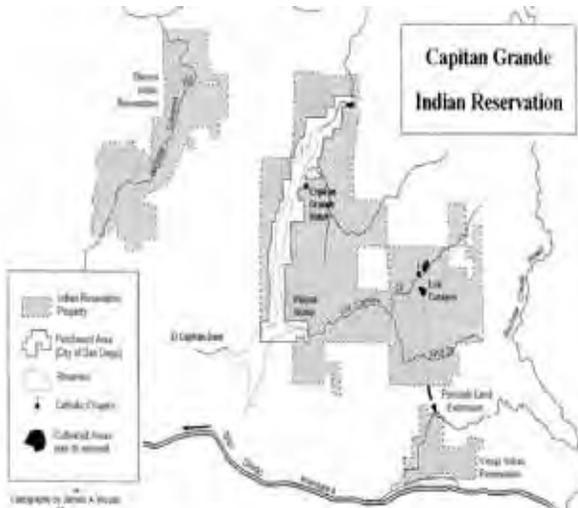


# The Removal of the Indians of El Capitan to Viejas: Confrontation and Change in San Diego Indian Affairs in the 1930s

By

Tanis C. Thorne

When the city of San Diego developed its water resources in the early twentieth century, the Indians of the Capitan Grande Reservation (also called “El Capitan”) were an important group of stakeholders. They lived along the San Diego River in the flood zone of the El Capitan Reservoir. The city had purchased their lands in



Map of Capitan Grande Reservation and its “Successors-in-Interest” Barona and Viejas. To create the water reservoir for the city of San Diego, the Department of the Interior relocated the entire population of the reservation. Credit: Tanis C. Thorne and James Woods.

1919 and 1932 so that the dam could be built. In August 1933, however, a determined group of Indians delayed construction by refusing to permit their graveyard to be disturbed until the Department of the Interior agreed to purchase the Baron Long ranch as their new home. Mayor John Hammond urged John Collier, Commissioner of Indian Affairs, to buy this “splendid” ranch for the Indians.<sup>1</sup> But the stalemate dragged on into the late summer months of 1934 with no resolution in sight.

An exasperated official in the Bureau of Indian Affairs (BIA) sought legal authority for the Department of the Interior to remove the Indians and their

graveyard “with whatever degree of force the situation may require.”<sup>2</sup>

The account of how this situation came to such an impasse—and how it was

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ultimately resolved—remains an important, but little known, story. This essay will examine the controversy over the purchase of the Baron Long Ranch, now known as ‘Viejas.’ San Diego Indians demonstrated historical agency as they defended their vested rights to resources. The resistance of this small group of Capitan Grande Indians in the early 1930s is arguably a defining moment with long-term consequences for San Diego County’s political and economic landscape. Further, the controversy over the Baron Long ranch purchase provides a window into San Diego’s role in the complex issues convulsing local and national Indian politics in the 1920s and 1930s.

## Background

Wresting control of the water resources of the San Diego River—critical to the growth and prosperity of San Diego—was complicated. The city of San Diego had to contend with the vested water rights of the Cuyamaca Flume Company and local water districts.<sup>3</sup> It also had to get consent from the Department of the Interior to use federal trust land since the Capitan Grande reservation was under its protection. The federal agency within Interior—the Office of Indian Affairs (or OIA, later renamed the Bureau of Indian Affairs or BIA)—served as guardian and land manager for Indian wards. Relinquishing federal trust land in this manner could set a precedent so the arrangement was carefully reviewed. Initially, federal officials opposed the dam project but, by 1916, they became convinced that the interests of two hundred Capitan Grande Indians should give way to the fast growing



*Ventura Paipa, leader and spokesperson, ca. 1905. Courtesy of the California History Room, California State Library, Sacramento.*

population of San Diego.<sup>4</sup> In 1919, following enthusiastic testimony by Commissioner of Indian Affairs Cato Sells, Congress passed the El Capitan Act (40 Stat 1206). This legislation transferred water rights and valuable acreage in the granite-walled San Diego River canyon to the city of San Diego.

The El Capitan Act specified that the Capitan Grande Indians would be relocated as a group and village life reconstituted.<sup>5</sup> The Indian Office believed it was fulfilling its duty as guardian by bartering for an improved standard of living for the dispossessed. The city agreed to pay for removal and full rehabilitation of the Capitan Grande Indians, at a cost of \$361,420. It also recognized



*El Capitan Dam site on the San Diego River, December 16, 1917. ©SDHC OP #12423-857.*

that the consent of the Indians was needed for the surrender of these valuable resources. Commissioner Cato Sells repeatedly visited Capitan Grande to persuade the Indians that moving was in their best interests. Families under the leadership of Ramon Ames lived in the flood zone and held valuable water rights of forty miner's inches to the San Diego River. They finally agreed. In return for their cooperation, Sells promised the Indians they could choose a property nearby for a new home.

While this resolution seemed to satisfy the BIA—and benefit both the city and the Indians—it masked two problems. First, a small faction of people living in the southernmost part of the flood zone under Ventura Paipa's leadership steadily protested the land transfer from the late 1910s to the early 1930s. Second, there was another village within the reservation—the Conejos village along the San Diego River's South Fork/Conejos Creek. The Department of the Interior did not solicit, nor obtain, the consent of this community to removal because the isolated village of Conejos was outside the dam's flood zone. Later, city engineers decided that the Conejos people should also leave the reservation in order to ensure the purity of the city's water source. Cattle, however, remained.

In 1932, the federal government promised the city it would gain the Conejos people's voluntary consent to relocate; this was intended to secure the commitment of San Diegans to the El Capitan site.<sup>6</sup> Construction of the dam had been held up for more than a decade by litigation brought by Ed Fletcher, the Cuyamaca Flume Company, and San Diego's water districts. Since more money was needed to buy additional Capitan Grande acreage, cash-strapped San Diego taxpayers had begun to consider other reservoir sites in the 1920s and early 1930s. The 1932 amendment to the 1919 El Capitan Act approved of the transfer of additional reservation acreage; significantly, it also provided the Department of the Interior with discre-



*James (Santiago) Banegas and his family at their home on the Capitan Reservation, ca. 1917. ©SDHC OP #15362-386.*

tionary authority to distribute the city's funds in order to rehabilitate all of the Capitan Grande people, not just those living in the flood zone whose move was compulsory.<sup>7</sup>

The ambiguities of 1916 to 1934 were fertile ground for intra-reservation factional divisions. The Ramon Ames group was surprised to learn that the San Diego relocation fund would have to be divided with the Los Conejos people. They were also dismayed when the BIA opposed the purchase of the property they had selected as their new home: the Barona Ranch northwest of Capitan Grande. John Collier of the American Indian Defense Association (AIDA) pressured the BIA to honor its promise. Fifty-seven people in the Ames group moved to Barona in 1932. The Paipa and La Chappa families adamantly refused to go to Barona; these thirteen individuals (later fourteen) forged an alliance with the Conejos community, demanding the purchase of Baron Long property in the Viejas Valley south of the Conejos village.

## **National and State Politics**

The Capitan Grande Indian removals of the 1930s should be viewed on a larger geopolitical canvas that includes local, state, and national politics. The political struggle over the Baron Long Ranch was linked to the rise of the Mission Indian Federation and California Indian political activism over the California Claims case; the intense debate over the innovative California plan (aka the Swing-Johnson bill); Commissioner Henry Scattergood's "scattering plan"; and finally the Depression-era crisis in federal Indian policies.

For California Indians, a powerful force had been unleashed in the 1920s like a bear awakened from hibernation. They were angered at the many acts of dispossession and abuse that had taken place since the mission era. John Collier observed that numerous acts of past theft, enslavement, and maltreatment were "present in their memories, emotions and continuing attitudes of mind."<sup>8</sup> Herman "Fermin"

Osuna retained the bitter memory of being egregiously robbed eighty years earlier when the Treaty of Santa Ysabel failed to be ratified by the U.S. Senate. When asked if he had any statement for a Senate investigating committee in July 1934, Osuna replied: "I want my home back...When the treaty was made my grandfather was given that place and they have chased me away from there."<sup>9</sup> Hope had also been awakened. For California Indians, there was now the possibility of justice and compensation in the future with the California Claims case.

