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Fernandeno Tataviam Band of Mission Indians

Federal Petition

**Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior**

**Supplementary and Updated Information
to the Petition of 2009**

CRITERIA 87.3(c)

**Supplementary and Updated Information to the
Fernandeño Tataviam Band of Mission Indians Petition of 2009**

Section 83.7 (c). The petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present.

Contemporary political organization among the Fernandeño Tataviam Band of Mission Indians has strong roots in the lineage communities of the past that are carried into the present. As among most American Indian peoples, government and community are institutionally overlapping, often one and the same, and generally are indistinguishable.¹ For the Fernandeños the lineage community and the body political are one and the same. If you want to identify the leaders who have political influence, you need to look no further than the lineage community. The story of community is the story of political community. The three main present-day lineages among the Fernandeño are the Ortiz, Ortega, and Garcia lineage communities. The voluntary multi-lineal coalition of the three lineage communities forms the body politic. The body politic is not composed of a collection of individuals, but rather is the coalition of the three major lineage communities, each managing internal rules and internal social and political loyalties. The lineage communities retain their internal identities, elders, and leadership, and work cooperatively within the entire coalition. Ultimately, the Fernandeño formed a constitutional government that does not directly recognize the three lineage communities, but provides access to lineage leadership to express their concerns.

The social history of the lineage communities parallels the political history of the lineage communities. In a certain sense, community or lineage community, and in more recent times the voluntary multi-lineal community, dominates social and political action. While lineal communities remain basic political entities, the development of a multi-lineal community and government are responses to changing social, cultural, economic, and political circumstances.

Pre-contact Political Organization

Eminent anthropologist Alfred Kroeber provided a useful description of California Indian political leadership patterns in the pre-contact period. He also commented on leadership after contact. It is important to understand where the Fernandeño started in order to comprehend how they have changed, and to what extent they have remained the same. For purposes of this petition, Kroeber's writings bear repeating:

¹ For examples and theory of the interrelatedness of Indian social relations see: Champagne, Duane *Social Change and Cultural Continuity Among Native Nations* (Landham, MD: AltaMira Press, 2007), pp. 25-56, 221-241, 252-311.

The greater concentration (of Indian population) in California, together with the much smaller size of the political unit (when compared to Eastern American Indian tribes), brought it about that political machinery tended to be somewhat less developed in California. As a village needs less government to get along than a good sized city, so a tribelet of two or three hundred people, in close contact at most times and with every member knowing the others familiarly, can settle most problems simply. The interested parties, or all the adult males, get together in council, and in presence of the chief can thrash matter out until an adjustment is reached.

Chiefs. A chief, or sometimes several, was always recognized in each tribelet. There would be lesser chiefs or headmen presiding over each settlement, temporary or permanent. The head chief might have someone who habitually acted as his messenger or speaker. Beyond this, however, there was little need for special officers, and almost every man would exercise sooner or later in his life the functions of most the others. They all hunted or fished or otherwise did their share of getting food; they all knew how to build houses; if there was war they all fought; if there was illness or not too serious kind, there was usually also someone with shamanistic doctoring power with the nearer kin group who would try to cure.

The result was that there was in California less of the condition obtaining among the Indians of the eastern United States, among whom there were often two or more classes of chiefs, such as the war chiefs and peace chiefs among the southeastern tribes, or the Sachem or Sagamores elected to an office hereditary in their clan among the Iroquois or Five Nations, as contrasted with "chiefs" that won unofficial renown and influence through their war efforts. Distinctions of this sort were practically lacking in California. Here might be a man in a community, or a few men, who, if hostilities broke out, were braver or stronger than the rest and would be looked upon as natural war leaders; but with the fighting over, they would return to the state of ordinary citizen. Least of all do we find in California anything corresponding to the leagues or confederacies of the east, of which the most famous was that of the Iroquois just mentioned.

Functions of Chiefs. Chiefs, however, were recognized everywhere in California, and they seem to have been such mainly by birth. But the custom was also prevalent that if a man proved by temperament or disposition unwilling or unfitted to serve as chief, he was likely to be superseded by a relative. In daily life and dress, the chief might not appear perceptively different from other members of the tribelet. He functioned on occasion, rather than professionally or full time. His office did carry with it a certain amount of prestige. He was likely to be relatively wealthy in shell money. He was usually expected to have two or three wives, because of the burden

of entertainment, which fell on him. He was presumptive host to guests arriving from outside, and if these came in numbers for a dance, a single woman in his household would have been unable to provide properly. Often the people at large made voluntary contributions of food to the chief when there was a gathering; or he himself might suggest to the young men that they go out and bring in venison.

The chief was also expected to be an orator; he counseled and admonished the people, he gave them formal public advice, he harangued them and welcomed visitors. To be impressive, it was thought that the speeches should have a certain length, and since often there was no great amount of detailed information to be imparted, there were likely to be repetitious as well as platitudinous orations. In many parts of California, the chief did not take part in fighting. In some regions, the chiefs of two tribelets at war stood at the back or end of the line of bowmen and were the first to propose cessation of combat, trying to bring about peace.

A successful chief was an ornament to his people and must conduct himself with considerable dignity when the situation demanded it. He had however next to no authority. His role was supposed to be essentially one of using moral influence on the side of wisdom and coordination, and of preventing dissension and trouble from coming up.²

Historian Vanessa Ann Gunther, writing more recently, has confirmed Kroeber's account of southern California political leadership forms:

Beginning on 21 February 1852, the *Los Angeles Star* published a series of letters written by (Hugo) Reid that discussed several aspects of tribal life, including the Indians' response to the invasion by the Spanish, their language, and some of their laws and customs. Reid maintains "laws in general were made as required, with some few standing ones," and that "government of the people was invested in the hands of their Chiefs; each captain commanding his own lodge." Reid's assessment stands in concert with other tribal historians that gave considerable authority and respect to a hereditary leader.³

New Post-Contact Leadership

² For the previous six paragraphs see document 000261a.BL, pp. 33-36.

³ Gunther, Vanessa Ann *Ambiguous Justice: Native Americans and the Law in Southern California, 1848-1890* (East Lansing, MI: Michigan State University Press, 2006), p. 69; see also Heizer, Robert F. *The Indians of Los Angeles County: Hugo Reid's Letters of 1852* (Los Angeles, CA: Southwest Museum Papers, #21, 1968), pp. 15-17.

The literature suggests that patterns of leadership changed after contact. Kroeber described California Indian post-contact leadership as follows:

Augmentation of chief's role under Caucasian impingement. — When however the Spaniards and Mexicans entered California, and after them the Americas, in other words when people of much more complex civilization impinged on the California Indians, the situation became different. Then the chief tended to rise in importance. His own people, confronted by new problems, were ready to take shelter behind him. They were no doubt mostly eager to have him assume responsibilities and authority such as they would not have welcomed, and perhaps would not have tolerated, in purely native times. Also, the white man, in their relations with natives, showed a natural disinclination to deal with the chaotic mob, with an unorganized group of fluctuating opinions, and sought a leader. The chiefs were therefore thrust forward by pressure of opinion both on the native side and from the Caucasians. It would be going to far to say that the chiefs were wholly the product of contact with Caucasians; but the seeming role and power of the chief were certainly very much enhanced after Caucasian contact, in most cases probably without any desire on the part of the incumbents.⁴

Scholars have used a variety of descriptive terms for California Indian leadership patterns. Most common is the use of “headman” and “captain.” George Harwood Phillips indicates that “in [his] study, ‘headman’ refers to a pre-contact lineage leader, and ‘captain’ to a post-contact village leader.”⁵ The argument that the pre-contact form of political leadership necessarily changed during the contact period is well taken. Nonetheless, certain features of leadership have remained constant. As noted by Kroeber above and earlier in this petition, there could be several leaders of sub-groups within the same lineage. Some are elders of segments of the local lineage community that gathers together for visiting, ceremonies, or crises at a central settlement with associated central leadership. All elders are honored within the lineage community and their influence may depend on their knowledge, oratory skills, and willingness to help others. Leadership, even today, is often not sought after, but typically falls to people who have trust and understanding, and can honestly represent the lineage or some segment of the lineage. As in many Indian communities, leadership is not openly sought after.

The term “captain” was used by the Spanish and Mexicans, as well as in the San Fernando Mission baptisms and documents. The word in Spanish implied much more authority or power

⁴ 000261a.BL, pp. 36-37.

