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Title

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Journal

Journal of California and Great Basin Anthropology, 21(2)

ISSN

0191-3557

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Publication Date

1999-07-01

Peer reviewed

On the Fault Line: Political Violence at Campo Fiesta and National Reform in Indian Policy

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When federally appointed Indian Agency policemen, reinforced by county sheriffs, arrested two Indians suspected of selling alcohol at the Campo Reservation fiesta in San Diego County in 1927, the Mission Indian Federation (MIF) police protested and freed the prisoners. This sparked a violent confrontation, during which the Campo MIF captain and judge were killed. The causes for the political violence are situated in the disagreements between the MIF and the Office of Indian Affairs over jurisdictional questions. It is argued that the confrontation had an important impact on national Indian policy.

ON July 16, 1927, at the Saturday evening dance of the Campo Reservation fiesta, a violent confrontation occurred when prohibition officers attempted to arrest two men suspected of bootlegging. Two Indians died of gunshot wounds, another Indian and a federal agent were critically injured, and many others were clubbed and suffered other minor injuries. One newspaper, the *Calexico Chronicle* (Anonymous 1927a), reported “[t]hat more men and even women and children were not wounded or killed in the furious fighting that lasted for several minutes is little short of a miracle.” A few days later, the *San Diego Independent* (Anonymous 1927b) referred to these Campo deaths as “Indian Killings” (also see Anonymous 1927c, 1927d).

The explosion at the Campo fiesta was the climactic episode in an escalating power struggle between factions within the Mission Indian Agency (MIA) in the 1920s. On one side politically was the Office of Indian Affairs (OIA, known today as the Bureau of Indian Affairs [BIA]) and its allies. On the other side was the Mission Indian Federation (MIF)—a quasi-governmental organization purporting to represent the collective will of southern California’s reservation people (Castillo 1978: 715; Young et al. 1976:16). The San Diego press, reflecting mixed opinion within the general population of southern California, demonstrated some sympathy for the latter, incurring the enmity of the

federal government. The whole affair was the “result of the Indian Bureau’s mismanagement” (Jenkins 1927) wrote one informed citizen. It was further noted that “[t]he government has lost all control over these Indians on their reservation, as well as losing their respect and confidence” (Jenkins 1927).

The issues leading to the confrontation at the Campo Reservation resonate with the contemporary controversy over casino gambling on California Indian reservations. Friction in both cases comes from the considerable legal ambiguity over the proper limits of state, federal, and tribal jurisdiction over Indian people and reservation lands (Mesey 1996).¹ To what extent do Indian peoples reserve rights to lawmaking, policing, and adjudication of criminal and civil affairs on reservation land? What is the legal basis for the extension of federal or state authority, or both, over reservation lands and peoples? What are the legitimate institutions for governance on Indian reservations (MacGovern 1995)?

During the 1920s, these difficult questions over the contested boundaries of sovereignty were hotly debated topics among the more politicized of southern California’s Indians. Nationally, others were also engaged in the reexamination of the problematic relationship among state, federal, and tribal sovereignties. Vocal criticism of the OIA ultimate-

ly resulted in a major restructuring of federal Indian policy (Schmeckebier 1927:81). Known as the Indian New Deal, this reform in federal-Indian relations is popularly associated with its most prominent national crusader—and later Commissioner of Indian Affairs—John Collier, and its keystone legislation, the Indian Reorganization Act (IRA) of 1934 (Philp 1977). Pushed through Congress by Collier (who closely monitored the political upheaval in California), the IRA returned a measure of “home rule” to Indian reservation communities as the MIF had demanded, while purportedly ending “colonial” federal rule which had characterized federal Indian policy for the previous half century (Spicer 1969).

It is argued herein that southern California Indian political activism played a major, although previously unacknowledged, role in the structural transformation of American Indian policy in the 1920s and 1930s. The Campo fiesta outburst was a flash of political violence during a decade-long sequence of nonviolent legal and symbolic protests by the MIF in the 1920s. These activities had a cumulative impact on national policy.

CALIFORNIA INDIANS ON THE NATIONAL FAULT LINE

The legal basis for Indian sovereign powers resists easy definition, which is why there has been so much confusion and chronic friction over its limits vis-à-vis the county, state, and federal sovereignties. There is a succinct description of the relationship of the Indian tribes and the people of the United States in the landmark 1886 Supreme Court decision, *United States vs. Kagama*, as having “always been an anomalous one and of a complex character” (as cited in Schmeckebier 1927:3).

Confounding any attempt to understand the legal status of the California Indians is the fact that California was not typical of other regions in terms of major national trends in federal-state-Indian relations. The most common basis for tribal sovereignty derived from eighteenth and nineteenth century treaties, which established peace, formal

nation-to-nation diplomatic ties, and land bases. However, some Indians—southern California Indian peoples known collectively as the Mission Indians among them—established the legal relationship known as the “federal trust relationship” when reservations were established by executive order after the treaty-making period ended in 1871. Land was first set aside for Mission Indians in 1875. Mission Indian reservations acquired federal trust status between 1891 and 1913 (Shipek 1978:610). (Another major method of establishing tribal sovereign status is by a time-consuming bureaucratic process established by the Department of the Interior in 1978; many Indian groups are still striving to achieve “federal recognition” today by this third method [Slagle 1989].) California Indians generally did not follow the common road of treaty-making to federal recognition, because the 18 treaties negotiated by California Indian peoples in 1851-1852 were not ratified by the U.S. Senate.

Following the public outcry in the 1870s and 1880s due to Helen Hunt Jackson’s publications and lobbying efforts, the federal government belatedly acknowledged the injustice done to California Indians with the passage of the Act for Relief of Mission Indians in 1891, and gradually began creating homes held in federal trust for some of the state’s Indian survivors (Mission Indian Agency File 158).² Among these, approximately 5,000 people—remnants of the Kumeyaay (more popularly known as Diegueño), Cahuilla, Luiseño, Cupeño, and some Yuman peoples—came under the jurisdiction of the MIA at the turn of the century (Board of Indian Commissioners 1890:11-13, 37; 1902:15; 1906:12). These 30 executive order reservations were dispersed across San Diego, San Bernardino, and Riverside counties; for the most part, they were located on arid mountain or desert land (Young et al. 1976:15; see Fig. 1).³

Thus, the federal trust relationship was established *belatedly* at the turn of the century when Mission Indian land bases were created by presidential decree. Moreover, the federal relationship was weaker and the Mission Indian reservation land

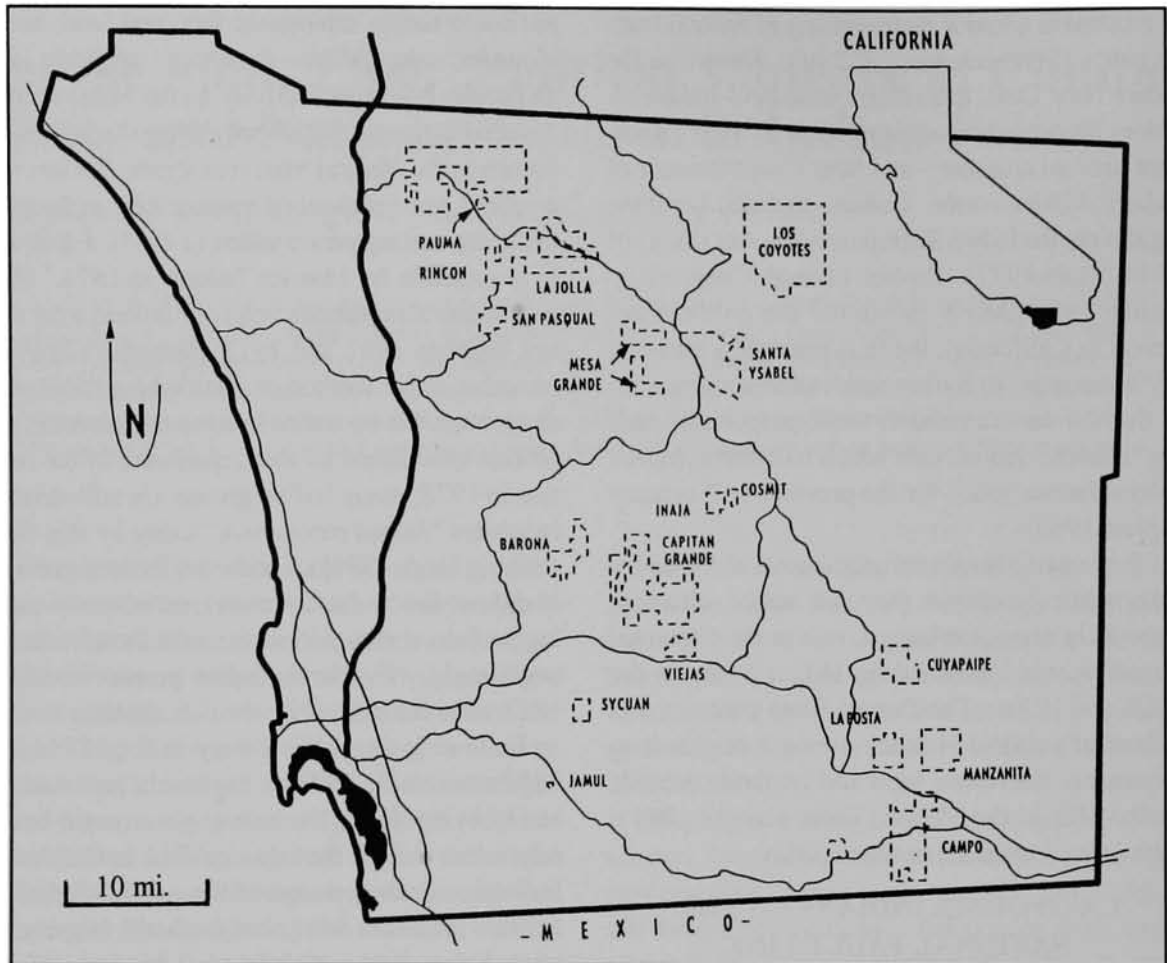


Fig. 1. Map of southern California reservations (adapted from Shipek [1978:611]).

base and its resources were *less secure* than for treaty tribes. Executive order reservation boundaries, for example, are ill-defined and subject to adjustment or cancellation (Sutton 1965:16). Lacking protection for their lands and resources, many adapted by finding employment and residency off the reservations. In contrast to Indians nationally, southern Californian Indians historically had lower rates of occupancy on reservation lands (Sutton 1965:xviii, 101, 239, 290).

One of the peculiarities of the California Indian experience, stemming from the initial denial of treaty rights, was that they fell through the legal cracks. Lacking a well-defined and strong federal trust relationship, educational and health benefits

were minimal (Hurtado 1988). A majority of California Indians, having seemingly assimilated because of the needs for survival, were invisible to federal authorities; they were thus viewed as California citizens. The state government, however, felt disinclined to provide social services to Indians. In the state's view, they were Indian wards, not state citizens (Mission Indian Agency File 63; Thorne 1995a:3). For California Indian peoples, there was a pronounced historical pattern of suffering and injustice in the nineteenth century. State and federal authorities either neglected them and/or were directly implicated in the theft of their resources.

