them, not exceeding twenty miles. The Indians so consolidated at these two points, embracing all the so-called Mission Indians, would not exceed 2500, though they are *reported* to number 4400. The settlement of this *vexed* question is not so difficult. It will not require an enormous outlay on the part of the Government.

The foregoing plan, I have submitted to the judgment of men, who understand the situation and the needs of these Indians, and they all concur in the opinion that it is eminently feasible and practical. I therefore, most respectfully submit it to the Dept. along with my Report, believing that the *facts* as herein set forth concerning these Indians, fully justify—if not the adoption of *my* plans, yet of *some* plans for the permanent relief of the Mission Indians of Southern California [Lawson n.d.a:19-1879].

THE LEGAL THEFT OF INDIAN LANDS IN SOUTHERN CALIFORNIA

Lawson’s first impressions, though certainly superficial in many ways, nonetheless zeroed in on the key problems confronting Southern California Indians and anticipated some of the key recommendations of the Jackson-Kinney Report. First, the executive-order reservations of 1875–1876 were terribly flawed and provided little security for Southern California Indians. President Grant had set aside very large tracts in the public domain, thousands of acres for very small bands of 100–200 people in some cases, in order to embrace the “few small arable spots of land occupied by the Indians”—their resource use areas, residences, and improvements (Figure 2). On these lands, the best arable and well-watered portions were occupied and improved to a lesser or greater extent by white homesteaders (at Torres and Pala, for example), who may or may not have filed homestead patents before the lands were set aside.

Second, imprecision and outright mistakes had inadvertently left the rancherias—in whole or in part—outside the boundaries of several of the reservations, meaning historical use areas were technically on the public domain and eligible for homestead entry. This led to problems at the Capitán Grande and Cahuilla reserves,



Figure 2. Pauma Indian Mission church, from the road. Almost all Mission Indian rancherias had Catholic chapels, many of adobe, where Father Antonio Ubach and other priests periodically held mass in circuits through Southern California's Indian communities. (Pierce Collection, Huntington Library)

among others. Errors abounded. The executive order setting aside land for the historic San Pasqual community set aside land in the wrong township. Thus, there were conflicting claims over title that caused friction between Indians and homesteaders that threatened to erupt into violence if the intimidated Indians did not leave willingly. Lawson was continually trying to adjudicate such disputes over conflicting rights.

Third, the many Indians who lived off the reservations on public domain lands they had laboriously improved for years were in a very precarious position. Lands in the public domain improved by Indian families and communities were subject to filings by white homesteaders. Because Indians were not U.S. citizens, they could not file for homesteads on these

lands. (A homestead law for Indians was passed in 1875 that allowed filings, but under restricted conditions: namely, the individuals involved would have to break their tribal ties.) The homestead law for non-Indians stated that filings could only be made on public domain lands that had neither improvements, nor occupants, but this requirement was commonly violated. Special Agent John G. Ames observed in his 1873 report that "the location of an Indian family or families on land upon which a white man desires to settle is, in law, no more a bar to such settlement than would be the presence of a stray sheep or cow" (Ames 1979:65-6).⁸ Lawson urged the Indian Office to take immediate action to reserve the few 'green spots' historically occupied by Indians in the Southern California interior ranges and deserts.

Correcting errors in the executive orders to include all of the rancheria sites seemed to be a simple matter, but Commissioner Hayt refused to make additional withdrawals from the public domain via executive order, believing Southern California Indians had enough land. What Hayt did not understand, and what Lawson labored to impress upon him, was that most of this reservation acreage lacked water and so was completely worthless for farming and could not support even a fraction of the Indian population. One hundred thousand acres for the support of 3,010 Southern California Indians would have been adequate if it had been of the right kind, but as much of the country was mountain and desert, “it was practically worthless for the support of so great a number of Indians” Lawson wrote in his Annual Report of 1881 (Lawson 1882:13).

Fourth, a host of ills flowed from the lack of precise boundary surveys, imperiling the security of Mission bands. Lawson made this point repeatedly in his correspondence. Whole townships or parts of townships, Lawson wrote, “have been reserved for these Indians,” but they “could not be located with certainty by reason of the fact that boundary lines by sections could not be distinguished” (Lawson n.d.a:613-1878, Aug. 28, 1878). “[J]ust what is Indian land and what not, is difficult to determine,” wrote Lawson in 1880 (Lawson n.d.a:742-1880, May 14, 1880).

Even those Indian communities with cultivable land and sufficient water that were clearly within executive order boundaries were vulnerable. New homesteaders persisted in encroaching on Indian resources and homes. Without authorization from the Indian Office to elicit expensive surveys in coordination with the General Land Office, Lawson’s hands were tied. He could not protect even those communities with viable claims and ostensible federal trust protection. Regarding his helplessness to defend one group from incursions on their cultivated lands by intruders, Lawson wrote to Helen Hunt Jackson in the spring of 1883 of the “Catch-22” situation facing the Mission Indian Agency that worked against the Indians: “This is one of the many cases where information is required and where the absence of authority and means to make a survey make it next to impossible to furnish the same” (Lawson n.d.b: May 18, 1883).

Finally, Southern California Indians were being cheated out of their historic rights of occupancy through “floating surveys.” Most of the Indian village sites occupied

for millennia had been incorporated into Mexican rancho grants; under Mexican law, the Indians’ rights to occupancy were recognized as perpetual. Those communities located on private grants faced eviction, because American law did not respect Indian rights on private lands. Survival of many of the larger Indian communities (for example, at Warner’s Ranch and Santa Ysabel) from the 1830s to the 1880s depended on working for the rancho owners as *vaqueros*, sheep-shearers, and house servants. Entrenched in a symbiotic relationship with rancho owners, many rancherias nonetheless maintained their political independence and cohesion. In some cases Indian homesites, fields, and pasture lands were adjacent to, but outside, rancho land-grant boundaries on the public domain. Executive order reservations had been established for Santa Ysabel, San Jacinto, and Agua Caliente (Warner’s) from these public domain lands where rancherias were located. In the 1870s and 1880s, rancho owners had surveys done which allegedly proved these Indian-occupied areas were within rancho grant boundaries, subjecting the Indians to eviction. Large landowners and modest homesteaders both funded surveys that pushed or “floated” the lines over into property historically acknowledged as Indian held. Lawson commented on this phenomenon at San Jacinto in February, 1879:

Today an Indian messenger came to me saying, their ejection was being talked of freely and bringing a letter addressed to me by an old white settler, who says he assisted in running the lines of the said ranch as early as 1842 and again at a more recent date, and that each time the Indian village was left outside the lines of the ranch. The original plat of the ranch he says “was destroyed by Henry Hancock to get the ranch floated over the tin mines etc.” The man Hancock I know by reputation, to be notorious as a scheming land grabber in the employ of certain unknown parties who manipulate him for this purpose: and the story of the old settler, with my knowledge of the intrigues connected with land matters in this state, looks very plausible [Lawson n.d.a:177-1879, Feb. 14, 1879].

