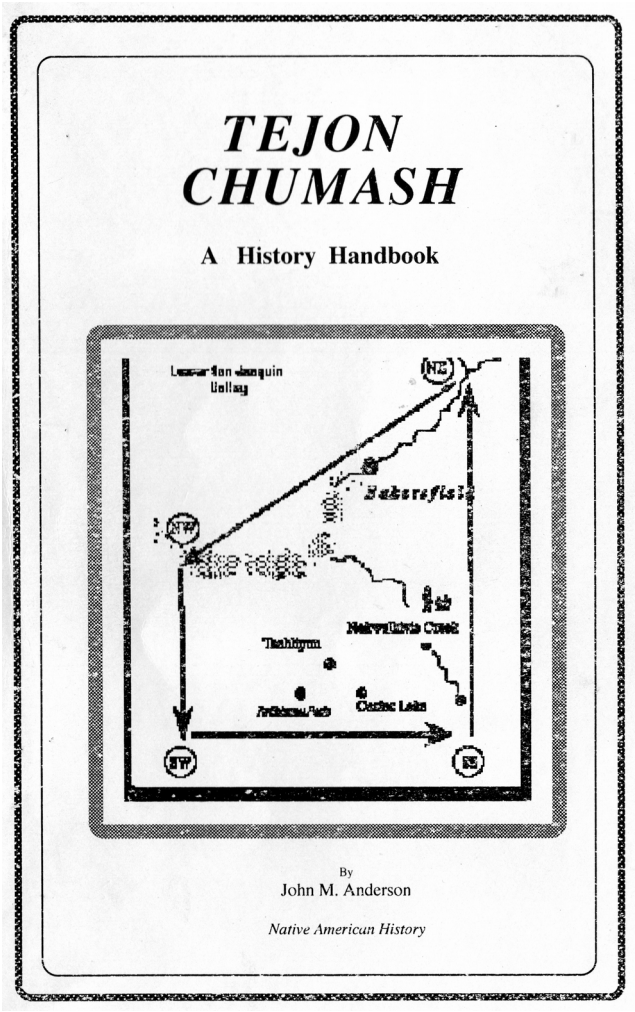
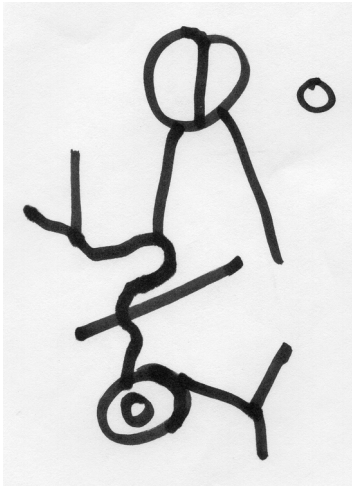
Tejon Chumash
A History Handbook



John M. Anderson

Native American History

John M. Anderson is a New Western historian, who also writes about the mythology of native Americans. He joins a growing number of scholars who are reassessing the history of the western United States, offering fresh viewpoints on events which shaped public policy in the past century. In this volume, he focuses on the Chumash Indians who lived in the mountains north of Los Angeles.



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Native American history, California Indians, California history, Chumash, Mountain Chumash, Northeastern Chumash, Bakersfield Chumash Council, Tejon Band of the Chumash Nation, Tejon Indians, Tejon Reservation, Sebastian Reservation, Tejon Ranch, Tejon Pass, Fort Tejon, Native American tribes: federal recognition, John Harrington, John Anderson, Greg Schaaf, Mike Khus.

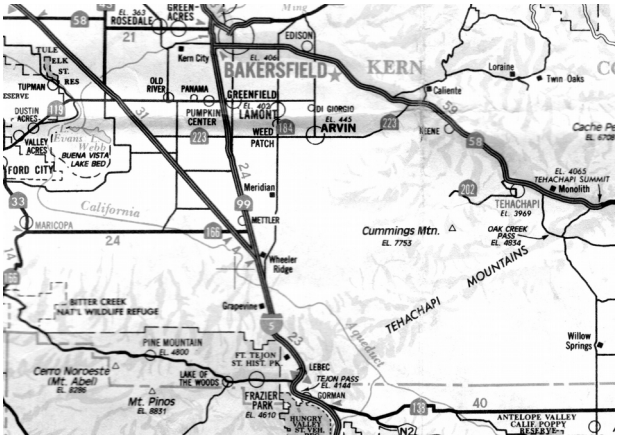
2004 second, 1998 first

The Tejon Chumash
A Handbook

This text provides a historical overview of the Tejon Chumash and their struggles for social justice in California. These native peoples of California lived in the coastal mountains north of Los Angeles. The oldest residents spoke a language which was similar but distinct from the speech of their Chumash relatives near the Ventura coast. Living among them were refugees from many other Chumash groups, who fled inland to avoid harassment by a series of abusive Spanish and Mexican governments.

The term *Tejon* is Spanish, meaning 'badger'. It is a translation of *Huntmatser*, the name of an influential Kitanemuk trading town. *Tejon* came into use among Spanish explorers as a general term for a large region in the Tehachapi mountains including the Kootsetahovie pass which linked the Mohave desert with California's Central Valley.

In 1851, remnant bands of Chumash joined with the Kitanemuk and other native allies to sign a treaty of peace with the invading Americans. The treaty guaranteed these Indians perpetual ownership of a vast mineral-rich homeland. Following these events American historians and government agencies began referring to the native groups who signed the treaty as the Tejon Indians.



The Tejon Indian reservation was established by the federal government north of the Tehachapi Mountains which are shown on this road map. The modern town of Bakersfield is located at the top of the map with highway five leading south to Los Angeles. This highway cuts through the middle of the 'abandoned' reservation lands.

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Tejon Chumash Names

Many different names have been applied to the Tejon Chumash, including: The Northeastern Chumash, the Chumash of the Tejon Reservation, the Tejon Band of the Chumash Nation, the Bakersfield Chumash Council, the Guardians of the Central Mountain (*Iwihinmu* Peak).

Town names include: *Castac*, *Tecuya* (also known as the *Tokya* Chumash), *Moowaykuk*, *Nahpintah*, *Tashlipun* (also known as the San Emigdio Chumash). The reservation which they shared with Penutian and Uto-Aztecan neighbors was originally called *Tejon*, but was later renamed Sebastian.[1]

See the glossary for further discussion of place and tribal names

Federal Recognition

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This handbook was first drafted in 1998. It focuses on the role of the Mountain Chumash in the Tehachapi Alliance

I*n recent years a group of Tejon reservation descendants called the Tejon Indian Tribe gained federal recognition and announced plans to build a casino. Other reservation descendants remain without federal recognition at this time. (2018). For information on the Chumash descendants, search the internet for current developments.*

Introduction

The case of these Indians under this contention is surely one of the strongest, if not strongest in the State of California.[2]

(Federal Investigator at Tejon, 1916)

The Tejon Chumash are one of a large number of California native groups still unrecognized by the American federal government. Through their tribal organization, called the Chumash Council of Bakersfield, they have begun to formally document the history of their ancestors' relations with other members of the greater Chumash nation. Their family narratives provide modern historians like myself with invaluable information about the lives of their ancestors, struggling to hold on to their homesteads located in the high mountains south of Bakersfield. Mexicans and Americans called them Tejon, because they controlled the strategic Tejon pass between Los Angeles and the San Joaquin valley.

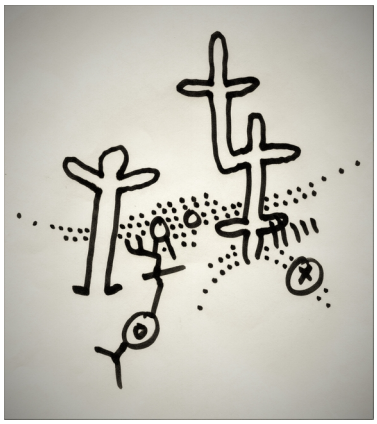
When diseases introduced by European sailors first devastated the coastal provinces, the mountain Chumash towns became places of refuge. When the Spanish army invaded California in 1769, the Tejon remained relatively free of the worst abuses of colonization. Many coastal refugees thus came to the Tejon area, seeking sanctuary from later colonial rulers.

In 1851 these Chumash, along with their allies at Tejon, signed a treaty of peace with the American federal government. This treaty protected over one million acres of Tejon land. The federal government failed in its protectorate role, allowing aggressive non-Indians to make legal claim to the Tejon land base. Finally, after generations of struggle to hold on to their lands, the last of the Tejon Chumash were forcibly evicted from reservation lands. They dispersed to Bakersfield, the Tule River Indian reservation, coastal Chumash communities, and to towns throughout the west.

The federal government turned its back on them during this period, denying them official recognition. In spite of all these hardships, they clung to fragments of their heritage. Family leaders took on the responsibility for keeping their culture alive, gathering together quietly to celebrate their

identity. Many family members were dispersed but Bakersfield continued to serve as the geographical center of this community, drawing band members from great distances. The Tejon Chumash now hope to renew formal relations with the federal government, working together to strengthen their community and expand their ties to nearby native communities including other Chumash bands.

John Anderson
January 11, 1995



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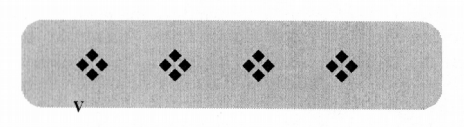
This text is based on a paper the author submitted to the Bakersfield Chumash Council on January 11, 1995. The purpose of this report was to provide an overview of historical materials from my research files on the Chumash living in the Tejon reservation. The Bakersfield Council had requested this overview because it's members were considering application for federal recognition.

The views expressed in this booklet are those of the author and do not necessarily represent the views of any group or association including the Bakersfield Chumash Council or an other Chumash association.

Chapter 1



Early History Of the Tejon Chumash

From Ancient Times to 1768

The ancestors of the Chumash once occupied a larger area of southern California, prior to the expansion of the Penutian-speaking peoples into the Central Valley and Uto-Aztecan peoples into southern California. By the time of the Spanish invasion in 1769, the Tejon Chumash had been pressed by both of these peoples into the highlands surrounding *Iwihinmu* peak, the central mountain of the Chumash nation. Towns affiliated with Tejon extended south all the way to the Santa Clara river near Ventura, and west into the Cuyama river valley. As the guardians of the nation's central mountain, highlanders played an important role in Chumash religious ceremonialism. They also served as the middle-men in trade between the coastal Chumash and interior peoples.

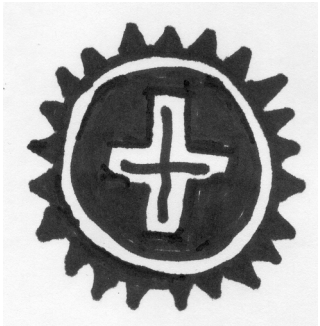
As a result of devastating plagues which struck the Chumash hundreds of years before the Spanish invasion, the traditional leadership of *Tuqan* island (San Miguel) among the coastal peoples was weakened. This apparently resulted from plagues introduced by visiting Spanish sailors. *Limu* (Santa Cruz) island gained ascendancy at Point Mugu, which was the leading political and economic force among the southeast Chumash. But the new government could not slow the pace of disruptive change among the coastal Chumash, and a series of civil wars broke out. One such war pitted the Mountain Chumash against Muwu, a powerful mainland town allied with *Limu* island seaports. After this war, a number of influential families left *Muwu* to join relatives in the mountain province. These refugees came to live under the protection of *Iwihinmu* peak, the most sacred shrine in the Chumash nation. They sought to escape the social disorder along the coast, including new outbreaks of disease plaguing the local governments. Since these diseases spread less virulently in the more sparsely populated interior mountains, Tejon gained increased respect as a place of sanctuary. Coastal Chumash spiritual leaders continued to lead pilgrimages to *Iwihinmu*, where they were welcomed by the

local residents. And Tejon Chumash continued to make regular trips to the coast to visit relatives, to participate in public festivals, and to trade.

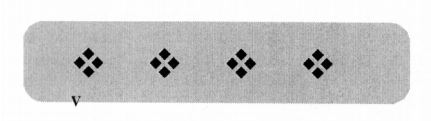
Spanish and Mexican Colonial Periods

During the Spanish and Mexican colonial eras, the Mountain Chumash maintained their independence through an alliance with both Penutian and Uto-Aztecan neighbors. The Spanish continued to call them the *Tejon* Chumash in this era. Native historians documented how these highlanders also cooperated with the coastal Chumash in a gold-mining pact with the Catholic church.[3] This clandestine pact was designed to win church help in resisting Spanish and Mexican military raids against the Mountain Chumash. As a result of their special relations with colonial authorities, Tejon towns became prosperous centers of European agriculture and herding.[4] They successfully served as diplomatic middle-men between the Mexicans and the free native towns of interior California.