Thus, in divergence to national trends, the federal trust relationship with California Indians was

weak during the critical early years of non-Indian settlement and statehood. A second major difference is that historically, when nationally a majority of Indians were making the transition *from* wardship to citizenship, California Indians were making the transition *toward* federal wardship. After the passage of the Dawes Allotment Act in 1887, the national trend was for the federal government to phase itself out of "the Indian business" by breaking up tribal political institutions and tribal properties and determinedly pursuing a course of cultural and political assimilation. However, in California, the OIA bureaucracy was expanding and differentiating. Thus, the federal government's impact on California Indian people's lives was becoming more intrusive from the 1880s to the 1930s, while elsewhere in the country Indians were being more or less willingly "liberated" from OIA (hereinafter referred to as BIA) jurisdiction (Schmeckebier 1927:152-159).

Late in coming to southern California, the MIA's bureaucratic apparatus was initially skeletal and fluctuating, its budget small, and its "civilizing" efforts sporadic rather than continuous from 1880 to 1910. Less than half was spent on California Indians per capita than the national average. Originally, the superintendent of the Sherman Institute had the major responsibilities as agent for the region. When the MIA was reorganized and expanded after 1910, its personnel consisted of teachers, superintendents, field matrons, farmers, and Indian policemen. The MIA employees' duties included maintaining law and order, instructing Indians in homemaking, farming, and other aspects of "civilization," and improving the reservation infrastructure with schools, water distribution systems, roads, and so forth.

The Ethnic Fault Line

Because the California Indian situation in the 1920s was in several major ways quite different from that of Indians nationally, their changing legal status served to set in bold relief some of the failings and contradictions in federal policy regard-

ing the means and ends of federal Indian policy and specifically Indian rights to self-determination. The Mission Indians clashed violently with the BIA over land use, subsistence strategies, and politics, and the MIF became the vehicle for dissent. Nationally, for example, it was becoming apparent that the BIA's allotment experiment was not working. The MIF strongly resisted allotment in the 1920s when the policy was most vulnerable to criticism. Political activism by southern California Indians revealed that despite 50 years of engineering to bridge it, a legal fault line based on Indian ethnicity still marked the land. This fault line still had the energy and force to violently shake the nation.

ETHNIC BOUNDARIES AND CULTURAL CHANGE IN SOUTHERN CALIFORNIA

"All the Land Left is Rocks and Hills and Mountains"

While shock waves from southern California were felt nationally, the causes for the violence at Campo in San Diego County were culturally and politically specific. The regional culture of southern California native peoples was characterized by a surprising diversity in language and cultural practice. Overlaid onto these particular aboriginal adaptations and cultural expressions were different historical encounters, which shaped indigenous people's postcontact adaptation. The native peoples along the southern California coast were impacted earliest and most sweepingly by the Spanish Franciscans, and later by the Americans (Phillips 1971). The Cahuilla, who occupied desert and mountain land distant from the coast, along with the Campos and other interior bands of Kumeyaay, continued their traditional subsistence techniques and maintained their language and lands longer. The degree and rate of cultural change was closely related to access to native territories from Euroamerican settlements (Shipek 1978:610; Connolly 1995a).

The inland peoples, like the Campo band, eventually faced dispossession and were literally and

metaphorically “pushed into the rocks.” Mission Indian Sam Carriles lamented that “All the land left is rocks and hills and mountains” (Shipek 1987; Pearson 1995:7-9). In the 1860s, the Campo Indians were violently displaced from the valley known as Milquatay in the high desert near Tecate Peak by ranchers from Texas. Violent confrontations reached a peak in the 1880s. When an Indian was killed, it was declared “accidental.” One Campo man grimly observed: “Indian get killed; accidental. [An]other Indian killed; accidental. By and by no more Indians; accidental” (Gunn 1945:10). Thus, the Campos were relegated to less desirable lands outside of the valley. By executive order, in 1891, a square-mile reservation was set aside for the Campos; this was enlarged in 1910 to encompass 25 square miles (15,000 acres). The Campo band is one of 12 Kumeyaay bands occupying reservations in San Diego County (Connolly 1995b:1; see Fig. 2).

From 1870 to 1900, the peak era of Mission Indian resource use and residency (Sutton 1965:290), such reservations made ethnic, and perhaps even physical, survival possible. Language, subsistence practices, and some traditional activities like burial practices and shamanism enjoyed some continuity into the twentieth century among Desert Cahuilla, mountain Kumeyaay, and some Yuman peoples. At Campo in the 1910s, for example, amateur ethnographer Ed Davis witnessed the last performance of the Kurok (or Death) Ceremony (Davis 1919). Being marginalized on unproductive land also preserved aboriginal culture to some degree. Racial prejudice, poverty, and cultural differences served to sustain social cohesion and ethnic boundaries (Klein 1997:208).

Most of the Mission Indian land was environmentally marginal, too arid and rocky to afford many the opportunity to become permanent and self-supporting residents through farming or ranching. Where water was available, expensive irrigation projects were often needed to utilize it. Many Indians found it more practical to work as wage laborers off the reservations, rather than as subsis-

tence farmers on the reservation. Many people labored seasonally as migrant workers picking fruit or as ranch hands or domestics. However, a continuation of subsistence practices of the nineteenth century persisted into the twentieth. While many reservation residents gathered acorns, made baskets for the tourist trade, cultivated gardens, and had fruit trees, cattle, horses, pigs, and chickens, others resided in towns and cities in southern California where they worked at a variety of jobs (Sutton 1965:179-185,195). According to a 1927 government report: “The Indians follow a variety of occupations; horticulture, and farming, labor, industrial, domestic, construction, native arts. They are constantly changing from one to another, depending on demand” (Johnson 1927:4-5; also see Young et al. 1976: 15; Shipek 1978:611; Mission Indian Agency File 92).

Cultural Continuity and Cultural Syncretism

Despite overwhelming evidence of major economic and sociopolitical disruption, a core of cultural values persisted into the twentieth century (see Shipek 1978:617-618, 1982:296). These cultural values were revealed subtly in world views. Evidence of cultural continuity can also be found to some degree in the persistence of social-ceremonial activities in fiesta celebrations, in subsistence strategies, and in political culture.

Continuity in Fiesta Celebrations. Around the turn of the century, directed cultural changes came to the Indians of the MIA reservations—and to the Kumeyaay of the Campo district in particular—with the arrival of missionaries in 1903. Father Edmund La Pointe spent 29 years of his life (and the better part of his personal fortune) ministering to the Indians of San Diego County. He established chapels at Campo, Descanso, Mesa Grande, Sycuan, and Jamul in the early 1900s (Anonymous 1932). Though Protestants were becoming more active in their missionary work by the 1890s,⁴ the Catholic Church maintained perhaps the strongest and most continuous control over the Christianization and education of southern California Indians.

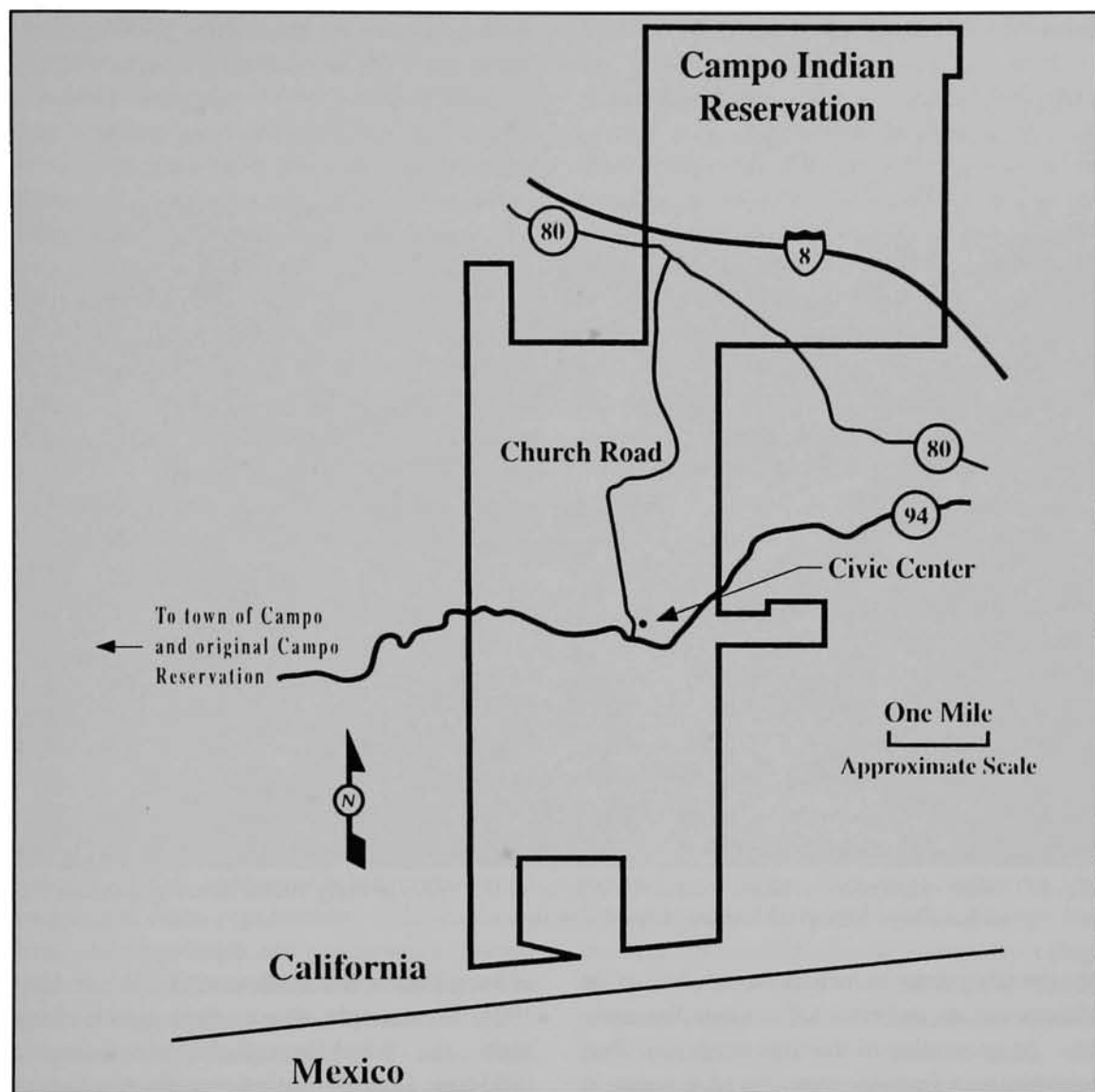


Fig. 2. Map of Campo Reservation showing major highways today (adapted from map provided by Michael Connolly of Campo Reservation).