The Mission Indian Federation, founded in 1919, was a grass-roots organization that used small donations from Indian people to lobby for compensation for Southern California Indians for their historic land and resource losses. In 1928, after years of agitation by Indians, the California Jurisdictional Act passed, allowing the state of California to sue the federal government on behalf of the Indians of California to recover damages. Indian occupancy rights had not been extinguished because the Senate failed to ratify the 1851-1852 treaties. California Indians demanded compensation for lands lost in the California Claims case. The federal Indian Office was the main political target, accused of holding Southern California Mission Agency Indians subordinate to its will as wards. "The Indian Bureau is a petrified, crystallized machine, indifferent to criticism, hostile to reforms, ambitious for authority, demanding increased appropriations and a rapidly expanding personnel," charged Purl Willis, the Federation's white counselor.<sup>10</sup> The Federation wanted to abolish the BIA and to return to "home rule." Winslow J. Couro, spokesman for the Santa Ysabel Band of Mission Indians, summarized the position of the



*Capitan Grande School children around 1905. Courtesy of the California History Room, California State Library, Sacramento, California.*

Federation members: “We only want a little of what we have left and then leave us alone. We don’t need superintendents, farmers, subagents, social workers, education executives and dozens of other employees.”<sup>11</sup>

Southern California Indians and non-Indian reformers found common ground in the late 1920s and early 1930s. Critics assailed the federal Indian Office while the AIDA and other newly formed organizations demanded radical reform in the administration of Indian affairs. Momentum began building for settling the California Claims case and for the passage of the Swing-Johnson bill that would transfer criminal jurisdiction and administration of social services for Indians from the discredited BIA to county and state authorities—along with the federal funds to pay for these programs. In 1932, the Mission Indian Federation leadership invited John Collier, a prominent AIDA official, to speak at a meeting of the San Diego Chamber of Commerce. Collier sought the Federation’s endorsement as the new Commissioner of Indian Affairs and spoke approvingly of the Swing-Johnson “home rule” bill.<sup>12</sup> In his Annual Report in 1931, Commissioner of Indian Affairs Charles Rhoads applauded the “California Plan”—“an experimental method for decentralizing Indian affairs”—for its potential to gradually liberate Indians from government wardship.<sup>13</sup>

Gauging the political winds, Commissioner Rhoads and his assistant Henry Scattergood saw the evacuation of Capitan Grande as an opportunity to implement the long-range goal of ending federal responsibility, beginning with Southern California’s Indian population. Rhoads asserted Southern California’s Mission Indians were “only slightly different from Mexican-American citizens in same communities” and “amalgamation into local communities is possible.”<sup>14</sup> Scattergood embraced a plan introduced by San Diego Congressman Phil Swing for “scattering” at least some of the Capitan Grande Indians. Many San Diegans disliked the idea of having new federal trust reservations created in San Diego County because trust status meant exemption from county tax rolls and thus a heavier tax burden



*Barona Ranch, April 1899, owned by J.E. Wadham. ©SDHC #358.*



*Baron Long Ranch, ca. 1930, was a level, fertile field on the floor of the Viejas Valley. When this photo was taken, erosion was negligible. ©SDHC #5271.*

on non-Indians.<sup>15</sup> The so-called “Scattergood suggestion” was dispersal: “ending of tribal life and location [of Indians] on individual plots of land near population centers.”<sup>16</sup>

### **The Battle for Baron Long Ranch (or Viejas)**

A stalemate developed in 1931-1932. Whereas the BIA promoted the scattering option and persisted in offering dozens of alternative properties for relocation in San Diego County to those Indians who did not move to Barona, a consensus steadily built among the Paipa/La Chappa coalition and the Conejos community for the purchase of Baron Long’s ranch.

Why did the BIA steadfastly refuse to buy the Baron Long ranch? A big stumbling block was the price: Baron Long asked \$200,000 (later lowered to \$125,000) for the 1,609-acre ranch. The Barona ranch cost \$75,000 and had nearly four times the acreage. The large sum of money provided by San Diego—\$361,420, plus payment for the additional 920 acres in 1932—suddenly seemed too small. To pay such an exorbitant price for the ranch would leave insufficient money for homes with indoor plumbing, irrigation systems, and other improvements to rehabilitate the remaining Indians to be removed from Capitan Grande. If the standard of living for the Conejos-Paipa group was not raised to a commensurable level to the Baronas, the moral justification for the federal guardian agreeing to relocate them was undermined.

There were, moreover, serious concerns among federal officials about whether the eroded Baron Long ranch had adequate water and agricultural land to promise self-sufficiency for the Indian population in the long term. Without the potential for prosperity, the termination of federal guardianship was illusory. The federal government clearly did not want to burden taxpayers with the costs of renovat-

ing the Baron Long ranch, nor place Indians where they would be condemned to poverty and dependency.

There was a political as well as an economic dimension of the problem. Much of the opposition to the purchase of Baron Long can be traced to the ongoing political struggle between the BIA and the Mission Indian Federation and, more specifically, between the BIA and Purl Willis, the Federation's white counselor. Baron Long's ranch was not the Indians' choice, many believed, but rather Purl Willis's choice. There were well-founded suspicions that Willis stood to gain personally by getting an estimated \$7,500 commission from the seller, Baron Long. Allegedly, Willis was manipulating the Indians for his own political and personal gain. Willis's many enemies did not want to be railroaded into buying a substandard, overpriced property by a racketeering minority under Willis's command.<sup>17</sup>

At the time, most BIA personnel and reformers assumed that the Paipa group and the Conejos people were mere pawns in Willis's schemes. Their assumption was both ethnocentric and simplistic. The relationship among Willis, the Federation's Indian leadership, and the rank-and-file membership was dynamic and symbiotic. Much as Ramon Ames turned to the pressure group (the AIDA) for help to secure the Barona property when the Interior Department dragged its feet, the Paipa group needed the political clout of the Federation to support its bid for the Baron Long Ranch. All Mission Indians wanted to have compensation for lands surrendered in the 1852 Treaties of Temecula and Santa Ysabel, a cause that the Federation was fighting. Living on the razor's edge of survival with minimal water rights and little arable land, many southern California Indians depended upon the Federation as a counterweight to the heavily paternalistic BIA and its unpopular and unworkable programs. Southern California's Mission Indian Agency Indians moved in and out of Federation membership depending on whether or not they thought that the Federation was serving their goals.

Ventura Paipa, a Capitan Grande Indian, was an advocate for purchase of the Baron Long property. Born around 1879, he was the seventh child and fourth son in a large family. Since his family lived at Capitan Grande for upwards (perhaps considerably upwards) of eighty years, many of those buried at the graveyard in the southern end of the San Diego River canyon were his relatives. He strenuously and continuously opposed the disturbance of these graves. Paipa and his brothers also had homes and other structures, fences, stock, and crops in the flood zone.<sup>18</sup> His personal experience with federal autocracy, betrayal, and hypocrisy crystallized into an ingrained cynicism of government motives and skepticism regarding government promises. A spokesperson and leader (and very much his own man), Paipa was a vocal opponent of the dam project from the idea's inception in the 1910s. In the 1930s he pursued a policy of non-cooperation and became a major advocate for the purchase of the Baron Long ranch.

Politically, the Paipa and La Chappa families were stalwart Federation members. Juan Diego La Chappa, a Federation Captain, took a lead in enforcing Federation policy in 1925 when he charged a couple with adultery at Sycuan.<sup>19</sup> The La Chappas and Paipas had relatives in the Los Conejos village. Ventura Paipa's kinsman, Captain Felix Paipa of the Conejos band, was an important ally during the relocation struggle.<sup>20</sup>

The field notes of linguist John P. Harrington provide some suggestive evidence that cultural factors were in play in the political alignments at Capitan Grande.