The American army invaded Mexico in the middle of the nineteenth century and defeated the Mexican troops so soundly that America agreed to a peace treaty only on the condition that it confiscate large parts of northern Mexico, including California. By the time the American army invaded California, the Tejon alliance was still a viable, but local, military force. It had absorbed many native refugees from the coast, but had suffered drastic population losses to plagues introduced by the Mexicans and newly arriving Americans. Even in this reduced state, Tejon was still one of the most powerful native military alliances in southern California.



Chapter 2



Nineteenth Century

The 1851 Tejon Treaty

The American federal government signed a treaty with the Tejon Chumash and their allies in 1851. As a result of this treaty, the native politicians agreed to give up large parts of their aboriginal territories in exchange for more than a million acres of homeland (reservation) located in the greater Bakersfield area, including the surrounding foothills. The Chumash groups who signed the treaty were a mixture of local Chumash and immigrant groups that relocated from the coast to fight with the mountain peoples against the colonials. The *Castac, Moowaykuk*, and *Tashlipun* for example, were local Chumash.* The Tecuya were immigrants from Kagismuwas and Samala towns. At the time of the treaty, each of these groups was distinct. But over the years, under forced relocations from their home communities, they moved into mixed settlements and intermarried.

Over the following decades, the federal government seized the treaty and placed it in a secret vault so it could not be used by the Tejon to protect their lands. Meanwhile local, state, and federal authorities looked the other way as a series of non-Indians seized more and more of the Tejon land. Fort Tejon was built on 1851 treaty lands to control the native people, including the Tejon Chumash whose towns were located in the hills near the fort.

The Beale Era

Edward Beale, the federal official appointed to protect native rights in California, made claim to the Tejon lands, which he wanted for a private cattle ranch. Generations of Tejon leaders fought to maintain their rights, but local, state, and federal authorities continuously sided with Beale and

* See Appendix D for commentary

Five Chumash Towns At Tejon

Matapkwel Located at the bottom of the Grapevine grade on highway 5, leading north from Los Angeles to Bakersfield. The contemporary town of Grapevine is located nearby.

Tecuya A militantly anti-colonial town located in the *Tecuya* canyon just west from *Matapkwel*.

Castak The leading town of the Mountain Chumash province at the time of the Spanish invasion. This influential community was located on *Castak* lake.

Tsipowhi Located a little east of *Moowaykuk*, in a canyon with excellent grazing lands (renamed *Pastoria* by the Spanish).

Tashlipun Located fourteen miles west of *Moowaykuk* canyon, on the lower *Tashlipun* (*San Emigdio*) creek.

non-Indian special interests.

In 1854, Superintendent of Indian Affairs Beale acknowledged seven hundred natives living at Tejon. He submitted reports to the federal government, enumerating their successful agricultural harvests and recognizing the Tejon lands as ideally suited for a reservation. By 1857 Agent Vineyard reported a population of 1,000 with over seven hundred acres under cultivation; but he also warned the federal government of the need to legally recognize the Tejon Indians' land claims.

Year by year, the federal government dragged its feet as a series of Indian agents warned of the growing need to finalize American court approval of the Tejon land title so as to prevent non-natives from making adverse claims against it. In 1862 agent Wentworth became so concerned about white immigrants intruding on Tejon lands (including illegal grazing of stock on native common pastures) that he submitted a map and urged the federal government to initiate the desperately needed survey and title.

Agent Wentworth finally became so agitated by the intrusions of ex-agent Beale at Tejon that he finally named him directly in 1863 as the most worrisome trespasser on Tejon Indian lands. Beale, he reported, refused to leave the reservation because he had bought a dubious Mexican land claim which purported to give him legal title to the Indians' lands.[5] In spite of numerous protests by federal agents at Tejon, the federal government refused to throw Beale off the reservation.

The federals remained indifferent to Tejon pleas for help in responding to Beale's legal maneuvering. In a series of court hearings in 1855 when the Tejon Indians were denied personal council and the right to be present at their own case, for example, Beale's Mexican land title was confirmed by an American court. A first appeal by the Tejon Chumash was lost in 1859, followed by a dismissed appeal to the federal Supreme Court that same year.[6] Over a number of decades, the Chumash at Tejon were driven illegally from many of their treaty homes and forced to relocate into a much-reduced Sebastian Indian Reservation which was centered on *Kootsetahovie* (Tejon)

creek.[7] Here they intermarried with Chumash and non-Chumash neighbors, maintaining ties not only with coastal communities but also native families in nearby Bakersfield, Los Angeles, and the Tule River Reservation.[8] As descendants of the 1851 Tejon treaty signees, they were routinely recognized by local, state, and federal authorities as California Indians. Yet no agency at any level of government intervened effectively on behalf of the impoverished natives when Beale's ranch hands seized estate after estate and drove the dispossessed Tejon families one-by-one into Kootsetahovie canyon. The Tejon ranch employees tore down all the outlying native homes, cut down their vines and fruit trees, and ploughed their estates to turn them back into grazing land for the ranch herds.[9]

The families who preserved their Chumash cultural identity and spoke various dialects of Chumash were also recognized by the coastal Chumash as the Tejon band of the Chumash Nation. Coastal relatives continued to visit them, to intermarry, and share religious and cultural ties. Such ties continued after Edward Beale's death when his son Truxtun inherited his father's land claims to the reservation. Under Truxtun's management, the ranch continued to hire Tejon men as cowboys and sheepherders. The Tejon could command only minimum wages, since they dared not leave their homes for fear they would be razed and they had no alternative employment if they remained.[10]

> *"They told us that we could not raise cattle and must have only a few horses. Our fields were small but they begrudged us even these. They were clearly uneasy about having us on the ranch. They wanted us off the ranch but did not know how to accomplish it without making great publicity.*[11]

Truxton was well established in Washington D.C. by this period and became interested in selling his title to the Tejon lands. The continued residence of the Tejon families clouded his title, threatening the profitability of the sale. Thus, a new legal artifice was introduced at Tejon. Ranch representatives went to each Tejon Indian family and threatened that unless they paid the ranch owner one dollar a year, they would continue to pressure them to relocate. Beginning in 1899, this intimidating tactic was systematically applied by the ranch.[12] Juan Lozada, leader of the Tejon Indians, consulted with non-native sympathizers and saw through the legal maneuvering: Payment of even one dollar could be construed by a hostile American court as recognition of Beale's title to the Indians' lands instead of an extortion scheme for 'protection'. Lozada and a few of his most loyal followers refused to pay.[13] Other families found it safer to pay this small fee than to risk unemployment, physical intimidation, or the razing of their homes.

Real Estate Syndicate Increases Pressure To Relocate the Tejon

Truxton Beale sold his land titles to a Los Angeles real estate Syndicate, led by the owners of the Los Angeles Times.[14] The relations between the Indians and the new owners deteriorated rapidly, as the Syndicate increased pressures on the Tejon residents to completely vacate their

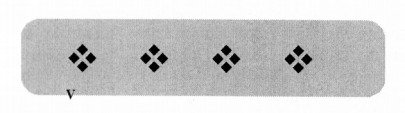
Kootsetahovie homesteads. Under the leadership of their governor, Lozada, the Tejon families refused to be intimidated. The harassments continued and Lozada asked local, state, and federal authorities to intervene on their behalf. A federal agent, C. Asbury, was assigned to investigate, but he submitted a typically compromised report discouraging future efforts to protect the Tejon Indians' land title.[15]

E.J. Emmons, a lawyer from Bakersfield, then decided to represent the sixty remaining Tejon Indians in a legal dispute with the Los Angeles Syndicate.[16] Attorney Emmons and other non-native sympathizers could not be persuaded at this time against continuing their efforts to preserve the Indians' land titles at Tejon.[17] Truxton Beale's earlier 'dollar a year' tactic suddenly grew into a major problem for the Tejon community, since many of its members had paid the one dollar a year in fear of losing their ranch jobs or having their water cut off.[18] Why, Emmons and other white sympathizers wondered, wasn't Beale being prosecuted for harassment instead of the Indians being told they could now lose their property title? With a heavy heart, Governor Lozada began a desperate campaign to rally wider support for his peoples' just cause.

In an attempt to appease the Los Angeles Syndicate, federal officials proposed that the Tejon families agree to relocate to less desirable lands.[19] Some of the proposed trade-off lands were located near the reservation but were dismissed as unsuitable for habitation.[20] Therefore, considerable pressure was brought to bear for removal to other marginal grazing lands in the distant mountains surrounding Owens Valley.

Reverend Wemmer wrote a letter to the federal office of Indian Affairs, testifying that he had been told by native and local non-natives in the area of Tejon that Beale made a "mutual agreement" with the Tejon that they could remain there as long as their tribe is in existence.[21] When Attorney Emmons asked the Office of Indian Affairs to join the Reverend in championing the Tejon Indian cause, the federal bureaucracy responded with indifference. The Office, for example, denied that it had any documents useful in supporting the Indian claims and concluded that the case was unworthy of reopening.[22] "It is natural to assume", the federal officials advised Emmons, that justice was done in the Tejon case. They admonished Emmons that any further land claims by the Tejon Indians to their lands "will avail them nothing".[23]

Chapter 3



Early Twentieth Century

Federals Persuaded Not to Purchase Nearby Lands For Tejon Indians

1915

On May 21, breaking under continued pressure from white ranchers hostile to the natives, the federal Office of Indian Affairs revoked its program to relocate the Tejon Indians to an uncontested land base.[24] The 10,000 acres, held in abeyance since May 15, 1914 for possible Tejon relocations, could thereafter be thrown open to purchase by the Tejon Syndicate or any other non-native speculators.

Ignoring the protests of the Tejon Indians and their growing number of local white allies, the Office of Indian Affairs concluded that the Syndicate was innocent of charges of continual harassment of the Tejon. Several written and verbal assurances",the Office reported, "have been given by Mr. Chandler and Ranch Manager Lopez that the Indians are not being molested in any way".[25] Apparently the Office considered this written testimony sufficient to rule against the native cause.

Under the pretext of attempting to resolve the dispute, the federal government then made a token offer to purchase the Tejon Indians' land from the Syndicate, knowing that the owners would continue to refuse to sell at the price offered. By participating in this proforma offer, with its implied recognition of the Syndicate's legal claim, the government further weakened the native land title.[26]

Ranch Syndicate Denounced By Federal Investigator

1916

Two years after the 1914 crisis,the federal government announced it would appoint J. Terrell as a Special Commissioner to investigate the Tejon again. Complaints had been received from citizens of Bakersfield, including protests from Attorney Emmons, but the Indian Office was assuredly not reacting to public protests. The triggering event for the investigation was a lawsuit filed by the Syndicate in an attempt to evict the Indian leader from his Tejon homestead. Governor Lozada asked attorney Emmons to represent him. They contacted the Indian Office, which soon concurred with their position that the Syndicate was seeking to silence Lozada's lease “to avoid any possibility of the Indians claiming lands for the lifetime occupancy of themselves and their posterity” by adverse possession.[27]

Terrell showed sympathy with the Tejon Indians, describing them as “most unfortunate” people who clung to their ancestral lands against constant pressures to relocate.[28] He surely surprised the large landowners in the Bakersfield area when he demanded a more systematic and open investigation than Asbury’s pro-Syndicate whitewash. Although Terell's subsequent reports failed to consider the 1851 treaty land claims, or any of the other reservation land titles, he did seriously investigate complaints of

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Key Actors In the Tejon Lawsuit

J. Lozada Political leader of the last native families occupying the Tejon reservation.

J. Harrington Anthropologist and linguist from the Smithsonian Institution who befriended the Tejon Indians and raised their cause in the American courts.

E. J. Emmons A sympathetic attorney from Bakersfield who challenged the influential Tejon Ranch and defended the Tejon Indian cause.

John Terrel Special Commissioner, appointed to report on the Tejon Indian legal grievances against the Tejon Ranch Syndicate.

Joseph Wemmer A local minister, serving a congregation in the greater Bakersfield area, who remained sympathetic to the Tejon.

H. Clotts Superintendent of Irrigation from the Indian Irrigation Service, who helped the Tejon.

Truxtun Beale The son of Edward Beale, owner of the Tejon Ranch which his son Truxton sold to the Syndicate.

J. J. Lopez The 'Mexican' foreman at the ranch, who had Chumash relatives.

The Syndicate The name used in this text for the Syndicate of Los Angeles businesses which bought the Tejon Ranch from Truxton.

harassment of Tejon residents, reported on other charges of Syndicate real estate fraud, and helped Lozada inspect alternative land bases for the Tejon Indians.

The Syndicate resisted Terrell's efforts to procure either private or public lands for the Tejon Indians, apparently because it, along with other corporate speculators, didn't want native groups to have competing claims to real estate. It was especially volatile over proposals to relocate the Tejon Indians upstream, to private lands on Kootsetahovie creek. The Syndicate intended to expand its holdings onto these lands and maneuvered to block any federal action in this area.

