THE HISTORY OF WARNER'S RANCH AND ITS ENVIRONS

By JOSEPH J. HILL

WITH A PREFACE BY HERBERT E. BOLTON

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WILLIAM GRIFFITH HENSHAW

FROM AN ETCHING BY LOREN BARTON

THE HISTORY OF WARNER'S RANCH AND ITS ENVIRONS
HAS BEEN PRINTED FOR JOHN TREANOR,
WHO HERE ACKNOWLEDGES THE ASSISTANCE OF
DR. BENJAMIN P. KURTZ AND ARTHUR M. ELLIS
IN ITS PREPARATION,
BY YOUNG & McCALLISTER, OF LOS ANGELES,
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THE PREFACE

THIS WORK *has been prepared as a memorial of the life and public services of* WILLIAM GRIFFITH HENSHAW. *The last and chief of Mr. Henshaw's projects was the development of a water supply for a large, semi-arid area in the County of San Diego. The principal unit of this system is a mountain-water reservoir, now known as Lake Henshaw, which was constructed at Warner's Ranch, a place well known in the varied annals of Southern California. It seemed fitting, therefore, that the history of this famous ranch, culminating in this great economic achievement, should be told as a tribute to the bold vision and fine judgment with which Mr. Henshaw always united his private undertakings to the public good.* MR. JOHN TREANOR *was closely associated with many of the Henshaw projects, including the building of the San Diego water-system. Knowing and sharing the deep love Mr. Henshaw had for Warner's Ranch and its environs, Mr. Treanor has caused this history to be written as a souvenir of that profound interest as well as his own token of affection to a great friend.*

THE VOLUME *is justified by other than personal considerations. Warner's Ranch presents a cross-section of the history*

of Southern California. Before the white man came the valley which it comprises was a pivotal point between three Indian stocks—Diegueños, Luiseños, and Cahuillas. The continuous residence of these people in their native valley down to the twentieth century has enabled it to furnish unusually important data to students of California ethnology.

IN SPANISH DAYS *the valley was known as San José. It then became both a spiritual outpost and a pasturing-ground for the nearest missions. Many of its natives went to live at San Diego and San Luis Rey, whose records give us our first glimpse of their mountain retreat. But the current of life moved east as well as west, and in season neophytes from these two missions, fifty or sixty miles away, could be seen guarding in the valley great flocks and herds of mission stock.*

MEXICAN RULE *followed Spanish, and San José Valley became a rancho. Here again its history presents a type study. Its life illustrates the broad-acred, feudal régime of the day, and the characteristic features of the land system inherited from Spain, and later, the method by which these Mexican grants were confirmed by Uncle Sam. Its shrewd Yankee owner, J. J. Warner, was typical of the blue-eyed invaders from the East, who in the nineteenth century crossed the Sierras, married California girls, ruled lordly pastoral realms, became*

substantial citizens, went into politics, and built up an American California long before the forty-niners came.

CALIFORNIA HISTORY *has been in no small part a matter of communication. Here again Warner's Ranch stands out, for it held a strategic position in overland trade and contact. Anza's trail just missed its eastern edge. San José Valley was on the highway to Sonora. Through it American trappers found a trail. Past Warner's marched Kearney's army and the Mormon Battalion in the American conquest. During the Gold Rush the mountain oasis was a half-way station between the Colorado River and the ocean, and its bounty offered the first cheer to such treasure-mad men as managed to survive the hazards of the desert. Through Warner's rattled overland stages in the doubtful sixties, and until the railroad came heavily laden freight wagons periodically creaked past the settlement on their way to Los Angeles and San Diego.*

WARNER'S RANCH *had its part in those troubles typical of the American frontier. It was the scene of an Indian massacre and the center of an Indian war. It had its bad men, and it still has its hero stories, appropriate to the part it has played.*

WELL-WATERED PASTURES *have made Warner's Ranch a favored grazing ground for thousands of cattle and sheep*

from mission days to now. Its hot springs, famous since the visit by Emory, have made it ultimately, as Emory predicted, a pleasure resort of world renown. The great reservoir recently constructed in the valley has put the Ranch in step with modern progress.

MR. HILL, *the author of this book, has done his work well. A trained scholar, he has known how to draw upon the fountains of knowledge. His position in the Bancroft Library has enabled him to exploit the resources of that unrivalled collection. His instinct for research has taken him to local archives and to other repositories. We may feel confident that he has utilized all the principal materials pertinent to his fascinating subject.*

HERBERT E. BOLTON

BERKELEY, JUNE 5, 1927.

WARNER'S RANCH

AND ITS ENVIRONS

I

THE INDIANS OF WARNER'S RANCH

WHEN the Spaniards first visited the Hot Springs of Warner's Ranch in 1795 they found an Indian rancheria located there to which they gave the name of Jajopín. This was evidently the name by which the place was known to the Indians who lived there. Fray Juan Mariner, the leader of this expedition, states clearly in his diary that these Indians spoke the *Mau* language of San Diego, thus classifying them linguistically as Diegueños. According to Dr. A. L. Kroeber of the University of California, the Diegueño name for this village was Hakupin, which, of course, would be pronounced practically the same as the Spanish Jajopín. The Cahuillas, however, called it Kupa, and for some reason or other this name has been accepted by modern ethnologists as its name and has even been extended to include the surrounding territory, so that the Indians of the Warner Ranch region are generally known as Cupeños.

To the south of them and west to the coast were the Diegueños. To the northwest down the San Luis Rey river to the coast were the Luiseños. North and east were the Cahuillas. This latter tribe inhabited the region on both sides of the divide and far over into the desert to the east.

Diegueños is a shortening of the term San Diegueños and is the name applied to those Indians who came under the jurisdiction of the mission

of San Diego. Likewise, Luiseños is the name applied to the Indians who were subject to the San Luis Rey mission. But the two names, also, represented two distinct tribes. The Diegueños were of Yuman linguistic stock. The Luiseños were Shoshoneans. The line separating these two tribes ran somewhat as follows: Beginning at the mouth of the Agua Hedionda, which empties into the Pacific about five miles south of the mouth of the San Luis Rey river, it extends easterly and slightly northeasterly to Warner's Ranch, passing along the southern boundary of the San Marcos rancho, through the Escondido and Guejito ranchos, and north of Mesa Grande. The Indians at Mesa Grande and Santa Isabel, just south of Warner's Ranch, were Diegueños.

The principal region inhabited by the Luiseños, as we have already indicated, was along the valley and surrounding hills of San Luis Rey river. Their territory extended northwardly from Warner's Ranch to Saboba hot springs, located about four miles northeast of Hemet, and westwardly so as to include Temescal, and southwestwardly to the coast, a little south of San Juan Capistrano.

The Cahuillas, northeast and east from Warner's Ranch, while of the same Shoshonean linguistic stock as the Luiseños, were distinct in their tribal organization, traditions, and religious beliefs, and spoke a dialect distinct from that used by the Luiseños. They were never brought under the supervision of any of the Spanish missions nor did they have many dealings, if any, with the Spaniards.

This pivotal position of the Warner Ranch Indians has led to some confusion regarding their identity. Alexander S. Taylor classed them with the San Luis Rey Indians—the Luiseños. Major George McKinstry referred to them as Cahuillas who "originally belonged to the missions of San Luis Rey." Writing in June, 1853, he said "about five hundred of the Cahuilla nation originally belonged to the mission of San Luis Rey and are now residing at Pala, Temécula, Ahuanga, Agua Caliente,

San Jacinto, and some few at and about the mission." B. D. Wilson in 1852 listed them with the Diegueño villages but also referred to them as a "mixture of Cahuillas and Luiseños." Benjamin Hayes included them among the Diegueños. Dr. David P. Barrows refers to them as a mixture of Diegueños and Cahuillas. He says: "Agua Caliente, the famous hot springs of Warner's Ranch, seems to have a mixed population of Diegueños and Coahuillas. The Coahuillas call the village Ko-pa." Dr. Kroeber speaks of them as a distinct tribe under the name Cupeños. He refers to them as "the people of the village of Kupa or Gupa, speaking the Agua Caliente dialect, about equally distinct from Cahuilla and Luiseño." And again, in speaking of one of his informants, he says: "José Miguel is from Agua Caliente, the hot springs of Warner's Ranch, where the dialect of that name, somewhat different from both Cahuilla and Luiseño, is spoken." He, however, thinks of them as belonging to the Shoshonean linguistic stock. Owing to the pivotal location referred to above, it is probably true that all these writers are more or less correct.

The Indian account of their origin is told as follows in a Cupeño myth, which was obtained by E. W. Gifford in the winter of 1916-17:

THE ANNIHILATION AND REGENERATION OF THE CUPEÑO

The people came from the north under the leadership of Tumaiyowit and Mukat. Different groups settled here and there. The Kauval settled at Saboba. The Cupeño first settled three miles southwest of Kupa. They brought with them a green, hair-like water plant as their (hot) water supply. Wherever they placed this, they had boiling water. From their first place of settlement they saw that the sun always shone at Kupa, so they moved over there. At their first settlement the sun went down early, and it was cold.

The Cupeño were once completely annihilated by enemies. Only the Diegueño wife of one man and his infant son escaped the massacre, which was carried out by seven or eight surrounding tribes. The attackers surprised the Cupeño, clubbed them to death and burned their houses. They called to this Diegueño woman to come out of her burning house. She did so carrying her babe in her

arms. She said it was a girl baby, and both she and it were spared. It was really a boy. The baby boy who thus escaped the massacre was of the coyote moiety. Höböyak was his name; it means "capable of doing anything." He grew amazingly. His mother took him to San Felipe. He hunted and killed rabbits, but others took them from him. His mother asked, "Cannot you kill something, mice or something?" He told his mother that others took his game from him. She informed him that the San Felipe people were not his kin. She said, "Kupa is your home, but your kin have all been killed. Over there is your water, your hot water, your rabbit, your eagle."

When his mother said this, the boy replied, "I am going to see my eagle, my water, my rabbit, and my home." He fell to thinking about it, and people saw that there was something wrong with him. They asked his mother what the trouble was. The woman told her son of relatives at Saboba, men of his moiety, the coyote moiety. She pounded all sorts of seed for food. One night she and her son stole away.

From Saboba the people saw the mother and the boy approaching when they were as far away as Hemet. [Hemet is four miles from Saboba.] They said, "There come a man and his wife. Who can they be?" An old man, who had been indoors until now, stepped out and asked who came. He looked and at one glance knew that the others were wrong. "They are a mother and her son," he said. He recognized them while they were still as far away as Hemet. The woman told the Saboba people of the fate of the people of Kupa.

Höböyak killed more rabbits than any one else. He employed two kinds of throwing-sticks in hunting rabbits. One was straight, and is called *wakat;* it was an ordinary stick broken from a bush. The other was the curved throwing-stick called *nilyat.* The mother and son remained at Saboba for a while. The young man was restless. He wished to go to his own country. Again his mother pounded seeds, and again they stole away at night. They went along the mountains toward Cahuilla Reservation, to Wiatava. They remained there a while. One day while the mother pounded seeds Höböyak slipped away. She had always kept him in sight before. He ran far and found a bear's tracks. He returned and told his mother.

"Mother, you cannot guess what I saw." She named everything except the bear. The young man answered, "No," to each. She could think of no other

animal. Then she said, "There is nothing else." The young man said, "The tracks were like those of a man." The mother said, "That is a bear." Höböyak said, "That is the one. Mother, I am going to kill that bear." She objected, saying that the bear was dangerous and killed many people. Höböyak made a bow and arrows and slipped away again. He tracked the bear and found it. They fought. The bear jumped repeatedly at the youth, but he always stepped aside. At last, as the bear went by him, he drove an arrow into its heart. He skinned the bear and took home the hide.

He carried the hide under his arm and showed it to his mother. He said, "I will show you something else." He told his mother to sit on the bear-hide, behind him. It became a bear and carried them. He stopped the bear, and it became a hide again.

"Mother, I am not afraid to attack anyone. With you and my bear, we can kill many people. We shall now go straight home." Then they went toward Kupa. The mother retarded progress as much as possible. When close to Kupa, Höböyak stole away for a hot water bath.

The mother objected to approaching any closer to Kupa. Höböyak remonstrated, "Mother, I want my place. I have seen my eagle (aswut), my rabbit (suic)." They camped twice in unsatisfactory places. Then they came to a tongue of land, two miles west of Kupa, from which they could see a long way on both sides. From there Höböyak went daily to a place about half-a-mile from Warner's Ranch, where women gathered seed. Women saw him daily and reported to their families, who would not believe them, because they knew that no one lived at Kupa. At last a man came to see if the reports of the women were true. He saw the young man pass. Each day, however, Höböyak had a different appearance, thus making the spectators think that many people lived at Kupa.

All of the surrounding peoples planned to kill the Cupeños whom they imagined to live again at Kupa. As the people watched, Höböyak appeared in different forms, always from the same hut. They approached closer, under cover. From his hill (the tongue of land, which was about fifty feet high) Höböyak saw them. He approached them, carrying his bear-skin and asking them to wait. When close enough, he slung the bear-skin at them. It became a real bear and attacked them. Höböyak shot them. His mother clubbed the wounded. All but one of the attackers were killed. Höböyak told the survivor to go and tell his people

that the score had been settled. Höböyak killed his last man by striking his head against an oak tree. The tree and place to-day are called Tübasalpokbö, meaning "Where one man's head was pounded."

Höböyak and his mother now moved to Kupa. He married two Luiseño sisters from Rincón. From this marriage came the Cupeño of to-day.

As regards material culture, the Cupeños were quite similar to their neighbors—the Diegueños, the Luiseños, and the Cahuillas. They all manufactured pottery, but of a brittle, porous variety. This, however, was an achievement shared only by the Mohaves, of all the tribes of the state. So, also, in the manufacture of cloth-like textiles made from the fibers of milkweed, mescal, and nettle, this group of tribes were the only ones of the state which had achieved any success. They manufactured baskets, some of which were sufficiently tight to hold water.

Their houses were conical in form, being built by first digging a pit about two feet deep and then setting a number of poles in the ground around the outside and bringing them together at the top. Smaller poles were then leaned against these, and the whole covered with brush, or the bark of trees, and sometimes with dirt. An opening in the top permitted the smoke to escape. Most of the cooking was done out of doors, the fire being built inside only during cold or wet weather. On such occasions the fire would be built in the center, and at night the inmates would sleep around it with their feet towards it. Sometimes the entrance was through a covered passage through which one crawled some distance on hands and knees.

As regards food, the Cupeños, like most of the Indians of California, ate almost anything that came to hand, from grasshoppers and grubs to deer; almost anything in the way of seeds, from acorns down; and various kinds of plants and grasses. Acorns were their most staple food. Of these there were several varieties in the mountains round about. But they used most those obtained from Kellogg's black oak. The bitter-

ness was leached out with hot water, after which they became palatable food when ground into meal and cooked. Grasshoppers were very plentiful in San José valley (the main valley of Warner's Ranch) and formed an important article of diet. They were driven into pits, after which a fire was built over them and they were killed and roasted at the same time, and eaten without further preparation.

Various methods of cooking were used, such as boiling, roasting, etc. One method which was made use of quite frequently in cooking such game as rabbits, rats, and squirrels, as also some plants, was to dig a pit, into which a number of rocks were placed. A fire was then built over them and kept burning until the stones were heated through. The articles to be cooked were then placed on the hot rocks and the whole covered with dirt and left until the food was cooked.

Certain animals and birds were not eaten, amongst these being the bear, the tree squirrel, the mud-hen, wild pigeons and doves. Bears were occasionally killed and their skins and claws preserved; but their flesh was never eaten. There seems to have been originally some compunction against eating deer. The following myth explains the situation:

Some thought deer would be good to eat. They could kill him and have a gathering and have the meat to eat. They spoke to Deer about it, but he said —No, he was a shaman and very powerful. He had something in his nose like the black asphalt on the seashore, and this would protect him (the black asphalt was a sacred Chungichnish object). Then they laid on the ground one of the sacred stones (enormous crystals) and said they could kill him with them. But Deer said—No, he had some of that too (the white fat of the deer looks like that) and they could not kill him with them. Then they laid down one of the eagle-feather skirts, and said they could kill him with that. He said—No, he had some of that too (the deer's entrails are like that). Then they put down some tobacco, and said they could kill him with that. Deer said—No, he had some of that, too, and they could not kill him with that (there is some bushy hair on the deer's hind leg near the joint that smells like tobacco). Then they

laid down some wild bamboo, the kind that grows at Warner's Ranch and they use for arrows, and said they would kill him with that. He showed them that the bones in his nostrils were like that, and said they could not kill him with it. Then they laid down arrows already made with flint points fastened to them; so then he had no more to say. He gave up. So they killed him with bow and arrows, and ever since then the people have used them to kill the deer.

The ceremonial practices and religious beliefs of all the tribes in the vicinity of Warner's Ranch, as also of several others in Southern California, were closely related. In fact, shortly before the coming of the Spaniards, there seems to have been a religious invasion of this region. This may be referred to as the invasion of the Chungichnish religion, or, as it was called by Friar Geronimo Boscana, the Chinigchinich. According to Luiseño tradition the Chungichnish belief, with its ceremonial and ritual, came originally from the north, and was brought from there to the islands of Santa Catalina and San Clemente. From these islands it was brought to San Juan Capistrano; thence to San Luis Rey; and from there to the upland Luiseño places such as Rincón, Potrero, Yapiche, and La Jolla, and even to the Diegueños of Mesa Grande and Santa Ysabel; and, to some extent, to the Indians of Lower California, also. There is a definite tradition that this invasion took place about a century and a quarter ago. The details of the account, as handed down by tradition were, "that when Potrero came to teach these ceremonies and to give toloache to La Jolla [in the boys' initiation ceremony] all who drank became crazy and nearly died; and the La Jolla people were frightened, fearing their sons were going to die, and they nearly had a fight with the Potrero people. The La Jolla people in turn went later to Warner's Ranch and taught the Indians there, the Cupeños, these ceremonies and dances and gave them toloache; and then went farther and taught the Mesa Grande Indians and those of Santa Ysabel, both Diegueño."

It is not possible in this work, neither would it be desirable, to give a full account of the Chungichnish religion. Some of the main features, however, may be mentioned. In the first place, it was a religion of fear in which natural objects such as the rattlesnake, bear, mountain lion, or stinging weeds—to indicate but a few—would be sent by Chungichnish to punish the evil-doer. The sun, the moon, and the stars (especially the North Star) were agents of Chungichnish, their chief duty being to spy out the guilty. The ritual consisted chiefly of initiation or puberty ceremonies for boys and girls, and funeral ceremonies.

The Cupeños at Warner's Ranch, being so closely related to and associating so intimately with the surrounding tribes, it is natural to suppose that in their mythology, as in their religious ceremonies, there would be a great deal in common with the mythology of the neighboring tribes. This, however, is a dangerous assumption and might lead one far astray. As a matter of fact, there is considerable difference in the myths obtained from different families and clans of the Luiseños, to say nothing of the divergence between them and the myths of the Diegueños and others. This is taken as an illustration of the strong differentiation of family groups, which is also shown in the hereditary possession of songs that members of one family might sing and claim as their own, but which others—even in the same tribe but in different families—would not have the right to sing.

This caution is necessary because, while we have but little information regarding the mythology of the Cupeños, there has been considerable research in recent years concerning the Luiseños and Diegueños, and a number of myths have been obtained from them. Some of these have more or less to do with the Indians in the close vicinity of Warner's Ranch; and so, although they are not strictly Cupeño myths, they may be presented here because of their connection with the Cupeños.

With this explanation we give, somewhat abbreviated, one of the

versions of the Luiseño creation myth, obtained by Miss Constance Du Bois Goddard in 1908 from Salvador Cuevas, a Luiseño Indian of some prominence.

LUISEÑO CREATION MYTH

Everything in the beginning was empty and quiet. Kivish Atakvish was the only being. Next came Whaikut Piwkut. Whaikut Piwkut created two objects like great round balls. They lay there three days and then were made alive. They were male and female. Whaikut Piwkut, being the father of these two, left them and was no more seen. These two created beings became the earth and sky. The female was the earth, the male, the sky.

From the union of these two were born the First People, among whom were the sacred toloache bowl, sacred beads and stones used as money, the bear and eagle, the mast with baskets hung on top used in the Notish ceremony for the dead, the palm tree, the carrying net, the wild grape, the pine tree, the oak tree, the canoe, black asphalt, etc. These were the First People. Some were sent north, some east, some south, some west, and some to the center where Salvador, the informant, said "we live." After this everything else was brought forth.

The Earth-mother, when she sent her children to all the four quarters of the world, made feathers for them to wear on their heads. The chief men, the best, quickest, and bravest in battle used to wear them on a long stick high on their heads, and the others wore them close to the head.

While the people were traveling along they would stop at a pond to play and swim about. Ouiot was traveling along with the rest and they did not know anything especial about him. He was like one of the rest. Wahawut, the frog, was a handsome fine-looking woman then, with long hair. When she jumped into the water, Ouiot was surprised to see that behind she had no flesh on her body, but was flat and thin. He said nothing but was thinking about it. Wahawut could read his thoughts, and made her plans to kill him.

Soon he fell sick and said he wanted to see his sons. At this time he acted to the people like a father. Before this he had only been a person like the others. Now he called for his sons (the First People) from the north to come and see him, and they all tried to cure him. They were like shamans then, and could tell by looking at him what was the matter. They all tried their best to cure

him, but could give no help, so they went back north. In the same way the people came from the south, east, west, and center, but could do nothing. Tishmel, the humming-bird, was an important person then and he went to see if he could find out what was the matter. Sakapipi, the titmouse, got up and put his ear to Ouiot's heart so that he could hear his breathing, and then he said it was Wahawut who was working to kill him by magic.

Thus the people found out that it was Wahawut who was doing this; but she had gone down into the mud and water and never was seen since she began to work against Ouiot.

Ouiot told them that he would not live much longer. Each month he would tell them, "I may die this month," and each month they waited until the time was up.

When Ouiot was sick, he told his people to take him to the hot springs at Pawi Chawimai (in the village of Cahuilla valley), and they took him there but he grew worse instead of better. Then they took him to Kupa Kawima (Agua Caliente, Warner's Ranch hot springs), then to Paska Mahala, a little farther on in San José valley (Warner's Ranch) and then to Pauma, near Pala. When there he died but revived again. When he revived they took him to Malama Ekapa (Agua Tibia), trying all these hot springs to cure him; but they did no good. Then they took him to Cherukanukna Jaquiwuna, near Temécula, to the hot springs there (located a few miles from Murietta). Then they took him to Etengvo Wumoma, the hot springs at Elsinore, and this was the last place, for he died there.

When he died, the people wanted to burn his body, and they sent Coyote to the north, to the people there, to see if he could get fire. Coyote was always a mean sort of fellow, and the people suspected him and made an excuse to send him away while they burned the body, but he only went a little way and came back. Then they sent him to the people of the east; and so on, in the same way to the people of the west, the south, and the center. Each time he went a little farther off, and while he was gone Sariwut, the blue-fly, made fire with the fire-drill. Then Coyote came running back yelling, and saying: "Why do you play such a trick on me? I want to see my father."

The people all stood around the fire, where only the heart was left unburned,

and Coyote, starting a little way back, took a running jump over their heads and got the heart of Ouiot and ran off with it in his mouth, and ate it.

Ouiot had told Chehemel, the kingbird, that in three days after his death he would rise in the east. When the three days were up, Chehemel got on his housetop in the dark and sang: "Ouiot, Ouiot is coming. He is coming." Pretty soon he did come, as the new moon, Moyla achagha. They could just barely see it, a little line. Chehemel saw it in the east, but no one else could see it there. The others saw it in the west.

Before Ouiot died, he told the people when they saw him, the new moon, they should get together and make races, giving their spirits to the moon. If they made these races, and shouted at this time, blowing out their breath to the moon, they should live longer. After this they always had these races just as the new moon appeared.

As has been said, this is not a Cupeño myth, but it deals with the land inhabited by the Cupeños and the region round about and so may be of interest as a myth of that region. A further reason for presenting it is for comparison with the purely Cupeño myth, which follows:

CUPEÑO CREATION MYTH

The gods Tumaiyowit and Mukat created the world and all that is in it. They quarreled, and argued as to their respective ages. They disagreed on many things. Tumaiyowit wished people to die. Mukat did not. Tumaiyowit went down to another world under this world, taking his belongings with him. People die because Tumaiyowit died.

Mukat, who remained on earth, finally fell under the ill-will of mankind, because he caused quarreling and fighting. Each evening he put the people to sleep by blowing tobacco-smoke from his pipe. When they were fast asleep, he arose stealthily, stepped over them, and went to the ocean to defecate. Each time, he heard his excrement strike the ocean floor and he knew that all was well. Three times he would hear the sound. Then he returned. When the people awoke they found him in his place. They tried every possible way to discover when and where the god attended to his natural functions, but to no avail.

Finally, a very slim lizard hid on the god's cane. The god did not see it. The lizard discovered where the god went and what he did, and reported to the

people. Then they set the frog to bewitch the god. The frog hid in the ocean and, as the god defecated, swallowed his excrement. The god, not hearing the usual sound, knew that something was wrong. He poked downward with his cane, which rubbed along the back of the frog, making the marks which we see there today. The god Mukat became ill and died. When ill he told the people, "If I die today or tomorrow, burn me. Do not let Coyote come near me, for he will do an evil deed."

Upon the death of the god, his body was burned. The people sent Coyote to fetch wood for the funeral pyre, for they feared that he might eat the body of the god. Coyote departed. He was away nearly a day. As soon as he left they started to burn the body. The fire-drill and hearth with which the pyre was ignited were two men. The body of the god was burning when Coyote reached the end of the world. He saw the smoke and hurried back. When he arrived at home, all the body was burned except the heart, which the people kept turning to make it burn. When Coyote arrived, the people were standing close together about the pyre. He said, "Brothers and sisters, let me see this. He is my god." They only stood the closer together, but Coyote jumped over them and seized the heart. He ran north, where he ate it. Where the blood dripped, there is gold. The people pursued in vain. Coyote looked back as he ran with the heart in his mouth. That is why a coyote, when running, always looks back to this day.

The people who stood around the pyre became trees—some tall, others short. It was over the short people that Coyote had jumped. The people pursued Coyote northward. Across the mountains in that direction the trees stretch to-day. They are the people who pursued Coyote. Some have been knocked down, just as Coyote knocked down the people.

One more myth is interesting because of the place-names that it contains and the Indian explanation of the meaning and origin of these names. It runs as follows:

THE TRADITION OF NAHACHISH

One of the Temécula people was called Nahachish. He was a chief. He used to have in his house the limb of a tree cut into a hook and fastened up to hang food on. Some people broke the hook down. He became so poor that he had

nothing to eat, and did not know what to do. He sang a song. He sang that he was going to leave that part of the country, but he did not know where to go.

He went to Picha Awanga [between Temécula and Warner's Ranch] and named that place. There were a lot of people there having a fiesta, and there was plenty of food. They passed everything to him, and there was a sort of mush of a light gray color. So he said "My stomach is picha." So they called the place by that name.

Then he went over the mountain at George Cook's to Palomar mountain. There was no one there. The houses were empty. He stood looking and peering about, and could see no one. So he called the place Chikuli.

Then he went to a place, Poyarak, where some of his family lived. They gave him so much to eat that he got sick and called the place Sukishva, nettle. "My stomach burns, is nettle," he said. He was so poor that he did nothing but go from place to place to get something to eat.

There is a place below here where he washed his hands, and called it Kaiya-wahuna. He did this on a flat rock, where one can still see his footprints, and see where he knelt on the soft rock. There are footprints of deer there too.

He came to La Jolla and called it Huyama; and the place next to that he called Namila. He went in a ravine [where the La Jolla school-house now stands] and called it Sovoyama, because it felt chilly.

He made a sort of whistling noise and called the next place [a hill on Potrero ranch] Puma.

He saw people feasting when his stomach was empty, and called the place Yapichi [where the government Indian school house at Yapichi now is].

When he came to where Mendenhall lives now, the people were eating. He had a good meal there and called the place Tumka.

In the cañon he drank water and called it Pala [water] and Pame [little water].

He went on and came to Rincón. It was muddy there, and he called it Yo-hama [muddy place].

He came to Bear Valley, where he fainted from hunger. He called it Nakwama.

He came to the water. He had something with him in a basket, and this he threw out; and it still grows there in the water, a sort of greens, called Mawut.

Then he went below Pala, to a place where they ground pinole for him so fine that he could not handle it, and was disappointed. They mixed it with poison to kill him. It made him sick, and he traveled toward home. He died on the way and turned into a rock, which still stands near Temécula, two or three miles south.

They say that a priest once went out and baptized this rock because the people told him it was a man.

II

THE COMING OF THE SPANIARDS

THE Spanish settlement of California began with the establishment of the mission of San Diego de Alcalá (usually referred to simply as the mission of San Diego) in 1769. The coast-line had been explored as far north as the present state of Oregon 227 years earlier—in 1542—by the Spaniards, Cabrillo and Ferrelo; and again, sixty years later, by Vizcaíno in 1602. Francis Drake, an English sea-rover, had also passed along the coast as far north as Cape Mendocino, in 1579, and had landed at what is now Drake's Bay and taken possession of the country in the name of the Queen of England. Portions of the coast had been sighted at different times by various Spanish East India traders while on their way between the Philippine Islands and Mexico but no serious attempt had been made to colonize the territory for the two and a quarter centuries after its discovery by Cabrillo.

During this time Spain had been busy colonizing and defending her vast dominions in other parts of the New World and had not felt it incumbent upon her to dissipate her energies on the far-off California coast. Gradually, however, she had been expanding in New Spain towards that goal. The northern provinces had been colonized; missionaries had been sent out beyond the settlers' frontier; and missions had been established in Pimería Alta and California Baja. New Mexico

had been conquered and reconquered and had now become a more or less peaceful province.

The original motive which had led to the exploration of the California coast by Cabrillo and later by Vizcaíno had been the desire to find the Strait of Anian, which was supposed to be a water passage through North America. It was thought necessary by Spanish officials that Spain should control the western end of this strait in order to protect her outlying provinces. But when no strait was found, the necessity for settling and defending that coast became of less immediate concern. So it was that California waited for two and a quarter centuries, while Spain's efforts were directed toward a more logical and normal development and expansion of New Spain which was eventually to embrace California.

Finally, however, a new element entered the situation. From the north came rumors of the advance of Russian fur traders across Siberia and down the Pacific coast of America. Spain now realized that something must be done to hold and protect the northern frontier. It so happened that New Spain was at that time in the hands of one of her ablest officials, José de Gálvez, who saw the needs of the moment and had the energy and ability to provide for them.

While in Lower California on his tour of inspection, he fitted out an expedition, early in 1769, for the purpose of colonizing Alta California. Gaspar de Portolá was appointed governor of the new province, and Junípero Serra was made head of the Franciscan missionary activities to be conducted there. The expedition was divided into four parts—two by land and two by water. A third ship, loaded with supplies, was lost in a storm.

The four parties set out at different times early in 1769, and all finally arrived, after varying degrees of hardship and suffering, at the appointed place—the bay of San Diego. The last to arrive was the overland party led by Portolá, which reached San Diego on the first of July.

Here on the sixteenth of July, 1769, the first mission of Alta California was founded, and given the name of San Diego de Alcalá.

In the next three years four more missions were established—San Carlos Borromeo de Monterey (1770), San Antonio de Padua (1771), San Gabriel Arcángel (1771), and San Luis Obispo de Tolosa (1772). Two presidios, also, were established, one at San Diego and the other at Monterey.

In the explorations preliminary to the founding of these missions and presidios Portolá had discovered San Francisco Bay, and an overland route had been opened all the way up the coast to that point.

The great hazard of the new venture was that these new establishments depended largely upon water communication for their support, as the missions of Baja California were hardly able to support themselves and so could give but little aid to the new settlements. Thus provisions had to be shipped from San Blas, on the coast of Sinaloa, around the peninsula and up the coast to the new missions and presidios; or across the Gulf of California, then by mule-back some twelve hundred miles across the peninsula and up the coast to the new establishments, in order that Alta California might be maintained. Communication by water was very uncertain, and that by land, for such a long distance, was very tedious and trying.

A direct overland route from Sonora to Alta California, therefore, was highly desirable both as a political protection and as an economic saving. In the consideration of the opening of such a trail two men come at once into the foreground. One was Juan Bautista de Anza, captain of the troops at Tubac. The other was Father Francisco Garcés who had been placed in charge of the mission of San Xavier del Bac when the Franciscans had taken the place of the Jesuits in Pimería Alta in 1768. In 1769 Anza offered to undertake the task of opening a road from Sonora to Alta California at his own expense, but the offer was

not accepted at that time. It required the efforts of Garcés to convince the authorities in Mexico of the feasibility of such a project.

Soon after his arrival at his new post Garcés explored the region to the north, going as far as the Gila where he visited the chief of the Pimas at the village of Pitiaque a short distance below Casa Grande. In 1770 he again visited the Gila and explored the region along the Great Bend. In 1771 he accomplished a still more important and extended exploration. Leaving San Xavier del Bac on August 8 he went west through the Papaguería to Sonóita, an abandoned outpost of Father Kino's time. Leaving Sonóita on the 17th he started again to the west but soon changed his course to the north and, crossing the Gila range, reached the Gila River, some twenty-five miles above its mouth, on August 23. Continuing down the river he visited the Yumas at the mouth of the Gila. Without realizing that he had reached the Colorado, Garcés continued down that stream to its mouth where he was taken across by some Cajuenche Indians to their village which he named Las Llagas de San Francisco. After setting out to the west a number of times in an effort to find the Colorado River, Garcés finally took a course to the northwest, parallel to the Cócopa range, and continued in that direction until within sight of the San Felipe Pass through the San Jacinto Mountains.

Upon the return of Garcés, Anza renewed his offer to open a road to Alta California, and by means of the reports and diaries of Father Garcés was able to greatly interest the viceroy in the project, which was finally approved.

On January 8, 1774, Anza set out from Tubac at the head of a company of thirty-four men bound for Alta California. In the company were the two Fathers, Francisco Garcés and Juan Díaz, twenty soldiers from Tubac and one from Mexico, mule-drivers, interpreters, personal servants, and a native of California who had but recently arrived at Altar, having come from San Gabriel mission by way of the Colorado desert.

The first lap of the journey was southwest from Tubac to the Altar River and down that stream to the presidio of Altar, the Spanish outpost farthest advanced towards the Gulf of California. From Altar the route led west-southwest to Caborca, and northwest to Sonóita.

From Sonóita to the mouth of the Gila River, some 125 miles, Anza followed the trail of Garcés of 1771, except that he kept to the west of the Gila range, whereas Garcés seems to have crossed it and to have reached the Gila River to the east of that range.

This last lap was over what is now known as *El Camino del Diablo*—the Devil's Highway. Writing nearly a century and a quarter later the International Boundary Commission has the following to say concerning this part of the route:

> This road is appropriately called by the Mexicans "El Camino del Diablo." When traveling it for the first time, alone or with but few companions, it is hard to imagine a more desolate or depressing ride. Mile after mile the journey stretches through the land of "silence, solitude, and sunshine," with little to distract the eye from the awful surrounding dreariness and desolation except the bleaching skeletons of horses and the painfully frequent crosses which mark the graves of those who perished of thirst—grim and suggestive reminders when the traveler's supply of water is running low. In a single day's ride sixty-five of these graves were counted by the roadside, one containing an entire family, whose horses gave out and who, unable to cross the scorching desert on foot, all perished together of thirst. . . . Near by lie the skeletons of their horses and the broken fragments of their water bottles.

But trying as this part of the journey was, the next lap—from the Yuma junction across the Colorado desert to the San Jacinto mountains—was the most difficult part of the entire trip. Here the country was entirely unknown except for the information obtained by Garcés in his expedition of 1771 and that acquired by the California Indian who had crossed from San Gabriel in 1773. But both Garcés and the Indian had been lost while on the Colorado desert. Garcés had been la-

boring under the false impression that he was still east of the Colorado, and his chief purpose had been to find that stream. The Indian, who had been crazed with thirst and all but dead while on the desert, was unable to recognize any land-marks until he reached the San Jacinto Mountains. Moreover, the shifting sand-hills of the desert make it very difficult at the best, even to-day, to recognize anything in the way of land-marks.

The first objective after leaving the junction was a small flood-water lake, some thirty-five miles down the river, visited by Garcés in 1771 and called by him Olalla. This was the limit of the Yuma territory and as far as the Yuma guides would go. Here Anza turned northwest in an effort to cross the desert direct to the pass in the mountains which Garcés had discovered; but, after several days spent among the sand-hills without water, he was forced to return in order to save the expedition. He then decided to leave part of the baggage and some of the worn-out animals with the Yumas, and push on with lighter loads by a more southern route in the hope of finding an easier passage over the desert. In this he was successful. Taking a route some thirty-five miles farther south, he finally succeeded in rounding the southern end of the sand dunes and crossing the desert to the San Jacinto mountains. Here at the sink of the San Felipe the California Indian guide, Sebastian, recognized his trail of the previous year, and the party felt free to rejoice that they had at last passed the most difficult part of their journey and that from there on they would have a guide acquainted with the country over which they were to travel.

Their route through the San Jacinto mountains is of especial interest in the present study because of its proximity to Warner's Ranch. From the sink of the San Felipe—or as it was named by Anza, the marsh of San Sebastian—their way led up the valley of the San Felipe river and the canyon of Coyote Creek, and through a pass which Anza named

the Puerto Real de San Carlos. Bancroft has identified this pass as that of San Gorgonio, but it is quite evident, as Eldredge points out, that this is a mistake. Eldredge, however, is also in error in that he leads the party up Coyote Creek only as far as Horse Creek, and then takes them up that creek to the divide.

In order to determine this part of the route, Dr. Herbert E. Bolton of the University of California, in the summer of 1920, made a careful examination of the region, having at hand the various diaries of both the Anza expedition of 1774 and the one undertaken in the following year. We can do no better than quote Dr. Bolton's own words:

Anza entered the great range by way of San Felipe Creek and Borrego Valley. Then he toiled up Coyote Cañon. The diary tells us, "The cañon is formed by several very high, rocky mountains, or it would be better to say, by great heaps of rocks and stones of all sizes, which look as though they had been gathered and piled there, like the sweepings of the world." The description is a good one.

Continuing up the gorge, past starved Indians living in the cliffs and in caves "like rabbit warrens," three days after leaving the desert Anza emerged through a rocky pass into Cahuilla Valley, girlhood home of Ramona, in Helen Hunt Jackson's story. The desert now gave way to mountain verdure. "At this very place," says Anza, "there is a gateway which I named Royal Pass of San Carlos. From it are seen some most beautiful valleys, very green and flower strewn; snowy mountains with live oaks and other trees native to cold lands. The waters, too, are divided, some running on this side to the gulf, and others to the Philippine Ocean."

The pass or gateway now opens right into the horse corral of Mr. Fred Clark, a rancher who lives on the historic old trail. In the rocks above the pass smoky-walled old cliff dwellings are still to be seen.

Anza crossed the plateau, a distance of fifteen or twenty miles, and, "little hindered by falling snow on the mountains, which turned to mist in the valley," descended Bautista Cañon and camped on San Jacinto River, near the present town of San Jacinto.

A few days more brought Anza to the gates of the San Gabriel mission. From here he went to San Diego and then to Monterey, after which he set out on his return to Sonora.

Anza had demonstrated the feasibility of an overland route from Sonora to Alta California. Upon his return to Sonora he was promoted to the rank of lieutenant-colonel, and authorized to organize an expedition of soldier-colonists to establish a presidio and mission at the bay of San Francisco.

The company when organized, consisted of two hundred and forty people, one hundred and sixty-five of whom were women and children. They took with them some six hundred and ninety-five horses and mules, and some three hundred and fifty-five head of cattle.

Everything having been arranged the company finally set out from Tubac on October 23, 1775, and arrived at San Gabriel early in January, 1776. Later in the year the presidio and mission of San Francisco were established, but the proposed pueblo was not founded until the following year and then it was located some fifty miles to the south near the mission Santa Clara which was also founded that year. This pueblo, the first to be established in California, was given the name of San José de Guadalupe. It has now become the populous city of San José.

Anza had opened a road and established communication between Sonora and Alta California, but, alas, it did but little good! In 1780 two pueblo-missions were established near the mouth of the Gila among the Yumas as a sort of half-way station between Sonora and California. The following year, however, the Indians revolted, killing the missionaries and colonists as well as Rivera and his party who were on their way to California. This massacre led to the suspension of travel through the Yuma territory and, so, very little use was made of the Anza trail until the Anglo-Americans began to push into California from that direction. That overland communication between Sonora and California

was not entirely cut off during this period, however, is evidenced by a collection of letters on the "Iturbide revolution in the Californias," published by Doctor Bolton in the *Hispanic American Historical Review* in May, 1919. But the indications are that perhaps very little use was made of this trail during this period.