⁵ Phillips, George Harwood *Chiefs and Challengers: Indian Resistance and Cooperation in Southern California, 1769-1906* (Norman, OK: University of Oklahoma Press, 2014), p. 8.

than the lineage leaders had. Many persons who were baptized were recorded as captain of a lineage community, at least when it came to the attention of the padres. For example, Salvador (SFR#01166x) was “Capitan de Taapu.” At the time of baptism in 1804, Salvador, whose Indian name was Yalasuit, was 46 years old, born in 1758. He died at the San Fernando Mission in 1813. Salvador was a blood relative of Tiburcio Cayo, a progenitor of the Ortega family.

The first generation of mission-identified captains was selected under traditional rules prior to contact, and were leaders very much in the way that Kroeber describes above. The padres did not record the succession of Indian captains, since the missionaries sought to discourage kinship organization and leadership. Lineage headman positions are not strictly hereditary. Philips argues that the more traditional and hereditary pattern of lineage leadership persisted within lineage communities.⁶ Notably, the matrilineal Chumash communities, such as Tapuu, allowed both men and women to become leaders, and approximated the method of appointment of leaders by elders, practiced by the predominantly patrilineal lineage communities of the San Fernando Mission region.

Philips also suggests that it is useful to distinguish traditional headmen from “captains.” He writes that captains, not used in the same way as the Spanish padres, were leaders of villages, composed of multiple lineage groups, while elder hereditary leaders were leaders of lineage villages. Thus, in a village there could be several hereditary leader groups, each over their own lineage, and, in the post-contact period, there sometimes was a captain who managed labor and agricultural production for the entire village, a collection of several lineage communities.⁷ Captains, as Phillips uses the term, were adaptations to the post-contact period. The captains, sometimes elected annually, appear to be continuities of the Spanish alcalde system, and therefore were not entirely voluntary. Spanish, Mexican, and American governments and Indian agents wanted to work with village groups with more centralized leadership, rather than a diverse group of autonomous lineage communities. Phillips observes many instances of captains (as he defines the term) in southern California from 1769 to 1907.

However, this pattern is not evident among the San Fernando Indians, except during the Spanish and Mexican mission periods, when it was expressed in the alcalde-municipal government form enforced by Spanish and later Mexican authorities. The term “captain” is commonly used among the contemporary Fernandeño, but Fernandeño do not describe a leader with power over several lineage communities. In Fernandeño history, there is no such leader. The Fernandeño term “captain” is much more like the definition of hereditary lineage leader, a person with a long-term personal commitment of service to the lineage community. A Fernandeño captain serves by influence and lineage consensus, is appointed by elders, and manages through consensus and

⁶ *Id.*, p. 8.

⁷ *Id.*, p. 58.

commitment to the well-being of the lineage community. During the American period, among the Fernandeño, we do not see the captain arrangement of a leader among and over a village of several lineage communities. No Fernandeño ever had that kind of political power. Although Rogerio Rocha was widely recognized as captain of the Fernandeño Indian community, he did not have power to rule. He did not have the power to use legitimate force over any one lineage or several lineages living in the San Fernando area. The term captain is meant in the traditional sense, as lineage leader. Rocha was appointed by lineage elders and by consensus among the lineage communities. He had considerable influence, serving the best interests of the community, then a loose coalition of lineage communities. When we the term “captain” is used in this petition, it means an influential lineage headman who by heredity and/or by achieved appointment works on behalf of and often serves as spokesperson for a lineage community.

During the mission period and the US reservation period, external authorities helped enforce their version of “captain” forms of leadership over village lineages. Many southern California reservations, if not most, are made up of several lineage communities, and to this day, tribes have maintained their lineage relations on reservations, often electing to organize general council governments, where the lineage communities are not subordinated to a tribal chair or captain. Southern California Indian reservations form multi-lineage communities, but many are not entirely voluntary communities. That is to say, they were not free to choose their coalitions and alliances, and did not necessarily develop those coalitions before the reservation period. Even when lineage communities were allied and agreeable, they would still maintain their independent kinship and political identities.

The Fernandeño lineage communities formed alliances and coalitions in the pre-contact period, carried on many alliances during the mission period, formed alliances in the 1840s trying to secure land, and then formed similar alliances in the 1870s in an effort to retain territory. The coalitions of multi-lineal ties have already been discussed in section (B). Much of the 20th century has been devoted to maintaining lineage communities and building a voluntary multi-lineal government and community service organizations.

One of the rules of lineage community political relations is that primary political identity and allegiances are given to one’s own lineage community. As Kroeber wrote: “An able chief might be known and respected and listened to among neighboring tribelets, but his actual following was limited to his own tribe, and strictly so.”⁸ This rule persists among the contemporary Fernandeño lineage communities and has had a great impact on both community and political institution building. The remainder of this section provides an account of the patterns of political leadership during the post-contact period.

⁸ 000261.BL, p. 15-16.

The Political Organization of San Fernando Mission

While at the Mission, the San Fernando Indians continued to maintain allegiances to their lineage leaders. As Englehardt observed in his definitive treatment of the Mission during this period, “There are no Caciques or governors. The Indians respect only those who were the chiefs of their rancherías in paganism; and these do not molest them at all, nor do they demand any service from them.”⁹ However, the padres thought the Indians were gaining ground while at the Mission. “In moral as well as political affairs, notable improvement may be observed in this Mission”¹⁰

During the life of San Fernando Mission, the Indians were organized into a municipal or town government within the Spanish Empire and later Mexican government administration. Each year on January 1, the Indian community elected an alcalde, councilmen, and other positions for governing the secular municipality of San Fernando. Technically San Fernando municipality was a local town government that was under the administration of the California departmental government. However, the Mission padres had great influence over the Indian leadership, and used the municipal government to organize work, keep order, and mete out punishment. The municipal government was a form of electoral democracy and brought the San Fernando Indians into contact with new forms of government as well as the administrative processes of the Spanish and later Mexican state. The Indians in their lineage communities did not elect leaders, but chose leaders based on a combination of heredity, and ability determined by a process of consensus among elders.

The San Fernando Indians complied with the municipal government, elected alcaldes and municipal officers each year, and carried on their lineage-based community organization. Elders still remained respected members of the lineage community, and lineage communities played a role in the support and election of alcaldes and municipal officers. As scholar Steven Hackel has noted, “A historian has downplayed the role of the missionaries in appointing alcaldes, claiming instead their legitimacy came from kinship and lineage networks.”¹¹

⁹ Englehardt, Zephyrin *San Fernando Rey: The Mission of the Valley* (Chicago Illinois: Franciscan Herald Press, 1927) pp. 33.

¹⁰ Englehardt, Zephyrin *San Fernando Rey: The Mission of the Valley* (Chicago Illinois: Franciscan Herald Press, 1927) pp. 29.

¹¹ Hackel, Steven W. “The Staff of Leadership: Indian Authority in the Missions of Alta California,” *William and Mary Quarterly* 54, no. 2 (1997): pp. 366, 376; Hackel, Steven W. *Children of Coyote, Missionaries of Saint Francis: Indian-Spanish Relations in Colonial California, 1769-1850* (Chapel Hill, NC: The University of North Carolina Press, 2005), pp. 229-252. The quoted material is from George Harwood Phillips, *Chiefs and Challengers: Indian Resistance and Cooperation in Southern California, 1769-1906* (Norman, OK: University of Oklahoma Press, 2014), p. 347, note 115.

The “historian” so referenced, George Harwood Philips, comments:

Clearly the alcaldes possessed some power, but they lacked the authority of lineage headmen. And even though the Spanish invested them with legality, few neophytes acknowledged their legitimacy. The alcaldes served the missionaries as middle managers (more like overseers than magistrates), and they alienated many of those they were entrusted to manage. Although crucial in the running of a mission, they were nevertheless denied entrance into the upper social strata, that being exclusively preserved for the missionaries, soldiers, and artisans. Their identity was ascribed to them and they remained locked in a hierarchy that allowed for little social mobility. Consequently some of them became the most discontented Indians in the missions, and the cruelty inflicted on the neophytes was perhaps a reflection of this discontent....