Special Commissioner Terrell continued to look for vacant government land for the Tejon in 1916.[29] In a September report, Terrell described trips he took with Governor Lozada to inspect a number of relocation sites proposed by the federal government. One site was located in the mountains overlooking Owens valley near the town of Independence.[30]

Terrell reported that the Tejon leader, an experienced farmer and cattleman, became discouraged when he entered the higher altitudes and saw the heavy snowfall already evident before winter even arrived. Tejon families had numerous elders, Lozada confided, who would not survive in such an "uninviting climate".[31] Terrell admitted in his report that the land was uninhabitable for seven to eight months of the year, and he agreed with Lozada's assessment concluding that relocation to this area would be a mistake.[32]

Discouraged, Terrell and Lozada drove south to the Kern river Tubatulabal Indian community located on the upper Kern river. Lozada had relatives living there among the Tubatulabal, who helped him consult with this Indian community about possible relocation of Tejon families to this mountainous but decidedly warm locality. Lozada looked favorably upon this option, since other Tejon residents had relatives living in this community, as well as on nearby ranches and in Bakersfield. But everyone agreed that all "worthwhile" land on the upper Kern had already been taken by the local Indians, the federal government, or more recent American settlers.[33]

The Tejon ranch foreman, J. Lopez, had promised Terrell recently that he would help locate suitable sites for relocation of the Tejon Indians. Terrell confronted him on this issue, but received no suggestions. "I am reasonably certain that he has made no special effort nor will make such effort for the removal of these Indians".[34] Lopez confirmed to Terrell that he did not want the federal government to relocate the Indians as long as the ranch Syndicate needed them as low wage laborers. The primary issue to the Syndicate was that the Indians sign leases, which the Syndicate could use to throw them out of their homes when they were no longer needed. Lopez acknowledged that the money was not the issue, and he had gone so far as to give some of the Tejon families the one dollar, just to get them to sign the leases.[35]

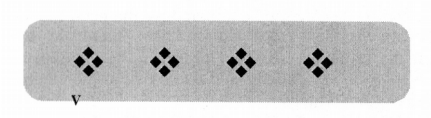
"The case of these Indians under this contention is surely one of the strongest, if not strongest in the State of California.[36]

Terrell predicted in his September report to the federal government that neither the Syndicate nor Governor Lozada would back away from their legal claims. He recommended allowing the Tejon Indians in the Kootsetahovie (Tejon) canyon to keep their homesteads, but concurred with the relocation of

all other Tejon Indians from ranch lands claimed by the Syndicate. To this end, Terrell proposed that the federal government pay the Syndicate for 1070 acres in Kootsetahovie for their joint use.[37]

Terrell also proposed that the federals permit the Tejon Indians to remain forever within “their beloved Tejon Valley” in spite of Syndicate protests.[38] He advised the federal government that the native claim to continuous occupancy of Tejon dated back at least one hundred years and not to trust the Tejon ranch Syndicate in negotiations over the proposed land purchases for the Indians, since the Syndicate was guilty of considerable fraud in its acquisition of new acreage.[39]

Chapter 4



The Tejon Indians Protect Their Land claims In the 1920's and 1930's

Harrington Asked to Join The Federal Investigatory Team

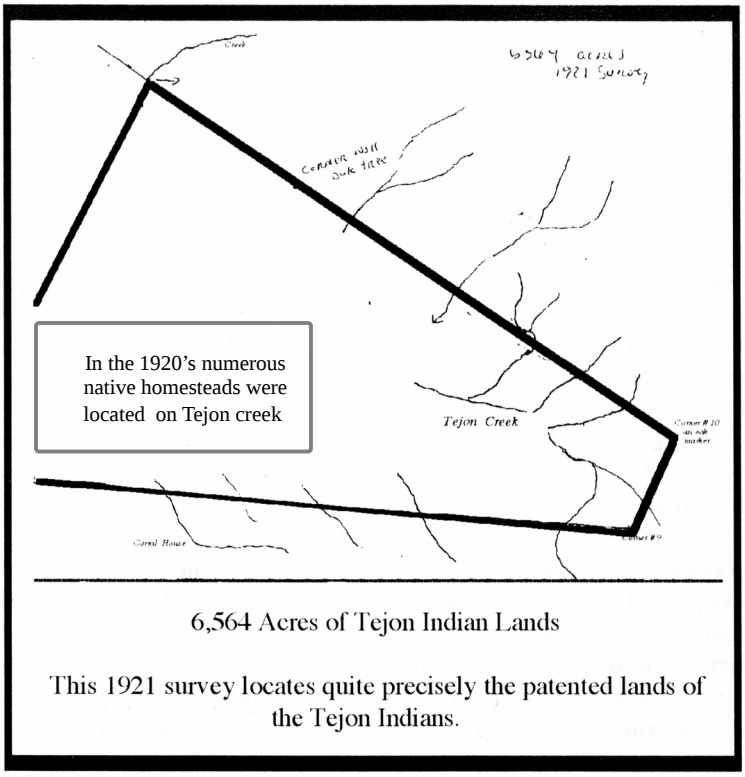
1922

The Tejon ranch was not held back by Terrel's findings of fraud and harassment of Indians, and actually accelerated its intimidations of Tejon residents in 1917. Water rights had always been a major area of contention with Governor Lozada, since the Indians had prior water rights to the ranch. Foreman Lopez ignored the Indians' rights and demanded that they allow the *Kootsetahovie* creek to flow freely during the day so cattle downstream could drink. The ranch continued to refuse to remove dead cattle from the stream bed above the settlement, thus contaminating the Indian water supply. It would not allow the Tejon to install a water purification system, pipes, or any other health improvements as had been installed at Beale's estate and for use in ranch labor housing.[40] The Indians were force to divert creek water as needed for their gardens, orchards, and livestock in the evening and night hours. But suddenly in 1917, the ranch decided to implement a 'final solution' by cutting off all water from the Indians.

> *"Whenever an Indian died or moved away, leaving his house vacant, the house was immediately destroyed and the land formerly cultivated by him was thrown open to the cattle range. This system is still practiced..."* [41]

A Tejon widow had recently died, and the ranch foreman Lopez ordered her

home destroyed. Her five and a half acres were rented to a non-Indian who diverted most of the water from the creek to cultivate a new orchard. This left no water downstream, and the Tejon Indians feared that they might have to abandon their ancestral homestead or die of dehydration. The situation became so desperate that Governor Lozada went to the Department of Interior and asked for an investigation. H.V. Clotts, Superintendent of Irrigation, agreed to look into the dispute.[42] The inquiry and a new survey of sixty-five acres of Indian lands took place in the fall of 1917.[43] Clotts' January 14, 1918 report rallied many sympathetic supporters in Los Angeles and the lower San Joaquin valley to the Indian cause. It openly charged the ranch with intimidating the Tejon Indians, preventing them from improving their water system, and allowing dead cattle to remain in the Kootsetahovie creek above their housing. Clotts confirmed the precedence of Tejon Indian water claims over those of the ranch. Most significantly for the Indians' legal case, he described the Tejon ranch's Mexican land title as "very vague".[44] He concluded that the Tejon Indians still refused to move, in spite of continued "persecution", because they knew that they could never find such ideal land elsewhere.[45]



Clottt's factual accounts of life among the *Kootsetahovie* families moderated the worst abuses by the Syndicate, but his hard-won reprieve only proved temporary. Later investigators confirmed that as soon as the ranch felt it safe to increase pressures on the Indians, it did so. John Harrington was one of the most persistent reporters of this pattern. Working with the Bureau of American Ethnology, Harrington learned of ongoing water rights abuses at Tejon into the 1920's. He urged the federal government to hire him to investigate the ongoing harassment of the Tejon Indians. Harrington was also charged with documenting the multi-cultural heritage of the Tejon, in contradiction to false descriptions of the Tejon as non-treaty Indians, Paiutes from the desert.[46] Harrington became more and more interested in the Tejon story with each visit to the area. He was funded by the Smithsonian Institution to study ethnology and linguistics at Tejon, but he developed personal friendships with the Tejon residents and eventually decided to speak out in their behalf.

At issue was the failure of the 1918 investigation by the Indian Irrigation Service to protect Tejon Indian water rights at Tejon.[47] The American irrigation consultants recognized the Tejon Indians' prior rights to water their lands, but officials at the Service office remained reluctant to

prosecute local settlers.[48] They were willing to help the Indians only by acknowledging in writing that the sixty-five acres which the Tejon Indians occupied was still "one of the best parts of the ranch".[49] Harrington was very upset with the federal government for continuing to look the other way, while non-Indians (linked to the Tejon Ranch) cut off the water flow to the native lands on *Kootsetahovie* creek.[50] If the Tejon residents were white settlers, Harrington reasoned, no court in California would tolerate the arbitrary diversion of Kootsetahovie creek waters by non-Indians. Clearly the native residents had prior use rights to any settler. Harrington was soon to find that H. Clotts, Superintendent of the Indian Irrigation Service in Los Angeles, was willing to question the owners of the *Los Angeles Times* and its business partners at Tejon.

Clotts hired Harrington to investigate the Tejon ranch's allegedly illegal cut-off of water to Tejon Indian residents.[51] In 1921 a special survey of 5364 acres surrounding the Indian homesteads was made. It was conducted in response to a suit by the Tejon Indians. The government report on the survey agreed with the Indians, charging that the Tejon ranch owners, acting through foreman Lopez, continued its oppressive treatment of Tejon Indians.[52]

> *The Tejon Indians' legal suit against the Tejon Ranch identified over five thousand acres which they claimed was unjustly taken from them by Beale and the ranch Syndicate. Their complaint stated that they had always resided on these lands. "It also sets forth that the predecessors of the present ranch owners began gradually to exclude the Indians from the 5364 acres described in the Complaint and to drive them back and confine them within narrower limits; that this plan of repression and restriction continued down to the present time and is still pursued".*[53]

Harrington moved quickly to expand the investigation at Tejon while the suit was active. One of his primary legal goals was to document testimony that the Kootsetahovie homesteaders were the direct descendants of the Tejon Indians who signed the 1851 Tejon treaty, and that their ancestors had never left Tejon. He knew the Syndicate would try to interfere with his work and did not hesitate to complain against Ranch intimidation, charging for example that the presence of foreman Lopez during legal depositions at the ranch was having "an almost disastrous effect in making the witnesses refrain from telling the persecutions which they have suffered".[54]

The Tejon Ranch Is Charged with Oppression

Special Assistant to the Attorney General, George Frazer, wrote Harrington in mid-September, expressing his office's deep concern over charges of "oppression by the ranch management".[55] Frazer was so moved by the volume of evidence gathered by Harrington against the ranch that he filed a brief in the Circuit Court of Appeals on behalf of the Tejon Indians. Frazer was a realist and clearly did not expect to win this appeal at either the local, state, or regional levels of the American judicial system. He knew that American judges continued to be controlled by business and social

interests hostile to native claims, and they were not yet prepared to break from a long history of racially biased rulings. Harrington was warned by Frazer from the beginning of the legal process, therefore, to prepare the Tejon Indian case all the way to the Untied States Supreme Court.[56]

In spite of Frazer' discouraging advice, Harrington continued his lobbying for the Tejon. He went to the Tule River reservation to take legal depositions of ex-Tejon residents. Their testimony provided new information which reinforced the eye-witness accounts of the surviving Tejon residents. I. G. Yamhiw, for example, testified that he was born at Tejon. The Tejon Indians never became extinct", Yamhiw stated, "nor did they ever leave the Tejon. They have occupied *Posum Tinliw* continuously from ancient times to the present, and this was true of the other rancherias there until they were abandoned".[57] J.D Tsetela was also born at Tejon, and confirmed Yamhiw's accusation against Beale and the Syndicate. "It was the policy of the owners of the Tejon ranch to move all the Indians from the downstream rancherias to *Posun Tinliw*".[58]

In March of 1924 Harrington received a very depressing letter from federal attorney Frazer, warning him that the Tejon Indian lawsuit was not progressing according to plan. He cautioned Harrington that several members of the high court continued to look unfavorably upon their petition. "They seem to think that they ought to stand by the old Baker v. Harvey decisions, Frazer reported, for fear of causing confusion among the California titles".[59]

In the end the Supreme Court turned away from the Tejon, not because of a lack of justice in their cause, but apparently because the federal judges feared a ruling in favor of California Indians would threaten the long-term stability of white society. If the Tejon Indians' lands were returned, the state faced a potential flood of new cases, crowding the regional courts with land disputes that would threaten the economic interests of the established order which had carefully excluded natives from participation in California's economic prosperity.[60]

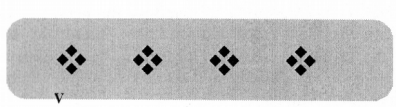
John Harrington

John P. Harrington is a legendary figure in American anthropology. He has been labeled everything from a rogue by his ex-wife to a genius by native American admirers and his linguistic and anthropological colleagues.