At Santa Ysabel and Warner’s, Lawson reported, the executive order reservations had been “floated over” by the Mexican land grants. These reservations were radically gutted by the executive orders of January 17, 1880 (Kappler 1971:822).

Rancho owners, railroad lawyers, and homesteaders all demanded the removal of Indians living on “their lands” as soon as possible and looked to the Indian Office and the new agent to accomplish this objective.

THE BILL FOR RELIEF OF THE MISSION INDIANS, 1878–1882

This Gordian knot of problems, Lawson believed, could be resolved by creating one large reservation and removing all Southern California Indians to it. This was Lawson's "panacea." He persistently and passionately put the matter before the Indian Office from 1878 to 1880, and intermittently thereafter. He also took it upon himself to lobby congressmen on the House Committee on Indian Affairs who were drafting the legislation. He wrote an article in the *San Bernardino Times* on "How California's Indians are Treated," which was reprinted in the *Los Angeles Star* on January 26, 1879. To speed congressional action, which he was sure was imminent, Lawson tried to impress upon the Indian Office the desperate state of the besieged Indians, and pointed out that the increased Indian homelessness and vagrancy were a source of alarm to the general public.

A crisis was building, he emphasized, with manifold dangers. Not only were formerly law-abiding and self-supporting Indians suffering social degradation and starvation, those displaced or under the threat of eviction were angry and desperate. There was the specter of Indian vagabonds roaming the landscape looking for sustenance, committing crimes, and violently confronting those who had displaced them, thus requiring governmental action (Dale: 1949:85):⁹

Under existing circumstances, many of these Indians are wandering about to the serious annoyance of citizens. The people are tired of this looseness in their management. They express their gratification at the appointment of an agent and the wish is universal that the Government may do something that shall result in permanent Govt. to them. ...The past history of these Indians, their peaceful behavior under trying circumstances, their efforts to maintain themselves by labor, has won for them universal respect, and almost without exception, the people of this section chafe under the thought that, they should be dispossessed of their little lands and driven to the alternative of either wander about to beg a scanty living or die of starvation [Lawson n.d.a:613-1878, Aug. 28, 1878].

In late 1878 he sent the following statement to a California congressman, which was forwarded to Secretary of the Interior Carl Schurz:

...I am persuaded, matters have reached a crisis with these Indians, that will compel government to provide suitable lands, and to sufficient quantity upon which

they can subsist. ...They have been deprived by the settlers of almost every acre that is worth the having. And driven as many of them now are, to wander about over these counties. The question is already being discussed, notably in San Diego papers, whether they had not better be driven out of the communities they infest. But where will they go?

...I am sure, from my own observations, and from the general sentiment expressed by the people in this section of the state that something *must* be done in the way of purchasing one or more large reservations upon which these Indians can be placed and on which they can maintain themselves. And there should be no delay in introducing a measure looking to this end during the present Congress. A joint resolution of the General Assembly of this state passed last winter and was forwarded to Washington urging that such provision be made for them. This has been supplemented with petitions from hundreds of citizens from San Bernardino and San Diego Counties since that time. It but remains for Cal[ifornia] Representatives to press the matter to the speedy attention of Congress. It would not be difficult to predict the result of the present difficulties, which exist between the Indians and whites on account of the conflict of interest, if the causes of the troubles existing are not soon removed [Lawson n.d.a: W29-1879, Dec. 31, 1878].

Lawson formed the strong conviction that peaceably-disposed Indians received no attention from the government. Cynically, he commented to Representative H. F. Page on the House Committee on Indian Affairs that the government only took action to redress Indian grievances when threatened by violence. In his 1882 Annual Report, Lawson wrote that "it is doubtful whether Congress will ever take action," because "distinguished consideration is shown to the Indian only in proportion as he had developed a disposition to be troublesome and worthless" (Lawson 1883). To prompt action, therefore, he emphasized to the Commissioner of Indian Affairs that the Mission Indians would become violent if action was not taken soon (Lawson n.d.a:251-1879, March 7, 1879). He also underlined how homelessness was leading to crime and moral degradation in his letter to Commissioner Hayt in April, 1879 regarding the pending evictions from San Pasqual, San Jacinto, and Warner's:

In their present destitution, the stealing of cattle and sheep for their subsistence is carried on to such an extent that every man's hand is against the poor helpless Indian. And what it will be when driven wholly from their present localities may be better imagined than described. Meanwhile prostitution with its attendant diseases: drunkenness, in addition to every form of

imposition practiced upon their ignorance or their credulity—may be said to complete the picture of their situation. Consolidated upon a suitable reservation, under the direction of an agent these things would be remedied. If prompt action were taken, a reservation can now be secured at a reasonable price. Without purchasing land, none is to be had as there is not an *acre* of land otherwise available in all southern California [Lawson n.d.a:422-1879, April 22, 1879].

Ironically, the large ranchers were calling upon the federal government to compensate them for Indian depredations to their property. Captain Wilcox, owner of Santa Ysabel ranch, claimed to have sustained \$20,000 in damages. Such depredations, Lawson estimated, might exceed the \$40,000 for purchasing an Indian reservation in Southern California. Taxpayers would save money if action was taken immediately to resolve the Indian land disputes in Southern California.

In early 1879, Lawson proposed purchasing a piece of land five miles from Portrero, available at the price of \$40,000, which was fed by 300 inches of water by the San Geronio Flume Company, and which had an adjacent stock range and an unlimited supply of timber for building and other purposes. All the desert and mountain Indians might be consolidated here. “[N]o better advantages for an Indian Reservation can be found in the state,” he said, adding: “This opportunity should not be left to slip by for there is nothing offered in southern California that compares with this” (Lawson n.d.a:66-1879, Jan. 8, 1879).

When the House Committee on Indian Affairs recommended passage of the 1878 bill providing that a tract of land be purchased for Indian people for the sum of \$50,000, news of a pending land purchase spread quickly via California newspapers. Various offers came into the Indian Office from ranchers willing to sell in early 1879 (Ubach n.d.; Chaffee and McKeeby n.d.; Mathes 1996:43). Impatiently waiting for Congress to pass the relief bill, Lawson expressed increasing anxiety “that the wrongs, privation and sufferings of these Indians are to be indefinitely prolonged” (Lawson n.d.a:128-1879, Jan. 24, 1879; 370-1879, March 8, 1879). When no action was taken by April, 1879, Lawson wrote a dark, angry letter to Commissioner Hayt: “[T]he apathy that prevails on the part of the Government toward these Indians is hard to understand” (Lawson n.d.a:422-1879, April 22, 1879). Thereafter, Lawson repeatedly offered to go to Washington personally to lay the case before the Indian Department and Congress.