Because the neophytes lived either in their own villages or in villages constructed near the missions, the alcaldes faced enormous problems of control. And it seems evident that local headmen were able to maintain a certain amount of authority over the neophytes.¹²

Nevertheless, San Fernando Mission was a place of distress and diminishing well-being for the Indian converts. In pre-contact times, the Indian lineage communities maintained at least an equilibrium of population, territory, and food resources. The Indians’ balance of life and resources may have persisted for several thousand years before the Mission. However, after 1812, the Indian population at San Fernando Mission began to decline steadily. Already as early as 1814, the padres noticed the declining population. “Spring is the time when they were more often take sick. The number of deaths exceeds that of births.”¹³ Anthropologist John Johnson argues that at San Fernando Mission the death rate for children was 40%. “[San Fernando Mission] population nonetheless suffered from the susceptibility to introduced European diseases that caused high infant mortality throughout the region. Indeed, infant mortality at Mission San Fernando exceeded 40 percent for the first two years of life.”¹⁴ For children between the 0-14 years, the death rate was 49.5%. Nearly half of Indian children died before reaching maturity.¹⁵ The population declines created considerable demographic disturbance for the lineage communities. Samuel, the holder of the 1843 land grant, had several children, but all died before

¹² George Harwood Phillips, *Chiefs and Challengers: Indian Resistance and Cooperation in Southern California, 1769-1906* (Norman, OK: University of Oklahoma Press, 2014), p. 47. See also pages 54-77.

¹³ Englehardt, Zephyrin *San Fernando Rey: The Mission of the Valley* (Chicago Illinois: Franciscan Herald Press, 1927), p. 30.

¹⁴ 80799.Johnson, pp. 256-57.

¹⁵ 80799.Johnson, pp. 256-57.

having children. Rogerio Rocha's father, Jerman, had six children baptized as San Fernando Mission, but only Rogerio survived past four years old. Rogerio had one child, who died at 13 months. Rogerio and Jerman were both captains, and their direct family lines ended with Rogerio's death in 1904.

The visible population decline and the loss of many young children had a depressing effect on individuals and families. Furthermore, the Indians at San Fernando could not leave the Mission. They were captives. The negative conditions within the missions are described in numerous scholarly sources.¹⁶ During the 1830s, the Mexican government introduced several policies directed at demobilizing the missions. In fact, the declines in Indian population at the missions contributed to the demand for demobilization and distribution of mission lands. Mexican secularization plans envisioned closing the missions and turning the padres into parish priests who would serve the Indian municipal governments and communities. The Indian families were to be granted lands under trust protection of the Mexican government, meaning the land could not be sold by the Indian owner. The excess lands not needed for the economic support of Indian municipalities would then become available for redistribution to Mexican citizens. Secularization meant Indians were free to leave the missions, and several missions were entirely abandoned by 1846.¹⁷

Declining Population, Secularization and Fernandeño Leadership

The impending secularization policies, the continuing decline in population through negative population growth, and the Indians' outmigration brought the San Fernando population to about 400 people in 1842.¹⁸ The outmigration and population losses continued well into the American period. In the 1850 US Census, about 130 Indians are recorded in the San Fernando Valley.¹⁹

For the Indian members of San Fernando Mission who wanted to remain living in the San Fernando Valley, because of previous ties or the absence of anywhere desirable to go, the impending political and administrative secularization policies created a crisis. This crisis encouraged headmen from some lineage communities to seek ways to secure grants of land

¹⁶ Costo, Rupert and Jeannette Henry Costo, eds. *The Missions of California: A Legacy of Genocide* (San Francisco, CA: Indian Historian Press, 1987); Lightfoot, Kent G. *Indians, Missionaries, and Merchants: The Legacy of Colonial Encounters on the California Frontiers* (Los Angeles, CA: University of California Press, 2005).

¹⁷ Englehardt, Zephyrin *The Missions and Missionaries of California*. Vol 4 (San Francisco, CA: The James H. Harry Company, 1913), p. 445.

¹⁸ Englehardt, Zephyrin *San Fernando Rey: The Mission of the Valley* (Chicago Illinois: Franciscan Herald Press, 1927), p. 92.

¹⁹ 80799.Johnson, p. 263.

where they could farm and raise cattle for their economic well-being.²⁰ Mexican plans for secularization called for the sale or rental of mission lands; and while there were plans to establish Indian municipal governments and associated land placed into trust, those plans were not implemented. The impending war with the United States intervened, as well as the rebellion by Pio Pico over Governor Manuel Micheltorena in 1845, which led to the quick sale or rental of mission lands.²¹ If the San Fernando Indians lineage groups did not act, by the end of 1846 they would be left landless. Many stayed on and worked as wage laborers for the new Rancho Ex-Mission San Fernando, which was primarily an economic relation.

The progenitors of the present-day Fernandeño lineage communities took action to obtain land grants in order to secure legally grounded access to land that would survive the dismantling of San Fernando Mission. Various lineage communities joined together and acted to secure land and to stay in the town of San Fernando.

Leadership and the Petition of 41 Lineage Headmen

In 1843, Pedro Joaquin was elected as Alcalde. A group of headmen recruited him and helped Joaquin get elected on January 1, 1843. Alcaldes served only for one-year terms, and the office was usually passed onto other members of the eligible voting community. Under Joaquin's diplomatic leadership, the group secured a land grant for one square league on mission land, a few miles northwest of the Mission. The group of 41 petitioners appeared to be intact when Vicente, one of the petitioners, was elected alcalde in 1845. Both Joaquin and Vicente were witnesses to the marriage of Rita, progenitor of the Ortega line, and Benigno, son of Cosme who was lineage headman in the Cabuepet lineage and who was among the 41 petitioners. Joaquin's first wife was Felipa, a sister of Francisco Papabubaba, Rita's father and also a progenitor of the Ortega line. Joaquin's second wife, Maria del Carmen, was well connected through her mother, Petra, who was married to Emeterio. Both Emeterio and Vicente left the Mission by 1850, and while working a time as ranch hands, returned to lineage communities in the Tejon region, Emeterio following his wife Petra. Both Emerterio and Joaquin became lineage headmen, and were signers of the 1851 Tejon Treaty. Joaquin is not found in the literature after 1845. Joaquin was a captain, a headman who was spokesperson for the multi-lineal coalition of 41 petitioners, who were willing to own land together and continue to live in the San Fernando area, perhaps expecting a church congregation to continue at San Fernando Mission.

²⁰ 80858.Joaquin; 80859.Joaquin; 80332.SCUS.

²¹ Englehardt, Zephyrin *The Missions and Missionaries of California*. Vol 4 (San Francisco, CA: The James H. Harry Company, 1913), pp. 445-450.

After Joaquin's death, Jerman was considered captain of the petitioning group. Jerman appears to have died by 1850, since neither he nor Joaquin seems to be in the 1850 San Fernando census. Rogerio became captain after his father's death. As was written in the *Los Angeles Herald* newspaper in 1896, "After the death of Joaquin (alcalde) his father became the captain, and at the death of his father, Germain, Rogerio took his place. He lived upon and cultivated the land on what is known as the Cienega, while the balance of the tribe were scattered over the little valley about one-half mile north of the old mission buildings where the remains of their adobe huts can be still seen [in 1896]."²²

In the same year, 1896, Rogerio gave his own testimony on leadership:

I was born in San Fernando at the mission. The Catholic priest of the mission at the time I was born was Padre Francisco Ybarra. When I was about 7 or 8 year old I knew him. There were a great many of my people then living at the mission. My father was a captain of my people. His name was Jerman. He never went away. He died at my ranch which they took away from me. When he died my mother was already dead. Her name was Guadalupe. My father died of grief. I was the only one of the children living at that time. Then after my father died I became the captain, as all my people recognized me as such. I do not remember how long ago this was when I became captain of my people. ... My wife and myself formed my entire family.²³

Rogerio Rocha was widely recognized as captain of the Indian community at San Fernando. His connection to the leadership of the 41 petitioners was only one aspect of his leadership that had several strands. By 1860 Rogerio Rocha was recognized and was practicing as a Chumash ceremonial leader. In 1869, he attended a ceremonial event at Saticoy in Ventura County, and was recognized as spokesperson for the San Fernando community. Rogerio's father was born at Quimisac, where there was a Chumash lineage community that had relations with Saticoy and other groups.²⁴ He may have had, according to Eugenia Mendez, responsibilities toward the lineage from Puniyam or Punivit, so he had multiple responsibilities, as well as specific lineage responsibilities.²⁵

Rogerio Rocha's leadership as captain was in the tradition of a lineage headman. Rocha was recognized as an accomplished individual. He sang in the church choirs at San Fernando, and then later at La Plaza Church, in the square of Los Angeles. His occupation was blacksmith and

²² 80807.LA Herald, page 4.

²³ 80842.LA Herald, p. 3.

²⁴ 80799.Johnson, pp. 270-274; 80849.Librado.

²⁵ 90291.SIRIS.r98.

silversmith, which were trades that he learned at Mission San Fernando. He spoke good Spanish and at least one Indian language, but could not read or write, and did not speak English. He knew ritual Latin from the padres, and conducted funerals in Latin for San Fernando Indians after the San Fernando Mission Church ceased to support a parish community. His appointment as captain came out of respect for his leadership and commitment to the interests of the San Fernando Indian community, as well as both his Catholic and Indian ceremonial knowledge. Rogerio Rocha did not command, he led by influence, by example, and through consultation with other respected headpersons among the San Fernando Indian community.