On the cover page of *Breath of the Sun* , for example, the editors of the Malki Museum Press described Harrington as "brilliant but eccentric." It would have been more accurate to describe him instead as brilliant and eccentric, so as not to automatically denigrate scholarly eccentricity. Travis Hudson did not heed this counsel and spoke of Harrington's genius and "infuriating idiosyncrasies" in the introduction to *Eye of the Flute*. Fortunately for the Tejon Chumash, Harrington's idiosyncrasies permitted him to disregard his career interests and challenge the powerful Tejon Ranch, in a personal crusade that led to the Supreme Court.

As a result of Harrington's visits to the last Tejon families living on *Kootsetahovie* creek (part of the 1851 Tejon treaty lands), modern historians were supplied with vital documentation of the diaspora of the Tejon people. Harrington also documented the lives of Tejon exiles living among the Tubatulabal and Yokut reservations. As a result of these extraordinary efforts, even the harshest critics of Harrington such as those allied with the Tejon Ranch and other dominant economic powers of the Bakersfield area, have generally acknowledged that he was a true friend to the Tejon Indians.

Chapter 5



The Last of the Tejon Chumash

Relocate To Bakersfield And Other Areas

Over a number of decades, the Tejon had won the sympathy and active support of numerous non-natives, including white religious leaders, lawyers, staff from state and federal bureaucracies, and other citizens. Yet, slowly but surely, the Syndicate continued to reduce the number of Tejon homesteads, which they tore down and claimed for ranch grazing lands. In spite of persistent protests by the Tejon leaders and their sympathizers, state and federal authorities continuously looked the other way.

When the last of the Chumash were driven out of Tejon to refugee centers such as Bakersfield, they joined many Chumash and part-Chumash relatives already living in these communities. A number of the Tubatulabal and Kawaiisu families in Bakersfield, for example, were intermarried with the Tejon Chumash and welcomed them into their circles.[61] Since many of their relatives had been forcibly driven out of Tejon, these recently dispossessed Tejon residents with Chumash ancestors, suddenly found themselves living under the bitter status of 'landless' native refugees.

The Bakersfield Chumash Council

Life went on. The 'Tejon Chumash were now scattered throughout the state, though Bakersfield continued to serve as their population center. Older family members died, along with their memories of their youth on the reservation. In time, their grandchildren grew up among a white urban population which at best was indifferent to their heritage and at worst highly hostile. Bakersfield was a rough town in this period, filled with tough oil, railroad, agricultural, and cattle workers openly hostile to

Indians. Faced with a future of systemic denigration, the Tejon Chumash integrated quietly into Mexican neighborhoods. Without the white public even noticing, they became nameless residents of the local '*colonia*.' (the colony).

Over the next fifty years, the Tejon Chumash expanded in numbers and grew in economic prosperity. Many family members preferred to remain in the traditionally Mexican communities found in most California towns, but others left the low-incomes associated with '*colonia*' society and integrated into the more prosperous 'white' neighborhoods. Some married other native descendants of Tejon or chose spouses from nearby California reservations. Others married into families with mixed ancestry, including relatives with native heritage from California, other American tribes, and even Mexican tribes. Others married European American spouses, with no native heritage at all. No matter what ethnic or racial groups married into these Chumash families, however, their descendants continued to celebrate their proud reservation heritage.

With the encouragement of other bands of the Chumash Nation, the Tejon Chumash formed the Bakersfield Chumash Council in the 1990's. Their decision to

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The Santa Barbara Reservation

In the early America era a small reservation called Kashwa became crowded with Chumash refugees from the interior mountains. Some went first to the Ventura coast, but they soon relocated because they were told *Kashwa* was the only federally protected alternative to the Tejon reservation.

The Santa Barbara Chumash welcomed the Mountain Chumash as old friends. They knew each other through contacts at *Tashlipun*, and they had fought together during the 1824 War of Liberation. But life at *Kashwa* proved volatile. Dr. Greg Schaaf is the best source of information on their struggles over *Kashwa*. He documented how American officials failed to live up to their duties as protectors of this marginal Chumash homeland. Mirroring the Tejon corruption, the federal agent appointed to look after the interests of the Chumash made personal claim to their lands. Part of his title was sold to the railroad in 1891. Vigilantes began attacking the Chumash and burning their homes to the ground. When the last three families refused to move or sell their estates to the land speculators, an eviction notice was served by the local sheriff, backed by the American courts.

As a result, refugees from *Kashwa* were forced into low paying jobs on local ranches and in the town of Santa Barbara. To protect themselves from further violence, they pretended to be Mexicans and met in secret to preserve their culture. It is not known how many descendants of these admirable people are related to the Mountain Chumash.

'go public' was also influenced by the backing of other native groups in the area, such as the Kern Valley Indian Association. After preliminary talks, the Bakersfield Council decided to join other landless Chumash bands in studying application procedures for formal recognition from the federal government. Even though the Tejon Chumash were a newly active public association, their case was particularly strong in the context of byzantine federal regulations. Their ancestors had been fortunate enough to occupy a federal and state recognized native land base, which had been continuously occupied from the signing of the 1851 treaty until their unjust and protested eviction.

The Tejon band of the Chumash Nation was driven from its ancestral lands, without adequate legal assistance from local, state, or federal authorities responsible for protecting them under American law. Now they are asking for that protection, beginning with the federal process of reestablishing formal recognition. Unfortunately, even this simple beginning continued to elude recognition advocates. The federal government made no effort to abandon its absurdly complex regulations governing recognition of native American groups. They persisted in this political stance, in spite of widespread agreement that these complex regulations were clearly inappropriate for California natives.[62] Readers can learn about the 'politics' of federal recognition from the perspective of native applicants by reading the *Recognition Handbook*, which was developed by the California Indian Legal Services.[63]

The Tejon Chumash could easily meet many of the federal requirements cited in the *Handbook*. But other requirements will prove more difficult to fulfill, because of the special circumstances of the Tejon Chumash land claims documented in this narrative. The Tejon Chumash can easily submit, for example, a "governing document" describing its membership criteria and procedures by which it governs its affairs. Along with this political manifesto, it could also provide a list of enrolled members, based on the groups' criteria for membership.

Since many of its members live in, or within a days drive of, Bakersfield, the Tejon Chumash Council can also identify a geographical area (conveniently described as the greater Bakersfield area; historically their ancestors lived in the foothills on the southern borders of the 1851 treaty homeland). The Council would have no problem submitting documentation on its enrolled members, showing that they are not members of any other federally recognized Native American community. It can also prove that the Tejon Chumash band has never been terminated or forbidden a formal relationship with the American government in the past.

Of all the requirements for federal recognition, members of the Chumash Tejon band (like their non-Chumash relatives from the Tejon reservation) may find it most difficult to document that they have been identified continuously from historical times to the present as a distinct Native American group.[64] After generations of harassment by Americans for their 'foreign ways', the Tejon Chumash grew into a reserved and cautious people. They have preserved a loose, informal network which valued private gatherings and wisely avoided official group contacts with government officials, Christian church staff, college and university re-searchers, and newspaper reporters.

Many members of the Tejon Band now have non-Chumash relatives, so they are bi-cultural and often multilingual. But this sub-community of the Tejon reservation exiles have collectively chosen to identify with their Chumash heritage. I hope that the federal government will, at long last, welcome them as an officially recognized band of the traditional Chumash Nation.

John Anderson
1995

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This text is based on a paper the author submitted to the Bakersfield Chumash Council on January 11, 1995. The purpose of this report was to provide an overview of historical materials from my research files on the Chumash living in the Tejon reservation. The Bakersfield Council had requested this overview because it's members were considering application for federal recognition. The views expressed in this booklet are those of the author and do not necessarily represent the views of any group or association including the Bakersfield Chumash Council or any other Chumash association."

John Anderson
January 8, 1998

Appendix A

HOW DO WE KNOW WHO IS A TEJON CHUMASH?

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Too often, city and county governments in California have uncritically adopted federal regulations which stress white documentation of genetic ties and written evidence of formal relations between a native community and white associations, agencies, and scholars. Since participation in a native community has always been a critical criteria for membership, local and federal agencies should reduce their heavy reliance on governmental records in determining the legal status of applicant groups.

"One of the most important powers of any cultural group is its ability to define its own membership. If outsiders usurp this function, then the group's self-identity is fundamentally compromised. The California Indians are no different.…

The 1990 American Indian repatriation act currently governs all federal policies toward the landless Chumash and other Native American groups seeking federal help in this area. Like most federal legislation, it is biased toward eastern and mid-western models of Indian culture. As a result, the California Indian Advisory Council faces a fundamental dilemma in trying to negotiate with the federal government. It wants to procure federal recognition for all California groups, but to achieve this goal it faces arbitrary and unjust federal guidelines for recognition. These regulations were drawn up in an earlier era, when many of the native cultures familiar to most Americans were tribally organized, enjoying long-standing diplomatic experience with the federal government, and maintained a collective land base even after federal relocation.

The California Indians survived a genocidal holocaust, initiated by a brutal Spanish invasion of the California coast, continued under Mexican rule, and intensified in the early American era. The native peoples, including the Chumash, were decimated, impoverished, and dispersed. Whether they were tribally organized (one nation) or regionally organized (two or more nations) should not hinder federal recognition.

It is time now to help them rebuild, to bring together the surviving family members and to assist them in reconstruction.."

John Anderson 1995
(Chumash Nation, page 26)

Appendix B

TEJON CHUMASH RELATIONSHIPS WITH OTHER BANDS

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The Chumash families who lived on the Tejon Indian Reservation came from all regions of Chumashia. The *Castac* and *Moowaykuk* signed the 1851 Treaty, which first protected the reservation lands under federal law. They were the families whose ancestors always lived in the northeastern Chumash mountains. They were allied with many refugee families from the coast, including the *Tashlipun* and *Tecuya* who signed the treaty. Island Chumash were also living among these bands, having been driven from the islands by Spanish and Russians and forcibly integrated into various coastal 'mission' populations. And finally, the *Humaliwu* (*Malibu*) Chumash were also at Tejon, migrating there indirectly after escaping from missions in the Los Angeles and San Fernando valleys.

American federal recognition policies remain dysfunctional. They simply were never drafted to deal with the complex reality of native California history. The overriding sociological pattern of population movement in Chumashia in the post-invasion period is one of fragmentation, caused by European diseases, warfare, and labor policies hostile to the preservation of traditional native political groupings.

And so in the case of the Tejon Chumash, the reality is one of compassionate integration of coastal refugees into the base populations of the Mountain Chumash. Together, they were stronger and able to resist further colonial expansion into their remote region. And once on the reservation they intermarried with the Yokuts, Kitanemuk, Tataviem and Tongva to further strengthen their alliances. Thus the descendants of the modern Tejon Chumash are related to some degree to all of the other Chumash groups and to most of their non-Chumash neighbors.

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Of the original Chumash bands, only the Santa Ynez band has federal recognition and a reservation.

The Santa Ynez Reservation, General Council,

Box 517, Santa Ynez, CA 93460. The Tribal Elders Council Office, Santa Ynez Reservation, PO Box 365, Santa Ynez, CA 93460

Appendix C

WHAT NEEDS TO BE DONE AT THE LOCAL LEVEL?

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The Bakersfield Chumash Council is working hard to preserve its cultural identity and to keep Chumash descendants of the Tejon Reservation a close knit social group.

The evidence presented in this Tejon 'handbook' documents that the American courts have persistently ruled against the interests of the Tejon Chumash, denying them equal footing in California and federal courts. As a result, a series of white claimants have become rich off the considerable assets of the Tejon Reservation. In fact, ALL of the assets of the reservation now reside in the portfolios of non-native speculators. Clearly this is unjust, and more and more California voters are finding the situation embarrassing. They realize that what is legal, is often not ethical.

American politics in the 1980's and 1990's have swung toward a social philosophy that encourages local and state control over political issues which were in previous decades exclusively federal in character. A great deal has been made by conservatives about the virtues of local control, and it is time for advocates of local control to prove the virtue of their advocacy. Nothing would do more to break the federal stalemate over legal recognition of California natives than an outpouring of legal recognition letters from local groups.

This is an ideal time for the Kern County Supervisors and the Bakersfield City Council to pass resolutions recognizing not only the Tejon Chumash Council but also Kitanemuk, Kawaiisu, and Yokut groups representing Tejon Reservation descendants. The moral issue is not complicated, and by taking the lead these local politicians would be making a clear statement to their colleagues in the San Luis Obispo, Ventura, and Los Angeles counties. And if each of these groups drags their feet, the buck does not stop there. Letters of recognition could be sent by major corporations, small family businesses, the local chambers of commerce, Kiwanis and Eagles Clubs, church groups, and even Boy Scout and Girl Scout groups. Legal recognition is a prerequisite to participation in our American democracy. Surely the Tejon Chumash deserve this minimal level of neighborly support.

John Anderson, January, 1998

❖ 2018 Update: In the two decades since the above letter was drafted, a group called the Tejon Indian Tribe has been federally recognized.

