

C A L I F O R N I A
MISSIONS AND LANDMARKS
EL CAMINO REAL



By

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I L L U S T R A T E D

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The Eviction of the Warner Ranch Indians.

The eviction of the Warner Ranch Indians was the crowning crime of the white men against the California Indians. Had the Sequoia League and the Warner's Ranch Indian Commission worked one-half as assiduously in defense of the Indians' title to their homes on Warner's ranch as they did to evict them, they would have been sustained, for the sympathy of the public for the Indians was so intense that it required only a strong leader to turn the tide against this cruel injustice. But these very organizations that were expected to lead an agitation in favor of the Indians were the ones that turned against them and aided in their eviction.

J. J. Warner came to California in November, 1831. He married Anita Gale at the Mission San Luis Rey

in 1837. She was the daughter of Captain Gale of Boston, who brought her to California when five years old and placed her in the family of Doña Eusaquia Pico, widowed mother of Pio Pico, where she remained until her marriage with Warner.

Mr. Warner became a naturalized Mexican citizen and was grantee in 1844 of Agua Caliente, afterwards known as Warner's ranch. (The foregoing is an extract from the annals of the Historical Society of Southern California, 1895.) In 1848 the treaty of Guadalupe Hidalgo was signed. Quoting from the report of the special agent for California Indians, Mr. C. E. Kelsey (the report printed March 21, 1906, by the Carlisle Indian School), on page 4 we find the following:

"The treaty of Guadalupe Hidalgo, which ceded California to the United States, guaranteed Mexican land titles in the ceded territory as they stood at the time of the transfer. Under Spanish and Mexican law Indians had certain rights to the lands they occupied and could not legally be evicted from them. It would seem that this right was an interest in the land and one entitled to protection under the provisions of the treaty of Guadalupe Hidalgo.

The act of Congress which provided for the settlement of the titles to Spanish and Mexican grants imposed upon the commission appointed to make the settlement the duty of first setting apart for Indian use all lands occupied by them. It may therefore be assumed that Congress considered that the Indians had substantial rights. It was the duty of the commission to investigate and confirm the Indian title wherever Indians occupied lands included within the limits of a Spanish or Mexican grant."

Page 5: "The United States has always recognized, and the Supreme Court has held that the Indians have a right to occupy the land, which right is termed the Indian right of occupancy, a right which can be cancelled only by mutual agreement."

Notwithstanding the above acknowledged conditions of law, the Warner ranch Indians were evicted from a

home that they and their ancestors had occupied from the time that the Spanish took possession of California, in 1542. Indians do not voluntarily remove from comfortable locations, especially when their dead have found sepulcher near the place.

The removal of the Indians to Pala was arranged through a commission, the chairman of which was C. F. Lummis, at the time editor of *Out West*, a magazine in which he published the fact that the United States government had paid \$46,230 for 3,438 acres of land, of which 2,000 acres were arable and 316 of it now cultivated by irrigation. This was the Pala reservation. By this purchase the United States government paid \$13.44 an acre for the entire land, or \$23.16 an acre for the arable land, or \$114.65 an acre for the cultivated land.

The Indians at their old home on the Warner ranch had about 900 acres, of which 200 acres were arable and 150 irrigable, with a sufficient amount of water and the kind they wanted, the hot springs.

Mr. J. J. Warner did not receive a patent to the land in question until 1880, while the Indians had been in possession of the land all the time. He did not live at peace with the Indians, although he kept a mercantile store on the ranch at the hot springs. At the time of the eviction of the Indians the Agua Caliente or Warner ranch had become the property of ex-Governor John G. Downey. Mr. Warner died April 11th, 1895. The Indians were evicted by ex-Governor Downey in 1903. Of the eviction Grant Wallace of the *San Francisco Bulletin* said in a letter published in the *Out West*, "It would be too much to expect any one at all familiar with the Spanish or Mexican land law to

