

UNDERSTANDING THE COMPOSITION OF COSTANOAN PEOPLE

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May 11, 1998

Revised October 20, 1998 and April 15, 2004

The Bureau of Indian Affairs' Response to the Congressional Act of May 18, 1928

From 1928 to 1933, over 17,000 California Indians registered with the Bureau of Indian Affairs (BIA) and identified themselves as benefactors of the land settlement claim against the Government of the United States for California. They did so to open up their claim for financial compensation for reservation lands promised but never delivered to the California Indians as agreed upon in the 18 non-ratified treaties of 1851-1852.¹ The BIA regards this registration, not as an enrollment of tribes, but rather a census of individuals and families qualified to participate in this settlement. The BIA used the term, "roll number," in its method of keeping track of these individuals.² Yet, each applicant was considered an "enrollee." Although this seemingly tribal terminology was applied, this list was not representative of any kind of tribal enrollment into individual tribes.

Years later, there was a legal determination as to what tribe an individual belonged. During a snag in the claims hearing in 1955, the BIA and the Justice Department relied on the input of certain anthropologists (e.g. Alfred L. Kroeber and others) who argued and demonstrated that California Indians were "identifiable land-holding groups." Earlier, in 1925, Kroeber contended that the Esselen Indians were extinct for all intents and purposes and yet almost every "enrollee" of Esselen descent was categorized as Costanoan. This same classification was applied to other Indian descendants who are now enrolled in the Amah-Mutsun and Muwekma Ohlone tribes.³ These anthropologists determined that the geographical area of the Costanoan people stretched all the way from north of San Francisco, down through and including Santa Clara, Alameda, San Benito, and Monterey counties, to the southern reaches of the Salinas Valley, including Soledad, Arroyo Seco, the Santa Lucia Mountain Range, and the Big Sur Region including the Monterey coastline.

The BIA has a tremendous amount of available genealogical and historical information, supplied by Costanoan applicants, which would have facilitated the understanding of the aboriginal, geographical areas from which each of these groups or tribes descended. Yet, the BIA has ignored this information. Why? The Department of the Interior repeatedly directed BIA Superintendent Lafayette A. Dorrington to make an accurate accounting of the Indians under his jurisdiction. Instead, he administratively "dropped" these tribes from his list.⁴ After that dereliction of duty, the BIA did not correct what Dorrington left undone. Rather, the BIA merely proceeded to list the identifiable potential benefactors for the lawsuit, not to create any additional tribal enrollments or to recognize any additional tribes.

Mission/Tribal Self-Identification

On those 1928 BIA applications, the Indians were asked to supply the name of their “Tribe or Band.” The majority of these applicants, classified as Costanoan, supplied the name of a mission. Although it was rare, some applicants wrote in the name of a village origin.⁵ Further, the Indians were asked to supply their grandparents’ names and identify their “Tribe or Band.”⁶ Again, most often, this question was answered with the name of a specific mission. These missions had a definite geographical location associated with distinct historical Costanoan tribal groups, as shown in the following list:

- Mission Dolores - San Francisco (Muwekma)
- Mission San Jose - Fremont (Muwekma)
- Mission Santa Clara – Santa Clara/San Jose (Muwekma)
- Mission Santa Cruz - Santa Cruz (Amah-Mutsun)
- Mission San Juan Bautista - San Juan Bautista (Amah-Mutsun)
- Mission San Carlos Borromeo de Carmelo - Carmel/Monterey (Esselen)
- Mission Nuestra Senora de Soledad - Soledad (Esselen)

In most of the early baptism registers of these missions, the friars recorded the aboriginal village names of their new Indian converts.⁷ Further, they often recorded the geographical location of these villages in relation to the mission itself. All of these villages were located in the immediate vicinity of influence to the geographical location of each mission. Those 1928 BIA applicants understood and respected those geographical differences.

Although the applicants knew the geographical location of their own ancestors’ origins, many did not know the actual names of their contact-period tribes. Rather, they associated themselves as Indians being attached to a given mission, i.e. “Carmeño” was derived from the name of Mission San Carlos Borromeo de Carmelo, “Clareño” from Mission Santa Clara. One example, of many, is the application of Isabel Meadows, an Indian consultant to John Peabody Harrington in the 1930’s.