Intermarriages between Indians, Mexicans, Mexican-Americans, and Hispanicized Indians of the coast also reinforced the Catholic leanings of the MIA. Traditional practices and beliefs coexisted with Catholic practice, just as Indian languages were spoken alongside Spanish. As in other parts of the Southwest, where Spanish and Catholic cultural influences were pronounced, fiestas were held on Saint's Days. These events, traditionally hosted by

the village "captains" (or leaders) were occasions for religious observance as well as social celebration (Blackburn 1974:98, 109). Fiestas thus provided an expression, if in somewhat modified form, of traditional political and ceremonial forms, including religious observances, hospitality, dances, games, and other activities (Strong 1929:121; see Fig. 3).

Fiestas were popular events held by each reservation community. By the 1920s, fiestas adapted



Fig. 3. Fiesta celebration on Santa Ysabel reservation in the 1920s or early 1930s. (Photograph courtesy of San Diego Historical Society, Ticor Collection.)

to the changing times to include modern as well as traditional dances, and attracted a non-Indian audience. As spectacles of cultural exoticism, their ceremonies and festivals experienced a vogue in popularity among non-Indians. The general prosperity of the 1920s, the ease of automobile transportation, and the boom in tourism afforded the leisure, the means, and motive to participate in such events in southern California's reservation communities. Those attending the events were not only invited relatives and friends from neighboring reservations and communities, but Anglo-American and Mexican visitors as well. The fiestas also provided a supplementary form of income for promoters and concessionaires (Klein 1992:470).

In a broadside for an eight-day fiesta in honor

of Saint Ynez at Rincon Reservation in late August 1924, for example, dances were promised every night—the “Whirl Dance,” the “War Dance,” the “Old-time Dance”—and during the big Saturday night event for which 50 cents was charged, Helen Kirkham's Orchestra furnished “peppy” music. Along with the dances was a full slate of competitions, including pie- and watermelon-eating contests, horse and foot races, and “sewing button contest on horseback,” for which prizes were offered. Contemporary American western-style music and dancing were offered at the fiestas to satisfy the tastes of the younger people, as well as curious tourists (Mission Indian Agency File 73; Mission Indian Federation 1922:13).

The more pious Mission Indians did not approve

of the increasing worldliness and commercialization of the fiestas. At Pechanga in 1925, for example, a fiesta celebration on an upcoming religious holiday was proposed to the captain of the reservation. He convened a meeting at which many people protested that this was a religious event, and thus they disapproved of having dances and games. The promoters, who were determined to have a dance event, appealed to George Robertson, the government farmer at Pala, to override the community veto. Adam Castillo, president of the MIF, stepped in as a peacemaker. Captain Eduardo Garcia wrote to MIA Superintendent Charles Ellis, stating that it was not "our custom to hold festivities on certain dates . . . unless it is the wish of the majority of the people." Furthermore, said Garcia, most of the promoters of the event were nonresidents, backed by non-Indian financiers (Mission Indian Agency File 91). Robertson was persuaded by Castillo and other MIF members John Ortega and Bob McGee to allow the event, which went off quietly.

Continuity in Settlement and Subsistence Strategies. Twentieth-century economic adaptations to a mixed economy tapping multiple sources of support, primarily wage work, provide suggestive evidence of persistence of traditional survival strategies and social organization. Individuals relocated and households and communities reorganized in tune with the available food supply. The population levels within the 30 reservations fluctuated from season to season and year to year. Reservation communities, such as Ramona, with 100 members, diminished to a handful over a 20-year period. According to BIA census figures (United States Census 1922-1925), among the largest reservation communities within the MIA in 1922 were La Jolla with 229 persons, Mesa Grande with 213, Morongo with 252, Pala with 206, and Pechanga with 215 (not all of whom were resident). Campo's population remained fairly stable at approximately 140 persons (or 24 families) enumerated in the 1910s and 1920s MIA census reports (United States Census 1916-1919, 1922-1925). Many reservations had less than one hundred and several had

less than a dozen persons. There was a large number of absentees or nonresident Indians (United States Census 1916-1919, 1922-1925, 1926-1929, 1937). According to figures provided by Sutton (1965:239), approximately one-third lived on their respective reservations; another third lived on other reservations within the MIA, and the final third lived in the southern California vicinity.

Continuity in Political Culture: The Kumeyaay Example. From interviews with elders conducted after 1955, Shipek (1982) attempted to reconstruct the aboriginal political culture of the Kumeyaay people of the southern California/northern Baja California region. The Kumeyaay had a territorial band organization crosscut by a sib kinship structure, meaning that sibs had relations scattered among many bands. Unlike the Cahuilla or Luiseño, the Kumeyaay leaders were not chosen from the major sib unit in a major village. Rather, the captain or *kwaaypaay* was typically chosen from outside the village in which he assumed leadership; this allowed him more objectivity in judging disputes. The captains resided in the central villages. Adjudicating disputes, directing ceremonies, and conducting interband diplomacy were their responsibilities. They were multilingual, and they characteristically were linked through intermarriage to the elite of other Kumeyaay villages. They wore distinctive insignia of their elevated rank and enjoyed more wealth and more power in decision-making than their fellow villagers. When a captain died, captains from surrounding villages chose a successor. Shipek (1982:297-300) argued that prior to the arrival of the Europeans, the Kumeyaay had a national identity, sustained by military alliances and trading networks. The evidence of this, although sparing, includes: (1) a leadership hierarchy; (2) a military alliance network; and (3) regionally respected leaders (i.e., "generals" who were military leaders) (Shipek 1982:297-300).

Although Euroamerican intrusion caused a major sociopolitical disruption, Shipek (1982:296-297, 300) emphasized that residual aspects of Kumeyaay political culture survived into the twentieth

century; village captains and even national leaders performed their traditional responsibilities. These traditional Kumeyaay leaders included General Paayon (of the Hillymeyap *sh'mulq*) and his son Jose Largo (Shipek 1982: 301). The Kumeyaay, accustomed to self-rule, chafed under the yoke of the BIA. The traditional leadership was opposed to the Bureau.

Political Accommodation and Conflict Between the MIA and the Mission Indians

These cultural practices and economic adaptations of the Mission Indians, living on the margins of the burgeoning metropolitan society of southern California, were in jarring opposition to the political culture of the BIA. The Bureau's mandate was to promote economic self-sufficiency and fixed residency on privately held allotments. Neither the Indians nor the non-Indian taxpayers wished to be burdened with the debt for irrigation projects. But failure by the Indians to farm threatened loss of water rights due to nonuse as urban communities expanded and non-reservation neighbors greedily claimed any available water sources. Loss of water made the executive order reservations less habitable, and indeed totally superfluous. Thus, the MIA faced failure in two of its principle responsibilities: protecting the property rights of the Mission Indians and making them into self-sustaining farmers. The MIA was also wide open to criticisms regarding substandard housing, sanitation, and health conditions (Sutton 1965:213).

In sum, the Indians and the Bureau were working at cross-purposes, an incompatibility which produced frustration and ultimately flared into hostility. An allotment program on this unlikely landscape (save a few of the better watered reservations like Pala), bereft of water and workers, made little sense, but the arbitrariness of reassigning and downsizing the allotments—a task undertaken by the MIA in the mid-1920s—brought the Indians to fury. Many of those affected rallied behind the anti-BIA banner of the MIF. A subsequent program by the BIA to promote agriculture by encour-

aging Indians to join the Farm Bureau brought abysmal results. MIA farmer George Robertson reported that this was because the MIF was against “organized work” or “any work the government wants done.” In the Campo district, comprising Campo, Manzanita, Laguna, La Posta, and Cuyapaipa, a government teacher's attempt to form a farm club got no response (Mission Indian Agency File 99.1, File 97).

John Collier (1934:1-2, 8) later agreed wholeheartedly that the Bureau's allotment program was foolhardy. Paradoxically, he faulted the MIF as wrongheaded in its opposition to the Bureau. Collier's criticisms of the impracticality and inflexibility of the MIF—in terms of its goals, demands, and methods—could equally be leveled at the Bureau of Indian Affairs.

With other issues besides land tenure, the BIA became progressively more intent on reforming the lives of Mission Indians, so the level of friction rose steadily. In the early period of administration, there appears to have been mutual accommodation. During the 1880s, as a pragmatic solution to maintaining law and order within reservation communities under federal jurisdiction, the Department of the Interior established the Court of Indian Offenses, whereby Indians themselves were employed to enforce the will of the BIA. Local agents appointed “worthy” Indians to positions as judges and policemen. This system worked reasonably well within the MIA jurisdiction and elsewhere, so long as the men recognized by the BIA were also recognized as authority figures within the Indian communities. The BIA and the Indian leaders worked together to keep peace and order. However, when a judge made an unpopular decision—for example, levying a fine against a wrongdoer—or when the tribal judge and the Indian agent disagreed on a punishment, there could be friction (Farris 1994).

Until the 1910s, the Bureau respected the Mission Indians' right to select their own captains, who in turn appointed men to enforce order. At Los Coyotes Reservation in 1909, for example, Captain Antonio Norte resigned as captain after he and Su-

perintendent Thomas Games disagreed about the disposition of a case. The community also did not support Norte's judgment, and they subsequently chose Raymundo Chaparoso to act as captain and judge (Chaparoso 1909). MIA personnel met stubborn resistance or outright confrontation when they tried to impose an unpopular policy on the Mission Indians. In a letter to the Commissioner of Indian Affairs in 1910, Superintendent F. A. Swain reported that the Cahuilla "all feel that if they decide anything in meeting that is more binding than any [federal] law or rule . . . and even if though your Office overrules them they can still disregard the rule . . ." (Mission Indian Agency File 76). In 1912, the Cahuilla murdered an unpopular MIA agent (Anonymous 1912).

The MIA's efforts to monitor fiesta celebrations were necessitated by the fact that alcohol abuse and public disorder sometimes marred these events. Drinking, fighting, and other activities such as gambling or dancing—which either led to violence or purportedly encouraged immorality and "paganism"—met with the disapproval of the BIA. Captains, therefore, were required to provide notice of fiestas to the agency superintendent. For example, on December 9, 1908, Captain Norte wrote to Superintendent Games about news of a fiesta of Christmas to be held by the San Ysidro people. Norte assured Games that he would appoint "some of my men . . . to keep them in good order. Then there will be no trouble. That is all" (Norte 1908).

Between 1915 and 1925, the Bureau gradually became more autocratic. In a change of policy, captains were appointed by the MIA (Mission Indian Agency File 91). The MIA employed a staff of Indian policemen who were not subject to the captain's authority. Nationally, the BIA grew accustomed to exercising power in almost every area of the "restricted" Indians' lives—i.e., those not yet considered to be fully assimilated as private property owners and citizens via the Dawes Act—including their religious practices. In early 1923, the Commissioner of Indian Affairs issued a circular to Indians nationally in which he strongly discouraged

"useless and harmful" dances, especially insofar as these interfered with agricultural work. His edict could have been interpreted as authorizing all superintendents to prohibit dances during seasons of peak agricultural activity (Mission Indian Agency File 73; Pearson 1995:121)

Authority to make such edicts derived, not from Congress, but from the Department of the Interior's discretionary powers. Voluminous rules and regulations for reservation governance, some in the form of circulars, were sent to Indian agents in the field. In turn, in the maze of uncodified rules, agents were allowed to use their discretionary powers in determining which to enforce (Schmeckebier 1927:158-159). The resentment of the older Kumeyaay and Cahuilla leadership to the growing intrusiveness of the MIA over livelihood and governance fed the recruitment efforts of the MIF.


