

10-1-1996

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Recommended Citation

Forest, Suzanne. "A Trail of Tangled Titles: Mining, Land Speculation, and the Dismemberment of the San Antonio de las Huertas Land Grant." *New Mexico Historical Review* 71, 4 (1996).
<https://digitalrepository.unm.edu/nmhr/vol71/iss4/4>

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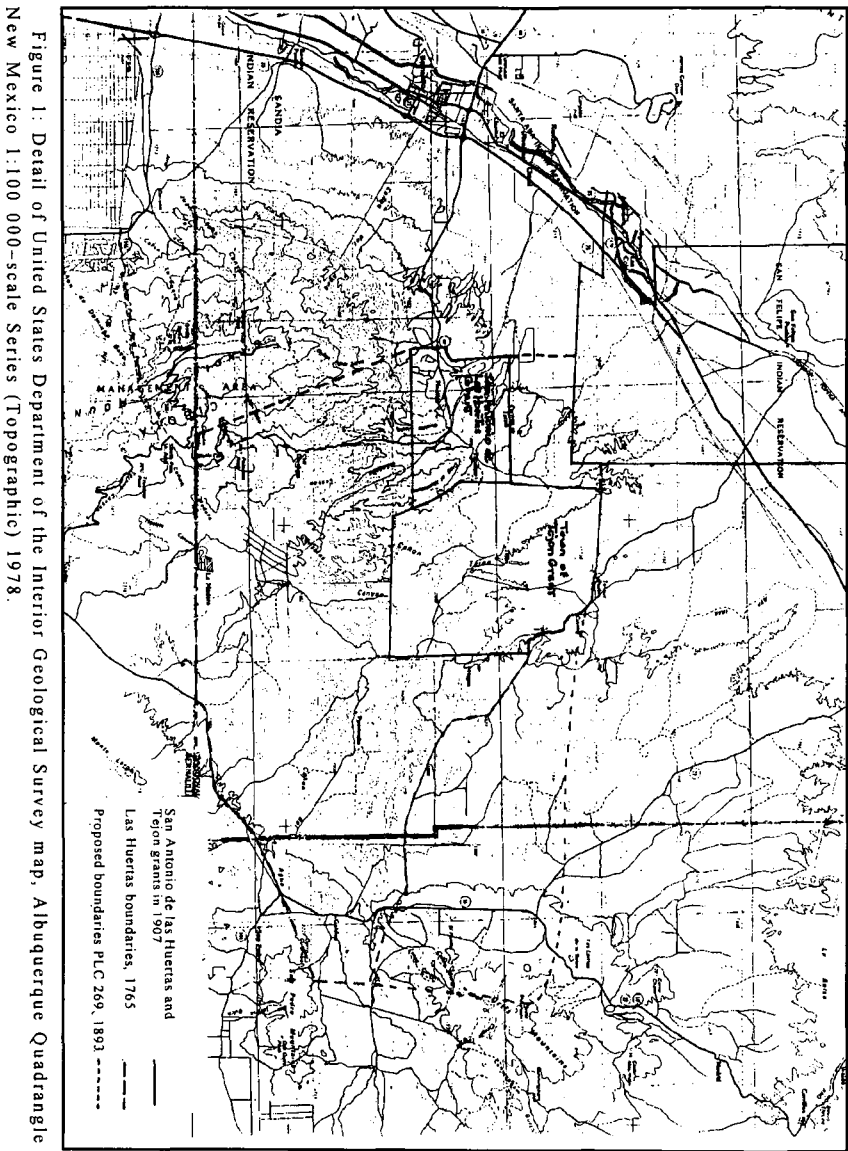
A Trail of Tangled Titles: Mining, Land Speculation, and the Dismemberment of the San Antonio de las Huertas Land Grant

SUZANNE SIMS FORREST

The San Antonio de las Huertas land grant is one of a handful of New Mexican community grants that has survived to the present day.¹ It is identified today with the village of Placitas (or Las Placitas as it was known in earlier times), a small Hispanic community at the north end of the Sandia Mountains about twenty miles north of Albuquerque. Both the grant and the area are named after Las Huertas Creek and Canyon. Protected by the high ridges of the Sandia Mountains, and fed by numerous springs, Las Huertas is known for its beauty. Today, however, few people know about the old Montezuma Mine in Las Huertas Canyon, or that during the second half of the nineteenth century over \$50,000,000 in coal, copper, silver, lead, and gold was extracted from the nearby mountains.² These mines were originally part of the San Antonio de las Huertas land grant (figure 1).

