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# The Death of Superintendent Stanley and the Cahuilla Uprising of 1907-1912<sup>1</sup>

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*This essay documents the death of superintendent William Stanley during a melee at the Cahuilla Reservation in 1912 as a by-product of the Indians' non-negotiable demand for self-determination. Clashes between Indian Agency superintendents and reservation leaders ("captains") occurred at Morongo, Los Coyotes, Soboba, Mesa Grande, Campo, and other reservations in the Southern California Mission Indian Agency in the decade before World War I. Resilient, long-standing institutions like the fiesta and the captain system were viewed by the superintendents and their superiors in Washington, D.C. as blocking economic and moral progress. The struggle over political authority reflected broad-based disillusionment and frustration, and the desire to be free of Indian Agency interference. Primary grievances were the federal agency's failure to define boundaries and to provide permanent title to Southern California Indian lands. When the Mission Indian Federation formed in 1919, there had been more than a decade of concerted political activism regarding home rule in Southern California.*

**I**n a December, 1878 petition, captains from Pala, Pauma, Rincon, Potrero, La Jolla, and Yapicha appealed to the Secretary of the Interior asking for protection of their lands. "Until now," they emphasized, "no material aid have we asked nor received from the government; now we only ask land, and to be protected in the possession thereof, in order to farm them, and thus support our families with our industry and labor" (Mora 1878). By the turn of the century, federal protection had been extended to over thirty-three reservations in Southern California at the urging of tribal leaders and their Indian Rights allies such as Helen Hunt Jackson. From 1905 to 1910, there were infusions of money to improve conditions in California: to buy land for the landless, purchase agricultural equipment, build and improve schools, hire teachers and other staff, combat bootleggers, and develop irrigation systems. The reorganized Tule River-Mission Agency divided the Southern California reservations into jurisdictions headed by different "superintendents" (formerly called "agents"), whose responsibility it was to supervise clusters of separate Indian communities and the day-school teachers under their charge. Special inspectors visited the reservations, making detailed reports on conditions and the conduct of personnel. In 1905-1906, the capable special investigator C. E. Kelsey toured the southern part of the state, buying additional land, making surveys, and building fences around Indian reserves. Kelsey's work was a belated effort to fulfill the "first and

most essential step" recommended for the Mission bands by Helen Hunt Jackson over two decades earlier: defining reservation boundaries through accurate surveys done by government officials, and distinctly marking boundaries "plainly and conspicuously ... leaving no room for doubt" (Jackson 1883:463-465).

The activist federal guardianship of 1905 to 1910 was met with a hostile response because Indian communities were subjected to something they had not requested and greatly resented: governance by superintendents. There was vigorous opposition to the bureau's activities in the years before World War I, particularly on the remote reserves in the mountains and deserts on the eastern periphery of Mission Indian territory, because these communities were historically independent, self-governing, and self-supporting. They disliked the increasing interference in their affairs, all the more so because many of the federal initiatives were ill-adapted to the arid conditions in Southern California and interfered unnecessarily with local practices and prerogatives. The Mission Agency superintendents aggressively endeavored to reform the Southern California Indians' political system after 1905. Institutions like the fiesta and the captain system were viewed as blocking economic and moral progress (Thackery 1912).

Heightened anxiety over lands and resources compounded the discontent over interference with community institutions. Despite C. E. Kelsey's efforts, boundary lines remained indefinite well into the 20<sup>th</sup> century on most reservations because of faulty surveys and encroachments. "This is the talk all of the time," the Los Coyotes band stated in an appeal to Washington, D.C. in 1908. They requested that the homes where they were born and where their forefathers were buried be secured to them in undisturbed possession. They wanted homes fixed in good condition within the four corners of the reservation, and they wanted white intruders ousted (Los Coyotes petition, 1908). Allotment was mishandled on the few reservations where it was being imposed. Communities at Temecula, Warner's Ranch, and

elsewhere were dispossessed. The federal Indian Agency's mistakes and its inability to define and protect boundaries created a festering sense of betrayal and an enduring hostility to outsiders. A Mission Agency employee stated in 1911: "[T]hey believe nothing we say, practically" (Spalsbury 1911; Kelsey 1906:146; Swayne 1910a).

It was in this landscape of charged emotions, distrust, and conflict over political authority that the ill-fated William Stanley lost his life.

### POLITICAL CULTURES IN CONFLICT

In the political culture of aboriginal Southern California, legitimate authority to govern was vested in hereditary ceremonial leaders. While ceremonial leadership had continuity among the more isolated bands on the eastern periphery of the Mission Agency into the 20<sup>th</sup> century, throughout Southern California indigenous practices had been substantially modified after contact, becoming more centralized. To encourage accountability, the Californios and Spanish missionaries selected temporal heads or "*capitanes*" as village and district leaders (usually corresponding to linguistic areas), and under them "*alcaldes*" (police/constables) and "*jueces*" (judges/justices of the peace) (Strong 1929:149). Americans interfered minimally with this long-standing political system, except that the formality of democratic elections was strongly endorsed. Under both Mexican and American rule, village "captains" and regional leaders called "generals" received external validation via papers called "commissions."

The "captain system" had considerable longevity and resiliency. Indian communities continued to select their own leaders and to administer justice along accustomed lines. Those who were accused of crimes (this sometimes included white ranchers whose cattle destroyed Indian property) were brought before an Indian judge (or judges, and sometimes a jury). Charles Thomas of Hemet testified that he once served as an attorney in an Indian court in a disputed inheritance case on the Cahuilla Reservation.

Indians decide by jury, Thomas stated, “just about the same as we decide anything. They try to get at the truth of the matter and decide justly” (U.S. v. Apapas:174-177).

The coexistence of the Native and the American political cultures depended upon cooperation between the federally-appointed superintendents and the leading men in the Indian communities. On the scattered and remote reservations in Southern California, the superintendents relied heavily on cooperative reservation officials to perform their duties of suppressing liquor trafficking, crime, vice, and “barbarous” ceremonies standing in the way of the government’s civilization program. In 1878, Congress authorized the funding of Indian police recruited from the local Indian population (20 Stats, 86). These policemen served at the superintendents’ will. At Mesa Grande, superintendent Thomas Games relied upon Indian policeman Salvadore Duro to enforce the federal ban on drinking, for example. Games said life would be “hell” without Duro because the ruffians at Mesa Grande “simply stop short of murder” (Games 1909). On the Cahuilla Reservation, policeman Celso Serrano felt the sting of his unpopularity for following the orders of the superintendent. There were frequent complaints from within the Mission Indian Agency in the early 20<sup>th</sup> century regarding the abuses of these policemen and demands that they be democratically elected, but in the first quarter of the 20<sup>th</sup> century the Indian office remained firm on the superintendent’s right to select the policeman and to control all matters which pertained to the enforcement of law and order on the reservations (Asst. Commissioner 1908). The Indian police were an indispensable adjunct to the superintendents’ authority, and the method of selecting them continued to be controversial.

Other political reforms in the Mission Agency met with even less success. After 1906, as external pressure for cultural change within the Mission Agency escalated, superintendents increasingly exercised their authority to depose elected reservations officials—believed to be drinkers, gamblers, recidivists, or

troublemakers—and to appoint more suitable role models. When the superintendents innovated to exercise power to depose *democratically-elected* judges and captains, there was vigorous resistance in several communities; especially it seems, in those cases where legitimacy was rooted in hereditary clan authority.<sup>2</sup>

In 1908, for example, superintendent Games refused to give commissions to Antonio Norte and Bernard Segundo at Los Coyotes and substituted his own candidates for these leadership positions. (Segundo was unfit for office, Games stated, because he was not obedient to authority, nor was he industrious.) Norte and Segundo were so aggrieved with superintendent Games that they filed a complaint at the U.S. Attorney’s office in Los Angeles. “We never was treated that way before,” said Norte (Norte 1908).

Superintendents also tried to replace the captain system with new forms of reservation governance, such as the Indian Court of Offenses. (The Indian Court of Offenses, an innovation of the Department of the Interior in 1883, entailed empowering Indian judges to levy fines against tribal members for ‘barbaric’ practices like polygamy or shamanism, thus encouraging a revolution in culture from within.) However, as one Indian office clerk reported in 1930, “The Indians of th[is] jurisdiction have consistently opposed such Courts of Indian Offenses” (Mission Indian Agency Clerk 1930).