In 1892, the United States Special Attorney for Mission Indians, Frank Lewis, visited with Rogerio Rocha at his house on public land at Lopez Canyon, now in the Angeles National Forest. Lewis sought permission from Rocha to file a legal case to recover the land in the Mexican grant of 1843. He also sought federal financing for the litigation or, failing that, private funding. Lewis asked Rocha to sign over the right to represent the Indians in that land case. Acting as Special US Attorney, he asked Rocha to accompany him to San Fernando to discuss the signing with two other San Fernando Indians. They met with Gorgorio Camilo and Felicita Buendia de Capistrano, and through translators, both Rocha and Camilo signed to allow Lewis to represent them in their land case. Felicita Buendia declined.

Gregorio Camilo and wife lived at the Geronimo Lopez Ranch, while Felicita Buendia, was living at the San Fernando Mission. As mentioned in section (B), Felicita was the daughter of the captain Pastor Cano, and Gregorio Camilo was the grandson of Rafael, the captain of the Jotativat lineage. Lewis asked Rocha to identify both Camilo and Buendia, so he could get their signatures to enable him to represent them in the land case deriving from the 1843 land granted to 41 petitioners. Lewis recognized three leaders of lineages at San Fernando, and Rocha's signature alone was insufficient to support his efforts to develop a legal case.

In affidavits, Buendia, Rocha, and Camilo stated they knew each other for most of their lives.²⁶ Felicita Buendia also had close political relations with Antonio Maria Ortega, since they were co-defendants in the *Porter v. Cota* case of 1876-78. In fact, the Ortega, Rocha, and Camilo lines were connected through baptisms and marriage witness relations. Rafael, captain of the Jotativat lineage community, was baptized at age 36 in 1805, and lived to the age of 72, passing in late 1841.²⁷ Camilo (father of Gregorio Camilo) was the son of Rafael, and Camilo married Jacoba.²⁸ Camilo and his wife Jacoba were Gregorio Camilo's parents.²⁹ Jacoba was the godmother of

²⁶ 80842.LA Herald, p.2.

²⁷ SF Baptism #01440.

²⁸ SF Baptism #01597.

²⁹ SF Baptism #02931.

Juaquina, the only child of Rogerio Rocha and Maria Manuela.³⁰ The Rogerio Rocha and Camilo families appear to have had longstanding relations, and both were in captain lines from traditional times. Furthermore, Tiburcio, who was married to Teresa and progenitor of the Ortega line, was first witness (W1) for the marriage of Camilo and Jacoba in 1833.³¹ The first witness was a person who knew one or both of the betrothed well enough to certify that there were no impediments to the marriage. Jacoba was from the Cabuepet lineage community.³² Gregorio Camilo and his parents were well-connected to the Ortega and Rocha lineages, and all three groups represented separate lineage leadership.

The rule articulated by Kroeber still holds to the present: “An able chief might be known and respected and listened to among neighboring tribelets, but his actual following was limited to his own tribe, and strictly so.”³³

In Rogerio’s case he did not leave direct descendants, but his mother was from Tujubit.³⁴ The Garcia family reckons ancestry from Tujubit through the progenitor Francisco del Espirito Santo.³⁵ In the 1928 California Indian Roll applications, the Garcia family recognized Rogerio Rocha as captain of San Fernando, but the Ortiz family did not, preferring their own ancestor, who was Jose Miguel (Triunfo), although the family did not remember his name more than 75 years after his death in 1851.³⁶ The Ortegas did not apply for the 1928 roll, but the Ortegas do not share direct lineal connection with Rocha. While the Ortegas respected his leadership and guidance, Rocha’s leadership did not override the Ortegas’ internal family lineage and political commitments. Rocha was a captain at San Fernando, and he was first captain among equals over a socially interconnected leadership of autonomous lineage communities. The contemporary pattern of ceremonially and socially interconnected, but politically autonomous, lineage communities continues the political organization that existed before the San Fernando Mission, and that persisted through the post-Mission period.

³⁰ SF Baptism #3049.

³¹ SF Marriage # 0828; SF Marriage #0828.Witness Tiburcio.

³² SF Baptism #2339; SF Baptism #0350.

³³ 000261.BL, p. 15-16.

³⁴ SF Baptism #0312 and SF Baptism #0124. Benita Maria Guadalupe’s brother was born in Tujung, so we are saying that she was also born in Tujung a few years earlier. Her brother was Gervasio (SFB #0124).

³⁵ SF Baptism #0171.

³⁶ See documents 40056.DC; 40057.DC; 40058.DC; 40059.DC; 40060.DC; 40064.DC; 40065.DC; 80126.DC; 00109.LN; 00110.LN; 00111.LN.

Political Leadership in the Ortega Lineage Community

Tiburcio was the headman of his direct family living at Encino during the late 1830s and 1840s during the crisis of threatened mission secularization. Many mission Indians were happy to be free of mission control; but secularization policy was unevenly implemented, in part because of the political instability of the central Mexican government and political competition within the California government. While regulations were created directing secularization, they were not quickly implemented, and some governors wavered from little to no action, while others started granting land to Mexican citizens. The Indians at San Fernando were uncertain about what to do and how to secure land, and could not be sure whether their land grants would survive to the next governor's administration. The American period only increased uncertainty of Indian rights to land.

Tiburcio was born at Tapuu, and baptized at age 10 at San Fernando Mission in 1803. His baptism name was Tiburcio only, and later the word "Cayo" was added.³⁷ Cayo is not a surname, since most Indians did not take surnames until well into the American period. In Spanish culture, having no surname was an indication of the absence of an established family. The expression "Cayo" was an attributed honorific title that indicated a form of leadership or recognized leadership or achievement. Tiburcio, as far as the record indicates, was not captain of the Tapuu lineage community, but rather became headman of his family segment after he married and moved to Encino.

Tiburcio and his wife Teresa are both progenitors of the Ortega line. In 1810, Tiburcio married Teresa, a member of the Siutcabit lineage at Encino, at San Fernando Mission.³⁸ In 1827, the oldest surviving daughter, Paula Cayo, married Francisco, whose Indian name was Papabubaba. Eventually, if not immediately, Francisco Papabubaba moved to Encino and lived with Tiburcio's extended family. Paula's baptism does not include the Cayo name, but by 1827 Paula assumes this honorific name, the same as her father who becomes known as Tiburcio Cayo.³⁹ Francisco Papabubaba and Paula Cayo are progenitors of the Ortega line.

Agueda, a second daughter of Tiburcio, married an Indian named Roque, who was born in the Santa Barbara Mission in 1813. Roque moved to Encino, and had two children with Agueda in the 1840s, but he left for the gold fields in the late 1840s, and was not seen again. The Tiburcio group was also joined by Ramon (sometimes Roman), and a different Paula. Ramon's ancestry

³⁷ SF Baptism #0849.

³⁸ SF Marriage #00485.

³⁹ SF Marriage #00765, SF Baptism #02071.

was from Sanja, and this other Paula had lineage ancestry at Malibu and Simi, both Chumash lineages.⁴⁰

During the uncertainties caused by the secularization policies of the 1830s and 1840s, Tiburcio took action and negotiated personal liberty and access to land from the San Fernando padres. Most likely as reward and appreciation for past work and management at Encino, an economic substation of the broader Mission estate, Tiburcio convinced the Mission to grant him about one square league of land. He was already growing crops and had about fifty head of cattle there. In 1843, however, unsure about the title to his land based on an agreement with San Fernando Mission, Tiburcio sought and gained a deed from Governor Manuel Micheltorena for a square league of land at Encino. Tiburcio died in 1844. In 1845, Roque, Francisco Papabubaba, and Roman solicited and gained reaffirmation of the Encino deed. The three petitioners feared that the grant from Governor Micheltorena would not be honored under the new California government, which had forced Micheltorena to leave after armed conflict. In 1847 Francisco Papabubaba died, and probably left his joint share of the Encino grant to his wife, Paula Cayo. Soon, however, Paula also died, sometime before January 1851. She was not counted among the family in the 1850 US Census, which was taken a year late in Los Angeles. Roque left for the gold fields, and was presumed dead by the early 1850s. Roman, Rita (daughter of Francisco Papabubaba and Paula Cayo), and Agueda, widow of Roque, jointly held the deed to the Encino land in the early 1850s.