By the end of the eighteenth century there were eighteen missions, four presidios, and three pueblos established in Alta California. These dotted the coast all the way from San Diego to San Francisco bay. Only one mission was later founded within this region, and two north of the San Francisco bay.

The last mission to be founded before the close of the century was that of San Luis Rey de Francia—usually referred to simply as that of San Luis Rey. Located about five miles up the San Luis Rey river, this mission, with its sub-station at Pala farther up the river, had more to do with the Indians in the vicinity of what later became known as Warner's Ranch than any of the other missions of California. In fact, the explorations preliminary to the establishment of San Luis Rey led to the discovery and naming of the San José Valley, in which Warner's Ranch was later located. The account of that exploration is of so great significance in the present study that it deserves to be treated in a separate chapter.

III

THE DISCOVERY OF SAN JOSE VALLEY

SO FAR as is known the first exploration by white men of the valley in which Warner's Ranch was later located was made in August, 1795, by a company sent out from San Diego, intent upon finding a site for a new mission between San Diego and San Juan Capistrano.

Our information concerning this expedition is based on the diary kept by the padre Fray Juan Mariner, who accompanied the expedition, and the two reports of Captain Juan Pablo Grijalva, in charge of the soldier escort. The original of Mariner's diary is in the Santa Barbara archives. Through the kindness of Father Zephyrin Engelhardt a photographic copy has been obtained for this study. The Grijalva reports found their way into the Surveyor General's office in San Francisco as a part of the California Archives. Unfortunately this entire collection of some three hundred-odd volumes pertaining to the early history of California was burned in the San Francisco fire of 1906. Bancroft, however, had been there, and while he did not make verbatim copies of all these documents, he did of some of them and summarized and digested others, so that we have, at least, the contents available now in the Bancroft Library. As regards the case in hand we may say that while Bancroft's summaries of the Grijalva reports are not as valuable as the originals would be, they are of extreme significance in supplementing the Mariner diary. From Father Mariner's diary one is able to lay out in considerable de-

tail the route which the party followed. Mariner also gives the number of rancherias which were passed, together with various details regarding the language spoken by the Indians and the conditions of life among them. Grijalva's reports supplement this information by recording the names of most of the rancherias, as well as by adding various other items not recorded by Mariner. While the two writers have frequently differed in their spelling of the names of the various rancherias, and while we cannot always be sure of Grijalva's spelling of these names (having only a copy instead of the original), still enough remains to enable us to make a fairly detailed account of the expedition.

It was on the seventeenth of August, 1795, that the party, consisting of Father Mariner, Captain Grijalva, and six soldiers, set out from San Diego for the purpose, as already stated, of locating a site for a new mission between San Diego and San Juan Capistrano. Instead of following the Camino Real along the coast, the explorers directed their course inland up the San Diego river, past what was then known as San Luis rancho, and up one of the northern tributaries, which they called Cañada de Alisos. This was possibly Sycamore Canyon, the local rendition of *alisos* (alders) being sycamores.

In the afternoon of the second day the company arrived at a valley of considerable size in which, the diary records, there was much good land. In this valley there were five large rancherias, making a total of thirteen that had been visited thus far on the journey. The Indian name for this valley, according to Mariner, was Esechá. Grijalva rendered it in two syllables instead of three, as Eschá. It is possibly to be identified with what is now known as Santa Maria valley. Grijalva has given us the names of the rancherias in this valley as Mescuanal, Tonapa, Ganal, Mocoguil, and Cuami.

Another league and a half brought the party to Pamó Valley where it spent the second night out. This valley still bears the name by which

it was referred to by Father Mariner at that time. It contained four Indian rancherias; the largest one, in which Mariner says he counted one hundred and nine men, was called, according to Mariner's account, Samptay Luscat.

A league and a half to the northeast on the following morning led the travelers past two more rancherias containing a great many Indians, and brought them to a large valley, the Indian name of which, according to Mariner, was Jatir Já. Grijalva gives its name as Tacopín. In another place, however, he records this as the name of one of the rancherias in the valley. Both writers agree, however, that the valley was, then and there, given the name of San José. This is the valley in which Warner's Ranch was later located. It still bears the name given to it by Father Mariner on that nineteenth day of August, 1795—The Valle de San José.

The possibilities of the valley at once appealed to the leaders of the party as being unusual. Of it the padre recorded, "it must be more than three and a half or four leagues long and a league and a half wide." He further says that there were ten large rancherias then located in it, only two of which, however, he names: that of Jajopín by the side of a large gully, and that of Tauhi below which were three large springs of good water.

Grijalva supplements the report of Mariner at this point by giving the names of the rancherias in the valley as follows: Tagui (which was evidently Mariner's Tauhí), Gante, Algualcapa, Capatay, Tacupín (the Jajopín of the Mariner report), Quguas, Calagua, Matagua, and Atá.

It is still possible to identify some of these places. According to Dr. A. L. Kroeber, the Diegueño name for the Indian village at the Warner Hot Springs, the Agua Caliente of the Spaniards, was Hakupin. This is clearly the Jajopín of the Mariner diary—the Tacupín of the Grijalva report. Of course, it is hardly necessary to say that the Spanish *j*

in Jajopín is pronounced as *h*. As stated in the first chapter, this village was known to the Cahuilla Indians by the name of Kupa, and Kupa has been accepted by modern ethnologists as its name; but in view of the information contained in the diary of Father Mariner and the report of Captain Grijalva, it might be more appropriate to replace this name by that of Hakupin, or, if we wish the Spanish spelling, Jajopín.

On Dr. Kroeber's map showing "native sites in part of Southern California," published with his Handbook of the Indians of California, we find Tawi, an Indian place name, located on the southern side of San José valley, about due south from Agua Caliente. This is evidently the Tauhi of Mariner's diary.

One of the southern arms of the San José valley is still known as the Mataguay valley (sometimes spelled on the maps as Matagual). This was, without doubt, the home of the Matagua Indians of Grijalva's report.

Dr. Kroeber speaks of two Cupeño rancherias in the San José valley. One was that of Kupa, known to the Diegueños, as has been indicated, as that of Hakupin. The other rancheria mentioned by him is that of Wilakal, called Ephi by the Diegueños, and located by him at San Ysidro. The one whose name most nearly corresponds to this in the Grijalva report is perhaps that of Atá. The identification is not quite so conclusive as that for the other ones already considered, but may serve, in the absence of further evidence, as a fair guess.

As for the other rancherias named by Grijalva, we as yet have no means of identification. Local place-names may later serve this purpose, and help us to locate each of the ten rancherias which were visited by Father Mariner on that nineteenth of August, 1795.

The size and location of the valley, with its large Indian population nestled among the oaks, cottonwoods, pines, sycamores, and willows, greatly impressed the members of the party. Its springs, and its good

land, together with the possibility of cultivating and irrigating the soil, were noted. It was such a good place, wrote Father Mariner, "that all say, and I also, that it is suitable not only for a mission, but for both a presidio and a mission." Such was the impression of the first white men to visit the site of Warner's Ranch.

After visiting the various rancherias and getting the Indians to agree to become Christians if a mission should be established in the valley, the party continued its exploration down the San Luis Rey river.

On the second day down the river, being August 20th, about ten o'clock in the morning they entered the region where the language of San Juan Capistrano was spoken. Up to that point they had passed twenty-six rancherias, all of which had spoken the "*Mau* language of San Diego." In other words, this marks very definitely the line between the Indians of the Yuman linguistic stock and those of the Shoshonean, and places those of the Warner Ranch region clearly within the Yuman group. We may be even more specific, for when they reached Pala at sunset on that day Mariner records that this was the fifth rancheria which spoke the language of San Juan Capistrano. There is a slight discrepancy at this point in that Grijalva gives the names of five rancherias between San José valley and Pala, making Pala the sixth instead of the fifth. The explanation seems to be that Grijalva included in his list of those between San José valley and Pala the one located just at the head of the canyon, which Mariner considered as belonging in the valley. This is more evident when we look back and note that Grijalva names only nine as being in the valley, whereas Mariner specifically states that there were ten. The names of the five passed after leaving the San José valley and before reaching Pala, as given by Grijalva, are as follow: Curila, Topame, Quque, Cupame, and Paume. Of these five, perhaps the first would better be placed in the San José valley, or just at the entrance of the canyon.

Pala (spelled *Pale* by both Mariner and Grijalva) was also noted as a feasible site for a mission. The fact that there was considerable water available for irrigation, and suitable land sufficient for planting about a hundred and ten fanegas of wheat, twenty of corn, and some four to six of beans, was mentioned. Attention was also called to the fact that there was plenty of timber and stone for building and "a very good mesa upon which to put a mission." The Indians, as in the San José valley, gladly consented to become Christians if a mission should be established there.

Continuing down the river the Spaniards passed the rancherias of Palui, Pamame, Pamua, and Asichigmes. They then explored the canyon of Santa Margarita, in which they found two rancherias—Checape and Pamamelli—and that of Las Flores, in which two more were located, named Chumelle and Quesinille. None of these places, however, seemed as satisfactory for a mission site as either the San José valley or that of Pala.

In summing up the results of the exploration, Father Mariner states that the party had visited forty rancherias, twenty-six of which spoke the *Mau* language of San Diego and fourteen that of San Juan Capistrano. Grijalva has recorded the names of all fourteen of the rancherias speaking the San Juan Capistrano language, but only fifteen of those speaking the language of San Diego.

The significance of the documents pertaining to this expedition becomes evident when we note that modern ethnologists know of only two Cupeño rancherias which were located in the San José valley—Kupa and Wilakal, or, using their Diegueño names, Hakupin and Ephi. The reports of Mariner and Grijalva indicate that there were ten rancherias in the valley when the Spaniards first explored that region. Father Mariner adds that they were all large ones. This would suggest a population considerably more than the five hundred which was estimated

by Dr. Kroeber as the maximum number in the Cupeño organization.

It is significant, also, that the documents specifically place the Indians of this valley with those speaking the Diegueño language. They have been variously classified, but modern scholars have come to consider them as a group by themselves, having a language different from either Diegueño, Luiseño, or Cahuilla, but belonging to the Shoshonean linguistic stock rather than the Yuman. Dr. Kroeber states the situation as follows: "It is above all their speech that warrants a separate recognition of the Cupeño. This is of the Luiseño-Cahuilla branch of Shoshonean, but more than a mere dialect of either of these tongues."

The Spaniards had been acquainted with these languages for twenty-five years before the explorations under consideration were made. They certainly knew the difference between the Yuman and Shoshonean. It seems, therefore, to be one of the problems of modern ethnologists to explain how these early explorers could place this entire group of rancherias in the Yuman linguistic stock if they really spoke the Shoshonean language.

Howsoever this question may be settled, the diary of Father Mariner is of sufficient significance to warrant publishing in the present study. A translation is therefore included in the Appendix.

IV

THE MISSIONS AND THE INDIANS

NO IMMEDIATE use was made of the explorations of Father Mariner and Captain Grijalva, discussed in the previous chapter, both the San José valley and Pala, upon reconsideration, being regarded as too far from the Camino Real for mission sites at that time. In October, 1797, another survey of the region was made, this time under the direction of President Lasuén and Father Juan Santiago, with an escort of seven soldiers under the command of Pedro Lisalde. Our information concerning this expedition is based upon the diary of Captain Lisalde. The party set out from the mission San Juan Capistrano on the second of October, and traveled by way of Lake Elsinore, Temécula, (written *Temeca* in the diary), Pauma, Pala (called *Pullala* by Lisalde), and down the river to San Juan Capistrano el Viejo. Evidently San José valley was not visited on this expedition. At San Juan Capistrano el Viejo the party separated, part returning to Mission San Juan Capistrano and the rest going to San Diego. The inference is that the site of Old San Juan Capistrano was chosen at this time as the place where the new mission should be located.

This point had been indicated by Father Crespi in 1769 as a suitable location for a mission, and had been named at that time San Juan Capistrano. After the founding of the mission San Juan Capistrano, farther north, the site selected by Father Crespi became known as San

Juan Capistrano *el Viejo*, to distinguish it from the new mission of the same name.

Whether this place was chosen by Father Lasuén's party, as suggested above, cannot be definitely stated; but in June of the following year, 1798, after the necessary preliminaries, a mission was established there and given the name of San Luis Rey de Francia.

It is not the purpose of the present study to write the history of either the mission San Luis Rey or that of San Diego, but the history of Warner's Ranch cannot be told without dipping freely into the history of both these missions.

In the first place, the location of the San José valley with respect to these two missions is significant. About forty miles, in an air line, east from San Luis Rey, and about the same distance northeast from San Diego, on the extreme eastern frontier of the jurisdiction of either, it was at times considered the property of one and again that of the other; while occasionally it seems to have belonged to both at the same time.

This dual relationship may be brought out most clearly by quotations from two reports, made almost simultaneously, one by the friars in charge of the mission of San Diego and the other by those in charge of San Luis Rey. In the report of Fathers Fernando Martín and Vicente Pasqual Oliva, dated San Diego, December 18, 1827, in enumerating the lands of that mission, it is stated that "from the Valle de San José to the laguna called Agua Caliente is a stretch of two leagues, on which the cattle of the mission are pastured and also the sheep." Here, it will be noted that the "Valle de San José" is used in a more restricted sense than as applying to the whole valley, as was the case in the report of the exploration of 1795. The Agua Caliente, of course, is the well-known Hot Springs of Warner's Ranch, the Jacopín of the Indians who lived there. Some four days later than the date of this report, on December 22, 1827, Father Antonio Peyri, at Mission San Luis Rey, reported that

to the east of that mission, "at a distance of sixteen leagues, there is a district reserved for the sheep, which is famed for its warm springs. There pasture also the flocks of Mission San Diego." This, of course, could be none other than the San José valley, still famed for its warm springs. In other words, each mission reported that it pastured its flocks and herds in this valley at the time of these reports (1827).

This confusion of ownership continued all through the mission period down to the time when the valley was granted to the white settlers. To illustrate, in the official grant of the property to José Antonio Pico on June 4, 1840, Governor Alvarado made the following statement: "I declare Don José Antonio Pico proprietary owner of the place granted, known by the name of Agua Caliente, included among the lands of San Luis Rey . . . on condition that he agrees to pay for the granary and other properties which the mission of San Luis Rey may have on the said site." But in the expediente granting the valley to Warner in 1844, Vicente P. Oliva, the Father in charge of Mission San Diego, wrote on August 5, 1844: "The Valle de San José may be given to the claimant who solicits it, inasmuch as the mission of San Diego, to which it belongs, has not means enough to cultivate it or improve it, and it is not needed by the mission." But so long as the region was used simply as pasture land it was not so necessary to fix the ownership as it became later, when the valley was used for planting crops and when buildings were erected on it. But even then the question of title seems not to have been very definitely settled.

As regards the building activities of the two missions in the vicinity of the valley it must be acknowledged that our data are rather meager. Some items, however, may be noted. At Pala, some twenty-odd miles down the San Luis Rey River from the San José Valley, a granary was built as early as 1810, under the direction of the missionaries at San Luis Rey. This is mentioned in the annual report of that mission, dated

December 31 of that year. About 1816 a building for religious services was erected there. In the annual report for 1818, the Padres at the mission informed President Payeras that the chapel at Pala had been lengthened, and that two large granaries had been built.

With reference to the work of the San Diego mission, it may be pointed out that at a place some three leagues to the south of San José valley, in the district called by the Padres, Santa Isabel, and by the Indians of that region, Elcuanam, the Fathers of the San Diego mission founded a branch mission on the 20th of September, 1818. A permanent chapel was erected a little later. In 1822 it was reported that the *assistencia* of Santa Isabel consisted of a chapel, a granary, and several houses. There was then under its charge a population of 450 neophytes, who were settled within a few leagues of the mission buildings.

Of the building activities in the San José valley, itself, we have but slender information. There were evidently no buildings there as late as 1827, or they would have been mentioned in the reports of that date, cited above. Between that time and 1840, however, some building was done, for the expediente relating to the grant of the valley to José Antonio Pico, in 1840, contains a number of documents in which buildings are mentioned. To illustrate: Juan María Osuna, writing from San Diego under date of April 7, 1840, says that the tract "has buildings, planted fields, and an orchard." Andrés Pico, writing from San Luis Rey on April 8, 1840, states "that there are in the said place a granary and planted fields and an orchard." That whatever buildings were there had been built under the auspices of the mission San Luis Rey is clear from the documents here quoted, and also from the fact that the Fathers at San Diego made no claim to buildings when they asserted that the region was the property of that mission.

Moreover, the date of the construction of the buildings can be more definitely fixed as prior to 1833, for by that time secularization of the

mission had proceeded so far that there would have been no buildings erected after that date. The actual transfer of the mission and its belongings into secular hands was not officially completed until August 22, 1835, but the process was in motion as early as 1833, when Figueroa named Captain Pablo de la Portilla of San Diego as *comisionado* to execute the decree of emancipation at San Luis Rey. Portilla actually took control in the latter part of 1834. Whatever buildings there were in the San José valley can, therefore, be said to have been constructed between 1827 and 1833.

Along with the building activities in the valley may properly be considered the work of the missionaries in planting grain and trees. It is perhaps unnecessary to point out that the building of a granary presupposes the presence of grain fields. Just how early grain was planted in the valley, however, may be difficult to determine; but it would seem that it was not planted there to any very great extent before 1827, for the reports of that year, cited above, say nothing about the production of grain in the valley, and refer to that region simply as a place where the sheep and cattle of the two missions were pastured. Of course, grain may have been grown there to some extent before that date, but evidently not in large quantities.

The orchard referred to in the expediente of 1840 must, also, have been planted at about the beginning of the third decade of the nineteenth century. It is spoken of in the above-mentioned expediente as being of but little value, but nothing is said as to its age. Some of the trees, now about a hundred years old, are still standing as monuments to the efforts of the Spanish Padres to bring the fruits of civilization to the benighted heathen at the ends of the earth.

To have accomplished these results, the Spaniards must have visited the San José valley many more times than the records, now available, show. As a matter of fact we have but very few accounts of actual visits

to the valley during the mission period. The first exploration of the region in 1795 was considered in the preceding chapter. A second survey, made in October, 1797, but which apparently did not pass through the San José valley, was discussed at the beginning of the present chapter. The next visit to the valley, of which we have any record, was made in September, 1821, on the occasion of the visit at San Diego of Father Mariano Payeras as *Comisario Prefecto*. The purpose of the expedition, as stated by Father Engelhardt, was to visit the back-country between San Diego and San Gabriel, "with a view to finding suitable sites for establishing another mission in the interior, where pagans were said to be very numerous." Besides Father Payeras, the party consisted of Fr. José Bernardo Sánchez, six soldiers, and two invalids (retired soldiers), José Manuel Silvas and Marcos Briones.

Setting out from San Diego on the tenth of September, 1821, the party proceeded eastward to rancho Santa Monica, also known as El Cajón, thence north to Pamó, and then east to the Indian rancheria Bellena (the place is still shown on government maps), and northeast to the mission station, Santa Isabel, the Indian name of which, according to the diary, was Elcuanam. Here the party rested a few days, visiting with and instructing the Indians, and viewing the country round about. From here a side trip was taken to the headwaters of San Diego river, to the south; another to the east, to the summit of the Sierra Madre and back by way of the San José valley; and a third, by Father Payeras (Father Sánchez being too ill to accompany him) to the San José valley.

The account of this trip deserves to be copied in full. It reads as follows:

September 17: The reverend Father left very early in the morning (I being ill could not accompany him) in a northerly direction for Jacopín otherwise known as Agua Caliente, distant from Santa Isabel or Elcuanam about four and a half leagues. At a distance of about a league there is a spring where the natives have their cornfields. Here also is their rancheria called by them Ajata, to which the Reverend Father gave the name of Las Llagas.

At the slope or fall of the valley of San José, a little farther down in the same direction, is another spring. The country all the way to the valley from that of Santa Isabel is a canyon of fertile soil covered with sycamores, oaks, and live oaks; but at the entrance to the valley, sycamores.

Going a short distance toward the east, the Reverend Father came upon a wash, the water of which in dry years does not come to the surface. At a distance of about a league and a half there is a perennial spring called by us Buena Vista near which are two small marshes. A league and a half beyond in an easterly direction is Agua Caliente, called by the natives la rancheria Jacopín. The water is so located that with a little work baths could be erected that would be very useful for one purpose or another. The water is too hot but there is cold water so near that one can place one hand in it while the other is in the hot water.

A little farther up there are sycamores along the road that leads to those springs. The soil in some parts is not bad. Its shrubbery is varied but among the others is an abundance of the islai shrub. To the north one comes upon some live oaks and enters a barren canyon. This canyon following the valley down to the west contains poplar and willow trees.

Through the center of said valley or plain, there are low hills here and there with springs of water and some small marshes. It is scant in trees but this deficiency is made up by the great numbers of various kinds that grow in the surrounding mountains. To the north the soil seems sterile but to the south and west it is excellent.

The Reverend Father returned to Santa Isabel in the afternoon arriving safely at about seven o'clock in the evening.

The eighteenth and the morning of the nineteenth were spent in instructing and baptising Indians at Santa Isabel, from which place, on the afternoon of the nineteenth, the party set out along the road to the San José valley taken by Father Payeras two days previously. They passed the rancheria Ajata, and continued along his route to the point where the canyon opens into the San José valley; but instead of turning to the east at this point, as the Reverend Father had done, they continued to the north, crossing the highest hill, possibly Monkey Hill, and,

in two and a half hours, arrived at a little hill jutting out into the road, where was located the rancheria Taqui. The diary speaks of springs to the north and west and also in the hilly land to the southeast, such that, if the water were stored, there would be plenty for a good-sized stream for irrigating the beautiful strip of land below. The place seemed quite suitable for a mission site; so, before leaving, the Padres had a holy cross erected there. The incident has long since been forgotten but the place is still known as Puerta de la Cruz, evidently in commemoration of this event.

Setting out early the next morning, the party proceeded down the San Luis Rey River to Pala, stopping on the way, however, at the rancheria which the Spaniards called Potrero, the Indian name of which was Caqui. From Pala they turned north to Temécula and from there to San Jacinto, known to the Indians by the name of Jaguara. It was then a cattle ranch belonging to the mission of San Luis Rey. From San Jacinto they turned west and north to San Bernardino, a rancho of San Gabriel mission. After several days stay in the vicinity of San Bernardino, exploring the country and instructing the Indians, the travelers continued their journey to San Gabriel, where they arrived on the first of October.

The relation of the Indians to the San Diego and San Luis Rey missions is of considerable interest. One gets the impression frequently, from reading about the various missions, that the Indians from large areas were huddled together into rather small quarters about the mission buildings. This may have been at least partly true in some cases, but here it seems more nearly in keeping with the facts to say that the missions went out to the Indians rather than that the Indians came in to the missions. Relatively very few of the Indians under the control of the missions of San Diego or San Luis Rey lived in the immediate vicinity of the mission buildings. On the other hand, the activities of these

missions extended all the way from the coast to the mountains. In this connection it may be helpful to quote a portion of the report of Fr. Antonio Peyri, already referred to, which was made at Mission San Luis Rey, December 22, 1827. In discussing the lands of the mission he says:

To the east at a distance of three leagues the Mission has a locality named San Juan for the cattle; and in the same direction, at a distance of sixteen leagues, there is another district reserved for the sheep, which is famed for its warm springs. There pasture also the flocks of Mission San Diego.

At a distance of seven leagues, toward the northeast, at the entry of the Sierra Madre, the Mission has a station called San Antonio de Pala, with a church, dwellings, and granaries and with a few fields where wheat, corn, beans, garbanzos, and other leguminous plants are grown. There are also a vineyard and an orchard of various fruits and of olives, for which there is sufficient irrigation, the water being from the stream which runs to the vicinity of this Mission.

To the north, at a distance of one league and a half, the Mission has a place with a house and garden, and near the beginnings of the sierra a vineyard. This site, lying in a cañada, is called Santa Margarita. The land is cultivated and wheat, corn, beans, and barley are raised. The fields are irrigated by means of the water from the sierra, which, though not plentiful, assures some crops.

In the same direction, to the north, at a distance of three leagues, the Mission has the Rancho of San Pedro, known as Las Flores. The place has a house, granaries, and a chapel, which buildings form a square or large patio. Holy mass is offered up in the chapel. In the patio, by means of water taken out of a pool near the sea, corn is raised. In the plain, wheat and barley are raised in season. About one league from the rancho are the pastures for the cattle. The locality is called Las Pulgas.

In the direction of the northeast, in the sierra, at a distance of twelve leagues, the Mission has the Rancho San Jacinto with a house of adobes for the mayordomos. Here pasture the cattle.

Between the said ranchos, sites, and stations, there are no mountains whatever; but the valleys and mesas are covered with thickets and underbrush, which are good only for firewood. In the clearings and foothills, cattle and sheep have their pastures. . . .

The Mission Indians at present own 22,610 head of cattle, 27,412 sheep, 1,120 goats, 280 pigs, 1,501 horses of all kinds, and 235 mules. All these animals are distributed over the ranchos, sites, and stations described. The reason for having them so scattered is the lack of water and pastures, which are difficulties encountered all along this coast region.

It would thus appear that the Indians of this region were on fairly good terms with the Padres, and that the mission interests were spread over a considerable area. This was true all through the mission period. To the Fathers the Indians were as children, to be taught such subjects as reading and writing and the arts of agriculture along with the doctrines of the Catholic faith. Fields of wheat, corn, and beans, and vegetable gardens, were located wherever water was available for irrigation. Live stock of various kinds—sheep, goats, cattle and horses—covered the hills and mountain valleys wherever feed was to be found. The Indians cultivated the ground, sowed and harvested the crops, watched the flocks and herds, butchered the meat, etc. The Padres were the guardians of all this property. That they were faithful to their trust, and fair in the distribution of the products of the neophyte labor, there can be but little doubt. The Indians were possibly better fed, better clothed, and happier than they had ever before been. But with all this there was one thing lacking, if we may judge from later experience. The Indians were not taught the significance of individual ownership of private property. They worked for the Padres and were fed by the Padres. That they worked willingly has no bearing upon the question. They owned no land, and the product of their labor was all community property. So, when the question of secularization of the missions arose a few years later and was forced upon the missions, the Indians were helpless. The granting of freedom and the possession of private property to them at that time became their undoing. Of course they were, mentally, only children, and would have been at a very great disadvantage no matter

what their previous training might have been; but had they been taught the use of private property, and had they learned how to manage it and to appreciate its value, a great deal of their misery at the time of the secularization of the missions, and later, might have been avoided. But it is easier to look backward than forward. Also, it is easier to criticize the Padres for what they failed to do than to appreciate what they did accomplish. Moreover, there were various other elements entering into the question of secularization, which will require a separate chapter for consideration.

V

SECULARIZATION OF THE MISSIONS

BEFORE taking up the development of Warner's Ranch under the direction and ownership of White men it will be necessary to look briefly into the process by which it passed out of the control of the missions and Indians and into the hands of its new owners. This involves a consideration of the fundamental purpose of the missions as well as an examination into the means by which the change of regime was made—the actual process of secularization.

In working through the mazes of this complicated story I have been very greatly aided by the excellent thesis of Miss Kathryn L. Langston on this subject submitted to the University of California in May, 1925.

It is perhaps unnecessary to state that any study of the missions should be prefaced by the statement that the mission was a frontier institution. As such it played a very important part in the conquest and civilization of the New World. It had duties of a three-fold character. It was both political and social as well as religious. But, from whatever angle it may be studied, it was "characteristically and designedly" (to use Dr. Bolton's words) a frontier institution. The missionary's duty was to introduce the Faith among the heathen. When this was done his work was finished on that frontier, and he was expected to move on to a new field.

This is the principle on which the *Córtes* of Spain acted when on

September 13, 1813 it issued a decree for the secularization of the missions in the New World. This law provided that all missions "on the other side of the ocean" which were in charge of missionaries from Religious Orders, and which had been established ten years or more, should be immediately turned over to the secular clergy, and that the missionaries who were thus relieved should apply themselves to extending religion in other heathen places.

Theoretically, secularization was not only both logical and just, but it was understood and accepted by king, priest, and people as the normal culmination of the mission's activities—the crown of glory, so to speak, for which the mission had been struggling throughout its entire existence. But, in application, secularization brought ruin to the missions and misery to most of the Indians of California.

There were several reasons for this. In the first place the law was based on experience with the semi-civilized Indians of Mexico, Central America, and Peru, who were in a much higher stage of civilization than were the Indians of California, and who may have been able to take care of themselves after ten years of help by the missions. Ten years, however, was far too short a time in which to prepare the California Indians for such a contingency.

Further, although the decree itself was not radical, it was enacted during revolutionary times in Spain by a revolutionary *Córtes*, which came into power while Ferdinand VII was a prisoner in the hands of Napoleon Bonaparte. Due to political disturbances in Spain, however, the decree was not published in Mexico until January, 1821. For several years thereafter, Mexico was too busy with political difficulties to disturb the missions, and so mission authorities in California, and Mexican officials in general, came to regard the measure as a law which did not apply to them. Later, when certain officials endeavored to revive and enforce the measure, the missions became the victims of irregular pro-

ceedings and political and land-grabbing squabbles, so that in the end secularization became confiscation and the mission estates passed into the hands of political land-grabbers, with the result that the Indians were left in a helpless and deplorable condition.

As suggested in the last chapter, it is possible that a portion of this unhappy conclusion of mission affairs might have been avoided had the Indians been given a little more training in the use of private property. Their experience as neophytes had given them but little preparation with which to meet the Whites in a commercial struggle for existence. To the Padres they were as children, to be taught the simple rudiments of education and civilization, to be chastised as children, and to be directed in their work and play as a parent directs his children. In other words, the missionary's relation to the Indian was purely paternal in a system which was largely Utopian in character. So, although we may say that ten years was far too short a time in which to prepare the California Indians to meet the Europeans in a commercial struggle for existence, still, fifty years or even a hundred under the mission system, as practised in California, would likely have found them not much better equipped for such a struggle.

Moreover, while the Spanish Padres dreamed of a paradise for Christian souls and labored with the utmost, painstaking zeal to form out of savage, heathen Indians fit subjects for such a paradise, other forces were undermining the very foundation on which the hope of such a paradise might be based. From Spain and Mexico, from England, France, and the United States, colonists, in gradually increasing numbers, were working their way toward this land of sunny California. Colonists needed homes and land. Thus, pueblos were established and ranchos were granted to the white settlers. At first this created no apparent conflict with the missions; but, as the grants became more numerous, they encroached more and more upon the mission lands, the bounds of which had never

been very definitely fixed, and a conflict became more and more inevitable. Further, the missions had naturally been established on the most fertile and best locations in the country, and, under the careful supervision of the padres, had amassed great wealth. As a result, various White settlers looked with envy upon the mission estates.

As noted in the foregoing, it was on September 13, 1813, that the decree concerning the secularization of the Spanish missions in the New World was issued by the *Córtes* of Spain. This provided that each establishment of ten years or longer standing should be turned over to the secular clergy; that the friars in charge of such establishments should move on to other frontier fields; that the property of these missions should be divided to individual ownership among the Indians belonging to the missions, by their own Indian officials. There was no provision justifying domination by the Whites or any idea of confiscation of mission property.

The immediate occasion for the decree was not the secularization of the missions of California. In fact the *Córtes*, in passing the enactment, did not have California especially in mind. As stated in the edict itself, it was the condition of affairs in Guiana that had necessitated the action.

Due to the political situation in Spain, more than seven years elapsed before this law was published in Mexico on January 20, 1821. This was the period of the Spanish "War of Independence" against Napoleon, who had held Ferdinand VII a captive since 1808. Early in 1814 the king was permitted to return to Spain; whereupon he at once adopted a reactionary policy and declared all decrees of the late *Córtes* invalid. Thus the secularization law, with everything else passed by the *Córtes*, was annulled. By January 1, 1820, however, the pro-Liberal element raised the standard of revolt. The king was forced to yield, and summoned a *Córtes* which convened in July. That body proceeded to restore the legislation of its predecessor. Thus the decree of 1813 again became a law. Its publication in Mexico in January of the following year put it

in force in that country. In 1823 the conservatives in Spain again seized the government and abolished all acts of the *Córtes* of 1820, but by this time Mexico had declared her independence of the mother country, and thus the secularization decree of 1813 remained a valid law in Mexico even though it had been abolished in Spain.

But although the law was valid in Mexico and her provinces, it was never put into execution as originally drafted; nor was any legislative effort toward secularization of the missions made by the government of Mexico until August 17, 1833. The reason was that Mexico was too busy with political difficulties to disturb the missions, and the missions were too important as sources of revenue, and were serving too good a purpose in holding the Indians in check, to be dispensed with.

However, trouble was brewing in California itself. We have spoken of the inevitableness of the conflict between the increasing white population and the missions. This was accelerated by the character of the officials in the province. It is generally recognized that with the establishment of the republic of Mexico the government of California passed into less-efficient hands. One gubernatorial misfit followed another. Political bickerings and revolts were common, and usually the missions were involved, if they were not the principal cause of the trouble.

The appointment of José María Echeandía as governor of Californias, in 1825, brought matters to a head. His despotic tendencies and his anti-Franciscan attitude soon revealed themselves. He was, however, to a large extent a victim of circumstances. In the first place, as Bancroft says, "the spirit of Mexican republicanism was not favorable to the longer existence of the old missions under a system of land monopoly strongly tinged with some phases of human slavery." Echeandía's instructions were to "ascertain the names and characters of the Indians; examine into the affairs of the missions; investigate the relations in which the missionaries, neophytes, and gentiles stood toward one another and to-

ward the government, and report what measures were necessary to ameliorate the condition of the natives." In the second place, there were the incessant urgings of various prominent Californians who already had their eyes on the mission lands. Given this situation, with Echeandía's natural desire to play politics, and it is not difficult to see that there was trouble ahead for the missions.

However, both he and the Mexican authorities realized that secularization must be approached slowly and with considerable care. Neither desired immediate action; the home government largely, no doubt, because of its lack of interest in a land so far away; and the governor, in addition to his natural, easy-going tendency, because he found himself surrounded by insurmountable difficulties. The territorial finances were in an unsound condition; the military force lacked organization and pay; fifty curates would be needed to take charge of the new parishes, and were not obtainable; the territory was dependent upon the missions; and the padres threatened to leave *en masse* at the first sign of disturbance.

A watchful-waiting attitude was, therefore, the logical one for Echeandía to follow. In the meantime he could look for opportunities for opposing the missions in ways that would not appear to be for the purpose of secularization, but which would create situations that would place the padres at a disadvantage. The first opportunity of such a character came in connection with the question concerning the oath of allegiance to the Republic of Mexico. By birth, training, and interest the padres were naturally loyal to the Spanish crown, but they preferred to be left out of political issues and to be allowed to carry on their missionary work on a non-political basis.

The two most important padres in California at this time were Vincent Francisco Sarría and Narciso Durán. Sarría was president of the missions from 1823 to April, 1825, when he was succeeded by Durán. Sarría, however, continued to hold the office of *comisario prefecto*—the highest

office pertaining to the missions in the province. The relations of these padres to the governor indicate how matters were moving.

Upon the arrival of the new constitution of the Republic of Mexico in California, early in 1825, Sarría not only declined to swear allegiance to the constitution but also refused to issue any instructions on the subject to his friars. In explanation he wrote, under date of February 11, 1825: "I have decided that I cannot do it without violating what I owe to anterior obligations of justice and fidelity. . . I understand that we are threatened with expatriation; but I will pass through all, though with tears at leaving my beloved flock." As a result of his refusal, Sarría was placed under nominal arrest and orders were issued from Mexico demanding his exile. The governor, however, dared not execute the order, fearing that all the rest of the padres would leave, if Sarría were sent out of the country.

In October, 1825, Echeandía ordered Durán to go from San José to San Diego for the sole purpose of taking the oath of allegiance. Durán not only refused to make the trip but also to subscribe in such manner to the constitution, even to the point of banishment. His reason for not doing so was that he was tired of taking so many oaths during the past few years. Instead, he offered an oath of fidelity to do nothing against the established government. The governor decided to let the matter rest for a while.

On April 24, 1826, Echeandía called a conference at San Diego of four padres representing the southern establishments, and the alcalde of Los Angeles. Here the missionaries were requested to state their decision concerning the oath of allegiance. The padres expressed their willingness to swear to the formula prescribed, with the additional clause "as far as is compatible with our military and religious profession." But Echeandía said that he had no authority to accept any modification of the oath, and that he would shortly ask for each friar's decision in writing.

This he did on the third of June. By the end of August all the missionaries had submitted their replies. Most of them were unwilling to take the oath, but all declared that they would obey the commands of the government as long as they did not militate against conscience.

Thus relations of the padres and the governor stood at considerable tension when, on July 25, 1826, Echeandía issued a decree of partial emancipation in favor of the neophytes, which was the first step toward secularization. This entitled all Indians to leave the missions if they had been Christians from childhood or for fifteen years, if they were married or at least not minors, and if they had some means of making a living. The experiment, however, was to be applied at first only to the missions of San Diego, Santa Barbara, and Monterey. It was later extended to San Francisco.

We have very little information as to the immediate results of the plan, and it seems to have been given up after a short trial. In November, 1827, on one of his visits to California, Beechy, in referring to Echeandía's plan, has the following to say: "After a few months' trial, much to his surprise, he found that these people who had always been accustomed to the care and discipline of school-boys, finding themselves their own masters, indulged freely in all those excesses which it had been the endeavor of their tutors to repress, and that many having gambled away their clothing, implements, and even their land, were compelled to beg or to plunder in order to support life. They at length became so obnoxious to the peaceable inhabitants, that the padres were requested to take some of them back to the missions, while others who had been guilty of misdemeanors were loaded with shackles and put to hard work."

But the lingering effects of the edict were more far-reaching than might appear at first glance. All the neophytes were affected by the ideas of independence which Echeandía fostered, and were never again as contented and submissive as before. The result was a growing spirit of rest-

lessness among the Indians and a decline in spiritual prestige and temporal welfare of the missions.

No further action on the question of secularization was taken by the governor before 1830. Meanwhile, however, other matters involving the missionaries were occupying considerable attention, both in local circles and at Mexico City. Chief of these was the question of the expulsion of native-born Spaniards. Mexican independence had been declared; years passed, however, and still Spain refused to acknowledge Mexico's act. The republic, therefore, set about manifesting its resentment in its treatment of native-born Spaniards residing in the country. In May, 1826, all titles of nobility, coats-of-arms, etc., were abolished. A year later it was decreed that no one of Spanish birth should hold any public, civil, or military office until the Mexican republic was acknowledged. In December of 1827 a decree was issued for the expulsion, within six months, of all Spaniards, with the exception of those who were disabled or over sixty years of age, or married to Mexican wives, or those who had rendered notable service to the cause of independence or shown great affection for that cause. In California, of course, the chief application of the law was to the missionaries. In Mexico the friars were actually expelled; but in California no effort was made to enforce the measure, owing to the well-known fact that there were no substitutes available. In March, 1829, a still more stringent expulsion act was passed by which it was decreed that all Spaniards, residing in Alta and Baja California and other northern provinces, should leave the territory in which they resided within one month, and the Republic within three months after the publication of the order. The decree was published in California on July 6, 1829. The governor, however, did not consider it practicable to execute the measure strictly. No friar was expelled.

The agitation on the subject, however, created a somewhat different situation from that which might have been expected. As early as 1826

Father Peyri of San Luis Rey petitioned for release and asked for a passport. Twice more, in 1829, he demanded a passport, but his requests were each time refused. The same was true with regard to a number of other padres, including Father Sánchez, president of the California missions. Two of the missionaries, in January, 1828, actually fled to Spain without passport. All this indicated very clearly that the padres might leave *en masse* at any time upon the expulsion of any one of their number —a situation which it was not desirable to have occur.

After a period of political struggles, of revolutions and counter-revolutions, from 1828 to 1830, Bustamante finally succeeded, on January 1, 1830, in assuming the reins of government in Mexico. He was known to be more in sympathy with the old Spanish institutions than his predecessor had been, and to favor a more conservative mission policy. It was, therefore, no more than what might have been expected when, on March 8, 1830, Manuel Victoria was appointed to succeed Echeandía as governor of Alta California.

It was the first of January, 1831, however, before he arrived in California; and still later, January 31, before the reins of government were turned over to him at Monterey. In the meantime, Echeandía was playing politics.

In collaboration with the new inspector of California, José María Padrés, Echeandía, in the summer of 1830, worked out a plan for the secularization of the missions of the province. The plan was sent to Mexico for approval, but no response was returned except the announcement of the coming of Victoria as Echeandía's successor. Nothing daunted, Echeandía issued his plan in the form of a decree, January 6, 1831, after the actual arrival of Victoria in the province. As Bancroft says, the plan was "wholly illegal, uncalled-for, and unwise." But it drove "Victoria to the commission of arbitrary acts and thus laid the foundation for a revolution," the result of which was the fall of Victoria and

the return of Echeandía to power in less than a year from the date of Victoria's arrival in the province.