### THE CAHUILLA RESERVATION UPRISING, 1907-1912

The Cahuilla Reservation, established in 1875 by executive order, was but one of several reserves in the Mission Indian Agency for Cahuilla-speaking people in what is today Riverside County. Not as subordinated to the mission system as other Indians closer to the Pacific coast, some Cahuilla clans, united under the leadership of Juan Antonio, maintained their fearsome autonomy into the mid-19<sup>th</sup> century. Cahuilla men traveled widely from San Bernardino to Santa Ana as *vaqueros* and allies

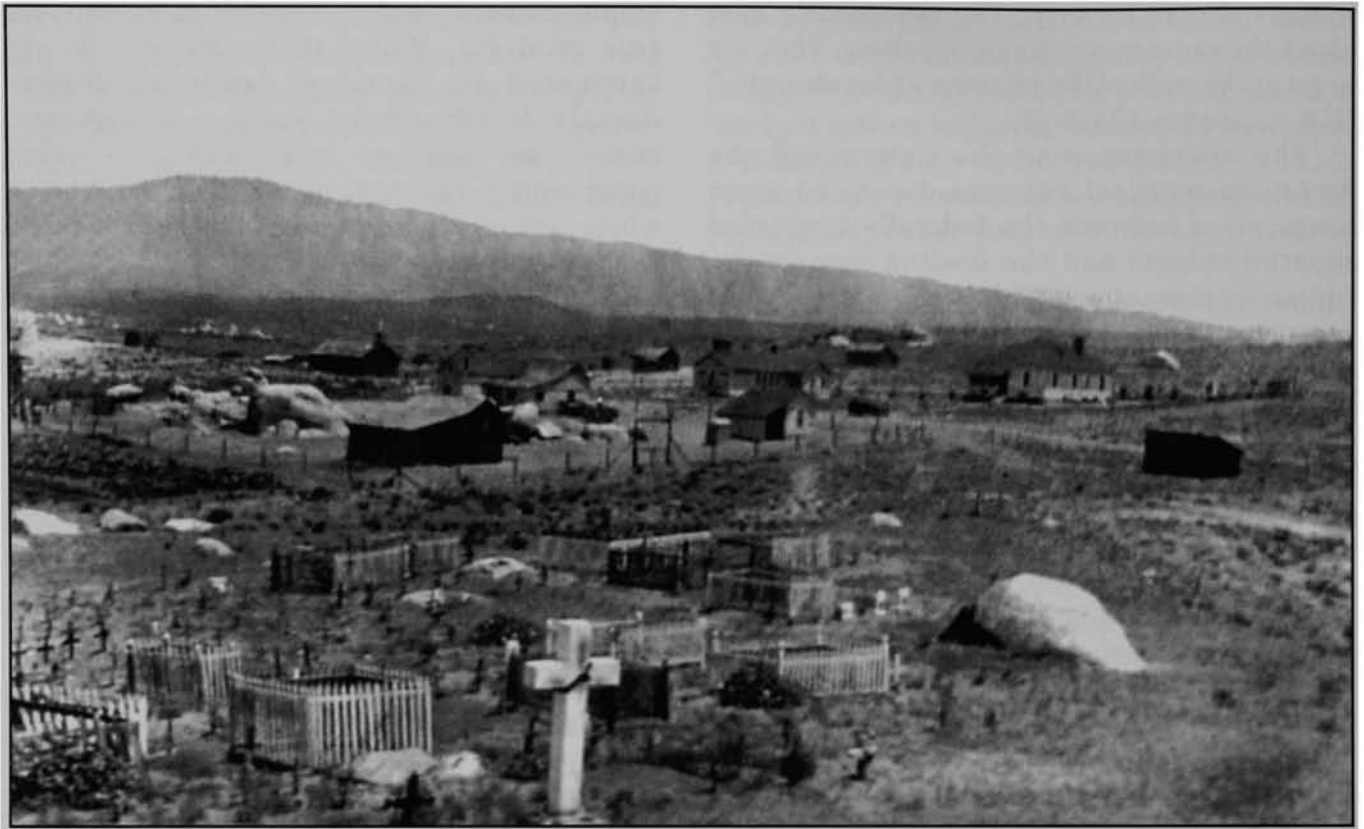


Figure 1. General view of Cahuilla Reservation, ca. 1908. (Photo courtesy of the National Archives.).

of the rancho owners (Apapas 1912 [Appendix]). When Juan Antonio died in a smallpox epidemic in 1862, his successor, Manuel Largo, gathered many youthful and able survivors and brought them to what would become the Cahuilla Reservation. At an elevation of 4,000 feet, the high-valley reservation (Fig. 1) west of the Santa Rosa range was austere but was well-suited for grazing cattle. It sheltered a population of 340 people (60 men) in the late 1880s (Strong 1929:149; Painter 1888:52). The Mountain Cahuilla bands were known for their fierce independence, but they gained a reputation among American observers as law-abiding, industrious, stubborn, self-reliant, and self-confident people. Helen Hunt Jackson wrote of the Cahuilla Reservation people, "The isolation of this village has also tended to keep these Indians self-respecting and independent" (Jackson 1883:481; Thackery 1912). Trespass by cattle owned by neighboring white ranchers was a chronic problem, but the Indians here were

relatively prosperous, supporting themselves through a combination of cattle ranching, agriculture, and off-reservation wage work (Painter 1888:52-53).

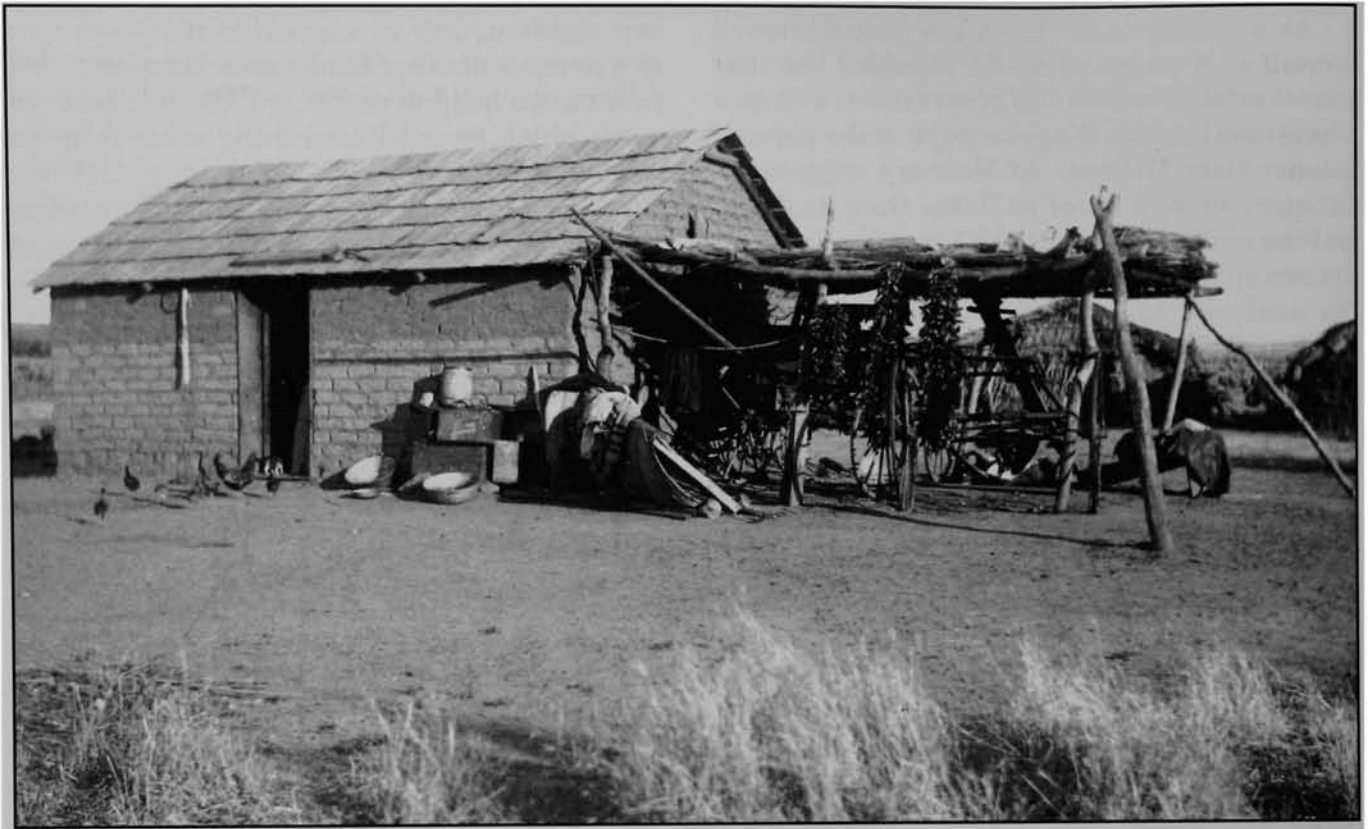
The Cahuilla Reservation's captain at the time of Will Stanley's death in 1912 was Leonicio Lugo (c.1860-1937), a survivor of the smallpox epidemic of 1862. Leonicio's father Fernando (1820-1905) succeeded Manuel Largo and was the elected captain and *net* (the hereditary ceremonial leader) from the late 1860s to 1887 (Fig. 2).<sup>3</sup> Like his father before him, Leonicio impressed many people with his good character and dignified bearing. Lugo had been raised to expect deference and was trained to have the personal qualities and specialized knowledge of a person of rank (Strong 1929:xviii). In addition to Cahuilla, he spoke Spanish fluently and could converse in English. Leonicio Lugo reached manhood as the power of ceremonial clan leaders was rapidly waning. Fernando was the last of the "old time" captains (Apapas 1912).