MISSION INDIAN AGENCY

Helen Hunt Jackson would later create a stereotype of the Mission Indians as passive and victimized Christian sheep, in order to increase public sympathy and induce congressional action, but Mission Indians were active agents in their own behalf. Mission Indians were well-organized politically, with captains at the village level and regional leaders called generals. Periodically pan-rancheria councils were held to discuss matters of common concern and to decide on actions to be executed by the captains or the generals. (Lawson had been trying to break down the power of the generals as it competed with his own.) Mission Indians’ activities in defense of their land rights were varied, creative, and persistent. Blindness toward these manifold activities is due to a failure to read Jackson and Lawson’s correspondence—laced with paternalism, self-aggrandizement, and strategies for inspiring public anger—more critically; they themselves may have wished to be seen as heroic redeemers of defenseless Indian people.

Indian agency took many forms. Refusing to budge from lands claimed by non-Indians was one form of resistance. For example, Luiseño Indians monopolized the land at Rancho Cuca (Lawson, n.d.a:348-1879, April 5, 1879; Chalmers Scott n.d.). Others at Cahuilla and Santa Ysabel took more violent action to protest incursions into their long-recognized resources and homes. (Historically, the Warner’s Ranch Indians suffered the claims of J. J. Warner with great skepticism, and the ranch owner lived peacefully with them, until he sold out in 1861, only by accepting a precarious symbiosis—see Hill 1927:135).

No doubt more frequent and overt conflict was quelled between 1878 and 1881 because of Lawson’s many assurances that solutions were immediately forthcoming. Lawson was able to convince rancho owners and homesteaders who claimed lands occupied by Indians to postpone evictions until Congress provided for lands to which to remove the Indians. Simultaneously, Lawson was placating the Mission Indians. Though they had endured many wrongs, they fortified themselves to stand firm and be patient and tolerant a while longer. Jackson considered this forbearance, but it was misread as passivity or helplessness. In his lobbying efforts, Lawson may well have been exaggerating the extent of vagrancy, disease, drunkenness, and poverty, on the one

hand, and the public will to address the problem, on the other. But he was right when he noted that his promises of relief averted violence: "This hope has been held out as a promise to the Indians to allay discontent and in some instances to prevent disturbances that threatened, so certain were the indications that provision would be made for them" (Lawson n.d.a:251-1879, March 7, 1879).

A major form of action for Indians involved legal due process. For each community the situation was different, but most had some legal as well as moral basis for an argument that their land claims superceded those of the people trying to eject them. The Capitán Grande people had been granted their lands by an American military officer in 1853, for example. Others could argue that homesteaders had arrived after executive orders withdrew their lands from public entry or that land rights were protected under Mexican grants. For whatever valid reasons they had for protest, captains would travel to San Diego or Los Angeles to contact lawyers, mobilizing the community's wealth in defense of their land rights. Though they had suffered from epidemics and shrinking populations, many Southern California Indians adapted collectively and individually; they had orchards or vineyards or cattle, and also wages as laborers to pool for legal defense. The Portrero Indians of San Gorgonio sought a lawyer to protect their holdings from filings under the Desert Land Act of 1877 (Colburn 1878:36). Lawson believed lawyers hired by the Indians were overcharging them after falsely encouraging them in hopes of success. He was infuriated when he heard of the Luiseños being charged \$2,000 in fees and 31 head of cattle by a lawyer in an effort to retain Rancho Cuca: "Between thieving white men who would defraud them of their rights, and avaricious lawyers who have robbed them of their money, they have been ground between the upper and nether mill stones," adding that "it is a repetition of the state of things everywhere I have been among them" (Lawson n.d.a:863-1878, Dec. 17, 1878). (The San Jacinto and Warner's Ranch Indians both fought in court for their rights under Mexican grants late in the nineteenth century.)

Those who suffered wrongs reached out for help to Agent Lawson, Catholic priests, neighbors, and any other sympathetic persons willing to write letters for them to Washington. In December, 1878, the captains from the Luiseño villages sent a petition to Bishop Francis Mora,

requesting their lands and saying, "Until now no material aid have we asked nor received from the government; now we only ask land, and to be protected in the possession thereof, in order to farm them, and thus support our families with our industry and labor" (Mora n.d.).

These Luiseño captains did not share Lawson's vision of being consolidated with the Cahuillas (with whom they had had some rather unpleasant encounters). They sent another petition via Mora to Washington, dated March 12, 1879:

Whereas we find ourselves in a critical situation in this southern part of the state of California, frequently molested by settlers. And whereas efforts have been made, and proposed to remove us from the lands where our ancestors have resided for generations, and where, at the present time, we honestly and peaceably live, by our manual labor, and honest industry, without being in any way a burden to the government. And whereas it has been proposed to locate us at a place distant from our homes in the vicinity of San Gorgonio. a sterile country well known to us to be unfit for our occupation and incapable of affording us a means of subsisting without aid from government as has been our custom heretofore.

Therefore we the undersigned Indians of the Mission of San Luis Rey [and Temecula, Aguanga, San Jacinto, Puerta Cruz, Puerto del Valle de San Jose, San Luis Rey, La Jolla, Pauma, Pala, Potrero, Rincon and Yapiche] respectfully petition and request of the proper authorities to provide that we may be permitted to continue residing in the places above mentioned, and in the free and peaceful possession of our homes, without further molestation from the white settlers in our neighborhoods [Captains n.d.].

The Luiseño captains further asked that if their lands currently occupied within the limits of private grants could not be secured, that lands be set aside for them by executive order in the upper part of the San Luis Rey Valley, above the Pala *asistencia* (or satellite of Mission San Luis Rey), to supplement the lands already set apart for Luiseños in that vicinity. This, the captains said, was "generally mountainous land, undesirable for white settlers, but naturally adapted to our wants." There they could continue to be self-supporting. Their final request was for "the proper authorities [to] cause a survey to be made of the exterior boundaries thereof distinctly defined" (Captains n.d.).