Echeandía's success was due in great measure to his promises to the Indians, of liberty and land. To the Indian, liberty meant the abandonment of labor and the right to do any violence that might be convenient. Drunkenness, rapine, murder were the result. The promise of land meant but little to the Indian, but to the ambitious young Californians it meant that they would soon be in possession of the rich mission estates. This with, perhaps, even more definite promises of reward, such as overseerships of the missions, led a great number of the prominent young men of the province to rally to the support of Echeandía.

Echeandía's success, however, was short-lived. On May 9, 1832, the Mexican government appointed Brevet Brigadier-general José Figueroa, a strong military man, governor of California. News of the appointment reached California in July, 1832, and on the 28th of that month Echeandía expressed his satisfaction in a public address. On October 17 he wrote to Figueroa, acknowledging his submission to the new appointee; but before Figueroa could arrive in the province Echeandía, on November 18, 1832, issued a supplementary reglamento to his decree of 1831 for the secularization of the missions of Southern California—his authority, at the time, being limited to that region.

Figueroa's arrival, the following January, prevented the new scheme from going into effect. It did not, however, prevent secularization of the missions. In fact, the most important problem of Figueroa's administration was that of secularization. The Mexican government, although it had disapproved the conduct of Echeandía and Padrés, nevertheless had come to realize that something definite must be done, and Figueroa's instructions upon leaving Mexico insisted that he study the question carefully, to determine which missions were ready for secularization, and report what he considered the most expedient method of procedure.

In June, 1833, illness having prevented earlier action, Figueroa began a personal tour of the southern missions. What he saw and heard convinced him that any immediate, sweeping change in their management would be ruinous to the missions. His report to the Mexican government stated that the Indians were unfit for sudden emancipation. On July 15 he issued a provisional decree, pending endorsement by the assembly and Mexican government, by which a gradual emancipation of the Indians was to be begun. This placed the responsibility upon the governor for determining the number to be emancipated in each mission and the time at which it was to be done, and for the appointing of commissioners deemed necessary to carry out the provisions of the edict. Care was to be taken to provide for the civil and religious welfare of the liberated neophytes and to assist them in their economic undertakings. If they failed to succeed in their new freedom they were to be returned to the missions.

The decree was not sufficiently radical to excite very much enthusiasm either one way or the other. The missionaries were passively acquiescent, believing, no doubt, that the Indians would prove themselves incapable of self-government and would thus have to return to the missions. The Californians were not enthusiastic over the plan because it did not provide sufficient means of spoliation of mission property for them. The Indians were not interested because so much supervision was arranged for that their ideas of freedom would not be tolerated. Of one hundred and sixty qualified families at San Diego and San Luis Rey, only ten could be induced by Figueroa to leave the missions. Captains Argüello and Portilla, however, were appointed commissioners respectively of these missions, and the work of gradual emancipation was begun.

Figueroa's investigations, however, convinced him more thoroughly than before that any sweeping measure of secularization would be ruinous. Having heard that Mexico was contemplating just that step, he

hastened to advise the government against it in his report of October 5, 1833. He gave as his reasons his own experience and the views of the Padres Durán and García Diego; but his warning came too late.

On August 17, 1833, before Figueroa's protest had even been written, the Mexican Congress issued a decree providing for the general secularization of all the missions of both Upper and Lower California. Its central theme was the conversion of the missions into parishes and the mission churches into parish churches, which were to be administered by secular clergymen. The necessary expenses entailed in the change were to be paid out of proceeds of the Pious Fund. Thus ample means were provided for putting the measure into force. But the big problem of disposing of the property of the missions was not considered.

It would seem that this was a very great oversight; but when we view it in connection with other events which were taking place in Mexico, we may consider it an intentional omission. José María Padrés, instigator of Echeandía's plan of 1831, upon the failure of that plan through the arrival of Victoria in California, had gone to Mexico to await another opportunity to apply his mission land-grabbing schemes. While there, Padrés enlisted the interest of José María Híjar, a prominent Mexican, in his scheme, and the two devised, under the name of a high-sounding colonization project, a plan to get hold of the administration of the California missions. Word had reached Mexico in the spring of 1833 that Figueroa wished to retire on account of ill-health. On July 12 Padrés was directed to go to California as military commander, if Figueroa still wished to resign. Three days later, Padrés secured for Híjar the office of *jefe político*; and, on the succeeding day, that of director of the new colonization project. Padrés, himself, was made assistant director. A month later, as previously stated, on August 17, the law requiring the immediate secularization of the missions was passed; and on April 16, 1834, a supplementary decree was issued by the Mexican congress

stating that all the missions of the republic were to be secularized within four months from the date of the decree and converted into curacies, the limits of which were to be designated by the governors of the states where the said missions existed. Seven days later, Híjar was commissioned to take possession of all the property belonging to the missions of both the Californias.

But before Padrés and Híjar and their three hundred colonists, who left San Blas in July, 1834, on governmental expense, could arrive in California, Santa Anna, who had been out of power for some time, again obtained control of the government and revoked the appointments of Padrés and Híjar, and sent a courier by the overland route with orders for Figueroa to retain his command.

Thus were the schemes of the land-grabbers again thwarted. But it was only in favor of other land-grabbers lacking nothing but the high-sounding title of their predecessors. The passage of the law of August 17, 1833, together with the appointments of Padrés and Híjar, interrupted Figueroa's plans of gradual secularization, but instead of preventing his action it made him act more quickly. He asked the local assembly to advise him what to do, and then issued his provisional regulations for secularization on August 9, 1834. This, it will be remembered, was before the information of the change of the administration in Mexico, and the cancellation of the appointments of Padrés and Híjar, had reached California. Figueroa, it will be seen, was therefore acting very much as Echeandía had done before him.

By the provisions of these regulations, the work of secularization was to be begun immediately with ten of the missions, and with the others as soon as possible thereafter. As a matter of fact, secularization was actually begun in eleven missions before the end of 1834. Five more were secularized the following year, and the remaining five in the next two years. By these provisions, the friars were to be relieved from the

administration of the temporalities, but were to handle the religious functions until replaced by parish priests. Arrangements were made for the distribution of property and lands, and for the political government of the pueblos which were to be created out of the missions. Commissioners were to be appointed by the governor; and regulations were drawn up for the execution of the plan at the various establishments.

Thus by the decrees of August 17, 1833 and August 9, 1834, the missions ceased to exist as such. Several years were required to complete the work of secularization, but the blows had been struck which meant the ultimate close of the mission period of California history. Commissioners, to direct the work of secularization, were appointed from among the members of the territorial assembly who had supported the measure, and from among Figueroa's personal friends. "No charge of corruption or unlawful gain was made or could be sustained against Figueroa himself," however, says Hittell, "and there may have been a few others engaged in the work equally clear of offense; but the great mass of the commissioners and other officials, whose duty it became to administer the properties of the missions and especially their great numbers of horses, cattle, sheep, and other animals, thought of little else and accomplished little else than enriching themselves. It cannot be said that the spoliation was immediate; but it was certainly very rapid."

This, briefly, is the story of secularization. The local details as applied to the San José valley, later to be known as Warner's Ranch, will be considered in a later chapter in connection with the land grants of that region. But first it will be necessary to go back and pick up another thread in our story—the coming of the Anglo-Americans.

VI

THE ANGLO-AMERICAN APPROACH

MOST of the Anglo-Americans who came to Southern California before the war with Mexico, by which California became a part of the United States, came here in the capacity of beaver trappers. A great number of them had spent several years trapping in the Far Southwest—on the waters of the Rio del Norte, the San Juan, the Gila, and the Colorado rivers—before their arrival in California. As it was largely from the ranks of these trappers that the early immigrants to Southern California came—among whom was J. J. Warner, who is the central figure in the present study—it seems necessary to include in this work some account of the activities of these trappers and trapping parties, in order that the peopling of Southern California by Anglo-Americans may be properly appreciated and the history of Warner's Ranch be given its proper setting. For a more detailed study of the subject of this and the two following chapters, the reader is directed to the author's "Fur Trade of the Far Southwest."

Trapping in the Far Southwest, for all practical purposes, may be said to have begun in the year 1821. There had been several attempts on the part of trappers to break into this field before that date, but all had been more or less unsuccessful. As early as 1811, Manuel Lisa had sent his trappers from his post on the Missouri to trap on the upper waters of the Arkansas. Some of his men had gone over to the New

Mexican settlements and remained there several years. Joseph Philibert, in 1814, led a company up the Arkansas, and several of his men spent the winter of that year in Taos. But the only trapping of any consequence in the Spanish streams, before the Mexican revolution, was that conducted by Auguste P. Chouteau and Julius De Mun from 1815 to 1817. During this time these leaders, with some forty or fifty men, trapped both on the upper waters of the Arkansas and on the Rio del Norte, and succeeded in sending one cargo of furs to Saint Louis; but their second cargo, worth some thirty thousand dollars, was confiscated just as it was ready to start for the Missouri market. No further attempts were made until 1821.

The year 1821 brought three parties of American trappers from Missouri to the waters of the Rio del Norte. Of the three, the one led by William Becknell was the first to reach Santa Fé, arriving there November 16, 1821. Thomas James and John McKnight, leaders of the second party, arrived at Santa Fé on the first of December. Hugh Glenn and Jacob Fowler, with a third party, left Fort Smith in September of 1821, but remained on the upper waters of the Arkansas until the first of February, 1822. The Glenn-Fowler party spent the rest of the winter and spring trapping the upper waters of the Rio del Norte, while the men in the two other parties trapped the lower portions of that stream. In all there were about forty or fifty Americans thus engaged during the winter and spring of 1821-1822. The summer and fall of 1822 saw four more parties leave Missouri for New Mexico. Some of these parties —that led by Stephen Cooper, especially—were more intent upon trade than upon trapping; but they all carried traps, and men from all four parties engaged in trapping during the fall and winter of 1822-3. Notable among the members of these parties may be mentioned the names of Stephen Cooper, William Becknell, William Wolfskill, Ewing Young, John Heath, James Baird, Samuel Chambers, and Joseph Walker. To

sum up the activities of this period, we may say that in a period of about two years, 1821-1823, practically all the tributaries of the Rio del Norte and the Pecos were trapped by American trappers.

The next two years, 1824-1826, saw the American trappers advance into the basin of the Colorado River and trap practically all of its streams, both large and small. Parties entered by way of the Gila, the Salt, the San Juan, and the Grande rivers.

The year 1824 was a very important year, both as regards the Santa Fé merchandise trade and as regards the fur trade in the Far Southwest. Some half-dozen or more distinct companies made their way from the American frontier to the New Mexican settlements during that year. One company left in February, another in May, two more in August (one from the Booneslick country and the other from Council Bluffs), a fifth in September, also via Council Bluffs, and a sixth in November from Booneslick.

The year is significant in the Santa Fé trade in that it was the first year in which any extensive use was made of wagons. The May expedition from Franklin took with it some twenty-three or twenty-four four-wheeled vehicles, one or two of which were common road wagons. Thereafter the bulk of the merchandise taken to the Santa Fé market was carried in wagons. The year is important, also, because of the size of the expeditions and the amount of goods taken out. We have no complete statistics on either point, but a few suggestive figures are obtainable. Marmaduke estimated that the May expedition carried merchandise worth about $30,000. There were eighty-one men in the party.

The Pratte-Pattie company, leaving Council Bluffs in August, numbered one hundred and sixteen members, according to Pattie, with some "three hundred mules and some horses." We are not told how much merchandise they carried. According to Storrs, the November

expedition carried $18,000 worth of merchandise, but the number of men is not stated.

As 1824 forms an important mile-post in the development of the Santa Fé trade, marking as it does the close of the experimental stage and the beginning of the good-business era, so also does it mark the beginning of a new era in the rapidly developing fur trade in the Far Southwest —the extension of that industry into the Colorado River basin, to the waters of the Gila, the Colorado, and the Green rivers. The year 1824 also stands out as a year not only rich in furs but, to a considerable degree more than previous years, rich in documentary material relating to the fur business.

In February, 1824, Ewing Young, William Wolfskill, Slover, and others fitted out a trapping party at Taos to trap on "the San Juan and other tributaries of the Colorado or the 'Rio Grande of the West,' as it was then called. The party was numerous at first, but as it made around the foot of the west side of the Sierra Madre, the various members, one after another, took down the different streams that suited them for hunting, till there only were left Mr. Wolfskill, Slover, and Young, whose object was to get outside of where trappers had ever been. They remained out till the beaver season was over and arrived again at Taos in June."

The returns were so attractive that, immediately upon the arrival at Santa Fé of the caravan which left Missouri in May, 1824, and which reached Santa Fé in the latter part of July, a new expedition was fitted out for the waters of the Colorado. Agustus Storrs, who came to Santa Fé with this caravan, says that this expedition down the San Juan was triple the size of the previous one. "A majority of them left Taos," he records, "about the first of August, intending to go westward, thirty days' journey, probably seven hundred miles, before they established quarters. They would then diverge in parties of three or four, wherever prospects of success might invite them." "With ordinary success," Storrs

estimated, "the proceeds of the present season will amount to at least $40,000. This calculation is based upon the supposition that each individual will procure one hundred and fifty pounds of beaver, and a single individual has procured, in one season, upwards of four hundred pounds."

At four dollars per pound, the current price of beaver fur at that time, the one hundred and fifty pounds for each individual would amount to six hundred dollars. Storrs' estimate, therefore, would indicate that there were between sixty and seventy men in the entire expedition. It is probable, however, that instead of there having been one large company there were a number of small ones that possibly set out more or less together for mutual protection.

In November another small party left New Mexico for the waters of the Colorado. This was under the command of William Becknell. His account of his journey to the Colorado River basin was published in the *Missouri Intelligencer* for June 25, 1825. In it he says that he left Santa Cruz, a small town about half-way between Taos and Santa Fé, on the fifth of the previous November with a party of nine men employed by him, "with a view of trapping on the Green River, several hundred miles from Santa Fé."

The trip occupied some five months. It was not very successful, owing to the lateness of the season in which it was undertaken. Becknell says: "While at our winter camp we hunted when we could, and the remainder of the time attempted to sleep, so as to dream of the abundance of our own tables at home, and the dark rich tenants of our smoke houses." Finally, "as the depth of the snow, and the intense cold of the season rendered trapping almost impracticable, we succeeded, on a third attempt, in making good our retreat from this inhospitable wilderness, and reached a Spanish village on the fifth of April, after an absence of five months."

The Pratte-Pattie party, numbering one hundred and sixteen mem-

bers, arrived in Santa Fé, according to Pattie's narrative, on the fifth of November, 1824. Members of the party at once applied for licenses to trap in Mexican streams. While they were awaiting the reply of the governor, a band of Indians attacked an outlying settlement on the Pecos, carrying off an American and four Spanish women, two of whom happened to be daughters of the previous governor. A call for volunteers to assist in recovering the captives was brought to the American camp, and a number of Americans enlisted. As a result of this action they were given licenses which allowed them "to trap in different parts of the country," and they were divided into small parties for their greater convenience in trapping. Of the activities of these various parties we know little, except of the one of which the Patties were members.

Until this time, trappers in the Colorado River basin had gone there by way of the San Juan River. The Pattie party, now consisting of seven members, set out, November 22, 1824, down the Rio del Norte for the waters of the Gila. On their way they were joined by another company, also seven in number. They proceeded together down the Rio del Norte as far as Socorro, and then took a direct route for the waters of the Gila, passing, on their way, the Santa Rita Copper Mines. Three or four days in a northwest direction from the copper mines brought them to one of the branches of the Gila, up which they trapped to its head. While trapping up-stream, the party which had joined the Patties left the others and began trapping down-stream. This almost proved disastrous to the Pattie group, for when they began to descend the river they found that the beaver had all been caught or frightened, so that not even enough for food could be caught. The party proceeded down-stream, however, until they reached the mouth of the San Francisco River. This stream had not been trapped by the other party. Up it the Patties and their companions trapped with great success, catching 250 beaver. The furs were cached at the mouth of the stream, and the party

proceeded down the Gila. They soon met the other trappers, who had been attacked by Indians and robbed of their furs, having had one man killed and another wounded. They had had all they wanted of trapper life and were now ready to return to civilization. They could not even be persuaded to return and avenge their loss, but set out for Santa Fé, leaving the Pattie group to continue their trapping alone.

The Patties continued down the Gila, through the Mescal Mountains to a stream entering from the south, which must have been the San Pedro. Up this they trapped with such great success that they named it Beaver River. The two hundred beaver pelts which they took in this stream were cached at its mouth, and the company proceeded down the Gila some ten days farther. By this time they had as much beaver fur as they could carry, and so they concluded to return to Santa Fé. But just as they were ready to start they were attacked by a band of the Coyotero Apaches. Losing all their animals in the encounter, they were compelled to make their way back to the copper mines with four Indian ponies which they were able to capture from the Indians.

From the copper mines the younger Pattie had to be sent on to Santa Fé for horses, and so it was not until June 7, 1825, that a company of fifteen men set out from the mines for the purpose of bringing in the furs. But to their sorrow, they found that their cache on what they had called Beaver River (San Pedro) had been discovered and robbed. The one, however, at the mouth of the San Francisco had not been molested. With but a portion, therefore, of their anticipated wealth they returned to the mines in July, 1825. Here they remained the rest of the year guarding the property of the proprietor of the mines.

It is perhaps in the latter part of 1825 that the following account of the activities of "Peg-leg" Smith belongs. The story runs that "in 1825, Smith and one companion started off on a grand trapping expedition and penetrated the country to the head waters of the Sevier River; but

the Indians were so troublesome that the trappers were compelled to change their base. They went southward towards the waters of the Little Red River." They "finally reached a Navahoe village and were surprised to find that these Indians were semi-civilized, weaving blankets, cultivating fields, raising herds, etc." "During their stay amongst the Navahoes, Smith and LeDuke (that was his companion's name) frequently heard of a tribe of Indians called Moquis, and finally determined to make them a visit.... Twenty days' travel brought them to the village they were searching for. They found some 200 huts, built mostly underground, the tops looking like huge, old-fashioned bee-hives. The men were cultivating the fields and the women engaged in household duties, weaving, etc., and keeping their houses extremely neat and clean.... They remained with these Indians for some time, and then returned to Santa Fé."

That this was not the only trapping activity of the year is indicated from various documents. In the first place, the expeditions from the American frontier to New Mexico during 1825 included more men than for any preceding year. Many of these remained in New Mexico when the caravan returned in the fall. Some, of course, may have remained to dispose of their merchandise, but it is not unreasonable to suppose that a number remained to trap beaver.

James Baird, who possibly had been in New Mexico since the time of his arrival there in the summer of 1823—for he had in the meantime become a Mexican citizen—complained to the Mexican authorities in a letter dated October 21, 1826, that furs exceeding one hundred thousand *pesos* in value had been taken from the Mexican streams by Anglo-Americans in the preceding year and a half. There may have been an element of exaggeration in this complaint, but it indicates in general the vast amount of trapping that was being carried on during that period.

Indeed, the amazing extent to which this Anglo-American enterprise

had developed in the past five years was beginning to alarm the Mexican officials. At first the American trappers had been welcomed in the hope that they would teach the Mexicans the new industry and thus help to develop the resources of the country and add to the revenue of the government. It was soon discovered, however, that there were three fallacies in these three premises. In the first place, the Mexicans would not be taught to trap. The work was too arduous and too full of danger. In the second place, instead of developing a new industry in the country, the intruders carried on their trapping activity with such energy that it was beginning to be seen that the industry would become extinct in a very short time unless something were done to curb the ruthless onslaught of these foreigners from the north. In the third place, instead of increasing the revenue of the government, the new industry turned out to be a revenue consumer. The reason for this was that the free and independent American trappers considered it beneath their dignity to pay taxes on furs that they had taken from the waters which they considered to be as free as the air. To patrol these waters was both expensive and dangerous, and brought little or no returns to the Mexican treasury.

What was to be done? That was the problem uppermost in the minds of the Mexican officials on the northern frontier, as the activities of the American trappers seemed to be taking on new vigor in the summer of 1826. Thanks to this increasing fear on the part of the Mexican officials, at that time and later, we have a number of documents in the Mexican archives which throw considerable light on the activities of the period.

To go back, however, for a starting-point: In the issue of the *Missouri Intelligencer* for April 14, 1826, we find the following note: "A company of nearly one hundred persons (including all those lately returned) will start from this place [Franklin, Mo.] and vicinity in a few weeks for New Mexico. It is the intention of some of this party to penetrate to some of the more remote provinces, and to be absent several years."

Soon after the arrival of the caravan in New Mexico, a number of trapping parties were organized. How many of the members of these various parties came with the caravan of that year is not known. It is probable that a number of new recruits were added to the list of trappers with each in-coming caravan; but it is probable, also, that a large proportion of those making up the annual trapping parties remained year after year in New Mexico, just as they did in the Rocky Mountains farther north. Taos and Santa Fé took the place of the rendezvous of the mountains. Thither the trappers resorted as the time approached for the arrival of the caravan from Missouri. Furs were traded for new supplies, and parties were made up for the next season's hunt.

The year 1826 was especially notable for the number and size of the parties being fitted out. As the leaders applied to Narbona, governor of New Mexico, for passports to Sonora, he soon became aware, from the lack of merchandise for trading purposes and from the general conversation among the applicants, that the principal intentions of these persons could be reduced "to hunting beaver on the San Francisco, Gila and Colorado rivers." He therefore wrote to the governor of Sonora informing him of the passports he had issued, and the size and character of the parties to whom they had been granted. Unfortunately his use of foreign names makes it somewhat difficult to identify some of the individuals referred to. The list is enlightening, however, and gives an idea of the extent to which trapping was being carried on at that time. He said that J. William (Isaac Williams) and Sambrano (St. Vrain) were taking twenty-odd men; that Miguel Rubidu (Robidoux) and Pratt were taking thirty or more; that Juan Roles (possibly John Rueland) had eighteen in his party; and that Joaquin Joon (Ewing Young) had eighteen more in his company.

That these were not all who were engaged in the business was realized by Narbona, for he stated in a letter written a few months later to the

governor of Chihuahua that not all of the foreigners had presented themselves nor even given information of their arrival, but rather, on the contrary, before touching at the settlements of this territory, they had gone away loaded into the desert, which was not very difficult for them to do through the long acquaintance they had had with it. He cites, as a specific illustration, the arrival at Zuñi, in the month of October, of a company of twelve foreigners who had not reported to him at Santa Fé.

James Baird in his complaint, dated October 21, 1826, (already referred to) says that "a hundred-odd Anglo-Americans had introduced themselves in a body to hunt beaver within the confines of this state and that of Sonora." Dr. Marshall, in his excellent and suggestive article entitled *St. Vrain's Expedition to the Gila in 1826*, seems to have been influenced a little too much by Baird's statement when he thinks of the entire movement as St. Vrain's expedition. The various parties seem to have been independent of each other and, although they may have started together, they certainly did not trap together nor do they seem to have been under any one management.

Space, in the present study, will not permit of a detailed account of the activities of these various parties. It is perhaps enough to say that by the end of 1826 practically every stream in northern Mexico, from the Pecos on the east to the Colorado on the west, had been trapped and re-trapped a number of times, and hundreds of thousands of dollars worth of beaver fur had been taken to the St. Louis market.

VII

OPENING THE TRAPPERS' TRAILS TO CALIFORNIA

WHILE it is true that various members of the trapping parties, considered in the previous chapter, which made their way down the Gila and up the Colorado rivers, actually stood on California soil, the first to make their way to the Pacific coast of California, however, came by way of the Great Basin. From the rendezvous near Great Salt Lake, Jedediah Strong Smith, with a company of fifteen men, set out in August, 1826, on an exploring expedition into the Far Southwest, which led him up the Sevier River and down the Meadow Valley Wash, the Muddy, the Virgin, and the Colorado rivers, across the Mojave Desert, and through the Cajón Pass to San Gabriel, California. This expedition is important in the history of the development of Southern California, since it was the first company of American trappers to make its way overland to the Pacific coast along the trails of the Southwest.

After a trip to San Diego to confer with the governor, Smith left San Gabriel, January 18, 1827, and led his men north through the San Joaquin valley, where they spent the remainder of the winter, trapping. On May 20, after an unsuccessful attempt to cross the Sierras with his whole party, Smith and two companions, with seven horses and two mules, set out a second time, probably up the American River, to make their way back to the Great Salt Lake.

From there they proceeded to Bear Lake Valley, the place appointed for the rendezvous for that year.

After the rendezvous, Smith, with a company of nineteen men and two Indian women, set out, July 13, 1827, on a second expedition to California. Retracing his route of the previous year, he proceeded down the Meadow Valley Wash, the Muddy, the Virgin, and Colorado rivers to the Mojave valley. On his previous trip he had found the Mojave Indians disposed to be friendly. In fact, he had remained with them some fifteen days, recruiting his men and animals. He had even secured from them two guides, who led him across the Mojave Desert to the San Gabriel mission. On his present expedition he found these Indians apparently as friendly as before. He remained with them for three days before attempting to cross the Colorado to the west, on the final lap of his journey to California. Finally, however, while crossing the river on a raft—part of the company having already crossed and part being still on the eastern bank—the trappers were attacked by the Indians and completely defeated, ten of the party being killed, the two Indian women taken prisoners, and the property all captured or destroyed. Destitute of provisions, Smith and his nine companions made their way as best they could to San Gabriel, where they secured sufficient supplies to enable them to continue their journey to the party left by Smith the previous year on the American River.

From here, after considerable diplomatic maneuvering, the final outcome of which was that J. B. R. Cooper became security for the good conduct of Smith and his men, the party set out for the Columbia River. Their route led up the Sacramento and down the Trinity, and along the coast to the Umpqua River. Here they were attacked, one morning, by a band of Umpqua Indians, and all but three were killed. These three—Smith and Turner together, and Black by himself—finally made their way to the Hudson's Bay post at Fort Vancouver. Thence,

with some twenty thousand dollars which the Hudson's Bay Company's officials paid him for the furs they recovered from the Indians, Smith, with one companion, Arthur Black, returned to his partners in the mountains in the spring of 1829.

Not long after the arrival of Smith's second expedition in California, in September, 1827, another party, setting out from Santa Fé, was slowly approaching that same destination but by a more southern route than that followed by Smith. This we may designate as the Pattie party. Earlier in 1827, Sylvester Pattie's book-keeper at the Santa Rita copper mines had absconded with some thirty thousand dollars, Pattie's profits for the year and a half during which he had been renting and operating the mines. Shortly thereafter the owner of the mines, being a native of Spain, had been ordered to leave the country, and the mines had to be sold. Sylvester Pattie, without the means to purchase the mines, was forced to settle up his accounts and move out. Nothing now "seemed so feasible and conformable to his pursuits as a trapping expedition." He, therefore, with his son James Ohio Pattie, set out for Santa Fé, where he remained, according to the younger Pattie's account, until the twenty-second of September, when a company of some thirty men was about to commence a trapping expedition down the Gila. The Patties joined this company, and Sylvester Pattie, according to the son's account, was chosen captain. Proceeding down the Rio del Norte and past the copper mines, they arrived at the Gila early in October. "But our stay on this stream was short," Pattie records, "for it had been trapped so often that there were but few beavers remaining."

The original plan seems to have been to trap down the Gila to its mouth, and then up the Colorado. When within three or four days' travel from the mouth of the Gila, however, the majority of the company determined to leave that stream and take a direct overland route to the Colorado. But the two Patties refused to change from the original

plan and, persuading six others to join them, they proceeded down the Gila while the rest of the party set out for the Colorado. Pattie neglects to give the names of his companions, but from the California archives and other documents in the Bancroft Library we learn that the group continuing down the Gila consisted of the following members: besides the Patties, Nathaniel Pryor, Richard Laughlin, William Pope, Isaac Slover, Jesse Ferguson, and James Puter.

Of the party leaving for the Colorado we, as yet, have but little information. It appears from a number of documents that George C. Yount was a member of the party, and probably its captain. Stephen C. Foster, in a biographical sketch of Nathaniel M. Pryor, says that "after losing the mine [the Santa Rita copper mines], Pryor and his comrades joined a party of trappers under Capt. Youtz, who were on their way to trap the Gila River. . . . Capt. Youtz's party were very successful, and on the Gila, the two Patys, N. M. Pryor, Richard Laughlin and Jesse Ferguson concluded to leave Youtz, who returned to Santa Fé, and come to California with their beaver." That Foster's "Capt. Youtz" refers to George C. Yount is clear from a biographical account of Yount, written by Orange Clark, which has but recently been published by Charles L. Camp. The account, in part, is as follows: "In the autumn of 1827 the Subject of our narrative, having carefully saved his earnings, found himself in possession of funds sufficient, with the aid of some credit, to procure another outfit for a trapping expedition. . . . Yount's personal equipment, besides provisions, consisted of Four Mules, six traps, a Rifle, Shotgun & Pistols & his party of Twenty-four men including Servants & Campkeepers. He shaped his course, as on the former expedition, to the Copper-mines, & thence to the River Gila, & trapped down the River directly to the territories of the Pemos & Maricopas those people with whom the previous year he had waged successfully a sanguinary war... It was matter of astonishment to Yount

& his party that these people should cherish no spirit of revenge . . . While among these peaceful tribes & enjoying their hospitality, one would surely conclude that intelligent Americans might keep peace among themselves; but unfortunately such was not the case. Eight of Yount's party became insubordinate & parted from the main body about the mouth of the Gila, built canoes & descended the Colorado, to try their fortune alone—thus reducing his force to 16 men, who wended their devious way on the shores of that mighty River."

Clark's narrative, unfortunately, gives no details of the return journey to New Mexico; but it may be inferred, from his mention of caches that the party had made on the early stages of the journey, that its return was along the out-going route.

According to Pattie's narrative, it was November 27, 1827, that the company divided and the Pattie party, now eight in number, proceeded down the Gila. At the mouth of the Gila they were robbed of all their animals by the Yumas, and were thus left with the two possible alternatives before them—either to make their way back a thousand miles on foot to their starting-point, or to build rafts on which they might float down the river. In this situation they recalled what they had understood the Yumas to say a few days before, that white people lived near the river, farther down towards the ocean. They thus concluded that they could reach the Spanish settlements of California by simply drifting down the Colorado. They set to work, therefore, and in a few days had rafts built on which they loaded their furs and started down the river, trapping as they drifted. They finally reached tidewater, but no Spaniards were found. Working their way back to what they considered safe ground, they buried their furs and set out on foot for the Spanish settlements, which they thought must be close at hand. "We had a rich cargo of furs," Pattie writes, "a little independence for each one of us, could we have disposed of them as we had hoped, among the

Spanish people, whom we expected to have found here. There were no such settlements."

The first day's search for the Spanish settlements led through the brush of the river bottom. There was one redeeming feature, however —a great plenty of fresh water. For the two following days the trappers traveled over a salt plain without water. Late in the afternoon of the second day they came upon a small lake, but what was their disappointment when they discovered that it contained salt water which they could not drink. Crossing the lake, however, they discovered Indian foot-prints in the sand. Ten miles to the south they reached the Indian camp, where they found water. Here they obtained information about the Spanish mission of "St. Catherine" (Santa Catalina), situated in the mountains to the west in Lower California. Two Indians undertook to guide the trappers to the mission. Two days of hard travel over the burning sands of the desert brought the party, almost exhausted, to the base of the mountains, where flowed a small stream. They proceeded up this stream to the south, through a pass in the mountains, where they met a number of Christian Indians from the mission to which they were going. The trappers, therefore, discharged their guides and traveled the remaining distance to the mission with the Christian Indians. This mission had been established some thirty-two years earlier as a half-way place between the coast and the mouth of the Colorado. The northern part of the peninsula of Lower California had at that time (1796) been explored by José Joaquin de Arrillaga, in the effort to open a practical overland route from the coast to the Colorado River and the province of Sonora.

The trappers remained at the mission of Santa Catalina for about a week, when a company of soldiers under orders from Echeandía, dated March 22, 1828, arrived and escorted them to another mission called by them St. Sebastian (San Vicenti), situated two days' travel to the southwest, near the sea coast, in a delightful valley. From there they were

taken to San Diego, past the mission Santo Tomás and the port and mission of Todos Santos. Arriving in San Diego, they were thrust into prison to await official action as to their status. Their presence at San Diego was reported on the first of May, 1828, in a letter of Echeandía to Juan José Tobar, captain of the presidio of Altar, in which Echeandía said, "At this presidio of San Diego there are detained eight Americans with hunters' outfits, who entered this territory without license, traveling by way of the Colorado River." Echeandía proposed to send them back under guard as far as the Colorado River, if they could be met there by troops from Altar. The letter was carried by Ignacio Miguel Lizarrogo, who had but recently arrived at San Diego from Altar. The contents of this letter were forwarded to the Alcalde of Altar on the 22nd of May, and on the 31st of that month were sent on to the governor of Sonora. On July fourth the governor sent a reply to the alcalde, in which he left the matter largely in the hands of the latter, assuming that the commandant general had already instructed him as to what he should do. Whether any further action was taken in the matter does not appear from the documents which have thus far come to light.

The trappers apparently were retained in prison until near the middle of July (Pattie says September), when they were liberated and permitted to return for their furs on condition that the younger Pattie (Sylvester Pattie having died in prison) should be held as hostage to insure the return of his companions. Upon reaching the Colorado they discovered that the summer high-water had flooded their furs and completely spoiled them. They, therefore, returned to California with their rusty traps, simply to save the companion whom they had left in prison. With their later history we are not concerned at present, as it takes us beyond the scope of our present study.

Of the trapping activity of 1828 we have but little information. It would seem, from a statement of H. D. Barrows in an article published

shortly after the death of William Wolfskill, in 1866, that Ewing Young, who had spent the winter of 1827-8 at Taos, continued to operate his trapping parties on the Colorado. In the summer of 1828, with a load of merchandise purchased from William Wolfskill, who had just arrived from Missouri, Young fitted out a party to trap on the Colorado River. He, himself, however, remained at Taos, apparently engaged with Wolfskill in general trading business. During the summer Wolfskill was sent to El Paso del Norte for a load of wines, brandy, panocha, etc., which he brought to Taos in the spring of 1829. In the meantime Young's trappers had returned, having been attacked by Indians and compelled to retreat.

Young now fitted out another party of some forty men and, placing himself at its head, set out again for the Colorado. This was the beginning of his now-famous expedition to California. Of the personnel of the party we know but little. Christopher (Kit) Carson, who was a member of the party, says that it was composed of "Americans, Canadians, and Frenchmen," but aside from that of Young, he gives the names of only two members—James Lawrence, who was shot by James Higgins. The names of three others, Francois Turcote, Jean Vaillant, and Anastase Carier, appear in the California archives as deserters of the company, seeking passports to return to New Mexico.

The company left Taos in August, 1829. In order to make it appear that they were setting out for the United States and thus throw the Mexicans off their trail, they traveled northward some fifty miles through the San Luis valley and then turned southwest through the Najavo county to Zuñi. From Zuñi they directed their course to the head of Salt River, down which they trapped to Rio Verde, or San Francisco River as it was then called, and then up that stream to its head. Here the party was divided, about half of it being sent back to Taos with the furs thus far taken, and the rest, twenty-one in number, setting out for

California. Of the part of the company returning to New Mexico, we have no further information.

Kit Carson, who happened to be in the division bound for California, has left us an account of the travels of that portion of the company. From the head waters of the Rio Verde, the trappers took a more or less direct route to the Colorado, which they struck "below the great Cañon." This part of the journey led over barren country practically destitute of water, and required two forced marches, of four days each, to cross it. About fifteen miles northeast from Truxton is a watering-place, indicated on the early maps of Arizona as Young Spring. This is probably the place where Young's men quenched their thirst after the first of these four-day *jornadas*. At the Colorado, they met a band of Mojave Indians, from whom they purchased an old mare and a small quantity of beans and corn.

Crossing the Colorado, possibly in the vicinity of the present El Dorado ferry, they took a southwesterly course, following which, three days later, they came upon the dry bed of the Mojave River; and up it they proceeded two days before coming to any visible water. Ascending the Mojave, their route led through the Cajón Pass, four days travel to the westward of which brought them to the San Gabriel mission.

Staying at San Gabriel but a single day, Young and his men proceeded north to the mission of San Fernando, and thence to the San Joaquin River, where they trapped until July, 1830. How long a period this represented is a matter of speculation, as the date of their arrival in California is not known.

In reading Peters' account of the expedition, which gives the date of the setting out as April, 1829, instead of August, one gets the impression that the events narrated by Peters happened in the summer of 1829, whereas they actually took place, as is indicated by letters and other documents in the Bancroft Library, in the summer of 1830. It is prob-

able, therefore, that the company spent the fall and winter of 1829-30 on Salt River and its branches, and that in the spring of 1830 the furs thus far collected were sent back to Taos by that portion of the company which we have already referred to as returning to New Mexico for that purpose, while the rest of the company continued on to California.

While on the San Joaquin, Young fell in with a company of Hudson's Bay trappers from the Columbia River, under the command of Peter Skene Ogden. The two companies trapped more or less together through the spring hunt, after which Ogden set out for the Columbia, leaving Young to spend the summer on the Sacramento.

In the first part of July, 1830, an incident occurred which gave Young an opportunity to call at the mission of San José and to establish friendly relations with the Spanish authorities. A short time previous to this date, a number of Christian Indians had run away from that mission and had fled to the mountains, where they had been befriended by the gentiles. The alcalde, Francisco Jimémez, was dispatched to look for the fugitives. A battle ensued in which the Spaniards and their Indian auxiliaries were defeated. Being told by Indians of the presence of the Americans on the streams of the Sierra Nevada, Jimémez immediately set out to find them and obtain what help he could from them. A party of eleven men, under the command of Kit Carson, was despatched to assist the Spaniards. The result was that the Indians were defeated and forced to deliver up the fugitives.

Taking advantage of the situation Young, with three of his men, on July 11 took occasion to present himself at the Mission of San José for the purpose of ingratiating himself with the Spaniards and of opening trading relations with them. In answer to questions put to him at that time, he stated that he had twenty-two men in his company, all but one of whom had set out with him from the San Luis valley, a day's

journey from New Mexico. The other had been added to his party from the English trappers whom he had met—the Hudson's Bay party under Ogden. His passports were examined and arrangements were made to trade his furs for horses.

A week later, Young returned to the mission with his furs, which he traded to Don José Asero, captain of a trading ship in port. With the proceeds of the sale, he purchased horses and mules and returned to his camp in the mountains. A few days later a band of Indians succeeded in entering camp and driving off some sixty head of horses. Twelve of the trappers, on the remaining horses, immediately set out in pursuit, but had to travel upwards of a hundred miles, according to Carson, before they overtook the Indians and recaptured the stolen animals—five or six of which, however, had been killed by the Indians, who at the time were feasting upon the stolen property.

About this time, possibly during the very time while Young was absent in pursuit of the Indians, three members of his party, whose names indicate that they were Frenchmen, deserted and proceeded to Monterey where, on July 31, 1830, they applied for passports to return to Taos, from which place they stated they had come with Joaquin John (Ewing Young).

After spending the summer on the various streams flowing into the San Joaquin, Young, in September 1830, set out on his return to New Mexico. On his way he stopped at Los Angeles, where he nearly lost control of his men owing to the freedom with which liquor was there supplied to them, either maliciously or otherwise. Young suspected that it was a plot on the part of the officials to get his men intoxicated and then to arrest them. Howsoever that may be, he finally succeeded in rousing them sufficiently to get them moving, and thus prevented any serious mishap to the expedition. One accident, however, occurred in spite of Young's efforts. Two of his half-drunk men got to quarrelling,

and one (James Higgins) shot and killed James Lawrence. Young says that he had to leave the dead man in the road where he had been killed.

These incidents made it impossible for Young to realize certain plans already partially matured. While in California, Young had met J. B. R. Cooper, who figures prominently in the coast trade of the time. It appears that Cooper had endeavored to induce Young to enter into the mule trade. There had, evidently, been some talk of driving the mules through New Mexico to the United States. Young had planned to trap on the Colorado until December and then bring his furs to the coast and sell them, possibly to Cooper, and with the proceeds buy mules. After the Los Angeles affair he gave up the plan and, on October 10, 1830, wrote Cooper that he had lost confidence in his men and did not dare to return with them to Los Angeles. He also wrote that he wished to ascertain how mules were selling in Mexico before he engaged in the speculation, as he had no idea of taking mules to the United States until peace could be established with the Comanche Indians.

From Los Angeles, Young and his party retraced their previous trail to the Colorado, down which they trapped, says Carson, to tidewater; and then back to the Gila and up that stream on their way to the Santa Rita copper mines, at that time in the hands of Robert McKnight. At the mines, Young took the precaution of depositing his furs, while he went to Santa Fé to ascertain the situation there. At Santa Fé he obtained a license to trade with the Indians on the Gila River, and with this subterfuge returned to the mines and brought in his furs which, according to Carson, weighed some two thousand pounds. "Everyone considered he had made a fine trade in so short a period."

While Young was on this expedition, two other companies from New Mexico, and possibly one from the Great Basin, made their way to California. The two from New Mexico were led respectively by Antonio Armijo and William Wolfskill. We are unable to say who was the leader

of the one from the Great Basin, but Peg-leg Smith is said to have been a member of the party.