Much has been written about land speculation for timber and grazing resources on the large grants awarded by Mexican Governor Manuel Armijo.³ Considerably less is known about New Mexico's mining history and the speculation for mining claims that occurred throughout most of the nineteenth century.⁴ The Las Huertas grantees were not only caught up in the fight for the area's mineral wealth, but two later grants, the San Pedro grant and the town of Tejón grant, were carved out of their land holdings. The diminished tract of land incorporated in 1907 as the Las Huertas community grant exists today only by virtue of three significant

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facts: the area confirmed in 1907 contained no mineral prospects of any value; the mining boom had ended by that time; and according to the terms of the patent, the government reserved title to any mines of gold, silver, and quicksilver.⁵

The principal player in this drama was an influential *politico* by the name of José Serafín Ramírez. Operating during the last years of the Mexican administration and the early years of United States rule, Ramírez made the transition with ease and found great monetary opportunity in the process. Treasurer of New Mexico during the Manuel Armijo administration, attorney, businessman, sheep rancher, and mining speculator, Ramírez played the land grant game with consummate skill, most likely in association with fellow politicians from the Armijo administration, Donaciano Vigil and Antonio Sandoval, prefect of the Second District of New Mexico, and Ramírez's son-in-law and mining partner.⁶ The trail of tangled titles Ramírez left paved the way for more than a century and a half of land grant litigation and the dismemberment of the San Antonio de las Huertas land grant.

The area that comprises the San Antonio de las Huertas land grant has a long history. The Ortiz Mountains contain the oldest mining district in the United States. Pueblo Indians began mining turquoise near present-day Cerrillos as early as A.D. 1050. From A.D. 1300–1700, Indians also mined lead ores which they used on glaze-decorated pottery.⁷ The Spanish explorers who arrived in New Mexico during the middle and late 1500s secured mineral samples from various mine localities. When these samples assayed well in silver the search for more began.

In 1598 Juan de Oñate, a prominent resident of the silver mining town of Zacatecas in Mexico, received permission from the authorities in Mexico City to colonize the area. His immense interest in the new colony's mineral deposits led to his visiting the mines near Cerrillos within a week of founding the first settlement at San Gabriel on 18 July. In October, Oñate traveled south another ten miles to the pueblo of El Tuerto located near present day Golden, New Mexico. There he must have found more mineral deposits because by 1601 his close associate, Vicente de Zaldívar, was there for the purpose of crushing and smelting copper ore.⁸

By 1610 the Spanish authorities had decided that the New Mexico mines were marginal and most mining for precious metals ceased; however, mining for lead and copper continued because of domestic needs.⁹ Excavations of four smelter sites near Golden revealed Rio Grande glaze-paint pottery characteristic of the mid-to-late-1600s in association with ore fragments, slag, metal, and burned adobe. These remains provide evidence of what may be the earliest lode mining for extraction of metals in the western United States. They also indicate that Spanish colonists were mining and smelting ore from the San Pedro Mountains prior to the

Pueblo Revolt.¹⁰ The mining activity in the area was sufficient to inspire the Spanish friars to found a mission named San Pedro del Cuchillo near the pueblo of El Tuerto in 1661. Although abandoned only a few years later in 1670, the mission gave its name to the San Pedro Mountains and to the mining community south of Golden that supported copper mining in the San Pedro range.¹¹

While there exist very little data from the pre-Pueblo Revolt period, evidence shows that in the 1660s a colonial official named Diego de Trujillo made his home on an *estancia* on the west side of the Sandias, that he called "Paraje de Las Huertas."¹² *Paraje* means "stopping place," and the name suggests that Trujillo built his home on or near the crossing of two ancient trails through the mountains. Besides farming and raising livestock, he may have worked one or more mines in the Las Huertas area for silver and lead.¹³

Trujillo fled New Mexico at the time of the Pueblo Revolt and died at Casas Grandes, Mexico in 1682. His grandson, Juan de Trujillo, returned to New Mexico with the Reconquest, but did not reclaim the family lands.¹⁴ Probably Las Huertas was too vulnerable to attack by the fierce Faraon Apaches, who entered the Rio Grande valley by way of the trails that crossed the north end of the Sandias. They regularly raided the pueblos and wrought havoc in the countryside.