Lawson countered this request in his cover letter transmitting the Luiseño petition, commenting that "nearly all of the lands they now occupy are owned by

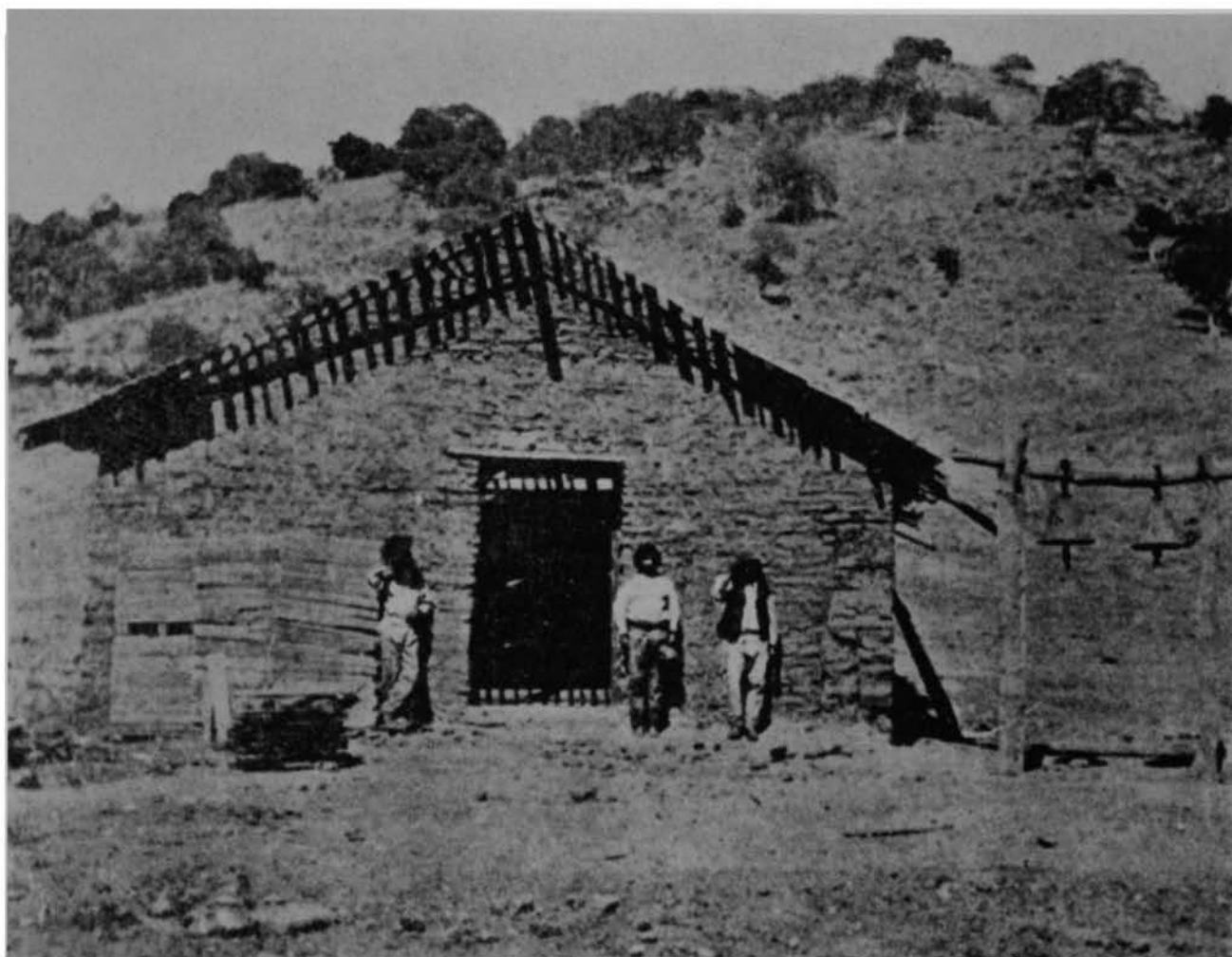


Figure 3. Chapel of Santa Ysabel, 1878. The adobe structure was destroyed in an earthquake shortly after this photo was taken. Like Pala for the Luiseño, Santa Ysabel was an *asistencia* or satellite mission for the Diegueño. A small experimental farm and Indian school and church were here, and mission stock were pastured in the valley. (Pierce Collection, Huntington Library)

private parties by whose grace they have been permitted to remain thus far. What they ask in this petition as to the locality where they wish lands to be purchased for them, it would be unwise to grant" (Lawson n.d.a:317-1879, March 26, 1879). Doggedly endorsing San Geronimo Pass as the best and only site for a reservation, Lawson also lampooned the initiative to purchase the Santa Ysabel Ranch for \$50,000. He cautioned the Indian Department to refuse summarily all propositions "for the sale of San Diego ranches" (Lawson n.d.a:155-1879, Feb. 8, 1879). To Lawson's chagrin, Congressman Page on the House Committee on Indian Affairs, who was one of the strongest advocates for the relief bill, supported the purchase of Santa Ysabel ranch (Figure 3). Santa Ysabel was a major *asistencia* of the San Diego Mission (Figure 4),

and a large portion of the Indian population of San Diego probably lived there at one time or another (171 were there in 1880); presumably, many would have been happy to secure this large ranch as a colonization zone. Both Lawson and Father Ubach opposed the purchase of Santa Ysabel for practical reasons. Lawson did his utmost to defeat the plan, writing to Commissioner Hayt in January, 1880 that the rancho was "unfit for the purpose as it is situated in the mountains where frost prevents the planting of anything, before the month of June.... By all means *prevent the consummation of the scheme*" (Lawson n.d.a:171-1880, Jan. 24, 1880). In the weeks that followed, Lawson publicly engaged in a debate in the *San Diego Union* regarding the question of whether the San Geronimo Pass or Santa Ysabel land was the better choice



Figure 4. Mission Santa Ysabel, showing cross, bells and brush hut. This image graphically illustrates the deconstruction of the rancheria communities' infrastructure; Catholic services persisted and the Santa Ysabel people tenaciously held to their land nonetheless. The bells were subsequently stolen, a symbol of the theft that went on for decades. (Pierce Collection, Huntington Library)

for the one Indian reservation in Southern California to be purchased with federal funds.¹⁰ Lawson registered his disapproval of the Santa Ysabel Rancho purchase when it was introduced again by Congressman Page in January 1882 (Lawson n.d.a:1464–1882, Jan. 16, 1882). Opposing Indian preferences, Lawson discouraged Congress from purchasing lands for Luiseños and Diegueños in these instances.

Lawson, however, was deeply impressed by the argument advanced by the Luiseño captains and other Mission Indians that they asked only for land enough to be self-sufficient and would thereafter require no funds from the federal government. Beginning in late 1878, Lawson began making a tactical shift away from the argument that violence was pending to one that Indians would need no further support. Helen Hunt Jackson used this argument effectively, stressing the peaceful, lawful, industrious, and deserving nature of the self-sufficient Mission Indians, and it was ultimately persuasive. The Southern California Indians' role in promoting this argument is a profound, yet underappreciated, example of

Indian agency. In late 1878, Lawson wrote to a California congressman: "They ask nothing in the way of supplies from government, but are willing to subsist themselves as they always have—all they want is that they be provided with land" (Lawson n.d.a:W29-1879, Dec. 31, 1878). In late March, 1879, Lawson wrote to Senator U. Booth, repeating many of the same points:

[T]hey are in the most wretched condition imaginable. The heart sickens at the story of their sufferings and privations. And soon many of the most prominent bands, for many years occupying private lands, are to be ejected from them by the owners.... And now, a crisis has been reached in their case where something must be done or serious trouble will result. There is not an acre of Government land upon which they can be subsisted. And what to do with several thousand Indians turned loose without the means of a livelihood is a question that I as Agent am soon to confront. The Indian Bureau is fully advised of the situation and I believe is doing all it can to provide relief for them. *The Indians ask not a dollar for supplies: but wish to subsist themselves as they always have done. What they ask is, that the Government give them a reservation upon which they may all be consolidated*

and be able to maintain themselves [italics added]. No Indians under the care of Govt. are more deserving of this favor though none have been so much neglected. ...Next in importance to the Chinese question is the question of the settlement of these Indians on some permanent reservation which will relieve the people of a great burden entailed upon them by their wandering and destitute condition [Lawson n.d.a:370-1879, Mar. 8, 1879].