MISSION INDIAN FEDERATION

Political Activism and Factionalism

Although the MIF was southern California's most popular and long-lived grass-roots organization in the twentieth century, almost nothing has been published about it (Moguia 1975; Young et al. 1976:16; Castillo 1978; Shipek 1978). The most obvious explanation is that the MIF was extremely controversial during its day and remains so to the present. Reservation communities were divided into pro- and anti-Federation factions for decades. Moreover, it was dynamic and fluid. Its membership changed from its founding in 1919 until its expiration in the early 1970s.⁵ The Federation's membership (and their opponents) focused on different issues on different reservations (see Fig. 4).

Contributing to its enigmatic nature was the fact that its top leadership was non-Indian: Jonathan Tibbet, an aging, romantic philanthropist, founded the organization in 1919 and hosted the biannual meetings at his home in Riverside, California, until his death in 1930 (Thorne and Jacobs 1992). Subsequently, Purl Willis of San Diego took up the job as "counselor," networking, publicizing, lobbying,

Reproduced from the holdings of the National Archives
Pacific Southwest Region



To all Captains, Members and Friends:

You are hereby notified to attend the Semi-Annual
Convention on April 26th to May 1st inclusive, 1926.

Monday, April 26, Captains' Day
Tuesday, April 27, Captains' Day
Wednesday, April 28, Business Day
Thursday, April 29, Open Day,
Fiesta and Barbecue
Friday, April 30, Business Day
Saturday, May 1, Business Day

COME ONE! COME ALL!

A splendid program has been arranged of Music, Songs and Speaking
for the Open Day

Eagle Dance at 5 P. M.
Fire Eating at 8:30 P. M.

Ancient Ceremonies and Dances will be given three nights in succession
All friends of the Indian cordially invited to be present on Open Day

Mission Indian Federation
Council Grounds, 171 East Prospect Ave. Riverside, California

Fig. 4. Announcement for the 1926 Semi-Annual Convention of the Mission Indian Federation. Such conventions were held at the Tibbet home in Riverside, California, throughout the 1920s. The logo at the top of the announcement includes a picture of MIF President Adam Castillo.

and serving as a legal advisor and guide as Tibbet had done before him. The BIA held the view that Tibbet and Willis were troublemakers, inspired by selfish motives, who misled and extorted money from the MIF's gullible membership. Tibbet and Willis, the white "advocates" of the MIF, were viewed negatively and charged with causing Indian factionalism (Collier 1934:9; Shipek 1978:613). It

is likely that the MIF's complexity and the tarnish of political incorrectness were contributing factors to its neglect as a topic for scholarly study. In the last few years, however, there has been a revival of interest in the MIF and several papers have been presented at California Indian conferences (Thorne and Jacobs 1992; Castillo 1994; Thorne 1995a, 1995b; Pearson 1995; Saubel and Dozier 1996).⁶

“Intense Loyalties and Energies”

Unquestionably, the MIF attracted a large and politically committed membership. As Collier (1934:8) observed, “intense loyalties and energies” were tied up in the MIF. Three general explanations are offered for the Federation’s popularity with many Mission Indians across the Southland in the 1920s. First, at the outset, Tibbet’s rhetoric was extremely critical of the BIA. He called for abolition of the BIA, and was soon indicted for antigovernment activities (Young et al. 1976:15; Castillo 1994; Pearson 1995:17; Thorne 1995a). Many Mission Indians were unhappy with the MIA for a spectrum of reasons, so his stand drew empathetic supporters.

Second, Tibbet claimed credit for the rediscovery of the unratified 1851-1852 treaties. One of the MIF’s explicit objectives was to gain justice through financial compensation for the federal government’s historical failure to recognize California Indian occupancy rights. The years of political and legal activism of the California Indian claims cases heightened ethnic identification. California Indians across the state became politically organized and mobilized at the grass-roots level in the 1920s. Feeling acutely the injustice at the hands of federal and state governments, they were highly suspect of the BIA as they struggled for legal clarification of their place in the national life as citizens and wards (Shipek 1989).

Third, the MIF, which was almost wholly an Indian organization, contoured itself to the forms of the indigenous political culture of the region. The MIF represented itself as a return to indigenous self-government. The meetings in the Tibbet home, for example, were reminiscent of the fiestas hosted by regional captains. These meetings featured ceremonial, social, educational, and political activity (Blackburn 1974:98, 109; Pearson 1995:11-12). At the 1926 semiannual convention in late April, for example, in addition to “captain’s days” and “business days,” there was a day-long fiesta and barbecue. A “splendid” program of ancient cere-

monies and dances, music, songs, speeches, and fire-eating was promised on the flier (Mission Indian Agency File 91). The April 1930 convention flier advertised three evenings of “sacred” dances, a barbecue, speeches, singing, and music by Indians and “white friends” of the Indians. Undoubtedly, noted Collier (1934:8), “the Federation possesses, for many or most of its members, a strong psychological, emotional, even, it might be said, a quasi-religious value.”

A Grand Council with Tibbet as “counselor” was elected at Riverside (Fig. 5). Adam Castillo, a Cahuilla from the Soboba Reservation, served as president for most of the Federation’s history. (At least two of the Federation officers, Ben Watta and Samuel Rice, were Sherman Institute graduates; John Ortega was a graduate of the Carlisle School [Pearson 1995:36]). In addition, MIF “captains” were elected for each reservation. The Federation did not give orders to these captains, but rather recognized their rights. A number of MIF policemen were appointed and given six-pointed, nickel-plated badges, inscribed with the words “Mission Indian Federation,” as insignias of their authority. Superintendent Charles Ellis explained to the Commissioner of Indian Affairs in 1925 that this represented a *return to the old method* wherein the captains, invested with authority to make final decisions, were elected by the people (Mission Indian Agency File 91).

Dues of one dollar per month were collected from the members, who proudly wore MIF buttons. This money financed the ongoing lobbying efforts in the California Indian claims cases, but it also funded other legal work, allegedly in the interests of the Mission Indians. The MIF fought to end MIA abuse and paternalism and to bring equal rights, justice, and “home rule” for southern California’s Indians. The MIF provided a vehicle by which the complaints and the wishes of the Mission Indians could be heard (Mission Indian Federation 1922:11-12; Saubel 1993). The MIF constitution states that the objectives of the organization are: (1) to protect against unjust laws, rules, and regulations; (2) to secure



Fig. 5. Mission Indian Federation meeting at Tibbet home in Riverside, California, in 1930. President Adam Castillo is seated on the right side, fifth from the front. (Photograph courtesy of Riverside Municipal Museum, E. N. Fairchild Collection.)

legislation of rights and benefits; and (3) to guard the interests of the membership against unjust and illegal acts (Mission Indian Agency File 35417).

Law and Order at the Fiestas in the 1920s

It is not surprising that the tensions between southern California Indians and the officials of the MIA flared into violence at a fiesta. Jurisdiction over local fiestas was one of the many points of contention between the MIF and the MIA. As fiestas were the major social (as well as ceremonial and political) events for Mission Indians, they became occasions for political recruitment and education. Many different Indian groups—some with

Federation affiliations, some anti-Federation, and some apolitical—sponsored fiestas during the 1920s and 1930s that sometimes lasted several days (Mission Indian Agency File 92, File 97).

Fiestas required additional law enforcement. This strained the resources of the MIA, which had only 12 Indian policemen in the entire jurisdiction. These men were responsible to enforce law and order on 30 separate reservations in two counties, transporting themselves in their own battered, substandard vehicles from reservation to reservation (Mission Indian Agency File 76). Preventing the sale of alcohol at such events was a chief concern. The sale or consumption of liquor was a violation

of federal law. Congress had long asserted the federal right to enter reservation boundaries to control liquor trafficking (Schmeckebier 1927:89). The problem of the enforcement of prohibition was especially acute at Campo, whose proximity to the Mexican border made control of liquor smuggling particularly problematic. MIA personnel also felt their presence was necessary at fiestas to prevent gambling, fighting, and alleged sexual impropriety (Mission Indian Agency File 72).

Among the numerous allegations of Bureau mismanagement of the MIA made by the MIF in the 1920s was the repeated complaint that several Indian policemen in MIA service were guilty of abusing their authority. Allegations that MIA policemen used excessive force undoubtedly had some basis in fact, as enforcement of federal authority frequently necessitated physical struggle for supremacy between agency policemen and suspects. At Mesa Grande, policeman Salvadore Duro tried to enforce anti-gambling and anti-drinking laws; the arrest turned into a brawl (Davis 1902). The Indian policemen were often unpopular with the reservation residents. For example, William Coleman, a Campo MIA policeman from 1910 to 1945, was "a Man Hated by Many and Loved by Few in his 35 Years as Police Man" (Taylor et al. 1982:51, 53). In letters to Washington, the MIF reported many cases of excessive force and advocated giving Indian populations a voice in choosing these federal appointees (Pearson 1995:22; Mission Indian Agency File 76).

There were numerous resentments against the alleged heavy-handedness of MIA personnel. As the 1920s progressed, the MIF challenged the very foundations of the BIA's legal basis for governance. This was done by asserting the right of reservation populations to exercise limited internal sovereignty (Mission Indian Agency File 73).

Mission Indian Federation and Self-Regulation

The MIF claimed to be the democratically elected supratribal government representing the Indians from the several reservations under the juris-

diction of the MIA. The Federation membership asserted their theoretical right to appoint their own police and judges, as well as to arrest, try, and sentence reservation offenders on reservation lands. To a surprising extent, they succeeded in rapidly creating these self-governing institutions. By the mid-1920s, most of the 30 reservations had Federation captains, police, and judges. Thus, these persons claimed to represent the popular will on the reservations, challenging the authority of federal employees (specifically agency-appointed Indian judges and police). Differences of opinion regarding jurisdictional authority rose to the fore repeatedly in the MIA in the mid-1920s.

An encounter between Charles Cass, a federal prohibition officer in San Diego, and members of the Soboba Reservation's MIF illustrates this last point. Soboba was the home of Adam Castillo, president of the MIF. In early September 1924, Cass called upon Superintendent Ellis to inquire about liquor violations. Informed that Soboba had experienced trouble at their fiestas, Cass went there to conduct a search at the ranch of Chief (or Captain) Bernardo Resvelosa. Cass and the three Indian policemen (that is, Indians in federal service of the MIA) were surrounded by 45 MIF police wearing MIF badges, who blocked the search as it was unauthorized by their captain. Cass argued that as a federal officer he was subject only to federal regulation, and those obstructing him had no authority to interfere with federal law enforcement efforts. The Indians disagreed, as Cass reported:

The Indian argument was that the reservation, the schools, the jails and everything on the reservation belonged to the Indians and that Indians must be tried by Indian judges on the reservation and that if we made arrests, we could do so only with the[ir] consent . . . and that our commission as special officers of the Indian service read to *assist* in the suppression of liquor violations . . . and that we must register when we come on the reservation, and if we made [a] search must do so only with their consent and accompanied by their officers [Cass 1924: 1; emphasis added].