On July 21, 1930, Isabel answered the question, “...what Tribe or Band of Indians of the State of California do you belong?” with the following: “Mission Indian, Carmel Mission, Monterey County, California.”⁸ Additionally, the same information was entered for the tribal association of her mother, Loreta Onesimo. This type of response was typical of many, many 1928/33 applicants. However with respect to the Muwekma Ohlone tribal ancestors, there were some notable exceptions.

Three separate, non-related, Muwekma Ohlone family heads answered this same question with the term *Ohlone*. On application #10298, Lucas Marine answered, “Ohlones,”⁹ on application #10299, Joseph Francis Aleas answered, “Olanian,”¹⁰ and application #10300, Bell Olivares-Nichols answered, “Olanian.”¹¹ There were many more 1928 BIA

applications filled out by Muwekma ancestors. On those other applications, that question was answered with “Mission San Jose,” and/or “Alameda County.”

However, it is paramount to understand who participated in filling out the answers along with the applicant. Of the eighteen 1928 BIA applications studied,¹² belonging to Muwekma ancestors, ten were typed and eight were written out by hand. The handwriting belonged to Fred A. Baker, the agent who locally coordinated this enrollment effort and who also signed every application as the examiner. It is not reasonable to suggest that those ten applicants had typewriters. After all, it was Fred Baker who typed up hundreds of these applications. Is it reasonable to suggest that the applicants were illiterate and could not fill out these applications on their own? Out of eighteen applications, only two could not sign their name and had to put their mark on the application. It is probably very likely Mr. Baker filled in the answers according to his own knowledge without encouraging the applicant to further explain. Those applicants, who supplied the extra information of an *Ohlone* tribal identification, could very well have been more assertive than the rest and made sure this agent wrote it like it was.

In the years of 1911, 1915, 1917 and 1921, four Muwekma Ohlone ancestors died - the Marine sisters. They were buried in the Ohlone Cemetery along with other Ohlone ancestors. The family elders took responsibility for cleaning and maintaining the cemetery of their ancestors.¹³ In the 1960's, this tribal cemetery was threatened by the development of plans for building a non-Catholic church on the site as recorded on several documents, found within the Rupert Costo American Indian Special Collection held at UC Riverside, California. These documents consist of lists of tribal members, tribal member meetings, correspondence, and various memorandums pertinent to the protection of the Ohlone Cemetery. All of these documents refer to the participants as *Ohlone* and these participants are relatives of the Muwekma Ohlone tribal ancestry and membership.

For the third BIA enrollment period, beginning in 1968, California Indians were again asked to fill out applications. Again, these applications asked the individuals to give their tribal identification along with other genealogical information. Of 14 folders studied, representing much larger families and an objective cross section of all Muwekma Ohlone ancestries, one applicant wrote in the *Mission San Jose* as the name of the tribe, one applicant wrote in *Costanoan* as the name of the tribe, and twelve wrote in *Ohlone* as the name of the tribe.

As the tribal genealogist for Esselen Nation and the Muwekma Ohlone Tribe,¹⁴ Escobar had the unique opportunity to compare those types of notes from application to application, from tribe to tribe. Also, as the Esselen Nation Librarian, she has had the unique opportunity to review many 1928/33 BIA applications of all three Costanoan tribes as well as the 1948/55 and 1968/72 BIA files for Esselen Nation ancestry. Her findings thus far show that the use of the term *Ohlone* is not consistent with the history of the Esselen Nation or Amah-Mutsun Tribe. Yet, the use of the term *Ohlone* is historically consistent and specifically unique to the Muwekma people. Therefore, if any of the

Costanoan tribes can legitimately claim the identity *Ohlone*, it is the Muwekma Ohlone Tribe.

Regardless of the tribal affiliation each applicant may have known to be their own, this opinion was influenced by the historical time frame operable at that time, i.e. family history, labeling efforts by anthropologists, secularization and survival. Nonetheless, these applicants knew what aboriginal, geographical area to which their ancestors were attached. Based upon the results of careful mission record research, the grandparents of the descendants of the Muwekma Tribe all claimed that their Indian ancestors were aboriginal to the missions Dolores, San Jose, and Santa Clara. The grandparents of the descendants of the Amah-Mutsun Tribe all claimed that their Indian ancestors were aboriginal to the missions Santa Cruz and San Juan Bautista.¹⁵ The grandparents of the descendants of the Esselen Nation claimed that their Indian ancestors were aboriginal to Mission San Carlos Borromeo de Carmelo and La Nuestra Señora de Soledad.¹⁶ Yet, the BIA chose to ignore this fact and, instead, chose to classify and recognize all of these applicants as Costanoan. Further, some academic institutions still teach the Kroeberian theory of extinction without regard to his reversal statement issued in 1955, and also still teach that Costanoans are a single people, a single tribe, and a single language group.