As a young man, Leonicio distinguished himself as a progressive. He attended the first school established on the reservation, and as a young man became the prize pupil of the popular teacher Mary Ticknor. At Ticknor's suggestion, Leonicio wrote a letter to Helen Hunt Jackson, and she replied on July 1, 1883, encouraging him to keep up his studies in arithmetic and business, "to work and save money and show that they can do all things as well as the Americans do" (Mathes 1998:285). When Charles Painter of the Indian Rights Association visited the Cahuilla Reservation in the summer of 1887, he singled out the twenty-seven year-old scholar for special mention. Lugo, said Painter, was married with

two children, and he supported them—as well as a number of other family members—with his twenty-two head of cattle and his five acres of corn, which he cultivated using water from an irrigation ditch (Fig. 3). In the early 1890s, Mission Agent Horatio Rust relied upon Leonicio as an interpreter and endorsed him as reservation captain when Pablo Cassaro died in 1890. Shortly thereafter, Lugo left the reservation and lived in the Redlands area for fifteen years; perhaps recurring epidemics and the death of loved ones provoked his departure (Barrows 1900). The population at Cahuilla Reservation dropped precipitously; it went from 275 in 1890 to only 150 (or 40 adult males) by



Figure 2. Home of Fernando Lugo on the Cahuilla Reservation, photographed by Agent Horatio Rust, ca. 1890. Fernando Lugo's name was "dreaded by his enemies," wrote Agent Horatio Rust, but his "office and influence [was] slipping away from him crowded out by civilization in which he can take no part." (Photo courtesy of the Huntington Library, San Marino)



*Figure 3. Leonicio Lugo's home, ca 1890, photographed by Rust. Leonicio was viewed as a progressive Indian by Agent Rust, who believed he would lead his people to a better future. (Photo courtesy of the Huntington Library, San Marino)*

1912 (Rust 1890).

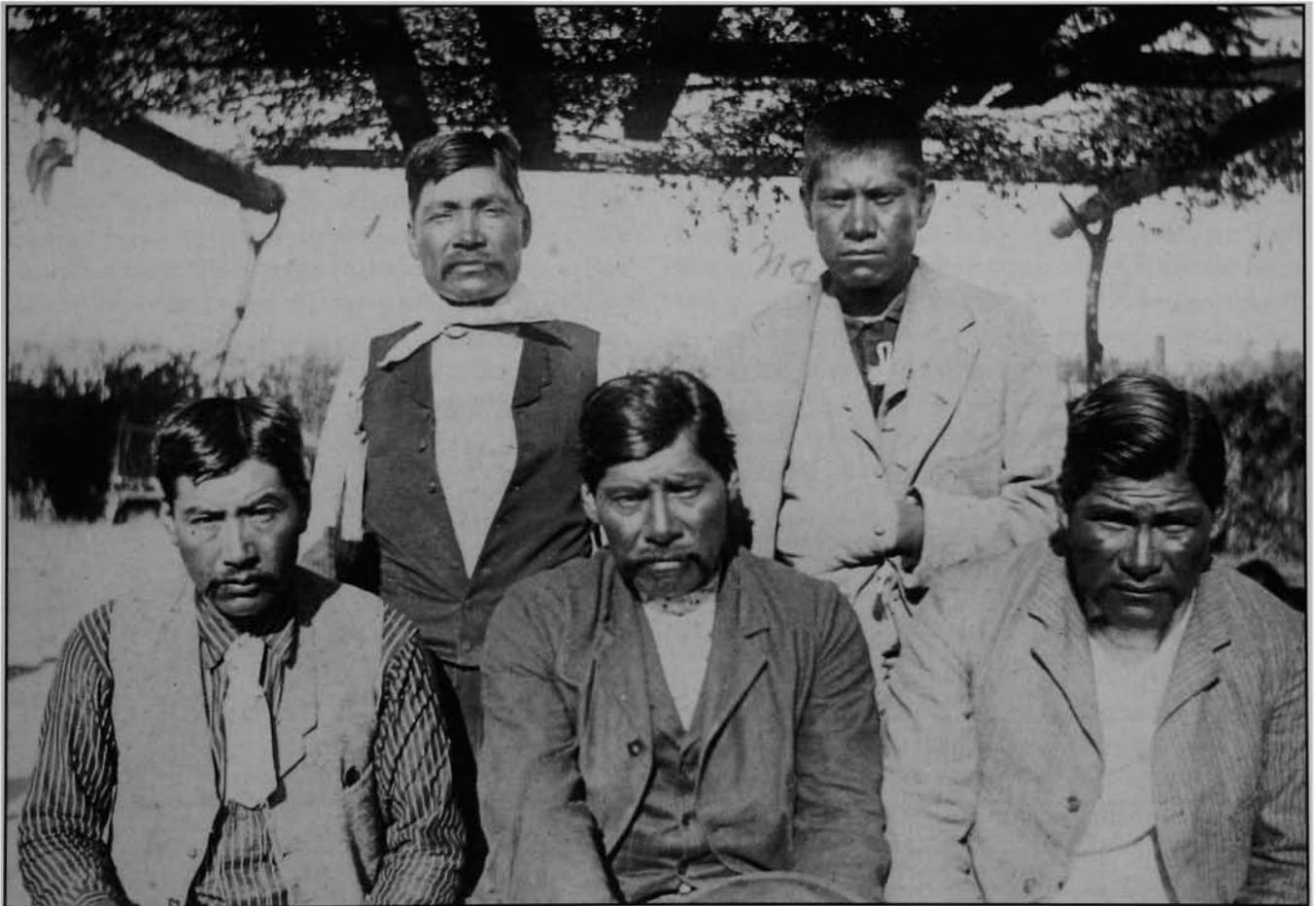
These bleak population figures are one indicator of the critical conditions at the Cahuilla Reservation when Leonicio Lugo (Fig. 4) was elected as captain in July, 1907. The people were mobilizing to resist the Indian Agency's unpopular plan to allot the reservation. Anxiety about land holdings ran high because relatives at Santa Rosa Reservation had recently been run off their land at DeVanter Flat (Lugo 1907; Norris 1910; Davis 1908). Trespass by neighboring ranchers required a firm response. Also, alcohol abuse appears to have been disrupting the social order. The Cahuillas asked the Indian Agency to construct a better jail (Fig. 5) on the reservation. They complained that both their policeman, Celso Serrano, and their school teacher, Chalfant Swain, were guilty of drunkenness. (Swain was discharged in 1908.) The Cahuillas' dissatisfaction with their schoolteacher, policeman, and farmer – the last laughably

useless to them (McConihe 1910) – added to the long list of disillusioning experiences with federal employees and missionaries over the years (Mathes 1990:129-139; Rust 1890).<sup>4</sup>

Shoring up his authority, Leonicio Lugo assumed the traditional prerogative of a captain to collect a small tribute from tribal members. Lugo collected a \$3 fee from each adult male. The reservation had 600 head of cattle and 200 horses. (Many reservation members had income from off-reservation jobs; for example, working at the Lake Hemet Water Company doing flume and pipe work.) As captain, Lugo supervised the collection of fines levied against those Indians and whites who violated the reservation's unwritten laws. As was customary, Lugo kept part of the money and distributed some to the injured parties. For white ranchers whose cattle trespassed on reservation land, these fines in effect were lease payments for cattle grazing on Indian land (Swain 1908).

The boundary issue was a very serious concern. During his tenure as captain, Lupy Lugo (1907) had struggled with this problem; he sent an urgent letter to the Commissioner of Indian Affairs in Washington requesting a boundary survey; this had failed to get any results. (Though he was literate, Leonicio Lugo relied upon his young, Sherman-educated nephew, Lupy Lugo, as an advisor and secretary.) Though two different surveys had been made at the Cahuilla Reservation since its creation in 1875, ranchers had continued to encroach upon Indian land and claim it for themselves. The Cahuillas were adamant that the most recent Reservation survey was wrong. Rancher Will Tripp paid a fine of \$60 to the "line rider" Captain Lugo had detailed to watch for cattle illegally crossing the boundary

onto reservation land. The line rider kept half, and the other half went to Captain Lugo (Hall 1913a). The situation was so tense that a local white man, Frank Clark, was threatened with a hammer because of alleged trespass. The new reservation jail was used to confine white trespassers who refused to defer to Lugo's authority (US v. Apapas:317). There were repeated requests from the Cahuilla Reservation for fences, boundary markers, and a new survey. It was reported in 1909 that the Cahuilla Reservation people were "much exercised" over the ill-defined boundary. When the new survey was made at last, its results were unsatisfactory to the Cahuillas. (Will Stanley allegedly favored the white ranchers' interpretation of where the boundary lay [Anon 1912b]).