Maria Rita Alipas (Alipaz) (Rita), born in 1830, was the oldest living child of Francisco Papabubaba and Paula Cayo, and upon their death she inherited his joint 1/3 share of the Encino grant. Rita married Benigno in 1845, and he seems to have been absent for significant periods during the marriage, perhaps joining Roque in the gold fields. Rita and Benigno had three children who did not survive past the middle 1860s. Rita also had longstanding relations with Fernando Ortega, a mixed blood Yaqui Indian from Sonora, and they shared five children, two of whom, Antonio Maria Ortega and Louis Eduardo Ortega, survived and contributed to the Ortega lineage. Benigno died in the early 1860s, and Maria Rita Alipas was married to Fernando Ortega in 1862 at the La Plaza Church in the square of old Los Angeles.⁴¹

The word Alipas appears as a surname, most likely an honorific name for someone who is a healer or Chumash doctor. It is pretty clear that she did not marry anyone named Alipas, and Alipas is a Spanish-Mexican name. It appears that the name sounds very much like the Chumash

⁴⁰ SF Marriage #0777; SF Baptism #2048, SF Baptism #1763

⁴¹ LA Plaza Church Marriage #0671. "1862 La Plaza Marriage names Fernando Ortega, from Sonora, married Rita Alipaz, a neophyte from Mission San Fernando."

expression for “good healer who used herbs.”⁴² Walker and Hudson write that there are various spellings for Chumash healers, and their book focuses on several including “Alalxiyepsh” and indicates there are different spellings for male and female healers. “Spanish records in mission times record the name *alagiepsh* as a ‘good healer who used herbs’⁴³ a title no doubt rendering Chumash *‘alalxiyepsh* into Spanish phonemes.... It is likely that this individual was a member of the *‘antap* cult, and participated in private rituals to cure individuals.”⁴⁴

The word in Spanish, *alagiepsh*, sounds very similar to Alipas, remembering that the Spanish “g” is often soft like an “h” in English.⁴⁵ The form Alipas is a Spanish name, and perhaps was “Spanishized” by the church priests, who recorded the name.⁴⁶ The Alipas name for Rita is on the record only at one place. A La Plaza marriage in 1862 names Fernando Ortega, from Sonora, married to Rita Alipas, widow, a neophyte of Mission San Fernando. The recorders are Spanish-Mexican, and therefore are probably trying to make sense of the name or title of Rita, in a Spanish-Mexican name that is familiar to them. If Rita was using the name of a curer, then she must have been in practice, and also most likely was well known to the community as a curer. She also may have been participating and trained in the ‘antap society which held various ceremonies. Rogerio Rocha, a captain, as late as 1860, participated in ‘antap ceremonies at a village near Point Mugu.⁴⁷

The Walker and Hudson book also marshals evidence that young people, who were chosen for leadership, or as captains, were trained in curing and ceremonial activities. Often ceremonies are efforts toward collective or cosmic healing, and so the roles are often similar. Walker and Hudson provide the connection between political leadership and healers.⁴⁸ “When a boy or girl was selected to become a leader of a village or ‘captain,’ he or she was taught much, including knowledge of herbs (Harrington MS). The teachings may also have included instructions in the

⁴² Walker Philip L. and Travis Hudson *Chumash Healing: Changing Health and Medical Practices in an American Indian Society* (Banning, CA: Malki Museum Press, 1992) p. 55; 80966. Walker.

⁴³ Beeler, Madison The Ventureño Confesionario of José Señán O. F. M., University of California Publications in Linguistics 47, 1967, p. 27.

⁴⁴ Walker Philip L. and Travis Hudson *Chumash Healing: Changing Health and Medical Practices in an American Indian Society* (Banning, CA: Malki Museum Press, 1992) p. 55; 80966. Walker.

⁴⁵ Also see Applegate, Richard B. et al. *Samala-English Dictionary* (Santa Ynez, CA: Santa Ynez Band of Chumash Indians, 2007), pp. 36, 41, 501; “doctor, healer ‘alaxiyeps ‘s has ‘ch’ sound like church in English. The ‘al- prefix indicating “agent” (page 36). Page 41 ‘alaxik(h)ic also means commander, “be in charge” This is close also it sounds like “alich.”

⁴⁶ Rita Alipaz did not pronounce the expression “Alipaz” as in Mexican-Spanish, she said the expression with a very hard i, like “eye,” rather than the “ee” sound in Spanish or English.

⁴⁷ 80849. Librado.

⁴⁸ Walker Philip L. and Travis Hudson *Chumash Healing: Changing Health and Medical Practices in an American Indian Society* (Banning, CA: Malki Museum Press, 1992) p. 45; 80965. Walker.

use of rock painting to enlist the aid of supernaturals to cure or kill. ... All such knowledge and teaching was held a secret among the 'antap."⁴⁹

It also appears that many individuals at Mission San Fernando also practiced curing. For example "Pilar was a woman who had been taught methods of curing the sick by her father, [a] *hechicero* [witch doctor] from San Fernando. They knew many things there in San Fernando."⁵⁰ *Hechicero* is a Spanish term, and does not give the tone of a "good healer" that is evident in the Chumash expression.

Rita most likely was a practicing doctor, and also was groomed for leadership. She was the oldest surviving child of Francisco Papabubaba and Paula Cayo. An older brother, Zenon, died before his first birthday. Then, according to the Chumash rules, Rita, if capable, would be the next leader. The title of curer provides assurance that Rita was considered capable and esteemed, possessed of curing and ceremonial powers and knowledge. Paula Cayo was the oldest surviving child of Tiburcio Cayo and Teresa. Again a boy was born first, Pedro Bernardo, but died at the age of 4 months. Consequently Paula inherited the title of "Cayo" from her father, an expression of his powers and knowledge. Rita, the oldest survivor of the Tiburcio Cayo and Paula Cayo line, also inherited their leadership and also their ceremonial and curing training.

The lines of political and "medicine" authority all point to Rita as leader, curer, and ceremonial participant, if not a captain. Paula Cayo died before 1851, and she may have been captain until that time, after the death of her father in 1844. After Paula Cayo died, Rita would have succeeded her into the 1850s and 1860s.

The 1860 census lists Antonio Maria Ortega as the second oldest surviving child of Rita. The older child listed in 1860, a boy named Jose Arcadio Ortega, is not found in the 1870 census. Jose Arcadio most likely died before 1870, and left the lineage leadership to Antonio Maria. There are some reports, oral history from Ortega family members, recording that Antonio Maria was a healer, and that Indian people from many miles surrounding San Fernando traveled to receive treatment and advice from Antonio.⁵¹ This oral history supports the view that Antonio may have been taught healing methods from his mother, and perhaps was being prepared for

⁴⁹ Blackburn, Thomas *December's Child: A Book of Chumash Oral Narratives* (Berkeley, CA: University of California Press, 1975) pp. 85-86; Ritter, Dale and Eric Ritter "Prehistoric Pictography in North American Medical Significance." In: *Medical Anthropology*, Sol Tax, ed. (The Hague, Nederland: Mouton, 1976), pp. 138-228.

⁵⁰ Walker Philip L. and Travis Hudson *Chumash Healing: Changing Health and Medical Practices in an American Indian Society* (Banning, CA: Malki Museum Press, 1992), p. 48. See 80964. Walker.

⁵¹ Beverly Folkes "Antonia Maria Ortega was a healer, carried around and used herbs to heal people. People came to see him" for advice and medical treatments. Personal communication, July 18, 2015 at Encino. Beverly Folkes is the granddaughter of Antonio Maria Ortega.

leadership as a healer and captain. This would fit the above pattern of curing and political-lineage leadership. Rita Alipas and Antonio Maria Ortega's training as healers and leaders is consistent with traditional healing and leadership patterns.

The 1860s were catastrophic for the Los Angeles Indian community, with about half the Indian population succumbing to small pox. Rita and her husband Fernando Ortega did not survive the decade, and many of her children, especially all her children with Benigno, are not found after the 1860 census. The surviving children with Fernando Ortega were orphaned. Louis Ortega, whose godfather was Geronimo Lopez, was taken in and raised by the Lopez family.⁵² Antonio Maria Ortega worked as a child for the Rancho Ex-Mission San Fernando, and was also rescued by the Lopez family. The Lopez family and ranch provided hospitality and work for many of the Indian families at San Fernando during the 1860s until about 1900. In many ways, the Lopez businesses and household were a benevolent environment that provided a social center, protection, and work for many of the San Fernando Indian families. The Ortegas, Canos, Josephine Leyva, and others found support and refuge there.