Labels

To further confuse the issue, the term *Ohlone* was eventually applied to these same Costanoan people. *Ohlone* was decided upon as the “politically correct” terminology and means of identification. Just as it was, at one time, politically correct to call African Americans “Negroes” or “Blacks,” the politically correct term was changed to “African Americans.” Likewise, the Indians indigenous to the Costanoan area suffered the same process and were virtually re-labeled as *Ohlone* as an entire group, again sloughing over the fact that the Costanoan Indians were not a single tribe or people.

Robert F. Heizer explained this phenomenon:

“In recent years the term ‘Ohlone’ has gained some currency as an alternative name for Costanoan. The label Ohlone does not seem preferable to the long-established one of Costanoan. A small tribelet whose designation was variously spelled Alchone, Olchone, Oljon, Ol-hon, and which was located along the ocean coast about half way between San Francisco and Santa Cruz provided 18 converts to the Mission Dolores between 1786 and 1790 (C.H. Merriam, Village Names in Twelve California Mission Records, University of California Archaeological Survey, Report #74, 1968, p. 19). This tribelet, apparently a small and unimportant one, **has been thus selected arbitrarily to designate a much larger series of ethnic groups**, each of which was also named. Even the term Ohlone is a misspelling, perhaps copied from A.S. Taylor’s mistaken

rendering in the *California Farmer* of May 31, 1861.”¹⁷ (Emphasis is author’s)

Careful objective research demonstrates how easily labels can be applied without a complete understanding of all the facts. For example, Isabel Meadows is known, in the academic world, as a “Rumsen” informant. In the book, *The Papers of John Peabody Harrington in the Smithsonian Institution 1907-1957*, Isabel is shown in a photograph with Harrington.¹⁸ The caption reads, “Harrington and his long-time Rumsen informant, Isabelle Meadows...” Yet, when she was asked where the Rumsen lived, her answer did not support this assumption:

“Isabelle, April 1935: Another kind of Indians here was rum.cen. These and the guatcarones and eslenes were the Indians here. The white (gente de razon) [people of reason] were called monc. **Has no idea where the rum.cen lived. Very important and carefully heard. No Rumsien at all.** Isabelle, March 23, 1932 **has no idea where the rumcenakay lived.**” (John Peabody Harrington Notes, Reel 72, page 20B. [Emphasis is author’s])

If Isabel considered herself Rumsen, why did she not indicate her own home, or that of her ancestry, as a Rumsen dwelling place? Isabelle Meadows was born in 1846, long after the assimilation of nearby villages. She referred to her people and her language as “Carmeleño” rather than Rumsen or Rumsien, the designation of previous anthropologists.

Isabel Meadows offered further tribal identification of her own lineage:

“Lupecina was Is's mother's mother. She was from Buena Vista (over towards the Sugar Factory) Tomas Cornelio was her husband. They brought from Buena Vista at the same time, estaban. Buena Vista, via Buena Esperansa & Guadalupe are places near together, beyond the sugar factory. It was rancho of Juan Malarin muy antes. Juan Malarin's brother was Moriano Malarin. David Espens (un carm.) later had that ranch. **The people from Buena Vista were of an indiada that were called eselenes. But in idioma eslen.** 13 Mar 1932 (John Peabody Harrington Notes, Reel 72, page 83B. [Lupecina was actually Isabel's mother's grandmother; Emphasis is author’s.]

According to Isabel, how the name *Esselen* was applied is clear:

“**The Buena Vista Indians, these Esselenes,** would go to the mouth of the Salinas River to get clams and would camp there a week, having Indian dances. **The name is eslen,** the plural is es lenakay, **and is a tribe name not a place name.**” (JPH Reel 37, page 667 [Emphasis is author’s.]