*Figure 4. Cahuilla men, ca. 1890, photographed by Rust. Leonicio Lugo, about 30 years old, front row, far left, Roman Lugo, front row, center, and Cornelius Lugo, front row, far right. The Lugos were once a large family on the Cahuilla Reservation. (Photo courtesy of the Huntington Library, San Marino)*



### L.A. Wright's Superintendency: Indian Defiance and Jurisdictional Ambiguity

William Stanley began his Indian service as a day-school teacher on the Soboba Reservation under superintendent L.A. Wright, and he made his mark endeavoring to crack down on liquor trafficking. (The Soboba Superintendency, reorganized in 1908, included the Soboba, Cahuilla, Santa Rosa, Ramona, and Santa Ynez reservations. The superintendent had his headquarters and home at Soboba.) Soboba, like most other reservation communities in Southern California, hosted an annual feast or fiesta. There was drinking, gambling, and sometimes fighting at these events, which were attended by people from other Indian communities, as well as non-Indians. Young, idealistic, and eager for promotion within the Indian service, Stanley took personal risks in attempting to confiscate

liquor at the Soboba fiestas from 1905-1907, but received little support from his superior. Stanley was overpowered, severely beaten, and ejected from the Soboba fiesta. Some Mexicans and intoxicated Indians "mobbed the federal officers and threw them in jail" at the 1907 fiesta; the 1907 fiesta was such a fiasco that a request was made for the military to come in and restore order. The miscreants threatened to rebel again in 1908 if officers interfered with their fiesta's celebration (Johnson 1908).

A thorough investigation of the situation at Soboba was made by the Indian Agency's inspector Charles Davis in 1908. Will Stanley was absolved of any blame and superintendent Wright was faulted for weakness and vacillation; Wright was replaced and the Soboba jurisdiction was reorganized. At Soboba, the Indians were "about in a state of open resistance to the Government far more through maladministration

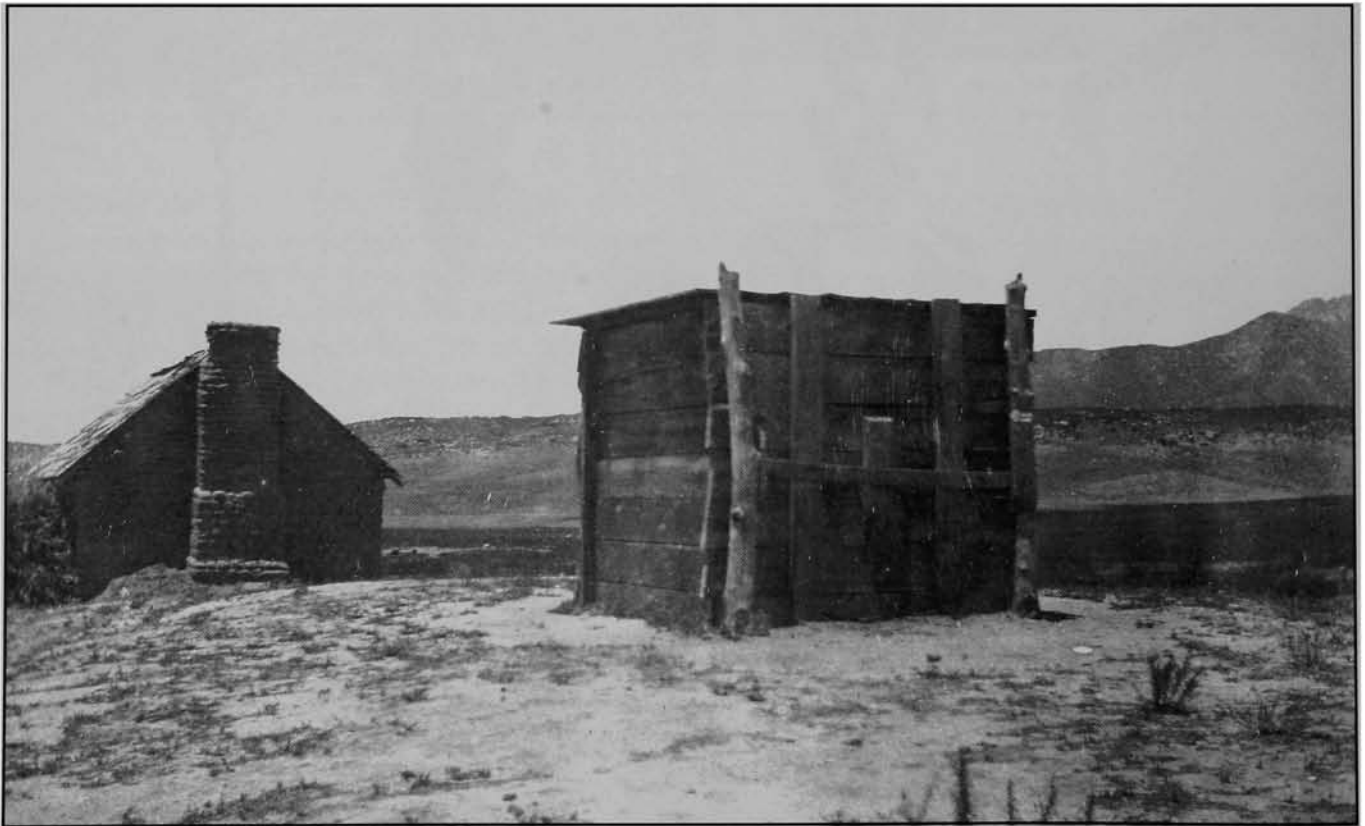


Figure 5. Photo taken by Agent Rust ca. 1890 of the jail built by the Cahuilla Indians. On the left was the home of Captain Pablo Cassero. The Cahuillas wanted to replace this jail with a stronger structure during Captain Leonicio Luño's tenure as captain. (Photo courtesy of the Huntington Library, San Marino)

on the part of the former Agent than through any intent on the part of the Indians to do any wrong," wrote inspector Davis. Wright had been guilty of a "do-nothing policy" and had incurred the Indians' contempt. They viewed control by the superintendent as "mere presumption...to be rightly resented by Indians" (Davis 1908). Tellingly, four years before Stanley's death, Davis reported in 1908 that the Cahuilla Indians in the Soboba jurisdiction believed they were self-governing and that they had authority over any whites or Mexicans that might come on their reservations. Captain Leonicio Lugo had unequivocally declared his opposition to *any* superintendent's authority over him. Davis wrote: "They had told me many times that they could manage their tribal affairs without the help of the Government or anyone else" (Davis 1908). The Davis report of 1908 revealed that the unrest and defiance at Soboba was linked to perturbing legal issues regarding jurisdiction and boundaries—of much concern to Indians. Did the superintendent have the right to search the fiesta booths without search warrants if the concessionaire was a U.S. citizen? Did the Indian leaders have authority over non-Indians on the reservation? The imprecision of the earlier surveys compounded the law and order problem. (At Soboba, the reservation buildings were actually on land owned by the Southern Pacific Railroad.) Davis endeavored to clarify some difficult questions for superintendent Wright's understandably perplexed and temporary successor. Davis averred, for example, that federal Mission Indian Agency officials had authority over reservation land and non-citizen Indian wards; unfortunately, no one knew where the reservation "begins or ends" (Davis 1908).

The on-going efforts by Will Stanley to crack down on bootleggers and their customers graphically illustrates how gaping legal ambiguities magnified the vulnerability of Indian Agency personnel as they tried to execute the unpopular directives coming from Washington, D.C. Stanley made arduous trips by buckboard to Riverside, San Bernardino, and Los Angeles to interrogate witnesses and to confront those selling liquor to Indians. Along with the non-

Indian purveyors, Indians were caught in the snare of punishment. Reservation Indians were subject to searches, confiscation of property, expulsion from the reservation, and fines. Many had sympathy for the whiskey dealers, their relatives, or those arrested. Stanley arrested and fined many Indians from 1907 to 1911. Those charged raised money for lawyers. Stanley's failure to get convictions embarrassed the Department of the Interior, and he was instructed by the bureau to quit stirring up conflicts that raised protests and revived questions of title and jurisdiction. Eager Indian Agency employees like Stanley lacked the physical, legal, and moral support they needed to enforce their authority and promote "civilizing" programs.

#### **Francis Swayne's Superintendency, 1909-1911: Standoff**

Political volatility in the Soboba Superintendency was evidenced by a rapid succession of superintendents unequipped to deal with the stubborn resolve of the Cahuilla Indian people under Captain Lugo's able leadership. Captain Lugo immediately locked horns with Francis Swayne,<sup>5</sup> when Swayne took the post of superintendent in 1909. Lugo and his people demanded that the new superintendent show them all letters from his Washington, D.C. superiors "as they came and let them know what I wrote," reported Swayne. When the Cahuillas discovered Swayne had private correspondence with Washington, they declared their intent to do the same: to circumvent Swayne and deal directly with Indian Agency officials in Washington. "As you have done this we the people will have to do the same" (Swayne 1910a).

Swayne and Lugo soon had a confrontation over the tribute system. Though he had given Leonicio Lugo a commission as captain in July, 1910, Swayne objected both to the small annual fee Lugo was collecting from his men and to the levying of fines against white cattlemen whose cows grazed on Cahuilla reservation land. Swayne described this practice as "promiscuous collections for *tolerated* trespass" and cited it as a violation of Indian Agency procedure as

outlined by the acting Commissioner of Indian Affairs in a March 27, 1908 memorandum: cattle that were trespassing were to be impounded and deposited with a U.S. Marshal, following which the U.S. attorney would be contacted to bring suit (Swayne 1910b). This cumbersome bureaucratic alternative to the customary system would not have served Indian interests.