Harrington's notes indicate that the Paipas and La Chappas of Los Conejos were the best Indian speakers of the Tipaay (Southern Diegueño, or, Kumeyaay) dialect. All the Paipa family's "witch stuff" had been inherited by Sylvester Paipa, older brother of Felix. When Sylvester died, Felix acquired a sacred object, the teaxor rock. As Felix did not want it, he passed it to Ventura Paipa who ritually manipulated it. These and other details in Harrington's field notes indicate the La Chappas and Paipas were culturally conservative. For them, authority derived from both political skill and the ownership of sacred objects and esoteric ceremonial knowledge.<sup>21</sup>

The Paipa and Conejos groups remained unified on the relocation issue due to a combination of factors, including kinship ties, language, shared worldview, and the Federation's political organizational work. They also remained together because they were attracted to, and familiar with, the Baron Long Ranch. A warm wintering zone and

locale for seasonal work, the Viejas Valley was rich in memories for the Conejos people. Baron Long, a flamboyant and wealthy man, owned many properties in Southern California, including the Agua Caliente race track, the U.S. Grant Hotel in San Diego, and the 1,609-acre horse ranch in the Viejas Valley, described as a "showplace." Baron Long pastured his racehorses here. It had a sportsman's out-of-town clubhouse, an abundance of hay and alfalfa, and ten to twelve barns. The Paipa brothers, stock-raisers and horse-lovers, were attracted to the Baron Long property, particularly as one of their major financial assets was a large horse herd. Presumably, the Paipa family's livelihood involved providing transportation to Indians and Mexicans traveling for social events (inter-tribal fiestas) and seasonal off-reservation work on non-Indian farms and ranches.

Baron Long's Ranch was, in many respects, the ideal place for relocating the remaining Capitan Grande people. Congress validated the Capitan Grande people's continued ownership of all the reservation lands not transferred to the city of San Diego for the dam: 14,473 acres.<sup>22</sup> If the federal government purchased an additional strip of land between the ranch and the existing reservation, a land bridge would connect the two and provide Conejos stock raisers with access to an extensive grazing annex at their old home, as well as access to Capitan Grande's other cultural and material resources.<sup>23</sup>



*Ambrosio Curo and Manuel Banegas walking up a canyon at Capitan Grande to find the site of an eagle's nest, August 1917. ©SDHC OP #15362-858.*



*El Capitan Dam under construction, June 25, 1932. ©SDHC #4334-A-15.*

## **Purl Willis: The Man, The Motives**

Purl Willis may or may not have manipulated the Capitan Grande people, but he certainly played a prominent role as in the Baron Long affair. In some circles, he was known as a friend to the Mission Indians, while in others he had a reputation as a scoundrel.<sup>24</sup> These two views cannot be reconciled. What is indisputable is that he was an ambitious man who sought to position himself as the power broker between Southern California Indians and the federal government in the 1930s.

A key to understanding Willis's character and ideology was the fact that his father was a Baptist minister while his older brother, Frank, was a prominent, successful, and ambitious Republican politician. Frank Willis served as a U.S. representative (1911-1915), as governor of Ohio (1915-1917), and as a U.S. senator (1921-1928). He died in 1928 while campaigning against Hoover for his party's nomination for the presidency.<sup>25</sup>

Purl Willis was a person of undoubted ability who had important political connections in Washington, D.C. He was also remarkably tenacious, making appearances at no less than 134 Congressional hearings on Indians from 1931 to 1957. Willis, like his northern counterpart Frederick Collett (white counselor of the Indian Board of Cooperation) inspired intense loyalty among many Indians. Willis's enemies described him as a crook and a parasite who created divisions in the Southern California Indian population with his self-serving agitation.<sup>26</sup>

Unquestionably, the Federation was a very divisive political organization, politicizing Indian communities in southern California and pitting Federation

and anti-Federation factions against one another. Like a colonized people fighting off a foreign power, the Federation used litigation and political violence to protest the BIA's authority over them. In essence, two rival governments vied for power and legitimacy in Southern California: the BIA and the Mission Indian Federation. There was much bad blood between the BIA and the Federation, and they were evenly matched.<sup>27</sup>

Elected as deputy county treasurer of San Diego County in 1931, Willis found political opportunity in the bleakness and chaos of Depression-era Southern California.<sup>28</sup> He built his career as an Indian expert and liaison after he was appointed by the San Diego Board of Supervisors as one of three members of a commission studying conditions of Indians on San Diego reservations. Unlike others who claimed that the poor conditions were sensationally overblown, Willis was highly critical of the BIA. A lifelong Republican, Willis supported the transfer of BIA authority to state and counties agencies, first endorsing the Swing-Johnson bill (enacted into law as the Johnson-O'Malley Act) and later House Resolution 108 (the termination policy of the post-World War II era) and Public Law 280.

### **Confrontational Politics, 1932-1933**

The BIA and the City of San Diego sought, first, to move the Paipa group and their graveyard from the flood zone, preferably without the use of force; and, second, to persuade the Conejos group to move away from Capitan Grande voluntarily, preferably as individual family groups severing their tribal ties. Federal bureaucrats, enmeshed in the social-engineering mentality of the age, assumed that the superior planning by intelligent, professional experts would neutralize the Federation's influence. "Whether [the Paipa group] will move before it becomes



*El Capitan Dam, June 1955. ©SDHC #81:12430.*

necessary to move them by force," wrote a Brookings Institute analyst "is a test of government ingenuity and intelligence."<sup>29</sup>

At Capitan Grande, a reservation roll was being finalized to ascertain the number of shareholders and the exact amount of each person's per capita share. The special agents that Scattergood had set to the task of persuading the Indians to scatter were optimistic. Once the exact value of each share was decided, some who were vacillating might be induced to purchase individual properties close to urban areas and employment. Special Agent Mary McGair was engaged in assessing preferences in July 1932.<sup>30</sup>

Ventura Paipa and the Mission Indian Federation should be credited for an amazing political feat at this juncture: upending the BIA's well-laid plans and turning the situation at Capitan Grande to their own advantage. Rather than being outsmarted or overpowered, the tiny Paipa-La Chappa group stood united. At a meeting at Conejos on December 29, 1932, a vote was taken of enrollees who wanted per capita shares of the Barona property. All were opposed.<sup>31</sup> Two months later, in February 1933, those in Conejos joined in the petition with the Paipa group to purchase the Baron Long ranch, touting its advantages of nearly 900 acres of almost level farm land, farm machinery in good condition, barns and stables for houses and stock, electricity, and other modern conveniences. Adam Castillo later confessed that the captains, or village leaders, appended many of the signators' names to the petition. With reason, the BIA clearly suspected that Willis, Federation President Adam Castillo, and the Federation Captains were misrepresenting the will of a few as that of the community as a whole.<sup>32</sup>

In order to break the hold of the Federation, an important meeting was held at Los Conejos on March 5, 1933, with Castillo and thirty other Indians in attendance. Agent McGair declared that each person would get \$2,474.80 for land, a new house, furniture, livestock, and other necessities, plus a share of the general reserve fund. When Castillo, instead, urged the purchase of the Baron Long ranch as a group, McGair downplayed this possibility. She cautioned that an engineer would have to study the property for its suitability. In addition, an official petition would need to be signed by all who wanted the property and all names on the petition cross-checked with the roll. Willis wanted the Baron Long property checked out immediately by his own engineer, implying the BIA engineers were biased. A notarized petition, formally requesting the purchase of Baron Long ranch, dated March 20, 1933, included the names of Adam Castillo and Vincente Albanez (two Federation leaders not enrolled at Capitan Grande), along with Felix Paipa for Los Conejos, Juan Diego La Chappa and Ventura Paipa for "El Capitan."<sup>33</sup>