Isabel Meadows left no doubt. Here are further notes from Harrington:

“Isabelle Meadows Oct. 1934: Jacinta Gonzales... would say `I am eslén, and a southerner (sureno) (because her father was from the South, he was called Sebastian, **and her mother was eslén, from here, from Buena Vista**,...)” (JPH Reel 37, page 667 [Emphasis is author’s])

Depending on the point of view or agenda of the labeler as well as the historical time reference, California Indians indigenous to the designated “Costanoan” territory have historically been bestowed with many names. Indians indigenous to Monterey County were called Achastiens, Runsienes, Esselenes, Guacharones, Ecclemachs, Sureños and Carmeleños among others. Indians indigenous to San Benito County were called Mutsun, Amah, and Pacines among others. Indians indigenous to Santa Clara and Alameda Counties were called Nepeño, Chocheños, Lisyan, Tamien-e, and Clareños among many others as well.

Conclusion

In addressing the present-day federal recognition process, these Costanoan tribes have been faced with the task of clearing up the confusion. Therefore, as a means of clearly identifying themselves, three separate major tribes, with the label of *Costanoan* peoples, have chosen names that clearly distinguish themselves from each other as distinct historical tribal and cultural groups within this group. And, because of the fact that there exists a history of institutionalized confusion, these tribes chose names that incorporate the legal terminology historically applied to them as well – Ohlone/Costanoan-Esselen Nation, Amah-Mutsun Costanoan/Ohlone Tribe, and Muwekma Costanoan/Ohlone Tribe.¹⁹

In the end, it does not matter most what labels have been used. Neither does it matter most how others may attempt to divide, sub-divide or congeal the Costanoan Indians with their categorizations and classifications. These tribal people know they are the descendants of those Indians who held their respective lands and life ways long before the appearance of the first European. They know they are the descendants of those Indian people, who were affected by the missionization process. They know who they are and who they always will be as aboriginal people.

As required by the criteria of the federal recognition process, each petitioning tribe must demonstrate that they are a distinct group of Indian people. This has been done within the larger so-called “Costanoan” classification.²⁰ In this case, there are three distinct groups of Indian people, three major tribes historically distinct from each other – The Muwekma Ohlone Tribe to the north, the Amah-Mutsun Tribe of the central area, and to the south, the tribe of Esselen Nation.

¹ “A Brief Historic Overview Pertaining to the Federal Status of the Muwekma Ohlone Tribe, Amah-Mutsun Tribe and Esselen Nation - Costanoan Tribal Groups from the San Francisco and Monterey Bay Regions; Tribes that were Administratively Terminated by the Bureau of Indian Affairs in 1927 by Superintendent L. A. Dorrington, Sacramento Agency [A Request for Your Support],” by Alan Leventhal (Tribal Ethnohistorian), San Jose State University; Rosemary Cambra (Chairwoman, Muwekma Costanoan/Ohlone Tribe); Loretta Escobar-Wyer (Chairwoman, Costanoan/Ohlone-Esselen Nation); and Irene Zwierlein (Chairwoman, Amah-Mutsun Costanoan/Ohlone Tribe), May 26, 1993.

² “California Indian Judgment Roll” under Section 1 of the Congressional Act of May 18, 1928, cited from Family History Library (FHL) film #908992, Genealogical Society of Utah, 30 E. North Temple St., Salt Lake City, Utah 84150.

³ *The California Indians, A Source Book*, compiled and edited by R. F. Heizer and M. A. Whipple, second edition, revised and enlarged.

⁴ Correspondence from the US Dept. of the Interior, Indian Field Service, written by L. A. Dorrington, to the Commissioner of Indian Affairs, dated June 23, 1927, National Archives – Pacific Region, San Francisco (SF), R.G. 75, 1000 Commodore, San Bruno, CA 94066.

⁵ Question #10, on the 1928 BIA applications for enrollment, asked, “What is your degree of Indian blood and to what Tribe or Band of Indians of the State of California do you belong?” This question was often answered with the name of a particular mission, e.g. #8100, Dave Machado; #10890, Ella Aquilar; and #8095, Gerbacio Lopez. National Archives – Pacific Region (SF) microfilm series I-32, boxes #24, 32 and 24 respectively.