In March, 1880, Lawson reached the nadir of his popularity as Mission Indian Agent. A petition was circulating among the Luiseño Indians to remove him as Indian agent (*San Diego Union*, March 17, 1880). Six hundred people signed the petition. Lawson's stubborn opposition to the purchase of the Santa Ysabel Ranch (or other prospective properties) angered both the Diegueños and those whites who hoped to benefit financially from the influx of federal funds. Lawson's outspoken criticisms of "thieving white men" chaffed many others. He was criticized for making no tours of the reservation after his brief junket of less than three week's duration in late 1878. He had not brought harmony out of the cacophony of conflicting interests, though this was not really his fault. Short of congressional action for surveys and land purchases, things remained at an impasse. An editorial in the *Union* on March 26, 1880 criticized Lawson, saying that he "is an importation from Ohio, who never saw a live Indian till he reached his 'Agency,' utterly ignorant of the Spanish language, and altogether the most thoroughly incompetent of the many incompetent men sent to California from the East to mismanage Indian affairs." An editorial a few days later added: "*Well meaning* he may be but in *action* he is most lamentably incapable" (*San Diego Union*, March 27, 1880). Lawson later wrote to Helen Hunt Jackson of the effort to remove him from office, saying, "I have faced petitions with six hundred signers for my removal, perjured affidavits forwarded to me by the Indian office, letters setting forth unheard of rascality." Though accused of several crimes, he was nonetheless vindicated of these charges, and he was reappointed as agent (Lawson n.d.b: June 7, 1883).¹¹

LAWSON'S AGENCY

Whatever his faults and shortcomings, Lawson was a consistent advocate for the Mission Indians, for he took his position of authority and responsibility very seriously. Very often Indians would travel to see him in San Bernardino

to tell of violations of their rights. In his correspondence with the Indian Office, he reported on individual cases of injustices, for which he took corrective action within the scope of his authority, and sought redress from the Indian Office for actions outside the scope of his authority. In the Lawson correspondence is evidence of some of the conditions confronting Southern California Indians, including labor exploitation and the theft of resources from executive order reservations. Lawson made the reasonable request that if evictions could not be averted, Indians should be reimbursed for the improvements on lands they had lost: "it seemed but an act of justice, that the parties who will derive the benefit of such improvements after their ejection, should be required to reimburse them. Untold hardship and dissatisfaction will be wrought, if they are to lose all their labor as well as their homes," he wrote (Lawson n.d.a:382-1880, March 4, 1880). Lawson exposed and condemned cases of "floating lines" at San Jacinto and Warner's Ranch, and tried to secure these stolen lands by appealing to the Commissioner of Indian Affairs for redress "from ejection from their homes and little lands" (Lawson n.d.a:177-1879, Feb. 14, 1879). He did his utmost to postpone ejections from private grants as long as possible.

After the effort to remove him from office in the spring of 1880 failed, however, Lawson's evangelical zeal became muted. He seems to have accepted the fact that his plan for one reservation was becoming a long shot, rather than something he could make happen. If not cynical, Lawson had become far more realistic and pragmatic about how best to use his energies, preferring to concentrate on the details of school construction and the prosecution of liquor traffickers, rather than on the more controversial and intractable question of land. Still, he persistently called for action to deal with the land. In late 1881 Lawson expressed his frustration that "so far nothing definite has resulted from the agitation" he had made "except perhaps, to make more clear, the actual condition and needs of these Indians." Something should be done by Congress, he said, "toward a permanent settlement of the Mission Indians on lands they may call their own." He once again expressed his hope that legislation would be passed at the upcoming session of Congress:

With all, the situation is far from satisfactory. Trouble exists everywhere, growing out of their occupation of lands, not their own. And, three or four of the large

settlements are liable, any day, to be ejected from the homes and lands occupied by them for several generations. It has required tact to manage these land proprietors, so as, to defer as long as possible, the “evil day” of ejection. But it must occur to the Honorable Commissioner that such a state of things is little calculated, either to promote those stable habits of industry, or, encourage enterprises for their civilization, which, otherwise, would be possible. Unfortunately too, in my efforts to adjust the varied and complicated difficulties arising from conflicting interests between Indians and whites, I have not always been able to command the attention of the Department to questions referred for advice or instruction: and, it may be a question, whether, under the circumstances, and, at this distance, it is possible to understand the true situation, so as, to judge correctly or advise intelligently [Lawson n.d.a:198-1882, Dec. 28, 1881].

Lawson lamented the dispossession of the large communities of Indians on private land grants, but he agreed with the consensual view among non-Indians in Southern California that the law was on the owners’ side, and Indian claims to these lands were “imaginary.” Lawson’s acceptance of the inevitability of the ejection of these groups from San Pasqual, Warner’s, and Santa Ysabel is reasonable under the circumstances (Lawson n.d.a:348-1879, April 5, 1879).

Lawson’s record as U.S. Indian Agent after 1880 is redeemed by an increasing pragmatism and willingness to hear what Indians were telling him about their needs and preferences. He continued to put forward his “Portrero plan” to anyone who would listen, but he became a stronger advocate for defending and expanding the scattered executive order reservations, and even creating new ones on the public domain for the Pechanga and Cahuilla Indians. His persistence is notable, since he got so little support from the Indian Office. His courageous and firm opposition to the Indian Homestead policy is perhaps most impressive.

DEPARTMENT VACILLATION AND THE INDIAN HOMESTEAD POLICY

In mid-1880, in preference to a number of small, dispersed reservations or one large reservation in Southern California, the Indian Office decided that a homestead policy be instituted. Lawson was instructed to furnish the Indian Department with legal descriptions of Indian-occupied lands in the public domain to be set aside for the

Indian occupants. Lawson clearly understood that to be the Indian Office’s intent. The new policy was to “give the Indian the land in severalty, not exceeding 160 acres and not to create small and isolated reservations.” Lawson said the homestead act “is objectionable to these Indians”:

While they have adopted the habits and pursuits of civilized life in every other particular they are not ready to adopt that of citizenship in isolated cases. If any considerable number of a tribe were offered this privilege with 160 acres it would be different: but to single out one Indian, as in the case submitted, who was driven by necessity from the too limited reservation, upon an adjoining 160-acre tract, to sever his tribal relations and become a citizen is to invite the jealousy, if not the scorn of his tribe [Lawson n.d.a:12362-1881, July 12, 1881; Lawson 1881].