Of the expedition from the Great Basin, we have but meager information. Our only authority for it, so far, is the newspaper account of the life of "Peg-leg" Smith, published in the *San Francisco Bulletin* shortly after his death, in 1866. This account runs as follows: "Although he had but one leg, Smith could not give up his mountain life, and in 1829, he joined a company for the purpose of trapping on the Santa Clara and Rio Virgin rivers, in what is now Utah territory. The field had never been visited by trappers before, and in a few weeks' time they had secured enough skins to make a cargo. As the season was not half over, it was decided that two of the party should take the spoils to Los Angeles and dispose of them. Smith was one of those commissioned to perform this duty, as it was considered to be extra hazardous."

The Armijo expedition was organized for the purpose of trading New Mexican products for California mules, and thus may be considered as the beginning of the caravan trade with California.

Armijo and his companions, some sixty in number, left Abiquiú November 7, 1829, taking a westerly course to Cañon Largo, down which stream they traveled to its junction with the San Juan. Crossing the San Juan, they proceeded down the valley (a few miles to the north of the river), across Las Ānimas and La Plata rivers, and as far as the Mancos, which they descended to its junction with the San Juan. Here they crossed the San Juan and directed their course to the west, across Rio de Chelly to the Colorado, which they crossed on the eighth of December at the "Ford of the Fathers," where Domínguez and Escalante had crossed on their return from the Great Basin in 1776. From here the party took a course to the northwest and on the twentieth of the month reached "Rio Severo." For the next ten days they seem to have directed their course, in a general way, down the Sevier River to its

outlet in Sevier Lake, which their itinerary mentions on December 29. On the first of January they reached what they supposed to be the Rio Grande (Colorado), but what probably was the Virgin River.

Here an incident of more than ordinary interest occurred. Upon the return of the scouting party which had been out reconnoitering, it was learned that one, Rafael Rivera, was missing. Several days were spent in search for him as the party moved down the river, but without success. On January 7 he came into camp with the report that "he had examined the ford where he had crossed the Rio Grande [Colorado] the preceding year in going to Sonora." He had, therefore, evidently during the preceding year made the trip from California to New Mexico by way of Sonora, but of this expedition we have no other information. It is not stated just what influence he had in directing the course of the present expedition, but the fact that he was acting as one of the scouting party suggests that possibly he was more than just an ordinary member.

The day following Rivera's return was spent in reconnoitering, after which the party set out to the west across the Mojave Desert and along the Mojave River to the "San Bernardino Mountains, which they crossed through the San Bernardino Cañon" (Cajón Pass) on the twenty-eighth of January, 1830. Three days later they arrived at the San Gabriel Mission.

Of their return journey, which was made in a month less time than their out-going trip, nothing is known except that it began on the first of March and ended at Jemez, New Mexico, on the twenty-fifth of April, 1830, and that they passed through the territory of the Navajoes, where a number of their animals were stolen by those Indians.

The other important expedition from New Mexico to California, in 1830, was led by William Wolfskill. The party was organized at Taos after the arrival of the caravan from Missouri in the summer of that year. The company consisted of twenty-two or twenty-three men,

according to Barrows, who names besides Wolfskill, the following six members—Messrs. Branch, Burton, Yount, Shields, Ham, and Cooper. These, he says, remained in California, "while the balance, soon after their arrival in California, generally returned to New Mexico and the States."

The party left Taos about the last of September, 1830. Barrows says that they came by a route farther north than that usually adopted by the Spaniards in traveling between California and New Mexico; their object being to find beaver. They crossed the Colorado just below the mouth of the Dolores, at the head of the "Great Cañon." Entering the "Great American Basin," they struck the Sevier River. Thence they traveled southward to the Rio Virgin, which they descended to the Colorado. Continuing down the Colorado, they arrived at the land of the Mojaves, where they hoped to obtain some provisions, of which they were in want, and also to find beaver. From there they directed their course across the desert to the sink of the Mojave River, up that stream, through the Cajón Pass to San Bernardino, and finally to Los Angeles, where they arrived in February, 1831.

The expedition, apparently, was not very successful so far as beaver hunting was concerned. Barrows says that at Los Angeles the party broke up, "being mostly without means. Some fitted out with what guns, etc., there were left, and went to hunting otter on the coast. Very few of the disbanded party had any intention of stopping in California permanently, but they must do something to enable them to get away."

Wolfskill, himself, remained in California. He and several other members of the party built a schooner at San Pedro and for a short time engaged in otter hunting along the coast. He soon, however, gave up the fur business entirely and settled down to vineyarding and other kinds of agriculture.

The real significance of the Wolfskill expedition is not so much in

the quantity of furs obtained as in the fact that, as a result of this expedition, a new trail to California was opened. This trail, strange as it may seem, is generally known as the "Old Spanish Trail to California." This is evidently a misnomer. The "Old Spanish Trail," properly so called, led to the Great Basin only, and was developed as a result of the Spanish and Mexican trade with the various tribes of the Yuta Indians. The confusion of names seems to have arisen from the fact that expeditions from New Mexico to California in the second quarter of the nineteenth century usually traveled to the vicinity of the Colorado River along the trail which had been used by the Spaniards, since the time of Rivera's expedition (1765), in their trade with the Yutas, and which had thus become known as the Old Spanish Trail. It was therefore stated of expeditions from New Mexico to California after 1830, which followed the Wolfskill trail, that they set out by way of the Old Spanish Trail. That name, as a consequence, soon became applied to the entire trail to California, instead of to just that portion leading to the Great Basin.

Thus, to sum up the trapping activity of the five years, 1826-1830, we might say that, in addition to the great amount of trapping along the tributaries of the Colorado, some six or seven different trails were opened to the Pacific through the Southwest. Starting at the north, there was the Smith trail from the Great Basin along the Sevier River, down the Meadow Valley Wash, the Muddy, the Virgin, and the Colorado rivers to the land of the Mojaves; thence west across the Mojave Desert, up the bed of the Mojave River, and through the Cajón Pass to San Gabriel. Next, to the south, was the Wolfskill trail which left Taos, New Mexico, and followed the Old Spanish trail to the Great Basin, then, swinging to the west and southwest, reached California along a trail approximating that followed by the Smith parties. The next trail to the south was that followed by Armijo, west from Abiquiú, down the San Juan and across the Colorado at the Crossing of the

Fathers, thence northwest to the Sevier and then southwest down the Virgin and Colorado rivers, and across the Mojave Desert to California, over very much the same route followed by the Smith trail from the Virgin River to California. Farther south was the Young trail, which led from Zuñi to the head of Salt River and down that stream to Rio Verde, thence up that stream to its head, and then northwest to the Colorado, which was crossed in the land of the Mojaves "below the great cañon." From there this trail also followed Smith's route to San Gabriel. On his return, Young followed the Colorado to the Gila, thence up that stream and southeast to Santa Rita, and east to the Rio del Norte, and then up that stream to Santa Fé. The Pattie trail followed the Gila to its junction with the Colorado, and then continued down that stream to tidewater and across lower California, passing Santa Catalina and San Vicenti, and then up the coast past Santo Tomás and Todos Santos to San Diego.

VIII

BEAVER TRAPPING IN CALIFORNIA

IN the previous chapter, while discussing the expedition of Ewing Young to California in 1829-30, we mentioned his meeting Peter Skene Ogden with a company of Hudson's Bay trappers on the San Joaquin River. Ogden, at the time, was on his way back to the Columbia River, having spent the winter on an exploring and trapping expedition which had taken him as far south as the Gulf of California. The Hudson's Bay Company's interest in this field had been stimulated by Jedediah Smith's visit to the Columbia in the spring of 1828. For several years after that date the Hudson's Bay Company sent its regular expeditions to trap the various California streams. Most of these parties trapped only the northern waters. Now and then, however, a company made its way farther south, as did Ogden in 1829-30 and Michel La Framboise in 1832, as we shall note again in a later context. But, as has been stated, most of the trapping which the Hudson's Bay Company carried on along the streams of the present State of California was done in the northern half of the state, and so has very little bearing upon our present study. So, also, the expedition of Joseph R. (Joe) Walker from the Great Basin to California in 1833-34 may be passed with the comment that he came by way of the central route instead of the southern and so plays but a small part, if any, in our present story. What we are more concerned with is the consideration of those parties which came to

the state over some of the southern trails, and especially with those which carried on their trapping activities in the southern part of the state. The outstanding example is the work of the company usually known as that of Jackson, Waldo, and Young.

But before taking up the activity of this company, it will be necessary to give a brief account of the expedition from St. Louis to Santa Fé under the direction of Smith, Jackson, and Sublette in the summer of 1831. It will be remembered that Jedediah S. Smith, David E. Jackson, and William Sublette had sold out their interests in the Rocky Mountain fur trade in the summer of 1830, and had retired to St. Louis. But, in the spring of 1831, they again joined forces in a trading expedition to Santa Fé. The company consisted of some eighty-five men, with twenty-two wagons loaded with merchandise for the New Mexican market.

Among the members of the party was a young man, 23 years old, from Lyme, Connecticut. His name was Jonathan Trumbull Warner. He had come west the preceding year on the advice of his physician, in search of a milder climate in which to pass the winter. He had arrived in St. Louis in November, 1830, just after the arrival of Smith, Jackson, and Sublette with their wagon-train load of furs from the Rocky Mountains. Becoming enthusiastic over the idea of going to the Rocky Mountains for the sake of the trip and for the further improvement of his health, he had sought an interview with Mr. Smith. But, instead of finding a "Leather Stocking," he says he found a well-bred, intelligent gentleman who repressed his youthful ardor by informing him that by going to the mountains the chances were greatly in favor of finding death rather than health, and that if he escaped the former and found the latter the probabilities were that he would be ruined for anything else in life but such things as would be agreeable to the passions of a semi-savage.

In the spring of 1831, however, after deciding to make the trip to

New Mexico, Smith hunted up young Warner and offered him a position as clerk in the expedition. Warner accepted the offer. But when the company reached Santa Fé, on July 4, 1831, Smith was no longer at its head. He had been killed by a band of Comanche Indians, lying in ambush at one of the water-holes of the Cimarron River. His death naturally brought about a dissolution of the company. Shortly afterwards, Sublette returned to Missouri. Jackson, however, remained in New Mexico, and with David Waldo and Ewing Young entered the fur trade of the Far Southwest under the firm name of Jackson, Waldo and Young.

In the fall of 1831 two parties were sent out by this company—one was to go to California to purchase mules to be taken to the United States; the other was a trapping party, destined for the waters of the San Joaquin and Sacramento valleys.

The first of these expeditions left Santa Fé under the command of Jackson on the twenty-ninth of August, 1831. The company consisted of eleven men, of whom we know the names of three besides that of Jackson. They were Peter Smith, whose brother Jedediah had been killed on the Cimarron River; the young Mr. Warner; and Mr. Jackson's negro slave, Jim. Each man had a riding mule, and there were seven pack mules, the loads of five of which were composed of Mexican silver dollars. Warner indicates that they came by way of the Santa Rita copper mines; the abandoned mission, San Xavier del Bac; the presidio of Tucson; the Pima Indian villages on the Gila; down the Gila to the Colorado, which they crossed a few miles below the mouth of the Gila; past Temécula and the mission San Luis Rey, and on to San Diego; thence along the coast to Los Angeles, which they reached December 5, 1831. In order to pass Temécula and the mission San Luis Rey before reaching San Diego, their route must have led through San José Valley. This was, therefore, Warner's first visit to the valley which was later

to be known as Warner's Ranch. From Los Angeles, Jackson and the majority of his party went north as far as the missions on the southern shores of the Bay of San Francisco, for the purpose of purchasing mules.

While they are thus engaged, we shall go back and follow the movements of the other party. This one was under the command of Ewing Young, and consisted of thirty-six men, according to Job F. Dye, who was a member of the party and who has left us an account of the trip. The names of seventeen members of the company are reported in Dye's narrative as follows: Sidney Cooper, Moses Carson, Benjamin Day, Isaac Sparks, Joseph Gale, Joseph Defit, John Higans, Isaac Williams, James Green, Cambridge (Turkey) Green, James Anderson, Thomas Low, Julian Bargas, José Teforía, John Price, William Day, and Job F. Dye.

The exact date on which the party set out is not stated. Dye simply says that they "left San Fernando [Taos] in October, 1831." In three days, he says, they reached the Zuñi villages, where they remained two days, "for the purpose of obtaining from the Indians a sufficient supply of *pinole* (roasted corn meal) and *pinoche* (sugar), and *frijoles* (beans) required for the route." This is just an illustration of the position occupied by the Zuñi villages. They were frequently visited by parties setting out down the Gila, as the last place where supplies could be obtained before entering the wilderness. From Zuñi the trappers proceeded over the mountains to the head-waters of Blackwater, and thence down that stream to where it enters into Salt River. Here, Dye says, they "found beaver plenty and caught a great number of them."

On Salt River a dispute arose between Cambridge Green and James Anderson, "each one claiming that the other had set his traps on pre-empted ground," the outcome of which was that Green shot and killed Anderson.

From the upper waters of Salt River they seem to have crossed over

to the Gila, as Dye speaks of descending the Gila to the San Carlos and through the Gila cañon. While in this vicinity they were considerably worried by the Apaches, with whom they had a number of skirmishes. Continuing down the river they passed the Pima villages, where they obtained supplies of pemican, pinole, and frijoles. They then pushed on down the Gila and Colorado until they reached tidewater.

Here, Dye says, they crossed the Colorado, and thirteen out of the company concluded to cross the desert to the California settlements. The others turned back. Dye is somewhat vague in this part of his story. He says that it was about the first of January when they reached tidewater. But it was not until about the middle of March that they reached Los Angeles. He does not account for the intervening period. In 1849, he crossed from Sonora to California by what, he said, was the same route that he followed in 1832. But in the 1849 expedition he states that he crossed above the mouth of the Gila. On the later expedition he claims to have discovered New River, which he says did not exist in 1832. This might lead one to conclude that, although they reached tidewater on the 1832 trip, they returned up the river to the mouth of the Gila, where they crossed as in the later journey and then proceeded across the desert to Los Angeles, where they arrived March 14, 1832.

Early in April, Jackson returned from the north with about six hundred mules and a hundred horses. As this was a much smaller number than it was hoped he would obtain, the plans of the two partners were somewhat altered. Instead of the two companies joining and all proceeding together through Texas to Louisiana, as it had been tentatively planned, it was now resolved that Jackson should return to New Mexico with the purchased animals along the route he had come out, while Young, after assisting Jackson to cross the Colorado, should spend the summer in California hunting sea otter, and in the fall proceed with a party of trappers to the San Joaquin and Sacramento rivers for a beaver

hunt. The return trip began in May. The company broke camp at Sierra Rancho on the Santa Anna River and set out for the Colorado, arriving there in June. After the crossing was effected—which was done with considerable difficulty and the loss of a number of animals, owing to the high water—Young, with five men, one of whom was Warner, returned to California, while the rest of the company proceeded to New Mexico. Further details of the Jackson division of the company have not been preserved.

Upon arriving again in Los Angeles in June, 1832, Young arranged with Father Sánchez, who was then in charge of the San Gabriel Mission, and who owned a brig commanded by Captain William Richardson, to transport his party on an otter-hunting expedition. The party consisted of seven men, according to Warner, two of whom were Kanakas. Young seems to have tired of the sport of shooting otters after having been "spilt out of a canoe into the surf a number of times," and so left the party when near Point Conception and proceeded by land to Monterey. The rest of the party cruised along the coast from Point Conception to San Pedro, but with what success we are not told.

From Monterey, Young proceeded to Los Angeles, where he gathered a company of some fourteen men including his otter-hunting party, which had by that time returned to Los Angeles, for a beaver hunt. In the early part of October they set out by way of Fort Tejón and the western shore of the Tulare Valley lakes, to the mouth of King's River. They trapped up that stream and then crossed to the San Joaquin, which they descended as far as the Fresno River, when it was discovered that the San Joaquin and its tributaries from there on had been recently trapped. Young therefore pushed on without delay to the Sacramento River. A few miles below the mouth of the American River he came upon a large company of Hudson's Bay trappers under Michael La Framboise.

"This party," Warner tells us, "had been in the valley since early in the spring of 1832, having come in over the McLeod trail, and had trapped all the waters of the valley north and west of the San Joaquin."

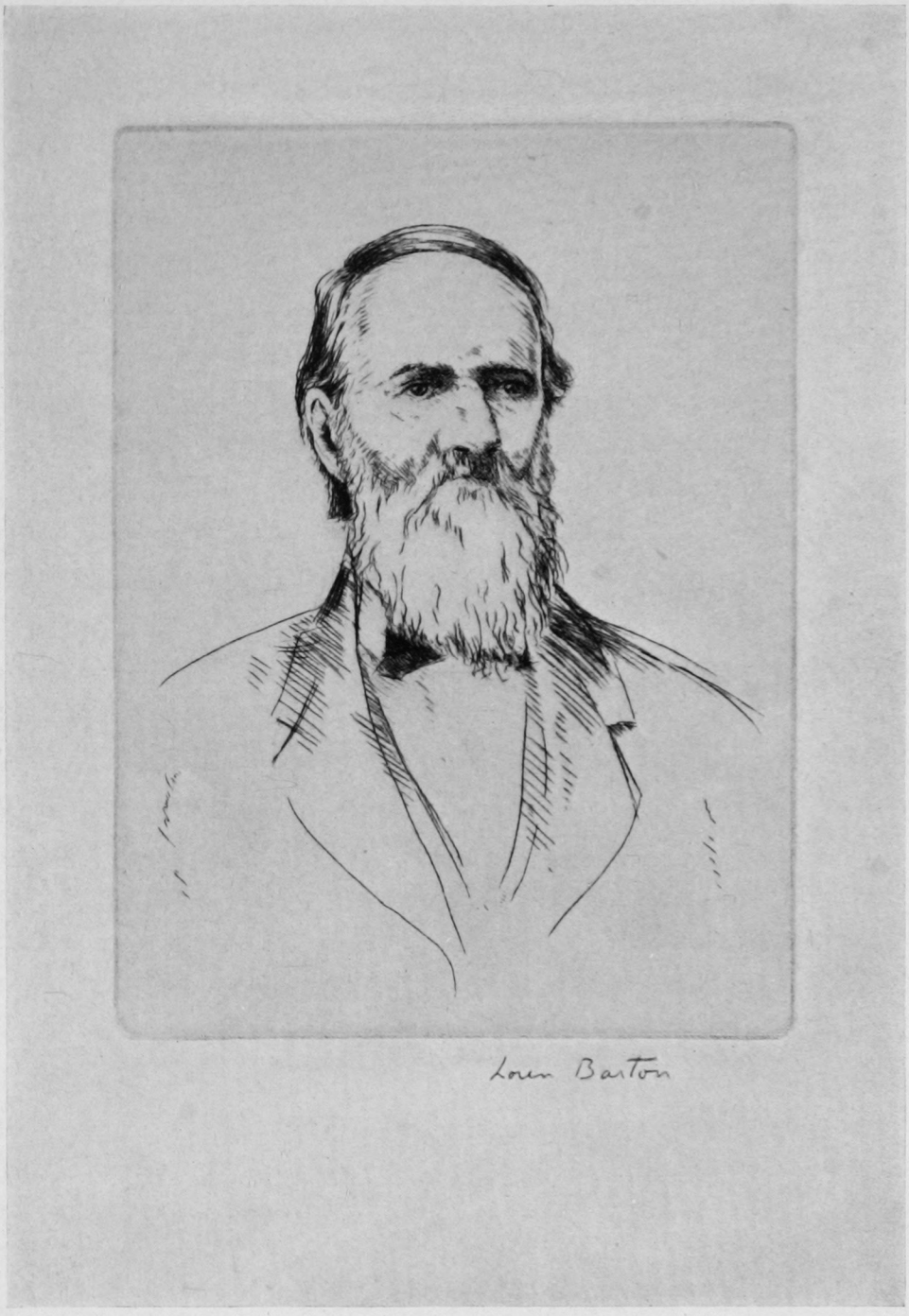
In January, 1833, after having been marooned for several weeks on the Sacramento, Young and his men made their way to the northwest by way of the southern and western shore of Clear Lake to the Pacific Coast, which they struck some seventy-five miles north of Fort Ross. "Young followed along the coast," to quote Warner, "searching with little success for rivers having beaver, and in fruitless attempts to cross the mountain range, until near the Umpqua River, where he succeeded in getting over the mountains and fell upon that river at the eastern base of the coast range of mountains. This river was followed up to its southeastern source, and then, traveling Smith's trail, he struck the Klamath Lake near its northern extremity. From thence he traveled southerly along its western shore, and, crossing the Klamath and Rogue rivers, and passing through the camp where McLeod lost his horses and valuable catch of beaver skins, crossed Pitt River and entered the Sacramento valley, which he descended to the American River and then crossed the country to the San Joaquin River, up which he traveled to the great bend and then to the mouth of King's River, where, striking the trail of the preceding year, he followed it southerly to Lake Elizabeth, where, leaving it, he traveled more easterly along the northern base of the mountain to the San Bernardino (Cajón) Pass, through which he entered the valley of San Bernardino in December, 1833, and passing on to Temécula, took the trail upon which he had come from the Colorado in the spring of 1832, and returned to that river to make a winter and spring season hunt upon it and the lower part of the Gila River. He was moderately successful in this hunt and returned to Los Angeles in the early part of the summer of 1834."

Upon his return to the Spanish settlements of California, Young met

Hall J. Kelley, and was induced by him to go to Oregon, where he settled and became one of the leading American citizens in that territory. With this expedition he, therefore, drops out of the fur trade of the Far Southwest.

For some twelve years he had been one of the central figures in that trade. A complete narrative of his activity during that twelve years would give us a very full account of the fur trade in the Far Southwest in its most flourishing period. Unfortunately he wrote little, himself, and no one personally acquainted with his movements has left us any record of his life. It is therefore with difficulty that anything like a complete statement of his doings during this period can now be pieced together.

How much longer Jackson remained in the field after the departure of Young is not known. We left him at the Colorado on his way to New Mexico in June, 1832, with the mules and horses that he had been able to gather together in California. No one seems to have recorded the outcome of that expedition. It is probable that he made his way to New Mexico and the United States, but with what success we can only conjecture. It is also probable that, with this trip, he abandoned the fur trade and remained in the States. This may be the explanation of the statement attributed to Young that Jackson ran off with property belonging to the firm of Jackson, Waldo and Young.



JUAN JOSÉ WARNER

FROM AN ETCHING BY LOREN BARTON

IX

J. J. WARNER, MERCHANT, CITIZEN, LANDLORD

AFTER trapping up and down the full length of the state, Warner, becoming ill, left Young and came to Los Angeles in December, 1833. In 1834 he obtained employment as a clerk, with Abel Stearns. In 1835 we find him working in the same capacity for John Temple. In the following year he went into business with Henry Mellus, and the next year, when Mellus went to the United States, Warner continued the business by himself. His store was located on Main Street, about half-a-block north of Temple. Here he continued in the mercantile business until December, 1839, when he set out, himself, on a trip to the United States. During the time since his arrival in Los Angeles he had learned to speak Spanish fluently, and he seems to have taken an active part in the affairs of the town. In 1836 he was one of the signers of the petition sent to the authorities by the "Defenders of the Public Safety," or Vigilance Committee. In 1838 his arm was broken in a struggle with a company of Alvarado's sympathizers, who had come to Los Angeles to apprehend the Pico brothers and others who were suspected of plotting to put Carillo in Alvarado's place.

During this period, Warner's name was changed from Jonathan Trumbull Warner to Juan José Warner. This change was made necessary by the fact that Trumbull was a name difficult for the Spaniards to pronounce, and for which there was no equivalent in Spanish. The

"Jonathan" was naturally shortened to the regular Spanish "Juan." To the Americans he was usually known as J. J. Warner. By the Spaniards he was perhaps just as frequently called Juan Largo (Long John). Since he was six feet, three inches tall, this was fairly appropriate. In official documents his name is sometimes written "Juan Guarner." He sometimes signed it "Juan G. Warner."

The years 1840 and 1841 Warner spent in the United States. Just what the purpose of the trip was has never, to my knowledge, been stated. In order that he might make the journey, it was necessary for him to borrow some two to four hundred dollars. This does not mean, however, that he had accumulated no property in the ten years since leaving home; but the medium of exchange in California, at the time, was hides and tallow rather than gold or silver or other form of money. In fact, he offered to give as security the necessary amount of hides and tallow, or to exchange his hides and tallow outright for the desired money.

While he was in New York he delivered two lectures, in which he indicated the significance of the Pacific coast in the future development of the United States. Both Oregon and California, he pointed out, were important in this connection, but Oregon would become of vastly greater significance if California were connected with it. "May we not look forward," he said in his Rochester speech, "to the not-distant day when, under the auspices of this government, cities, towns, and villages will be scattered along the Pacific coast; farms and hamlets cover the face of the Oregon Territory; and the star-spangled banner float over numerous ships along that coast? Is not the Oregon Territory . . . of importance to the government and people of the United States? . . . Will this government relinquish its claim? Will any administration of this government dare sell it, or permit an independent government to exist on that territory? I conclude not. Such then being its situation, should not the

government keep a watchful eye over it; and if for the security or protection of that territory, the acquisition of more should be necessary, is it not the duty and interest of this government to acquire the title of so much as shall be necessary for that purpose without delay?" Then, after discussing the natural features of California and the possibility of its development and the ideal living conditions there, he said: "The situation of the Oregon Territory, and its resources to constitute it pre-eminently a commercial state, would seem to require some harbor on the coast other than the Columbia river; one easy of access as well as of defence if necessary." His meaning is perfectly evident even if he had stopped without saying, "The Bay of San Francisco, in Upper California, possesses advantages to which the Columbia river can never aspire." He concluded by saying: "I am confident that unless Upper California is purchased of Mexico, it will cost the United States a greater sum to defend the Oregon Territory from the rivalry of California, than the purchase would now amount to. For we must not suppose that California is to remain stationary or under the control of the Mexican government, while all the parts of the earth are in movement, if not advancing. It must soon fall to some more enterprising nation than the Mexicans."

Warner's speech is usually referred to as being a plea for the building of a railroad to the Pacific. It is true that the possibility of such a project was mentioned, but it was only incidental to the main theme of his lecture—the urgent need of the acquisition of Upper California by the United States. It may be of interest to know that this speech was of enough significance to be printed in London, in the issue for June, 1841, of the *Colonial Magazine*.

Warner returned to California in 1841, arriving at Monterey in June of that year. For the next year and a half we have no account of his activity, but in January, 1843, he was granted a license to hunt sea

otters, seals, and goats on the Santa Catalina and Santa Barbara islands, paying four *reals* for each otter skin and two *reals* for each seal, to the city of Los Angeles, and giving one-fourth of the goat skins for the troops.

We have no information as to the degree of success of the project, or of any other activity of Warner, until August 30, 1844, when he applied for a grant of land as a naturalized citizen of Mexico and a father of a family. In 1837 he had married Anita Gale, a young lady who had been brought up in the family of Pio Pico's mother; and on November 19, 1839, their first daughter, Mary Ann, was born.

The piece of land selected by Warner was the Valle de San José, which had been explored and named in August, 1795, by a company of Spaniards under the command of Fray Juan Mariner and Juan Pablo Grijalva. As has already been indicated, it had been used as a pasture by both the San Diego and San Luis Rey missions. After the secularization of the missions it had been granted to Silvestre de la Portilla, in 1836, and again to José Antonio Pico, in 1840. It will be necessary, therefore, to look into these earlier grants before taking up the grant to Warner in 1844.

It will be remembered that Pablo de la Portilla had been appointed in January, 1833, as commissioner or administrator of the mission San Luis Rey, in the secularization of that mission; that the account books were turned over to him on September 30, 1834, and that the final settlement was made and the inventory was signed August 22, 1835.

Now, Pablo de la Portilla had a brother, Silvestre, who had some cattle but no place in which to put them; so on March 20, 1834, he petitioned the governor to grant him the place called El Valle de San José, which, he says, was to the east on the road to the Colorado River about twenty-two leagues from the mission San Diego, and about twenty or twenty-one from San Luis Rey.

The petition was sent by Governor Figueroa to Santiago Argüello, the military commander of San Diego; to the padres at San Diego and San Luis Rey, Fernando Martín and Vicente Pasqual Oliva, respectively; to three qualified witnesses, Juan Ocuna, Juan María Marrón, and Julio Ocuna, by all of whom it was favorably passed and returned to the governor. So on July 30, 1834, Figueroa ordered: "In view of the petition with which this expediente begins, the report of the military commandant of the port of San Diego, those of the fathers of the missions of San Diego and San Luis Rey, the depositions of the witnesses, etc., it was decided, in conformity with the laws and regulations on the subject, that the citizen Silvestre de la Portilla be declared proprietary owner of the land known by the name of El Valle de San José." But, in order that the grant be final, it had to be approved by the legislature —the "Most Excellent Diputación." Before acting upon the case the Diputación passed the petition on to its committee on colonization and vacant lands, which reported on July 31st, that, "being influenced by the knowledge . . . that the said land is entirely occupied by the cattle and farms of the missions San Diego and San Luis Rey, and that therefore these missions would be damaged if the said valley should be granted to the petitioner . . . it is of the opinion that the lands mentioned should not be adjudged for the present until the missions have been secularized." On August 1, 1834, Figueroa, therefore, ordered: "Let the citizen Silvestre de la Portilla be informed of the decision of the Most Excellent Territorial Diputación of the 31st of last July, in reference to the petition for the land of the Valle de San José, that the petition shall be laid aside until its proper time."

But Portilla was not entirely satisfied with the action taken. He had possibly been encouraged by the favorable reports of the padres and the various others concerned. On October 19, he again presented his case to the governor, saying: "That in view of the fact that I have at

present five hundred head of cattle, four bands of mares, two hundred horses, and about ninety mules gathered together, and have no place in which to keep this number of live stock for safety and increase, for the reason that my petition which I made for the place called Valle de San José has been delayed . . . I am in the greatest need of putting them in the said place in order not to lose them. I believed there would be no obstacle in the way of giving me this grant, but now, by Your Excellency's official letter, I see that the expediente is held pending the secularization of the missions. I, therefore, supplicate Your Excellency to give me permission to keep the stock named in the said place until it is decided whether I am to be granted its proprietorship, in order not to lose them."

Figueroa's answer, if he made any, has been lost; but in view of the fact that his attitude had been favorable in the earlier stages of the matter, it is quite possible that Portilla's second request was granted, and that he was given temporary possession of the valley.

Thus the matter stood until April 16, 1836, when Nicolás Gutiérrez, governor *ad interim* after the death of Figueroa, took the matter up and ordered as follows: "The petition with which this expediente begins having been examined . . . being convinced that the missions never had needed it, for which reason it is vacant, in conformity with the laws and regulations on the subject, let the citizen Silvestre de la Portilla be declared owner and proprietor of the land known by the name of Valle de San José, subject to the approval of the Most Excellent Diputación." On the 31st of May it was passed to the committee on lands, and finally approved, June 11, 1836.

The map of the region prepared by Portilla indicates that the grant included the entire San José valley, from the canyon on the west leading to Pala to the San Felipe pass on the east, and from the opening on the north leading to Temécula to that on the south leading to Santa Isabel.

Three Indian rancherias were shown on the map—one at Agua Caliente, one at the head of the canyon leading to Pala, and one near the pass through which the road led to Santa Isabel. The valley was represented to be about six or seven leagues from east to west and about five or six from north to south, in its longest and widest places.

The grant was perfectly normal when compared with other grants of the time. There was no definite survey made, but the place was quite definitely located by means of natural features. The peculiar thing about it, from the present-day point of view, is that within four years it could be granted to another person as if it had never previously been considered as a grant.

It was on January 7, 1840, that José Antonio Pico, brother of Andrés and Pio Pico, made formal application for the place called "Agua Caliente, belonging to the mission of San Luis Rey," as he says in his petition. Incidentally, his brother, Andrés Pico, was at the time Administrator of the Mission San Luis Rey. Under date of April 8, Andrés Pico wrote: "I declare that the place mentioned of Agua Caliente, belonging to this ex-mission, is distant twenty leagues, and that there are in the said place a granary and planted fields, and an orchard of little value, which are not of much use to this ex-mission. It may be granted to the interested party if he will pay for the said granary and orchard without prejudice to the indigenes who live at the said Agua Caliente." The next day, April 9, José Antonio Pico filed a statement explaining his relationship with the Indians. In it he said that he had made these arrangements: "That the indigenes cede to me all the rights with which they are invested, solely because I place my residence by their side, in order to cooperate in the care of the few interests which they have for their subsistence. They ask through me for their emancipation, so that they may be able to take up with freedom their labors for the support and benefit of their families."

It would appear, therefore, that the San Luis Rey mission had retained possession of a portion of the San José valley after the grant to Portilla had been approved in 1836. This conclusion is corroborated by a statement of Juan María Osuna, Administrator of the Mission San Diego, under date of April 7, 1840, in which he says: "I declare that the land of Agua Caliente is the property of the mission of San Luis Rey, that it has buildings, planted fields, and an orchard, from which the Indians who live on the said land, which is contiguous with the Rancho of San José . . . obtain their subsistence." Still further support of this idea is found in the map presented by Pico as a part of his petition. This map shows the land requested as bounded on the west, north, and east by the mountains, with the opening leading to Temécula to the north, but on the south the boundary corresponds to what was designated as cañada de Buena Vista on the Portilla map, which on that map cuts the San José valley in two more or less equal parts.

Alvarado finally approved the grant under date of June 4, 1840. In doing so he writes, "I declare Lieutenant Don José Antonio Pico proprietary owner of the place known by the name of Agua Caliente, included among the lands of San Luis Rey and adjoining the Rancho de San José del Valle, bounded by the Cañada de Buena Vista and the Sierra del Palomar, on condition that he agrees to pay for the granary and other properties which the mission of San Luis Rey may have on the said site, and of not prejudicing the rights of the indigenes who are established there. Let the necessary warrant be issued and the said expediente be sent to the most excellent Junta for its approval." I find no record of its approval by the Legislative Junta, although it may have been so approved.

Thus the matter stood when on August 30, 1844, Juan José Warner filed the following petition:

"Most Excellent Sir: I, Juan José Warner, citizen, and married in

this department to Anita Gale, father of a family, present before your worship that since the year 1833 I have been settled in the city of Los Angeles and am the father of children born in this department. Needing a place in which to put a considerable number of cattle and sheep belonging to the children of my marriage with my aforesaid wife, I supplicate your worship to have the goodness to grant to my aforesaid children the proprietorship of the place known by the name of Valle de San José, which is unoccupied, situated to the east of the pueblo of San Diego, and distant from the said pueblo about twenty leagues, surrounded by the sierra, with entrances from San Felipe on the east, from Temécula on the north, from Pala on the west, and from Santa Isabel on the south. . . . "

It will be seen from the above that he included in his petition a request for the entire San José valley—not just the portion petitioned for by Don José Antonio Pico four years previously. Indeed, his map, which accompanies his petition, clearly represents the same territory shown on the map of Portilla in 1834. It has a little more detail but, in general, contains the same information that the Portilla map contained. It is the first map to show the "Matajuai" valley to the southeast of the main valley.

One of the documents in the expediente contains the report of the "Chief Judge of San Diego," dated August 16, 1844. In it we read: "In the matter of the report asked from this court by the interested party, be it said, at the present epoch the said San José valley is unoccupied, and for about two years, little more or less, it has been abandoned, without property of any kind, nor has it been occupied with planted fields by the mission of San Diego, but the said place belongs at present to that mission."

The Reverend Father Vicente Oliva, of the Mission San Diego, concurred in the statement that the place was the property of the Mission

San Diego, but that the mission had no means of cultivating it and so had no need for it. In the final approval of the grant by Governor Manuel Micheltorena, November 28, 1844, however, Warner was required to pay the mission San Luis Rey for the buildings on the property.

In his grant, Micheltorena says that "the land granted to him is of the extent of six square leagues, a little more or less, as is shown on the accompanying sketch."

It may be of interest to note some of the restrictions under which the grant was made. The document reads: "He cannot sell it, alienate it, or hypothecate it, nor put any entail on it, nor any other encumbrance whatever, nor give it away. He may fence it, without prejudice to the crossings, roads, or rights of way; he may enjoy it freely and exclusively, devoting it to such use or cultivation as is most advantageous to him, but within a year he must build a house and live in it. . . . If he transgresses these conditions he will lose his right to the land and it will be open to condemnation by others." The grant was finally approved by the legislative assembly on the 21st of May, 1845.

Warner seems to have fulfilled the requirements of the grant in that he moved onto the property, built him a house, and lived there. The adobe house in which he lived from 1845 to 1855 still stands. Here, three of his children were born—Andrew Fernando, in 1846; Isabelle, in 1848; and Juan Bautista, in 1851.

On May 19, 1846, Warner made application for a second grant. This was for a tract bordering the San José valley on the west, and included the canyons and mesas in the Camajal, or Mesa Grande, and Palomar mountains, adjacent to the San José valley. It was described by Warner as follows: "The land begins," he says, "at some white rocks at the head of the stream known as Carrisito, running to the west or southwest for a league and a half or two leagues; then, changing directions to the north and crossing the arroyo which runs from San José to Pala, where

the road passes which goes from San José to Pala, or a little lower down, near a rancheria known by the name of La Cola, and follows the same direction, or a little more westerly to a place known by the name of Palomar, in the Sierra of the same name, and from there descends until you come to the land which was granted to me by the name of Valle de San José, in an arroyo which runs to Temécula, a little lower down than the rancheria known by the name of El Corralito or Ahuanga de Ossibu." The object of the request was to obtain possession of a number of canyons in those mountains "that I may," to quote Warner's words, "be able to keep my horses better concealed and guarded from the barbarous Indians." It was estimated to contain about four square leagues, although, as Warner says, "the greater part is made up of entirely useless hills."

After passing through the regular procedure the grant was finally approved by Governor Pio Pico, on August 1, 1846.

X

NOTED VISITORS AT WARNER'S RANCH

AS EARLY as 1834, when Portilla petitioned for his grant, the San José valley was referred to as being on the road to the Colorado River. In 1860, this road was described as passing through the following stations: Los Angeles, El Monte, San José, Rancho del Chino, Temascal, Laguna, Temécula, Tejunga, Oak Grove, Warner's Ranch, San Felipe, Vallecito, Palm Springs, Carisso Creek, Indian Wells, Alamo Wells, Cook's Wells, Pilot Knob, and Fort Yuma. The total distance was estimated as being 282 miles, and that from Los Angeles to Warner's Ranch as 124 miles. It will readily be seen that Warner's Ranch was, therefore, in a very satisfactory location for a half-way station between Los Angeles and Yuma—a place where the weary travelers could stop and refresh themselves and their animals after crossing the burning sands of the Yuma desert, on their way to California; or where they might stop to take on extra supplies before undertaking that most difficult part of the journey when returning to the East.

Here the various divisions of the Army of the West stopped when on their way to California during the war with Mexico. Here they traded their worn-out mules for Warner's fresh horses, for which Warner was later taken to Los Angeles and thrust into jail on the grounds that he had Army mules in his possession and therefore must have stolen them. Here numerous companies of Argonauts, during the days of '49, stopped

for a brief rest on their hurried rush to the gold mines, but lingered longer in 1850 or '51 on their return after the fever was over. Here the explorers for the Pacific railroad passed and re-passed time and again, in 1853, in their exploration for a Pacific railroad. And here the Butterfield mail stage made its regular stops, twice a week at first and, later, six times a week, from 1858 to 1861, when this route was closed as a result of the Civil War. Warner's beef, butter, milk, eggs, fresh fruit, and vegetables always proved a very welcome change from either army or emigrant fare.

We can never know the hundreds of thousands of travelers who stopped at Warner's Ranch during those early days. Some, however, have left accounts of their travels, and given us pictures of what they saw and how they were treated at the ranch. It may be of interest to the reader to imagine himself living some seventy-five years ago, and to listen to the tales of some of these travelers.

First let us imagine ourselves with the "Army of the West." For months we have been working our way, step by step, towards the setting sun. Summer has passed. Autumn has come and gone. It is now the last week of November, 1846, as we cross the Colorado River and prepare for the last lap of our tiresome journey to California. The horses and mules are nearly worn out; the men are on half rations or less; but still the Yuma desert is before us—days of heavy toil over burning sand, with water from forty to sixty hours apart. We are headed for the San Felipe pass. For five days we struggle forward. The pass is just ahead, and now we shall let Lieutenant Emory, chief of the Topographical Engineers, tell the story.

December 1—We ascended the valley, now destitute of both grass and water, to its termination, and then descended to the deserted Indian village of San Felippe. The mountains on either side are lofty, I suppose from 3,000 to 5,000 feet high, and those of the west encrusted on the top with snow and icicles. Our

camp was in a long field of grass, three or four miles in extent, through which a warm stream flowed and drained through a cañon to the north, abreast of the village. We went to the barren hills, and collected the dry sage and scrub mezquite, with which we made a feeble fire. The Larrea Mexicana grew here also, but it is unfit for fuel.