believe that the decision of the United States Supreme Court was based on full familiarity with those laws." He further said there were but ninety-eight Indians removed, but there were forty-four teamsters employed by Inspector J. E. Jenkins to remove them. These teamsters were armed, according to Mr. Wallace, who also says that night after night sounds of wailing came from the adobe homes of the Indians. When Tuesday, May 12th, came, the day appointed for the removal, many of them went to the little adobe chapel to pray, and then gathered for the last time among the unpainted wooden crosses within the rude stockade of their ancient burying ground, a pathetic and forlorn group, to wail out their grief over the graves of their fathers. While Mr. Wallace assisted the lay-reader Ambrosio's mother to encoop a brood of chickens, one of her sons, Jesus, brought out an armful of books and threw them into a bonfire. Amid the shouting of teamsters, the howling of dogs, the lowing of cattle and the wailing of some of the women who rode on the great wagons, the caravan started. For three long days the long wagon train wound its way over dusty roads that led across the mesa and around the mountain, arriving at Pala where no preparation for their coming had been made. There were no houses ready and not event tents pitched. Think of the disappointment of these Indians! They were temporarily housed in tents. Regarding this part of the disgraceful job Mr. C. E. Kelsey says on page 28 of his report:

"The matter of houses for the Indians who removed from Warner's Ranch to Pala was a vexed question of the times immediately after the removal. The suggestion was made that the Indians be at once set to work

building adobe houses. This particular band had been making adobe, building adobe houses, and living in adobe houses for more than 100 years, and the adobe house was the one kind of house they knew all about. Adobe as a building material has some defects, but it also has some excellent qualities. It is suited to the climate, being warm in winter and cool in summer. It is wind proof, dust proof, and even when the roof was of thatch, the Indian houses were usually water proof. But for some reason the adobe idea did not meet with favor. It was said to take too much time. This objection was also made against the project of buying rough lumber for the Indians to build into houses, and things were rather at a standstill until the brilliant idea was evolved of getting temporary houses for the Indians to live in permanently. The Indians were inclined to be mutinous and openly threatened to return to Warner's Ranch. There was evident need for haste, so fifty portable houses were ordered by telegraph,—from New York. The order seems to have been filled in due course of business, and the delay in coming by freight, more than 4,000 miles, was not greater than usual with transcontinental freight, but as a time-saving device it was hardly a success. It was nearly six months before the Indians got into the houses. The expense was double what wooden cabins built on the spot would have been, and about four times the cost of adobes. There would be less room to cavil at this purchase if the houses were fairly adapted to the purpose for which they were bought. The houses are well enough constructed for the purpose for which they are advertised and sold, that is for a temporary house, or wooden tent. As a permanent dwelling place for human beings

they are far from satisfactory. Being composed of but a single thickness of board three-quarters of an inch thick, they are hot in summer and cold in winter. The California sun has sprung the narrow strips composing the panels and made cracks in about every panel. The sun has also warped the roof panels and injured the tarred paper which constitutes the rain-shedding part. The houses are neither dust-proof, wind-proof, nor water-proof, and are far inferior to the despised adobes.

California has no winds comparable to the eastern cyclones, and yet not long ago a stiff breeze unroofed fourteen houses and made kindling wood of another. Nearly every house in the settlement is more or less wracked and twisted.

In moving the Indians to Pala, one mistake was made which, though of small dimensions, is illustrative of a class. The Indians of Agua Caliente village speak a dialect of the Shoshonian stock. The little village at San Felipe, also evicted at the same time and moved to Pala, are of Yuman stock. Not a single word is alike in the two languages. Between these two diverse races of Indians there are generations of warfare and hatred, and though there has been no open war between them for a long time, a great deal of the old animosity still survives. The San Felipe removed to Pala number but thirty-four, a mere handful, surrounded by an overwhelming number of their hereditary enemies, and among whom they are unwelcome. The San Felipe are outraged in their feelings, or possibly in their prejudices, and will never be satisfied at Pala. They have said little on the subject, for they have all of a child's helplessness of making anyone understand.