The case at hand was at Capitán Grande, where the historic village center—where the captain’s adobe home, the Catholic graveyard, and the chapel were located—was “mistakenly” left out of the reservation when it was created in 1875. Desperate to preserve this land, the Capitán Grande captain as instructed had the land surveyed at his own expense. Lawson said this was not a proper solution and provided detailed maps of Capitán Grande with colored lines to make the errors transparent, and demonstrate where the original errors had left out this key site. Without equivocation, Lawson wrote: “I respectfully recommend that the lands enclosed by the red line be set apart by Executive order as a reservation for these Indians, in addition to that already reserved—numbering as will be seen eight (8) sections. This will stop further encroachments into this canyon by white men and will rid the settlement of the man who has lately gone in.” Lawson persisted in demanding this correction on behalf of the Capitán Grande Indians (Lawson n.d.a:3255-1882, July 12, 1881). In the mid-1880s the correction was made.

A second notable victory for the Indians and for Lawson as their advocate, made feasible by a change in administration, was setting aside land in Township 10 south, Range 1 west sections 26 and 35, and Township 11 south, Range 1 west sections 2 and 3 for the many families of Luiseños who had occupied and cultivated a place at Pechanga, after having been ejected from their prosperous adobe village of Temecula in 1875 (Brigandi 1998). Lawson argued that for many of the same reasons, allotment was not practical here (Lawson n.d.a:4063-1881, Jan. 10, 1881). Until Congress acted to create one large

reservation, Lawson reasoned, land must be set aside for the Mission Indians as an interim measure.

The captain of the Pechanga people came to Lawson in early 1882 to press their case, and Lawson made this report:

At great labor, they developed water by sinking wells. It is their last refuge, and they fear, with good reason that, when white men find they have improved and made it habitable, this also will be taken from them. I have not been upon the spot to know what their prospects are, but the fact, that it remained unclaimed and from what I know of the country round leads to the conclusion that at best it affords a scanty subsistence. They want it nevertheless; nothing better is to be found and driven from this, they have nowhere to go. *But I am told, it is not the policy of the government to multiply small and isolated reservations: yet, what is to be done if government withholds from them this boon, small though it be, and fails to provide larger* [italics added]. In my opinion, these people should have this land, occupied by them, reserved from sale and settlement at once, till such time, as other and better provision could be made.

To require them to homestead it, would not be practicable as it is doubtful whether it would afford three families, the allowance under the Homestead Act, while otherwise thirty families will find a home on it. ... Cases similar to this, respecting other Indian settlements have repeatedly been laid before the Department, with similar recommendations: but have so far elicited no response. The situation of the Agent under the circumstances is most harassing. I have repeatedly placed myself between Indians on the one hand, occupying land as these do, and white men on the other, determined to possess the same, and promised the Indians, "you shall not be driven away," but, with no recognition of the Indian in law, the white man has gone to the land office, entered his claims to the land in question, swearing if need be that it is "uncultivated, unoccupied, and not in the adverse possession of another." And I am forced to stand aside and see the Indians driven away, simply because he is an Indian and has no rights under the law. Rather than have this injustice continue, *if government does not provide homes for them, I would reserve from sale and settlement, every acre of government land now occupied by them* [italics added]. In nine cases out of ten, they go upon land that would never be taken up by white men, and, when they have spent years of toil on it, making it desirable, then white men covet it, and the law gives it to them. Where is the inducement for the Indian to labor in civilized pursuits and try to maintain himself? [Lawson to Price in Lawson n.d.a:3256-1882, Feb. 8, 1882].

On March 2, 1882, the Pechanga lands were set aside by executive order of President Hayes (Kappler 1971:822).

Persistence by Lawson to have land set aside at the Portrero finally met with success in the first days of the Garfield administration (Kappler 1971:822). Lawson wrote an exultant letter to the acting Commissioner of Indian Affairs:

I have the honor to acknowledge the receipt of L1277-4394 1881 March 14, 1881 and accompanying papers including Executive Order of March 9, 1881 setting apart lands in Township 2 s r 1 e s.b. meridian with the remark that it affords me as much pleasure as it does the Indians interested to know that this nation's question is at last settled. Capt John [Morongo, the band's interpreter and captain, for whom the Portrero reservation was renamed] whose home is on the Portrero at the reading of the Executive order that secures to his people their homes, gave impression to his feelings by waving his hat and hurraing for President Garfield [Lawson n.d.a:5619-1881, March 16, 1881].

Lawson also made recommendations, upon the pleas of Indians, to set aside some additional lands for the San Jacinto people (Lawson n.d.a:5868-1883, March 21, 1883), and for giving the Torres people full control of their executive order lands (Lawson n.d.a:539-1880, April 5, 1880).

INDIAN IMPATIENCE

Lawson's efforts were finally bringing some results, bolstering his confidence regarding his effectiveness and his paternalistic feelings with respect to "his Indians," but some groups under threat of land and resource loss were impatient and sought to circumvent Lawson in order to get results. Two examples will suffice. At San Ysidro, above Warner's Springs (now part of Los Coyotes Reservation), white homesteaders had appropriated the best land, and the arrival of more homesteaders agitated Captain Pablo Peña, who made visits to Lawson to ask for help, the last in February, 1883 (Lawson n.d.a:3522-1883, Feb. 15, 1883). When Lawson's pleas for redress to Washington got no results, Peña went to Los Angeles and got an audience with the U.S. court commissioner, Henry T. Lee. Lee interested himself in this case of intrusion by homesteaders Armin Cloos and Chatham Helm. Peña and his men also called upon Antonio Coronel, arriving at the Coronel home when Helen Hunt Jackson was there, his "grief-stamped face" making a forceful impression upon her (Mathes 1998; see Figure 5). Why weren't these intruders ejected when the Supreme Court had



Figure 5. Soboba Indian Captain.

Why this captain has fiber net over him is unknown, but his scarred face and the net enclosing him evoke the desperate conditions of the last third of the 19th century for Southern California Indians. (Pierce Collection, Huntington Library)

verified that “lands subject to entry must be uncultivated, unimproved, and not in the adverse possession of another?” (Lawson n.d.a:3522-1883, Feb. 15, 1883).