As young men, with few, if any, surviving family elders, Louis and Antonio Ortega had little influence and, before marriage, no immediate family. They still had longstanding relations with other lineage communities, but many lineage communities were decimated or had left. Antonio Maria Ortega demonstrated his commitment to the San Fernando Indian community and his leadership capabilities when he joined with the Cano-Capistrano, and Ramirez-Cota families to defend San Fernando Indian land rights in the *Porter v. Cota* case of 1876-78. Nevertheless, young men with no elders and no younger adult relatives would have had little political influence. Antonio would have to wait until he formed and raised a family before he could become the headman of his own family. The Canos, Rogerio Rocha, and Gregorio Camilo were recognized as leading lineages at San Fernando in the latter part of the nineteenth century. Both Louis and Antonio married and started to raise families. Antonio Maria Ortega married Ysidora Garcia, a woman of Yaqui Indian descent, and they had nine children between 1881 and 1900. Between 1899 and 1912, five children were born at San Fernando to the Louis Eduardo Ortega family.

Antonio Maria Ortega spoke English and an Indian language, the latter of which would have been taught to him by his mother Rita. His Spanish was imperfect with a heavy Indian accent.⁵³ He was trained in healing ways, which was an indication that he was earmarked early by his mother for ceremonial participation at, at least, some level of leadership. Both Antonio and Ysidora Ortega were deeply concerned about the well-being of the Indian community at San Fernando, and were strongly opposed to any efforts to move the San Fernando Indians to

⁵² 80128.C.LPC; Latta, Frank F. *Saga of Rancho El Tejon* (Exeter, CA: Bear State Books, 2006), p. 61.

⁵³ 90382.FTO.ROS, p.18.

reservations or otherwise force the Indians out of San Fernando. They were strongly engaged in preserving the Indian community at San Fernando as a place. In 1889, Antonio and Ysidora Ortega purchased a lot in San Fernando, at 1221 Coronel St., where they lived for virtually the rest of their lives.

Through the process of growing a large family, which in turn generated five family sub-lineages, Antonio Maria Ortega became a lineage elder and leader. The Cano-Capistrano, Rocha, Cota Ramirez families, and others did not have similar demographic extension. In many ways, the contemporary San Fernando Indian community is composed of an alliance among the largest families, the Ortegas, Garcias, and Ortizes. The Ortega family looked up to Antonio as an elder, healer, leader, and spokesperson. The family gathered during holidays and discussed issues. The most remembered discussion was whether the Ortega family should apply for the California Indian roll in the later 1920s and early 1930s. Both Antonio and Ysidora argued against submitting applications because they believed that joining the California Indian roll would entail having to move to an Indian reservation. Both Antonio and Ysidora were committed to sustaining Indian community at San Fernando, and were not interested in moving somewhere else away from the history and land that had been defended by generations of San Fernando Indians.

Over time the expanding Ortega family produced additional elders and headpersons. There emerged the Tapia line led by Erolinda or Rufugia Ortega Tapia; the James Ortega or more recently the Rudy Ortega line, originally lead by Estanislao Ortega, the eldest son of Antonia Maria Ortega; the Newman line led by Katherine Ortega Newman; the Salazar line led by Vera Ortega Salazar; and the Verdugo line led by Sally Ortega Verdugo. In the present day, each of the Ortega sub-lineages has led to large extended families. As one member of the Ortega lineage, David Salazar, Sr. has explained,

I think for my grandma (Vera Salazar), the government was so brutal on us that our formal government was, kind of, in the closet. And the way we did it was through feeding people, and that was my grandma's strength, to bring families together. And they did talk about tribal politics. In the 1928 California Judgment Act, my grandma was very influential in that... from the twenties.⁵⁴

Antonio Maria Ortega passed away in 1941. His eldest son, James (Estanislao) Ortega was the next male in the lineage. World War II took a lot of his attention, but he took on the duties of captain. He organized family events, and raised money and donations for the annual Christmas giveaway to needy lineage members and local people in need. James Ortega and others were

⁵⁴ 90328.FTO.DSS, p. 17.

active in organizing the community, festivals, meetings, and community events.⁵⁵ Toward the end of the 1940s James took ill, and he died in 1951.

During the 1940s, Vera Salazar saw Rudy Ortega, Sr. as a committed individual with a strong sense of Indian identity. She thought he would be an energetic and successful leader. As early as 1941, after the death of her father (and Rudy's grandfather) Antonio, Vera Salazar encouraged Rudy, Sr. to start an organization. The idea eventually led to the Fernandeño non-profit organization and the delivery of social services and community events. "Then one of my aunts — there were five aunts—one of my aunts came out and says, Rudy, lets start an organization. I'd like to have some activities."⁵⁶ While in high school, before the war, Rudy was taking on aspects of a leader or captain.⁵⁷ The name of the new organization, as early as 1941 was the San Fernando Band of Mission Indians.⁵⁸ As Rudy, Sr. later noted, "Since 1941 I started, I haven't gotten a penny from the tribe."⁵⁹ Rudy, Sr. has explained how his leadership role came about:

So then after that, my aunt says, "Come on, Rudy, let's form something. I need something to where I can go out and enjoy and talk to people." I said, "Okay." So that's what I did. We formed a group and after the war, when I come back, they said, come on, let's get the people. They're ready. They've been waiting for you to come back. I says okay. So we started doing the meetings again and started getting the Board together.⁶⁰

Rudy Ortega, Sr. was fresh from army service in World War II, and had been exposed to military administration. He wanted to make bylaws and create a voluntary association. Nevertheless, from 1946 to 1975, the community members met at a regular basis, but did not adopt bylaws. "The didn't want no bylaws. They wanted to work just as they come and discuss the problems."⁶¹

After the death of Rudy Sr.'s father, James Ortega, in 1951, Rudy, Sr. was appointed captain by his aunts and family elders. As David Salazar, Sr. has explained, "My grandmother's [Vera Salazar] the one who initiated him as captain. And it wasn't... for the captains, they were appointed. It was hereditary, it was family. We're not a democratic society and let's go, everyone put your ballot over here in this rawhide box, and then we'll find out who's the new chief. Those elders they appointed, they knew, they seen who really had it..."⁶²

⁵⁵ 90398.FTO.ROS, p. 30.

⁵⁶ 90373.FTO.ROS, pp. 2-3.

⁵⁷ 90398.FTO.ROS, p. 30.

⁵⁸ 90319.FTO.DSS, p. 4-7.

⁵⁹ 90319.FTO.DSS., p. 5-7.

⁶⁰ 90396.FTO.ROS, p. 26.

⁶¹ 90396.FTO.ROS, p. 26.

⁶² 90318.FTO.DSS, p 4.

What did it mean to be a captain? What kinds of things are expected of a captain at the time? Rudy Ortega, Sr. himself has provided the best explanation:

My dad never mentioned anything like that. But when I took over the tribe, my job was to be, and even now my sons or my daughter—actually my daughter Lisa here, she said, “You’re always thinking about your relatives, never about yourself.” Because I don’t know what came up with Lisa. I told Lisa about one of the cousins, something to help or something. She says, “Dad, why are you always helping them? You never do anything for yourself. You’re always worried about the family, always worried about them. You never worry about yourself. I said, “Well, that’s the way I am. That’s the way I guess I was born to come up and help my people. I don’t know.” She was little upset because I was trying to help somebody, not helping myself.⁶³

Several community members have recalled the politics of that time. During the 1950s, according to David Salazar, Sr., “First of all we started a little small group and we called it the San Fernando Mission Indians.”⁶⁴ Charlie Cooke has further explained, “Rudy Ortega, Sr. started the San Fernando Mission Indians and was elected as Chief.”⁶⁵ In Charlie’s words, “He [Rudy, Sr.] organized it. I can’t remember what he called it. Just San Fernando Mission (Indians), I guess. And he got a lot of people into it, and he was elected chief. And my cousin Ted Garcia, he was there when he was elected.”⁶⁶ The San Fernando Mission Indians attracted members from the Ortega, Ortiz, and Cooke-Garcia lineages. The San Fernando Mission Indians was aimed at creating a multi-lineal alliance of Indians from the San Fernando community. Rudy envisioned a voluntary association model with regular meetings and bylaws. However, the group was reluctant to accept bylaws until 1975. Besides an elected chief, the San Fernando Mission Indians elected a board to carry on leadership and activities. Rudy Ortega, Sr. started the San Fernando Mission Indians before Charlie Cooke started a similar organization he called the San Fernando Band of Mission Indians in 1960.