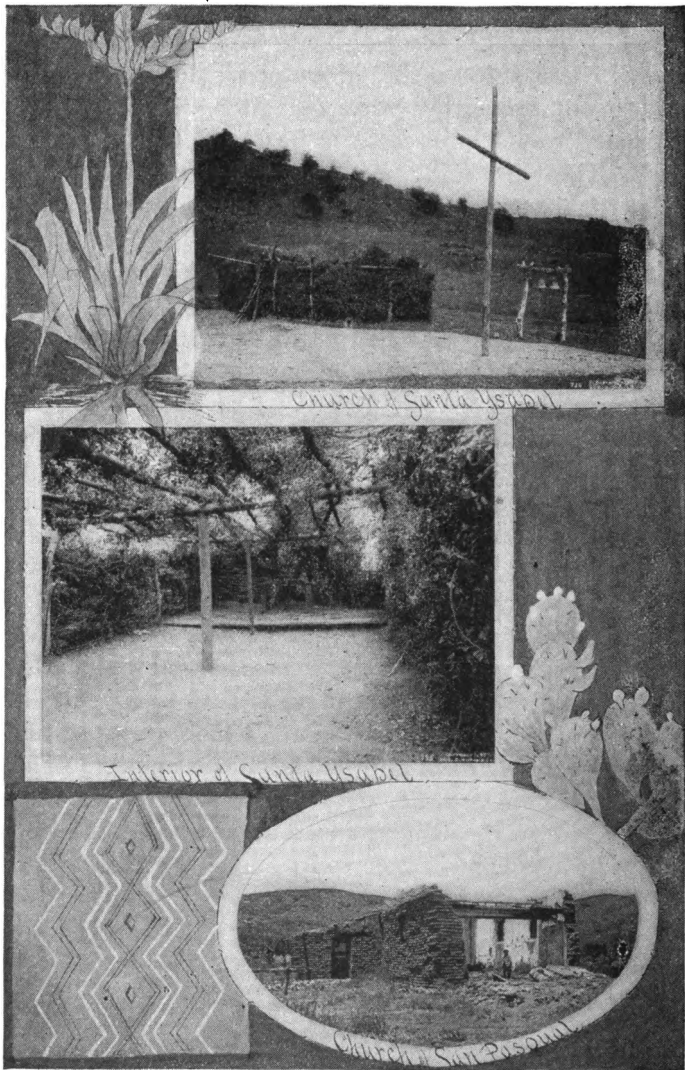
The government seems to learn very slowly that Indians are not all alike, and that different stock or races of Indians ordinarily cannot be put together. We may consider their ideas or antipathies to be childish, yet, if we wish to be successful in dealing with them we must necessarily take some account of the human characteristics of the Indian. I would therefore recommend that the San Felipe Indians be allowed to remove to Santa Ysabel where most of their friends and relatives are. More than half have left Pala already.

Your special agent has no desire to criticise severely those government officials at Pala who did the best they could in a time of great stress, yet, there are certain things in connection with the making of the Pala reservation that are valuable in showing what to avoid in trying to improve the situation at Campo and other places. There seems to have been a considerable waste of government funds, and, as usual, no one is willing to shoulder the responsibility.

The new irrigation ditch has cost nearly \$18,000, or about \$45 per acre of land irrigated. It can not be used to irrigate any other land anywhere. The ditch is well built, with a proper grade and fine curves. About three-quarters of a mile of it is cemented. There are some criticisms that might be made as to money spent in a diverting dam of which very little is to be seen now and to other expenses necessitated by locating the upper end of the ditch parallel to the torrent. The capacity of the ditch is given as 1,700 inches of water, and the land to be irrigated about 400 acres. The duty of water under the San Diego Ditch and Flume Company, the largest irrigation enterprise in that part of San Diego county, is 1 to 6; that is, 67 inches of water

would irrigate 400 acres of land. If we take the lower duty of 1 to 4, 100 inches of water would be sufficient. Or to put it another way, the ditch of 1,700 inches capacity would irrigate from 6,800 to 10,200 acres of land. These are minimum figures, however. It would be perfectly proper to make the ditch larger than necessary for the minimum amount of water. Four times the minimum or from 300 to 400 inches would have been ample as the capacity of the ditch.