Despite the threat of Indian attack, by the mid-eighteenth century other Spanish settlers were interested in the Las Huertas valley. In 1765 a resident of Bernalillo named Juan Gutierrez appeared before Governor Tomás Vélez Cachupín on behalf of himself and eight other heads of families to request a tract of land at the place commonly called Las Huertas. His petition stated the boundaries to be: "on the East, the brow (*ceja*) of the mountain on the San Pedro road; on the West, some high hills pertaining to Las Huertas aforesaid; on the North, the brow of the Casa Colorado Mountain; and on the South a red hill." Gutierrez noted that these boundaries injured no one and that there was sufficient water and cultivable land for eight families "as in former times the said place was settled by *vecinos*."¹⁵ Upon receipt of the petition, Vélez Cachupín directed Bartolomé Fernandez, alcalde mayor of Santo Domingo Pueblo, to investigate whether such a grant would infringe upon the Indians. Fernandez reported that he found no impediment. Despite the lack of dissent, Vélez Cachupín did not award the requested tract of land.¹⁶

In 1767 a group of settlers represented by Andrés de Aragón resubmitted the request for land at Las Huertas to Governor Pedro Fermín de Mendingueta who had succeeded Vélez Cachupín. Gutierrez was no longer listed among the petitioners, and the settlers clearly desired a community grant. Mendingueta reviewed the documents submitted to his predecessor and without further examination declared that, in the name of His Majesty, the settlers were awarded a grant of land to be known as San

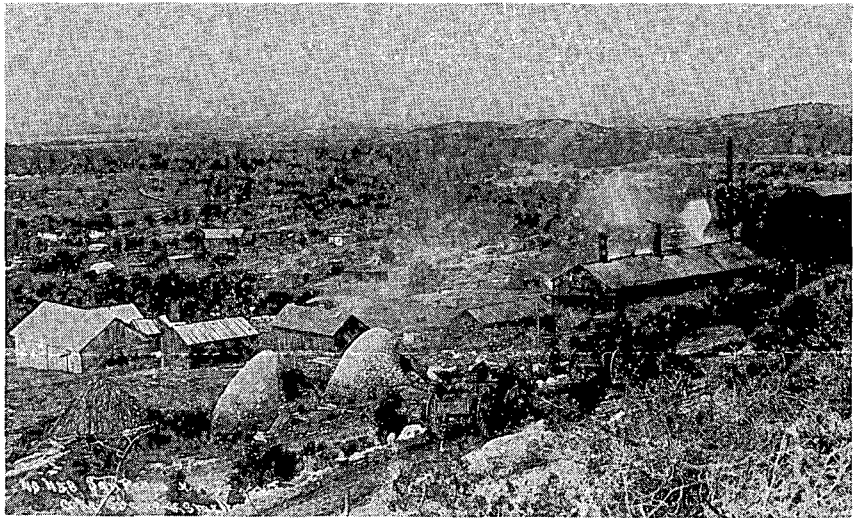
Antonio de las Huertas.¹⁷ The Governor noted one very important change. Due to the increased number of families listed in the second petition and because expansion to the north, west, and south would infringe on the Pueblos of San Felipe and Santa Ana, and the settlers of Bernalillo, he declared that he would extend the eastern boundary. The Act of Possession took place on 13 January 1768. Alcalde Mayor and War Captain Fernandez assembled the residents of the settlement and informed them of the decree. Then he conducted a tour of the land, pointing out the boundaries and directing them to set up markers. The settlers plucked up weeds and cast stones as a sign of possession, and all shouted three times, "Long live the King, and may God preserve him." With that ceremony the residents of San Antonio de las Huertas took possession of their land. The boundaries of the 1767 grant, as defined in the Act of Possession, were essentially the same as those noted on the 1765 grant papers with the possible exception of the eastern boundary. By the time that document came to be examined by a court of law, it was torn at precisely the point where the eastern boundary was set forth. The boundaries were described as follows:

on the north the brow of a hill near the town (alluding to Las Huertas) and which stretches to (*y corre hasta*) a sharp crested hill (*crestón*) adjoining the watering place (*aguaje*) commonly called Uña de Gato; on the south some red hills forming a ridge (*cuchilla*) at the point of the Sandia Mountain; on the east the place commonly called [torn]; and on the west some high hills (*lomas altas*) adjoining the place commonly called the Plazitas (sic).¹⁸