Rudy Ortega, Sr. was captain of the Ortega lineage community from 1951 until his death in early 2008. From 1952 until 2008, Rudy Ortega, Sr. also served as elected leader of the Mission San Fernando Indians and its various successor organizations. The name of the Fernandeño government organization changed to San Fernando Band of Mission Indians during the early 1970s, and then changed in 1976 to the Fernandeño Band of Mission Indians. In the early 1990s,

⁶³ 90362.FTO.ROS, p. 22.

⁶⁴ 90319.FTO.DSS, p. 4-7.

⁶⁵ 90360.FTO.CC, p. 52.

⁶⁶ 90666.FTO.CC, p. 27-28.

the community changed its name to the Fernandeño Tataviam Band of Mission Indians. In 2002, the Fernandeños adopted a constitutional government.

After his death in 2009, his son, Larry Ortega, who was serving as leader of the Senate in the constitutional government, succeeded Rudy Ortega, Sr. as president. Larry served the last two years of his father's unfinished term, and Larry was elected president in 2011, and served a four-year term as president until early 2015. In spring of 2015, Rudy Ortega, Jr., longtime tribal business manager, and youngest son of Rudy Ortega, Sr., was elected to a four-year term as president. Rudy Ortega, Jr. had trained with his father since childhood to take on the duties of captain. In 1999, Rudy Ortega, Jr. was recognized as the future captain of the Ortega lineage community.⁶⁷ He became captain after his father's death. Captains are appointed by lineage elders and confirmed by lineage consensus, while leaders of the Fernandeño Tataviam Band of Mission Indians, a multi-lineal community or association, are elected according to a voluntary association model.

Political Leadership Among the Garcia Lineages

Josephine Leyva Garcia, born in 1865, is the lineage headperson for the Garcia lineages, and a progenitor of the Garcia and Gardner lines. Josephine was born, probably raised, and married at San Fernando. She had three children with Isodore (Ysidoro) Garcia: Petra, Francis, and James. Both of her oldest children, Petra and Francis, were born at San Fernando. In 1882, like many other San Fernando Indian families, the Garcias were evicted from former Mission-Indian land, and they moved to Newhall Ranch. James Garcia married into the Tejon Tribe, and his children are members of the Tejon Tribe. Petra, the oldest daughter, was head lineage person and progenitor of the Valenzuela and Ward lines. Frances Garcia Cooke was head lineage person for the Cooke-Garcia line. Around 1890, Josephine, with Petra and James in tow, moved to rural Kern County, and remarried to William Gardner. By 1910, Petra and Josephine left her marriage with the Gardner family and moved to Ventura-Oxnard, where they lived for much of their lives. About 1935, Josephine renewed her marriage relations with Isodore Garcia, and they established a home together in San Fernando during the late 1930s and early 1940s. They rented a house on Mott Street in the heart of the San Fernando Indian community. Both Josephine and Isodore passed about 1950 and were buried in Oxnard.

Petra Garcia, Josephine and Isodore's daughter, had three children with Jose Jesus Valenzuela, and their descendants form the Valenzuela lineage. After Petra's passing in 1930, Louis

⁶⁷ 80783.FTO; 80784.FTO; 80785.FTO; 80786.FTO; 80787.FTO; 80788.FTO; 80788.FTO

Valenzuela was the oldest son and he was active in Indian issues. He was a Valenzuela family headman until his passing in 1978. During the 1990s, John Valenzuela, son of John L. Valenzuela and grandson of Petra, worked to organize multi-lineal Indian organizations in the Newhall area. He organized the Ish-Panish Band of Mission Indians, and latter became chair of the renamed San Fernando Band of Mission Indians. The San Fernando Band of Mission Indians is comprised of mainly Valenzuela lineage members, with some members from the Cooke-Garcia line. The Valenzuelas have generated large families, and their organizational membership was over 300. Most of their organizational activity is focused in the Newhall area. They have been engaged in cultural resource issues, especially repatriation and reburial associated with the Native American Graves Protection and Repatriation Act (NAGPRA), and various California laws that address protection of Indian burial sites. John Valenzuela has been chair of the San Fernando Band of Mission Indians from the 1995 to the present.

Petra Garcia's daughter, Margaret Rivera Ward, was lineage leader of her family until her passing in 1975. She was the mother of a family of nine children. One of her granddaughters, Susan Jean Ward, has registered her family with the Fernandeño Tataviam Band of Mission Indians.

Frances Garcia Cooke was lineage headperson of the Cooke-Garcia line, and she is the progenitor of that line. She organized family gatherings on holidays and she was active in engaging discussion and action on Indian issues. Both she and her father Isodore Garcia promoted the efforts of Garcias and other California Indians to apply for California Indian roll membership during the later 1920s and 1930s. Frances and her husband Alfred Cooke had a large family of 12 children, who in turn have generated more large families. Late in her life around 1940, Frances Cooke and her husband moved back to San Fernando and lived in the neighborhood with many other Fernandeños. Frances Cooke Garcia was lineage headperson or captain until her passing in 1946.

Lineage elders agreed that Mary Guadalupe Garcia, the oldest daughter of Frances Cooke, should take up the role of lineage headperson. Like Frances, Mary Garcia was active in organizing family gatherings for meetings, recreation, and to discuss family issues and Indian issues. Mary Garcia hosted family gatherings and looked after the welfare of the lineage. She and her husband Louis Garcia did not learn to drive cars, and so the logistics of meeting and traveling become increasingly difficult for them. Following tradition, Mary consulted with family members and looked for a suitable replacement for the role of lineage leader, or captain. Mary Garcia and family lived intermittently between Newhall and San Fernando. By 1940, she and her family moved to San Fernando, and in the late 1950s were living in Pacoima, the town adjacent to San Fernando. Pacoima was the name of an ancient Indian village site.

The biographer of Mary's nephew, Charlie Cooke, has written:

Since Grandma Frances had passed away, Aunt Mary had been the leader of her extended family of Indians whose ancestors had lived in the San Fernando Mission. She did not feel that she could be active enough anymore to maintain that position. For one thing, neither she nor her husband Luis, could drive and the country was now one of roads and automobiles. She called some family members together in 1959, including her son, Ted, Sr., along with Charlie and Alvin (Cooke). The small group agreed that Charlie showed the most interest and dedication to their Indian heritage and also had a strong interest in caring for the extended family. So they made him their leader.⁶⁸

Ted Garcia, Jr., the future Cooke-Garcia successor as captain to Charlie Cooke, has commented:

If you think about the past, you know it is related to the present and future. Charlie was a hero to me when I was a child. I remember Charlie visiting our house about fifty years ago after he came home from the service. I was about ten then (1958), but right then I knew he would represent our family in Indian affairs. I was in awe of that. I looked up to him. Growing up in Pacoima with a Latin name, people assumed we were Mexican; but my Grandmother Mary made sure we were Indian. She got that from her mother, Charlie's grandmother Frances.

Charlie went on to represent us in an intelligent way. He does research. He knows what he is talking about. I always knew he would become our chief.⁶⁹

Charlie Cooke went on to an outstanding career as captain of the Cooke-Garcia lineage.⁷⁰

Around 2008, Charlie began to look for a successor. His biographer has explained,

For several years, Charlie had been thinking about who would follow him as chief of his group of the Southern Chumash. He did what Aunt Mary had done and asked members of in his Chumash extended family and talked to leaders like Dr. [REDACTED]

⁶⁸ Gordon, Mary Louise Contini *TIQ SLO'W: The Making of a Modern Day Chief: Charlie Cooke, Leadership in Restoring and Sharing Native Heritage* (Tucson AZ: Amherst Moon Publications, 2013), p.54.

⁶⁹ *Id.*, p. 18.

⁷⁰ See generally Gordon, Mary Louise Contini *TIQ SLO'W: The Making of a Modern Day Chief: Charlie Cooke, Leadership in Restoring and Sharing Native Heritage* (Tucson AZ: Amherst Moon Publications, 2013).

██████████ (spiritual leader). He mentored people whether they knew it or not. He would call one person in particular over and over.⁷¹

[In 2008] after the ceremony [at Playa Vista], in front of the gathering and in front of the newly re-interred ancestors, Charlie took his staff in hand. He looked at it remembering when ██████████ handed it to him and told him to notch it for his accomplishments. He ran his hand down the neat notches, one hundred of them. They had come a long way since their ancestors had lost identities in the missions. Chief TIQ SLO'W nodded a satisfied nod and then handed the staff to a younger man. "This is a good time," he thought, "There are many Indians here today, and the Chumash and Tongva had had a long association." In front of several Indian cultures, he introduced the new hereditary chief of his family group of the Southern Chumash, his cousin, Aunt ██████████'s grandson, ██████████ (Very Respected Bear).⁷²

From 2008 to the present, ██████████ has been captain or lineage leader of the Garcia lineage. Both Charlie Cooke and ██████████ have emphasized their lineal connections to their Chumash ancestors. "I am chief now, but Charlie is still very influential in the native community."⁷³ ██████████ is an active ceremonial leader and participant. He participated with Rudy Ortega Jr. in the Indian ceremonies at the funeral of Rudy Ortega, Sr. in 2009, and he is a Native artist. Charlie Cooke passed in 2013.