⁶ Question #12, on the 1928 BIA applications for enrollment, asked “Give the names of your California Indian ancestors living on June 1, 1852, through whom you claim, who were parties to any Treaty or Treaties with the United States...” One column, provided for these answers, was entitled “Tribe or Band.” This question was also often answered with the name of a particular mission, e.g. #8108, Isabel Meadows, National Archives – Pacific Region (SF) microfilm series I-31, box #24.

⁷ Mission San Carlos Borromeo de Carmelo, Baptism Register, FHL film 913159.

⁸ 1928 BIA application #8108, Isabel Meadows, pg. 2, questions #10 and #12, National Archives – Pacific Region (SF) microfilm series I-32, box #24.

⁹ 1928 BIA application #10298, for Lucas Marine, Pg. 2, National Archives – Pacific Region (SF) microfilm series I-32, box 31.

¹⁰ 1928 BIA application #10299, for Joseph Francis Aleas, Pg. 2, National Archives – Pacific Region (SF) microfilm series I-32, box 31.

¹¹ 1928 BIA application #10300, for Bell Nichols, Pg. 2, National Archives – Pacific Region (SF) microfilm series I-32, box 31.

¹² 1928 BIA applications #8419, 10293, 10294, 10296, 10297, 10298, 10299, 10300, 10301, 10637, 10675, 10676, 10677, 10678, 10679, 10680, 10681 & 10682, National Archives – Pacific Region (SF) microfilm series I-32, boxes 25, 30 & 32.

¹³ “Statement of an Ohlone Indian,” dated 19 Jul 1966, by Philip Galvan, found in Rupert Costo Collection, Special Collections, UC Riverside, CA

¹⁴ For clarity, although I have performed tribal genealogical services for the Muwekma Ohlone Tribe, the position is not a formal appointment but the result of a paid commission.

¹⁵ Many Indians have more than one Indian village group from which they descend. Hence, there are several tribal members of the Amah-Mutsun Tribe who are descended from Esselen ancestors as well as tribal members of the Esselen Nation who are descended from Salinan ancestors. Some tribal constitution and enrollment policies disallow a dual tribal membership; therefore, each individual, who has more than one tribal connection, must choose one over the other to qualify for tribal membership with a particular tribe. Therefore, the associated mission, of the chosen lineage, demonstrates the geographical location of that particular ancestry and tribe.

¹⁶ Having been the tribal genealogist for Esselen Nation and Muwekma Ohlone Tribe, and as such, performed genealogical services for all three mentioned tribes, I have seen proof of the lineages which demonstrate this fact although I am not a liberty to thoroughly discuss these lineages due to privacy issues. However, as a tribal genealogist, it has been my responsibility to provide this proof to the federal government as required by the genealogical criteria of

the Federal Recognition Process for unacknowledged tribes.

¹⁷ *The Costanoan Indians, The Indian Culture from the Mouth of the Sacramento River, South of Monterey and Inland Past the Salinas River*, edited by Robert F. Heizer, UC Berkeley Local History Studies, Vol. 18, Pgs. 2-3, UC Berkeley, Berkeley, CA 94720-6000.

¹⁸ This book, *The Papers of John Peabody Harrington in the Smithsonian Institution 1907-1957*, Vol. 2, edited by Elaine L. Mills, is the companion to the hundred reels of microfilms that were taken of J.P. Harrington's field notes during his crusade to salvage the remnant of California Indian languages. These films are currently on file at the Clark Library, San Jose State University, One Washington Square, San Jose, CA 95192.

¹⁹ Leventhal, et al, "A Brief Historic Overview Pertaining to the Federal Status of the Muwekma Ohlone Tribe, Amah-Mutsun Tribe and Esselen Nation - Costanoan Tribal Groups from the San Francisco and Monterey Bay Regions; Tribes that were Administratively Terminated by the Bureau of Indian Affairs in 1927 by Superintendent L. A. Dorrington, Sacramento Agency [A Request for Your Support]."

²⁰ As of the writing of this paper, the Bureau of Acknowledgment and Research (BAR) made a final positive determination of previous unambiguous federal recognition for the Muwekma Ohlone Tribe. The other two tribes are currently applying for a similar determination under the guidelines set forth in the 25 CFR 83.8 (BAR draft report, "Working Paper on Previous Acknowledgment in California, 1887-1933").