Public opinion became sharply divided on this difficult legal question, both on and off the reser-

vations. The differing opinions found an explosive issue in police enforcement during the fiestas for two reasons: (1) it was the prohibition era, when the public was not united behind this policy, and (2) the sudden growth in this "cottage" entertainment industry exposed a legal vacuum. The MIF did not deny the need for police supervision at fiestas. Under their reading of federal Indian law, policing functions were to be performed by reservation populations themselves. In other words, it was generally agreed that liquor suppression at fiesta time was necessary and desirable. The disagreement was over who had primary jurisdiction.

In the MIF's view, the recent grant of citizenship to all Indians by Congress in 1924 weakened the federal government's rationale for its exercise of paternalistic power over reservation populations. On August 9, 1924, George Robertson, a government farmer stationed at Pala Reservation, wrote to Superintendent Ellis. (Robertson had policing responsibilities as subagent for the southern 19 reservations in the Pala Subagency; Ellis was frequently absent on extended assignments for the Bureau in Oklahoma.) Robertson said the Indians at Rincon were busy building booths for their upcoming fiesta. Asked by Robertson if they had "permission," the sponsors of the event replied that "they were free and citizens and that it was not necessary to ask anyone" (Mission Indian Agency File 126). Tibbet had advocated Mission Indian exercise of self-governing powers as *U.S. citizens*. This included the right to organize, to choose their own officials, to make citizen's arrests, and to resist arbitrary authority, such as illegal searches and seizures. The test to these rights came to the fore at fiestas (Mission Indian Agency File 35417).

During the Rincon fiesta, the MIF exercised its policing powers. MIF policemen arrested a number of drunks. Lacking facilities to detain them, Federation officers asked F. M. Hewson, the city marshal of Escondido, for permission to house the offenders in his jail. Hewson wrote to the Commissioner of Indian Affairs for an opinion on whether this was legal. Commissioner Charles Burke re-

sponded vehemently that the Federation had no authority "to make arrests, try cases, or commit [convicted persons] to jail." Referring to the MIF counselor and founder Jonathan Tibbet, Burke charged certain white persons who were controlling the organization with influencing the "Indians to oppose or resist the regularly constituted authorities" (Mission Indian Agency File 126). While Burke asserted a theory of federal authority for Bureau employees, Ellis took a more pragmatic approach. There were alcohol-related disturbances at some fiestas in 1925, he observed. For example, there was a fight at Campo during which MIF police arrested a drunken troublemaker and turned him over to a local constable (Mission Indian Agency File 35417). Even if the Federation had the theoretical right to primary jurisdiction, Ellis argued, it had neither the will nor the manpower to prevent drunkenness at the fiestas. This left a breach in law enforcement. Without such law enforcement, the reservation communities would have no alternative but to abandon such festivities (Mission Indian Agency File 126).

Defining Jurisdictional Limits

The Rincon fiesta arrests by Federation police was just one of a number of actions by the MIA that quite consciously and deliberately tested the limits of state and federal jurisdiction on the reservations in the early and mid-1920s. Equally deliberately, the Bureau fought fire with fire, arresting and prosecuting MIF members for violations of federal law (Pearson 1995; Thorne 1995a). Federation activities gained the attention of John Collier of the Indian Defense Association, who was one of Commissioner Burke's chief adversaries. For example, in an MIF action in late 1924 or early 1925, a man and a woman from Capitan Grande but living at Sycuan were arrested for adultery by Juan Diego La Chappa, captain of Capitan Grande Reservation. The accused man, Marcelino Staggs, then charged MIF police officers Dan Bombidella and Valentine Prieta with false arrest, and they were fined \$60.00 by the MIA-appointed judge (Mission Indian Agency File 97).

Here the legal basis for the Bureau's discretionary power for regulating morality on reservations was being scrutinized. This was not a superfluous issue; it was a jurisdictional issue that troubled the Board of Indian Commissioners; they repeatedly urged Congress to act to vest federal officials with power to regulate marriage on reservations (Board of Indian Commissioners 1918:335, 1919:218). John Collier watched the developments closely. On February 5, 1925, Collier wrote to Ellis for information on the case and voiced his suspicions that the situation was contrived by the MIF's chief white advisor and founder, Jonathan Tibbet, as a test case (Mission Indian Agency File 97).

The Federation's criticisms of federal overreach of its powers found support among some legal analysts. Under a strict reading of federal law, federal jurisdiction was limited, and state and county officials had virtually no jurisdiction over reservation lands and populations. A Bureau memorandum dated April 17, 1926, for example, reported that criminal offenses of a lesser nature—such as adultery—were governed by customs and laws of tribes, adding: "It will be apparent that this presents a serious situation of maintaining law and order on the reservation" (Mission Indian Agency File 126).

Political Polarization

The BIA, however, was unwilling to relinquish its long-exercised power of governance, for fear of rampant lawlessness and immorality on MIA reservations. Moreover, it angered the Bureau that the MIF's challenge was critically weakening the agency's authority. Prior to the 1920s, agency officers and their Indian police force had been given "respect"; disorder ceased when Bureau agents demanded compliance with shows of badges and weapons. After the MIF became active, the Bureau no longer commanded such power. Confiscation of MIF badges and prohibition of the wearing of MIF uniforms became key symbolic actions in the federal government's battle to delegitimize MIF activi-

ties in the eyes of the reservation populations (Ellis 1927:1-3).

By the mid-1920s, politics were highly polarized in the MIA. The Federation membership saw themselves as heroically and righteously defending the democratic rights of Indians against an unresponsive, paternalistic bureaucracy. The Bureau saw themselves as expressing the will and protecting the rights of forward-looking Indians under their care against a dangerous rabble that had *taken the law into its own hands*. MIA employees patronizingly saw the rank and file Indian membership of the Federation as naively ignorant of the "true" legal principles regulating Indian affairs (Ellis 1927:5).

The wide gap between the MIF and the Bureau regarding interpretation of legal authority is exemplified by a conversation between Tibbet and attorney Thomas Sloan. In an attempt to sway the hostile Sloan, Tibbet had invited him to attend the MIF meeting in April 1926. Tibbet suggested that Sloan should approve of the Indians' exercise of self-government. Sloan explained that "self government had to be based on some law authorizing its organization and giving it powers" (Mission Indian Agency File 35417).

Despite Sloan's assertion, as well as the BIA's adamant denial that the MIF had any independent jurisdictional power over reservation peoples and resources, the MIF had planted the seed of doubt with their "theory that the Indians were a self-governing body" (Mission Indian Agency File 35417). In mid-November 1926, San Diego County Sheriff J. C. Byers wrote to an official of the Department of the Interior confessing his confusion and asking, "Has the Sheriff any authority to arrest on reservations for crimes committed there?" Commissioner Burke attempted to resolve the ambiguities by creating commissions for "special" deputies, empowering San Diego County deputies to assist with enforcement of prohibition laws on reservations (Mission Indian Agency File 35417).

BIA personnel closed ranks in the shared interpretation that the Federation and Tibbet were the causes of all their difficulties in the MIA—rather

than the limitations to federal authority under the law and the historic overreach of those legal limits by the federal government. Despite this prevailing conspiratorial view of the MIF, it was less of an instigator than a lightning rod. Tibbet did not dictate opinions; he gave credence to those small and large grievances of the MIF constituency. Complaints against the MIA's administration of the southern California reservations ranged, somewhat paradoxically, from neglect to autocratic usurpation of power (Thorne 1995a:10-12).

CAMPO FIESTA VIOLENCE, 1927

The Pala Sting: Setting the Stage for Confrontation

A month before the Campo confrontation in 1927, George Robertson planned a "sting" operation at the Pala Reservation during a fiesta that was held from June 13 through June 20. After they left at 10:00 p.m. on Saturday night of the fiesta, Robertson and the MIA Indian police, with law enforcement reinforcements from local towns and counties, covered all roads and arrested 15 people between 11:00 p.m. and 3:00 a.m. for possession of alcohol. Eventually, 10 were released; the others faced jail time or fines, or both (Mission Indian Agency File 126; Ellis 1927:3).

Encouraged by this success, Robertson planned a similar snare for the Campo fiesta the following month. There were, however, forewarnings that such a move would provoke violence. Jim Banegas (or Vanegas) and Mariano Blacktooth, MIA policemen who had been involved in the Pala liquor arrests, as well as numerous other prohibition raids since 1923, were assaulted at the Santa Ysabel Reservation fiesta. Earlier complaints from the Capitan Grande Reservation identified Banegas as an unpopular, and purportedly unfit, policeman. Federation men he had arrested were out for revenge, and he was warned to stay away from fiestas. The incident at Santa Ysabel was euphemistically described as a "mishap" by the BIA, an apparently minor incident. However, the fact that Ro-

bertson had to justify his activities at Pala to his superiors indicates the palpable tensions and fears within the Bureau's ranks as national criticism of the BIA mounted and politics in the MIA polarized. A deputy sheriff who had been on the Pala raid sensed a "blow up would come soon" (Burke 1926; Pearson 1995:22; Mission Indian Agency File 126; Mission Indian Agency File 76).

Tibbet's Warning and Hilmiup's Orders

In early July 1927, San Diego sheriff deputies King J. Powell, Ralph Kennedy, and Charles Murray were detailed by Sheriff Byers to assist Robertson during the La Jolla Indian Reservation fiesta. They were met by Tibbet and several Federation policemen. Tibbet told them, "We don't want this Fiesta run like the ones at Santa Ysabel and Pala" (Mission Indian Agency 35417). He did not want any car searched for liquor, nor anyone searched by Bureau policemen Banegas or Juan Leo unless they saw the person drinking. Banegas, said Tibbet, was a troublemaker. Thinking Tibbet was a federal employee with authority, the deputy sheriffs thought it wise to retreat to avoid trouble, and they returned to San Diego. On July 5 or 6, Sheriff Byers was shown a letter from Robertson asking him to assign the same deputy sheriffs to the Campo fiesta for the night of July 16, as there were "tough characters in the locality," and he needed reinforcements. Robertson explained that "We have other Police but they live at some distance and have no machine [cars]" (Mission Indian Agency File 35417).

Reiterating Tibbet's message at the La Jolla fiesta, Campo MIF Captain Marcus Hilmiup called a meeting on July 15, telling his Federation police officers that they had full authority to keep law and order on the reservation. (As their commissions made explicit, Federation police served without salary and carried no deadly weapons; however, as citizen police, it was their right to organize, to elect officers, to proscribe duties, and to make arrests. After an arrest, they were to turn over prisoners to a regular peace officer.) Captain Hilmiup told the Federation citizen police to keep all non-Indian

officers with guns off the reservation during the fiesta (Mission Indian Agency File 35417).

Juan Leo's Dream

Another ominous portent came in the form of precognition. The MIA policeman from Volcan (Santa Ysabel Reservation), Juan Leo, dreamed the night before the "riot" that Captain Hilmiup and himself would exchange gunfire. Several years later, he told his story to Ed Davis:

On the night of the 15th I had a vivid dream. I was in camp. I saw Hilmiup with his arms folded with a white shirt. I ran in [the] brush—came out again—then ran in again—came out again and saw Hilmiup with arms folded over his white shirt. I pulled my gun but it would not fire. I struggled with it and finally used both hands and pushed the hammer down and killed him. Then I awoke and in [the] morning I told my family and said there would something happen [*sic*] at Campo [Davis 1934-1935].