Your special agent has in former years visited Pala in the summer time, and he has seen the amount of water in the San Luis Rey river at that point. He doubts very much if the said river ever carries one-fourth of the capacity of the ditch in question during the irrigation season. The commission which examined the various sites prior to the purchase of Pala state in their official report to the Secretary of the Interior that they measured the San Luis Rey river at the point of diversion, and found a flow of 142 inches. Just why it should have been necessary to build a ditch a dozen times larger than there is land to irrigate, or water to irrigate with, is a query which an inspection of the premises does not enable one to answer. This big ditch contrasts strongly with the ditch recently completed on the Rincon reservation under the direction of the agent, planned to irrigate 200 acres of land, and which cost a little less than \$800."



Santa Isabel

SANTA ISABEL

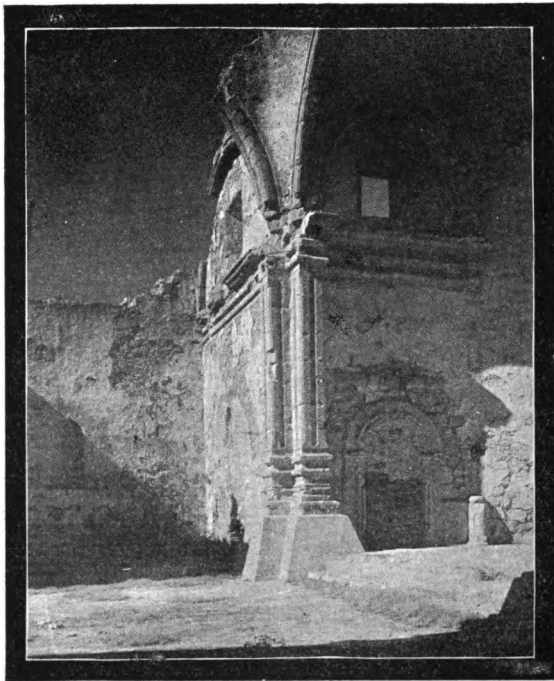
Santa Isabel, a mission chapel, is located 71.4 miles from San Diego and 16 miles from Warner's Ranch. The route is via La Mesa, El Cajon, Lakeside, Alpine, Descanso, Lake Cuyamaca and Julian.

Santa Isabel, like Pala, was an asistencia and not a mission. The rancho of Santa Isabel upon which this chapel is situated is connected with the history of both the Mission of San Diego and that of San Luis Rey. This branch establishment was founded in 1822 with 450 baptised Indians enrolled and immediate arrangements were made to construct a chapel, several houses, a granary and, as Bancroft says, a graveyard. The brave march of civilization among aboriginals has always made a graveyard an essential.

All that is left of Santa Isabel is a heap of ruins and an annual brush ramada with floral altar. Long ago the little adobe chapel fell under the insistent patter of rain, and the quiet neglect of religion when there is no silver to cross the palm. Santa Isabel may well be termed the Church of the Desert, for it is near the line of the Colorado desert and for the greater part of the year is but a heap of ruins, but as fiesta time approaches this pathetic mound springs as by magic into beauty; walls are made of verdant boughs, interwoven by tules and branches of green; wild flowers garnish and decorate the altar, and remnants of the mission converts and their few offspring gather to

chant the time remembered chants and mourn the advent of the whites.

The bells of Santa Isabel swing from a cross beam erected on the outside of the ruins, and among these Indians the bells are as sacred as would be the wings of angels—and any vandalism would be worth the vandal's life. When the bells begin to ring every Indian, Mexican and white person for miles around come to join in the service today just the same as they did in the yesterday of old.



Capistrano by Moonlight