Despite this demonstration of unity, the BIA and Indian Rights activists dug in their heels to oppose the purchase of the Baron Long ranch. They thought that its purchase would represent a political victory for the Federation, enhancing Willis's reputation with Indians and further eroding the fragile authority of the BIA in southern California. Nickel-and-dime contributions by California Indians were pushing the California Claims bill through Congress. Together, Willis and Collett—the white counselors to the southern and northern grassroots Indian organizations—raised money to go to Washington, D.C., to lobby for the California Indians' right to hire their own legal counsel. Opponents viewed both Collett and Willis as racketeers out to enrich themselves, men who were ominously positioning themselves as middlemen in the California Claims case settlement that



*Schoolhouse at Capitan Grande, ca. 1900-10. Courtesy of the California History Room, California State Library, Sacramento, California.*

potentially involved millions of dollars. One federal employee publicly accused Willis of collecting \$88,000 from the Mission Indians to enrich himself. The Baron Long's ranch purchase was now a strategic asset in a larger struggle in which the stakes were large.<sup>34</sup>

In 1933, California Indians became better organized than ever before. At the same time, the BIA was extremely vulnerable, thus providing an opportunity for a minority to exercise unaccustomed power. The Old Guard BIA was in disgrace. The Federation's membership was cresting to over half of the adults in the Mission Indian Agency. A Senate sub-committee was crisscrossing the nation, making several stops in Southern California, and lending a sympathetic ear to testimony from Indians about how and why the BIA had failed them. On its September 1932 tour, the Senators found disgraceful conditions on San Diego County's Indian reservations. Different bills before Congress to settle the California Claims suit buoyed hopes of justice and financial compensation. President Franklin Delano Roosevelt's newly appointed Commissioner of Indian Affairs, John Collier, recognized the Federation as an organization legitimately representing Southern California Indians.<sup>35</sup> The Swing-Johnson bill was still viable. Congressman Swing interviewed President Adam Castillo about the Federation's goals in late 1932. The latter told him that the California Indians wanted per capita cash payouts in the settlement. Since Swing believed that Indians could not be trusted with this money, he decided that Willis or others should handle the money according to the outlines of the Swing-Johnson bill.<sup>36</sup>

Increasingly perceived as a self-interested outside agitator, Willis flexed his muscles and became more outspoken. Willis, Castillo, and the tough Federationists among the Cahuilla were defending the land rights of the Agua Caliente people against the civic leaders of Palm Springs in Riverside County.<sup>37</sup> Meanwhile, at an explosive meeting in San Diego County in April 1933, Willis demanded to know

why a commission of prominent white people had been established to oversee the transition from federal to state and county management of Indians, when the Indians themselves could manage their own affairs and elect their own representatives?<sup>38</sup> Willis made a “scathing rebuke” of the San Diego Board of Supervisors, accusing them of “high-hat attitudes over their Indian serfs” who were “criminally neglected.”<sup>39</sup>

In May and July 1933, Willis wrote a long letter to Commissioner Collier, lobbying for the purchase of the Baron Long ranch. In this correspondence, he appears in his pivotal role in the El Capitan dam saga as the dealmaker or breaker. Willis claimed that BIA personnel were covertly trying to persuade people to accept individual allotments though they wanted “to stick together.” He charged that Mission Agency Superintendent Charles Ellis and Agent McGair were manipulating the enrollment to prevent the Baron Long Ranch from being “owned by the Federation.” He claimed that the ranch was an “ideal reservation” and threatened that the Los Conejos people would not leave their old lands if the Baron Long ranch was not purchased for them. To all appearances, a power-hungry Willis was creating his own bailiwick with his compliant lieutenants serving at his behest. The Federation’s enemies likened it to Tammany Hall, a political machine that survived by coercing loyalty and enriching its leaders.<sup>40</sup>

While the Interior Department went to great lengths to create equities among the displaced Capitan Grande peoples, it was charged with partiality. Willis outlined the argument that would be used against the BIA if it failed to comply with Federation demands: that they had worked to rehabilitate the mostly non-Federation Barona group and had ignored the needs of the Conejos people who are “most wholly members of the Federation.” He also attacked the Baronas for being selfish at the expense of the remaining Capitan Grande people who are “starving and dying” because Baron Long’s ranch was not purchased. Such artful exaggerations warned John Collier how dangerous Willis could be. He could damage Collier by making sensational claims, regardless of their basis in fact.<sup>41</sup>

Willis positioned himself as the one to break the deadlock at Capitan Grande. San Diego wanted the bodies in the graveyard moved and the Conejos/Paipa group out of the San Diego river watershed. The BIA wanted to avoid scandalous charges of neglect and partiality. The Paipas and Conejos wanted grazing land and a degree of independence. The Federation wanted political capital and a voice in southern California Indian affairs. As the price for his services, Willis sought to be appointed as superintendent of the Mission Indian Agency with recognized authority as intermediary.<sup>42</sup>

Collier, a political realist, realized that there was no viable alternative to buying the Baron Long property for all the reasons Willis outlined, even if Willis collected \$7,500 on the sale. Collier’s advisors, allies, and subordinates, however, would not countenance the purchase of the ranch. One called the Baron Long Ranch a “white elephant.” Another agent cited the prohibitive costs to bring Baron Long up to the level of Barona: it would be “inadvisable and unbusiness-like for any one to seriously consider the purchase of this property” unless the purchaser will immediately sink \$45,000 into erosion prevention.<sup>43</sup>

Facing a divisive and volatile situation, Collier chose a conservative course that alienated the California Indians and extended the stalemate at Capitan Grande for another fifteen months. First, he did not appoint Willis as the new superintendent

of the Mission Indian Agency; instead, he appointed John Dady to replace Superintendent Ellis on July 16, 1933. Second, he published an article in his magazine, *Indians at Work*, supporting the compromise worked out by California's attorney general for a \$6 million dollar settlement of the California Claims case.

Across the state, California Indians felt betrayed and suspected state and federal officials of conspiring in back-room deals to minimize the amount of the judgment. They were angry that the sum was so little, \$6 million, or \$250-\$300 per capita of the 23,000 enrolled California Indians. They scented a conspiracy. They wanted their own lawyers and their day in court.<sup>44</sup> Collier's stand on the Claims bill weakened his credibility among California Indians.

When Dady became superintendent, a thwarted Willis furiously turned on Collier and did everything he could to make Superintendent Dady's life miserable. A meeting of a "continental congress" of Southern California Indians convened to greet the new superintendent. An eyewitness reported that an announcement was made that "Dady's appointment was only temporary and that he would soon be succeeded by Willis." In Dady's presence, the Indians chanted: "We want Willis. We want Willis."<sup>45</sup>

In August 1933, tensions were high in the Mission Agency. The original deadline of August 3 for the city taking possession of the San Diego canyon property came and went. The local BIA personnel and AIDA members remained resolutely opposed to the Baron Long purchase, though seventy-three shareholders signed up in favor of it. On August 6, 1933, there was fear of violence at the Mesa Grande fiesta, allegedly sparked by the dangerous political agitator Willis out to undermine the authority of the BIA in the Mission Indian Agency.<sup>46</sup>

Commissioner Collier brokered a compromise by acceding to the demands of the remaining Capitan Grande Indians. In October 1933, the Conejos people repudiated the scattering plan; they wanted to continue to live together.<sup>47</sup> The same month, Collier publicly endorsed a policy of dealing with Indians collectively, not as individuals:

It should not be our policy to influence the Los Conejos Indians in the direction of choosing to live on separated parcels of land. And it should not be our policy to consult them only as individuals and not in [a] group.... Generally speaking, the isolation of Indians from one another has been a disastrous failure, as witness the allotment layout.... [W]herever the Los Conejos Band is to be located; it probably will be most successful if located in a colony.<sup>48</sup>

At the same time, Mission Agency personnel assiduously searched for evidence for a criminal indictment against Willis. Investigators sought proof of manipulation of the Capitan Grande shareholders.<sup>49</sup> Willis was suspected of "inciting Indians to disregard the authority of a Deputy Special Officer of our Service" at the Mesa Grande fiesta. In late 1933, J. Edgar Hoover, Director of the Bureau of Investigation (later the FBI), launched an investigation into Willis's life. Collett was also investigated. The FBI found that Willis had been convicted of forgery and had served five months in a reformatory in Ohio before relocating to California.<sup>50</sup> In a marked reversal, Commissioner Collier publicly condemned Willis as a "racketeer" who had no legitimacy as a representative for California Indians.