The Campo Violence

On July 16, 1927, about 200 to 300 guests were in attendance at the annual Campo fiesta at the Saturday evening dance in honor of their patron saint, Nuestra Señora del Carman. The Sycuan and Los Conejos Indians were the invited guests, but the crowd included Indians from other reservation communities, as well as non-Indians. The Campo fiesta grounds consisted of a public square (or dance area) surrounded by ramadas, with partitions into rooms and booths occupied by Indians and concessionaires. These stalls, made of sycamore or willow branches, were rented for meat shops, restaurants, games of all sorts, and for invited guests. The open sides of the booths faced the fiesta square. In the center of the square was a flagpole (Davis MS:3; Ellis 1927:4).

A reconstruction of the events is possible from the detailed accounts of various witnesses and participants. An important (although biased) source of information is the detailed investigations of the Campo incident and its causes based on the testimony of dozens of persons, conducted by Special Agent C. B. Winstead in reports to Washington

D.C. from July 1927 to April 1928 (cited herein as Mission Indian Agency File 35417). Accompanied by the tall and lanky 33-year-old Deputy Sheriff Kennedy, as well as Jim Banegas and Mariano Blacktooth, Robertson arrived at the Campo fiesta grounds in the late evening of July 16. They left Deputy Sheriffs Powell and Murray with agency policeman Juan Leo at the entrance, where the reservation road met the county road, one-half mile distant, to check cars for liquor. Tipped off by Campo agency policeman William Coleman, Blacktooth and Banegas went to a hut. Peeking through a crack in the wall, they discovered Tom Hilmiup, younger brother of the Campo MIF captain, making "canned heat" with a man named Lucas.⁷

The activities of the prohibition team in arresting Hilmiup and Lucas drew the attention of the MIF. As the prisoners were being led towards a vehicle, the prohibition squad was intercepted by Sergeant Santiago (or Jim) Mesa of the MIF and four other Federation police carrying clubs. Mesa challenged the authority of the prohibition team—as had been anticipated—and ordered his men to secure the release of the prisoners (Davis MS:4; Anonymous 1927b; Ellis 1927:4; also see Mission Indian Agency File 126, File 35417).

The prisoner Hilmiup, reputedly a large and powerful man who was somewhat drunk, attempted to escape from Robertson and Kennedy. According to Kennedy's testimony, he clubbed Hilmiup with a flashlight and then Robertson hit him with a pistol until Hilmiup stopped resisting and was handcuffed. Simultaneously, a violent struggle began as four to seven MIF police knocked Blacktooth to the ground and took his gun; Banegas momentarily recovered the pistol. In the struggle, during which pistol butts and clubs were used, shots were fired by Banegas; according to his testimony, these were warning shots fired into the ground. Banegas was then overpowered, disarmed, and taken into MIF custody. The handcuffed Hilmiup escaped. Kennedy noted that "The Indians were fighting chiefly among themselves." Although Robertson testified he was actively engaged in the fight, and Kennedy testified

that he fired his gun in self-defense, Kennedy nevertheless stated that he perceived no immediate danger to them or Banegas. Kennedy reported that the Federation men wanted to take Banegas before their chief (Mission Indian Agency File 35417). They took Banegas inside the ramada, intending to tie him to the flagpole. Overpowered and outnumbered, Kennedy and Robertson awaited reinforcements.

There was thus a temporary lull, as Santiago Mesa emphasized in his testimony, before the second violent engagement began. Someone told the men at the entrance about the struggle, and a few minutes later, Powell, Murray, and Leo drove up and were briefed about the "nasty temper" of the Indians. Arming themselves, the prohibition squad entered the darkened ramada with the alleged goal of securing Banega's release. Powell shouted, "Break away there, men; that's no way to settle anything," as he approached the circle of people holding Banegas. The circle opened into a fan, and the Indians began chanting something in Kume-yaay. Marcus Hilmiup was giving orders, also in Kume-yaay (Ellis 1927:5). Juan Leo later translated the angry crowd's words; "*Ca-tim, ca-mooch, ca-wut cop-se-you ca-row*": "Shoot him, kill him, kill all, fix them, burn him up." Hilmiup, Leo said, was giving orders "to finish it" ("*Pee yee sha-wut a no-som*") (Davis MS:4).

There are confused and conflicting reports of what happened next. The following is a reconstruction of the events that seems plausible, given the sources available and taking the biases of the sources into account. Much of the information comes from the evidence gathered by Winstead (Mission Indian Agency File 35417).

Kennedy and Powell appear to have been the most aggressive in trying to secure the release of Banegas. Marcus Hilmiup ordered Kennedy to be restrained. Jose Barraco Cuero and/or Domingo Conihich apparently grabbed Kennedy. Powell ordered the MIF police to release Deputy Kennedy and then shot and wounded Kennedy's captor(s), who then released Kennedy. Meanwhile, Frank

Cuero charged Powell ("like a mad bull," recalled Powell) attempting to disarm him, so Powell shot and killed him.⁸ Deputy Murray was the voice of restraint, shouting, "It's wrong men. Don't shoot." According to one eyewitness, after Powell shot Jose Barraco Cuero, Marcus Hilmiup said, "We might as well all die right here." Hilmiup—who may have been armed with the pistol confiscated from Blacktooth or Banegas earlier in the evening—faced off against Leo and Robertson. Who fired first is unclear, but Hilmiup ultimately shot and wounded Leo three or four times and Robertson two or three times. The bleeding Robertson appealed for aid. Hilmiup was shot by either Powell or Robertson; he died of a bullet wound in the neck (Davis MS:5; Ellis 1927:5; Mission Indian Agency File 126, 35417).

At least five other Indians were injured in the melee during which bullets were flying and clubs were swinging; Jose Barraco Cuero was shot in the leg and Domingo Conihich was grazed by a bullet. Many others had cuts and bruises. Juan Leo, George Robertson, Jim Banegas, and Jose Barraco Cuero were rushed to San Diego hospitals (Ellis 1927:5). Powell subsequently received a dire warning from the Indians *not* to return to the fiesta grounds, but later that evening, he did go back with reinforcements to the crossroads where he was stationed earlier. He was confronted there by a bloodied and "surly" Jim Mesa, accompanied by a sympathetic San Diego Deputy Sheriff Don Ruby, who stripped a man hastily deputized by Powell of his gun (Mission Indian Agency File 35417).

A close examination of the evidence suggests that the MIF's aggressions were directed principally toward the MIA policemen. Banegas was the main target, although it was reported by a descendant of Campo policeman William Coleman that the Federation people had tried to hit him [Coleman] with a pick handle, but he escaped injury. The descendant said that the Campo incident was a "takeover attempt" by the MIF (Davis MS; Taylor et al. 1982:34-35). The struggles of the MIF police with the other non-Indian members of the prohibi-

tion team could be construed as efforts to restrain and disarm them, not to harm them. Marcus Hilmiup may have been the only MIF partisan armed with a gun, compared to several armed men in the prohibition team.

The reports from the San Diego deputy sheriffs and the MIA employees, however, emphasized that the MIF police were the aggressors. Most claimed many of the MIF police had firearms and were using them, and that the prohibition team fired only in self-defense after they themselves had been fired upon. Not less than 20 Indians were armed, claimed Powell: "The Indians knew us from former fiestas and we had our badges on. They were out to kill us and would have done so if they could have" (Anonymous 1927a, 1927d; Mission Indian Agency File 126). In his report, Ellis claimed that given the irrationality of the murderous Campo "mob," it was "remarkable that more [of our officers] were not wounded" (Ellis 1927).

Coroner's Inquest Results

On July 20, 1927, the San Diego County coroner's inquest came to a different conclusion than the BIA. The inquest took testimony from 20 witnesses. These included Jim Banegas, William Coleman, King Powell, Ralph Kennedy, and others, who presumably spoke in defense of the prohibition team (the testimony at the inquest has not been preserved). Other witnesses included a number of persons in the local towns and ranches, as well as one or two MIA Indians, including Santiago Mesa, who was an MIF member. Although there was evidently conflicting evidence given, the jurors came to the unequivocal verdict that Robertson, Kennedy, and Powell acted with "homicidal intent" in the deaths of both Cuero and Hilmiup:

We further find that said Deputy Sheriffs [Kennedy and Powell] exceeded their authority when they entered the Indian Reservation and used poor judgement, when *all* testimony submitted was to the effect that every one participating in the festivities on the Reservation were peaceful and quiet, and no signs of intoxication anywhere [San Diego County 1927:1, emphasis added].

The implication was that the prohibition agents had caused the riot by brazenly intruding on a peaceful and sober gathering. While the federal agents, Robertson, and the Indian police had legitimate cause to be on the reservation, the county sheriffs and deputies did not.

The day after the inquest, a special federal agent assigned to investigate the case, C. B. Winstead, traveled with Superintendent Ellis to Campo to collect Indian testimony. After considerable talk among themselves, the Campo Indians replied through their interpreter that "they did not consider the Government their friend," nor were they friendly to Ellis. They did not care to make any statements yet, but would perhaps do so in the future after they had conferred with Indians of their organization (Mission Indian Agency File 35417).

On July 21, 1927, the funeral for Hilmiup and Cuero was conducted by the priest at the Campo Reservation, Father La Pointe. Indians from many reservations and Mexico were in attendance. It was reported that, "Unrestrained manifestations of grief were said by old timers to be such as the reservations had not heard in years; the ordinarily stoical Indians giving way completely to emotions" (Anonymous 1927b).

THE LEGAL BATTLE ESCALATES

The coroner's inquest findings did not settle the case. The conflict between the MIF and the BIA entered another phase of a standoff on the knotty problem of jurisdiction. The federal government doggedly held to their view that the Campo fiasco had been a conspiracy orchestrated by Tibbet, the MIF counselor. The nature of the criminal offense took time to define and substantiate. In early September 1927, United States Attorney Emmett Daugherty recommended charging Tibbet with impersonating an officer and the Campo MIF with conspiracy to rescue a prisoner and with rescuing a prisoner. However, after presentation to the federal grand jury in Los Angeles, Daugherty decided to modify the charges and resubmit on November 2. Special Agent Winstead busily collected evi-

dence for the government's case (see Mission Indian Agency File 35417). Meanwhile, Sheriff Byers instituted suit against the editor of the *San Diego Herald* for libel for reporting the Indian deaths as "murders," on the theory that the pro-MIF coroner's inquest ruling was due to public opinion poisoned by the San Diego press (Anonymous 1927e; Robertson 1927). Shortly thereafter, a Soboba Indian, Juan Elenterio, brought suit against MIF president Adam Castillo and other persons in the MIF for false arrest at an August 1927 meeting. Elenterio and attorney Thomas Sloan demanded \$13,450 in damages (Mission Indian Agency File 35417). In a third legal action, the Federation brought suit for wrongful deaths, naming as defendants the three men on the prohibition squad of the San Diego County Sheriff's Office (Kennedy, Powell, and Murray [?]), as well as the MIA employees (Robertson, Ellis, and MIA policemen Banegas, Leo, and Blacktooth).