Appendix D

Tashlipun and the Ancient Mountain Chumash

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In 2018, the text in chapter two was edited to include *Tashlipun* as a Mountain Chumash subgroup (see page 10). Recent linguistic studies of the coastal Tsmuwich language suggest that Tsmuwich linguistic group was an intrusion into an older coastal socio-political group which spoke a language close to that of the Kahismuwas and Lulapin.

Hypothesis 1: The *Tashlipun* Chumash were a remnant of a larger Chumash language group which occupied an undetermined region of the Central (San Joaquin) valley before the Penutian expansion drove them back into the *Tashlipun* region of the Chumash mountains.

Hypothesis 2: Speakers of Tsmuwich spread south from the *Tashlipun* region of the Chumash mountains down to the coast through the upland trails which pass by Big Pine mountain.

In time, speakers of the Tsmuwich language division began to separate the Kahismuwas and Lulapin when they gained a foothold in the upper Samala river valley. From this foothold, they eventually expanded to the coast in the region of the contemporary Santa Barbara.

Using Spanish terms for this proposed language intrusion: the Barbareno (Santa Barbara) subdivision expanded south from the *San Emigdio* (*Tashlipun*) region to the coast. This separated the *Purisimeno* (*Kahismuwas*) from the *Ventureno* (*Lulapin*) language groups

Mike Khus and Greg Schaaf

The author acknowledges Mike Khus of the Northern Chumash and Gregory Schaaf of the Northern Cherokee for making major contributions to his early 1980's research. They helped make this Tejon handbook possible

Khus I first met Mike Khus at D.Q. University, located near Davis, California. We were both working as staff at this native American institution, and spent long hours pouring over Harrington field notes on the Chumash including the Tejon materials. As a Chumash traditionalist, Mike provided insight into these narratives which would otherwise not been available to a novice investigator like myself. More than anything else, he made me appreciate that what was written down by Harrington, Merriam, Kroeber, and a series of Indian agents at Tejon was only a tiny fraction of his peoples cultural heritage. A deeper understanding of native culture comes only when one transcends the limits of such field notes and tries to understand the richer culture hidden behind these fragmented interviews. Mike and I did not share the same religious beliefs, for he was a Chumash traditionalist and I found inspiration in a different form of mysticism. Yet he treated me with the utmost respect and friendship and wrote and called continuously to discuss my writings. Throughout the last decade, he has been a constant source of strength, urging me to keep working on interpreting the Tejon materials in spite of many obstacles and difficulties finding funds to continue. Mike has a masters degree in history from Stanford University, and he teaches high school history in central California.

Schaaf Gregory Schaaf was a graduate student in Native American Studies at the University of California in the late 1970's when I first became interested in the Tejon Reservation. He was a young man with animating energy, carrying me forward with his archival skills and willingness to dig into chaotic and miserably preserved government records on Tejon. I watched as he developed the fledgling Chumash tribal archives, worked with local Chumash families and organizations to preserve documents, and wrote an excellent history of the local reservation in Santa Barbara, called *Kashwa*. And all the while he found time to offer me advice on interpreting difficult Tejon materials from the national archives and other government libraries. Schaaf now has a Ph.D. from the University of California (Santa Barbara) and is the Director of the Center For Indigenous Arts and Culture in Santa Fe, New Mexico.

John Anderson, 1998

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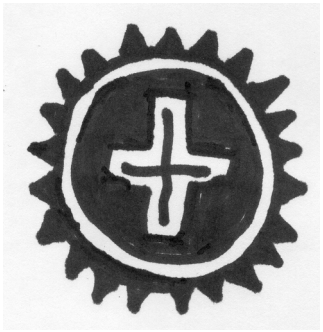

Endnotes

1 Taxonomies covering the Tejon Indians are necessarily complex, since they deal with a volatile, pantribal native alliance undergoing unprecedented change resulting from morally deplorable colonial abuse.

In my May 1981 study of Tejon place names, I cautioned my readers therefore that: "The following taxonomy has been taken from my working notes and should not be relied upon as a definitive study. It does, however, provide invaluable information for other researchers just beginning a study of the Tejon area ... Patience is needed in any study of Tejon, especially given the fact that more than twelve languages were being used by the participants in the Tejon story. Any given bit of information on a band, village, or tribal leader might be referenced in two or as many as five different languages, all of which are speaking of [documenting the heritage of] the same [historical] subject without noting that fact explicitly" (p.2). My 'revised' taxonomies a decade or moe later, have been enriched by correspondence with academic scholars and native Chumash.

2 (Terrell Report, Sept 21, 1916, p. 9).

3 F.L. Kitsepawit, a noted Chumash historian, described the joint Chumash and Catholic Church mining operations (Hudson, Breath of the Sun, 102).

4 "They [the Tejon Indians] have some old letters showing correspondence with the Mexican authorities in Southern California about 1840 in reference to protection from travelers who stole their stock etc. which show that the authorities recognized them as well behaved, industrious Indians deserving of the protection they asked" (Asbury, 8/18/1914 report, p.6).

5 Asbury identified Beale's Mexican land title as recorded by the American General Land Office in 1914 as Land Allotments 38388, 75281-14 HVC (8/18/1914). He strongly implied that Beale illegally surveyed these allotments in his own favor. "It appears that E. F. Beale was Surveyor General of California and had charge of the survey of this particular land which he claims to own immediately after the patent was issued to the Mexican grantees though the county records show it as having been deeded to him about 1865" (p.6).

6 The Mexican government confirmed 2,000 acres to J. A. Aquire and I. DelValle in an undetermined area north of Los Angeles. The California Land Commission confirmed this obscure grant on 5/8/1855. This title was appealed in the federal district court and reconfirmed on March 18, 1859. The Supreme Court appeal [181 U.S. 481] was dismissed in December, 1859, permitting the patenting process to proceed.

On May 9, 1863, Beale received American title to 2,000 acres of vaguely defined land in the Tehachapi region originally awarded under Mexican colonial law.

7 Eventually, all of the outlying native homesteads were razed by Beale's ranch hands, who slowly but surely eliminated Tejon estates to two

settlements called the Lower and Upper *Kootsetahovie* communities. Finally, even the Lower community [called *Munumpe*] was confiscated for a cattle camp. Asbury made the following explanation in 1914: “They formerly lived further down the valley below the ranch house where there are some springs and good land but some 35 years ago [1879?] they were moved to their present location by Mr. Beale.” (Asbury report, 8/18/1914, p.6). Presumably "they" meant the Kitanemuk and other ranch workers living near the Tejon ranch house in *Nakwalkivie* circa 1879.

8 See J. Coluco for a Tsmuwich Chumash, who used J. Harrington as a Smithsonian consultant in 1922 to record his family ties to Tejon. See Maria Solares for a Samala Chumash, living at the Santa Ynez reservation, who recorded her family ties to Tejon. The Bakersfield Chumash Council is drafting a genealogy study, which will begin to document family ties to all of the other coastal Chumash bands.

9 J. Coluco, a Tsmuwich Chumash man from the *Shyuxtun* valley (Santa Barbara) testified to Harrington on February 23 1922 about the Tejon Ranch’s illegal destruction of native homesteads at Tejon. Coluco was a relative of Caporal, an important native labor leader among Tejon cowboys during the Beale era. Coluco described how the Tejon ranch hands forcibly relocated the last surviving residents of *Tinlew* into *Kootsetahovie* canyon. The ranch foreman came to *Tinlew* and ordered all the residents to relocate immediately. This intimidated many of the residents to move to *Kootsetahovie*, and the rest fled north to relatives in the Tule River reservation. Their *Tinlew* homes were torn down and the place was added to the cattle range [of the Tejon ranch]. Those who relocated to the nearby *Hauliw*, were subsequently driven from these homes and forced east into *Kootsetahovie* canyon (Coluco, Testimony on Tejon Land Claims, 1922 Harrington Investigation, p. 9).

10 Agent Asbury interviewed the Tejon ranch foreman, Mr. Lopez, in 1914. Lopez acknowledged that the Beales considered the Tejon Indians a preferable labor pool. “He says that they [the Beales] consider the Indians an asset in that they are convenient laborers who can be had conveniently whenever they are wanted and even if it is but a few days they are content as they are right at home for which reason they [the Beales] prefer them to laborers brought from a distance, and there are not many to be found when wanted nearer than Bakersfield, 30 miles away” (Asbury, 8/18/1914, p. 8).

11 Testimony of J. Coluco (Chumash man exiled from Tejon to the Tule River) on Feb. 23, 1922, during John Harrington's investigation into Tejon land claims.

12 This is the approximate date for the beginning of the one dollar a year payments, cited by Asbury (8/18/1914, p.7). Juan Coluco, a Tsmuwich Chumash resident of Tejon at the time, described when this ‘protection’ payment was first demanded by the ranch. “One morning Pogson called us Indians together [around 1899?] at the store and told us: “I have received a letter from General Beale and he says that he wants you to pay $1.00 a year to help pay the taxes.” About 20 of us put crosses [symbolizing their legal signatures on the paper presented by Pogson]. I was the first to put his cross. None of us knew how to write. All of us worked and lived on the ranch. At the end of the year Pogson deducted [from] the monthly pay checks of each one of us $1.00. I have one or two of these receipts still in my possession [in 1922]”.

Coluco described to Harrington [in 1922] how he received a letter on December 7, 1899, demanding that he “surrender your lease-hold” by January 1, 1900. Just one day after Christmas, Truxtun’s wife and her lawyer issued

Coluco a “notice terminating tenancy”. “I was told by my friends”, Caluco told Harrington, “that the owners were just trying to see if an Indian could be thrown off the ranch. My friends advised me to remain on my property, which I did”(p. 11). Two years later, the Tejon ranch got its revenge against Coluco, while he was employed away from his home shearing sheep. Coluco learned from friends that his home and orchard had been destroyed. He knew he no longer was safe at Tejon. On April 15, 1901 he received a letter which he showed Harrington. It read: “In the Superior Court of the County of Kern, State of California, Mary R. Beale, Plaintiff, v. Juan Coluco... For possession of certain premises and sum of $75.00 damages for the rents of said premises and the detention thereof and cost of the suit”. Not only did the American courts ignore the illegal destruction of his property by the Beales, but it had the audacity to rule against him for so-called back rent and court costs!

13 Asbury interviewed the foreman, Mr. Lopez, who ran the Tejon ranch for the Beales. Lopez admitted that the ranch demanded the one dollar a year payment from the Tejon Indians. “... no rent seems to have been collected until about fifteen years ago [around 1899] since which time a rental of $1.00 per year for each house, or family has been collected chiefly as a recognition of the title of the ranch to the land occupied and used by them.” But Asbury also got foreman Lopez to admit that he had indeed threatened to throw Tejon Indians off of their lands. “He [Lopez] says that a few months ago one or two of the Indians showed a disposition to ignore the rights of the Ranch and decline to pay the rental mentioned above and otherwise ignore the regulations touching their residence on the land. He admits that he told these particular Indians that they must recognize the property of the company and otherwise conduct themselves properly or they would be required to move off” (8/18/1914, p.8).

14 The negotiations over title to Beale’s Tejon Ranch took place between 1910-1911.

15 Agent Asbury was the federal staff person assigned to the Tejon case in 1914. He investigated charges of harassment of Tejon residents by “a Syndicate composed of some thirty Los Angeles men” (8/18/1914 report, p. 6). Asbury was not aggressive in protecting the Tejon Indians” rights. He did not consider the title issues dating back to the Tejon Indians’ 1.2 million acre treaty lands of 1851, or any of the smaller reservation land bases. Instead, he only sought to protect the minimal acreage still occupied by the sixty Tejon residents. And even this pathetically small remnant, he concluded, had little prospect for protection. (“... I do not think there is much prospect of securing such title” (p. 9).

16 E. J. Emmons, Bakersfield attorney, (letter to the federal Commissioner of Indian Affairs, July 25, 1914). Emmons wrote to the Commissioner earlier, asking the federal government to do their duty and protect the “reservation” patent of the Tejon natives, citing land allotments 38388-14 and 76709-14. Emmons seems to have had the interests of the Tejon natives at heart in his work, but he made (perhaps in the heat of his frustrating battle with the Los Angeles Syndicate claiming ownership of the Tejon reservation) numerous historically inaccurate statements. He made the claim, for example, that: “It is only recently since the land has come into the hands of Los Angeles speculators, that any attempt has ever been made to remove these Indians. There is no doubt, however, that during the Beale ownership and the subsequent ownership of Truxtun Beale that these Indians were allowed to remain and cultivate the land without annoyance”. In retrospect, this was a

very unfortunate claim, since it dismissed the continuous and debilitating erosion of native estates under Edward and Truxtun Beale's ranch administrations.