Criminalizing Purl Willis and trying to break the Federation's power damaged Collier's standing among California Indians. Suppressing Willis and the Federation was politically costly, for Collier badly needed the Federation's support for his Indian reorganization bill. In February 1934, the Federation unanimously requested that Dady be transferred and that Willis be named as his successor. This request was denied.<sup>51</sup> In early 1934, Castillo and Willis traveled to Washington, D.C., to testify before the House Committee on Indian Affairs, protesting Collier's attempt to suppress their activities. On this trip they first learned of the legislation Collier promoted allegedly for Indian "home rule." Federationists saw the Howard-Wheeler, or Indian Reorganization, bill as another act of double-dealing by Collier, for it would perpetuate the oversight of California Indians by the BIA and extend Indian wardship into the unforeseeable future. While Collier moved to the left politically, the Mission Indian Federation affiliated with the right-wing national organization, the American Indian Federation, which characterized Collier's new program as communistic.

The Federation now worked to take down John Collier. Willis and Castillo immediately telegraphed to the Federation members in Southern California to oppose the Indian Reorganization Bill. Because of their stand, Willis and Castillo were gagged; the former was barred from traveling to certain reservations or attending meetings with Indians.<sup>52</sup> In Southern California, the Indian Reorganization Act (IRA) went down to resounding defeat.<sup>53</sup> Dady, among others, blamed Willis for the near unanimous defeat of the IRA in Southern California: "The Baron Long group resoundingly turned down the Indian Reorganization Act," he wrote.<sup>54</sup>

Despite the desire by all stakeholders for resolution, the Baron Long controversy dragged on into the first few months of 1934. The city set a new deadline for taking possession of the dam site on the Capitan Grande reservation: November 1934. Apprehensive as the date neared for the waters to be released into the El Capitan Dam, a committee headed by Ventura Paipa hired attorneys to secure Baron Long ranch for them at a February 1934 tribal meeting.<sup>55</sup> The search for alternative properties continued. Collier said it was the exorbitant price of Baron Long—not the alleged payoff Willis was to receive, nor political opposition to the Federation—that stalled the purchase of this property. Collier took an active part in a number of conferences with attorneys. A senate subcommittee met in San Diego in the summer of 1934 to ascertain the Conejos peoples' true wishes. Ventura Paipa appealed to the senators, saying Baron Long must be purchased because, in ninety days, the Indians still residing at Capitan Grande would be homeless. The senators heard testimony vindicating and vilifying the Federation's role in the deadlock. Willis pressed the issue. Some saw him as a sincere and honest advocate for Indians while others demanded that he be required to state under oath whether or not he would receive any commission on the Baron Long purchase.<sup>56</sup> Stella Atwood, for example, saw the Baron Long petitioners as being in the "clutches" of Willis; the irritating problem of the ranch was "brought about deliberately by a set of racketeers who should be in prison."<sup>57</sup> Will Rogers, Chairman of House Committee on Indian Affairs, held hearings regarding the flooding of the Paipa family cemetery. According to Dady, Willis was discharged from his position as clerk in the County Treasurer's office in San Diego in August 1934 because "we are informed [hearsay], he was such a nuisance and deceived his boss, the County Treasurer."<sup>58</sup>

A long-awaited accounting of the Capitan Grande relocation funds in August 1934 clarified what had happened in the course of the removal negotiations. There were a total number of 153 shareholders in the San Diego fund: 57 at Barona, 74 declared for Baron Long, and the remaining 23 either buying separate individualized properties or undeclared. The share of each was calculated equally at \$2,523.65 in order to create a standard for how much to expend for individual properties.<sup>59</sup>

There was a great discrepancy between the projections of 1931 and the calculations of 1934. According to the early calculations, the 70 residents in the river valley constituted 46 percent (37 percent in the Ames group and 9 percent in the Paipa group) of the total. The 40 at Los Conejos constituted 26 percent, and the 41 (or 30 percent) living off-reservation were expected to buy off-reservation properties. The Paipa group (35 percent of the Capitan Grande residents) opted for Baron Long along with 68 percent of non-residents.<sup>60</sup> The Baronas, then, ended up with a minority share of 37 percent and the Baron Long petitioners 51 percent (when not required to move and still enjoying access to Capitan Grande). Instead, 12 percent of the anticipated 25 to 33 percent took individual properties.<sup>61</sup>

A September 1934 petition renewed the demand for purchasing the Baron Long property with Ventura Paipa's name heading the list. The prolonged negotiations finally drew to an end. The press announced in early October 1934 that the ranch would be purchased.<sup>62</sup> Long agreed to lower the price to \$125,000 and the Indians' attorney pressed for a purchase of the property to connect Long with Capitan Grande. Collier favored ending the impasse by conceding victory to the Federation. Because the Paipa group represented fourteen shares and its graveyard had to be moved immediately, the purchase of the Baron Long property was unavoidable, he argued. This "vexing question" of the grave removal left the BIA no choice. The requirements of the 1932 amendment had the BIA over a barrel. Indian consent was imperative; keeping the Los Conejos people on their present "sterile" reservation and providing for their improvement there was "wholly undesirable." The Baron Long purchase was a lesser of two evils. Collier minimized the political damage to his defeated colleagues by explaining that Willis and Collett would take all the credit anyway: "We must not overrate their importance."<sup>63</sup>

Negotiations at an October 3, 1934, meeting at Conejos finalized the compromise. Two documents, signed and forwarded to Washington and considered legal and definitive, laid out the conditions for the purchase of Baron Long. Because the \$125,000 price of Baron Long's ranch would leave inadequate sums to make the property self-supporting for the 73 (ultimately 78) shareholders, the Indians pledged to do many different types of work themselves: rebuilding the irrigation system, tearing down excess barns and fences, constructing the church, protecting land against erosion, plowing, and leveling community fields. The Viejas colonists demanded the same damages for property losses as the Barona people had received. A second petition, also dated October 3, gave permission to move the Capitan Grande village cemetery and was signed by most of those in the Paipa group.<sup>64</sup> Ventura Paipa had so little trust in the federal government's promises that he wanted to see the deed to the Baron Long property before he agreed to see the graves moved. Also attached was a petition requesting payment to attorneys, L.T. Eugene Ness of San Diego and Marion Butler of Washington, D.C.—hired the previous February by Ventura Paipa and fellow committeemen Sam Brown, Jack

Brown, Jesus and Felix Paipa—at the agreed rate of 7 percent: \$8,750 based on the \$125,000 purchase price of the Baron Long Ranch. Paipa, however, repudiated the lawyers' demand, saying he did not want them paid anything.<sup>65</sup>

With the Mission Indian Federation's support, the fight for Baron Long proved successful. The Conejos and Paipa coalition demanded and won a very high price for their cooperation: their use and ownership of over 14,000 acres at Capitan Grande not surrendered, a new reservation owned collectively, new homes and better economic prospects, and, potentially, a land bridge connecting their two trust properties. Though a majority share of the city's fund had been promised the Barona people, the rolls had expanded to give the Baron Long petitioners the lion's share of the San Diego fund.