The Luiseño Indians, formerly of Rancho Cuca on the slopes of Mount Palomar, also decided they must take matters into their own hands; they determined that they must raise the money to visit Washington, D. C. themselves in order to put their case before the authorities, but Lawson discouraged them. In April, 1882, about fifty Indians appealed to a sympathetic white farmer to write a letter for them to Washington to make known their wants and grievances. The neighbor attested that he had seen many injustices to the Indians in the previous fourteen years, though the Luiseños were industrious

and law-abiding. In his letter, the farmer conveyed the information that Lawson would not recognize their chief, and they wanted to know if they could come to Washington, D.C. They “are contin[u]ally drove from one peace [sic] of land to another on some pretext or other and have never had any things from the commissioner but promises and threats they claim they could be self sustaining if left alone on their lands and aloud [sic] some assurance of not being disturbed” (Adams n.d.; Lawson n.d.a:17552-1882, Sept. 19, 1882). Lawson, in his defense, said he felt keenly his inability to do anything for them if Congress would not appropriate money. The Indians “are growing impatient at what they consider the inability of the Agent to do anything for them, and, it is useless to try to explain it to them.... Lands, available now for every purpose of these Indians will soon be out of reach on account of the increasing immigration into this region of the country” (Lawson n.d.a:198-1882 Dec. 28, 1881).

When the Luiseños under Captain José [Albanez] claimed their water rights were being stolen by half-breed Andreas Scott and wanted to go to Washington D.C., Lawson’s response was defensive. He wanted to go to Washington, D.C. himself to represent the Mission Indians, and thought he alone had the knowledge and authority to do this. Lawson had been trying to challenge the centralized authority of Mission Agency head chiefs or “generals” since at least 1881, saying such an empowered person dominated his subjects “under the most frivolous pretext, and to gratify his vanity, he saw fit to call them together” (Lawson 1881:14). Lawson had been at odds with the Luiseño leadership since the spring of 1880, but now he accused them of ingratitude and of being “self-willed and quarrelsome.” He had “by dint of hard work on my part, frustrated [non-Indian] efforts to dispossess them of their homes” under the Desert Land Act, and gotten land for them in Township 10 S, Range 1 West. But now they wanted more:

They were “self-willed and quarrelsome” and ungovernable through their vanity and pretensions to authority. To add to their troubles, the Capt., Albanez, is of a class of Indian sub-chiefs who are averse to settling down to civilized pursuits: but who take great pride in playing the Indian, in holding councils, and projecting visits to Washington. There lies the whole difficulty. Their grievances are not really worth the mention: but are assumed for an excuse to go to Washington that the Capt. may appear as a “big Injun.” Of course I have discouraged any such foolishness, and

therefore they think I am not trying to do anything for them, where, as a matter of fact, I have done more for them in securing laws for them, than for any others [Lawson n.d.a:17552-1882, Sept. 19, 1882].

Indian impatience for results and their complaints regarding Lawson's ineffectuality and infrequent visits to their communities, along with Lawson's defensive posture, suggested that something was afoot. There was friction between Agent Lawson and some of the "wards" under his charge. The situation was ripe for Helen Hunt Jackson to find fault with him as an agent. When she arrived in the spring of 1883 to begin her investigation of conditions, Lawson initially extended every courtesy to help her. She came to his home in San Bernardino and he lent her his interpreter for her tour of Southern California. They corresponded amicably. But as she pursued her investigations, heard many complaints about an ongoing siege on lands and resources, she began digging into Lawson's conduct.

Helen Hunt Jackson's inquiries in and of themselves were a terrible affront to a man who saw himself as having labored selflessly and virtuously in the Mission Indians' behalf. Jackson peremptorily demanded the dismissal of a school teacher who she had heard was guilty of sexual impropriety with his students. She also directly challenged Lawson's authority in countermanding his policy regarding generals. What infuriated Lawson most was that at Pechanga, the Indians were unsure as to who was now the authority, Jackson or Lawson. "[A] council was called of the people there, to know of me whether they are to obey my orders or hers;" they later required Lawson to show them a written document before they would submit to his authority (Lawson n.d.a:10808-1883, June 1, 1883). After a tense correspondence between Jackson and Lawson in the spring of 1883, in which Lawson refused to summarily dismiss the school teacher, Lawson complained of Jackson in a letter to Commissioner Price. No more grim evidence that Lawson had come to hold the security and power of his office above the interests and wishes of the Indians under his charge can be found than his statement in mid-1883 to Commissioner of Indian Affairs Hiram Price that the Mission Indians were "contented and prosperous in every way":

Coming ostensibly, to inquire into the "Condition of the Indians," she assumed the prerogatives of the Agent.... She...restored the office of General which I had abolished, and without consulting them, had appointed a General over the tribe, giving him a commission....

With a mere sentiment and no knowledge practically, of the Indian character, expressions and advice are attributed to her, which have seriously effected the interests of the service.... She has assumed to rule with a high hand, and whether or not her commission to "inquire into the condition of the Mission Indians" gave her the authority she assumed, I am free to confess, she has done the service at this Agency more harm than good. The criticisms by the people and press are anything but favorable respecting her and her work. All I have to say, and I say it reverently, from future female commissioners, good Lord deliver us! A criminal and civil suit is now pending against Mrs. Jackson for defamation of Lawson's character and for damages [Lawson n.d.a:10808-1883, June 1, 1883].

Lawson subsequently moderated his self-righteous attitude toward Jackson, blamed the misunderstandings on his interpreter's meddling behavior, and retracted his harsher comments about her to Price. But he was dismissed or—under pressure to do so—resigned. What transpired is unclear, but the few extant letters written by him after leaving his job as agent reveal that he wished to be vindicated and wanted to recover his lost position. He did this at first, for example, by lending his services towards reform to Helen Hunt Jackson to save the San Jacinto Indians from ejection, and offering his expertise to the newly organized Women's National Indian Association. He directed muckraking fury at the activities of his successor McCallum, provoking McCallum's successor as Indian Agent, John Ward, to accuse Lawson of being an Indian lover warped by false sentimentalism, and not respected by the San Bernardino community. In a more dubious vein, Lawson worked surreptitiously to have Agent Horatio Rust (who assumed the position as agent in the early 1890s and was Helen Hunt Jackson's choice for the position) deposed. He wrote a conspiratorial letter to John Morongo in 1890 regarding getting rid of Rust and getting himself reappointed. Rust claimed Lawson "did all he could to make me trouble but failed to prove anything wrong" (in Lawson n.d.c, Nov. 22, 1890).

CONCLUSION: THE IMPACT OF AGENT S.S. LAWSON ON THE MISSION INDIANS

One of the chief values of the Lawson correspondence is that it provides a glimpse into the passing of the independent rancheria era for Southern California

Indians, when they enjoyed a modicum of prosperity and security. They had adobe homes, orchards, vineyards, improved properties, cattle and horses, and lived with some dignity before the 1870s and the advance of homesteaders who could find no other land on the public domain than that of vulnerable Indians to claim. The correspondence also reveals Indian responses to the crisis during a period far less known than the time after Helen Hunt Jackson's arrival, which is comparatively better documented.

Compared to his successors—McCallum, John Ward, or even Horatio Rust—Lawson more clearly and sincerely focused his energies as an advocate for Indian people; he held his difficult job as Mission Indian Agent far longer than his predecessor Colburn or his successors.¹² Even the *San Diego Union*, which viewed Lawson as ineffectual, conceded that he had “an honest desire to do his duty” (*San Diego Union*, March 27, 1880). What Agent John Ward intended as an insult appears in retrospect to be a compliment. Ward faulted Lawson for being too much a friend to Indians, proudly boasting of his own neutrality—holding “the scales of Justice evenly between the Whites and the Indians” (Ward n.d.).