It is tempting to suspect that Emmons was not a fully altruistic advocate of rights for Native Californians but perhaps, instead, was working for the Beale family. But if this was the case, why would Emmons write: "It seems singular that Edward F. Beale, while acting as Indian Agent, insisted upon this reservation being created and set aside to the Tejon Indians, then, afterwards, when he became Surveyor General, obtained the same land by purchase and then wanted to charge these men rent." In using the term 'singular' Emmons presumably was putting the powerful Beale family (the most prestigious and economically powerful in the Bakersfield area) into a category of abnormality, drawing attention to their wealth and influence.

17 Special investigator Terrell (who, himself, defied the Tejon Ranch Syndicate) reported to the Office of Indian Affairs that Emmons seemed to be a true friend of the Tejon Indians, describing him as "a true, valuable and entirely unselfish friend of these most unfortunate Indians" (Terrell report, Sept. 21 1916, p.4).

18 Asbury interviewed the foreman of Tejon ranch, Mr. Lopez, in his 1914 investigation. Lopez made it clear that the one dollar a year real estate title struggle was still under force. "He [Lopez] assures me", Asbury reported, "that so far as he knows they [the Tejon Indians] can continue to live there indefinitely having the same privilege they have had if they recognize the ownership of the company and cooperate to keep the settlement orderly and sober."

19 Emmons (July 25, 1914) described such federally sponsored trade-off lands as a "withdrawal" because the federals would not ask the Los Angeles real-estate speculators [claiming title to the Tejon reservation] to pay for the replacement lands, but rather withdraw it from public lands.

Special Investigator Terrell repeatedly confirmed that Governor Lozada found the proposed 1916 relocation sites for his people unacceptable (Terrell report, Sept 21 1916).

20 Asbury dismissed all vacant lands near Tejon as unsuitable for human habitation. "The vacant land in the two townships and two factional townships mentioned in this correspondence is very mountainous and unfit for a home for the Indians. All the land in these townships where there is any water has been taken up and some of it has been farmed for fifty or sixty years" (p. 10). Asbury concluded his report with a cursory comment on nearby private property, where the Tejon might be relocated. "There are a few old farms within a few miles up the same creek [*Kootsetahovie*, also called *Tejon*] which might be bought but I have not thought advisable to negotiate for them until every prospect of securing their present home was exhausted" (11).

21 Wemmer (5/30/1914 letter; signature is difficult to read, the spelling may be Wamser): "I was told by Indians and old residents of America, being there for 45 years [presumably local American settlers] that Gen. Beale then land owner made a mutual agreement to them, that they can remain there as long as their tribe is in existence. There are 56 of them left at Tejon. Can the Los Angeles Syndicate expel them from their homes and cemetery where about 300 are buried? ...The Chapel at the Tejon Rancho was built by the Indians themselves. Is the Los Angeles Syndicate entitled to deprive them of their house of worship and take possession of it without renumeration to them?"

Special Agent Asbury visited the Tejon Indians in August, 1914, when their

numbers had increased to sixty (Asbury, Letter 8/18/ 1914, p.6).

22 The federal Indian Office denied to Emmons that it had any written evidence on the Mexican Tejon land title (Commissioner Hauke, August 24 1914, p 1; "In response to the question as to whether it is possible to ascertain the conditions of the original grant you are advised that this Office has no information as to whether such a paper is in existence".

23 Commissioner Hauke made it very clear, in his August 24, 1914 letter to Attorney Emmons, that he considered the Tejon Indian case unworthy of further pursuit. The Office of Indian Affairs, he reported, had no documents which might reinforce Emmon's arguments.

Hauke advised Emmons that the Office assumed ["it is natural to assume"] the justice of previous court decisions on California native land claims, including the Tejon case. The eventual dismissal of the Tejon case by the Untied States Supreme Court "leaves little room for doubt that the rights of all interested parties were considered" (p. 3). The patent examined in these American court proceedings contained no legal protections for the Tejon Indians, so the "Office is of the opinion that any informal arrangement they may have had with Edward J. Beale, the former owner of the tract, will avail them nothing"(p. 3).

24 Indian Office [Office of Indian Affairs], letter to the Secretary of the Interior; concerning the Tejon Indian Land claims, undated [1916 or later] and unsigned. "The Office wrote the Interior Secretory on the Tejon situation, acknowledging that the present conditions of these Indians is unsatisfactory" (p.3). The office staff, Commissioner Terrell, was to blame for failing to identify "a suitable place to remove these Indians"(3).

25 Office [of Indian Affairs], undated and unsigned (p. 4).

26 Office [of Indian Affairs], undated and untitled. This document dismissed the Tejon Indian claims to their lands, and chose to recognize the Tejon Ranch Syndicate's claims to the land. This position is evident in their offer to buy the land from the Syndicate, if they chose to sell. The Office knew, perfectly well by this point, of course, that the ranch would not sell these lands. The Office was thus abandoning the native residents' cause.

27 Terrell concluded that: "It is evident, as suggested by the Office, that the suit against Lozada has been brought by the owners of the ranch merely to avoid any possibility of the Indians claiming lands for the lifetime occupancy of themselves and their posterity at this time by adverse possession."

28 Terrell described the Tejon Indians as "most unfortunate Indians" (Terrell report, Sept. 21, 1916, p. 4).

29 Terrell's letter of September 23, 1916 describes "vacant Government lands in the said Range 17" [in Section 12, 26, and 28] as "good valley land" under investigation for Tejon Indian relocation (due to a "recent suit" brought against the Tejon Indians [by the Tejon Ranch?]. Terrell specifically recommended that: "if possible, all Government lands in the Ranges named should be set aside as a Reservation for these Indians."

Discussion: The Tejon Ranch is located on range 17 west. A map of the area shows section 28 on lower El Paso creek and section 26 in the uppermost reaches of this drainage. Section 12 is on the lower Tejon creek, on the north side. Are these the areas of proposed relocation, and if so were they private isolates on Tejon ranch?

30 Terrell described this proposed relocation site as "Government lands within the Sequoia National Forest some 10 to 20 miles to the west or

southwest from Independence."

31 (Terrell report, September 21, 1916, p. 2) Lozada told Terrell and Superintendent Reed (when looking at this proposed land base near Bishop) that: "I would not live in this cold country if the Government would give it all to me and my people; there is no country like the Tejon [*Kootsetahovie*] Canyon." "I would not think of asking my people to move from the warm Tejon Valley to this cold country [sic], why [sic] they would all die."

32 The proposed relocation site for the Tejon Indians was "abandoned by both man and livestock" seven to eight months of each year, Terrell acknowledged. He told the federal Indian Office that: "Even if it could be done it would be a mistake to remove these Indians from their present warm location to so greater [and] higher and cold altitudes, as such removal would likely sooner or later result in the earlier death of a number of the older Indians of this band; quite a percent are old and some very old"(Terrell report, Sept 21, 1916, p. 3).

33 (Terrell report, September. 21, 1916, p. 3).

34 (Terrell report, September 21 1914, p.4).

35 (Terrell report, September. 21, 1916, p. 4).

36 (Terrell Report, September 21, 1916, p. 9).

37 This land "aggregating about 1070 acres" needed to be "in close proximity to their present location"(Terrell report, Sept. 21, 1916, p. 7). The proposed acreage should be purchased "at the earliest possible moment", Terrell advised (p.8). Terrell also reminded the federal Office that it could move quickly to purchase 320 acres in Section 32 belonging to the University of California, as well as all railroad lands in the vicinity (p. 8).

See *No Brave Champion* (Anderson) for related commentary on the relationship between the Chumash and the state university system in California.

38 "I have in mind if we can accomplish the setting aside any considerable portion of this supposed Government untaken land and be able to add thereto any considerable portion of their lands as suggested, that we will have succeeded in forever retaining these Indians in their beloved Tejon Valley, and that ultimately, if desired, the Syndicate people will agree to sell some of the small portions on which their small village homes are located" (Terrell report, Sept 21 1912, p.8).

39 "My information is, and there may be some truth in it, that there has been considerable fraud practiced by this ranch Syndicate company in its acquirement of lands, using straw men and other questionable methods of securing land within its enclosure in order to prevent these Indians and others from getting hold in this territory" (Terrell report, Sept. 21, 1916, p.8). The Tejon Indians have occupied their lands "for over one hundred years", Terrell concluded (p. 9).

40 "This creek drains a cattle country, above the ranch as well as on it, and is contaminated by dead cattle in the stream itself. Under the present system no development of domestic water would be allowed by the ranch, although the health of the Indians is not of the best" (Clotts' Report, January 1918, p. 6). "The mountains contain many springs which, with one or two exceptions, are too small for irrigation. At present their only function is to provide watering places for cattle. They could easily be piped and used for domestic purposes and the remainder run into watering troughs, where more cattle would be supplied than under the present wasteful methods" (6).

41 Clotts' Report on the Tejon Indians' water rights, January 1918 (p. 3).

42 The Department of the Interior ordered the Indian Irrigation Service, whose regional office was located in the federal building in Los Angeles, to investigate the Tejon ranch violations of "Tejon Indians" on May 12, 1917. Authorization for the investigations and surveys of Tejon Indian lands was granted August 10, 1917. The "Tejon Indian lands" were surveyed by a ground crew, which left for Tejon on November 19 and worked until December 24, 1917 (Clotts' January 1918 report, p. 1).

43 "The area which the Indians have been allowed to cultivate has been steadily decreased until now it is reduced to the present limits of 65 acres" (Clotts' report on the Tejon Indians water rights, January 1918, p. 3). Clotts described this sixty-five acre holding: "It lies along Tejon Creek at the mouth of the canyon."

44 "The Tejon band of Indians have been living in the Tehachapi Mountains on the southern edge of the San Joaquin Valley since before the coming of the Spaniards to California..." "These Spanish grants had very vague boundaries according to the terms of the original grant, so that there was more or less latitude in fixing the final boundaries at the time of the survey which was first recognized by American officials"(Clotts' report on the Tejon Indians' Water rights, January 1918, p. 2).

45 "The section of the El Tejon Ranch occupied by the Indians is one of the best parts of the ranch, from which the Indians showed their usual disinclination to move. General Beale evidently felt that any violent ejection of them would cause trouble with the Indian Service, and also deprive him of many of his cowboys. He therefore instigated a system of mild persecution which compelled many to move away" (Clotts' report on the Tejon Indians Water rights, January 1918, p. 3).

46 Numerous historians and journalists of this era chose to describe the remaining Tejon Indians as Paiutes, a very loose term referring to many Uto-Aztecan speaking peoples and not specifically to the Kitanemuk. This caused uninformed readers to conclude incorrectly that the original Kitanemuk residents were gone. This was a self-serving ploy, designed to facilitate the disinheritance of the Tejon residents who remained a multi-cultural and multi-lingual community with Chumashan, Uto-Aztecan, and Penutian ancestors. Harrington's research at Tejon provided definitive proof that these people had preserved their ancestral heritage.

Harrington identified Tejon residents with Chumash ancestry. His field notes identified, for example, Eugenia Villareal as having lived at *Saticoy* and being related (aunt?) to the well known Chumash artist Candaleria.

47 Clotts described the "land occupied by the Indians" at Tejon in 1918 as "extending up Tejon Canyon and lies in Twp. 11 N. R 16 and 17 W. It is about 4 miles northeast of the ranch headquarters and the village [*Kutse*] is 23 miles south and 19 miles east of Bakersfield" (Clotts' Tejon Report, 1918, page 2).

48 "The Tejon band of Indians have been living in the Tehachapi Mountains on the southern edge of the San Joaquin Valley since before the coming of the Spaniards to California" (Clotts, January 15, 1918, p.2).

49 The Tejon Indian estates on *Kootsetahovie* creek had been reduced in 1918 to only 65 acres (Clotts, 1918, p. 3). The 1922 Tejon census, witnessed by Attorney Emmons to ensure accuracy, listed 79 residents living in seventeen homesteads [at *Kutse*]. Special investigator J. J. Terrell took part in this 1922 census and helped certify that in only four years, the Tejon Ranch had seized around forty acres of the Indians' homesteads, leaving them

with approximately fifteen. Governor Lozada's enclosed 3.5 acres was the largest, and most were around a half acre. The residents had a few horses, but were still not permitted to own cattle. Between eight and ten of the able-bodied men continued to find work as ranch hands.

50 Indian Irrigation Service, January 14, 1919 report to Indian Office, Washington DC, United States Department of Interior. This report identified M. H. K. Palmer, an assistant engineer, as the staff member sent to survey the Tejon Indian lands in January of 1918. "The investigations and surveys were made under authority No. 72709, granted 10l, 1917" (p. 1). The Tejon Indian survey "proceeded without interruption until its completion December 24, when Mr. Palmer returned and made up the map and report" (Palmer's subsequent map was dated Dec. 24, 1918).

51 Indian Irrigation Service, Supervising Engineer, Special Disbursing Agent, H. K. Palmer, Letter to J. P Harrington, Feb. 21, 1922.