## Removal to Viejas

Superintendent Dady awarded the bid for removing the graveyard to Ramon Ames. The city of San Diego extended the deadline until November 10, 1934, to complete the evacuation.<sup>66</sup> A tense situation developed because of delays in moving the bodies. The expedient of digging up the bodies and placing them in temporary storage in a funeral vault was proposed. When the Indians refused to make a decision until their advisors could be consulted, the city engineer threatened to go in with a steam shovel to remove the bodies. The Indians threatened violence if the graves were disturbed without their consent.<sup>67</sup> Ventura Paipa became so emotional that he tried to block the excavation. Baron Long agreed to have a majority of the bodies moved immediately to his ranch; he deeded land to the Indians for a graveyard even if the real estate transaction fell through. The work began of transferring bodies there on November 13. Seventy-five bodies were moved at the cost of \$20 each. Ventura Paipa dug the graves at the new locations. "It is understood," wrote Fred Pyle, a hydraulic engineer in late November 1934, "that the three Indian families remaining in the El Capitan reservoir basin will be moved to Viejas Valley soon."<sup>68</sup> Accompanying the graves of their relatives, Paipa and others went directly to the Baron Long Ranch and set up residence in the barns. Secretary of the Interior Harold Ickes approved the purchase of the Baron Long ranch on May 28, 1935.<sup>69</sup>

The distrust, adversarial relationships and confrontational politics that prevailed before the removal carried over into the resettlement phase. The Viejas people had anticipated that they would have a strong voice in decision-making as well as adequate funds for rehabilitation in their new homes, but they were disappointed on both counts. During the winter of 1934-1935, when the legal title had not yet been transferred, Paipa and other militant Federationists in the pioneering group enjoyed a brief period of independence from the BIA. They took several initiatives—such as taking out a mortgage, buying farm equipment on credit, and slaughtering pigs—for which they were later reprimanded. The pigs, for example, were "government property," not their own to handle as they wished.

Although the federal government was committed to building and furnishing homes and a church, developing domestic water, and buying livestock for all of Viejas people, it could only do this by tapping into federal Work's Progress Administration and Emergency Conservation Work funds and coordinating efforts between different state, county, and federal agencies. The Viejas people attributed

the many delays to federal political retribution.<sup>70</sup> As a result, shortage of funds, bureaucratic delays, and a disagreement over housing postponed the rehabilitation of the Viejas people.

Paipa proposed to recycle the lumber from the ranch's barns to save money on building materials; in this way, only windows, doors, flooring, and roofing needed to be purchased. The residents would be paid for construction work and the balance of their funds could be distributed in cash among the Viejas people for their discretionary use in self-support and improvements. Dady's vision was quite different: "Shacks ...would not be permitted." Working with the County planning department, Dady decided adobe was the most economical building material. He proposed that a plant for manufacturing roof, floor, and drain tiles be built at Viejas. In that way, the Viejas people would have a home industry that could support them after their homes were built. However, the Indians were biased against this form of construction due to bad experiences with adobe structures collapsing during earthquakes. "Apparently no real consideration has been given our desires," complained Paipa.<sup>71</sup> "We are, as you are aware, compelled to live in the old barns, etc., as we had to move out of Capitan valley," he wrote on March 29, 1935.

Several months later, a committee headed by Ventura Paipa complained: "Here it is 1936, winter is upon us, and through unnecessary delay and lack of attention to our planning by the Bureau, we are facing a chance for a POOR CROP next year." The summer passed, and there were no homes for families "still living in barns with little or no protection from the winter snows sure to come."<sup>72</sup>

In contrast to the relatively smooth and speedy resettlement of the Barona people, the resettlement at Viejas left many bitter memories in its wake. Tom Hyde, a Viejas elder who was a boy during the resettlement, recalled that Viejas colonists were forced to leave their homes at Conejos due to threats that they would be burned out. "Some of the shanties were set on fire," he said. Many Viejas colonists lived for months or years in drafty barn structures. There was great suffering in the winter of 1936-37 because of heavy rains, snow, flooding, and unprecedented cold. Hyde said there was a high mortality rate due to emotional distress and pneumonia. "You talk about the trail of tears, we had it out here."<sup>73</sup>

The Viejas housing was not completed until 1938.<sup>74</sup> In the end, the Indians' preference for frame houses of recycled barn wood was respected but the \$125,000 price tag for Viejas dug deeply into the per capita shares of the seventy-eight colonists. There was only money for relatively cheap one-, two-, and three-bedroom homes, far inferior in quality to the homes built for the Barona colonists.<sup>75</sup>

Suspicion and conflict continued to mar the BIA's relationship with the Viejas colonists. The Indians tried to broker what they needed by refusing to cooperate, but eventually had to go along with the BIA's program in order to get federal employment. The Mission Indian Agency received \$535,109 expended in ECW funds, 75 percent per capita more than among Indians nationally.<sup>76</sup> Viejas and Palm Springs continued to be Willis's power bases, but Collier treated Willis as a grafter.<sup>77</sup>

The hard-won battle to create the Viejas Reservation left a mixed legacy. Defying the stereotype of Indians as victims, the Paipa-Conejos coalition got what it demanded through skillful political maneuvering. The cost, however, was suffering, continued economic marginality, and residual ill-feelings towards the Barona colonists and the BIA. Ironically, dependency upon BIA assistance increased in the subsequent decades despite the determined drive for "home rule" and the BIA's

official commitment to the same. The new home of the Capitan Grande Indians at Viejas did not provide its population with economic self-sufficiency or even measurable improvement in their standard of living until the advent of Indian gaming in California in the 1980s.<sup>78</sup> Because they had relocated as a group to federal trust land after a hard-won struggle in the 1930s, the Viejas people capitalized on their quasi-sovereign status and limited immunity to state law, just as the Baronas did. Invaluable water rights to the San Diego River were lost, but the large Capitan Grande reservation—an anomalous reservation without Indians—continues to be owned collectively by the Barona and Viejas people as “successors in interest.” El Capitan stands as a mute witness to an important, but little known, episode in San Diego history.



*The Blessing of the Cross Festival at the Barona Indian Reservation, August 15, 1952. ©SDHC, Union-Tribune Collection, UT #8248-232.*

## NOTES

1. John Hammond to John Collier, August 31, 1933, National Archives, Record Group 75, 99348-1907 Capitan Grande [CG]-370, Washington D.C. [henceforth NA-I]. In 1919, the city purchased 1904 acres from the Capitan Grande people in 1919 and another 920 acres in 1932.
2. Roy Nash, California Indian Superintendent, to the Commissioner of Indian Affairs [CIA] to John Collier, regarding his request to Louis Glavis, Director of the Department of Interior [D/I] Investigations, August 25, 1934, NA-I, 99348-1907, CG-370.
3. For this well-known legal water rights struggle, see Colonel Ed Fletcher, *Memoirs of Ed Fletcher* (San Diego: Pioneer Printers, [c. 1952] and Richard Pourade, *The Rising Tide: The History of San Diego* (San Diego: The Union-Tribune Publishing Co., 1967), chap. 3.
4. The city's population doubled from 80,000 to 160,000 between 1921 and 1933.
5. A full narrative of the history of the Capitan Grande reservation, 1850-1930, including the water rights struggle and the relocation of the Barona colonists, is to be found in the author's manuscript, *El Capitan* (Malki Press, forthcoming).
6. H.N. Savage, "Hydraulic Dam for San Diego," *Engineering News-Record* 1, no. 2 (July 13, 1933), 34. Agreements between the San Diego city council and the Spring Valley, La Mesa, and Lemon Grove water districts were reached November 30, 1931.
7. Amendment to the El Capitan Act, 1932, Senate hearing, subcommittee on public lands on S. 1715 (72-1) 99348-1907 CG-370 pt ¼, pp. 5, 14-19, NA-1. The City of San Diego delivered the remaining sum due of \$35,567.20 for 920 additional acres on November 8, 1933.
8. John Collier, "The Mission Reservation," Message to House Committee on Indian Affairs, 1934, Doc. 33473, Box 81, f. 20 John R. Haynes Collection (1241), Special Coll., UCLA.
9. Osuna (of Santa Ysabel which is near Julian) quoted in "Survey into the Condition of Indians of the United States," Senate Subcommittee Pursuant to Senate Resolution 79, 70th Congress, 2nd session (1928-1944), [Microfilm], 17304.
10. Ibid, *Survey*. 21405.
11. Winslow Couro to Superintendent Dady, April 16, 1938, *Survey*, (May 9, 1939), 21393-5, 21444.
12. *San Diego Tribune*, August 22, 1932; Collier speaking at Chamber of Commerce with Willis, sponsored by Mr. and Mrs. H.R. Prather of the Indian Defense Association of La Jolla; Mission Indian Agency Clippings, RG-75, Mission Indian Agency, Box 24, NA-LN.
13. Issues of *American Indian Life*, 1928-1930. Source: RG-75, Box 8, File 097: Organization Interested in Indians, Indian Progressive Association, NA-LN for description of "an experiment in method for all the Indian states" to describe the Swing-Johnson legislation, *Annual Report of Commissioner of Indian Affairs, 1920-1932*; 1931 report, 21. Instead of making per capita payments to Indian claimants, state and federal officials anticipated that federal funds would be transferred to state and county governments. John Randolph Haynes Col., Box 81, folder 15, UCLA Special collections.
14. *Annual Report of Commissioner of Indian Affairs*, 1931 report, 21.
15. James Harvey Johnson, San Diego county assessor, to U.S. Senator William McAdoo, May 15, 1933, 99348-1907 CG-370.
16. John Collier, "Capitan Grande Indians and the Barona Situation," November 11, 1931, Excerpts file, Box 297, RG75, Mission Indian Agency Records, NA-LG.
17. Stella Atwood to Walter Woelke, October 30, 1934, 99348-1907 Capitan Grande-370, RG 75, NA1.
18. Brothers Fruto Paipa (six years older than Ventura), Jesus (two years older), Simon (five years younger) and Victor (nine years younger) constituted the core of the "Paipa" group. Victor Paipa ultimately received \$606 in compensation for his property losses, and the other brothers \$456. "Ancient Tribal Ethics Present Problem to City in Moving Graves to build Capitan Dam," *San Diego Union*, August 26, 1931.
19. Tanis C. Thorne, "On the Fault Line: Political Violence at Campo Fiesta and national Reform in Indian Policy," *Journal of California and Great Basin Anthropology* 21, no. 2 (1999), 196.