The boundaries as set forth in the two documents, to the extent that they can be deciphered, are not particularly obscure. The southern boundary of red hills and a ridge running to a peak in the Sandias can be seen by any visitor entering the Placitas area from the west on Highway 165. The Lomas Altas to the west of the village of Placitas now comprise the real estate development called "The Overlook." The eastern boundary of the 1765 petition described as the "brow of the mountain on the San Pedro Road" carried the grant lands to the ridge of the San Pedro Mountain, since it clearly refers to the aboriginal trail connecting the old pueblo of El Tuerto with the Rio Grande pueblos of San Felipe and Santo Domingo. This road is indicated on a map drawn in 1779 by the cartographer Bernardo Miera y Pacheco, who was himself a resident of the area.¹⁹ The road follows the Arroyo del Tuerto across the north end of the Sandias, to the Arroyo Uña de Gato and then to San Felipe by way of the Arroyo Tonque. The road was used by Las Huertas residents until late in the nineteenth century as the shortest and easiest route to the mis-



Unidentified miner washing placer gold, Golden, New Mexico, n.d. Detail of original photograph. Courtesy of the Museum of New Mexico, neg. no. 154787.



Coke ovens and smelter, San Pedro, New Mexico, ca. 1886. Detail of original photograph by J.R. Riddle. Courtesy of the Museum of New Mexico, neg. no. 76121.

sion church of San Felipe, to which all had to go for sacraments such as baptism, marriage, and burial. It is still noted on contemporary geological survey maps as a primitive road. The northern boundary follows a ridge of hills connecting the Uña de Gato spring with the boundary of the San Felipe Pueblo Indian reservation.

While the Las Huertas grant, as delineated by the boundaries proposed in 1765, seems huge compared to the area patented and incorporated in 1907, it was not large for community grants made during the Spanish period.²⁰ In all likelihood the 1767 grant was even larger. If Governor Mendinueta extended the grant to the east, as he promised he would, it would undoubtedly have included additional parts of the Ortiz Mountains. Although residence in the area was extremely hazardous due to attacks by Apaches, the Las Huertas residents would have benefitted from the deposits of silver, lead, and gold. Lode gold had been located and assayed as early as 1722 in the Cerrillos area and deposits of silver, copper, and mercury were reported during the administrations of both Governors Vélez Cachupín and Mendinueta.²¹ Whatever the case, there can be no question that the Las Huertas grantees knew the extent of their lands.²²

There exists little evidence describing the activities of the Las Huertas settlers in the years immediately following the awarding of their grant. Presumably they kept close to their walled village of San José for protection against marauding Indians.²³ There is no question, however, that they clung tightly to the land and did not abandon it until required to do so. Several documents in the Spanish archives indicate activities, including lead mining, in the village and the immediate area between 1767 and 1818.²⁴

Indian depredations became even worse after Mexico won independence from Spain in 1821. Lacking an army with which to defend the many isolated villages, Mexican Governor Antonio Vizcarra ordered the Las Huertas settlers to abandon their homes and fields in 1823 and take refuge with friends and relatives in the better protected areas along the Rio Grande. The settlers complied, but only with deep regret and a fierce determination to return as soon as conditions allowed.²⁵

Within the space of a dozen years many Las Huertas settlers were once more living on their grant lands, drawn perhaps as much by the lure of mining possibilities as by the agricultural and grazing resources. According to oral tradition, the settlers left the old walled village of San José, abandoning it after a severe drought dried up many of the springs in the area. Sixteen families moved a mile south to a place known from ancient times as Las Placitas. They named their village San Antonio de Padua de las Placitas. Other families established homes about a half mile east along Las Huertas Creek at a place they called Tecolote. Still others, represented by Jesus Miera and Ramón Gurulé, may have returned to

lands occupied earlier on the east side of the Sandias. According to Placitas oral tradition, Gurulé settled briefly at San Pedro, then sold his land to José Serafín Ramirez and moved a few miles west to found the village of La Madera.²⁶