About nine miles from the camp, we passed the summit which is said to divide the waters flowing into the Colorado from those flowing into the Pacific, but I think it is a mistake. The pass is much below the peaks on either side, and the height gives no indication of the elevation of the range, and, indeed, the barometric reading was but an indifferent index to the height of the pass, as the day was stormy. We are still to look for the glowing pictures drawn of California. As yet, barrenness and desolation hold their reign. We longed to stumble upon the rancherias, with their flocks of fat sheep and cattle. Meat of horses, may be very palatable when fat, but ours are poor and tough, and it is hard to satisfy the cravings of hunger with such indifferent food.

Early in the day's march, we met two Indians, a man and woman; they could give us no information of what was passing on the western side of the mountains. They continued on with the utmost indifference, exhibiting no signs of fear or astonishment at this sudden apparition of ragged blue-coats. They had fine athletic figures, but were prematurely wrinkled from poverty and exposure to cold.

December 2 and 3—We commenced to ascend another "divide," and as we approached the summit the narrow valley leading to it was covered with timber and long grass. On both sides, the evergreen oak grew luxuriantly, and, for the first time since leaving the states, we saw what would even there be called large trees. Emerging from these, we saw in the distance the beautiful valley of the Agua Caliente, waving with yellow grass, where we expected to find the rancheria owned by an American named Warner.

As we passed, crows and wolves were seen in numbers.

Leaving the valley, we ascended the hills to the north covered with mezquite, estafiat, etc. Our progress was slow and painful; we thought Warner's rancheria never would open on our eager sight, when suddenly it burst upon our view at the foot of the hill. We were mistaken for Indians, and soon were seen horsemen at full speed leading off cattle and horses to the mountains. We

quickened our pace to arrest this proceeding. The rancheria was in charge of a young fellow from New Hampshire, named Marshall. We ascertained from him, that his employer was a prisoner to the Americans in San Diego, that the Mexicans were still in possession of the whole country except that port, San Francisco, and Monterey; that we were near the heart of the enemy's stronghold, whence he drew his supplies of men, cattle and horses, and that we were now in possession of the great pass to Sonora, by which he expected to retreat if defeated, to send his prisoners if successful, and to communicate with Mexico.

To appease hunger, however, was the first consideration. Seven of my men eat, at one single meal, a fat full grown sheep. Our camp was pitched on the road to the Pueblo, leading a little north of west. To the south, down the valley of the Agua Caliente, lay the road to San Diego. Above us was Mr. Warner's backwoods, American looking house, built of adobe and covered with a thatched roof. Around, were the thatched huts of the more than half naked Indians, who are held in a sort of serfdom by the master of the rancheria. I visited one or two of these huts, and found the inmates living in great poverty. The thermometer was at 30°, they had no fires, and no coverings but sheepskins. They told me, that when they were under the charge of the missions they were all comfortable and happy, but since the good priests had been removed, and the missions placed in the hands of the people of the country, they had been ill-treated. This change took place in 1836, and many of the missions passed into the hands of men and their connections, who had effected the change.

Near the house is the source of the Agua Caliente, a magnificent hot spring, of the temperature of 137° Fahrenheit, discharging from the fissure of a granite rock a large volume of water, which, for a long distance down charges the air with fumes of sulphuretted hydrogen. Above it, and draining down the same valley, is a cold spring of the temperature of 45°, and without the aid of any mechanical instrument, the cold and warm water may be commingled to suit the temperature of the bather.

The Indians have made pools for bathing. They huddle around the basin of the spring to catch the genial warmth of its vapors, and in cold nights immerse themselves in the pools to keep warm. A day will come, no doubt, when the invalid and pleasure seeking portion of the White race, will assemble here to drink and bathe in these waters, ramble over the hills which surround it on

all sides, and sit under the shade of the great live oaks that grow in the valley.

Our information in reference to the state of affairs in California was yet very imperfect and unsatisfactory. Marshall spoke of a Mr. Stokes, an Englishman, who lived fifteen miles distant, on the road to San Diego. The general at once despatched Marshall to him, and in three hours he appeared in our camp, presenting a very singular and striking appearance. His dress was a black velvet English hunting coat, a pair of black velvet trowsers, cut off at the knee and open on the outside of the hip, beneath which were drawers of spotless white; his leggins were of black buck-skin, and his heels armed with spurs six inches long. Above the whole bloomed the broad merry face of Mr. Stokes, the Englishman. He was very frank, proclaimed himself a neutral, but gave us all the information he possessed; which was, that Commodore Stockton was in possession of San Diego, and that all the country between that place and Santa Barbara was in possession of the "country people." He confirmed all that Marshall had said, and stated he was going to San Diego the next morning. The general gave him a letter for that place.

I made observations at night for time and latitude, but the flying clouds, and the trembling ground on which we were encamped, made it a delicate operation.

Information was received on the 2d, that fifteen miles distant, on the road to the Pueblo, a band of horses and mules were cached, belonging to General Flores and others. Tired as our people were, nightfall found twenty-five of them in the saddle, with fresh horses, under the command of Lieut. Davidson, accompanied by Carson, on their way in pursuit of the cache. Davidson was successful, and returned with the horses on the 3d, about meridian; but the animals, like those we captured at the mouth of the Gila, were mostly unbroken, and not of much service.

My observations give for the latitude of our camp of this date, which was on the meadow to the south of the rancheria, 33° 16′ 57″.

We remained in camp on the 3d to rest.

December 4—The morning was murky, and we did not start till 9 o'clock, about which time it commenced to rain heavily, and the rain lasted all day. Our route was chiefly through narrow valleys overtopped by high hills of some

fertility, covered with oaks. We were now in the region of rains, and the vegetation, though not luxuriant, was very much changed, but it was too late in the fall to get the flowers or fruits to determine the plants.

Another account of the same visit was written by Captain A. R. Johnston, who was killed in action a few days later at the battle of San Pasqual. It will not be necessary to give his story in full, but a few lines of what he has to say may be of interest. "We found Warner's," he says, "a place which would be considered a poor location in the United States, with a hot spring and a cold one on his place; a good place for stock, but bad for grain, one would think. We are told wheat yields thirty-fold. The labor is performed by California Indians, who are stimulated to work by three dollars per month and repeated floggings."

Some seven weeks later, on January 21, 1847, the "Mormon Battalion," under command of Lieutenant Colonel Philip St. George Cooke, appeared on the scene. We have two accounts of their visit at the rancho —one by Cooke and the other by Sergeant Daniel Tyler. Space will permit of only portions of these reports. First we copy parts of Colonel Cooke's report, as follows:

January 21—A cold cloudy morning, threatening snow. I found the path over the mountain smooth and not difficult; the path—now a road—winds amid a forest of large evergreen oaks. Cold as it was, the fresh deep green grass was springing everywhere from the ground. This mountain divides the waters of the Colorado and the gulf from those which run directly west to the ocean; the higher ridges are crowned with pines, and we saw some snow amongst them. From the top, a smooth prairie valley (of the San Luis) opened to the view, but everywhere closely hemmed by mountains. I descended rapidly to the lower slopes, and there drilled my battalion again whilst the baggage closed up.

An Indian, sent by some one, showed me a better wagon road than that of the advance guard and pioneers, which I took, and encamped in the valley, a few hundred yards below Mr. Warner's house. Mr. Warner is here, and I have had much conversation with him; he has detailed very much of the course of events before and since the insurrection. . . .

January 22—11 o'clock, a.m. A fine April morning for Missouri or Virginia; a frost, however, and a *very cold night.* This is a beautiful little valley, shut in by mountains or high hills on every side—the former are nearly covered with green shrubs, amongst which the rocks show themselves, and are crowned with pine and cedar; the latter with oak, and other evergreens, and excellent grass. The grass is just up, and the country looks verdant. Some large cottonwoods are leafless, but the miseltoe has lent them a green drapery.

The name Agua Caliente comes from a bold spring, which issues from fissures in the rock at the temperature of about 170° Fahrenheit; it runs clear and freely, and now sends up clouds of steam for a half a mile below. The little oval valley here, a mile or more in length, is a smooth, symmetrical, gently convex surface; in the centre is an immemorial evergreen oak, whose boughs reach within five feet of the ground in a circle, forming an arbor of ninety feet diameter.

Charboneaux has not yet returned from San Isabel with the mules. I have Indians out with orders to drive up every animal on the rancho; there are four of the General's mules said to be among them; and I have directed Mr. Smith to procure beeves of Warner; he will exchange some sheep for them; we have about eighty, but poor. I shall probably be able to procure two fanegas of wheat to issue as rations.

Warner, the Connecticut man turned California proprietor, is quite a study; he exhibits traits of either character which may be considered the opposites of our northern continent. . . .

Mr. Smith has obtained of Warner twenty-two beef cattle in good order; he gave four sheep for one—a small balance in money being due.

Tyler's account, although it contributes but little, if any, new information, presents some points in a striking manner, and so we shall copy a few lines. "We remained at Warner's," he says, "and rested during the 22nd, and our rations were raised to four pounds of beef per day. We had no other food nor even salt to season our meat. The weather was warm, like that of April or May in the Middle States. A hot spring of considerable volume and a temperature of about 170° F., issued from some rocks on this rancho. It sent up a cloud of steam for over half a

mile below its source. Near the center of this valley stood an evergreen oak tree; its boughs reaching within five feet of the ground, and its foliage forming a circumference, according to Colonel Cooke's estimate, of two hundred and seventy feet. The hot spring branch ran around one side of this tree and a cold stream around the other.

"Strange as it may appear, it was assserted, not only by Warner but by eye-witnesses of our own men that during cold nights, the Indians (who were nearly nude) slept with their bodies in the warm stream while their heads lay upon the soddy banks. This seems another of those facts which are 'stranger than fiction'."

It will be noted that both Cooke and Tyler give the temperature of the spring as 170° Fahrenheit, whereas Emory records its temperature as 137 degrees. Emory was a scientific observer and must have tested the temperature, whereas Cooke and Tyler must simply have made a rough estimate, for the government tests today give the temperature as 138° with a maximum observed temperature of 139°. A complete analysis of the water is to be found in Gerald A. Waring's *Springs of California*, published by the U. S. Geological Survey in 1915.

One of the most detailed narratives and the one, perhaps, containing the most human interest of all the early accounts of visits at Warner's Ranch is the one written by Benjamin Hayes during his stay at the rancho in January 1850. Hayes was one of the Argonauts bound for the gold fields of California. His narrative not only gives us a picture of Warner's Ranch as it was at that time, but it indicates very clearly its importance as a way station for the emigrants journeying to the gold mines and returning to their old homes.

At the time of his arrival at Warner's Ranch, Hayes was a man thirty-five years of age. He had already practiced law and had been engaged in newspaper work in Missouri. The diary which he kept while on his overland journey to California indicates that he was a careful observer,

with a natural inclination to jot down detailed notes on a wide range of subjects. During the ten days which he stayed in the valley he visited the various places of interest and recorded numerous comments on what he saw. He noted the trees, the vegetation, the birds that filled the air with their music, the game in the surrounding hills, the Indians at Agua Caliente, their habits and customs. He visited the store kept by William Marshall and noted the articles which it contained and the prices at which they were sold. He dined with Warner on soup, corned-beef, pumpkin, and coffee with milk. He praised Warner's dried grapes which he said were very sweet and "equal to the best raisins." He talked politics and history with Warner and gives an account of Warner's visit to the United States ten years previously. In fact there are so many things of interest in the narrative that the portion relating to Warner's Ranch is well worth being printed here in full. Being copied from his manuscript notes, it lacks the smoothness and polish that we should expect to find in an article prepared for publication. But this shortcoming is more than compensated for by the interesting details which may here be found.

ASCENT OF THE DIVIDE

January 13th, Sunday—At Haraszthy's Camp: Last night the wind rose high again making it difficult to keep on our blankets. We found the best shelter we could under a large oak tree. This morning, cloudy, at an early hour. After breakfast much appearance of a snowstorm: wind stronger and colder than it had yet been.

Last winter (December 1848), through this valley snow fell ten feet deep through which the soldiers had to dig their way. We have to go [ ] miles up the mountain and over the divide, to reach Warner's. This morning finally we have had both snow and rain.

At 1 p.m. bid adieu to our hospitable friends and start for Warner's rancho, Dr. Kerr giving us directions to a beautiful encampment and desirable grass. Ascend the valley, a violent gale blowing in our faces. Soon reach the divide,

through which winds the road, lined with evergreen oaks, the largest we have yet seen. A pretty, clear stream flows down toward the valley through which we have come. Grass improves as we proceed—the dry grass mixed with the green, on the flats of the little creek; and on the hills, bunch grass. At the little tufts of this our pack mules catch greedily, as they trot along.

Coming to the forks of the main road, we took that leading to Warner's. Winding somewhat, close to the mountain, over the green mounds, in half an hour we were hailed from an encampment to our left high up among the oaks. Turning to this point [we] found several messes reposing beneath the shade of the towering oaks that in part protected them from the rain: for it was falling occasionally, in light, cold showers. As a further shield from the wind, which was very strong here, they had cut large branches and surrounded their different *corrals* (so they called the mess camps). Cordial, hearty shake of the hand, from all: they start tomorrow. Their mules are grazing on the flat, under this mountain (for so it may be termed). The distance is one and a half miles to Warner's.

From Warner's they have obtained good beef and salt—nothing else to be had (they say). Some have been over to the Indian rancheria, Agua Caliente, getting flour at $2.00 per almud (about 10 lbs.). From the store kept there they bought "hickory shirts" at $1.00, coffee at 50 cts. per lb., tobacco at 10 cts. for a small plug. Plenty now reigns amongst us. (Hale, Bradley and Kayser did not obtain any flour or pork from Col. Haraszthy).

Warner's beef is disappearing by wholesale. Good cheer at every fire. *We* soon made a fire, borrowed camp kettles, and before midnight had cooked a large quantity of beans (frijoles) and rice, to carry on in sacks on the road. A hearty supper each of us took by invitation of a neighbor, and at that late hour sought our blankets—glad to finish our labor. Our ride over here had been cold. Very chilly here too, despite the fire and the shelter afforded by the trees. Through the night, while cooking, frequent light showers fell, and after we laid down. Upon the whole a tolerably comfortable rest.

14th—Long search in every direction for the mules. Our own had remained about the hills to which we had taken them, where the bunch grass is fine in thick tufts now about 6 inches high—green and tender. They seem to delight in it.

Above our camp within a hundred yards, is an excellent spring. In the valley below runs a small stream, for the stock, over the bottom or flat half a mile broad. Beyond and on each side rise up low hills overlooked in the rear by the elevations of Agua Caliente—to any of which we may resort with a certainty of finding this bunch grass.

'Tis a pleasant thought that at last we have reached a spot where our stock cannot suffer. The emigrant now throws off the fear that hourly has haunted him. Our animals at once begin to show signs of improvement—"kicking up their heels," full and plump, and prancing about—a grateful sight. To these faithful partners of our journey, we owe a debt of gratitude, which we are disposed to pay, with greater care and by giving them time for rest.

FIRST VISIT TO WARNER'S

We went over to the place of Warner. A tall man—dressed *à la California*—short blue jacket, trousers broad at the bottom of the legs—half Californian, half sailor, I thought. When we entered he was seated at breakfast, which probably had put him in his best humor. Quite talkative: said he would let us have milk tomorrow morning; and, at some inconvenience to himself, sugar and salt. He examined Maj. Shepherd's gun and proffered to mend it. His reception was very courteous: we formed a favorable impression of him.

His house is thatched with *tulé* (cane); long; divided into two large apartments; with a shed in front before which were stretched out several hides, pinned down to the ground, in the process of being dressed for market. Several Indians around [and] some hired white men. Beef, killed this morning, hung up on a pole before the door we entered by, in the shade. He has no more fit to be slaughtered; cannot go himself to Santa Margarita, for cattle, and his whites are not yet enough Californianized, for California labor. He has offered to guarantee any man $100 per thousand, who will stop here and cut lumber!

Going in, Maj. Shepherd noticed a blacksmith's vice: "Yes," rejoined Mr. Warner, "we have plenty of that in California." He says, he had from three to four hundred hogs, when Gen. Kearny passed—a fact which, he thinks, Maj. Emory ought to have mentioned, since he has seen none of them [since then]. His house is upon one of the beautiful, high, rolling hills, without other vegetation than bunch grass. This reminds us of advanced spring on the prairies of

Missouri. I see little sign of cultivation in the neighborhood, although he calls it a farm.

It is precisely at the point where the old main road branches, one fork to the town of San Diego, the other to Los Angeles—convenient for the supply of emigrants. He says he will find something to trade with the emigrants as fast as they come. None shall starve. Several sold their pistols to him for food, some of whom started with plenty of money.

AGUA CALIENTE

Our object being to camp a few days on good grass to recruit, by his advice, we selected a spot two miles from Warner's, in the neighborhood of the Hot Spring, generally known as Agua Caliente. He sent an Indian with us as a guide.

Before sunset we made our camp on the bank of a small, clear, pretty stream of excellent water, sheltered by a grove of tall, large evergreen oaks, with good grass, an open bottom extending to our west. For miles around superb grass. We can get supplies from the Indian village near by. Innumerable quail keep within pistol shot; and the trees have other singing birds. Wood convenient for fires. And more cheerful than we had been for some time past, we turn out our animals to pasture, and proceed to provide an ample supper of pork and beans, rice and American flour (cooked into "slap-jacks"); promising ourselves tomorrow the luxury of milk, sugar, and beef.

The whole day clear, bright, warm; night, at bed time, cool. Clear all night.

15th—The land upon which Warner's house stands, is called "San Jose del Valle." He also claims Agua Caliente, by a separate grant; these two tracts and perhaps another form what in common parlance, is understood as "Warner's Rancho."

Considerable frost. Crowing of cocks at the village, tinkling of a bell on a mule down in the woods, music of birds everywhere around. At 8 a.m. the weather like a May morning. Our mules are in sight less than half a mile—an abundance for them last night.

Warner's beef for breakfast. The Maj. then off for the rancho. Frequent shots at no great distance, indicate that some of our friends are finding game. We have been told the neighboring hills have deer. I remain in camp bringing up my notes, studying Spanish, and "putting things to rights." Tomorrow I

expect to make an excursion to examine the country around. In this delightful valley we feel only the softer breath of the breeze. At Warner's, a much higher point doubtless it is strong and cold.

I shall have to sell a mule to defray expenses. Therefore I want to get both of mine in order before reaching Los Angeles.

The birds sing sweetly. I dreamed last night of home—awakening I strove hard before I yielded to the conviction that it was not reality. I have been half melancholy ever since. Dr. Laurence and the young Phelps' are near at hand: yet all is quiet save the singing of birds. They are very tame. No human voice disturbs me. The stream at my feet is clear, pebbly. We linger on the confines of the land where, I am told, trees are loaded with the orange and olive, and the grape still is fresh on the vine.

Wheat does finely here, not so well nearer the coast, on account of the fogs, says Warner.

Phelps bought nice dried grapes, from the store just beyond the village. Warner killed another bullock today—so great is the demand.

He says, the Indians of this village have never been known to steal anything, unless perhaps, a lariat. An Indian woman comes to camp, offering pinole at $2.00 the almud. She takes our washing at $1.00 for 8 pieces, she finding soap. Honeysuckle in bloom about camp, several kinds of grass—clover, pingrass (alfilerilla), etc. We add milk (sent by Warner) to our supper of beef, beans, and pickled pork.

Day clear. Night pleasant.

INDIAN VILLAGE

16th—Rain during the night—comfortless awaking in the morning, not very cold, however.

I walked over to the village, one and a half miles. As I entered, the Indians were flocking to a large house—the largest—and of their Captain, so one of them told me. They all speak Spanish. The houses, etc. formerly belonged to the Mission of San Luis Rey, which long maintained an establishment here. Once there were several good vineyards; one remains. I noticed some good-looking women. An Indian told me all were "Christians." They are scattered around in neighboring valleys. At present, many have come in, attending to a pleito (lawsuit), or some difficulty, before the *Capitan*.

I went to the store. It is kept by an American, by the name of William Marshall. It is pretty well stocked with articles suited to this market. The goods came from San Francisco. An Indian offered me flour, at $2.00 the almud.

While occupied in pricing things, and inquiries, some 20 Indians rode up briskly, on ponies, in various costume—one with holsters on his saddle and a sabre, another dressed in a really fine blue suit, with a naked sword dangling at his belt. They are a good looking, pleasant sort of people, and polite enough. Amongst them, they bought a handkerchief, a pack of playing cards, etc. and started a game of *Monte*, before I left. I observed one come presently, with a jug of aguardiente. For a pint of milk, an Indian charged us *dos reales* (25 cts.). Some of the huts are commodious, one perhaps 25 feet long. The Captain's, and some other houses, are of adobe; and the Captain's has a spacious corral formed by an adobe wall. In the huts are bushels of a nut whose kernel has the taste of peach—a sort of plum (I was told). They make meal of it, and bread.

I visited the Hot Spring, following down the cold stream that leads to it from the store. Women were washing clothes—others, and children, were paddling about. They have thrown up the rocks and sand, thus making a large pool, in which 30 may bathe at once conveniently. One of the women threw her frock over her shoulders, as I approached.

Our mules are scattering a good deal.

Rain in misty showers, till 2 p.m.; clouds then breaking; a strong, yet not cold wind then blowing. At night, clear till about 3 a.m., then clouded; misty rain at dawn—slight.

17th—The store-keeper informs me, that an Indian was hung here on the 16th by order of the *Capitan* for witchcraft. It is said he confessed to having killed seven other Indians, by his spells.

Around the Hot Spring, the grass grows luxuriantly. Sheep and hogs, we are told, keep fat here all the year.

These Indians appear to have no fire-arms, and are said not to know their use. A bayonet on a pole is one of their weapons.

A controversy has existed for some length of time between them and Mr. Warner, concerning the little vineyard they are in possession of.

Antonio Garra is the name of their Chief, or General—a man of some

note. I saw him but once—a cursory glance. He made little impression on me, by his features, as he was seated talking and laughing with another Indian, on his porch.

HISTORY OF JOHN J. WARNER

Search for mules, found off toward Palomar Mountain, on our west. At 10 a.m. clear. Warner at breakfast.

He showed me a newspaper containing an extract from an essay written by him and submitted to the authorities at Washington, in the year 1840 (December). This was delivered as a Lecture, by him, August, 1840, at Rochester, N. Y.; in October following, at Middleton, Upper Houses, and in 1841, printed in the N. Y. Journal of Commerce. From this it seems, he was the first or among the first to agitate the question of the Pacific Railroad.

In 1830 he started from Connecticut, for his health, to Saint Louis; could not get into business there; spent some time in Illinois. In 1830 he was in a wholesale grocery store; but in the same year [rather 1831] Jedediah S. Smith, of the Ashley Company, took him to Santa Fé. There he joined a company, to obtain mules in California, which were to be sold in Louisiana. They came to California, by what subsequently has been known as Col. Cooke's route. Here he united with a party of trappers on the Sacramento River from Ross up to Klamath River—a bad country. This kept him in California. Some five years ago, he removed his family to this rancho. In past times, Indians have annoyed him a good deal. This is one reason why he has made so little. Once they stole all his horses and mules; but so steep was the descent they attempted to make, down the mountains to the desert, they got off with only five. Within ten miles of his place, by some of these extremely precipitous descents, one can go down directly upon the desert.

Mr. Warner has never known consumption to exist in San Diego District. He was born November 20th, 1807—youngest of nine children.

His idea of the Railroad is, that it should be completed as it goes, so as to transport its own timber. He is enthusiastic on this subject. He says Col. Thomas H. Benton is the only public man that seems to well understand what this part of the country needs.

At his house we found a newspaper of November 7th last, the "Dollar Weekly"—acceptable.

Dined today at Warner's. Soup, corn-beef, pumpkin, coffee with milk. Had a plate of dried grapes—very sweet: to an emigrant equal to the best raisins.

Warner says there is another road across the desert, going up close to the mountains on the eastern side—the same by which the Mexican General, José María Flores, retreated out of California, in the year 1847. It is easier of ascent, but has not as much water, on the sandy part, as has the one we came by.

The Indians are ploughing and sowing wheat.

Col. Samuel Whitney (of Texas) is here. Moree, Thornton, and Nash arrive. We hear bad news from the emigrants by the Salt Lake Route.

The almud here is only 8 lbs. Corn 62½ cts. per almud. Tobacco is $1.00 per lb. Phelps bought an axe for $3.50. The store has neither pepper nor salt.

Pleasant afternoon, at sunset cool, and through the night.

January 18th—Morning cool, with misty rain. At 10 a.m., the sun is struggling to break through the mist, which hangs heavily at the distance of a few hundred yards, and hides the village from view. Wind cool, from S.W. Presently a patch of blue appears in the east—a rainbow, not a hundred yards, seemingly, from me, spans the north west end of our camping ground. At 2 p.m. a cold, strong wind, occasionally a light rain squall.

Thousands of ducks in the ponds—very fat. Phelps barbacued one last night.

Mules are brought up—look well—improving rapidly. Move our camp a short distance, to a better shelter, and where there is more dry wood for fuel. Lay down, in our wet blankets. I slept soundly, although poorly protected from the light rain that fell in the early part of the night.

January 19th—At midnight commenced snowing—this morning an inch deep—trees and neighboring hill-tops, white—different scene from yesterday. Sun rises clear. Nine [o'clock], trees already free from snow, and the shrubs touched by his rays.

Warner says there was snow last winter, 18 inches deep, on the level, in the valley: that last winter was the coldest *ever* known, in this locality.

The sun feels comfortable—rather, we do, in his view. A hawk sits near the camp, on a high limb, observant and fearless. A great variety of birds: but they have no song for us this morning. At mid-day, snow still on tops of hills—all

gone from the lowland. The dead branches of evergreen oak, which we find scattered around abundantly, were broken down by the weight of last winter's snow.

Maj. Shephard goes up to bathe in the pool, at the Hot Spring. Squaws around, bathing, washing, etc. make it a difficult matter to do so; but he succeeds. Clothes he washed retain sulphurous smell.

Cold late in the afternoon. Clear moonlight, not a cloud. A snipe and duck killed today near camp.

The village store-keeper has bought some emigrant wagons. Warner also. In fact Warner's house is a perfect bazar of emigration—almost every species of mechanic's tools—and an armory in the way of everything except 24 pounders.

January 20th, Sunday—In the valley is a great variety of plants strange to me.

Maj. Shephard brings the nut of which, reduced to powder, the Indians make bread. Warner says it is a wild plumb; and that the Indians make their flour of mezquite bean, mixing a little wheat flour with it. In his judgment, too, most of the works written upon California, have little that is agreeable to the fact.

At the village yesterday, we found a majority of the men in a state of high intoxication, from the liquor the store keeper sells them at a dollar a pint, or 10 cts. a drink: a good deal of gambling going on, and had been for several days. For gambling they have a strong passion. One *capitan* of a neighboring rancheria, and who is said to own considerable stock, had first pawned his riding horse (worth $100 at Los Angeles) for $15; had got rid of this: borrowed about the same amount, on another horse, which last sum, it was thought, was near gone when we left. A trader told me four years ago in these mountains it was almost impossible to find a woman otherwise than virtuous. It is the reverse now.

Nash has gone—having heard that carpenter's work can be had at Los Angeles.

An Indian confirms the execution on the sixteenth inst. and tells me their *capitan* has many books. He may be considered a Chief, *quasi* independent. The Alcalde of San Diego has sent for the head men to come into that town. They start this evening or tomorrow.

Maj. Shephard has gone over to Warner's, to grind our coffee: half is dirt, of the pound he bought at the store.

The Agua Caliente Creek, on which we are camped, forms a small lake, a short distance below. The sand absorbs much of the water. In summer, it is dry entirely, below the bathing pool, Mr. Marshall says.

An Indian who came over to drag home the fallen branch of a tree, with his pony, and our washerwoman are all, I believe, who have visited us. They appear to have no curiosity about our stay, nor do they give us the slightest molestation.

Heavy frost, morning clear, cloudless, and biting cold. Snow still on the high peak behind the village and in the shade of the oaks near camp. Quite cold afternoon—wind S.W. chilly. Night clear—not a cloud. Wind lulled at sunset —none all night—cloudless—moon—ground froze hard.

January 21st—Maj. Shephard off on a deer hunt. The Mexicans we have met occasionally, offer $10 for a good gun, and $15 for one of *Allen's* revolvers. Paid Warner 12½ cts. per lb. for beef.

BATHING

Went over to the Spring to bathe, and wash clothes. Performed the latter operation, surrounded by women, and their children, all naked, dabbling in the water. Women brought down their young children, apparently but a few months old. One or two undressed themselves modestly enough and washed themselves. Others were busy washing clothes, or softening the acorn or wild plum, in the boiling spring, all chatting freely; others managing a small quantity of the seeds, in another smaller spring. The boiling water takes from the nuts the bitter taste, I understand. A girl washed me a pair of stockings in the hot water.

We proceeded to enjoy the luxury of the bath, which we seemed likely to lose, if we did not act quickly, between the women and the children, who were plunging in and out continually. They were going to and from the pool all the time, as if it were their chief amusement. At first the water was too hot for my feet. With my hand taking away the sand to let in cold water from the little stream that flows near, it became too cold. The ingress of the cold water partially stopped, it was soon of the right temperature. [I] managed in this way about as well as with the most fashionable bathing tub.

Approaching the spring, there is a strong sulphurous smell, and a thin vapor rises. The water was pleasant to the flesh. Remained in the pool half an hour, rubbing off with a coarse towel.

By this time—late in the afternoon—the air had become quite cold. Passing to a hut, to buy flour, noticed half a dozen worthies down in a hollow, immersed in the mysteries of *Monte*; while not far off an old woman of ninety was squatted on the ground, pounding acorns in a stone mortar into flour. Water cress abounds around the spring. The Indians boil and eat it.

To-day our hunters came across a valley 3 or 4 miles up the stream we are on, where the grass was a foot high—perhaps a thousand acres. It appeared to have had an American camp this fall.

The Indians here raise but little of any thing. This season they are putting in more wheat than they have done: induced to it no doubt by the increased demand they have discovered is to result by the immigration. To-day, they were ploughing, and sowing wheat, a little girl carrying the grain in her apron.

Frost not so heavy as yesterday. Birds singing again, sweetly. At 10 a. m. wind E.: earlier in the morning, clear cloudless, cool, no wind. At 12 m. wind W. Afternoon gradually gets cool. At sunset, cold, strong W. wind, and cloudy. Since dark, a thin fog covers the whole sky—the wind lulled somewhat. At 9 p.m. comparatively clear. Midnight cloudy again, and a light snow began to fall.

January 22nd—At daylight the snow is an inch deep. Wind S. W. At 9 a.m. sun feels warm, little wind.

A mocking-bird in a neighboring tree. Our shelter is two large oaks, with a semi-circle of broken, dead boughs.

At 1 p.m. a cloud passing over drops down a light snow for ten minutes. Toward sunset strong wind, W.—cold. Sun sets clear and magnificent, the snowclad mountain beyond the village having a golden radiance. A cloud hangs close along and on its summit, leaden dark nearest to the mountain, throwing up far toward the azure, a rosy-tinged mass.

At 8 p.m. light breeze from S. W.—very light; a few thin clouds coming up that direction, not yet hiding the bright moon and stars.

Round a good fire we talk of friends away. How many come in for a goodly wish.

FORTUNES OF EMIGRANTS

We must hurry to a better climate. It seems a long time to be out, and still far from "El Dorado." The emigrant promised himself to reach the goal much sooner—a month or so to Santa Fé—did not anticipate such delay in New Mexico—was led to believe, in 60 days he could go through, with wagons, and in 40 days, packing. He is therefore sadly wearied with the stern reality, as he found it. Rumor often adds to his discouragement; sometimes his means are exhausted by unconscionable prices for everything he needs; then there may be ill-fortune with animals, or bad management; and worse still the loss of self-command, to guard against the temptations that strangely beset his path. Under almost any vicissitudes,"a contented disposition" is the secret of his success at last.

January 23d—Awake an hour before dawn. A light snow falling—barely covering the blankets. Slept in wet blanket. Not very cold. Clouds broken. Sun rises clear—wind W. At 10 a.m. pleasant. At 3¼ p.m. commenced snowing and a while briskly—then broke off a few minutes—now snowing again—prospect of a bad night.

Gose shot a woodpecker—different from any I have seen before—back greenish black, deep red circling the bill, feathers under the belly tipped with white and red intermixed terminating in a white ring, round the neck.

Maj. Shephard has gone to Warner's, for beef. I am drying blankets, etc. preparing for the start.

We begin to hear more of the emigration by other routes. This afternoon, John S. Brassfield, of Platte Co., Mo. and Napoleon B. Wood, of Savannah, Mo. made their camp here. The former came by the South Pass: the latter, by Panama.

Brassfield, William Davenport, and others, left Fort Kearny May 7th, 1849; on August 25th, their team got into Hangtown; these two named, with Perry Wood, leaving the wagons on Humboldt River, 100 miles above the sink, packed into the diggings. On the desert stretch of 60 miles from the sink to Carson River, they had only a salt water well too hot to drink, and no grass, and they suffered much, the weather being almost intolerably warm. They walked nearly the whole way after they left the wagons; arrived August 19th with their broken down Indian ponies.

They mined a good deal at this point, but finally went over on the South Fork of the American River, 10 miles above Sutter's Mills, where they were more successful. Through all the mining region many are dying with scurvy, diarrhea, and pleurisy. On January 19th, Sacramento City was overflowed, to the depth of between four and five feet. As fast as they could, the people were escaping, in canoes and skiffs. Those at Brassfield's location buy their provisions at Hangtown, and pack them on their backs over the mountain. Flour, $1.00 per lb.; bacon, $1.50, per lb.; fresh beef from 37½ to 50 cts.; milk, $1.00 per pint; sugar, coffee, each 50 cts. per lb.; eggs, $1.00 apiece; potatoes, $1.00 per lb.; molasses $5.00 per gallon; beans 65 cts. per lb.; onions $1.00 to $1.50 per lb. Fresh beef is plentiful. This is the range of prices. Since the rainy season commenced, that is to say, from November 1st, it had rained about two-thirds of the time up to January 10th, when Brassfield left. Hauling from Sacramento City, is from $15 to $20 per cwt., and has ranged from $25 to $50. A pair of miner's boots cost $40.

Napoleon B. Wood left St. Joseph, Mo., November 7th; Saint Louis, 16th; New Orleans, 28th, taking a sailing vessel to Chagres. Made it in 9 days. [Left] Chagres, December 9th and reached Panama, on the 15th (usually they go quicker). Arrived at San Diego, January 18th. He says, there are a thousand destitute Americans at Panama; and a thousand more waiting transportation.

Lewis Wood and James Clay came down on the Steamer from San Francisco to Los Angeles; steerage passage is $40, and rough living at that; cabin, $80. From Sacramento to the City of San Francisco, on a steamer $30, cabin; $20, deck—the same, up or down, on the Senator, which runs tri-weekly. Eight hours necessary to come down—$2.50 for a single meal. From Los Angeles they went to San Diego, bought mules there. Brassfield is on the same business here. They will meet at Los Angeles, and drive up their mules, which command a high price at the mines.

Sun sets clear. Clouds beautifully tinged with ruddy and golden hues—a few rays but touch one of the mountain tops north of the village, while the higher peak eastward is veiled in a snowstorm, and farther east is clear.

At nine p.m. clear, save a few white flakes S. E., and north (low down on the horizon). Not very cold—no wind: less cold than some previous nights.

January 24th—Morning indicates another snow storm—a few light flakes fell. At 8 a.m. clear in S. and W. Light clouds still hang broken, over the mountain to the N. and E. We hear the robins around us this morning. Cloudy in general through the day, with a light mist—raw wind.

Col. Whiting left yesterday, first selling a mule to Mr. Warner for $12. Maj. Shephard paid Warner $2.00 the almud (8 lbs.) for flour; beef 10 cts. lb. Brassfield bought a mule for $50.

Our arrangements are completed. All the mules are found about 3 miles off, except my riding mule. This had got among the horses of the *Capitan*, and was safe within his corral, too wild for me to lasso, after his wide range upon rich pasturage. An Indian boy did it for me pleasantly: paid him, adding '*Muchas gracias!*' The *Capitan* was seated on the inner porch: all treated me very courteously.

At 3 p.m. we were on our way to see the "Queen of the Angels."

XI

WARNER'S INDIAN PROBLEM

ONE of the principal problems in the history of Warner's Ranch was the Indian problem. As has been indicated in earlier chapters, when the Spaniards first visited the region they found several (they say ten) rancherias of Indians located in the San José Valley and its adjacent tributary canyons. The Indians inhabiting these rancherias were not just wandering nomads, moving from place to place in search of food, but, on the contrary, they were a sedentary people located in permanent villages, definitely attached to the soil, and having more or less definitely fixed boundaries. During the mission period, some of these rancherias may have been abandoned, the Indians moving to some of the other rancherias or to the mission San Diego or San Luis Rey or to one of the sub-stations, Santa Isabel or Pala. But the map of Silvestre de la Portilla locates three rancherias in the San José Valley, itself, as late as 1834. There may have been others in some of the tributary canyons. Warner's map, drawn ten years later, indicates that this was true as regards the Mataguai Indians located in the Mataguai Valley. Benjamin Hayes said there were five rancherias on the ranch in 1869; Mrs. Helen Hunt Jackson referred to five that were there in 1883; and Charles F. Lummis indicated that the same five were there in 1901.

These items may indicate in a general way the nature of Warner's Indian problem. It will be seen that it was not simply a question of

defense against attacks of hostile Indians from without. Warner was confronted with the difficulty of living with the Indians who were already located on the very property which was included in his grant. These Indians, while they, themselves, were not very powerful or very warlike, were more or less friendly with their neighbors, the Cahuillas, who were both powerful and warlike, and who had never been brought under Spanish control.

A further difficulty was connected with the treatment that the Indians had received at the hands of the padres as compared with what they received after secularization. As early as 1846, when Emory visited the rancheria of Agua Caliente, he was told by the Indians "that when they were under the charge of the missions they were all comfortable and happy, but since the good priests had been removed, and the missions placed in the hands of the people of the country, they had been ill-treated." In other words, any treatment of the Indians which fell below the standard set by the missions created an undertow of sentiment against the person responsible, which might at any time cause him serious difficulty.

On November 14, 1847, Warner wrote to Colonel R. B. Mason, military governor of California, complaining of an outbreak in which the Indians had been committing depredations on his stock. As noted in the previous chapter, Warner told Benjamin Hayes in January, 1850, that in past times the Indians had annoyed him a great deal and that this was one of the reasons why he had made so little on his place. Once they stole all his horses and mules; but, in their hurry to drive them into the desert to the east, they took them down such a steep descent that all but five head were lost.

Still, Warner had to live with the Indians. He could not remove them from his property and if he had been able to do so he could not have handled the property. The question of labor was a question of vital impor-

tance to him, as it was to all other owners of large grants of land in those early days. There was practically no labor available except Indian labor. Whether Warner was any worse in his treatment of this labor than other men of his time in similar positions may be difficult to determine at this date. As we have noted in a previous chapter, Captain Johnston, in speaking of Warner's Ranch, said: "The labor is performed by California Indians, who are stimulated to work by three dollars per month and repeated floggings." But one of the principal criticisms against the way the padres had controlled the Indians ever since the missions were established was in connection with the "repeated floggings." Warner may not have been much better or much worse than others of his time. He certainly was not entirely different.

The secularization of the missions and the placing of the mission estates and the Indians in the hands of the people of the country naturally created more or less friction between the Indians and the Whites. The war between the United States and Mexico, during the continuance of which both sides bid for the support of the Indians, tended to increase this friction. After the war was over, some members of the Mexican population seem to have continued to encourage the Indians to maintain a hostile attitude toward their new masters. Injudicious treatment of the Indians by the new Anglo-American officials added fuel to the smoldering resentment, which finally burst into flame in November, 1851. The entire southern part of the state was affected, but the principal outbreak was at Warner's Ranch. It may be interesting to refer to the local newspaper of the time for our information concerning this affair. The *San Diego Herald* for November 27, 1851, contains the following account of the outbreak:

Our city was thrown into a high state of excitement, on Sunday afternoon last, by the arrival of an express from Agua Caliente, the residence of Hon. John J. Warner, State Senator, conveying the intelligence that the Indians,

who are numerous in that vicinity, had risen and attacked his ranch, destroying all of his household property, and driving away his stock, consisting of large and valuable bands of cattle and horses. On the 20th, Mrs. Warner was warned by a friendly Indian, that his people designed war against the Americans, and that the initiative on their part, would be an attack upon her house. Alarmed at this, Mr. Warner immediately despatched his family for this place, and proceeded to place his house in a state of defence. He caused his cattle to be corralled, and had four horses saddled and tied to his door, to be used to convey intelligence to his neighbors in case the Indians appeared. The following night, about 2 o'clock, Mr. Warner's house was surrounded by a party of Indians, numbering 100 strong, who deliberately drove away his cattle and attacked his premises. Mr. Warner, aided by two employees, opened fire upon the enemy, who returned it, killing one of his party. Ammunition soon becoming scarce, Mr. Warner deemed it prudent to retire; not, however, until he had satisfied himself that he had killed four of the enemy. The Indians rifled the house of everything it contained, and are now in arms in the mountains, defying the Whites, and boldly proclaiming their intention to massacre every White in the State.