Swayne's determination to reform what he saw as a corrupt and barbaric system soon precipitated an acrimonious standoff with the Cahuillas. Armed with letters from Washington backing up his position on the cattle-impound issue, Swayne met with the Cahuilla Reservation people in mid-1910. Their response was to ignore Swayne's move to undermine local power; they denied he had authority to compel them to do anything against their will. They told Swayne that they "wanted a patent to their land so that they could be left to do as they wished, and said they wanted [him] to let them alone and let them run things on their reservation as they pleased" (Swayne 1910a). Infuriated by their defiance, Swayne called Leonicio Lugo a liar and proposed to Washington that a business council permanently replace the captain-judge system on the Cahuilla Reservation.

The confrontation escalated to a new level when Swayne deposed Lugo from the office of captain in the fall of 1910. An "example" must be made of the Cahuilla leadership, Swayne argued, to disabuse them of their silly democratic notion: "They really believe that because they agree together that they do not want a thing, that no one has a right to do that, and if they decided anything in meeting that is more binding than any [American] law or rule" (Swayne 1910a and 1910b). Swayne had Lugo prosecuted for a minor violation of drinking at a fiesta. But Juan Costo—the reservation's choice for judge who Swayne appointed to the Court of Indian Offenses—refused to levy the fine against Leonicio Lugo unless the people authorized him to do so. To protect his autonomy, Judge Costo refused to take the government's money for his services as a judge (Swayne 1910b; Hall 1911). Lugo refused to relinquish his office. With his nephew Lupy's help, Captain Lugo sent a number

of letters to Washington, complaining about Swayne and protesting the institutionalization of a business council. Intoning the political rhetoric Lupy Lugo had probably been required to memorize as a student at the Sherman Indian boarding school at Riverside, one Cahuilla Reservation petition stated that they already had two officials appointed "by the people" and "for the people, to look after the interests of the people." They also reiterated their objection to allotment, stating: "We want four corners and leave it as it is" (McConihe 1910).

The Cahuilla Reservation community remained strongly unified even though a special inspector was sent to convince them to accept the business council plan, as well as the principle that they must obey their superintendent. At this meeting in late 1910, Captain Lugo asked if the business council were adopted, would the members be paid for their time? He was told no payment was possible, and "as a matter of fact a meeting would rarely be necessary, unless called by the superintendent or with his approval." The Cahuillas could not have been pleased with this bald statement that henceforth they would have a minimal voice in reservation economic affairs. Nor would they have shared the inspector's opinion that Swayne was trying to "bring them out of their present state of bondage" (McConihe 1910). This interchange brings to mind the British colonists' resistance to England's taxation. Lord Grenville demanded the British army be used to compel obedience. "Tell me," he demanded of Pitt, "when the Americans were emancipated." Pitt's response was, "I desire to know when they were made slaves" (Fragher et al: 1997:145).

Using methods anticipating those of the Mission Indian Federation two decades later to resist the Indian Agency (aka the Bureau of Indian Affairs), Captain Lugo and his people engaged in civil disobedience and political networking in 1910 and 1911. Lugo forbade the Indians to do anything Stanley wished, such as cutting or delivering wood for the school, hauling freight for the government, or submitting to vaccinations for smallpox. An irrigation ditch delivering water to a Cahuilla Reservation farmer

was destroyed; the farmer, who had procured his seed from Stanley, was intimidated into withdrawing his complaint. Though he lacked his star witness, the frustrated Swayne arrested a Cahuilla man for destroying the ditch, and this nearly brought on a violent confrontation. A number of men (among them Leo Arenas, a Palm Springs Reservation Cahuilla characterized as a "criminal type") demanded the prisoner's release. They cornered Swayne in his office and refused to let him leave until he either freed the prisoner or had the matter adjudicated by a tribal judge. After a four-hour standoff, Swayne escaped from his office. Humiliated and angry, Swayne demanded the Department of Justice take "prompt and vigorous action" to punish Lugo and Leo Arenas. He also asked that the Indian Agency give him the backup he needed for physical safety, complaining that he had no state or federal statutes, no officers, and no fit jail to enforce his authority (Swayne 1911a and 1911b). Meanwhile, Leonicio Lugo had been actively raising money to take his case to the President of the United States. Lugo and Judge Juan Costo called two meetings at the Cahuilla Reservation in early February, 1911, urging the Indians present to each subscribe \$20 for legal fees, and to help finance Leonicio and Lupy Lugo and their attorney, Miguel Estudillo,<sup>6</sup> in making a trip to Washington, D.C. to secure a land patent for the Cahuilla Reservation. They believed that once the patent was in hand, outside interference by superintendents would cease and the tribal captain would reign supreme. Ambrosia Apapas, who was later convicted of shooting Stanley, was one of the first to donate. (A hard-working and successful Cahuilla rancher, Apapas had 140 head of mixed cattle, and he used 325 acres at the Cahuilla Reservation and 2240 acres at the Ramona Reservation for pasture, much of which he had personally fenced in the 1880s and 1890s.) All told, Apapas contributed \$150 to the political fight. Collections were also sought from Indians on other reservations. Captain Manuel Tortes of the Santa Rosa band gave \$50 and stated that he would raise more money if it was needed (Dorr 1912). Lugo was on the road for two to three months at a time, attending the

fiestas at Santa Ysabel, San Ysidro, and Soboba, to collect money, and according to Swayne, to stir up unrest (Hall 1913; Swayne 1911b; U.S. v. Apapas: 121). Superintendent Thomas Games noted that a wave of discontent was evident throughout the Southern California Indian community in 1910-1911 (Games 1911).

In the summer of 1911, with the \$600 they had collected from Southern California Indians, the Lugos and Estudillo embarked for Washington, D.C. The recent eviction of their relatives from the Santa Rosa Reservation appears to have been one of the key grievances placed directly before President Taft and the Department of the Interior. To prevent a similar thing happening at their own reservation, the request was made to the President to "have their reservation patented to the band in fee simple." A second key demand was that "all Government officers and activities [be] removed from off reservation" (Hall 1915).

### **Will Stanley's Superintendency, 1911-1912: Irreconcilable Differences**

Having become ineffective, Swayne was dismissed as superintendent in June, 1911 and was replaced by Will Stanley in September, a clear victory for Captain Lugo. From the Lugos' perspective, the question of home rule had not yet received an official ruling. Though Stanley (who lived on the Soboba Reservation with his family forty miles distant) made a dozen trips to the Cahuilla Reservation, Captain Lugo refused to enter into any kind of discussion with him until he received an important "paper" he was anxiously awaiting from Washington, D.C (US v Apapas). In a formal petition to Washington (the original of which has not been located) urgently asking for a ruling, Lugo reputedly said he couldn't keep the Indians in check much longer; the reservation would become the scene of violence and tragedy if the Indian demands for a patent and self-rule were not met soon (Anon. 1912a; Thackery 1912).

At this critical juncture, the federal government vacillated, in part because it was getting mixed advice on the crisis. One inspector

took a hard line, recommending strong measures “to subdue the rebellious spirits that infest this reservation;” the Indians on the Cahuilla Reservation must be brought to the acknowledgment that the superintendent is “not subject to their whims or insolent demands” (McConihe 1910). A number of Mission Agency personnel tagged the Cahuilla Reservation people as “trouble makers” (Thackery 1912). Superintendent Harwood Hall took a more sympathetic view, arguing that Swayne’s heavy-handed exercise of authority over this law-abiding, independent people was incompatible with the principles of republican government; autocratic actions by federal officials were provoking the militant Indian response. The ineffective superintendents’ difficulties on this reservation, said Hall, grew “out of the fact that this band of Indians has always governed themselves by tribal customs and rules, having given no recognition to previous agents or superintendents as regards authority in any form” (Hall 1911; Davis 1908). These Mission Indians need “more protection and less bossing,” said Hall (1913b).

Four months after Stanley became superintendent, the Indian Agency provided instructions to Stanley about how to proceed. Stanley conveyed a message to Lugo from an Indian Agency subordinate—the second assistant to the Commissioner of Indian Affairs—in October, 1911, gently encouraging Leonicio Lugo and his people to understand that Stanley was only following orders from Washington, and advising cooperation. In an accompanying letter, Stanley made a personal plea to Captain Lugo in a conciliatory, if patronizing, tone to “do the right thing.” Do not be grouchy or complaining, he said, forewarning the Cahuilla Reservation leader that he must do his duty “regardless of what you people wish in the matter” (US v. Apapas). Captain Leonicio Lugo sent replies, similar in wording and tone, to Stanley and the Commissioner of Indian Affairs, R.G. Valentine, in late October, 1911. Lugo respectfully asked only that they be given the power to govern themselves in the land of their

forefathers. In his letter to Stanley, he said:

Really Mr. Stanley we are not a grouchy or complaining people. It is true that we have complained in the past, but it was because of the injustice that was inflicted upon us, we ask [for a] square deal, that’s all, we want to be given a certain degree of self government consistent with the rules of the Indian department – we desire to be treated as men not as children.... We complained in the past because the government put a tyrannical man over us who disregarded our wishes and rode over our rights simply because he had the power to do so [Lugo 1911; US v. Apapas].