Sometime before 1840 a fourth group of Las Huertas settlers moved about four miles northeast of old San José to a flat, fertile, well-watered tract known as Tejón. Located on an ancient trail through the mountains, Tejón was ideally situated for trade. For years buffalo hunters had passed through on their way to the staked plains, and by 1840 it had become a stopping point on a southern extension of the Santa Fe Trail from Las Vegas to Bernalillo and Albuquerque. Coal mines had been discovered nearby so mining possibly was another motive for the settlement.²⁷ Finally, around 1860, when the springs in the Las Huertas Canyon began to flow again, a group of Las Huertas settlers moved up the canyon to a place just below the old Montezuma silver and lead mine. Someone built a small stone house over the spring that watered the area to protect it from being muddied by animals, and the area became known as Ojo de la Casa.²⁸

Land speculation in the area may have begun as early as 1820 after placer gold was discovered at Real de Dolores in the Ortiz Mountains, twenty-five miles south of Santa Fe.²⁹ Placer mining offered an opportunity for economic independence for many small farmers who had been forced into service with a patron in exchange for protection from Indian attacks. With little experience and no more investment than a spade and wooden bowl, an individual could accumulate significant quantities of precious metal. Water for the process could be obtained from melted snow, so placer mining provided both a source of revenue and an occupation for farmers during the winter months.³⁰ The placer deposits produced several million dollars in bullion during their initial exploitation and caused a significant boom. In 1839 more placer gold was discovered in the area around San Pedro. The two areas were known by many different names, but were most generally differentiated as the Old Placers (Cerrillos area) and New Placers (San Pedro area).³¹

Shortly after gold was discovered at New Placers, Ramirez began to take control of mining areas in the Sandia, San Pedro, and Ortiz Mountains. His first target was the New Placers near San Pedro. Documents submitted in 1856 to Surveyor General William Pelham, together with others related to a series of civil court cases during the 1840s, describe Ramirez's actions and the many dubious transactions related to his acquisition of the San Pedro grant. It must be emphasized at the outset that there is no evidence for the existence of either of the two San Pedro grants except in documents and testimony that Ramirez personally submitted to Surveyor General Pelham.

The story presented to Pelham began with a petition directed to Prefect Antonio Sandoval from Miera and Ramón Gurulé for themselves and on behalf of twenty other settlers of Las Huertas residing in Algodones. In this petition, dated 16 August 1839, the settlers stated that they had no land to cultivate on the banks of the Rio del Norte and asked for a tract of vacant land known as San Pedro Rancho at the base of the San Pedro Mountain. They stated that they had possessed this land for more than forty years, but had been forced to vacate it in 1823 by Governor José Antonio Vizcarra.³² They claimed this land not by virtue of the Las Huertas grant, however, but by a later San Pedro grant purportedly awarded to the settlers of Las Huertas by Governor Facundo Melgares on 26 February 1820. The petition explained that, while the San Pedro settlers no longer had a certified copy of the 1820 Melgares grant in their possession, because it had been claimed from them by Governor Melgares, the original was on file in the departmental archives. The petitioners claimed the boundaries of the 1820 San Pedro grant to be: "on the north the terminus of the league of San Felipe; on the south, the Cañon del Agua; on the east the Ojo del Tuerto and its common; and on the west, the banks of the Del Norte River." The San Pedro Rancho grant petition requested a much smaller tract of land but, significantly, one which included the El Tuerto-San Pedro mining area with its placer deposits. Its boundaries, as stated in the 1839 petition were: "on the north, at the outlet of the Arroyo de Chimal; on the east, at the little mountain on a line with Ojo del Tuerto; on the south, at the outlet of the Arroyo de San Antonio; and on the west, at the Sandia Mountain."³³

The most puzzling feature of the alleged 1820 San Pedro grant is that it was purportedly awarded to the Las Huertas settlers. The claimed boundaries encompassed all of the 1767 Las Huertas grant plus lands to the west that encroached upon the earlier town of Bernalillo grant. There are many cases of overlapping grants in New Mexico land grant history, but if such a grant had been made it certainly would have been remembered and protested by the Las Huertas settlers. No record, neither in the documents, nor in the oral history, exists of such protest. When protest did occur, it was only in the 1840s in response to the alleged 1839 grant.³⁴