The Indians have since killed four Americans at the Springs, making a total of *nine men* murdered since the commencement of this unhappy outbreak.

The same day, an express from Lt. Murray, the officer in command on the Gila, reached here, notifying the commanding officer of a hostile disposition being manifested by the Yumas and Cocopas, and of the killing of four Whites by the Indians. On the following morning, a message arrived from the residence of Don Juan Bandini, in South California, conveying the unpleasant news that the Indians of Lower California had been invited in a conspiracy, having for its object the annihilation of the Whites. When it is recollected that Warner's Ranch is distant from the point occupied by Lt. Murray, 130 miles, it will be seen that there is a probability that the entire Indian race, numbering some ten thousand souls, residing between Los Angeles and the Colorado River, are concerned in this outbreak.

We invite attention to the letter written by Antonio Garra, the chief of the principal tribe of Indians, to Don José Antonio Estudillo, one of our most respected citizens. This letter, together with some other circumstances that have

come to light, has induced the belief that some of the abandoned of the native population are co-operating with the Indians. The writer, Antonio Garra, received a tolerable Spanish education at the Mission of San Luis Rey, and is regarded by all who know him, as a man of energy, determination, and bravery. As one of the principal chiefs, his power and influence over the Indians is almost unbounded. Since the Sheriff of this county (most unwisely, in our judgment) attempted to assess and collect a tax upon his cattle, Antonio has exhibited the most malignant feelings towards our Government, and has been busy for weeks past in despatching couriers to the different tribes, inciting them to hostilities, and offering a co-operation on his part. The dark war cloud that has so long hovered over us, has burst, spreading terror and dismay throughout this widespread and thinly-populated county. The ball is in motion, and unless the most active steps are taken by the Government, at once, a protracted, ruinous, and vexatious war is before us, involving in its prosecution, many millions of money. Unlike the Indians of the North, our foes are a fighting people, not unacquainted with the use of fire-arms, and possessing some property, with an immense extent of country on the Gila, and beyond its confines, to which they can flee for security in case of being hard pressed.

Our citizens have, for some weeks past, apprehended trouble with the Indians, and on Monday morning last assembled in town meeting, and proclaimed "Martial Law"—the following, among other reasons, influencing this course of conduct. The County Judge (Hayes) has been absent from his post many months, and in consequence of his absence, our newly elected Justices of the Peace, are unable to qualify—leaving us almost entirely deprived of proper legal authority. Again, a portion of the native Californians were backward in volunteering to punish the Indians, and it was deemed prudent, under the circumstances, to bring them under strict military discipline.

The situation appears to have been serious, but the prompt and united action of the community soon made the Whites the masters of affairs and showed the Indians that any resistance on their part was useless. Investigations indicated that possibly two or three men were at the bottom of the whole movement. Antonio Garra, one of the principal chiefs of the Indians of the vicinity, and Bill (William) Marshall, whom

we have met at various times at Agua Caliente, were suspected as being the ones most responsible for the trouble. The *Herald* for December 11 gives the following account of their capture:

The company of volunteers which left this city on Thursday, the 27th ultimo, under the command of Major Fitzgerald, camped at the Solidad that night, and the next day pushed on towards Agua Caliente, where they arrived on Tuesday and proceeded to burn the town—the Indians having abandoned it. Warner's rancho, three miles this side of Agua Caliente, they found totally ruined—cattle driven off, agricultural implements burned, and the whole place made completely desolate. The dead bodies of two Indians were found near the ruins. Mr. Warner thinks he killed four, previous to his leaving the place, on the 21st, but as only two bodies were found, the supposition is that the others were only wounded, and afterwards made their escape. From San Isabel, Major Fitzgerald despatched three chiefs of that tribe—who were friendly to the Whites —to the place where Antonio was reported to have taken up his quarters, requesting that the Indians would come in and have a "talk" with the Americans, or meet them in open warfare. Two of them were detained by Antonio's party, and the other was allowed to return, with the report that Antonio was not with them.

In the meantime Col. Haraszthy went out with a small party and captured the notorious Bill Marshall, who is said to have ordered the murder of Mr. Slack and three others, at Agua Caliente. This Marshall is said to be from Providence, R. I., and came out to this country in 1844, in a whale ship, from which he deserted. He married a daughter of one of the chiefs of this tribe which has committed these depredations, and is believed to be the chief agent in banding together these hostile tribes of Indians. He is now undergoing a court martial trial at Old Town, which is not yet concluded. They have been engaged some three days in examining witnesses, and have not yet decided whether they will hang him or not. Col. Haraszthy is the presiding judge, and the prisoner is defended most ably by Major McKinstry—Judge Robinson in behalf of the State. The testimony, thus far, has been very conflicting, and many persons believe Marshall to be innocent, although the great majority are for hanging him. The principal witnesses against him are Indians, and their testimony cannot be received before a *legal* tribunal.

We learn through Mr. Tihlman, who went out with the volunteers that a friendly Indian by the name of Juan Antonio, and a Frenchman, have succeeded in capturing the chief, Antonio Garra, and have taken him to Los Angeles.

There are two Indian prisoners, who were captured with Marshall, now in confinement at Old Town, but they will not probably be tried till Marshall is disposed of. We shall delay publication till the last moment of the steamer's leaving in order to get, if possible, the decision of the Court in relation to Marshall.

The Volunteers have, we believe, been disbanded.

The trial of Bill Marshall and Juan Verdugo before a court-martial, and their conviction and execution, were announced in the *Herald* of December 18, 1851. On January 17, 1852, the trial and execution of Antonio Garra were reported. On the tenth of January an article appeared in the paper giving the following additional details:

Major Heintzelman and his command returned to town on Sunday last, from a highly successful campaign against the Indians in the mountains. We are indebted to a friend for the following interesting particulars which we hasten to lay before our readers. The troops at San Isabel were organized into two detachments respectively under the command of Major Heintzelman and Col. Magruder, and marched from there on the morning of the 19th ultimo, for the Coyotes. The first moved upon a road leading around the mountains to a ravine that debouched upon the desert. Col. Magruder followed the Indian trails leading over the mountains. On the 20th inst., the Indians became aware of the approach of the troops under Major Heintzelman, but concluded to fight him, apparently acting on the belief that their position was impregnable. The Indians had chosen their ground with great skill—their position on the one side flanked by a rapid stream of water, and the other by a morass that extended along their front, presenting a very serious obstacle to the advance of the troops. Very early on the morning of the 21st, Major Heintzelman having provided for the safety of his animals and baggage by detailing suitable guards, moved upon the enemy with twenty men, who advanced upon the troops (the valley vocal with their yells) and commenced the action by a fire from their rifles at a distance of twenty-five yards. The troops gained cover, and opened an effective fire, that

lasted but a few moments, when the Indians broke and fled in all directions, escaping up the mountains with the rapidity of deer. The Indians acknowledged a loss of eight, whilst on our side, no one was injured. After the engagement, quite a number of Indians came in. Major Heintzelman ordered a "Council of War" for the trial of the following named prisoners, who were known to have been prominent actors in the murder of the Americans at Agua Caliente: Francisco Mocate, chief of San Ysidro, Louis, Alcalde of Agua Caliente, Jacobo, or Oui-sil, Juan Bautista, or Coton.

The Council, after a patient hearing of the testimony, pro and con, condemned them to death, and sentenced them to be shot. The proceedings having been carefully examined by the commanding officer, were approved, and the sentence directed to be carried into effect under the supervision of the "Officer of the Day" at 10 o'clock on the morning of Christmas. At the appointed hour, all things being in readiness, the prisoners kneeled down at the head of their graves, and the firing detail, twenty in number, took up their positions. At the appointed signal, the guard fired, every ball taking effect. Some eighty Indians witnessed the execution. The happiest effects have already resulted from this most righteous punishment, and the entire community are loud in their praises of the determination and energy displayed by Major Heintzelman.

As has already been stated, the action on the part of the Whites was so prompt and decisive that the Indians soon saw that continued resistance on their part was not only futile but of the utmost folly. Peace was established and no further Indian trouble of any serious nature is recorded as ever having taken place in that vicinity.

Warner remained on the ranch until 1855, when, on account of the ill-health of his wife, he moved to Los Angeles.

XII

THE LEGAL HISTORY OF WARNER'S RANCH

AS NOTED in a previous chapter, the San José valley was granted to Silvestre de la Portilla in 1836, to José Antonio Pico in 1840, and to Juan José Warner in 1844. There were hundreds of other grants of like character which had been granted to colonists from one end of the country to the other. When California came under the jurisdiction of the United States, it became the duty of this government to adjust all these claims. To accomplish this a Commission was created by an act of Congress on March 3, 1851, the duty of which was to receive information concerning the various land grants and to pass judgment on the validity of the various claims. The decisions of this Commission were later confirmed or rejected by the United States district courts in California. Transcripts of the proceedings of the Commission are now on file, with the proceedings of the district courts, in the office of the District Court in the Post Office building at San Francisco. To these records we must now resort for information concerning the early legal history of Warner's Ranch.

Before considering the decisions of the Commission and the District Court concerning the property, however, it may be interesting to note a few items of general information which came out in the course of the investigations. When Portilla's claim was being heard before the District Court, one of the witnesses, Santiago Argüello, who had been alcalde

at San Diego in 1836, testified that Silvestre de la Portilla had left California, and had gone to Sonora about the middle of the year 1836, and that he did not return to California until 1851 or 1852. He further stated that the rancho was left in charge of Silvestre's brother, Pablo de la Portilla. Pablo used it for a short time himself as a stock ranch, but later sold it to Joaquin Ortega. No written document passed between the two when the sale was made, but Ortega took possession of the place in 1837 and occupied it for a number of years, when he traded it to the mission of San Diego in order to obtain a grant of a portion of the Pomó valley. A document signed by José Joaquin Ortega, himself, indicates that the transfer of the San José valley to the mission of San Diego in exchange for the tract in the Pomó valley was actually consummated on November 23, 1843.

As regards Pico's claim, it was brought out in the investigation before the Land Commission that this grant was for only the northern portion of the valley, the portion which had previously been occupied by the mission San Luis Rey. In the testimony of Andrés Pico, brother of José Antonio, it was stated that "in 1840 José Antonio Pico solicited the grant of said rancho from the government, having occupied [it] previously by three bands of horses and planted a vineyard. In consequence of hostility of Indians, Pico was compelled to abandon the ranch about the year 1842. There were some houses on the ranch prior to the grant, which had been built by the mission and abandoned by them. Pico built a house subsequent to the grant which was standing on the place when he left in 1842. He had, also, on the place a manager or superintendent who occupied the house." Both Ortega and Pico had abandoned the San José valley before Warner petitioned for it in 1844. The mission authorities at San Diego, at the time of Warner's petition, reported that the valley had been abandoned for two years, that the mission was unable to use it, and that, therefore, it might be granted to the petitioner.

In filing his claim with the Commission, May 31, 1852, Warner presented not only his grant but that of Pico as well. As we have already said, Pico's grant was for only the northern half of the valley, whereas Warner's grant was for the entire San José valley. But to play doubly safe, Warner obtained Pico's grant and a transfer of all of Pico's rights in it for himself, all of which was presented to the Commission. In due course of time, after examining a number of witnesses, the Commission finally approved Warner's claim, October 10, 1854.

The opinion of the Board of Commissioners was expressed as follows:

Two grants are presented and proved in this case: the first made by Governor Juan B. Alvarado to José Antonio Pico on the 8th day of June, 1840, the other by Governor Manuel Micheltorena on the 28th November, 1844, to the present claimant. The land embraced in the grant to Pico is designated by the name of Agua Caliente and that described in the grant to Warner is called the Valle de San José. On comparing the description of the two parcels of land and the maps which constitute portions of the two expedientes, it is manifest that the grant to Warner embraces the premises described in the previous grant to Pico. The place known by the name of Agua Caliente constituted the northern portion of the valley known by the name of San José, while the grant to Warner describes the entire valley—and the witnesses testify that the rancho claimed by Warner is known by these names, but more frequently it has recently been called Warner's Rancho. The testimony shows that Pico had set out some vines on the place before the grant was made to him and that he built a house on the place after the grant; but in 1842 he left the place, probably on account of the danger from the Indians, and does not appear to have done anything more in connection with it. The proof is scarcely sufficient to establish the performance of the conditions of the grant by him, while his absence from the place and the want of any evidence of an attempt to return to it after 1842 indicates an abandonment of it. It was so treated by Warner in petitioning for a grant of the same in 1844 and by the governor in making the concession to him. If, however, there was any remaining interest in said Pico by virtue of the grant to him, the present claimant has succeeded to that interest by virtue of a conveyance made

to him by said Pico on the thirteenth day of January, 1852. This conveyance is given in evidence.

I think, however, that the right of the present claimant must be determined entirely by the merits of the case based on Micheltorena's grant to him. This grant was approved by the Departmental Assembly May 21, 1845.

The testimony of Andrés Pico shows that Warner was living with his family on the place in the fall of 1844 and cultivating portions of the land. His residence on the place appears to have been continued until 1851, when the Indians burnt his buildings and destroyed his stock. Since that time his occupation has been continued by his servants.

In the grant, the description of the land petitioned for is such as to embrace the entire valley called San José as laid down on the map constituting a part of the expediente, giving well defined land marks and boundaries which the witnesses testify are well known objects. The valley is very irregular in shape and is surrounded by high hills. Juridicial measurement was required, and the quantity of six square leagues was granted, but as the measurement was never obtained, it is important to determine whether the grantee is entitled to hold the entire premises described in the grant. Using the scale given on the deseño referred to in the grant, the quantity included in the premises can not exceed six square leagues of land.

The testimony of the witnesses who were interrogated on the subject estimated it variously, some more and some less than the quantity conceded. On an examination of the whole case, however, we are inclined to the opinion that the petitioner should have a confirmation of the premises according to the description contained in the grant to him, and a decree will be entered accordingly.

The decree was issued confirming the grant of the entire San José valley to Warner, October 10, 1854.

As has already been stated, Silvestre de la Portilla returned to California some time after the discovery of gold. On November 8, 1852, he filed a claim for the San José valley on the basis of his grant of 1836. A number of witnesses were called in connection with the case, and the decision was rendered February 21, 1854.

The opinion of the Commission reads, in part, as follows: "The tes-

timony shows that the petitioner occupied and lived on the premises from 1834 or 1835 until 1836 or 1837. Whether any part of this time was in fact after the grant was obtained is left in doubt. The place was afterwards occupied by Joaquin Ortega and subsequently by Juan Warner, but whether they claimed under the petitioner or by another title adverse to him is not shown. It is at least doubtful whether this proof does not show defects in the petitioner's claim to an equitable title which must defeat his application. Another insuperable objection to a confirmation, however, renders an examination of this question unnecessary. In his petition for the concession the applicant solicited a grant of the place called the Valle de San José without giving the boundaries or the quantity of land. In the course of the investigation preliminary to the grant one witness swore that the valley was eight leagues long by five in width and one witness stated that the premises were three leagues wide by the same in length. The grant describes the land granted as that known as San José and the description in the concession of the grant restricts it to four square leagues of pasture land in the Valley of San José." The final decision was that the description was not definite enough to locate any specific piece of land, and the claim was rejected.

The two claims now passed to the United States District Court for Southern California, for ratification or rejection. On February 6, 1856, this court confirmed the decision of the Commission as regards Warner's claim, in the following words: "It is ordered, adjudged, and decreed that the said decision of said Commission be affirmed, and it is further adjudged and decreed that the claim of the above named appellee to the land as described in the grant is a good and valid claim and it is ordered, adjudged, and decreed that the same be and is hereby confirmed."

In order to make the confirmation final, the case was appealed to the Supreme Court of the United States; but on September 29, 1856, it

was announced that the "appeal in the Supreme Court will not be prosecuted by the United States," and the case was dismissed February 24, 1857.

This would seem to be a final decision in favor of granting the entire San José valley to Warner. Such, however, was not the result. The patent records show that only the northern portion, a little more than half of the valley, was actually patented to Warner, while the southern portion, south of Buena Vista, was patented to Portilla. To explain this, it is necessary to turn again to the records of the United States District Court for Southern California. Here we find that when Portilla's claim came up for consideration by that court, in spite of the fact that the court had already confirmed the decision of the Commission in approving Warner's claim to the entire San José valley in February, 1856, on February 23, 1857, it reversed the decision of the Commission as regards Portilla's grant and confirmed his claim to four square leagues of land in the same valley.

In arriving at its decision, the court disregarded completely the question as to whether or not Portilla had abandoned the property, and hinged its verdict entirely upon the fact that the grant had been made to him by Gutiérrez, acting governor of California, in 1836. The grant called for four square leagues of land in the San José valley. It is evident from the expediente that it was the intent of the grantor that Portilla should receive the entire San José valley, but the amount stipulated was four square leagues. Although there was considerably more than that amount in the valley, the claim was approved for that amount to be located in the valley in question. This decision was rendered on February 23, 1857, a year after the same court had approved Warner's claim to the entire San José valley. The Supreme Court of the United States, at its December term, 1863, rendered a decree dismissing the case, thus confirming the decision of the lower court.

It might be argued that, even though Portilla's claim was confirmed, the property would naturally have passed to Warner in view of its having been transferred to Ortega and by Ortega to the San Diego mission and abandoned by the mission. But such was not the case. Both Warner and Portilla shared in the expense of the final survey. Portilla's grant, containing 17,634.06 acres, was patented January 10, 1880; Warner's, containing 26,688.93 acres, was patented six days later, on January 16.

As regards Warner's 1846 grant, "the Board of Commissioners rejected the claim upon the sole ground that the grant or title being actually made on the first day of August, 1846, and after the 7th day of July of that year that the power of the Governor had ceased . . . in consequence of the raising of the American flag at Monterey at that time." This decision was rendered July 17, 1855.

The District Court, while disagreeing with some of the reasons and arguments of the Commission, accepted its final verdict and rejected the claim September 14, 1860.

On March 25, 1856, some eight months after the Land Commission had rejected his claim to this grant, but before the District Court had passed upon it, Warner deeded this tract of land, known as the Mesas of Camajal and Palomar, situated to the west of the San José valley, to Henry Hancock for $750.00.

As previously stated, Warner moved onto the ranch with his family in 1844 and remained there until driven from the place by the Indian uprising of 1851. Just how long he remained off the place after that event is not certain. His grand-children speak of his having taken up his residence in Los Angeles in 1855, which would seem to indicate that he had moved back to the ranch some time before that year. During 1851-52 he represented San Diego county in the legislature, and it is doubtful whether he spent much of his time on his ranch during that period. Finally, due to the ill-health of his wife, in 1855 he made his

home in Los Angeles. Here his youngest child, Amanda Conception, was born on September 13, 1855. Until this time Warner had claimed and occupied the entire San José valley. It was not until February, 1857, that Portilla's grant was confirmed by the District Court.

All in all, the ranch seems to have been a rather unprofitable venture, possibly due to trouble with the Indians and losses resulting from such trouble. On May 2, 1859, a portion of the ranch (one square league) was sold to J. Mora Moss by the sheriff of San Diego county to satisfy an attachment made by Moss for $22,202.13 due him. Moss took the property on a bid of $500.00. The balance of the ranch was deeded to John Rains by the sheriff, following a judgment in court of January 19, 1861, in which John Rains was given judgment against Warner and his five children. The ranch was sold at public auction to satisfy this judgment on February 26, 1861, to Rains, for $2,776.15, apparently the amount of the judgment.

The Portilla grant was deeded to Vincenta Sepulveda de Carrillo, November 6, 1858. Thus Warner's Ranch (including the 1846 grant) was broken into four parts, the last of which passed out of Warner's hands in February, 1861.

For a decade and a half it remained in this condition, during which time parts of it passed to different individuals. The parts were sometimes all rented to one individual and sometimes occupied by the several owners. During this time the unity of the entire valley as a stock or sheep ranch was seen by all who knew the place, and the advantage of having it under one management was well recognized. Various persons attempted to obtain the different parts. One of the prospective buyers was Dr. John S. Griffin. In investigating the property he applied to Judge Benjamin Hayes for advice. Judge Hayes' letter to Griffin, written in 1869, contains so many items of historical significance that it seems advisable to include the entire document in the present account.

It is as follows:

Yours was received this evening. For fear of engagements to-morrow, I will state at once all I know in regard to the qualities of San José del Valle (Warner's Rancho). I am the better able to give it a good name from having seen George V. Dyche here to-day, who lived on it a long time in charge of the Rains stock. I have also had a conversation with Don José Antonio Serrano, who is well acquainted with the land.

Both concur, and they agree with the accounts I have always had for many years, that it is a splendid ranch for sheep, owing to the abundance of pin grass (alfilerilla) and clover, as well as the bunch grass upon the hills that surround the valley. No ranch in Southern California is better watered. It is good also for horse stock—being free from lions.

It must be remembered however, that once in a while it will have a snow storm—this seldom in a long series of years. In the winter of 1865-'66, snow fell in the valley to the depth of several inches. Dona Vicenta Sepulveda then had to remove her sheep. This can be easily done. It is only necessary to descend a few miles along the Temécula road; or better about four leagues down the San Luis River, to Pauma where there is plenty of grass and water and a climate milder even than that of the port of San Diego.

From all the information I have I would say that San José del Valle is the best sheep ranch in this part of the State. Of course for such flocks as Flint and Bixby have more territory would be required.

I once camped two weeks, in January, 1850, in this rancho, with a number of travellers, just from Missouri. The weather was not severe—the days very pleasant. When we left, our mules were fat and fresh, as when we started on our tramp. I was there afterward, in 1862, and again in August, 1867. In 1860 John Rains put on it about 1600 head of stock cattle. In 1865 Dyche accounted to the Receiver for over 5000 head: and that after losses by the Indian depredations and partially by the drought of 1863-'64. There are five rancherias of Indians in its vicinity and on the land. These have to be fed now and then with beef. This is not so great a drawback for sheep as it would be for cattle.

As to the Indian *title*—I regard this as merely possessory: still it is the right of possession, which is of some importance. I know of no state law or state

authority, that could at present dislodge, for example, the Indians of the village of Agua Caliente. Their planting grounds surround the famous Hot Spring. This is of great value. When I was last there (1867), they seemed to regard the immediate vicinity of the Spring as their own. I paid them a dollar for my bath, at the rustic bathing establishment they have constructed, consisting of two goods' boxes sunk in the ground, sheltered by a *ramada*, and communicating with the spring by means of a trough a quarter of a mile long.

J. J. Warner, I believe, used to claim their little vineyard: and came near losing his life when they rose in insurrection in 1851. But I think when they find the ranch to be in full occupation by its owner, at this late day, and especially as their villages are fast diminishing in population, they will begin to look more seriously to the Federal Government, for aid to plant them at some other place.

What the country needs for the profit of that whole mountain region, is the removal of these Indians to a reservation. Until this can be done, the owners of San José del Valle, Temécula, Santa Ysabel, and the other large ranchos, will have to bear with this possessory claim, which in most cases, I believe, is especially mentioned in the original grants: among them, in the grant of San José del Valle.

From your letter I infer, that you are in a strong disposition to purchase this rancho, and it seems to be almost necessary for you to do so. I put its value at $30,000. It may be worth more, really. I have never been inclined to overrate lands. Dyche says it is worth $40,000. Looking to railroad enterprises it is situated convenient to either of the routes which the 32d parallel road must take, in order to enter California, whether by Jacume or by San Gorgonio. In this point of view, its agricultural advantages are not unworthy of notice. And these are always spoken of highly, with the single exception of grasshoppers—so destructive at times there to the grain crop.

I really wish you would purchase the rancho. But I do not feel entirely satisfied, to advise you to give $37,500. No doubt there are men who will give it. From what I see around me, I am convinced, that the lands in this county, about September next, if not sooner, will run up far beyond prices of last year. The rancho of San Bernardo, about half way from this City to Warner's sold for $36,000. Two dollars per acre is beginning to be the standard price asked

for other ranchos. San Bernardo has four square leagues (Warner's six). I have been over it repeatedly. It will bear no comparison with San José del Valle.

Here we are in the midst of a great railroad excitement: public meetings, enthusiastic speeches; re-sounding of the bay; subscriptions of lots and lands by private citizens, to the enterprise; and last but not least, an actual sale by our San Diego and Gila Railroad company, of its whole stock and lands (2 square leagues) to the Southern Texas and Pacific company.

It is declared by Gen. Hunter, who is now here, that "ground will be broken within 90 days." Now, one effect of this is certain, if no other (within several years), namely, that our lands will almost immediately go up, all over the country. I advise you of this new phase of things, in order that you may lose none of the elements material for a safe calculation, in your proposed purchase.

In reference to the title, it is well for me to repeat, that I entertain no doubt of the right of Pioche and Bayerque, through J. Mora Moss, to one square league of San José del Valle, as confirmed to J. J. Warner. I have examined this matter minutely, having been professionally called upon to do so.

I am truly yours

BENJ HAYES.

By about 1875, the entire rancho, one part after another, passed into the hands of Louis Phillips and John G. Downey, and later (April, 1880) to Downey alone.

But there still remained the necessity of extinguishing the Indian title to the portions claimed by the different rancherias. It is true the Indians had nothing but the rights of possession in their favor. They held no written documents, and no title from the government, but they had been living on the land from the time the Spaniards first discovered the valley, and nobody knows how long before that time. They considered it home; there they had been born; and there generation after generation had been buried. They had no written documents to guarantee their title; but, from their code of laws, they needed none. They knew, and their neighbors knew, and even the Whites knew, that it was their home. Until the White Man came there was no question as

to its ownership. But the White Man had come, and with him a new code of laws. This code said that all the land belonged to the White Man's government. The Red Man must come to the White Man's government and ask for the privilege of living on the ground which had been the Red Man's home for countless generations. The Red Man did not understand that it was necessary for him to do this, or why it was necessary. He did not come, and the land was given to White Men. And the land around him on every side was given to White Men, too. The Indians had no place to go; so they stayed where they were. But the White Man continued to say, "This is my land, and I want it; my government has given it to me, and you must go."

The case went through the courts—the White Man's courts, of course. In 1900, in the case before the Supreme Court of the State of California known as J. Downey Harvey, Administrator, *et cetera, et al.*, Respondents *vs.* Allejandro Barker, *et al.*, Appellants, it was decided in favor of the White Man. The Red Man appealed his case—this time to the White Man's highest court, the Supreme Court of the United States. On May 13, 1901, this court confirmed the decision of the lower court and the Red Man had no further recourse. The title was established in favor of the White Man. Once and for all the land was his. The Red Man must either fight or submit. There was nothing to be gained by fighting; so he submitted. But where was he to go?

Happily, the story does not end here. The White Man's government did not this time turn the helpless Red Man out of his old home—the home of his fathers for countless generations—without helping him to find a new one. It found him a new home and gave him a title to it. Our next chapter will tell of the finding of this new home.

XIII

FINDING A NEW HOME FOR THE INDIANS

LONG before the case was decided in the courts, by which the Downey estate obtained a clear title to Warner's Ranch, various friends of the Indians had undertaken to find some solution of their difficulties, either by securing a new home for them or by establishing a perfect title to the one which they already had. One of the more enthusiastic of the sympathizers with and supporters of the Indian cause was Mrs. Helen Hunt Jackson, author of "Ramona," "A Century of Dishonor," and other works calculated to arouse popular sentiment in favor of the Indians.

The matter had been brought, also, to the attention of the United States Commissioner of Indian Affairs and reported by him a number of times, notably in 1875, 1880, and 1884, to the Secretary of the Department of the Interior. As early as 1875 we find the following comment in the Commissioner's report, which indicates how the matter stood at that early date and illustrates the process by which conditions were rapidly becoming worse: "For the past eight years," he says, "Southern California has been filling up by emigration; Spanish and Mexican grants have been 'determined' in such a way as to cover choice tracts wherever found; large ranches have been cut up and the desirable portions of public domain pre-empted; and thus all available agricultural lands have been seized or occupied by individual owners, who, in con-

formity to law, have become possessed of the lands on which the remnants of a few thousand Mission Indians are making their homes in San Diego and San Bernardino counties. So long as the pre-emptors and purchasers did not require the lands for use or sale, the Indians were allowed to remain undisturbed and in blissful ignorance of the fact that the place they called home had by law passed to the ownership of another. Of late, under the increasing demands for these lands, writs of ejectment are being procured by which the Indians are forcibly dispossessed and turned adrift in poverty and wretchedness."

"In 1876," to quote the words of Miss Du Bois, "the Government awakened to the fact that something must be done for these Indians, and reservations were then set apart for them, but such reservations must of course be made from Government land remaining at that time unclaimed, and none was left of any real value."

In 1883, Mrs. Jackson and Abbot Kinney were appointed as special agents to investigate the condition of the Mission Indians, and in their report they throw some light upon the way the reservations were established. "All the reservations made in 1876," they state, "and that comprises nearly all now existing, were laid off by guess, by the surveyor in San Diego, on an imperfect county map. These sections, thus guessed at by the surveyor, were reported by the Commissioner to the Interior Department, set aside by Executive order, and ordered to be surveyed. When the actual survey came to be made, it was discovered that in the majority of cases the Indian villages intended to be provided for were outside the reservation lines, and that the greater part of the lands set apart were wholly worthless."

To make matters worse, independent surveyors frequently ran "float" reservation lines where they and their friends wished them to run, instead of where the Government, looking to the interests of the Indians, had intended.

Thus matters stood when Helen Hunt Jackson and Abbot Kinney were appointed, in 1883, as special agents to investigate the condition of the Mission Indians of Southern California.

After making a careful survey of the Indian situation they submitted their report in July, 1883, to the Commissioner of Indian Affairs, who in turn forwarded it to the Secretary of the Interior. In their report they pointed out the need of "determining, re-surveying, rounding out, and distinctly marking" the reservations already existing as being "the first and most essential step, without which there is no possibility of protecting these Indians or doing anything intelligently for them." They further recommended that all Indian reservations, both those already set off by Executive order, and all new ones to be made for them, be patented. They also advised the purchasing of two ranches, at an aggregate cost of $126,000, for the use of these Indians. Various other recommendations covered the needs for schools, agricultural implements, clothing, etc.

In transmitting the report, Commissioner Price agreed with every item except the one advising the purchase of the two ranches. He pointed out the necessity for immediate action in the following words: "Former neglect," he said, "to provide for these Indians has increased the complications which existed over ten years ago, and longer neglect will increase them beyond extrication."

Still the years rolled by, and but little was done to improve the condition of the Indians until, by legal process, in 1901 they were actually ejected from their old homes. Writing on this subject in May, 1901, Charles F. Lummis summed up the situation as follows: "It was in 1883," he says, "that Helen Hunt Jackson and Abbot Kinney, as special agents of the government, reported on the condition of the Mission Indians. It is not comfortable reading for an American jealous of his country's fame. But as truthful a report now would be far more stinging. . . . It is

now an absolute and indisputable matter of fact that the Mission Indians of Southern California, particularly in San Diego county, have been swindled out of practically all the land on which it is possible for even them to make a living—even the barest living. And when I say 'swindled' I mean it every letter. Fraudulent surveys; progressive advance of the walking fences some of their chivalrous neighbors have invented; and frequent cases of forcible dispossession by a class of White squatters who are less men than any Indians I ever knew. . . . these have been the proud methods we have permitted our law-breakers to pursue.

"Mrs. Jackson fully advised the government of all these things as they then were—and they were already more than bad enough. But the government has practically not turned over its hand. If it did, its hand did not weigh much; for the thing has gone from bad to worse, from worse to a shame that cries to heaven. These people are starving now. They have been driven off the land that could feed them even on wild seeds. They have been robbed of their water in the desert, robbed of their cattle and their houses, robbed sometimes even of their towns. The government does not feed them, as it does dangerous Indians. It does not supply them. Its agencies are so useless and incompetent as to be ridiculous. And it does not even protect them from thieves and bullies of our own people."

But a better day was about to dawn. With the decision of the Supreme Court came a new awakening of enthusiasm in favor of humane treatment of the Indians. "Something must be done—and something is going to be done—for the Mission Indians of Southern California," wrote Lummis in July, 1901. "A little meeting of ponderable people in June decided to form an organization which will have a strength and 'pull' that even the politicians will have to respect." The organization finally took form under the name of "The Sequoya League," with an

executive committee composed of the following noted men: David Starr Jordan, C. Hart Merriam, George Bird Grinnell, D. M. Riordan, Richard Egan, Charles Cassatt Davis, and Charles F. Lummis; and an advisory board including, amongst others, such prominent people as Phebe A. Hearst, Archbishop Ireland of St. Paul, U. S. Senator Thomas R. Bard, Major J. W. Powell, Edward E. Ayer, Estelle Reel, W. J. McGee, F. W. Putnam, and F. W. Hodge.

"The plans of the league," wrote Lummis in February, 1902, "have been carefully outlined in personal conversation with President Roosevelt, Secretary of the Interior Hitchcock, and Commissioner of Indian Affairs Jones, and by them all and severally heartily approved and promised personal co-operation. U. S. Senators Geo. C. Perkins (of California) and Boies Penrose (of Pennsylvania) have promised their assistance. Edward Everett Hale and ex-President Cleveland express their cordial interest in the League's work, of which the next issue of *Out West* will give a concise forecast. The magazine will be the official organ of the League and will keep pace with its aims and its acts."

Thus a movement was launched with such sufficient backing and support, and means of communicating its ideas to the people, that it was certain to have effect. Even before the organization was consummated, the following memorial to the Commissioner of Indian Affairs was drawn up at a meeting in Los Angeles, November 22, 1901, of fifty representative people and forwarded to Washington by Senator Thomas A. Bard:

To the Honorable Commissioner of Indian Affairs, Washington, D. C.

Sir—In view of the fact that some 300 Mission Indians are about to be evicted under process of law from the homes their ancestors have occupied for centuries . . . and have absolutely nowhere to go when evicted; and of the further fact that the entire status of Indian tenures in Southern California is not and never has been satisfactory . . . we beg your serious attention to our suggestion that a commission of not less than three persons—of whom at least one should

be a reputable citizen of Southern California and reasonably familiar with the specific facts—should be appointed promptly not only to deal with this case of imminent importance but also to devise a logical and permanent adjustment of the whole question.

Your memorialists speak in behalf of a permanent organization now preparing to incorporate under the laws of California for the express purpose of securing for the Mission Indians a treatment more just and more rational than they have ever yet received, as from the Government and from individuals.

The more urgent needs of the case are briefly set forth in the appended memorial; but we cannot too strongly remind you that the entire subject is one that needs intelligent attention and at once.

In the congress which convened a few weeks later, the measure was introduced upon the recommendation of the Secretary of the Interior in his communication submitted to the Senate on January 27, 1902. A bill was presented providing "for the purchase by the Secretary of the Interior of a suitable tract of land in Southern California for location thereon of such Mission Indians heretofore residing or belonging on the Rancho San José del Valle, or Warner's Ranch, in San Diego county, California, and such other Mission Indians as may not be provided with lands elsewhere as the Secretary of the Interior may see fit to locate thereon."

The bill carried an appropriation of $100,000 for the purchase of such a tract, with the provision that a portion of that sum, not exceeding $30,000, might be expended for the expense of removing the Indians to their new home and purchasing building material, agricultural implements, subsistence, etc.

With the aid and co-operation of the Attorney-General, the Department of the Interior effected an arrangement with the owners of Warner's Ranch, whereby the Indians were permitted to remain in possession of their old homes until legislative action could be taken.

The owners of the ranch could not be persuaded, however, to make

an offer to sell to the Government the lands occupied by the Indians, or any part of the tract which would be suitable, in quantities or at prices which the Department could accept. Their only offer was to sell 30,000 acres at the price of $245,000. The Secretary of the Interior, realizing the necessity, under these circumstances, for prompt action in making proper provision for these homeless wards, detailed Indian Inspector James McLaughlin to proceed to the Mission Agency for the purpose of selecting, if possible, from the public domain, or of acquiring by purchase from private owners, a suitable tract of land to which these Indians could be removed.

The inspector submitted twelve definite propositions for sale to the Government of various tracts of land, containing from 1,148 acres up to 30,000 acres, prices ranging from $28,360 to $250,000. Upon the inspector's recommendation, the Department selected a tract containing 2,370 acres known as the Monserrate Ranch, which could be obtained at $70,000, as the one most suited for the new location.

Everything seemed to be moving along smoothly until a strenuous protest was presented by the Sequoya League. Their request for the appointment of a committee to investigate conditions and recommend action had apparently been ignored. The selection of the Monserrate Ranch, however, brought them to their feet and called a halt to the action in Congress. The matter was brought to the attention of Congress through the action of Indian Commissioner W. A. Jones. On March 6, 1902, he sent the following communication to the Secretary of the Interior:

Sir: I have the honor to state that I am advised by Hon. Thomas R. Bard, United States Senator, who is greatly interested in the welfare of the Mission Indians, of Southern California, and especially the so-called Warner's Ranch Indians, who are shortly to be dispossessed of their holdings on Warner's Ranch, that it would be a step in the right direction to obtain legislation authorizing

the President to appoint a commission of five citizens, to serve without compensation, to investigate the conditions and needs of these Indians.

Senator Bard informs us that he recently had a conference with the President, and that the latter expressed his interest in the matter, and stated that he would communicate with you on the subject immediately.

It appears to the Senator that at this time the services of such a commission are needed by the Department in the matter of selection of a location for the Warner's Ranch Indians, and he urges that Congress be asked to appropriate a sufficient sum to cover the expenses of a commission by the incorporation of an item in the Indian appropriation bill now pending in the Senate.

Agreeably with the suggestion of Senator Bard, there is transmitted herewith the draft of an item providing "for expenses of a commission of five citizens to serve without compensation to be appointed by the President to investigate the condition and needs of the Mission Indians of Southern California, two thousand five hundred dollars, to be immediately available," with the recommendation that the same be submitted to Congress for favorable consideration in connection with the Indian appropriation bill.

On March 15, 1902, Commissioner Jones' letter was forwarded to the Senate with the recommendation for the appointment of the proposed commission. The matter was referred to the committee on Indian Affairs and a suitable amendment incorporated in the bill.

In the April issue of *Out West* it was announced that "dispatches from Washington, as this number is on the press, state that the special Commission asked for by the League in its Memorial of November 22 has at last been decided upon by the proper authorities; to investigate the needs of the Mission Indians evicted by law from their immemorial homes, and to select a proper location for them, which the Government will purchase. Thus, after more than four months of patient but steady pressure, the League wins its first campaign—thanks to the staunch and earnest advocacy of Senator Bard, the personal interest of President Roosevelt, and the cooperation of the Commissioner of Indian Affairs, Hon. W. A. Jones. It is understood that the Commission will

be named without delay, and will enter upon its long task immediately thereafter."

It was May 27, however, before the bill was finally approved. The Commission was appointed the following day. It consisted of Russell C. Allen of San Diego, a classmate of President Roosevelt and a resident of California for 20 years; Charles L. Partridge of Redlands, who had lived in California for 6 years; Charles F. Lummis, whose home had been in the state for 18 years; William Collier, attorney and local resident for 18 years; and R. Egan of Capistrano, a director of the Santa Fé railroad lines, and an engineer familiar with all Southern California for 34 years. Lummis was appointed chairman. With two and a half holidays (Memorial Day, Saturday, and Sunday) intervening, they were outfitted for the trip and in the field (meeting at Riverside) at noon of the following Monday, June 2. In the July issue of *Out West*, the Commission was able to report its field work completed. It had traveled over 500 miles by wagon, besides several hundred miles by rail, and had examined and annotated many hundreds of thousands of acres. "Over forty proffers have been considered," wrote Lummis. "Some thirty-odd ranches have been examined. All waters have been measured and all claims cross-examined. The general protest against the Monserrate has been more than justified. A dozen properties have been found which are far better for the purpose and far cheaper."

The August issue of the magazine referred to reported that the preliminary report of the Commission had been sent to the Secretary of the Interior. In the September issue it was stated that the final report had gone forward to the Government on August 28. But it was not until February 20, 1903, that final action was taken and the announcement of its decision made by the Government.