The Cahullas remained cordially uncooperative to Stanley, and Stanley did not try to enforce his authority until late February, 1912, when he was fortified by a much sterner letter from Washington (again written by a low-level bureau official), reproaching Lugo for his disobedience and telling him that as long as he was on the reservation he was under the control of the superintendent at Soboba, and that the superintendent had the right to appoint reservation judges and Indian policemen (US v. Apapas). Though the people of the Cahuilla Reservation continued to spurn him, Stanley remained unperturbed. He believed the Cahuillas were not unruly, but were merely cowed by their autocratic leader Lugo. He attributed their anger to their not receiving the patent to the Santa Rosa Reservation (Stanley 1912a and 1912b).

It was not Stanley the man, but what he represented, that brought on the tragedy of his death (Modesto 2004b). Will Stanley did not have an authoritarian personality, nor was he corrupt. Stanley championed Mission Indians’ interests in many ways. For example, he opposed bartering religious dances, stories, and traditions to the white man for his amusement in addition to fighting the destructive liquor traffic.<sup>7</sup> Leonicio Lugo said during the trial that he liked Will Stanley. Subsequent to his death, different theories were advanced, one being that Stanley had made enemies with his zealous efforts

against alcohol trafficking. Another theory was that Stanley brought on his own death because he was not forceful enough and had failed to earn the Indians' respect; Stanley had failed in the "paramount duty" of a superintendent: to maintain authority as a *principle* "until the Indians have obtained the requisite education in self-government, so that they can take care of their own affairs" (Dorr 1912). This is circular logic: Indians must be colonized in order to be educated to be self-governing!

If one was to identify one single, simple cause for Stanley's death, it was the non-negotiable demand for self-rule. Superintendent Thomas Games underlined this point, saying the "real grievance is against the Department itself. They do not wish to recognize any one but their Captain" (Dorr 1912; Thackery 1912; Davis 1908). This was not a murder, it was political violence resulting from irreconcilable differences over political authority. In the highly charged emotional atmosphere at the Cahuilla Reservation in early 1912, matters finally came to a head.

### DEATH OF STANLEY

Superintendent Stanley was personally invited to attend the Cahuilla Reservation's annual fiesta in celebration of their patron saint on May 1, 1912, a Catholic ceremony which was superimposed on an ancient ceremony of remembrance for the dead. After joining to dance, sing, eat, and pray in an evening ceremony, the community decorated the graves in the reservation cemetery the following day. Declining to attend the evening festivities, Stanley visited the reservation with the objective of resolving a minor matter. A man named Cornelio Lugo had closed a gate on the reservation to prevent his stock from escaping, and some of his neighbors had objected. Stanley ordered one of his policemen, Cahuilla John Largo, to go to the house where twenty-seven people were having the fiesta and to inform Cornelio Lugo he wanted to see him early the next morning. Lugo asked his captain, Leonicio Lugo, to deal with Stanley for him. The Cahuillas

believed the gate issue was a matter to be resolved internally and objected to Stanley's interference (Modesto 2004b).

The next morning, a delegation of twenty-five Indians led by Captain Lugo came to meet Stanley at the schoolhouse (Fig. 6). Much of the long discussion focused on the branding of the reservation bulls. Believing that the bulls had been a gift to them, the men of the reservation were unhappy with Stanley's explanations. Suspicious when he said the newly-branded bulls would be jointly owned by the federal government and the Indians, Captain Lugo finally announced that the men should round up the bulls so Stanley could take them away. Stanley protested that he had no authority to do this. There was considerable hostility to Stanley at this meeting. The flash point was an encounter between Captain Lugo and Stanley. According to Stanley's deathbed statement, Lugo said "he was boss and would not follow my advice." According to Lugo's testimony, when he said he was Captain of the Cahuilla Reservation, Stanley said, "You are nothing." A witness to this exchange, Cornelio Lugo, reported the conversation thusly: Lugo said, "I am captain." Stanley said, "No"; Lugo said, "Yes"; Stanley said, "Washington doesn't know you are captain." And Lugo said "They are not voting at Washington for me to be captain, his people there at the reservation voted" (US v Apapas).<sup>8</sup>

A melee broke out after the meeting; as the gate issue had not been addressed, Stanley ordered his policeman John Largo to fetch Cornelio Lugo, and this provoked resistance. The government would later claim that the attack on Stanley was premeditated and that the Cahuilla Reservation men were acting in conspiracy (Thackery 1912). This was a ridiculous claim, fanned by misinformation in the Redlands press that the Cahuilla men were having a "war dance" the evening before the shooting (Modesto 2004b). The Cahuilla Reservation people placed the blame for the riot on the Indian policemen for using excessive force. (Leonicio Lugo subsequently filed complaints before Justice of Peace Webb in Riverside against these policemen.) When the policeman Largo laid his



Figure 6. The Cahuilla Day School, ca. 1903, where Stanley was shot. A porch had been added later. (National Archives photo)

hands on Cornelio to force him to go with him to Stanley, Francisco Lubo came to his kinsman's defense. The policeman Celso Serrano drew his gun to help Largo. Ambrosio Apapas (Cornelio Lubo's children's godfather) got his gun from home and came running. He and Celso Serrano exchanged gunfire. Apapas and Francisco Lubo both received gunshot wounds from Serrano's gun, and Serrano was shot by Apapas. As Serrano fled the scene, the wounded Apapas (dazed and enraged) advanced "kind of cadawampus" towards the schoolhouse porch where Stanley, Lugo, and other Indian and white

witnesses were watching the pistol fight. Stanley reputedly called out to Apapas: "Shoot that goddamn Indian," the fleeing policeman Celso Serrano. This racist disregard for Indian life caused Apapas to direct his fury at Stanley (Modesto 2004a). Will Stanley called out not to shoot, then raised his hands and turned. Apapas fired, and Stanley was shot in the back. The nearest phone was eleven miles away, and by the time a capable surgeon arrived, Stanley had lost too much blood. Stanley died at 4:30 a.m. the next morning. Captain Lugo was driving the injured Apapas to town to deliver him into

custody when sheriffs came to arrest Apapas.

In the murder trial that followed, nine other Cahuilla Reservation men including Captain Lugo, all closely related by kinship, were charged in the death of Stanley and were held without bail. The Cahuilla Reservation people nursed a great deal of grievance over these prosecutions. A few families sold cattle and raised \$4000 for the defense of their relatives. Ambrosio Apapas sold sixty head of cattle to finance his defense (Hall 1913). At the trial in the District Court of the United States, Southern District, in Los Angeles, the defense attorneys, Estudillo and Johnson, made a very strong case that the reservation's men were merely acting in self-defense, and the policemen Serrano and Largo were the aggressors. Reasonable doubt was introduced to the effect that Stanley may have died from a stray bullet from Celso Serrano's gun. Further evidence was introduced by the defense that the Cahuilla were law-abiding people. The federal jury that sat on the case noted an absence of passion in the Stanley homicide: the Cahuilla Reservation people did not exhibit any more hatred for Superintendent Stanley than for the United States government.

The jury deliberated many hours before delivering a guilty verdict on the 21<sup>st</sup> of March, 1913. Defendants Apapas, Cornelio Lubo, Francisco Lubo, Pablino Lubo, Pio Lubo, and Leonicio Lugo were found guilty of murder in the second degree and were sentenced to be imprisoned in the United States penitentiary at McNeal's Island, Washington, for ten years. Four were acquitted: Charlie Arenas, Patrick Cassaro, Agapito Lubo, and Cervantes Lubo. The defense asked for a new trial and appealed on a writ of error, but no record of an appeals case has been found. After serving six years at McNeal's Island, Pablo Lubo, Francisco Lubo, and Ambrosia Apapas were released for good behavior. Pio Lubo died in custody. After his release, Cornelio Lubo moved to Syracuse, New York to escape the stigma of his incarceration, and his Cahuilla kin lost contact with that family (Modesto 2004a; U.S. v Apapas).<sup>9</sup>

## AFTERMATH

The death of superintendent Stanley and the subsequent criminal prosecution made relations in the Mission Indian Agency more volatile. Lupy Lugo circulated petitions among the people on different reservations about the injustices Southern California Indians had suffered. He demanded that Indians be made citizens as a way to free themselves from the yoke of the Indian Agency. Asking for money and calling for unity against common grievances, Lupy Lugo argued that the Stanley murder trial was a test case. Indians are "law-abiding and citizens of California," he argued, and "it is better to get all the Captains of southern California to help altogether and fight it out" (Lugo 1912). Opposition to the Indian Agency was not confined (although the Indian Agency liked to characterize it as such) as coming from an old guard of uneducated elderly Indians resistant to change (Hall 1915). Lupy played a seminal role in the Cahuilla uprising of 1907-1912.