On October 5, 1927, a Los Angeles grand jury issued indictments against ten Indians, all but one being MIF policemen. The defendants in *United States vs. Santiago Mesa et al.* (1927-1936) (Santiago alias Jim Mesa, Louis Cuero, Estaco Toba, Gonzales Cuero, Jose Barraca Cuero, Juan Prieto, Gabriel Duro, Garcia Hollawar, Domingo Conihich, and Tom Aswayo [Osuna])⁹ were charged with violations of Section 328 of the Federal Penal Code; that is, feloniously conspiring to commit an offense on July 15, the day before the riot, and committing that offense (assault) on July 16 with dangerous weapons (oak clubs and firearms) with intent to kill. These men ranged in age from 26 to 60 years old. Two were in their mid-40's (including the deceased Frank Cuero); two were 50 (including the deceased Hilmiup), and one was 60. The evidence for the charges of conspiracy centered on a purportedly inflammatory speech given by Marcus Hilmiup on July 15, where he encouraged Campo co-conspirators to arm themselves with oak clubs in anticipation of a confrontation. On the day of the fiesta, these suspects allegedly used those weapons against Banegas, Blacktooth, Robertson,

and Leo (*United States vs. Santiago Mesa et al.* 1927-1936; Mission Indian Agency File 35417).

Most of the defendants were arrested on October 11 and 12, 1927, and arraigned on October 22. Adam Castillo was present at the arraignment; the MIF retained the firm of Burke, Camarrillo, and Herron of Los Angeles as attorneys, and through the interpreter, William F. Coleman of Campo, all pleaded not guilty. Bail was set for each at \$2,500. Because Daugherty did not think a conspiracy among Indians against other Indians was cognizable in federal courts, a second indictment was filed on November 11, 1927, wherein charges of assault with dangerous weapons (a violation of Section 276 of the Federal Penal Code) were made against the same ten defendants. On November 15, Jonathan and Emma Tibbet paid the reduced bail of \$1,000 for three of the defendants, while the rest were released on their own recognizance. The date for the trial, expected to take three to four days, was set for November 21, 1927 (Dyche n.d.; Ellis 1927:1-3; *United States vs. Santiago Mesa et al.* 1927-1936).

In building its case, the federal government hoped to find documentation to connect Tibbet directly to the Campo violence, although this was ultimately unsuccessful. As the prosecutor in the federal case, Thomas Sloan, avidly anti-MIF, wrote to Ellis, "It will be a shame to prosecute the Indians without the man who advised them what to do in the way of organizing a local government on the reservation, and taking over the government from both the state and federal governments." United States Attorney General S. W. McNabb wanted to bring an injunction "against Tibbet and as many of the Indians as we can determine are in the Federation" (Mission Indian Agency File 126).

This was unapologetically a political action against MIF troublemakers. One government report maintained that convictions "will do much to curb the activities of other members of the MIF," while dismissal would have the opposite effect (Mission Indian Agency File 9221). As an index of more widespread activities within the MIA, in

the 1920s, the Campo MIF had threatened to cut down power lines across the reservation if a fee was not paid to them for this right; they also demanded money for grazing and water rights, denying the BIA's role as an intermediary in such financial transactions. MIF police sergeant Santiago Mesa and three other MIF policemen indicted in the fiesta assault case had earlier been tried and convicted in San Diego State Court for tearing up a water line from a reservation spring to an off-reservation, non-Indian homestead. The government was unsuccessful in tying these activities directly to Tibbet, nor were they able to obtain an indictment against him. Few of the suspects had ever met Tibbet or had attended his "junta" at Riverside. Gonzales Cuero, one of the suspects (and the only one besides Mesa to make a statement), testified from jail that he had not actively engaged in the struggle the night of the fiesta. He was implicated in the crime simply because he was an MIF policeman (Mission Indian Agency File 35417).

The BIA's case was weak, and after the San Diego coroner's inquest report vindicated the MIF, it was defensive, even a bit paranoid. The MIF continued to issue "dangerous propaganda," in Commissioner Charles Burke's words, aiming to "rupture the relations between the Indians and the Federal Government" (Mission Indian Agency File 126). In turn, the MIF charged the Bureau with instituting a "gag" rule (Collier 1934:1). The injured agency employee, Robertson, reported in an October 1927 letter that "they are saying that the old man, Tibbet is just laughing at us, but I get it from other sources that he is pretty uneasy" (Mission Indian Agency File 126). Edward Davis of Mesa Grande testified in front of a United States Senate subcommittee in Riverside in late 1928 about Tibbet holding the Department of the Interior up to ridicule. Summarizing Tibbet's impact, Davis said what he has done is "cause trouble and quarrelling and has kept them [the Indians] from progressing" (Senate Committee on Indian Affairs 1928:751-753, 755). Although he had not personally been at the fiesta, Davis testified that the killing at Campo

was a direct outcome of this quarreling between the Federation (under Tibbet's direction) and its opponents. Several Indians had attended the 1928 Riverside Senate meeting, and could have spoken to the issue of reservation factionalism, but they were not called upon to testify. Public opinion both in San Diego and Los Angeles counties does not appear to have been unified behind the federal government. On the contrary, there was criticism of the BIA in the Los Angeles press (see Senate Committee on Indian Affairs 1928:751-753, 755).

Test Case in Political Authority

The federal government's case against Santiago Mesa and others was one of a number of legal actions going on simultaneously against the MIF. These actions were designed to silence criticism, to stop "subversive activity," and to curtail further political damage to Commissioner Burke and the BIA over increasingly controversial legal aspects of federal-state-Indian relations. Thomas Sloan discussed the incident with a state senator, a justice of the peace, and other prominent persons, pressing upon them the idea that if the Campo affair was ignored there would be further trouble (Mission Indian Agency File 126). As Sloan had feared, in the aftermath of the Campo incident, the federal government's authority on the reservations appears to have weakened. While some angry individuals (relatives of the deceased) were threatening to avenge themselves for the Campo deaths, others openly defied government interference in their fiestas (Mission Indian Agency Files 126, 72). Not only were some of the Indians openly questioning and challenging the BIA's handling of their affairs, agency and law enforcement officials were being held criminally libel in the Campo deaths. Few Indians were willing to offer evidence for the prosecution. Jim Banegas, one of the federal government's witnesses, became too ill from appendicitis to testify by April 1928, later dying abruptly on a trip to testify in the Campo case.

Though legally on shaky ground, political expediency demanded a tough stand by the BIA.

MIF members submitted to debadging by MIA personnel. The high bail set for the defendants and the necessary legal fees tested the limits of the MIF resources. The death of Tibbet in 1930 may well have contributed to the faltering of MIF resistance.

The case dragged on with numerous postponements as there was insufficient evidence to make the convictions (United States vs. Santiago Mesa et al. 1927-1936). In April 1931, the Senate subcommittee returned to Riverside and heard testimony again regarding local conditions in southern California. A prominent Riverside man, A. S. C. Evans, complained of government red tape in the Campo case. Four years had passed, and the case had not come to trial despite numerous trips to San Diego. The case ought to be tried or dismissed, Evans said. The postponements were working a hardship on the widow Tibbet, who could not withdraw the heavy bond and settle the estate of her deceased husband. She was told if she did withdraw the bond, the Indians would be thrown in jail (Senate Committee on Indian Affairs 1931:11439).

The Vacuum: Jurisdictional Ambiguity Acknowledged

Meanwhile, the unfavorable national publicity from the Campo deaths aided the cause of the reformers attacking the BIA, and in an embarrassing way exposed the existing gaps in jurisdictional authority. Worried about their legal authority, Riverside county officers stayed away from the Soboba fiesta in the fall of 1927. According to Superintendent Ellis, this resulted in scandalous behavior at the fiesta (Mission Indian Agency File 72).

Several representatives from various reservations (including Campo itself in 1928) were humbly asking for assistance from the San Diego County Sheriff's Department to control the alcohol problem and other disruptive activities at fiesta time (Mission Indian Agency File 72). The MIF lacked the manpower, facilities, and resources to control the drunkenness at fiestas. There was clearly a jurisdictional vacuum that needed to be filled somehow. Only action by Congress could resolve the trouble-

some question. The county and state authorities had drawn back warily from interfering in internal affairs on reservations, claiming they had no jurisdiction (Senate Committee on Indian Affairs 1928: 752-753).

While publicly decrying Tibbet as the ring-leader of an organization to overthrow the government, privately Ellis was admitting to the delicate jurisdictional issues involved in the case. In a 1929 letter to his superiors in Washington, D.C., Ellis recommended legislation be introduced before Congress asserting *full state criminal authority* over Indian lands to correct the problem. Ellis saw this as necessary because of the issue of criminal jurisdiction over more than 100 separate Indian tracts in the MIA (including reservations in trust status and homesteads) totaling one-quarter of a million acres. Jurisdictional issues were further complicated by the status of the land, whether it be restricted trust patent or homestead allotment (Ellis 1929). Federal officers, as Ellis now acknowledged, had no more legal authority than the MIF to take prisoners from one reservation to another through intervening state jurisdiction to house them adequately.

Highly motivated to investigate the legal questions involved carefully, as he was one of the defendants in the MIF suit, Ellis recommended full state authority over the Indian reservations in southern California without affecting the restricted status of trust lands (Ellis 1929). The prestigious organization that advised Congress, the Board of Indian Commissioners (1929-1930:12), discussed the problem at their 1929-1930 meeting and concluded, "Generally speaking, State and county officials have no legal right to enter upon federalized land to arrest federalized Indians."

The disgraced Commissioner Burke resigned because of charges of abuse of BIA discretionary power in an unrelated political scandal (the Jackson Barnett case) (Blend 1978:viii). The Republicans in power in Washington faced a daunting challenge in redeeming the image of the BIA. President Hoover appointed two reputable men as the new commis-

sioners, Charles Rhoads and J. Henry Scattergood, and called for increased federal spending in southern California. This was too little too late for the Republicans.

Politics in the Election Year

As the defendants labored under the indictments that did not come to trial, the election year approached. A scandal rocked San Diego County in early 1931, when a *San Diego Sun* reporter released a sensational story about reservation Indians dying of starvation and disease on San Diego Indian reservations (Peck 1931; Wyatt 1931). Multiple investigations were launched, one by the county, another by the federal government. The county investigation was led by Purl Willis, who had assumed Tibbet's position as chief lobbyist for the MIF after Tibbet's death.

The results of the various investigations were mixed. Some found evidence of gross and inhuman neglect by the BIA, while others absolved the federal agency of wrongdoing (Louch et al. MS). The investigations were clearly underpinned by political motivations in the election year. Willis was among those capitalizing on the *Sun* scandal, decrying the BIA for its heartlessness and corruption and deploring the conditions on the San Diego reservations. He called for the resignation of BIA agents. Willis orchestrated a meeting in San Diego to which John Collier was invited, an obvious move at alliance building. Collier appeared, but tactfully made no comment on reservation conditions. After the 1932 election, the San Diego press proclaimed the MIF's enthusiastic support of Collier's candidacy as Commissioner of Indian Affairs (Mission Indian Agency File 147).