The March issue of *Out West* published the telegram addressed to Charles F. Lummis, chairman of the Commission, which stated: "You

are authorized to make public the results of the Warner's Ranch Commission work." This made it possible for him to give an account of the findings and decisions of the Commission, which he proceeded to do as follows: "Next month," he states, "will begin in these pages a full description, fully illustrated, of the new location, and also of some other matters brought out in the Commission's work. . . . Meantime it may be stated that the lands to which the Warner's Ranch Indians are to be moved, and upon which they will be safe from further eviction, are in the Pala valley, in San Diego county, California; about 40 miles from their present home, 29 miles inland from Oceanside, and 16 and 12 miles respectively from the nearest railroad stations, Fallbrook and Temécula. The land is 3,438 acres, of which over 2,000 acres are arable, over 700 acres irrigable under present development—which can be greatly increased—and 316 acres of it now cultivated by irrigation, besides a large quantity in grain. At their old home, the Indians had about 900 acres, of which possibly 200 acres are arable and 150 irrigable. The quality of the land at Pala is far superior, and the water supply is about eight times as great; there is a huge supply of timber; and in fact Pala is immeasurably superior to Warner's Ranch in every material consideration, except the hot springs. This is consoling to those of us who have most lamented that the Indians could not keep their old homes —as of course they would rather do than move to any paradise. The Pala valley is not a tiny corner of some vast desert ranch, but a fertile, bowl-shaped valley now occupied by 15 families of farmers. Their improved farms are what the government is now purchasing; and the Indians will have the valley all to themselves. The details of this location —doubly interesting because this will be the first time in our history that Indians have been given better lands than they were driven from, and more lands—will be printed in the April number, with many photographs, showing not only the scenery but the water supply and the

growing crops of all sorts found by the Commission. "From the business side it may be mentioned now, that the Government was about to pay $70,000 for 2,370 acres, with practically no water supply whatever; and that it is now getting over 1,000 acres more land—and better land—and more than 500 times as much water, for $46,230. It is expected to be able to apply this saving of over $23,000 to further relief of Mission Indians."

In the issue of *Out West* for June, 1903, we read: "The first installment of the Warner's Ranch Indians were successfully moved to their new home at Pala in the second week of May, and were at once set to work in preparing their houses and lands. At this writing there is every reason to believe that the remaining exiles will be as successfully transferred. All the hysteric talk about 'bloodshed,' 'armed resistance,' 'dying in their old homes,' and that sort of thing, reiterated by yellow reporters until some of the Indians themselves echoed these foolish phrases, came to nothing. The people from the Hot Springs were transported by wagon without the slightest resistance; and these are the only ones who have made any talk whatever of resistance."

This, we may say, closes one long period in the history of Warner's Ranch—the period in which the Indians play a very significant part. With their removal to Pala a new era opens for the San José valley—the period of modern, twentieth century development. This is the story of the next, and last chapter of the present study.

XIV

WARNER'S RANCH AND LAKE HENSHAW

THE character of the streams of Southern California, notably those of the San Diego region, is erratic. Winter floods, often of great violence, are succeeded by periods of extreme drought. A cycle of years of abundant rain is followed by one of slight precipitation, so that storage must be provided to hold over water from years of plenty for the dry seasons that are bound to come. Therefore an extensive water development, consisting of large interlocking reservoirs and hundreds of miles of distributing systems, is a *sine qua non* for any signal and steady development of agricultural and industrial wealth. By far the greater part of the rainfall is in the mountains. In San Diego County the precipitation in the mountains is from two to three times greater than along the coast. Extensive water development, therefore, means reservoirs in the hills and conduits to the coast—the "mountain-to-meter" system.

The experience of the City of San Diego illustrates this principle. The earliest supply of water for domestic purposes was drawn from local wells and peddled about town for "two bits a pail." In the early seventies two small reservoirs, into which water was pumped from artesian wells, were built at Pound Canyon. In 1875 another was built on University Heights, into which water was pumped from the San Diego River. At last, in 1899, these makeshifts gave way to the first supply of mountain-water, which was brought in from Lake Cuyamaca by the

San Diego Flume Company. During the drouth of 1895-1905, Cuyamaca Lake dried up, and the water company, like many other water-users in the County, resorted to pumping. In the meantime another project—initiated (1886) as the Otay Water Company but, with the advent (1895) of Spreckels-capital into the concern, known as the Southern California Mountain Water Company—had developed another supply by constructing the Morena and Otay dams. This system was bought by the City in 1912. In 1916, a great three-day storm on January 26, 27, and 28, carried away the Lower Otay dam in a spectacular and disastrous flood. The reconstruction of the dam was not completed until the fall of 1919. The problem of a sufficient supply steadily grew. Other projects were undertaken by the City, such as those at Barrett and at El Capitan, on the San Diego River. In 1888 the Sweetwater Reservoir, later enlarged to twice its original capacity of five and a half billion gallons, was built by a private company to meet the general need of irrigation and to afford a domestic supply for National City and Chula Vista. But all these enterprises fell short, not only of securing a supply sufficient for the almost immediate future domestic needs of the City and its adjacent towns, but also of meeting the problem of irrigation for agricultural purposes. Hundreds of thousands of acres of rich soil needed only a steady irrigation to produce vast results. Thus the wealth of the County, like the size of the City, is primarily dependent upon impounding vast quantities of water in the mountains that parallel the coast.

Now, as far back as 1869, Judge Benjamin Hayes had written to John S. Griffin, as has been already noted, to the effect that no ranch in Southern California was better watered than San José del Valle; and long before that, the early travelers, Spanish and American, in their diaries had commented upon the rich verdure of this huge bowl in the dry hills back of the semi-arid coastal plain. These remarks were un-

conscious prophecies of the use Warner's Ranch would be put to once the San Diego region, having been tapped by a transcontinental railway, should be thrown open to exploitation. The valley that by its richness for centuries had supported careless Indians and grazing herds, was destined by the very topography of the region to become a reservoir of waters to irrigate thousands upon thousands of acres lying between it and the sea. The territory of the Ranch from about 1888, when U. S. Grant, Jr. and George Puterbaugh proposed to build Warner'sDam, to the Christmas of 1922, when the Henshaw Dam across the San Luis Rey was completed, is the story of the gradual realization and final accomplishment of this inevitable function of the valley.

But before that story is told, a word or two must be said on the related subject of railway development. As far back as 1853 the surveyors of a Pacific railway had passed through Warner's Ranch. Warner himself, on his trip East in 1840-1841, had spoken and written in promotion of the idea of a trans-continental line. When Hayes wrote his Griffin letter in 1869, the people of San Diego were excited by rumors and promises of railway development. The magnificent dream was that San Diego, with its great harbor, should be the western terminus of the line from the East. But the dream was doomed. San Diego had looked to the Southern States for support of its hopes for a line along the 32d parallel. The Civil War left those states impotent for such an enterprise. In 1873 another scheme, that of Thomas A. Scott of the Pennsylvania Road, fell through. But with the coming of the Atchison, Topeka & Santa Fé road, in 1883, a fever of exploitation set in. The coast from the San Luis Rey River to the Mexican line was subdivided into town lots. Many of the interior valleys caught the contagion. The mild climate and the charm of the sea set imaginative minds dreaming of a great region crowded with attractive homes. But it was not realized how much time, wealth, and intelligent effort would be required to

convert practically unoccupied Spanish ranchos into successful farms, towns, and resorts. The boom collapsed in 1888. In 1890 the population of San Diego was 16,156, as against 2637 in 1880; but from 1890 to 1900 the city gained only slightly over 1500 in population.

During the boom of the 1880's, gambling in real estate, not constructive investment, was, of course, the engrossing interest. Yet even then the first attempts to develop an irrigation system were undertaken. The Linda Vista and Escondido irrigation districts were formed to develop some of the "back country." The former failed entirely. The latter built a bold conduit from the San Luis Rey River, unsupported by proper stream regulation, to the Rincon del Diablo Grant, founded the town of Escondido, and made a limited showing of the transformation in population and production that follows the advent of water on the inland valleys. The Escondido Irrigation District, however, was unsuccessful financially, and its bonds were retired on a 50% basis. The water-users re-organized as the Escondido Mutual Water Company, an organization that has continued to the present time. Between about 1888 and 1892 Judge George Puterbaugh and his associates, as has been suggested above, made an earnest and sustained effort to develop the north coastal region of San Diego County by the construction of a dam at Warner's Ranch itself, on the San Luis Rey River. But they were in advance of their times; and during the following decade northern San Diego County experienced such a set-back in growth that it would have been more fortunate had it not been exploited by the great real-estate boom.

The next step was not taken for many years, and it required a brave man to take it. The history of irrigation development in the County was the reverse of encouraging. Moreover, though irrigation in other arid districts of the United States has very generally created great community-wealth, the investment of private capital in such ventures

has not been attended with any attractive measure of success, except in projects that have combined land and water interests. Again, the laws relative to water-rights in California are notoriously discouraging to constructive enterprise in irrigation. Finally, the cost both of building reservoirs large enough to store sufficient water to insure delivery during a continuous series of dry seasons, and of constructing the huge distributing system necessitated by the varied physical features of the County, was very great.

Despite these facts one man had vision enough to see the possibility of carrying on, courage enough to undertake the task, and wit enough to devise methods of overcoming all obstacles. Daring, brilliance, versatility, and knowledge born of experience in great financial undertakings, were necessary to the achievement.

William Griffith Henshaw was born in Ottowa, Illinois, March 28, 1860. His father's and mother's families date back to Colonial days. The first Colonial ancestor on his father's side was Joshua Henshaw, who died in 1719 at the age of seventy-seven years. Upon his mother's side he was the descendant of Jonathan Edwards and Daniel Tyler. Daniel Tyler married a Miss Putnam, daughter of General Israel Putnam, served on General Putnam's staff, and was his adjutant at the Battle of Bunker Hill. Through the generations these families bore their full part in the wars of the country, Mr. Henshaw's father serving through the Civil War and dying in the service at its close. William G. Henshaw, therefore, was reared in an atmosphere of devotion to the service of his country, and certainly his own share in the building of his adopted State proved no slight matter. His widowed mother moved to California, with her three sons, in 1873. A fourth, much older son, had preceded them. A home was established in Oakland. The boys graduated from the Oakland High School. Upon graduation William declined a college career, preferring to enter at once into business. Later he mar-

ried Hetty Tubbs of Oakland, daughter of Hiram Tubbs. To them were born three children: two daughters, Alla and Florence, and one son, bearing the name of his father. At the outset, Mr. Henshaw dealt in real estate. Later, as fortune favored him, he engaged in other enterprises, each one of which looked to the development of the State. Besides the development of lands and the erection of improved business blocks, these enterprises included the founding of a company for the manufacture of an improved illuminating gas, the providing of an additional ferry system between Oakland and San Francisco, the organization and for many years the direction of the Union Savings Bank of Oakland, the erection of the Union Savings Bank building, which was the first "skyscraper" in Oakland; the financing, erection and operation of a cement plant at Napa, California, and, later, the construction and operation of the Riverside Portland Cement Plant. He was also one of the organizers of the San Juan Cement Company. Other business interests involved banking, salt, oil, and mining. To all these works he brought a brilliant, greatly conceiving imagination, and a keen, far-seeing judgment that, once formed, caused him to support his undertakings with all the strength of mind and other resources at his command. He enjoyed the enviable reputation of having had no business failure to mark his career.

It was the construction of the Riverside Cement Plant that first brought Mr. Henshaw into close touch with the possibilities of Southern California. Before that his activities had been confined to the northern part of the State, where his home was.

In 1911 he became interested in the possibilities lying dormant in Warner's Ranch. For upwards of twenty-five years the Downey interests had used the ranch for little else than grazing purposes. It was in 1880 that Ex-Governor John G. Downey succeeded in finally reassembling into one property the various small holdings into which the valley

had been split after Warner lost it, and in 1901 the Indian claims were adjudicated and the entire original grant was by law confirmed to the Downey estate. Then, in 1905, the H. E. Huntington interests—the Pacific Light and Power Company—had acquired rights looking toward the building of an electric generating station at Warner's Dam, for the purpose of developing power for an electric railway from Los Angeles to San Diego. The water was to be turned back into the San Luis Rey. The company was little, if at all, interested in the ranch for the value of its lands or for any water-development. The Harriman interests, however, blocked these plans, and more attractive opportunities for developing hydro-electric power were discovered in the Sierra Nevada. But to Mr. Henshaw the power-possibilities at the Ranch were insignificant compared with the promises of a combined water and land project. A semi-arid county was to be transformed into a land fertile for all the crops and fruits of a temperate zone, and grazing lands that hitherto had supported a few thousand head of cattle were to be turned into farms and orchards that would support hundreds of thousands of human beings.

In 1911, therefore, Mr. Henshaw acquired the Ranch and all the rights of the Pacific Light and Power Company in the property. He did not deceive himself with regard to the magnitude of the enterprise or the expense and delay necessarily attendant upon its prosecution. At first he arranged to interest certain New York financiers in the scheme, and sufficient capital was promised. But the outbreak of the World War made impossible the fulfillment of that promise. Mr. Henshaw then proceeded, with an extraordinary and never-failing resourcefulness of energy, invention, and judgment, to organize other ways and means to finance the development. Depending primarily upon his own means, which had to be reorganized for the purpose, Mr. Henshaw undertook the burden of building one of the major irrigation systems of the State,

involving the investment of very large sums of money, with all the risks of an undeveloped market for the water. Such action, requiring courage of the highest order, was the work of a master-builder, and must have been stimulated by a far vision of the communities, farms, and homes that would crown the success of his efforts.

He began at once the acquisition of extensive riparian rights on the San Luis Rey River from the reservoir site to the sea, a distance of sixty miles. This process required tact, patience, and large outlay, as the rights were obtained without resort to the exercise of eminent domain.

At the same time, Mr. Henshaw began the purchase of reservoir sites and riparian lands on the Santa Ysabel, or San Dieguito, River. He obtained control of the Sutherland, the Pamó, and the Carroll reservoir sites on this latter stream. The Carroll site subsequently became Lake Hodges, named in honor of W. E. Hodges, Vice-President of the Santa Fé System. It is situated about ten miles northeast of Del Mar. The riparian rights from Hodges reservoir site to the sea were bought.

The proposed reservoir on the Rancho del Valle de San José was planned to be one of the largest in the state. This reservoir is now known as Lake Henshaw. The original plan was to build a conduit from the Lake Henshaw site in a southwesterly direction into the Pamó Valley, which drains into the Santa Ysabel stream, thus obtaining a power drop into a lower reservoir site known as the Pamó. This latter storage could be used for conserving the flood waters of the Santa Ysabel. From Pamó it was then proposed to lead the water in a southwesterly direction to the Linda Vista Mesa, lying along the coast between Del Mar and San Diego City.

Hydrographic studies of an elaborate nature were necessary to determine the rainfall, stream discharge, and evaporation. Foundations for the dams were explored and the conduit lines were surveyed. The feasibility of using this general project for the domestic water supply

of the City of San Diego was apparent, and negotiations were entered into between that municipality and Mr. Henshaw.

H. H. O'Shaughnessy and J. B. Lippincott, in May, 1915, were employed by the City to investigate the desirability of the acquisition of this complete San Luis Rey and Santa Ysabel system by the City; and a report was made by them favoring the purchase of the property. In view of the City's rapid growth and its limited water supply, this system apparently would have been of great advantage, for it offered the most extensive plan of water development available. The city authorities, however, did not avail themselves of the opportunity.

Mr. Henshaw was not deterred in his effort to carry out all his enterprises.

The next negotiation was with the Santa Fé Land Improvement Company, which is affiliated with the Santa Fé Railroad Company. The Santa Fé Land Improvement Company, having acquired the San Dieguito Ranch in former years, had attempted to grow there, without irrigation, eucalyptus timber for railroad ties. The plan had not worked satisfactorily. But it has been found in Southern California that a small mature citrus grove, together with its related village adjuncts, will produce a carload of transcontinental freight each year. The development of from 10,000 to 15,000 acres of these orchards along their lines, which was shown to be a possible result of building the Hodges Dam, quite naturally was desirable from the viewpoint of the railroad. Besides, there were the enhanced values that would accrue to their land as a result of irrigation.

Mr. Henshaw controlled the water rights and reservoir lands along the Santa Ysabel. The Santa Fé Land Improvement Co. had the irrigable lands upon which a large portion of this water would be used. With these facts as incentives, an arrangement was entered into on April 27, 1922, by which the Santa Fé Land Improvement Company advanced

the sum necessary for the construction of the Hodges Dam, and Mr. Henshaw contributed the reservoir lands and water rights.

The Hodges Dam, built in 1917, is of the multiple arch type, 130 feet in height. At that time it was the highest dam of this design in the world. The capacity of the reservoir is 37,000 acre feet. It is capable of supplying 10,500 acre feet of water annually to the irrigated coastal lands, and 3,000,000 gallons daily in addition to the City of San Diego; and contracts were entered into to this effect. This work was done under the name of the San Dieguito Mutual Water Company, the stock of which organization was divided between Mr. Henshaw and the Land Company.

The building of the Hodges Dam was followed by the organization of the Cardiff Irrigation District, which extended from Oceanside to Del Mar. This area was to be served in greater part from Lake Hodges, but was to take over the system of the Oceanside Mutual Water Company, which obtains 100 miner's inches of water from the bottom lands of the San Luis Rey near Oceanside. Because of certain legal technicalities relative to the boundaries of this district, the courts held the organization proceedings of the district defective, and it therefore was abandoned.

This effort was followed by the formation in 1922 of the San Dieguito Irrigation District of 3200 acres. It is situated along the coast near Encinitas. The Santa Fé Irrigation District, which included the San Dieguito Ranch and the coastal lands north of Del Mar, was also formed about the same time, with an area of 8940 acres. Arrangements were made for the delivery of water to the Del Mar Light & Power Co. in amounts sufficient to care for the Del Mar community; and a contract for a period of ten years was also entered into with the City of San Diego for the construction of a pipe line to it by the Henshaw interests, and on through La Jolla by the City. These negotiations, therefore,

resulted in the furnishing of a water supply from Lake Hodges, either for irrigation or domestic use, for a certain coastal area extending from La Jolla north.

This region, which had lain dormant from the end of the boom in 1890 until this water was distributed on it over thirty years later, has been brought to life and is now in a condition of vigorous growth. It is not only suitable for citrus culture, but it is particularly adapted to the growth of the avocado. In no other section of the Southwest can this fruit be produced in such quantities and to such perfection. This horticultural merit, combined with its attractive residential features, will result in this coastal plain becoming one of the most densely populated portions of the State.

From this drainage basin enough water will be available for the Hodges Reservoir to continue the service outlined above, even after the Sutherland Reservoir, near the head-waters of the Santa Ysabel, has been put into operation. The building of the Hodges Reservoir and the distribution conduits, and the organization of the irrigation district, required five years of effort, and Mr. Henshaw's great executive ability was displayed throughout the project.

Mr. W. E. Hodges, Vice-President of the Santa Fé Railroad Company and the active representative of the Santa Fé Land Improvement Company, worked in collaboration with Mr. Henshaw in these developments. This railroad, indeed, has consistently followed a policy of improving the territory its lines serve. The support given the present project by the Chicago office of the road, especially by the Executive Vice-President, Mr. E. J. Engel, has been of very great value to the County. What is known as the Santa Fé Ranch, included in the Santa Fé Irrigation District, is now being rapidly improved and settled by a highly desirable class of people. It is already one of the beauty spots of Southern California.

Having accomplished the construction of the Hodges project on the Santa Ysabel, Mr. Henshaw next turned his attention to the building of the greater dam on the San Luis Rey. For this purpose the San Diego County Water Company was organized. An agreement was entered into on April 27, 1922, between this company and the Santa Fé Land Improvement Company by which the Improvement company purchased Mr. Henshaw's interest in the Hodges system, subject to the provision that the money so received should be used, in conjunction with other funds advanced by Mr. Henshaw, in constructing the dam on the San Luis Rey.

This structure, now known as the Henshaw Dam, is of a combination rock and hydraulic-fill type. The upper and lower slopes are built of the rock obtained from the spillway, and the central portion of the dam was placed by means of hydraulic giants and centrifugal pumps. The dam is now 110 feet high, producing a storage capacity of 164,000 acre feet. It is designed so that it may be raised 7 feet, with an ultimate capacity of 203,580 acre feet. Hydrographic studies indicate that the present dam will yield a safe irrigation supply of 25,000 acre feet annually and, when raised, 28,000 acre feet. It has been found in this coastal region that an acre of water will adequately serve an acre of ground. The Hodges and Henshaw reservoirs therefore will take care of 35,500 acres net of land and at the same time supply the City of San Diego with three million gallons of water daily. The present dam contains 421,000 cubic yards of material. The contract for its construction was signed with Bent Brothers on July 4th, 1922, and the gates were closed for the storage of water on Christmas of the same year—a very remarkable speed record.

The Escondido Mutual Water Company owned an earthen canal twelve miles in length, diverting water from the San Luis Rey River along the sides of the canyon to Lake Wohlford, four miles northeast

of Escondido. The San Luis Rey River is most erratic in its regimen. Without regulation, the available water supply is both uncertain and unsatisfactory. Such water as could be diverted in the winter-time to Lake Wohlford was held for summer use. The distribution system of the Escondido Mutual Water Company covered some 12,000 acres, but about 2,000 acre feet was all that could be relied upon by the Mutual Water Company even in good years of flow. This canal, however, is in such a strategic position that if improved it may be used in conjunction with the Henshaw Reservoir for the delivery of water to all points between Escondido and the coast.

An agreement was reached on November 10, 1922, between the San Diego County Water Company and the Escondido Mutual Water Company, by which the two parties were to coöperate in the enlargement and lining of this Escondido canal, and to use it jointly. In addition, the Wohlford reservoir has been rebuilt and enlarged from a capacity of 3,500 to 7,500 acre feet. Four thousand acre feet per annum of water has been sold to the Escondido Mutual Water Company, and because of this purchase and improvement of their canal their water supply has been brought to a point where it will adequately serve the area within the limits of their distribution system.

The elevation of the outlet of the Henshaw Reservoir is 2,640 feet, and of the surface of Lake Wohlford 1,482 feet, a drop of 1,158 feet, gross. There is a further fall available, at the outlet of Lake Wohlford, of 200 feet; making a total of 1,358 feet, gross, which will permit of a substantial power development in connection with this enterprise.

Between Escondido and Oceanside is an area of lands nearly frostless, capable of producing citrus fruits, avocados, and winter vegetables. The owners of these lands, in pursuance of certain agreements with the Henshaw interests, have organized the Vista Irrigation District, which contains some 18,000 acres. The District has contracted to purchase

14,000 acre feet of water annually from the Henshaw system. The Vista District was organized in 1923 and water was first delivered to it in the spring of 1926. On August 1st, 1926, there were 200 consumers using water therein. These lands, which had been retrograding as dry-farming communities for the past forty years, have now taken on life and population, and values have rapidly increased. The Vista Irrigation District has expended to date a million and a half dollars in building concrete flumes and pipe distribution systems for the service of each ten-acre tract. The main conduits are of such capacity that, pursuant to conditions of the contract, they can carry through to the coast, between Oceanside and Encinitas, water for the irrigation of certain of those lands not otherwise provided for. Thus, almost the entire coastal plain from Oceanside to San Diego may ultimately be reclaimed.

The San Diego County Water Company owned not only Warner's Ranch and Lake Henshaw but also certain valuable water rights on the Santa Ysabel River, including the Sutherland Reservoir site. These had been retained by Mr. Henshaw at the time the contracts were entered into for the building of the Hodges Reservoir. Proper development of the stream strongly suggested that all reservoirs in this drainage basin should be controlled by one agency. The advantage of such an arrangement was recognized by the Santa Fé Railroad Company, the owner of Lake Hodges, and on July 31, 1924, the San Diego County Water Company acquired, from the Santa Fé, Lake Hodges and its appurtenances. The San Dieguito Water Company, a subsidiary of the San Diego County Water Company, was organized to operate this property.

The City of San Diego, finally realizing the necessity of acquiring an additional water supply, if it was to continue to grow, in October of 1925 reached an agreement with the Henshaw interests for the lease, with option to purchase for the sum of $3,750,000, of the Sutherland Reservoir site on the headwaters of the Santa Ysabel, and also of the

Hodges system on the lower portion of the stream. The City is now building, and by the Spring of 1928 will have completed this Sutherland Reservoir, by means of which the flood waters will be diverted southward to a San Vicente reservoir site situated on a tributary of the San Diego River. The Vicente Reservoir, in turn, will be connected with the City's domestic distribution system. By this process the City of San Diego will increase its domestic supply by 12,000,000 gallons daily, which is an amount equal to the total output of its old system. In the acquisition of the Lake Hodges reservoir the City is obligated to protect all the former contracts for the delivery of water to the irrigation districts and the City of Del Mar, and it will perpetuate its right to take the 3,000,000 gallons daily for itself which it is now obtaining under its ten-year contract.

The result of the efforts of Mr. Henshaw in connection with these water-developments will largely transform the northern portion of San Diego County from an unproductive and sparsely occupied region to one of large resources and population. The dry lands on which the water has been distributed have already been enhanced in value over ten million dollars, and when the groves and villages have matured, these enhancements will doubtless exceed five times this amount. It has been found in Southern California that developed irrigated areas, with their accompanying towns, will support an inhabitant to the acre. The 35,000 acres of this coastal region that will be reclaimed by the water from the Henshaw systems will, because of its resources, exceed this ratio and, it is believed, will sustain fully 50,000 population. In addition, domestic water sufficient for 150,000 people will be furnished to Del Mar and San Diego. No finer achievement could be credited to a man's life-work.

Mr. Henshaw lived to see the success of this great undertaking. With his death, March 2, 1924, in San Francisco, the history of Warner's Ranch comes to the close of its greatest period, to the realization in

fact of the part it was destined to play in the population and development of a vast territory. Mr. Henshaw's was the mind that saw that destiny, and his were the courage and resourcefulness that accomplished it. In his death, California sustained the loss of one of its far-seeing architects, a master-builder for the future.

APPENDICES

APPENDIX

I

THE DISCOVERY OF VALLE DE SAN JOSÉ
DIARY OF FRAY JUAN MARINER,
AUGUST, 1795

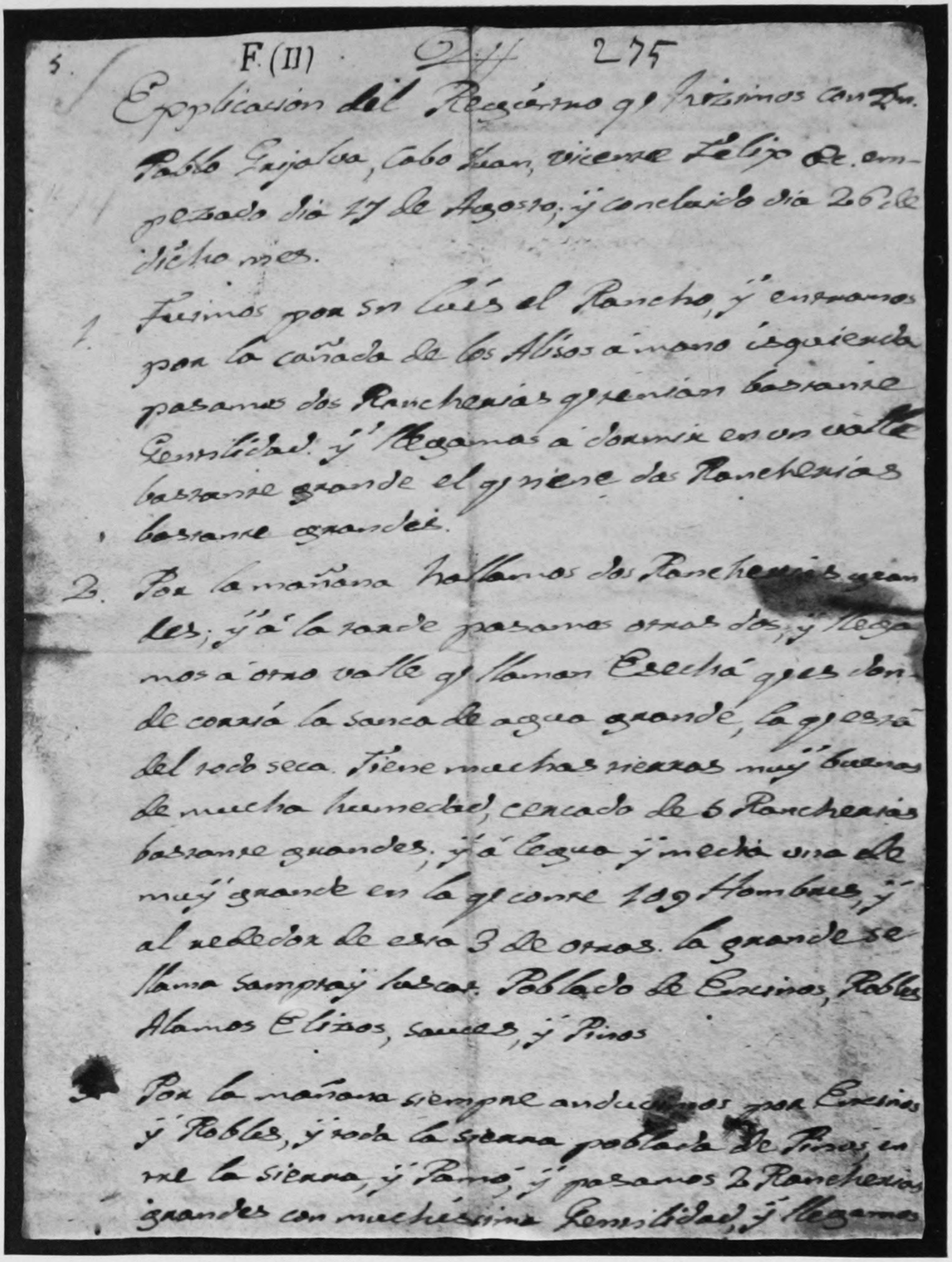
REPORT of the examination that we made with Don Pablo Grijalva, Corporal Juan Vicente Felix, etc., begun on the 17th day of August and concluded on the 26th day of the same month.

We went by way of Rancho San Luis, and entering the Cañada de los Alisos, on the left hand we passed two rancherias which had a great many Gentiles. We stopped to sleep in a very large valley which has two large rancherias.

In the morning we came to two very large rancherias; and in the afternoon we passed two more. We then came to another valley called Esechá, which is where the big gully of water ran, which is entirely dry. The valley contains much very good land, with sufficient moisture. In the surrounding foothills there are five very large rancherias. At a league and a half beyond, there is a very large one in which I counted 109 men, and around it there are three others. The large one is called Samptay Luscat. The valley is covered with liveoaks, common oaks, cottonwoods, sycamores, willows, and pines.

In the morning we continued on our way through liveoaks and common oaks. The mountains are all covered with pines. Between the sierra and Pamó we passed two rancherias containing a great many Indians? We then came to a valley which we named San José, which must be more than three leagues and a half or four in length and a league and a half in width, in which are ten rancherias, all large, surrounded by and amongst liveoaks, common oaks, cottonwoods, sycamores, alders, willows, and pines which extend all the way down the little canyons. Here we found a large gully of water which comes out of the sierra and passes the rancheria Jajopín on the right. Also there are three springs which come out below the rancheria Tauhí, each with a good flow of water and below is much good land. We explored further and found in the middle of the

valley which the Indians showed us, very high up, a large swamp at the upper side of which there are three very large springs of water, which bubble up very high, as if they were boiling. The water is very good and could easily be conducted to the very good land. This valley is on the other side of Pamó, a league and a half toward the northeast. It is so good a place that everybody said, and I say also, that it is not only suitable for a mission but also for a presidio and a mission. Señor Felix and others say that if a road is opened the trip from the presidio [of San Diego] can be made in one day. This valley is called by the Indians Jatir Já. In the afternoon we set out down the arroyo which leads out of this valley in a deep bed until we come out in the canyon of San Juan Capistrano el Viejo. It is overgrown with liveoaks, sycamores as large as pines, poplars, alders, and willows all the way. All the tops of the hills are covered with pines. It contains a large Indian population. On the second day, about ten in the morning, we entered the region where the language of San Juan is spoken. Up to this point we had passed 26 rancherias, mostly large, belonging to those speaking the Mau language of San Diego. In the afternoon, before sunset, we passed through a rancheria called Pale in which runs very much water, easy to take out, with much good land. The land that I saw with Don Pablo is sufficient for planting more than 60 fanegas of wheat, about 4 of corn, and about 4 or 6 of beans. Seeing this, and that we were now approaching the canyon, I told Don Pablo to send and examine the other side. He sent Señor Felix and Claudio (because the trees impeded us) and they said that there was very good land sufficient for planting fifty fanegas of wheat and 15 of corn, and a very good mesa upon which to put the mission. It is also true that there is still within the canyon between San Dieguito and the sierra of Pamó an infinite number of good trees, much building stone, firewood, and good pastures. This is the fifth rancheria of the language of San Juan, distant from the canyon about two and a half leagues, and from the camino real about 6 leagues, as estimated by all. A league further down, the water of the arroyo no longer flows, but there are puddles of water as far as San Juan Capistrano el Viejo, where we arrived the next day at about ten in the morning, or a little before. We continued our exploration to the end of the cañada. Its pools are very deep, without any possibility of taking out the water, and it does not flow; there is no firewood, timber,



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Esplicasion del Registro q. hizimos con Dn. Pablo Grijalva, Cabo Juan, Vicente Felix &c. empezado dia 17 de Agosto, y concluido dia 26 de dicho mes.

1. Fuimos por sn Luis el Rancho, y entramos por la cañada de los Alisos a mano izquierda pasamos dos Rancherias q. tenian bastante Gentilidad. y llegamos a dormir en un valle bastante grande el q. tiene dos Rancherias bastante grandes.

2. Por la mañana hallamos dos Rancherias grandes; y a la tarde pasamos otras dos, y llegamos a otro valle q. llaman Esccha q. es donde corria la Sanca de agua grande, la q. esta del todo seca. Tiene muchas tierras muy buenas de mucha humedad, cercado de 6 Rancherias bastante grandes, y a legua y media una de muy grande en la q. conte 109 Hombres, y al rededor de esta 3 de otras. la grande se llama Samprag lascar. Poblado de Encinos, Robles Alamos Elizos, sauces, y Pinos

3. Por la mañana siempre anduvimos por Encinos y Robles, y toda la sierra poblada de Pinos entre la sierra, y Pamo, y pasamos 2 Rancherias grandes con muchissima Gentilidad, y llegamos

PLATE I

First page of the Diary of Fray Juan Mariner, August, 1795

or building stone, and the land is worthless because it is so sandy. There are only a few pieces near the hills that are good. We went to examine the lagoon, and found that it has very little water, which comes down from four directions, three of them water from rainfall. We took a pick and shovel, but we could not do anything because the pools are deep and the land high. This water doubtless comes from above and runs underground. We examined Santa Margarita, and we found the lagoon more than a yard and a half low. There are six or eight pools, but deep, and the water does not flow except in three close to the sierra, and there is very little. There is a lack of firewood, timber, and building stone, and it is very distant from the road.

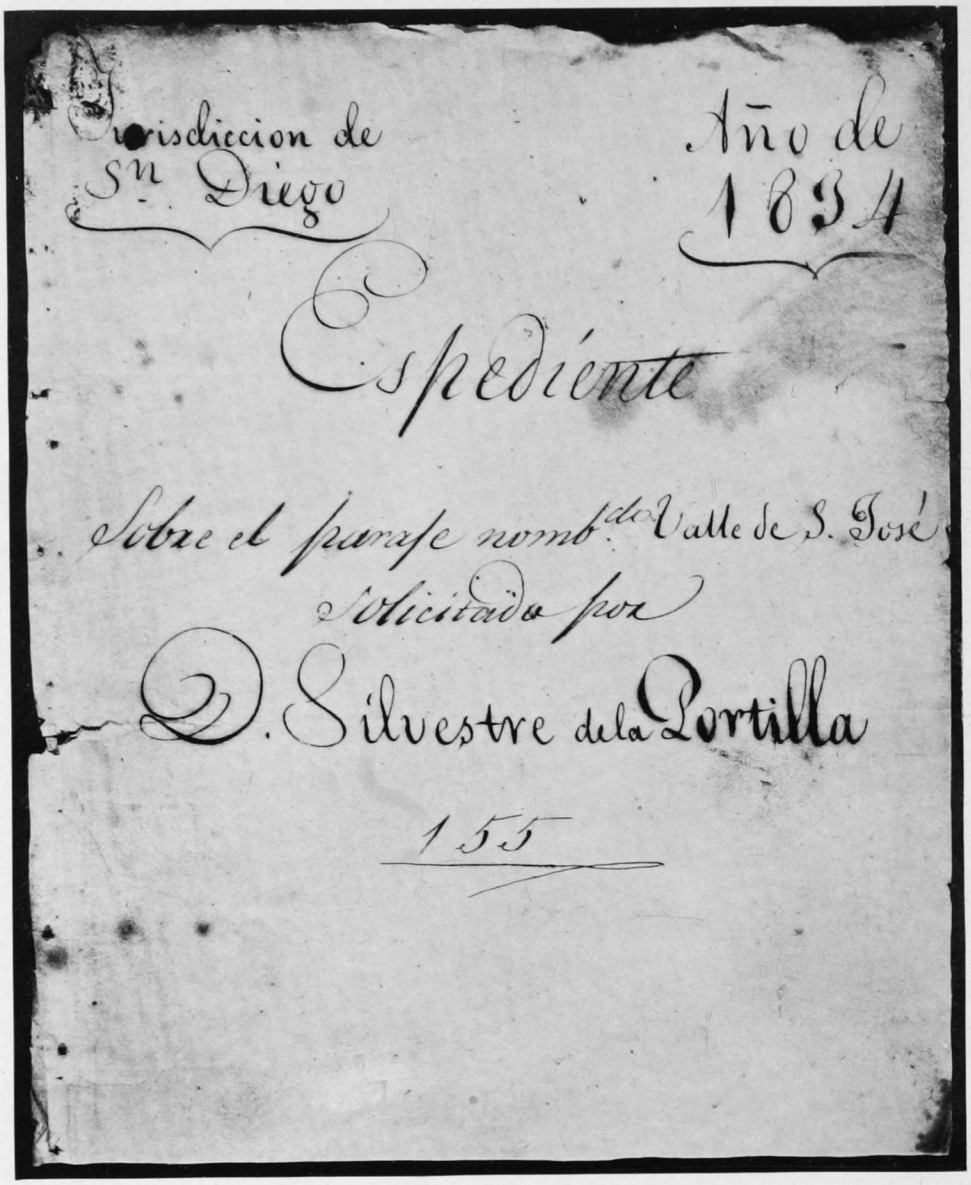
We examined Las Flores and did not find any running water but that in the road; that above was dry, and it has only one small pool. The rancherias of the language of San Juan, including those of Santa Margarita and Las Flores, are fourteen in number. Altogether we passed 40, and they were near the places mentioned.

In my opinion and that of the rest, the place nearest to San Juan Capistrano el Viejo, with all the essentials for a mission, is the rancheria Pale, and it is in the middle of the district where the said language is spoken, as though in a round bowl, but the great growth of trees impedes access to it. In the valley [of San José] they said that if a mission were placed there they would become Christians, and they gladly consented to the same in the rancheria Pale. This is, Reverend Father President, the truth, according to God and my conscience.