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20. The thirteen persons (later fourteen) are identified as Felix and Thomas Gonzales; Rosa Lachappa; Joe Muller; Fruito (Tristo), Jesus, Ventura, and Victor Paipa; Maria (de Los Angeles) LaChappa (aka surname Paipa); Amelia [?]; Juan Diego Lachappa, (aka Peña); Isabella Paipa (Romero) Peña (aka LaChappa); Prudencia (Gonzales) Romero Hyde; and Stephanie (Paipa) Wilkins. September 3, 1935 entry, in the folder 10: Baron Long Finance File, MIA, Box 29, NA-LN. Guadalupe Wysoke later joined this group.
21. Harrington was looking for the location of the source of "teaxor," a form of gypsum. Harrington's guide and source was Jim Coleman. Felix Paipa, Captain of the Conejos, was Coleman's maternal half brother. J.P. Harrington Papers, Micro. Roll 169 (Diegueño Fieldnotes, 1925-1932), Frames 494, 496, 547, 549, 329, 562, 468, 19, 59, 571, 578, 588, 590, 597, 598, 601, 602, 632, 634, 642, 741, 766.
22. Imre Sutton estimates there were 14273.59 acres. "Land Tenure and Changing Occupancy in Southern California," (PhD diss., University of California, Los Angeles, 1965), 318.
23. The BIA indicated it was serious about fulfilling the Viejas people's request for this land bridge up until 1935, but it was never done. There seems to have been some confusion in 1932 whether the Barona band would receive the lion's share of the San Diego funds as compensation, their rights to the reservation being forfeit (as the lands they occupied and used had been purchased). The Conejos people's compensation for moving was the retention of grazing rights on the lands in the Conejo Valley. Only later was it clarified that City of San Diego's fund was to be exchanged more or less equitably and that use rights to the Capitan Grande Reservation were also equally shared by both Viejas and Barona. Willis to Collier, July 12, 1933, 99348 CG-370; attorney L.T. Eugene Ness to Dady, September 27, 1934; Dady to "friend" Ventura Paipa, June 3, 1935. Dady makes a plea for cooperation on house construction, and then says "As you know, for some time I have been trying to have assigned to you the land between the Baron Long Ranch and the CG Rez in Sections 16, 17, 21 T 15S R 3E."
24. E.g. Iowa Representative Ben Jensen's positive construction of Willis in a speech in the House of Representatives, July 25, 1961, Congressional Record (87th Congress, 1st session).
25. Frank Bartlett Willis (1871-1928), Biographical Directory of the U.S. Congress <http://bioguide.congress.gov/scripts/biodisplay.pl?index=W000561> (accessed 29 July 2003).
26. Letters of Louise Leo Ponchetta, Santa Ysabel Reservation, and Tomas Arviso, Rincon reservation to Superintendent Walter Dexter, August 9, 1940, RG-75, MIA, Box 48, folder 1034.34, Purl Willis Data, NA-LN; for a retrospective look, see Florence Shipek, "Mission Indians," *Handbook of North American Indians*, Vol. 8: California (Washington, D.C.: The Smithsonian Institution, 1978): 610-618.
27. Thorne, "On the Fault Line," 182-212.
28. *Survey*, 15693; Willis testimony, September 27, 1932; Shipek, "Mission Indians."
29. Fritz Gutheim, "Memorandum for Indian Office," October 19, 1932, Box G24, folder 6, Frederick Albert Gutheim Papers (#7470), American Heritage Center [Wyoming], 36.
30. McNair to CIA, ca. 1933, RG-75. 38926-36 Mission 053, Box 7, NA1.
31. Ellis to CIA, July 11, 1932, *idem*.
32. The signatures of heads of families are listed on the petition. Felix and Ralph Paipa head the list, followed by Ventura and Jesus Paipa, the Browns, the La Chappas, Hydes, Bomdillas, and Helmeauppas. In the margins of the petition, there was a note to the effect that the individuals listed had not signed the document. El Capitan Indians to the Secretary of the Interior and CIA, February 16, 1933, 99348-1907 CG-370, RG75, NA1.
33. McGair to Ellis, March 11, 1933, and El Capitan Indians to S/I and CIA, March 20, 1933, 99348-1907 CG-370.
34. Atwood to Collier, October 1, 1934, Records of the Office of the CIA: John Collier, RG75, Box 2, NA1.
35. *Survey*, 21393.
36. *Survey* 15707 (September 27, 1932).
37. Van H. Garner, *Broken Ring* (Tucson, AZ.: Westernlore Press, 1982), 121-150.
38. In March 1933 a Citizen committee of white "prominent people" was organized and headed by Sam Fox. Dr. Lesem was one member. They geared up to act as intermediary between Indians,