A Year of Political Possibilities

If Willis was exaggerating the poor conditions on the reservations, stirring up factionalism, and slandering the BIA for personal self-aggrandizement, as his enemies claimed, what were his possible motives? A bid for federal money for the Indi-

ans of San Diego County? A bid for local control over federally funded Indian programs? A hope that the public outcry/reform spirit would shame the federal government to act on the stalled claims California cases? The hope that publicity as an Indian advocate would win him a political appointment? The MIF did endorse Willis as a candidate for superintendent of the MIA in 1933 (Collier 1934:6; Mazzetti 1980:1).

Whatever Willis's motives might have been, the MIF consistently demanded reduced BIA control and more local self-determination (but not full assimilation). As Adam Castillo explained in 1932, what the Mission Indians wanted was (1) respect and equality as American citizens, (2) permanent political status as Indian nations, and (3) permanent reservation land bases; that is, to "hold the reservations for all time" (Pearson 1995:25-26, 40). What many vocal members of the MIF were demanding harmonized politically with both the liberal political philosophies and the economic self-interests within the larger California population. The prospect of transferring political authority and funding of Indian affairs (both social services and law and order jurisdiction) to states and counties was a distinct possibility in 1932. Both Collier and Willis were supporting the "home rule" legislation, such as the Swing-Johnson bill, which transferred Indian affairs to the state (Mazzetti 1980).

Foreshadowing the eventual passage of Public Law 280 (see Mazzetti 1980), there was widespread support for defederalizing Indian affairs within California for two reasons. First, many had been persuaded that the Bureau was corrupt, autocratic, and inefficient, and needed public services for Indians could best be administered locally. Second, the California Jurisdictional Act of 1928 set some of the terms for the financial award to the California Indians from the federal government for their alleged disregarded occupancy rights; the states and counties hoped the California Indian claims case money, once awarded, would soon be transferred to them, as the new stewards for Indian wards (Mission Indian Agency 147).

The MIF and Collier Part Ways

The temporary, expedient political alliance between the MIF and Collier did not last. By 1933, MIF spokespersons Willis and Castillo were soon hurling accusations at Collier, and he at them. Ironically, once sworn into office as Commissioner of Indian Affairs, Collier denounced the MIF, much in the same terms as his Republican predecessors had. First, Collier invoked the image of MIF members as dangerous insurgents who were violently anti-American and who resisted the BIA "in the spirit of ousting a foreign power from the native soil or beating off an invasion by a foreign power" (Collier 1934:2). In his presentation to Congress, Collier showcased the Campo violence of 1927 and a tense situation at a 1933 Mesa Grande reservation fiesta to emphasize the point. The MIF's criticisms of the BIA were trivialized as "blind and emotionally entrenched resistance." Second, Collier denied that the reservation-based institutions of the MIF had any legitimacy whatsoever, claiming that "Federation police have no status in law and no authority" (Collier 1934:3). Third, Collier decried "white advocates" such as Willis as office-seeking racketeers (Collier 1934:3-4; Mission Indian Agency File 147).

There is no available evidence that Collier took any action to drop the indictments against the Campo defendants. When the Senate Indian Affairs Committee held hearings in southern California in June 1934, Willis took the opportunity to refute and attack Collier politically, mocking his words about the MIF resisting the BIA "in the spirit of ousting a foreign power," and reading the San Diego coroner's inquest report into the record. Other MIF members were there to ridicule Collier for his cowardice in not appearing to face the Mission Indians (Mission Indian Federation 1934:13). The Mission Indians became adamantly anti-IRA and anti-Collier, calling him a communist (Philp 1977:153, 1986:48-51).

The Closing of the Campo Case

After numerous postponements of the trial, the *United States vs. Santiago Mesa et al.* (1927-1936)

case finally closed in 1936. United States Attorney Daugherty recommended dismissal of the indictments because two of the more important witnesses for the government had died, because of the insufficiency of the evidence, and because of the "possible legal questions involved" (United States vs. Santiago Mesa et al. 1927-1936). The case had been kept open to that date because of the "moral effect upon the Indians." What this possibly meant was that fear of prosecution and incarceration kept insubordinate or otherwise troublesome persons in submission to the authority of federal employees in the Mission Indian Agency. By 1936, the "moral" reason for keeping the case open had passed (United States vs. Santiago Mesa et al. 1927-1936; Hall 1935; also see Mission Indian Agency File 126). What transpired regarding the MIF's case against the San Diego sheriff's deputies and MIA employees is not known.

CONCLUSION

The disagreement with the Bureau over sovereign rights provides the context for understanding the Campo tragedy in which two elder leaders of the band died violently. The Mission Indian Federation asserted its legal right to self-government, including the election of judges, captains, and police, along with enforcement of tribal law within reservation boundaries. Raising substantive legal issues as well as issues of BIA mismanagement of Indian affairs, the MIF deeply and personally affronted many federal employees in the BIA with open challenges to their authority and competency. Contributing to agency personnel's anger with the MIF was the embarrassing national publicity their criticisms generated, which fed the wave of reform that John Collier would ride to power.

Ironically, the MIF would turn on Collier and refuse to endorse the Indian Reorganization Act's proposal for "home rule." This is perplexing, since many of the major reforms of the act appear to have been advocated by the MIF: collective ownership of reservation lands and resources; democratically elected councils, police, and judges; and primary

Indian jurisdiction over reservation misdemeanors. Despite the paradox, the southern California Indians should be given credit for helping institute a check on the Bureau's use of arbitrary power. Southern California Indian activists contributed significantly to the historic shift in the 1930s of recognition of the quasi-sovereign powers of federally recognized tribes.

Another profound irony is that the MIF's political activism propelled the move towards defederalization of Indian Affairs in California in the 1930s, 1940s, and 1950s. Currently, however, the gaming tribes are more apprehensive of state, rather than federal, intrusion into their sovereign rights. What goes around comes around. In both the 1920s and the 1990s, there was a momentum for developing a prohibited activity that was in public demand (alcohol manufacture and consumption in the 1920s, Class III gaming in the 1990s) on Indian trust land where the activity was legally ambiguous; in both eras, this represented a window of economic opportunity for depressed Indian communities and for their non-Indian financial backers, and was perceived by the other sovereign powers as a threat to public order.

Finally, there is one last compelling parallel between the events set in motion by Indian political activism in the 1920s and those in the 1990s, i.e., contested areas under the law regarding federal, tribal, and state jurisdictional limits that were exposed to public scrutiny. In the 1920s, this proved to be a powerful catalyst—as it may prove to be again—for clarification and redefinition of jurisdictional boundaries under the law.

NOTES

1. A detailed comparison between the sovereignty issues of the two eras is not the primary purpose of this paper. In making the comparison, it is my intent to bring attention to the heightened Indian political activism among California Indians, the opposition from state and federal governments to the exercise of Indian sovereignty, and finally the political polarization that the debates over legal questions engendered within the Indian reservation populations, as well as in the non-Indian population. For a good overview, see Mezey

(1996), which includes two contemporary issues regarding jurisdiction over the environment and escalating crime on reservations nationally (also see Connolly 1995b; McGovern 1995).

2. In the preparation of this manuscript, many documents in dozens of different file folders in the Mission Indian Agency records were consulted at the National Archives in Washington, D.C., and in Laguna Niguel. At these repositories, the individual documents within each file are often not in any chronological sequence, and many are not dated at all. The files themselves are arranged by the file number according to federal subject categories, rather than by title or date. Therefore, the impracticality of citing each document by date has necessitated a modification of the *Journal's* standard reference style. Thus, the citations for the Mission Indian Agency refer to the file numbers, and under the references, the numbers preceded by an "F" indicate the file number for each source (e.g., F35417 signifies File No. 35417). Readers are referred to the folders where specifically cited documents can be found.

3. For fuller narratives of the complicated events by which Mission Indian reservations were created, see Sutton (1965) and Carrico (1980).

4. Protestant missionaries also entered the region in the wake of the establishment of a winter home in Redlands by the Protestant philanthropist family, the Smileys. The Smileys hosted the yearly Lake Mohonk Conference, a national forum aimed to promote Protestant missionary efforts, civilization, and reform work among the Indians (Board of Indian Commissioners 1890:5, 53, 1892:1-5). The Sherman Institute, the first major federally funded institution for Indians in southern California, first opened its doors in the 1890s.

5. The BIA's Mission Indian Agency records, preserved in the National Archives, Laguna Niguel and in Washington, D.C., provide a major, if rather biased, source of documentation on the MIF.

6. In addition, Dr. Donald Grinde, now of the University of Vermont, conducted extensive research on the MIF while serving in the Costo Chair at the University of California, Riverside.

7. The Hilmiups were a prominent family at Campo and adjacent Kumeyaay reservations (Shipek 1982: 301).

8. Frank Cuero, who was an MIF judge, is listed as being born in 1880 or 1882 in the MIA census reports. Tom Hilmiup was married to Maria Cuero; the defense of Tom may well have been inspired by friendship and familial loyalty as well as politics. Frank was a widower with a tubercular son. He owned a homestead grant (United States Census 1916-1919, 1922-1925). A Charles Cuero is listed as an MIF leader from Campo in a mid-1920 Bureau document. Charles Hollawar,

related to defendant Garcia Hollawar was an MIF judge in the mid-1920s.

9. Editor Sauer of the *San Diego Herald* went to court on December 6, 1927, according to the *San Diego Union* (1927e). Although there are references in the primary sources to the MIF's countersuit, namely Charles Ellis's correspondence in the "Liquor and Drug Traffic: Campo Fiesta Case File" (Mission Indian Agency File 126), a preliminary search in the records of the San Diego Superior Court for civil action by the MIF against Ellis and others was unsuccessful in finding the records for September 1, 1926, to August 1, 1928. What county and what jurisdiction was involved, and whether records of the case exist (including those that probably never made it to trial), have yet to be determined. The timing here in the filing of the Elenterio action on October 3, 1927, suspiciously coincides with the other filings and cross-filings, suggesting a legal war had been declared in October 1927.

ACKNOWLEDGEMENTS

A version of this article was presented at the 11th annual California Indian Conference, University of California, Los Angeles, October 6 and 7, 1995. Thanks go to Paul Wormser and Suzanne Dewberry of the Federal Archives Center, Laguna Niguel, and to Maria Dyche of the Campo Reservation, for their assistance in finding documents; to Steve O'Neil, Michael Connolly, and Campo Band members for reading and commenting on the manuscript during its preparation; to Katherine Saubel for consenting to be interviewed; to Carolyn Kual'i'i for conducting the interview with Ms. Saubel; to John Panter of the San Diego Historical Society for research assistance; and to Michael Connolly, Dwayne Pack, and Jeff Holtzman for producing the maps. I also acknowledge the American Philosophical Society for a grant during 1992 and 1993 for research on the Mission Indian Federation.

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