APPENDIX

II

THE GRANT TO SILVESTRE DE LA PORTILLA


Jurisdiccion de
Sn. Diego

Año de
1834

Espediente

Sobre el paraje nombd. Valle de S. José

Solicitado por

D. Silvestre dela Portilla

155

PLATE II

Title page of the original Spanish document

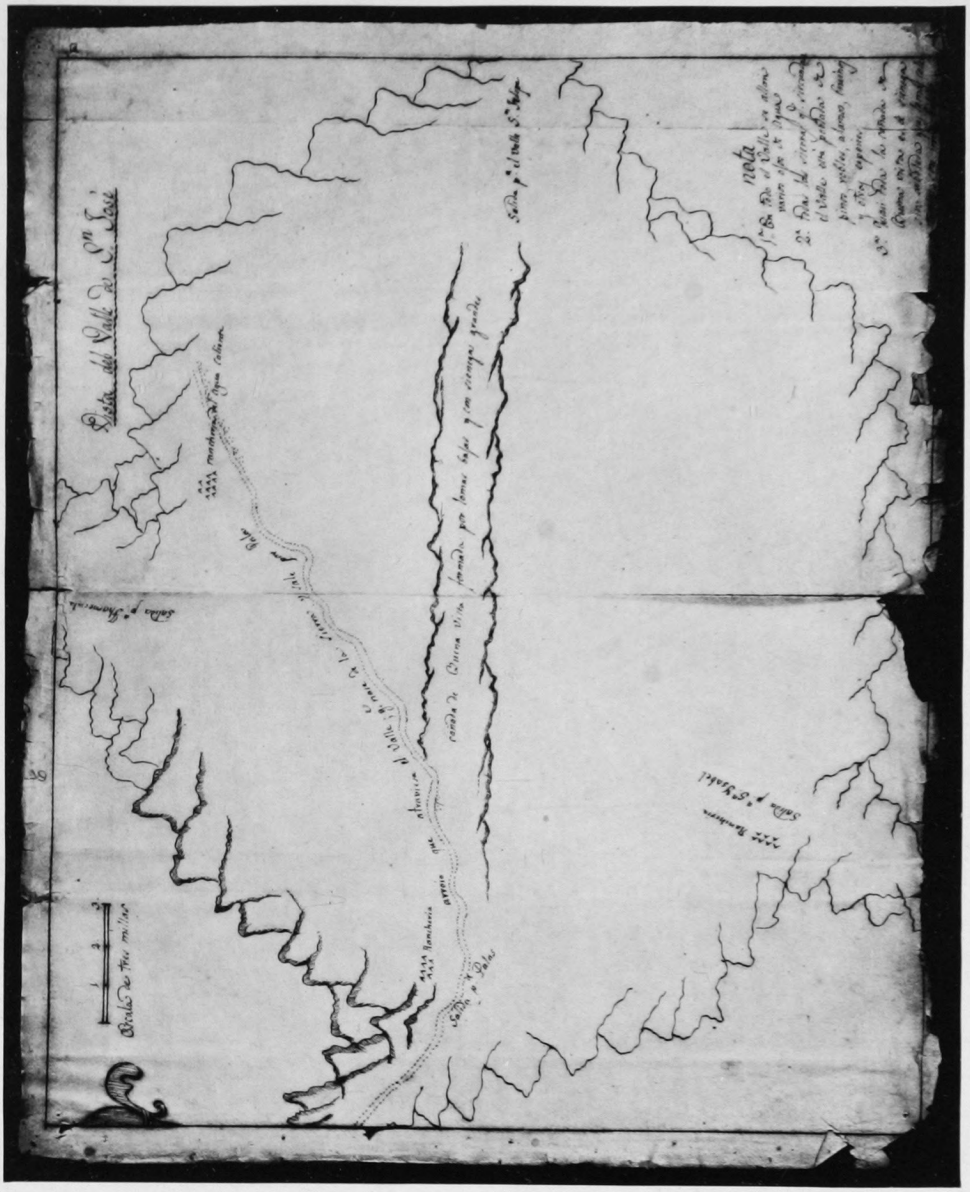


PLATE III

Map of the San José valley, drawn by Silvestre de la Portilla in 1834

APPENDIX

III

THE GRANT TO JOSÉ ANTONIO PICO

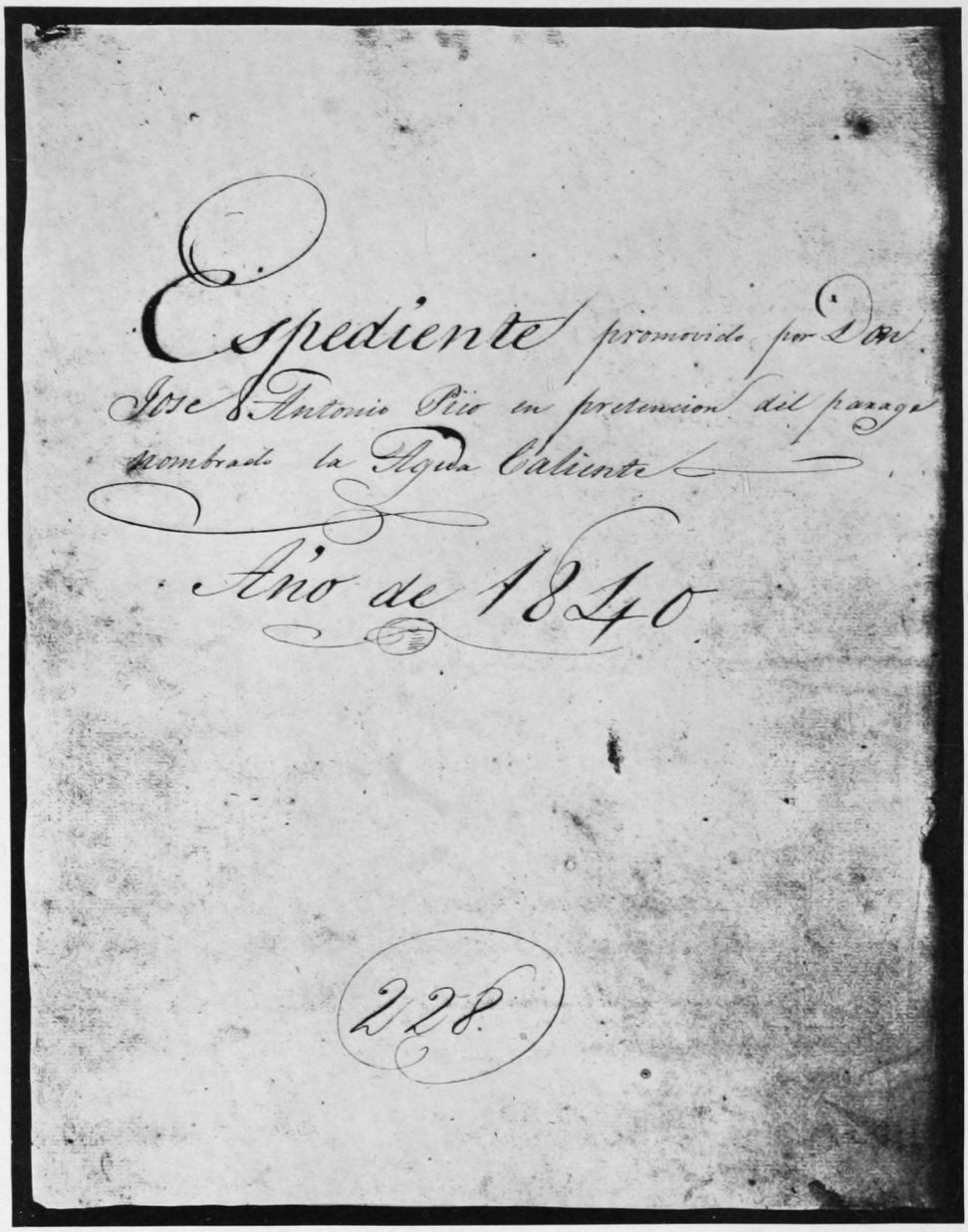


PLATE IV

Title page of the original Spanish document

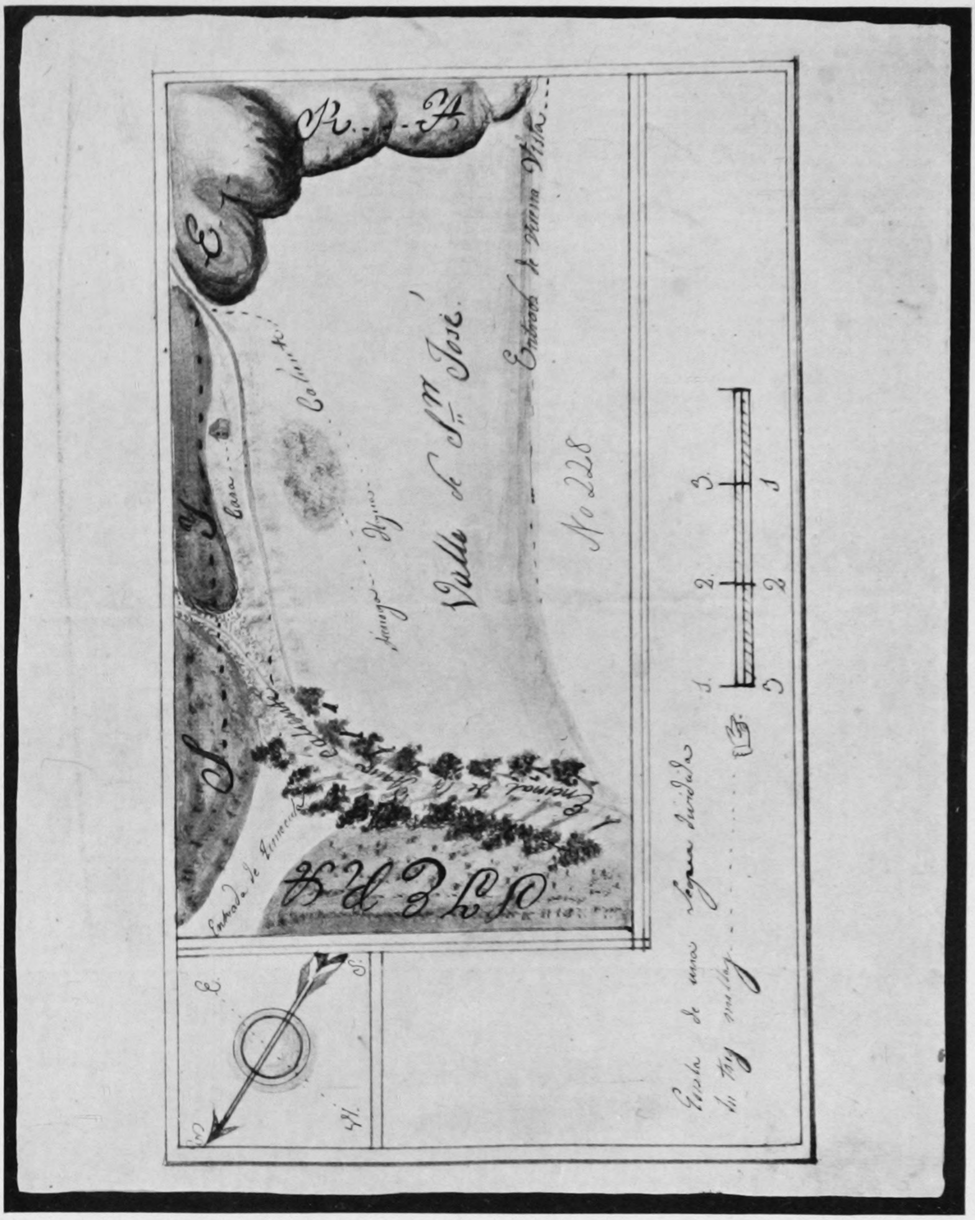


PLATE V

Map drawn by José Antonio Pico in 1840 showing the portion of the San José valley granted to him

APPENDIX

IV

EXPEDIENTE

Presented by the naturalized citizen Don Juan Warner
in petition for the place known as
VALLE DE SAN JOSÉ
The year 1844

Monterey, August 30, 1844.

The Secretary of State will issue the warrant, previously taking all the necessary information.

MICHELTORENA
(*Rubric*)

Most Excellent Sir:

I, Juan José Warner, citizen, and married in this department to Anita Gale, father of a family, present before your worship the following: Since the year 1833 I have been settled in the city of Los Angeles, and am the father of children born in this Department. Needing a place in which to put a considerable number of cattle and sheep belonging to the children of my marriage with my aforesaid wife, I supplicate your worship to have the goodness to grant to my aforesaid children the proprietorship of the place known by the name of Valle de San José, which is unoccupied, situated to the east of the pueblo of San Diego, and distant from the said pueblo about twenty leagues, surrounded by the sierra, with entrances from San Felipe on the east, from Temécula on the north, from Pala on the west, and from Santa Isabel on the south. I obligate myself to prepare an accurate sketch of the said place for the use of the government and the Departmental Assembly. And I hope that there will be no objection whatever to granting it and to issuing the corresponding title, in case your Excellency makes my children owners of the land which I

solicit. Consequently I humbly beg your Excellency to consent to decree favorably, for which I will be very grateful. I take oath that it does not proceed from any ill intent, and all else that is necessary, etc.
Monterey, August 30, 1844.

JUAN JOSÉ WARNER (*Rubric*)

First court of the district of San Diego.

In the matter of the report asked from this court by the interested party: at the present time the said San José del Valle is unoccupied, and for about two years, a little more or less, it has been abandoned, without property of any kind, nor has it been occupied with planted fields by the mission of San Diego, but the said place belongs at present to the said mission. At the request of the interested party,
San Diego, August 6, 1844.

JUAN MARÍA MARRÓN
(*Rubric*)

First Judge of San Diego:

With the object of soliciting ownership of the place known as Valle de San José, previously occupied by the mission of San Diego, I beg your worship to be pleased to report concerning the following:

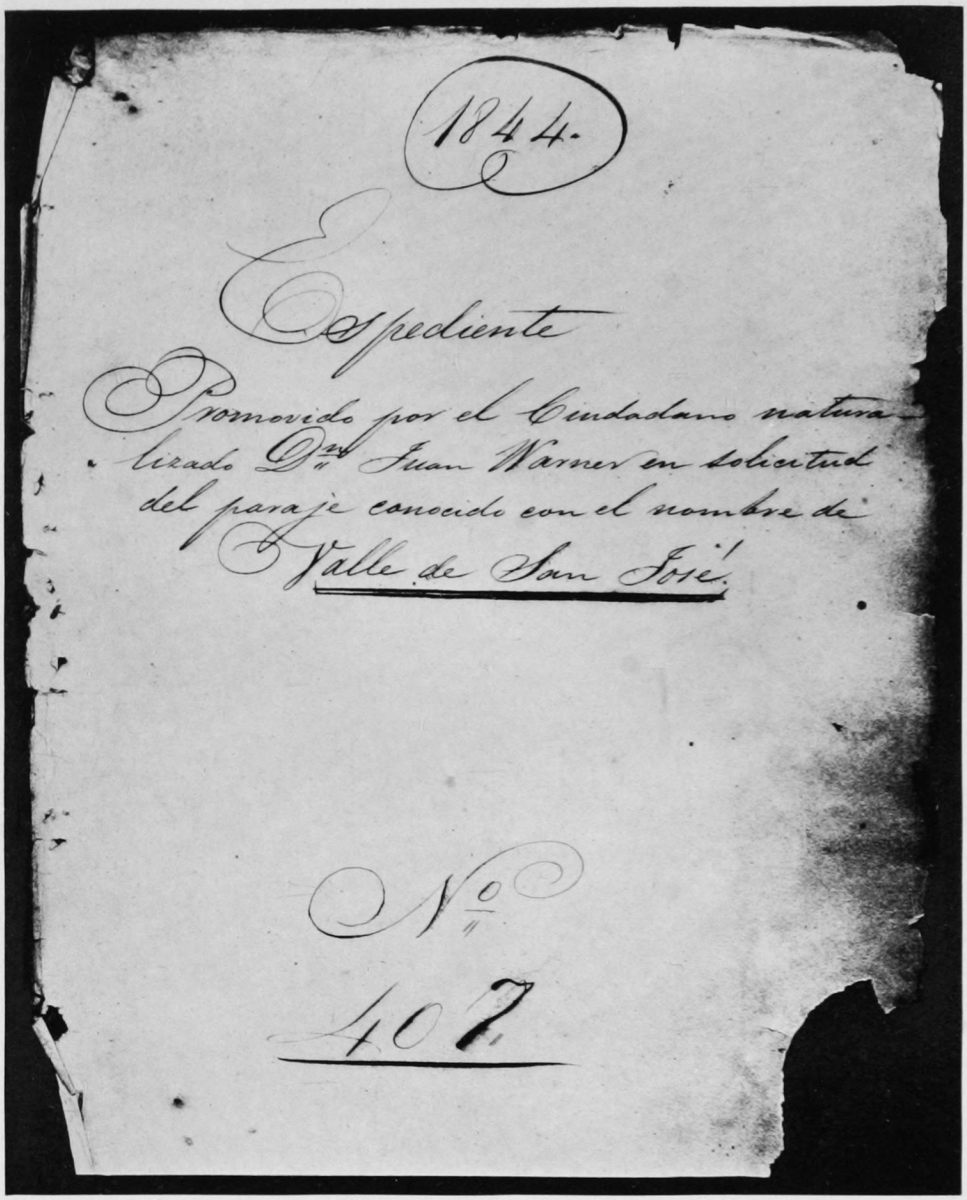
1. Whether at this date it is unoccupied, and if so how long it has been in that state.

2. Whether it was abandoned on account of murders and robberies by the barbarous Indians.

3. Whether at this date the mission of San Diego has property covering the territory between the mission of San Diego and the said place.

Be pleased to accept this on this common paper for lack of the proper kind.
San Diego, August 5, 1844.

JUAN J. WARNER (*Rubric*)


1844.

Espediente

Promovido por el Ciudadano naturalizado Dⁿ Juan Warner en solicitud del paraje conocido con el nombre de Valle de San José.

Nº

407.

PLATE VI

Title page of the Grant to Don Juan Warner, 1844

APPENDIX IV

To the Very Reverend Vicente Oliva:

With the object of soliciting proprietorship of the place known by the name of Valle de San José, formerly occupied by the mission under your charge, I beg you to be pleased to report whether at this date the mission of San Diego has the said land occupied, and if not how long it has been since it was abandoned.

San Diego, August 5, 1844.

JUAN J. WARNER (*Rubric*)

The Valle de San José may be given to the claimant who solicits it, inasmuch as the mission of San Diego, to which it belongs, has not means enough to cultivate it or improve it and it is not needed by the mission.

Mission of San Diego, August 5, 1844.

FRAY VICENTE P. OLIVA (*Rubric*)

Señor Governor:

In the matter of the land asked for, it appears that there is no objection whatever to granting the petition, according to the reports accompanying it from the Reverend Father Vicente Oliva and the Judge of San Diego, Don Juan Marrón. The person presenting the petition is naturalized and is of a good character, so that unless Your Excellency orders otherwise his petition may be granted.

Monterey, September 2, 1844.

MANUEL JIMENO (*Rubric*)

Same date.

Send him the title, stating that he is required to present the sketch within four months from date, and if the time passes and he should not do it and the same title is not annotated when he fulfills that obligation the title will be null and void.

MICHELTORENA (*Rubric*)

I conform with the preceding superior decree, and so that it may be known I sign it on the same date and in the same place.

JUAN J. WARNER (*Rubric*)

If the interested party agrees to the superior decree he will be required to present the sketch in the time fixed, and in the meantime the same interested party may occupy the land, obligating himself to present a document from the administration of San Luis Rey in which appears the valuation of the buildings for which he will pay in such time as the governor may direct.

Monterey, September 6, 1844.

MANUEL JIMENO (*Rubric*)

Monterey, November 27, 1844.

Having examined the petition with which this expediente begins and the reports which precede it, I declare Don Juan Warner proprietor of the land which he solicits.

[NOT SIGNED]

The citizen Manuel Micheltorena, Brigadier-General of the Mexican Army, Adjutant-General of the staff of the same army, Governor, Commandant General and Inspector of the Californias.

Inasmuch as Don Juan José Warner, Mexican by naturalization has put in a claim, for his personal benefit and that of his family, for the land known by the name of Valle de San José, bounded on the east by the entrance of San Felipe and the sierra, on the west by the sierra and the cañada de Aguanga, by the sierra to the north, the boundaries to the south being the carrisal and the sierra: the proceedings and investigations concerning it having been put in effect previously in accordance with the laws and regulations, I have determined, using the powers conferred upon me in the name of the Mexican nation, to grant him the land mentioned, declaring him to be its proprietor by this present writing, subject to the approval of the most excellent Departmental Assembly, and to the following conditions:

1. He cannot sell it, alienate it, or hypothecate it, nor put an entail on it, nor any other encumbrance whatever, nor give it away.

2. He may fence it, without prejudice to the crossings, roads, or rights of way; he may enjoy it freely and exclusively, devoting it to such use or cultivation as is most advantageous to him; but within a year he must build a house and live in it.

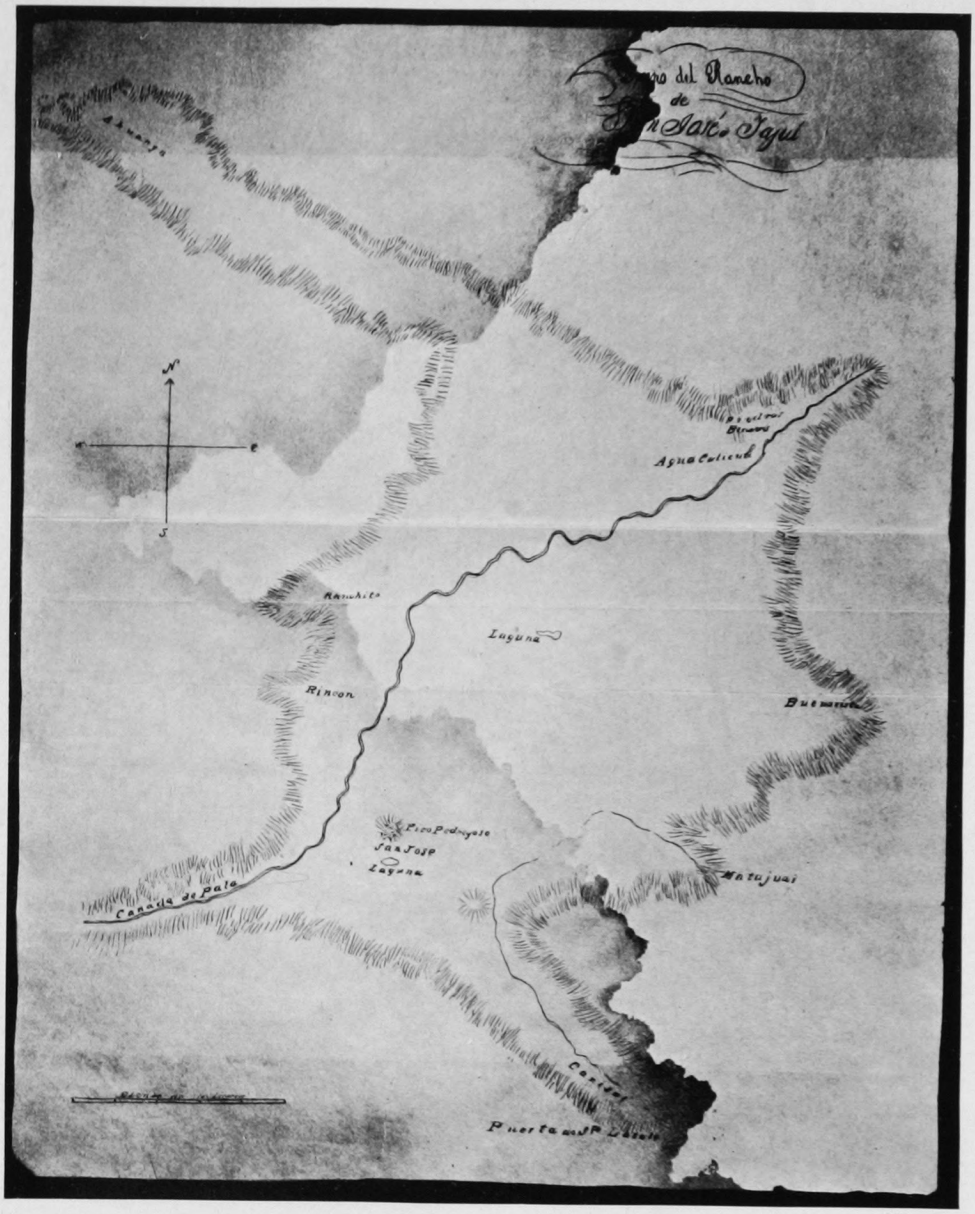


PLATE VII

Map of the San José valley drawn by Warner in 1844. The dark stain is the result of the San Francisco fire of 1906

3. He must ask the proper judge to give him legal possession in virtue of this warrant, by which the limits will be marked on which boundaries he will place, besides the landmarks, some trees, fruit or forest trees of some value.

4. The land granted to him is of the extent of six square leagues, a little more or less, as is shown by the corresponding sketch. The judge who gives possession shall cause it to be measured according to statute, the residue which results to be for the nation for its needs.

5. If he transgresses these conditions he will lose his right to the land and it will be open to condemnation by others. Consequently I order the present writing, which shall serve him as title, and considering it to be firm and valid, a memorandum of it shall be placed in the corresponding book, and it shall be delivered to the interested party for his protection and other purposes.

Given at Monterey, November 28, 1844.

[NOT SIGNED]

A memorandum of this concession is in the corresponding book on page 12, vla.

Most Excellent Señor Governor:

I, Juan J. Warner, a native of the United States of America, naturalized and made a citizen of this Department, appear before your Excellency in accordance with the forms of the law and declare: In view of the title issued by the government granting me the ownership of Valle de San José, with the approval of the most excellent Departmental Assembly, the title being accompanied by a sketch and an authorized copy of the expediente, so that it may be passed to the most excellent Assembly for its approval in case no impediment is found; observing that it has not been possible to accompany it with the document of the administrator of mission of San Luis Rey concerning the valuation of the buildings belonging to the same mission; the government, if it does not dispose of it in a better way, may name on its part a competent person, and the interested parties may name another for each party for the required valuation.

I make the required oath, etc.

Your Excellency will be pleased to accept this on common paper, for lack of the proper kind.

Angeles, May 12, 1845. JUAN J. WARNER (*Rubric*)

Angeles, May 14, 1845.

Account having been taken of this and the other documents which accompany it, let the said papers be passed to the committee on unoccupied lands.

PIO PICO (*Rubric*)
President

AGUSTÍN OLVERA (*Rubric*)
Secretary

The committee on unoccupied lands has examined with all the care possible the expediente formed in consequence of the petition made by Don Juan J. Warner on the date of August 30 of the past year in regard to the place known by the name of Valle de San José, which was granted to him by title legally issued by the governor of the Department on the date of 28th of November of the cited last year. As it resulted from the said examination that the concession mentioned in favor of Don Juan J. Warner was granted in entire accord with what the law orders in regard to the matter, and as it is only lacking that the grantee shall fulfill the conditions placed upon him by the governor, by which he was required before extending the said title to him, to present a document from the administrator of the mission of San Luis Rey in which appears the valuation of the property existing in said place, the value of which he is obliged to pay in the time that may be determined by the same government, with this understanding the committee submits to the deliberations of the Honorable Assembly the proposal which follows:

The concession made in favor of Don Juan J. Warner of the place named Valle de San José was approved and adjudicated in ownership by the government of this Department and title legally issued on the date of the 28th of last November, in conformity with what is provided by the law of the 18th of August, 1824, and article 9 of the regulation of November 21, 1828. The most excellent Governor will be pleased to take such measures as he may believe to be conducive to the purpose, by which the valuation of the property existing in the said place may be verified, as well as the payment of the amount.

Chamber of Sessions in the city of Los Angeles, May 17, 1845.

IGNACIO DEL VALLE (*Rubric*)
NARCISO BOTELLO (*Rubric*)

Angeles, May 21, 1845.

In the session of this day the proposal of the preceding opinion was approved by the Honorable Assembly, ordering that the present expediente be returned to the most excellent Señor Governor for the necessary purposes.

PIO PICO (*Rubric*)
President

AGUSTÍN OLVERA (*Rubric*)
Secretary

APPENDIX

V

EXPEDIENTE

Presented by Juan José Warner in his petition
for the place known as
CAMAJAL Y PALOMAR
The year 1846

Most Excellent Señor Governor:

I, Juan J. Warner, naturalized and married in this Department, present myself before you and declare: that I am proprietor of the Valle de San José, which is covered with property, and is a frontier place, greatly exposed to the entrance of barbarous Indians; and not having security for the defense of the property in that place, I beg that your Excellency will deign to grant me the ownership of some mesas and cañadas in the Sierras of Camajal and Palomar, so that I may be able to keep my horses better concealed and guarded from the barbarous Indians. It is bounded on the east by the Valle de San José, upon the south by Santa Isabel, with the mountain range itself on the west and north, as is shown by the sketch which I enclose, and it comprises about four square leagues [sitios de ganado mayor] a little more or less.

Consequently, I beg that your Excellency will be pleased to grant it to me. I am accompanying it with the report solicited from the Prefecture of San Diego. Please accept this on common paper for lack of the corresponding stamped paper. I swear what is necessary, etc.

Angeles, June 3, 1846. JUAN J. WARNER (*Rubric*)

Angeles, June 8, 1846.

I am returning this expediente to the interested party, so that he may be informed that the governor cannot grant him this land until he brings proof that Don José Antonio Pico, owner of these sections, has renounced the exclusive claim which belongs to him.

PICO (*Rubric*)

I renounce in favor of the claimant.

Santa Margarita, July 31, 1846.

ANT. PICO (*Rubric*)

San Diego, May 20, 1846.

Let the first justice of the peace of this place report whether the place solicited by the interested party is unappropriated, or belongs to any individual, corporation, or community, and as soon as it be appraised return the expediente to the prefecture for other purposes.

ARGÜELLO (*Rubric*)

First court of the first instance of the district of San Diego, May 20, 1846.

In view of the preceding decree of the Señor Sub-Prefect of this district, I have to say that since the year 1837, when I was in the Valle de San José and Agua Caliente I have had no knowledge of these places, and I was only on the road, for which reason I can not

Senor Sub-Prefect of this District:

I, Juan J. Warner, naturalized, married, and the father of a family in this Department, appear before your worship in accordance with the forms of law and declare: that I am, in the name of my family proprietor of the place known as Valle de San José, which is on the frontier, without protection from the enemy barbarians and thieves, to which, because of its distance from the settlement and its proximity to the barbarians, it is greatly exposed; and not having the means to put a sufficient force for the guarding of my horses, and having on the west side of the valley a mountain range which has some pastures and mesas suitable to keep my horses well guarded from the enemy, I beg your Excellency to be pleased to issue a report permitting me to petition for the ownership of the indicated land. This land begins at some white rocks at the head of the stream known as Carrisito, running to the west or southwest for a league and a half or two leagues; then, changing direction to the north and crossing the arroyo which runs from San José to Pala, where the road passes which goes from San José to Pala, or a little lower down, near a rancheria known by the name of La Cola, and follows the same direction, or a little more westerly to a place known by the name of Palomar, in the Sierra of the same name, and from there descends until you come to the land which was granted to me by the name of Valle de San José, in an arroyo which runs to Temécula, a little lower down than the rancheria known by the name of El Corralito or Ahuanga de Ossibu. This land may comprise five or more square leagues [sitios] although the greater part is made up

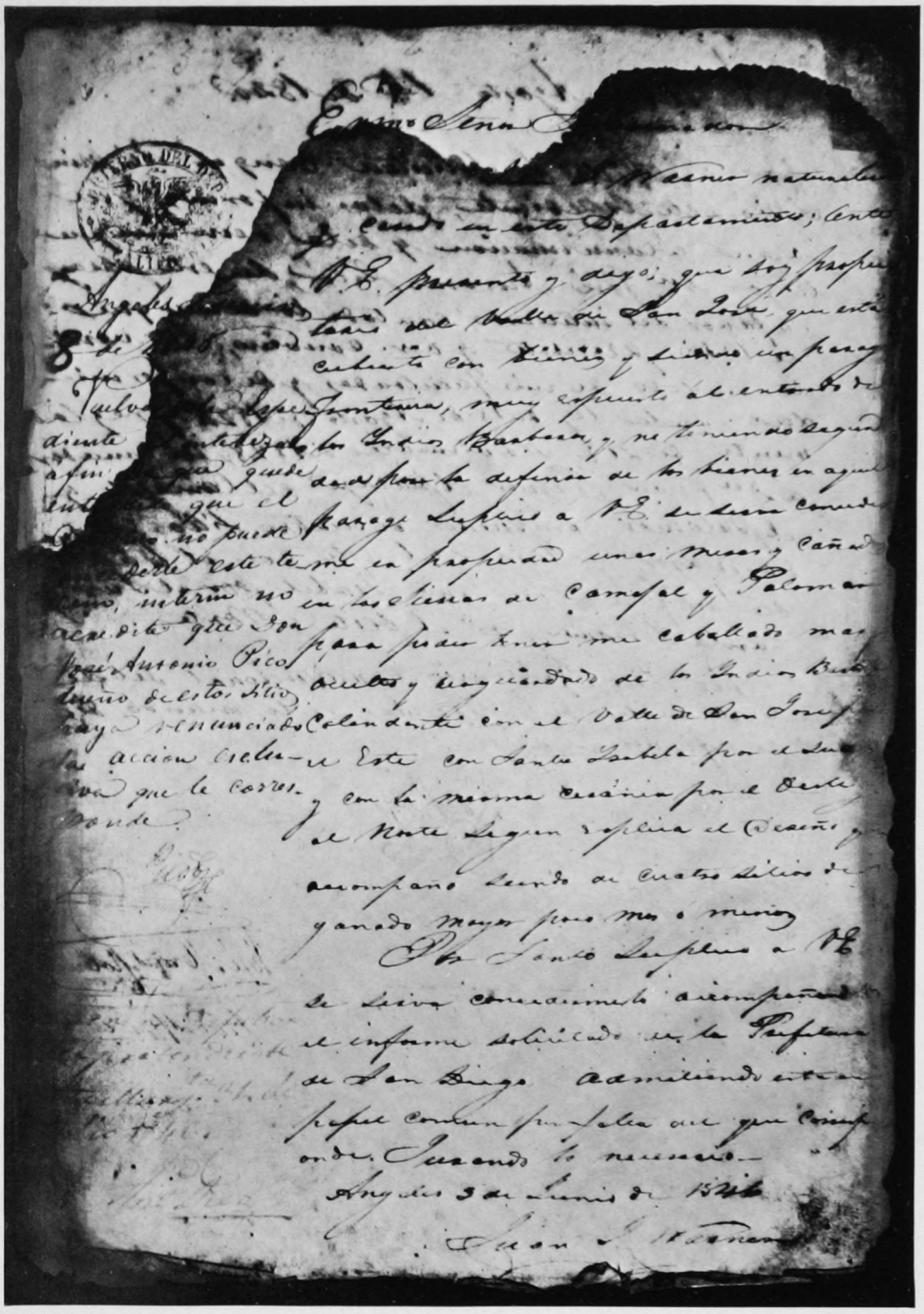


PLATE VIII

Warner's petition for the place known as Camajal y Palomar, June 3, 1846

state whether the lands asked for in this petition are unoccupied or not, or whether they belong to some community or corporation.

José A. Estudillo

San Diego, May 21, 1846.

Pass it to the second judge of this place so that in view of the matter of the present petition he may report upon what he knows about its contents.

Argüello (*Rubric*)

of entirely useless hills; observing that all or the greater part of this land formerly belonged to the places of San José and Agua Caliente, of which I am, as aforesaid, the proprietor, and which is entirely unclaimed.

For this reason I beg that you will be pleased to give me the report as asked, for which I make the necessary oath. You will please accept this on common paper for the lack of the proper kind.

San Diego, May 19, 1846.

Juan J. Warner (*Rubric*)

In view of the preceding decree by which I am asked for a report I will say that following this representation, about which it is asked: beginning at the west in some rocks which are opposite the Aguage del Carrisal are unoccupied hills belonging to the Valle de San José, but I do not know how far the limits of Santa Isabel, property of José Ortega, extend. In the direction of the Sierra de Palomar, almost to the Cañada, which runs in the direction of San Jacinto and Temécula, it is unoccupied, but I do not know how far the limits of Señor Tonito Serrano and Los Agilares [Aguilares?] extend. In my opinion, by not passing beyond the said boundaries, it may be granted to the interested party. This is all that I have to say.

Port of San Diego, May 21, 1846.

Juan María Osuna (*Rubric*)

Sub-Prefecture of the District of San Diego.

The report of the second judge of this port being in accord with the information acquired by this Sub-Prefecture, and considering that the interested party wishes to obtain the property, let the present writing be returned to him for such use as may seem best to him. I, the sub-prefect of this district, so decreed and signed.

José R. Argüello (*Rubric*)

Angeles, August 1, 1846.

In view of the petition with which this expediente begins, of the reports which follow, and of the renunciation made by Don José Antonio Pico of this place in favor of the interested party, with everything else that was presented and required to be examined, I have decided, in the use of my powers and in conformity with the law of the 18th of August, 1824, and the regulation of November 20, 1828, to grant to Don Juan Warner the place of Camajal and Palomar, consisting of four square leagues [sitios de ganado mayor] bounded on the east by the Valle de San José, on the south by Santa Isabel, and by the mountain range on the west and north.

Pio Pico, constitutional governor of the Department of the Californias, so ordered, decreed, and signed, to which I make oath.

Pio Pico (*Rubric*)

José Matías Moreno (*Rubric*)
Acting Secretary

Pio Pico, constitutional governor of the Californias.

Inasmuch as Don Juan Warner, Mexican by naturalization, has petitioned, for his personal benefit and that of his family, for the land known by the name of Camajal and Palomar, the investigations and proceedings concerning it having been previously carried out, I have decided by a decree of this day to grant him the land described, using the powers with which I am authorized by the Supreme Government of the Mexican nation, and in conformity with the law of the 18th of August, 1824, and the regulation of the 21st of November, 1828, subject to the approval of the most Excellent Departmental Assembly, and under the following conditions:

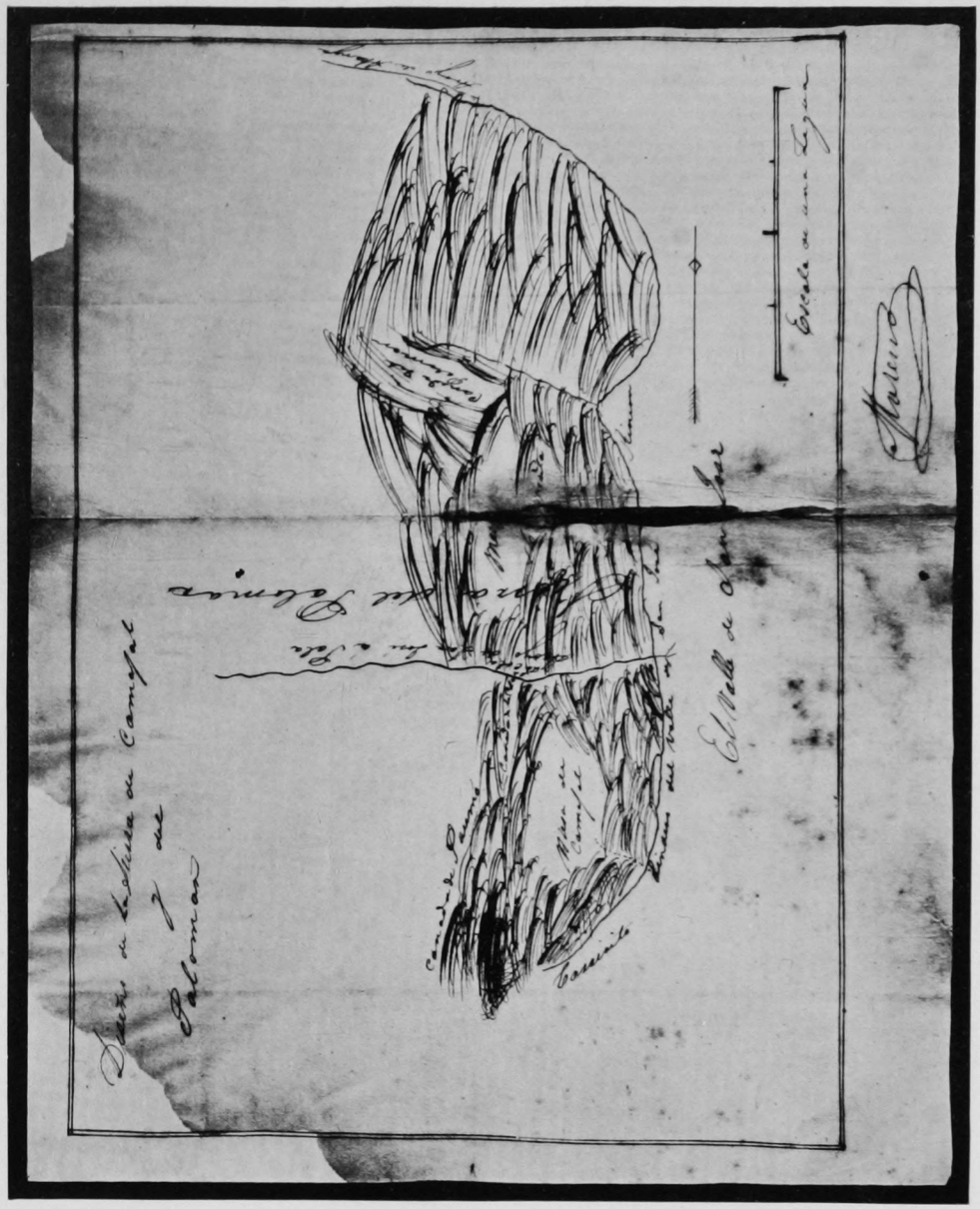


PLATE IX

Map of Camajal y Palomar drawn by Warner in 1846

1. He may fence it, without prejudice to the crossings, roads, and rights of way; he may make use of it freely and exclusively, devoting to it such use or cultivation as he may think best.

2. He must ask the proper judge to give him legal possession in virtue of this warrant, by which the boundaries will be marked out with the proper landmarks.

3. The land of which he is given possession consists of four square leagues [sitios de ganado mayor] and is bounded on the north and west by the mountain range, on the east by Valle de San José, on the south by Santa Isabel, as is shown by the sketch which accompanies the expediente. [Let the judge who] gives possession have it measured in accordance with the statute. Accordingly I order that, considering the present title to be firm and valid, a memorandum be made of it in the book corresponding to it, and that it be delivered to the interested party for his protection and other purposes.

Issued on common paper because there is none of the stamped in the city of Los Angeles, on the 1st of August, 1846.

P. P. [Pio Pico]

J. M. M. [José Matías Moreno]
Acting Secretary