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- federal Indian Office [aka Bureau of Indian Affairs], and county public officials. They hoped to tap California Claims money (\$5,000) to deal with disease on the reservations.
39. *San Diego Tribune*, August 22, 1932.
  40. Superintendent Dady, Roy Nash, and Walter Woelke promoted the purchase of the Guejito ranch. Roy Nash to CIA, August 25, 1934, 99348-1907, CG-370. E.E. Kightlinger, real estate, Riverside to Harold Ickes, 4 January 4, 1935, 99348-1907 CG-370, part 10 and 1/2.
  41. Willis to Collier, May 22, 1933 and July 12, 1933, 99348-1907 CG-370.
  42. *Ibid.* The Federation had been charging Mission Agency Superintendent Ellis with incompetence for months, and his departure was imminent.
  43. Stella Atwood to Collier, August 24, 1933, 99348-1907 CG-370.171; C.A. Engle to CIA, June 1933 report, Law 2/4 Federal Acts of Congress 1/2, 1920-53, Box 29 (171-209). RG75, MIA, NARA-LN. Three dams would cost \$17,050; other costs for levees, etc. \$45,000; houses \$1,000 each for 25 colonized families; domestic water supply system \$4,000; development of the irrigation system: \$15,000; total including \$150,000 for ranch purchase is \$239,000. Sutton dissertation in LXIII table p. 287, lists Viejas as having the best grazing and Barona as poor grazing in the "acceptable range."
  44. *Survey*, p. 17337, 17288-17295; Haynes to Collier, February 13, 1933 and Collier to Mrs./Ms. White, February 17, 1933. Haynes Coll., Box 81 folder 15. Collier writes that there is no connection between Swing-Johnson bill and Claims, but then goes on to say \$4-6 million is anticipated in the payout but Congress not inclined to do per capita, so presumably some agency (the state of California?) would need to oversee this award fund.
  45. Batten, President, California Indian Advisory Board, to Lynn Frazier February 27, 1934, 33247-1933 Mission 155 [part 1/3], RG75, NA1. *San Diego Union*, July 24, 1933.
  46. Telegram from J.A. Moore to John Collier, August 6, 1933, quoted in Collier's "Mission Reservation" report, 4.
  47. Dady to Collier, October 16, 1933; Collier to Dady, October 18, 1933, MIA Box 299, folder: El Capitan Grande, RG 75, NA-LN.
  48. Collier to Dady, October 19, 1933 (cc to Walter Woelke), in *idem.*; Dady to Collier, October 16, 1933. RG75, 33247-1933 Mission -155 [part 2 of 3]; Telegram, Collier to Dady, Office of CIA, Box 2.
  49. Susi Paipa Linton to Dady, September 27, 1934, 99348-1907 CG-370 part 9, 2/2.
  50. Hoover was on the job on December 7, 1933. According to Collier's memo of September 18, 1934, Willis was indicted February 16, 1906, for forgery in Ironton, Ohio and found guilty May 5. Appeal denied. Sentenced to State Reformatory until legally released. Appeal made to Circuit Court, granted; case not tried, sentence suspended. Report of Div. of Investigations dated October 13, 1934 supplied to Solicitor of Interior. Willis, then a Captain in National Guard, forced his name to a receipt for rent of an armory here. Report dated October 27-29, 1934, RG75, 33247-1933 Mission-155 part 1 of 3.
  51. Dady to Asst. CIA Wm Zimmerman, Jr, CIA, May 5, 1936, Mission 056. 9257-1936, RG75, NAI. Dady understandably grew to despise Willis with an irrational passion, calling him a "psychopathic" case.
  52. *Survey*, 15415 and ff.
  53. Walter Woelke to Collier, May 10, 1934, Records of the Office of the Commissioner of Indian Affairs: John Collier Papers, Box 2, Baron Long Ranch folder. The current historiography on the Indian New Deal recognizes that Collier's IRA promoted Indian self-determination, but it also perpetuated paternalism.
  54. John Dady to Zimmerman, March 28, 1936, 99348-1907 CG-370, Part 10, 1/4.
  55. Ness and Butler to John Collier, received. February 23, 1936, 99348-1907 CG-370, Part 10 1/4. These were the same attorneys representing the Federation in the California Claims case.
  56. Collier to Senator Lynn Frazier, June 30, 1934, Records of the Office of the CIA: John Collier, Box 2; testimony of Ventura Paipa, 29 June 1934, *Survey*, 17304.
  57. Stella Atwood to Walter Woelke, October 30, 1934, 99348-1907 CG-370.

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58. Dady to William Zimmerman, Jr., asst. CIA, March 28, 1936.
59. Dady to Collier, August 17, 1934, 99348-1934, CG-370. Of the grand total of \$421,995.00, \$144,729.10 was spent (primarily for the Barona colonists), and the \$277,265.90 balance remained in the U.S. Treasury.
60. Twenty-three per cent of the Baron Long petitioners were non-residents in 1931.
61. Ibid; Shipek, *Pushed into the Rocks* (Lincoln: University of Nebraska Press, 1988), 188-191.
62. The Soil Erosion Service agreed to handle that problem if Indians furnished the labor. Box 297, Removal of El Capitan and Los Conejos Enrollees to the Viejas ranch, 1929-1934, RG 75, MIA, NA-LN, "Purchase of Viejas" folder, October 16, 1934.
63. Telegram, Collier to Dady, [October 1934], Office of CIA: Collier Papers, Box 2; Atwood to Collier, October 1, 1934; Dady to Collier, October 5, 1934, 99348-1907 CG-370 part 9 2/2; Conejos band petition to CIA, September 16, 1934, 99348-1907 CG-370 Part 10 1/2.
64. Dady to Collier, October 6, 1934 encloses petitions, 99348-1907 CG-370 part 9, 2/2.
65. Ventura Paipa to [?], March 18, 1936; Los Conejos petition to Harold Ickes, July 26, 1935, 99348-1907 CG, Part 10 1/1: February 12, 1934 document hired the attorneys; another dated February 14, 1934, is a petition from the elected and acting spokesman and committeemen: Ventura Paipa, Sam and Jack Brown, Jesus and Felix Paipa. A meeting October 19, 1934 at Los Conejos reviewed and approved the final list of shareholders.
66. Dady to Collier, October 18, 1934, 99348-1907 CG-370.
67. Fry to Dady, November 12, 1934, Box 299, folder: El Capitan.
68. Ibid.; Dady to Atwood, November 8, 1934, Box 1, File A--Miscellaneous 000, RG75, NA-LN; Pyle, Hydraulic Engineer, to Dady, November 27, 1934.
69. A majority of Viejas enrollees lived elsewhere until the homes were completed: Conejos, San Diego, Johnstown, Descanso, and Campo.
70. Stella Atwood to Walter Woelke, BIA, October 30, 1934, 99348-1907 CG-370.
71. Baron Long Monthly Narrative Reports, 1935-37, loose copies, Box 290, RG 75, MIA, NA-LN.
72. Telegram from Jesus and Feli[x] Paipa, et al., late 1936, Baron Long Monthly Narrative Reports, 1935-1937, Box 290, RG 75, MIA, NA-LN.
73. Chet Barfield, Capitan Grande newspaper article, March 19, 1995, <http://www.redact.org/wcc/info/ut-article950319.html> (accessed May 12, 2003).
74. Telegrams of protest to Collier and Congressmen from Capitan Grande Reservation committee (Jesus Paipa, Feliz, Paipa, Sam and Jack Brown) protest Dady's "arbitrary" refusal to concede to their request, late March and April 12, 1936, and from the Agua Caliente Reservation Committee, Willie Marcus, Baisto Sol, Francisco and Albert Patencio. RG75, 9257-1936 Mission-056, NA1.
75. \$21,600 had accrued in interest on the \$361,428, plus \$35, 567.20 for second purchase of Capitan Grande land, bring total to \$418,595.20 as of January 1935. 171 Law 2/4 Federal Acts of Congress 1/2, NARA-LN, RG75 MIA, 1920-53, Box 29 (171-209).
76. Collier to Will Rogers, March 6, 1936, Collier Papers, Records of the Office of the CIA.
77. Collier says Willis "is proved to have accepted payments of money from white parties ...while purportedly representing the bands." The BIA's argument was that Willis's ambitions were contrary to interests of the ward and therefore could not be financially rewarded. Baron Long petition, January 10, 1936 and Castillo and Willis to Collier March 20, 1936, 9257-1936 Mission-056, RG75, NA1.
78. Although Sutton's 1965 dissertation described housing on both reservations as sub-standard, a 1975 study comparing the housing of Barona and Viejas reservations found 29.2 percent of it "excellent" at Barona and none at Viejas; 31.8 in good condition at Barona and 14.7 percent at Viejas, 17 percent fair at Barona, 26.8 percent at Viejas; 22 percent of the housing was in poor condition at Barona compared to 58.5 percent at Viejas. *Barona-Viejas-Capitan Grande Indian Reservation Planning Studies*; 2 vol. Barona and Viejas, C.P.A./1032.34, Diversified Technology, Inc. San Diego, 1975.