According to other documents submitted by Ramirez, Sandoval referred the petition to the justice of the peace of Bernalillo, Pedro José Perea, on 17 August 1839. On 22 August, one week after submission of the petition, Perea reported to Sandoval that the petition was for a grant "at San Pedro which is situated on the edge of the mountain called Sandia, distant from Bernalillo four leagues to the east," that the distance from point to point of the new commons was one-and-one-half leagues from south to north and one league from east to west, and that the persons contained in the submitted list were well behaved. Although Perea re-

ferred to a list of interested persons, no list was attached. The following day Prefect Sandoval directed Perea "to place the grantees in possession, on condition that lands may be given to them for cultivation without injury to any third party."³⁵ As yet, no grant for any particular quantity or by any particular boundaries had actually been made.³⁶

Before possession was delivered four individuals objected to the proceedings. There is no record of a lawsuit, but the objectors are mentioned in a letter dated 4 March 1840 from Justice of the Peace in Sandia Antonio Montoya to Secretary of Government Guadalupe Miranda asking him to proceed to apportion land at San Pedro. According to Montoya: "Objection has been made by four individuals saying only that damage will be caused to the lands. I do not see what it could be; I think that it is or may be that which they intend to cause to the interested parties."³⁷

In the meantime, three of the claimants, one of them Ramirez's father, Antonio, filed suit against Juan Armijo, a resident of the san Pedro Placer, for the lands at San Pedro. The suit states that:

In order to ascertain who are the owners of land there and if they will contribute in paying the expenses which may be incurred in said suit, that they subscribe for that purpose and also to ascertain those who relinquish their rights thereto, thereupon this order is issued for the purpose of ascertaining the same.³⁸

Eight grantees were listed as having contributed to the suit, three as having relinquished their rights, among them Jesus Miera, one of the two principal settlers listed in the 1839 petition.

The lengthy suit was settled on 26 November 1844 through a compromise between Ramirez and Armijo. With this, Ramirez, representing the alleged grantees, appealed to Perea, then acting justice of the peace at Sandia, for revalidation of a document which he said was issued to them by his predecessor, Antonio Montoya, in 1840.³⁹ Perea granted them possession of the lands with certain conditions, among them that they were prohibited from disposing of them before the expiration of five years. Perea's revalidation was accompanied by a document dated 27 November 1844 listing the individuals who were to possess the lands at San Pedro, noting that each was to receive 300 varas of land for cultivation, with 19,000 varas to be kept in common for pasture. Not surprisingly, those receiving land were only those who had contributed earlier to Ramirez's law suit against Armijo.⁴⁰

The following year, on 29 November 1845, Ramirez represented himself and the San Pedro grantees before Governor Armijo to request the revalidation of the grant which he claimed Armijo had given in March 1840. He also asked for a southern extension of the grant to "Las

Lagunitas de los Indios" and the "ceja de los Facunditos," a tract amounting to 5,000 varas. In reference to the missing grant, Ramirez explained that it had not been attached to the other grant documents, "through the neglect of Don Antonio Montoya, Justice of the Peace." Armijo sent the petition to the Departmental Assembly the same day. That body approved a request from the San Pedro settlers, but the document is dated 26 November 1845—three days before Armijo submitted Ramirez's petition for revalidation of the grant and its extension.⁴¹

Virtually everything about the San Pedro grant bespeaks a fabrication by Ramirez, but Ramirez could not have done it alone. He needed help from high placed friends such as Prefect Antonio Sandoval, Justices of the Peace Perea and Montoya, and Armijo's secretary, Donaciano Vigil.⁴² He must also have had the cooperation of members of the land grant community itself, upon whose cupidity he played with devastating results. They may well have been pawns, not envisioning the long-term consequences of their actions until it was too late. But they had to have been willing pawns, ready to cooperate with Ramirez for the immediate gains he held out to them—confirmation of a more personal claim to a particular section of the Las Huertas grant so that they could get title to its mineral resources, or so that they could sell portions of the grant for highly desired cash. G. Emlen Hall has shown that the value of land had already changed by the 1820s, from a source of subsistence to a commodity that could be exchanged for other things of value.⁴³ It would be simplistic to think that this change affected only the upper classes. It surely penetrated all levels of New Mexican society—a miasma rising from the grass roots that, aided and abetted in time by Anglo entrepreneurs, eventually poisoned the entire community land grant system.