52 This survey of 5364 acres around the Tejon Indian homes was undertaken as part of the lawsuit entitled United States vs. Title Insurance, Security Trust, Harry Chandler, O. P. Brant, M. H. Sherman, and E .P. Clark [identified in the report as directors of the Tejon ranch Syndicate]. The "Instructions To Investigator" stated that the engineer of the Indian Service would assist the investigator to locate the surveyed 5,364 acres "on the ground" (p.2). "The directors of the so called Tejon Ranch Syndicate....have possession and exercise control over the ranch, acting in part through the ranch manager, J. J. Lopez, who lives at the ranch house not far from the premises in question, and who has acted very oppressively toward the Indians. He will probably be hostile to the present inquiry,if he learns of it" (p. 3).

53 Taken from "Instructions to Investigator", Attorney Generals Office, 1921 (p. 4).

54 Harrington, letter to Special Assistant to the United States Attorney General, Sept. 15, 1922 (p. 1).

55 Harrington, "Report To the Department of Justice, on the Tejon Indian Land Claims", September 18, 1922 (p. 1) .

56 Harrington admitted to the Untied States Department of Justice, in a letter dated September 18, 1922, that he expected to have to take the Tejon case through a series of appeals to the federal supreme court. (Harrington, Sept. 18, 1922). Note that the Supreme Court dismissed an earlier appeal in December 1859.

57 Harrington field notes on the Tejon Indian land claims, a legal testimony signed by I. G. Yamhiw (who used colonial name Guadalupe Isidro) February 23, 1922. Yamhiw described the Tejon ranch's forced relocations of Tejon Indians into *Kootsetahovie* canyon as being like "one rounds up cattle" (p. 2).

58 Harrington field notes at the Tule River Reservation, J. D. Tsetela (who used the colonial names Juan Dionisio and also Onisio), February 23, 1922. Tsetela described how the Tejon ranch hands knocked down native homes, ploughing under their gardens to convert them into grazing lands for the ranch, and forced the residents to relocate to the *Kootsetahove* creek (p. 4). See *Tinlew* and *Posom Tinlew* in the glossary for related information.

59 Fraser, G., letter to J. Harrington On Tejon Indian Lawsuit in the United States Supreme Court, March 31, 1924. Fraser was a Special Assistant to the United States Attorney General.

60 To avoid this very scenario, the Attorney General of California, R. W.

Kenney, moved in 1944 to quiet native claims against the state and federal governments. In his August 15 report entitled “History and Proposed Settlement: Claims of California Indians” Kenney proposed to end forever the native land entitlements with an absurdly low payment to surviving native residents.

Kenney concluded his commentary on the land claims by stating that he “seriously, sincerely and conscientiously recommended to the Indians of California that they approve the procedure herein outlined” (p 49). His proposed solution was to have non-Indians keep all the lands under dispute, paying only $1,000 per person as a settlement. His goal was clearly stated: minor compensatory payments “to satisfy in full their legal, moral and equitable claims against the United States of America.” Appendix D is dedicated to the Tejon case. Kenny proposed that the federal government reactively and unilaterally decide to deduct the costs of all foreign aid monies guaranteed in the 1851 treaty. Thus he proposed to charge the Tejon a grand total of over $1,250,000 for goods, services, and land payments (p. 60). Kenny under surveyed their Tejon treaty lands at only 763,000 acres (instead of over 1,200,000 acres) and he proposed to pay them in 1944 only $1.25 an acre. And nowhere does he propose to pay them for their vast gold and oil wealth, extracted from this land by generations of non-Indians who benefited from their assets with no title!

61 J. Campbell, newspaper reporter from Frazier Park wrote that the last Tejon Indians to leave their estates went to the *Tubatulabal* (Kern) river native community of *Tulomoya*, seeking ties with relatives and friends in that community. A few Tejon Indians hung on, presumably in ranch owned labor housing on *Nakwalkivie* creek, since their *Kootsetahovie* homesteads were demolished by this date. One condition for employment was that they continue to pay the ranch one dollar annual rent (Campbell, Mountain Enterprise, 6/18/70).

62 The Recognition Handbook of the California Indian Services was sufficiently cynical about the good faith bargaining of the federal government in 1983 that it warned California Indian groups like the Tejon Chumash to consider "whether the difficult and time-consuming task of seeking recognition really will be worthwhile" (Foreman, Recognition, 1).

63 The *Recognition Handbook* was developed by the California Indian Legal Services which is located in Oakland, California. This association set up a subdivision called the Recognition and Untermination Project, which published this handbook for use by native California bands. Readers interested in the complexity of local, state, and federal governmental recognition of native American groups should read this fascinating document.

64 "Perhaps the most important factor in the success of a petition [by a California Indian group seeking federal recognition] is the groups' ability to show a continuous history as a political unit since first white contact" (Foreman, Handbook, 5) .

65 Foreman concluded that legal recognition of California native bands like the Tejon Chumash is "a necessary first step" toward empowering California native communities (Handbook, 5).

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Glossary

These notes have been taken from the author's research files dating back as far as the late 1970's. When the first materials were registered in these files, American scholarship still suffered from an inadequate assessment of surviving Spanish, Mexican, and early American government records. In the next two decades, American historians began to enrich this limited and culturally biased database with new ethnological information on the Tejon Indians and their neighbors. John Harrington's records in the Smithsonian Institution were the key to this renaissance of interest in Tejon nomenclature.

AMUWU The Kahismuwas town on the lower Samala (Santa Ynez) river, where the Spanish built a second facility in 1813 to replace the ruined Sacupi mission. Also see Sacupi and Sacupi Exodus.

Terms: The Mexicans and later colonials called Chumash workers at this production center *Purisimeno*, and the facility *La Purisima*.

BADGER See Tejon, Hunamatser.

CALIFORNIA INDIANS A phrase often used to describe the native peoples of California, whose ancestors lived in this region tens of thousands of years before the first Europeans entered the area.

Terms: The author prefers the term 'native' to describe the Tejon Chumash, since they clearly are not from India (which is the implication of the term 'Indian').

CENTRAL VALLEY Phrase used in this text for the large interior valley of central California. See Tashlipun and Appendix D for related commentary.

Terms: Americans also call it the San Juaquin valley.

CHUMASH The largest native cultural group in the western United States prior to the intrusions of Europeans into the coastal region now known as California. Compare Hokan: Chumash, Chumashan, Chumashia, Tejon: Chumash.

CHUMASHAN A group of closely related languages, spoken by the Chumash peoples of southern California. See Hokan for further discussion.

CHUMASHIA The author's assigned name for the large region occupied by Chumashan speaking peoples prior to European intrusion. See Tejon for further discussion of the mountain Chumash who controlled the northeastern province of Chumashia.

EMIGDIO See Tashlipun.

EMIGDIANO See Tashlipun.

GRAPEVINE See the 'tour guide' presented after the glossary, for further discussion.

HARRINGTON: JOHN An American linguist and ethno-historian who consulted with various bands of the Chumash in the early part of the twentieth century. Harrington visited the impoverished native families living in the remnant areas of the Tejon Reservation. De-positions taken from these last residents of Kootsetahovie canyon have provided vital data on the Tejon Chumash. When Harrington was dying as an impoverished elder in Santa Barbara, the local Chumash honored him for his efforts to preserve the Chumash culture. They took care of him during his last days.

HOKAN A large language family spoken by many native Californians. In the past, American linguists (such as Sapier, Kroeber, Harrington) classified the Chumash languages as Hokan, but in recent years Dr. Mithun at the University of California at Santa Barbara proposed a separate classification of the Chumash as a language isolate.

HUNAMATSER The large Kitanemuk trading town located at the sink of Nakwalkivie creek.

Terms: *Hunamatser* means 'place of the Badger' in Kitanemuk. The Spanish renamed this town *Tejon*, which means 'badger'. *Tejon* was later adopted by the Spanish to refer to a large mountainous region surrounding this ancient trading center. When plagues forced the Kitanemuk residents of Hunamatser to temporarily abandon the town, large numbers of Tulamni and Hometwoli Yokuts moved in. They renamed the town Tinlew.

● Beale's personal home, the Tejon Ranch headquarters in the 1850's, was located upstream from Hunamatser near the Nakwalkivie ford.

KAHISMUWAS The self name of the southwestern Chumash, who were called the *Purisimeno* by the Spanish [referring to the La Purisima mission]. Kahismuwas means 'people of the coast' (*Muwu* is a root term meaning 'coast').

● The Kahismuwas were allied with *Tuqan* and *Wimat* island in a prosperous coalition of southwestern Chumash seaports. Large numbers of their traditionalists migrated to the *Tecuya* canyon after a devastating 1812 earthquake destroyed the first *Kahismuwas* production center called *Sacupi*. These immigrants became the *Tecuya*, the most militantly anti-colonial of all mountain Chumash.

KASTAC A Chumash town located on the shore of Castac lake near the modern town of Frazier Park.

● Kastac served as the political capital of the Mountain Chumash and led their resistance to European and American imperialism.

KITANEMUK Uto-Aztecan neighbors of the Tejon Chumash.

● The Kitanemuk were closely allied with the Chumash in 1851, when they signed a joint treaty with the American federal government. Also see Hunamatser, Nakwalkivie, and Kootsethovie.

KUTSE The last settlement of Tejon reservation residents was named Kutse. It was known in the American era as the Upper Settlement, until the Lower Settlement at *Mave* was destroyed.

Terms: *Kutse* means ‘dog’ (Kitanemuk; also *Kutsi*). It is the root in the term *Kootsetahovie* which is the Kitanemuk name for the associated creek.

KUTSI See Kutse.

KOOTSETAHOVIE The Kitanemuk name for the creek which became the population center of their nation by the late 1800’s. Also see Kutse.

Terms: *Kootsetahovie* means 'place of the dog' (*Kutsi, Kutse*). The Americans call this drainage *Tejon.* And they called the pass at the top *Tejon* before they moved the *Tejon* nomenclature westward to highway five

leading south to Los Angeles.

● The Kitanemuk town of *Kutsi* was located in the middle of the *Kootsetahovie* drainage, near the fork in the trail which turns west and enters the lower Nakwalkivie canyon. The Kitanemuk town of *Mave* was located below Kutsi, in the *Munumpe* grove of trees.

● In later decades, all of the reservation Indians were forcibly relocated by the Tejon ranch to *Kutsi*. Some of these 'last' Tejon families had Chumash blood.

MATAPKWEL The name used in this text for the Chumash town site located at the bottom of *Moowaykuk* (*Uvas*, also called Grapevine) pass.

Terms: The Chumash called this site *Mat'apkwelkwel*, which means 'house of the cottonwoods'. *Ap* means 'house' (Tsmuwich, 3) and *Kwel* means 'cottonwood' (15; *Qwel* in Samala).

● This community became too dangerous for most of its Chumash residents soon after the signing of the Tejon treaty, due to frequent use of the pass by racially violent American miners traveling from Los Angeles to northern gold fields. See Moowaykuk for further discussion.

MAVE The Kitanemuk name for their large settlement on the lower Kootsetahovie creek.

Terms: *Mave* was known as the Lower Settlement in the American era.

● When *Mave* was destroyed, some of the refugees moved upstream to *Kutse* to join relatives as the last Tejon reservation residents with homesteads.

MEXICAN A term used by the author to refer to anyone from the Mexican nation, as opposed to native Californians such as the Chumash.

Discussion of names: The use of this term can cause confusion, no matter how a writer uses the term. Should the children of native Californians, like the Chumash married to colonial immigrants from Mexico, be classified as Mexican citizens or as Chumash? Due to the social inequality enforced during the Spanish and Mexican occupation of coastal Chumashia, children of native women and colonial fathers were considered colonials, i.e. Mexicans. When you watch the Santa Barbara Spanish Days parade, for example, most of the so-called old Spanish families are in actuality heavily intermarried with the Chumash.

MOOWAYKUK One of two Mountain Chumash bands known to have signed the 1851 Tejon treaty. See Matapkwel, Uvas, Tashlipun, and Kastak for the other mountain Chumash bands participating in the 1851 Tejon treaty.

● The *Moowaykuk* were a loose political grouping of refugee groups, who had been driven by colonial harassments from their home towns (located to the west and south) to the lower reaches of *Moowaykuk* (*Uvas* to the Spanish, meaning 'grapevine') canyon.

● The remnant *Tecuya* located just west of *Moowaykuk* canyon were a typical refugee settlement. They maintained very close socio-political ties by the 1850's to the nearby *Matapkwel* townspeople. The *Kastak* Chumash guarded the upper reaches of this canyon at this time, while the *Tashlipun* guarded the foothills to the west.

MOUNTAIN CHUMASH A phrase used by the author for any Chumash group or town located in the rugged mountains (including river drainages such as Cuyama and Sisquoc) of interior Chumashia.

● All of the Chumash bands that participated in the 1851 Tejon treaty were Mountain Chumash. Some, like the *Kastac* of Castak lake, represented the ancient Chumash residents of the region. On the other hand, the *Tecuya*, a refugee group which fled from the Kashimuwas coast, were immigrants who vigorously joined other highland Chumash to resist Spanish, Mexican, and

American colonialism.