After Stanley's death, many of the superintendents became afraid that they would be the targets of Indian violence. Superintendent Games refused to give a commission to the man elected as captain at Volcan, and his life was threatened (Dorr 1912). Superintendent C. T. Coggeshall of Malki took to wearing a gun conspicuously in a leg holster "as if he were in a camp of his enemies" (Brosius 1918). These alarmed superintendents believed the recidivistic captain-judge system was the cause of the strife and friction, as they embraced the Spencerian evolutionism that drove the federal government's Indian policy. In their thinking, the desire to return to the past—the "old tribal spirit"—was the obstacle to progress. Some called for draconian measures to destroy the system that was making their jobs more difficult and putting their lives in peril. For Augustín Apapas, the grandfather of the convicted Ambrosio Apapas, a vital link with the past *had* been irreparably broken. During the time his grandson was incarcerated, the elderly Apapas sent all his



shell money to Alejo Patencio at Palm Springs, and asked that ceremonial exchanges with other Cahuilla bands be discontinued (Strong 1929:154-155).

Fourteen months after Stanley's death and three months after the conviction of the six Cahuillas in the death of Stanley, on 9 July, 1913, Woodrow Wilson signed the patent for the Cahuilla Reservation, to be held in trust for twenty-five years. The Cahuilla Reservation people continued to suffer the butt of Indian Agency retribution for years afterward (Modesto 2004b).

The Cahuilla Reservation people's struggle with the Indian Bureau over principles of home rule foreshadows the grass-roots struggle that surfaced in 1919 with the formation of the Mission Indian Federation. Pan-reservation alliances among captains, kin, and political constituencies developed over many years. In terms of its leadership, goals, methods, and grievances, the political resistance of the 1920s and 1930s had much continuity with the activism of the pre-World War I era. In 1924, Leonicio Lugo was elected as a Mission Federation judge (Costo 1924). Most of the methods of protest and resistance seen at the Cahuilla Reservation (and later the Federation) utilized due process. Petitions and delegations were sent to Washington; lawyers were hired by the Indians; litigation to test jurisdictional limits was inaugurated. Intertribal political networks were active. Protest included civil disobedience, boycotts, and militancy (Thorne 1999).

The Cahuilla uprising of 1907 to 1912 was a determined assertion of sovereignty rights. Stanley died in a political struggle over a principle. In a telling statement made in a report in 1915, an Indian Agency employee summed up the confrontation, saying: "In fact they wanted to be a nation within a nation and be absolutely free of any control of the United States or of the State of California with all that it implies" (Hall 1915). Stanley was in "the wrong place at the wrong time. He was a victim of circumstance," says Cahuilla Jomay Modesto (Modesto 2004a).

## APPENDIX

### Augustín Apapas, (b. 1823) Deposition And Court Testimony In U.S. v. Apapas<sup>10</sup>

[Court testimony, May 5, 1913.]

I live in Coahuilla, have lived there all my life. I cannot tell when I was born but I know that I was born right there at Coahuilla [Cahuilla], now called Ramona reservation.

Q: By Mr Johnstone – Do you remember that country before the white man came in, before the Americans came in?

A: He remembers when he growed, it was before the whites came in. At the time the Americans came in the Coahuilla lived in the same place or about the same place they are living now. At that time we had brush houses. They called it tule houses. The Coahuilla at that time farmed a little but not very much. They didn't have cattle, but there was cattle up in this valley over here at the Mission. They had burros. They belonged to the Indians but the Priest was looking after them, taking care of them. The Indians went to San Luis Rey to worship, the Mission was there. The Coahuilla lived separately and in their own houses. Each family living by itself.

Q: And did each particular family have a certain tract of land that it farmed?

A: Yes, they had little places where they were farming. At that time, for a long time, they didn't have any sheep. But later they had some. I was baptized six times. A priest used to come to Coahuilla often to say mass. He said Mass just anywhere outside where the Coahuilla people lived. The Coahuilla did not make shirts out of wool or clothes at that time. They didn't make any blankets. I don't remember that.

[Cross examination]

Q: Who are the Tepamokinoks?

A: The Coahuilla.

Q: They used to be known as the Tepamokinoks, is that it?

A: Yes sir.

Q: And the first chief of the Tepemokinoks that you remember was Batisto? [The Coahuilla land was "owned" by Pablo Baptista (aka Batisto), and the Indian name for the valley was Bya Baptista. It should be called "Cowea" (aka Cahuilla); it was known to 1860 as Bya Balle Baptista, according to Horatio Rust's fieldnotes; entry, 30 Aug. 1890, RU 1228, Vol. 33, Horatio Rust Collection, Huntington Library, San Marino].

A: Batisto.

Q: How old were you when you remember Batisto; were you a little boy or a young man or grown up?

A: I was grown.

Q: Batisto ruled several tribes, several groups of people known by different names now, but who used to be known as the Tepamokinoks, didn't he?

A: Only the Coahuillas were Tepamokinoks. They had different names.

Q: They had different names. Now, tell me the names of the others who were ruled by Batisto as chief.

Q: Los Coyotes and Chimukatems.

Q: And the others?

A: The Hullacolyuchaims.

Q: By Mr. Estudillo - They lived at San Ysidro?

Q: By Mr Robinson - Where did they live when Batisto was chief?

A: The Hullacolyuchaims, why, they lived there.

Q: Near Ysidro?

A: Near Ysidro? Yes.

Q: But they didn't live in a little place, they roamed all around that neighborhood, didn't they?

A: They lived there at the same place, a little place.

Q: And what other tribes or people were under Batisto?

A: Santa Rosas.

Q: Now, the chief was the one who decided disputes or fights between members of the tribe, wasn't he?

A: Yes, he settled disputes.

Q: And if he said they should be punished, they were punished?

A: Yes.

Q: And he decided who could live on a piece of land and who could not? Now, what was it he said? (Addressing the interpreter.)

The Interpreter: Why, he says that they had all the land together in company.

Q: By Mr Robinson: That is, the tribe owned the land?

A: The tribe owned the land, yes.

Q: And the chief and his council or the meeting of the head men decided any disputes about where one man should live

- or where another man should live, is that so?
- A: Yes; they held councils and he called all the tribes over there.
- Q: And this council and the chief decided disputes about the lands of the tribes, didn't he?
- A: Yes, they decided disputes when a man was in trouble.
- Q: By the court – In what way? Can you fix the date of this more definitely?
- Q: By Mr. Robinson – Who was the governor of Mexico when Batisto was chief?
- A: Don Pablo Portillo.
- Q: Who was the last chief of the Coahuilla?
- A: Fernando. Fernando was after Manuel Largo. Fernando was chief after the Coahuillas went to live at the place they live now. He was the last chief.
- Q: By Mr Robinson - You stopped having a chief and had only a captain after the government sent an agent there and put the Coahuillas on a reservation?
- The Interpreter: Yes, and that Lubo [Lugo] is the captain now.
- Q: In the old days when Batisto and Juan Antonio and the others were chiefs, the captain used to be the religious man of the tribe, isn't that so?
- A: Yes.
- Q: And who had charge of the Indian religious ceremonies, didn't he, the captain?
- A: Yes. They have got their own religion, too.
- Q: They have got their own religion, too; is that what he said?
- A: Their own religion, too.
- Q: You mean to say the Coahuillas would go to the San Luis Rey mission for the white man's religion to be baptized, but for their own religion they had the captain of the tribe: isn't that a fact?
- A: Yes, they had their own religion, too.
- Q: The Coahuillas still keep these religious ceremonies, don't they?
- A: Yes. They have got their pieces of land now all fenced in; got some cattle and horses now. The government has set out their places for them.
- Q: When there is any dispute or quarrel between members of the Coahuilla tribe about their land or property, the captain decides the dispute before it is taken to the superintendent, isn't that so, the captain and the judge?
- A: They know all of these things and they settle the disputes, the captain and the judge.
- Q: And the tribe elects the judge, doesn't it?
- A: Yes.
- Q: You remember when Juan Antonio was chief and he lived at San Mateo?
- The Interpreter: Yes, he knows.
- Q: And the Coahuillas or the Tepamokinoks were scattered all around at Loma Linda, Agua Mansa, Santa Ana, and all about the vicinity of Coahuilla, Ramona, Riverside, and Santa Ysabel?
- A: Why, they lived there then near Santa Ana and Rincon and Riverside, Jalapa and Agua

- Mansa and Paulatana. man who wouldn't cultivate his land; is that the fact?
- Q: By Mr. Estudillo - Isn't Agua Mansa, Riverside and Pulatana the same as Colton now? A: They used to farm it all together..
- A: Yes sir. Q: By Mr. Estudillo: Do you remember the Yorbas?
- Q: By Mr Robinson: You never had your land fenced in until the government sent an agent there and he furnished fence on the reservation, did you? A: Bernardo Yorba, I worked for Bernardo Yorba ten years.
- A: They had their fences so the cattle wouldn't get in. Q: Did your people work around, did they, to earn a living?
- Q: By Mr Estudillo: They had their fences? A: Yes, they worked all around.
- A: Yes sir, wooden fences. **[October 9, 1912 deposition]**
- Mr Estudillo: When did they first have the wooden fences? AUGUSTÍN APAPAS (b. 1823), called on behalf of the defendants, testified as follows.
- The Interpreter: He don't know what year it was, but it was lately, he says. Q: What is your name?
- Q: Who owned the cattle that you wanted to keep out by the fences? A: Augustín Apapas.
- A: Some of their own and Mexicans too; their own cattle and horses and some Mexicans, too. Q: Where do you live?
- Q: By Mr Estudillo: Pardon me, "Their own," you mean the Indians' cattle and horses and the Mexicans' cattle and horses? A: At Cahuilla.
- A: Yes. Q: How long have you lived there?
- Q: By Mr. Robinson - Before the government sent an agent and put the Coahuillas on a reservation, the council used to [;] if a man didn't till the land that the tribe gave him, the tribe council would cultivate and work the land that the tribe him, the tribe council would give it to some other man, and give some of what was produced from the land to man's family, but none to the A: I never count years.
- A: I don't know how old I am.
- Q: Have you any idea, any notion, how old you are? A: Well, I was born, yes, and I am getting to be old now.
- Q: Do you remember a great flood in California that destroyed the Mexican town of Agua Manse? A: I was working at the Trujillo Ranch.