██████████ and his immediate family are enrolled in the Fernandeño Tataviam Band of Mission Indians. ██████████ a long time participant in the formation of a multi-lineal association of San Fernando Indians since the 1940s, and many time officered in the non-profit and multi-lineal government, declined to complete membership paperwork, arguing that he was already a member. He was following the old lineage community rule that anyone who is born into the lineage is automatically a member. In ██████████ view, membership within a lineage community was foremost, and automatically qualified a lineage member for any multi-lineal coalitions that a lineage community might join. While actively participating at the ceremonial, political, and social levels, ██████████. declined to fill out the paper work to officially enroll in the Fernandeño Tataviam Band of Mission Indians and its present-day constitutional government. Throughout his active life, ██████████, son of captain Mary Garcia, was active socially and politically, and everyone overlooked that he did not fill out membership papers. ██████████ the new captain of the Garcia family, enrolled in the Fernandeño Tataviam Band of Mission Indians constitutional government, and at the same times carries on the appointed obligations of captain of the Cooke-Garcia lineage community.

⁷¹ *Id.*, p. 262.

⁷² *Id.*, pp. 264-65.

⁷³ *Id.*, p. 265.

Membership within a lineage community is automatic at birth, but increasingly, those who want membership in the Fernandeño Tataviam Band of Mission Indians constitutional government are making application. Married-ins are not eligible for membership, and there are no naturalization procedures for married-ins; it is a strict and basic rule of membership within the lineage communities. Membership requires that the applicant be a blood descendent of a lineage community that has lived and was socially active with other recognized lineage communities in the San Fernando area during the post-Mission period.

Political Leadership Among the Ortiz Lineage

Jose Miguel Triunfo (Triunfo), married to Rafaela, was the headman and progenitor of the Ortiz lineage. Triunfo is an honorific title and not a surname. He was known in his time as Jose Miguel. During the 1840s, he was granted land near Cahuenga as a reward for past services to the San Fernando Mission. He sold and traded the lands, and by the time of his death in 1851 he no longer had any land. He may have been ill around 1850 and could not manage the ranches any longer. Samuel passed on his 1843 Mexican land grant to two of Jose Miguel's sons, and they sold the land by 1862. In the late 1850s, Jose Miguel's daughter, Rosaria, married a Mexican named Miguel Ortiz. They had three children, a girl and two boys. One of the boys, Joseph Ortiz born in 1862, is another progenitor of the Ortiz line. Rosaria's marriage to Miguel Ortiz ended quickly, and Rosaria and Joseph returned to her mother's family. About 1877, the family, including the grandmother Rafaela and Rosaria, moved to Rancho Tejon. After a brief time of schooling, Joseph took up employment between 1878 and 1893. He worked as a ranch hand at Rancho Tejon, then owned by Edward Beal and managed by J.J. Lopez. After Beal's death in 1893, many Indians left the employment of Rancho Tejon, and Joseph Ortiz was among them. Ortiz was still a relatively young man, and probably enjoyed some influence through the renown of his grandfather Jose Miguel, as well as his well-known grandmother, Rafaela. Rosaria remarried and had one child who did not live to adulthood. She remained in Kern County for the rest of her life and passed in 1911. Between 1893 and 1920, Joseph Ortiz and his family lived in Bakersfield and later Hanford, where he found employment as a farm hand.⁷⁴

Joseph was the headman of a family of four biological children, who were adults by the 1930s. There were also two adopted boys in the 1920s. The family returned to San Fernando in the early 1920s, and took up residence on Kewen Street, near the Ortega family residences.⁷⁵ Joseph's brother Rafael had already been living in San Fernando since 1900, if not before. During the early 1930s, the Joseph Ortiz family filed applications for the California Indian roll and were

⁷⁴ 80078.A.USC.

⁷⁵ 80126.DC.

granted roll numbers. J.J. Lopez, the longtime manager at Rancho Tejon, provided testimony that he knew the extended Ortiz family, and confirmed their claims to Fernandeño Indian identity.⁷⁶ Joseph Ortiz was the lineal headman to his growing extended family. He must have passed in the late 1930s, since he is not recorded among the family in the 1940 census.⁷⁷

Currently there are two identifiable lineage elders for the Ortiz family who have been engaged in building the coalition of lineages at San Fernando. Based on interest, knowledge, and past activity, [REDACTED] are engaged Ortiz family elders. Both [REDACTED] are grandchildren of Joseph Ortiz, and the children of Helen Ortiz. When an Ortiz family member needs information or needs to make a special request or inquiry with the constitutional government, that person is often referred to [REDACTED]. Angie was very active during the 1960s and 1970s, participating in community events and events leading to the formation of the nonprofit, and eventually the constitutional government. Both [REDACTED] have been supporters of building the coalition of lineage communities in order to strengthen community outreach and manage community relations. Both [REDACTED] are lineage elders, who do not assume political power, but are willing to serve and ensure the well-being of the Ortiz lineage as well as the coalition of lineages that comprise the San Fernando Indian community.

The Contemporary Constitutional Government

Since the 1940s, the Fernandeño community has been working toward formalization of a multi-lineal government. Several different attempts were made to form a coalition. The San Fernando Mission Indians held elections during the 1950s, and formalized bylaws in 1975. Most members were not interested in writing and using bylaws, although Rudy Ortega, Sr. had proposed them in 1946. The coalition attracted the Joseph Ortiz family and members of the Cooke-Garcia and Ortega lineages. The present name of the multi-lineal coalition is the Fernandeño Tataviam Band of Mission Indians. Although the name has changed, a multi-lineal coalition has been in existence as a form of local government for at least 60 years, if not for 75 years.

All three participating lineage communities retain their lineage identities and operate through lineage headpersons or captains. The rules for acknowledging captains and lineage headpersons are the same as in tradition. Lineage elders make the choices about appointing lineage captains, and the lineage community members affirm consensus with respect and deference to the leadership. Captains are appointed, not elected. Leaders and boards of multi-lineal coalitions are elected.

⁷⁶ 80126.DC.

⁷⁷ 80900.USC.

Membership rules within the constitutional government and the lineage communities remain the same. The rule is that blood lineage membership within one of the approved lineage communities is necessary for political membership and inclusion within the band government. Married-ins are not members of the band government, and there is no naturalization process by which married-ins can be made members. Each application for Fernandeño citizenship must prove lineal descent within the Ortiz, Garcia, or Ortega lineage communities. Other lineage communities may be eligible, such as the Cano-Capistranos, Cota-Ramirez, Addington, and Camilo lineages. Such lineages need to prove long-term San Fernando residence and lineage ties to ancestors in the San Fernando Mission records.

Marriage patterns are now reckoned bilaterally, where the children of both male and female members are also automatically members. The bilateral marriage pattern, like the American rules, is a change from previous patrilineal or matrilineal marriage patterns. Marriages are not made between members of the Ortega and Garcia lines, and rarely made with the Ortiz line. Marriages are virtually all exogamous. The only legal marriages can be made between the Ortiz family and the other two lineages, and those unions are rare.

The significance and influence of the three lineage communities should not be underestimated. The body and social community of the Fernandeño is not a collectivity of individuals, but rather a consensus among three lineage communities. The three lineage communities remain autonomous socially and politically, and act within the coalition as voluntary members. There is no power that can keep the coalition together, other than the mutual well-being and support. This voluntaristic multi-lineal community parallels the multi-lineal communities of most federally recognized southern California Indian reservations. The Fernandeño multi-lineal community, which supports a constitution and non-profit association, has been constructed through consensus and voluntarism. Most southern California Indian tribes form general councils composed of all adult members, and their associated lineage communities. The general councils have systematically rejected constitutional forms, in favor of government that preserves the processes and powers of the general council, a coalition of multi-lineal communities. In the Fernandeño case, the consensus of the multi-lineal communities forms support for voluntaristic associations of the non-profit and constitutional government. In the competitive and western Los Angeles social, political, and economic environment, the non-profit and constitutional government may be appropriate. The Fernandeños, however, have not compromised their lineage communities, which remain their fundamental social and political forms.