MUWU A southeastern provincial capital located on the *Muwu* slough, now occupied by the Mugu naval facility.

● Due to drastic socio-political changes resulting from plagues among the coastal Chumash in the seventeenth century [and earlier], *Muwu* fought a civil war with the Mountain Chumash. Numerous coastal Chumash took refuge among the Tejon area Chumash as a result of this war.

● By the middle eighteenth century, when the Spanish army invaded California, the seaport of *Muwu* inherited the leadership of the southeastern Chumash provincial government.

● See Kahismuwas for the leaders of the southwestern Chumash provincial government in the eighteenth century. The Kahismuwas and their island allies (led by *Tuqan* island) were rivals of Muwu into the early nineteenth century.

MUTAH FLATS A small mountain refuge area, located between Tejon and the Chumash towns on the Santa Clara river. See Sespe Hot Springs for a closely related mountain Chumash community.

● Many of the Tejon reservation Chumash took temporary refuge at *Mutah* Flats after their homes were razed by hostile Americans. This was especially true for survivors of the Castak lake massacre.

NAHPINTAH A pantribal community dominated by Chumash refugees in the early post-treaty era. *Tashlipun* and *Kastac* Chumash shared this site with Yauelmanne

NAKWALKIVIE A Kitanemuk creek located west of *Kootsetahovie* creek, where Beale set up his ranch home in the early American era.

● *Nakwalkivie* drainage served as the Kitanemuk border with the Chumash in the early years of the Tejon reservation. *Hunamatser*, the Kitanemuks' prosperous trading town, was located near the mouth of this creek.

PASO See Nakwalkivie.

POSUM TINLEW See Tinlew.

PURISEMA See Sacupi and Amuwu.

SAMALA The spelling used in this text for the Chumash from the middle *Samala* valley, called Santa Ynez by the Mexicans. See Kashimuwas, Amuwu, and Sacupi for the peoples of the lower valley.

SACUPI The Kahismuwas town confiscated by the Spanish to build the first production center in their region. Also see Kahismuwas, Sacupi Exodus, Tecuya, and Amuwu.

● the *Sacupi* production center was ruined by an earthquake, leading to the construction of a replacement center downriver at *Amuwu*.

SACUPI EXODUS Many Kahismuwas sought refuge among the Mountain Chumash in this exodus from the coast. See Tecuya and Amuwu.

SAN EMIGDIO See Tashlipun.

SESPE HOT SPRINGS One of the last occupied mountain Chumash "free" towns located near the Santa Clara river. Sespe Hot Springs served as a link between coastal Chumash and Tejon in the early American era. It was closely allied, for example, with Tejon refugees living at Mutah Flats after the **American massacre of Kastak Lake Chumash.**

SETTLEMENT: LOWER See Mave. Also see Kootsetahovie.

SETTLEMENT: UPPER See Kutse. Also see Kootsetahovie.

SHYUXTUN Provincial capital of the Tsmuwich speaking people, at the time of the Spanisn invaion of 1769.

● The seaport of *Shyuxtun* was located near the contemporary Santa Barbara harbor.

SYNDICATE A term in general use in the Bakersfield area to describe the Los Angeles business group which bought title to the Tejon Ranch from Truxton Beale. Reverend Wemmer, for example, called it the "Los Angeles Syndicate" (1914).

TASHLIPUN A division of the Mountain Chumash, led by the town of *Tashlipun*.

● In the early 1800's *Tashlipun* took in Tsmuwich from the *Taynayan* (Santa Barbara) mission. These coastal immigrants built a smelter in *Tashlipun* canyon and began to process gold and silver mined by the Chumash and their allies (especially the *Tubatulabal*) for the Catholic church. As a result of the success of this gold pact, *Tashlipun* became prosperous and Europeanized beyond all of the Tejon area bands. See Kitanemuk for the other town in the Tehachapi Alliance with close Catholic ties.

● *Tashlipun* leaders signed the 1851 Tejon treaty.

TECUYA A militantly anti-colonial band of coastal Chumash refugees who lived on *Tecuya* creek (a side canyon located immediately west of the modern Tejon pass, which was called *Uvas* or Grapevine by the Spanish). See Kahismuwas, Sacupi Exodus, and Amuwu for related information.

TEHACHAPI ALLIANCE The Mountain Chumash joined with neighboring Kitanemuk, Tataviem, and Yokuts to resist Spanish, Mexican, and American colonialism in the eighteenth and nineteenth centuries. In many of the author's writings, this important league of native governments is called the Tehachapi Alliance, referring to the location of many of its affiliated towns in the Tehachapi mountains.

See Tejon for the Spanish name for the Tehachapi region. Although this term was initially applied to the Kitanemuk citizens of Hunamatser, it was later used for all of the members of the Tehachapi Alliance including the Chumash.

TEJON The Spanish called the town named Hunamatser Tejon, meaning 'badger'. Hunamatser means 'place of the badger'. This large trading town was located at the sink of the Nakwalkivie creek.

Terms: The Spanish term *Tejon* was used later by Americans to refer to all of the Indians living in the area of the strategic *Tejon* pass. The Americans eventually adopted this term to refer to the pan-tribal group which signed the Tejon treaty in the *Kootsetahovie* pass in 1851.

Discussion of terms: The Americans also used *Tejon* to refer to the reservation set up for this pan-tribal confederation through the 1851 treaty. And *Tejon* was also used to refer to the pass at the top of *Moowaykuk* canyon and for the garrison (Fort *Tejon*) build halfway down this drainage. Note that in later years, the *Tejon* reservation was renamed Sebastian by the Americans.

● The ancient Kitanemuk pass leading from the Mohave desert into the Central valley of California was located at the top of the *Kootsetahovie* canyon. Halfway down the canyon, the trail cut west into the *Nakwalkivie* canyon. Travelers cross at the *Nakwalkivie* ford and descended the stream to the trading center of *Hunamatser*. As a result, Spanish and Mexican records used the term *Tejon* for both the *Kootsetahovie* and *Nakwalkivie* canyons which led to the great trading center of *Hunamatser*.

TEJON CHUMASH A Spanish name for the Mountain Chumash who lived in the northeastern region of Chumashia.

See Kastak, Moowaykuk and Tashlipun for the local Chumash bands to sign the 1851 Tejon treaty. See Tecuya for the coastal refugee Chumash band to sign the treaty.

Terms: All four of these Chumash groups were allied in an anti-

colonial league which included Penutian and Uto-Aztecan neighbors. They did not call themselves *Tejon* in ancient times. *Tejon* was originally a Spanish name for the Kitanemuks' nearby *Kootsetahovie* pass. Compare Mountain Chumash and Tejon Indians. And see Tejon for an explanation of the *Tejon* nomenclature.

TEJON CREEK See Kootsetahovie.

TEJON RANCH HEADQUARTERS Beale used his personal estate for the *Tejon* ranch headquarters. This facility was located downstream from *Nakwalkivie*. Further downstream was the large town called *Tinlew* by the Yokuts and *Hunamatser* by the Kitanemuk.

TEJON INDIANS An American phrase used to describe the powerful pan-tribal political grouping that controlled the strategic *Kootsetahovie* pass at the time of the 1851 Tejon treaty.

- Indian bands speaking Chumashan, Penutian, and Uto-Aztecan languages cooperated at Tejon to keep the Spanish and Mexicans out of their territory.
- The Americans continued to confiscate the lands of the *Tejon* Indians, driving them eventually from all of their territory except *Kootsetahovie* canyon (which originally was a Kitanemuk canyon called *Tejon* by the Spanish). John Harrington's research for the Smithsonian Institution confirmed that the last of the Tejon Indians to be driven from their ancestral lands were (multi-cultural and multi-lingual) descendants of the many bands which originally signed the 1851 treaty.

TEJON PASS The Spanish used the term *Tejon* to refer to the Kitanemuk pass leading from the Mojave desert into California's Central valley. Compare Tejon Chumash.

- About half way down the *Kootsetahovie* canyon, travelers cut west to the *Nakwalkivie* canyon. After crossing the *Nakwalkivie* ford, they descended on the creek to the trading center of Hunamatser.
- In the early American era, overgrazing of cattle and sheep led to extreme erosion in the *Kootsetahovie* section of this strategic mountain pass, and a shifting of colonial travel to the nearby *Nakwalkivie* canyon. Beale's ranch homestead was located on *Nakwalkive* creek, and thus it was called either Ranch, *El Paso*, or *Paso* creek in this era. In later times, the *Tejon* nomenclature was shifted by the Americans from *Kootsetahovie* creek to *Moowaykuk* (*Uvas*) creek.

TIKITSPE A Mountain Chumash site located at or near the American garrison (in Moowaykuk canyon) called Fort Tejon.

Terms: *Tikitspe* probably refers to the canyon, where Fort Tejon was located by the Americans.

TINLEW See Hunamatser.

TOURING GUIDE A tour of the Mountain Chumash lands is described in the text just after the glossary.

UPPER SETTLEMENT See Kutsi.

UVAS CANYON See Moowaykuk.

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A Tour Guide to
The Tejon Chumash Heartland

Perhaps you would like to take the family on a day's excursion into the Chumash mountains, to give them a first-hand experience of the beauty and history of the area once occupied by the Tejon Chumash?

A one-day car tour can start in Bakersfield. You begin by driving south toward Los Angeles. Soon you come to the Grapevine, an American name for the steep grade leading up interstate five from the floor of the San Joaquin Valley. The canyon where the freeway ascends into the mountains was called *Moowaykuk* by the Chumash. When the Spanish visited this remote area, they reported grapes growing there. Perhaps they were originally wild grapes, but by the early 1800's they were likely cultivated fruit grown by Chumash refugees from coastal missions.

When you drive up this grade, you are moving through the heart of the Chumash section of the old Tejon Indian Reservation. The community called *Matapkwelkwel* was located at the bottom of the grade where the modern truck stop is located. The *Tekuya* band of Chumash lived up the dry canyon on the west side of the freeway. This creek leads up to Tecuya mountain with its famous rock art. Halfway up the grade, you will pass Fort Tejon, which was built to subdue the native peoples of the region and protect miners from harassment by outlaws.

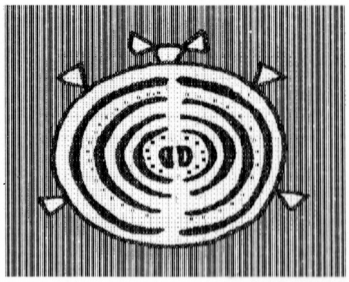
Near the top of the grade you will pass the town of Lebec, which is only a few miles west of Castac lake. It is difficult to appreciate this lake from the freeway, but the town of *Kastac* on the shores of this small body of water was once the socio-political center of Mountain Chumash. Kastac families lived there after the Tejon Reservation was established, but they were eventually massacred by hostile whites. Family members who escaped this attack moved in with relatives living in nearby but less accessible canyons in the Tehachapi mountains. Some found shelter at *Nahpintah*, where native homes were scattered up and down Tunas canyon. But more cautious refugees hid in remote areas of the Los Padres Forest, such as at *Mutah* Flats.

If you stay on highway five you will soon drive over the modern Tejon pass and out of Chumash territory into the land of the neighboring Tataviem. But if you turn west before the top of the grade, you can continue to explore mountain Chumash territory as you drive past Frazer Park and into Cuddy Valley. On the south side of the road lies the sacred Chumash mountain called *Toshololo*, which some Chumash believe to have ritual associations with

the rising sun and the spring equinox. It stands in the middle of an American game refuge, and you can drive to the lookout at the top. If you continue west on this road, you will come to *Iwihinmu* mountain which was the sacred Central Mountain of all the Chumash bands. You can drive up to the top of this peak, which the Americans call Mount Pinos (Pine). When you get out of your car, you are very near the mystical center of the Chumash people.

Driving further west, you will be in condor country and will enjoy a view of the rugged mountains located at the top of the San Emigdio drainage. A trail from San Emigdio peak leads down to the Chumash town of Tashlipun, which was a center of gold smuggling activity associated with the Santa Barbara mission.

Turning left on highway 33, you will descend into the Cuyama river valley which leads west to the Pacific Ocean. The mountains on all sides of you were used by Chumash who fled from the coast to escape the brutality of the Spanish and Mexicans. Many Stishni and Kahismuwas refugees fled into this remote drainage before they would be forced into servitude at the Chumash 'missions.' Others escaped only after becoming embittered by their experiences at the missions. They were determined never to return to the service of colonials. In time, Mexican slave raids made life too precarious even in Cuyama, and many residents reluctantly withdrew eastward where they found better protection. Here they joined with the *Tashlipun*, *Kastac*, and *Moowaykuk* bands to strengthen a successful military alliance. Though disease and warfare drastically reduced their numbers, by working together, they were able to preserve their freedom until signing the 1851 Tejon Treaty.



Other Books by the Author:

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Enememe's Friends Chumash theology, third edition, 44 pages, 2001.
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