As would be expected, Ramirez's actions met with resistance from some Las Huertas settlers.⁴⁴ The record is sketchy, but it appears that in 1846 Ramirez physically ejected all the settlers who had not contributed to his lawsuit from their lands at San Pedro. They filed suit against him from their refuge in Algodones. Judge Trinidad Barcelo of the Real de Tuerto issued an interlocutory decree declaring that the lands in controversy at San Pedro belonged to the settlers at San José de las Huertas.⁴⁵ Ramirez responded by spreading false accusations against Barcelo, so many that the judge asked for redress from Governor Armijo in a letter dated 23 October 1846. Disputing the charges made against him by Ramirez, Barcelo declared that he had recognized as legal the original power given to Miera by the settlers of San José de las Huertas on 11 August 1832 by Fernando Aragón, alcalde of Sandia, and confirmed on

4 July 1845 by Judge and Prefect of the First Instance, Francisco Baca y Torrez. He also reported that Prefect Sandoval had barred Miguel Antonio Lovato, attorney for the residents of San José de las Huertas, from practicing in his district.⁴⁶

On 24 February 1847, attorney Lovato brought the case to the Santa Fe District Court. Speaking for the San José de las Huertas grantees, he submitted a sworn statement that Ramirez had clandestinely and in bad faith taken possession of their lands in defiance of Judge Barcelo's ruling and asked for a speedy verdict that would free the lands taken from them by a trick played upon Prefect Sandoval. In June of the same year José Maria Miera petitioned Judge Joab Houghton for a writ of ejectment against Ramirez, charging him with having forced him and other residents of San Pedro off their land at gunpoint. Despite their pleas, a jury found in favor of Ramirez on 1 January 1849.⁴⁷

Ramirez, however, had left his biggest and boldest trick for last. Between 1846 and 1856, he purchased or inherited the interests of the eight remaining San José grantees with the exception of a small parcel in the possession of his father, Antonio. That done, he petitioned Surveyor General Pelham on 27 January 1857 for confirmation of the San Pedro grant to him as its sole possessor. Claiming to have a perfect title to the tract of land known as the Rancho de San Pedro, Ramirez cited its boundaries to be those of the 1820 San Pedro grant that encompassed *all* of the lands awarded in 1767 to the settlers of Las Huertas.⁴⁸ Pelham held a hearing on 23–24 July 1857, and based on testimony from five witnesses that the grant papers and deed were genuine and that Ramirez had held quiet and peaceful possession since 1848, found the grant to valid. Congress confirmed the grant on 21 June 1860.⁴⁹ The grant was surveyed in August 1866 for 35,911 acres.⁵⁰

Ramirez's dubious acquisition of the San Pedro grant was just the beginning of his speculative activities. On 12 February 1844, he petitioned Governor Mariano Martinez for a tract of land known as the Cañon del Agua, described as being located about a league from the Real de San Francisco near the El Tuerto placer mine. He based his claim on the fact that he had inherited a mine on that property from his grandfather. Martinez sent the matter to the departmental assembly and upon their recommendation issued the grant on 13 February 1844. Ramirez presented his claim to Pelham on 20 December 1859, filing the testimony of the grant as evidence of his title. Pelham held a brief hearing, questioned two witnesses, and recommended confirmation of the land. He took no action on the mine, holding that he had no authority to adjudicate that portion of the claim. Congress confirmed the grant on 12 June 1866. The grant was surveyed for 3,501 acres in August 1866 and patented based on this survey in July 1875.⁵¹ Ramirez sold the grant to a mining com-

pany called Cooley, Kitchens, and Company in 1866 for \$40,000.⁵² It was later established that Ramirez had conspired with the Cooley, Kitchens, and Company to fraudulently relocate the boundaries of the grant so as to include a highly desired copper mine.⁵³