Q: When was that flood, if you remember?

A: I was a middle-aged man at that time.

Q: Do you know what that flood did? Did it destroy anything, was anything washed away?

A: It washed away the ranches and the houses, and I was weeping with them too.

Q: What?

A: I helped them cry.

Q: Houses and ranches. What people were they? Americans or Mexicans?

A: It destroyed Trujillo property; and sometime from away above the things come down.

Q: Do you remember when the Trujillos came and settled on that place that was washed away?

A: I know when Trujillos first came there.

Q: Where were you born? Do you know where?

A: Up in Cahuilla.

Q: Do you remember when the Americans first came to that part of the country?

A: The Americans only come yesterday.

Q: Do you remember the country over there near Cahuilla when there were no Americans at all?

A: There was no Americans near Cahuilla; neither down here.

Q: No Americans?

A: No.

Q: What people were here at that time, when there were no Americans there?

A: There was another tribe lived here.

Q: Another tribe lived here. Where? In Los Angeles?

A: In Los Angeles, and the Cahuillas lived in Chino, towards the mountains..

Q: Do you remember the war with the Americans, between the Mexicans and the Americans? Do you remember that?

A: Why, there was going to be a war between the Americans and Mexicans over here, but they didn't war at all; they didn't fight.

Q: Do you remember any fight that took place?

A: Why, the Americans came through the water; they came to old San Diego.

Q: Do you remember the Mormons in San Bernardino?

A: Yes, I remember. They come in there. I worked for some of them.

Q: Do you remember when they came there?

A: I don't remember the year when they came in.

Q: Well, do you remember when they came with their wives, the men and the women - when they came to San Bernardino?

A: Yes; I remember that.

Q: Who was living in San Bernardino, or "Compo", as he calls it, when the Mormons came? What Mexican was living there?

A: Miguel Bermudes was living there, and Lugo.

Q: What was Lugo's first name?

A: Yes.

A: Vicente Lugo. He was the oldest brother they had there.

Q: Did they ever have, when he was a young man, a big earthquake - "temblor"?

Q: That was in San Bernardino?

A: Why, he was up home at Cahuilla when the earthquake and shaking come, he says, and from the dust you could not see any distance.

A: Not San Bernardino; just little below.

Q: Did Vicente Lugo have a ranch there?

Q: Lots of dust?

A: Yes; he had a ranch there. José Maria Lugo lived next to the old ranch.

A: They made lots of dust, and tumbled the San Juan mission.

Q: Did you know old man Rubidoux?

A: Yes. I knew.

Q: Did you see the San Juan mission after it was tumbled?

Q: Where did old man Rubidoux live?

A: He was at home; but his brother came to see it.

A: This side of Riverside, across the River.

Q: Do you remember when old man Rubidoux built his house?

Q: Have you ever been at San Juan Capistrano?

A: Yes.

A: Yes. When they want to come to Los Angeles they make a round like that. He traveled all over, he says.

Q: Did you ever see old man Rubidoux.

A: Yes. Old man Rubidoux was my master, and I worked for him.

Q: By Mr Estudillo - At the time Pio Pico was governor California, where were the Cahuilla people living?

Q: What was his house built out of?

A: Cahuilla.

A: Adobe, covered with shakes.

Q: What other place did your people live besides Cahuilla, the mountains?

Q: Do you know when old man Rubidoux built his house out of adobe there?

A: The Cahuillas were living at San Bernardino, Riverside, and Rincon, Santa Ana and Guapa. There were lots of people there.

A: I helped to make the adobes.

Q: Was that before the American war or afterwards that you helped to build that house?

Q: You mean lots of Indian people?

A: Before.

A: Indians; lots of Indians.

Q: Did you know John Abel Stearns?

Q: Not so many Indians now?

A: Not many Indians now. All of my mates are dead. I am the only one left.

Q: Do you remember when the Americans came into the country and took the place of the Mexicans?

A: Yes. It was only yesterday. I was gray when the Americans came.

Q: Were you an old man when that great flood took place.

A: Yes. It was only yesterday, he says. I was just a little bit gray - getting old.

Q: Did you know these men Santos Lubo, Leonicio Lubo, the defendants in jail, Cornelio Lubo, Pablino Lubo?

A: Yes; I remember them. I know them.

Q: Did you know their forefathers, their fathers above their fathers their forefathers?

A: Yes; I know them. I know their forefathers and grandfathers.

Q: Were they living over there where Riverside now is, in Cahuilla, when you were a young man?

A: They lived there at Poltana, now Colton, and Santa Ana, what is called Yorba now.

Q: Well, did they live at Cahuilla, too?

A: Yes.

Q: Do you remember the battle of San Pasqual?

A: Yes; but I was not there. I heard about a battle being there. There was another tribe living at San Pasqual.

Q: How soon after the battle did you hear about the battle?

A: Right away after the battle.

Q: Where were you living at that time?

A: I lived at Santa Ana.

Mr. Archibald - When he says "Santa Ana", he means Yorba? Is that it?

Mr. Estudillo - Yes. They call all that Santa Ana.

Q: Well, did you know the fathers and grandfathers of these defendants before that battle, before you heard of that battle?

A: Yes; I knew them before that battle. After the battle I heard that the Americans were coming.

Q: After the battle you heard that the Americans were coming?

A: Yes.

Q: Now, did your people, the Coahuillas and the forefathers of these defendants ever leave this country, California, or whether they have been here all the time since?

A: No; they lived here all the time. This land belonged to us, to the Indians.

Q: What relation are you, to Apapas who is in jail?

A: He is my nephew's son and he is my grandson.

Q: When that big earthquake happened, how big were you?

A: His brother was that high, but he was just about a little bit higher.

## NOTES

1. This paper was originally presented at the California Indian Conference, Sacramento, California, 12 October 2001.
2. Mission Agent Horatio Rust and Cahuilla William Pablo of Morongo came into conflict in the early 1890s over Rust's attempt to depose Pablo (Daly 2004 *passim*).
3. Fernando was replaced by Pablo Cassaro in 1887, at the time of Painter's visit, because Fernando entered the schoolhouse while drunk and threatened Mrs. Ticknor (Painter 1888).
4. The Women's National Indian Association tried to take five acres of land with the best water for their missionary operations at the Cahuilla Reservation; in 1890 a teacher that disliked them and they disliked in turn was discharged (Rust 1890); and during the 1890s the Cahuillas wanted their government doctor replaced, for he treated eye ailments with painful tinctures (McConihe 1912).
5. Often misspelled as "Swaine" in many documents, Francis A. Swayne should not be confused with Chalfant Swain, the Cahuilla Reservation day-school teacher discharged for drunkenness.
6. Estudillo was a member of the family that owned the 35,500-acre Rancho San Jacinto Viejo, awarded to José Antonio Estudillo in 1842; he served as the substitute for Wright in the California legislature in 1909, and was later the Cahuilla's lawyer in the Stanley murder case.
7. In 1912, Cahuilla Indians were invited to attend a roundup at Baldwin's Ranch and be paid for doing a war dance once a day, wearing old style Indian costumes. Stanley objected, saying he would be the last to encourage the perpetuation of war dances, and religious dances, stories, and traditions were not proper to sell or barter (Stanley 1912a). Stanley championed the Indians' right to vote against local white opposition. He was applying for more cattle for the Cahuillas at the time of his death (Thackery 1912).
8. Jomay Modesto, who heard the story of what happened that day from her father, who personally witnessed the event as a boy, gives a

slightly different version from the one in the documents preserved in the National Archives. She said that the Cahuillas were unhappy about having tough bull meat distributed to them for food; branding was not the issue. She also says Stanley was in the Agency house fifty feet distant from the schoolhouse during the meeting and afterwards while the gunfight was taking place (Modesto 2004b).

9. Sadly, Pio Lubo's young children, not knowing why he was going to jail, shied away from him when he came to say goodbye. That was the last time they saw their father (Modesto 2004a).

10. Source: Apapas' testimony of 6 May 1913 is in the transcript of court testimony, pp. 167-173; this and his deposition of 9 October 1912 are in *U.S. v. Ambrosia Apapas et al*, National Archives, Laguna Niguel, RG 21, file 518.

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