Lawson's overall impact on the Mission Indian Agency is best described as mixed. On the one hand, his tenure as agent had an important, formative influence on the shape the Mission Indian Agency was ultimately to take, expanding and defending the land base. His favored reservation, Portrero or Morongo, grew to encompass a large area of desert land, but with enviable water rights. Pechanga was carved from the public domain. But Santa Ysabel ranch might have been purchased without his obstruction. After 1881, Lawson courageously defended the executive order reservations, and blocked the full implementation of the Indian Homestead policy to supplant the communally-held reserves. These are a few of the important ways, for better or worse, that Lawson shaped the landscape of the Mission Indian Agency. Clearly, the powerful Jackson stole the limelight, and eclipsed Lawson's worthy efforts. On the other hand, to argue that S.S. Lawson was an unsung hero is to overstate the case. Lawson may best be remembered for his dogged advocacy of a “one reservation” policy in Southern California, which violated the wishes of Indian people adamantly opposed to consolidation. Through no fault of his own, he could only infrequently deliver on his

promises to protect them or their lands. His visits to their communities were few, far between, and superficial.¹³ He never learned their language or culture or seemingly made much effort to do so, though he did build schools and invite Lutheran missionaries to come minister to them. Though well-meaning, he was dangerous because of his power. From the native perspective, notably that of the Luiseños and Diegueños, he may well have been viewed as part of the problem, not a part of the solution.

NOTES

¹ Lawson to Helen Hunt Jackson, June 7, 1883; transcription in HHJ's hand (Lawson n.d.b).

² Riverside County was formed in 1893 from parts of San Diego and San Bernardino counties. J.E. Colburn was the first agent. Grant set aside nine reservations in 1875: Portrero (with three Luiseño communities, later separate reserves of La Jolla, Rincon and Yapiche), Cahuilla, Capitán Grande, Santa Ysabel, Pala, Agua Caliente (aka Warner's Ranch, with multiple villages including San Ysidro, later Los Coyotes reservation), Sycuan, Inaja, and Cosmit. By executive order on May 20, 1876, more were set aside: Mission [Creek], Torres, Cabezón, Portrero (later called Morongo/Malki, with Cahuilla and Serrano people), Agua Caliente (Palm Springs), and three communities simply designated as villages. This followed an abortive effort to set aside two large reserves in 1870 in the Pala and San Pasqual valleys. Another reservation was set aside in 1877 by President Rutherford B. Hayes.

³ According to some unconfirmed sources, Lawson's first name was Samuel. In the 1880 U.S. census, S.S. Lawson is listed as married; in the 1900 census, a Stephen S. Lawson is listed as living in Los Angeles' Ward 6; see *San Diego Union*, March 26, 1880, and <http://www.heritagepursuit.com/cashocton/cofile4.htm>, accessed July 10, 2005.

⁴ There are approximately four dozen letters and reports to the Commissioner of Indian Affairs and other superiors in RG75, Special Cases 31, National Archives I, Washington, D.C. (hereafter cited as Lawson n.d.a, followed by document number and date), in addition to annual reports to the CIA, a major source for the current study. There are also two letters in the Huntington Library (RU 439, Lawson to John Morongo, Nov. 22, 1890; and CT 1544, Lawson to Chalmers Scott, Jan. 27, 1881); and nine letters to Helen Hunt Jackson in the HHJ Collection, Tutt Library, Colorado College, Colorado Springs, Colorado: Letters relating to Indian Affairs, Box 2 HHJ Papers, Part 1, Ms. 0020, Folder 4 (cited here as Lawson n.d.b). Valerie Sherer Mathes has made extensive use of these sources in her articles and books on Helen Hunt Jackson.

⁵ Letter from Helen Hunt Jackson to Antonio F. and Mariana Coronel, Aug. 19, 1883 (Mathes 1998: 289–90); HHJ to Ephraim Morse, November 3, 1883 (Mathes 1998: 293–7).

⁶ Spanish, meaning “pasture lands;” there were numerous places with this name in Southern California where missions, ranchos, and Indians pastured stock. The La Jolla reserve, aka Cuca Rancho, was also called a “portrero.” Readers should note that there were at least two communities called “Rincon” (from the Spanish term for a boxed canyon), and two communities (one at Palm Springs and one at Warner’s Ranch) called Agua Caliente (translated from the Spanish as “hot water” or “hot springs”).

⁷ After Olegario’s death in 1877, there was a struggle over succession and the question of who would be the “general” of the Luiseños. José Antonio Sal was favored by the whites and held the position as General until November, 1878; Olegario’s crowd put forward another candidate (Hyer 2001). The Rancho San Jacinto Viejo was partitioned in 1882.

⁸ Phil Brigandi is the source of this quote (Brigandi, personal communication, Aug. 15, 2005).

⁹ The dissolution of the Pala and San Pasqual executive-order reservations and the subsequent eviction of the Temecula Indians in 1875 created some local public sympathy as well as the will by the Indian bureau to create an Indian land-base in Southern California.

¹⁰ See editorials of Jan. 27, 1880, Feb. 3, 1880, Feb. 26, 1880, and March, 4, 1880.

¹¹ Neither this petition (with its list of signators and specific charges) nor Lawson’s defense have yet been located in the BIA records.

¹² McCallum served as agent from 1883 to 1886 and was succeeded by John S. Ward, who served from 1886 to 1887. Ward was replaced by Joseph Preston, who was Mission Agent from 1887 to 1889. Horatio Rust followed as agent; he was dismissed prematurely for alleged wrongdoing.

¹³ Lawson made a number of excuses as to why he had not taken a trip to investigate a situation in San Diego County (Lawson n.d.a:20844-1882, Nov. 13). He claimed in his 1881 Annual Report to have made an arduous 1000-mile trip over desert and mountains, involving great labor and difficulty, in 1880–81, and while his correspondence shows a reasonable knowledge of situations on different reservations, there is no extant report on this tour in SC-31. The Jackson-Kinney report contains the report by J.G. Stanley, based on interviews with the Desert Indians, that Lawson had never visited them nor taken any interest in them, though he did make at least one visit in 1878 (Jackson and Kinney 1883: 506).

ACKNOWLEDGMENTS

I am grateful to Phil Brigandi for generously sharing references from the *San Diego Union*, and for his critical comments on a draft of this article. I also want to thank Charlene Ryan (of Soboba), George Phillips, Imre Sutton, and Tom Blackburn for

their help, as well as Jessy Randall, curator of Special Collections, Tutt Library, for sharing Lawson’s correspondence with Helen Hunt Jackson in the Tutt Library collections.

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