Ramirez's next target was the neighboring tract of land on the San Antonio de las Huertas grant known as Tejón. Representing himself and the residents of Tejón, Ramirez requested confirmation of the town of Tejón grant. The court records reveal what may be one of the shortest legal proceedings in the history of New Mexico. On 8 January 1856, a resident of Tejón named Salvador Barreras petitioned Pelham for confirmation of the town of Tejón grant. Barreras had none of the original grant papers. Ramirez explained that the title was inchoate owing to the fact that the petition and other documents had been lost after the American occupation. In support of his petition, Barreras presented a document purportedly written in November 1840 certifying that Alcalde Antonio Montoya of Sandia Pueblo had examined the records in his office and certified that a tract of land at Tejón and Tunque [sic] had been granted to Barreras and his associates by his predecessor. As with the San Pedro grant, Ramirez did not list the names of any of the other grantees and he presented only two witnesses—himself and one Ynés Armenta. Despite these deficiencies, and evidence consisting only of testimony to the effect that the town of Tejón had been in existence since before 1846, Pelham found the grant to be valid.⁵⁴ Pelham transmitted his recommendation to Congress, which confirmed it on 21 June 1860.⁵⁵

From the lack of evidence presented in support of the Tejón grant it appears that it, like the San Pedro grant, was a fraud concocted by Ramirez. The motive for acquiring it was undoubtedly the coal deposits known to exist on the property.⁵⁶ Ramirez presented the petition in the name of one principal settler. Though Barreras signed for himself on behalf of all other settlers, Ramirez apparently wanted to make it ambiguous enough that he could declare at a later date that it was a private grant to Barreras, rather than a community grant to all the settlers at Tejón. His intent, as with the San Pedro grant, was clearly to acquire the interests of Barreras and then claim the entire grant as his sole property. Although Ramirez's personal record ends with his death in 1869, his machinations were not without the desired effect in the later history of the town of Tejón grant.⁵⁷

On 10 January 1862, some years before Ramirez died, he petitioned Surveyor General John A. Clark for confirmation of the San Antonio de las Huertas grant "as present claimant."⁵⁸ Ramirez did not list the Las Huertas grantees or claim to represent them. He apparently based his right to the land on his recently confirmed title to the San Pedro grant. It is doubtful if the Las Huertas settlers knew the full intent or implications

behind Ramirez's petition, but one settler by the name of Lucas Gurulé did know that it had been filed. According to testimony he gave in 1881, he saw the Las Huertas grant papers in Ramirez's office sometime about 1861.⁵⁹

Whatever Ramirez's plans, the petition lapsed and nearly twenty years passed before it was reactivated. Ramirez may have turned his attention away from the Las Huertas grant when the Cooley, Kitchen, and Company became interested in buying both his San Pedro and Cañon del Agua grants. On the other hand, because of the Civil War, Indian hostilities, and a law of 2 June 1862 requiring private surveys to be made at the expense of the claimant, no grants were disposed of during the terms of Surveyor General Clark, who assumed office in October 1861, or his successor Benjamin Cutler, who died in October 1868.⁶⁰

On 12 May 1881, the law firm of Chaves and Wade resubmitted the petition for title to the Las Huertas grant filed by Ramirez in 1862. This time the settlers of Las Huertas were surely aware of the petition and eager to get clear title to their land. That included the settlers at Tejón, who must have felt their claim to the town of Tejón grant was threatened. In the extensive testimony taken in preparation for the hearing before the surveyor general, they insisted that the settlers at Tejón held title to their land under the Las Huertas grant. The Las Huertas settlers had good reason to be concerned. The mining boom throughout the area had brought prospectors and land speculators eager to buy up land and mining claims. It had even brought a gold rush to Placitas in the 1870s that involved New Mexico's Territorial Governor Lew Wallace as one of the speculators.⁶¹ While Ramirez was identified as one of the representatives of the original grantees, the grant as resubmitted was on behalf of "the heirs, assigns and legal representatives of Andrés Aragón et al."⁶²

The testimony makes abundantly clear that mining was very much a motive in wanting to get the grant approved. A newly prepared sketch map submitted with the petition showed the mining area known as the Real de Dolores in the Ortiz Mountains to be on or within the eastern boundary of the Las Huertas grant. There are so many inaccuracies in the map, however, that it is doubtful if anyone really familiar with the area made it (figure 2).⁶³

Testimony revolved about two main issues: the legality of the grant papers, since the originals were missing from the Spanish and Mexican Archives; and the exact location of the eastern boundary. Since the eastern boundary awarded in 1767 was illegible on the judicial act of possession, that boundary, so important because of the existence of mines on the east side of the grant, had to be established by oral testimony.

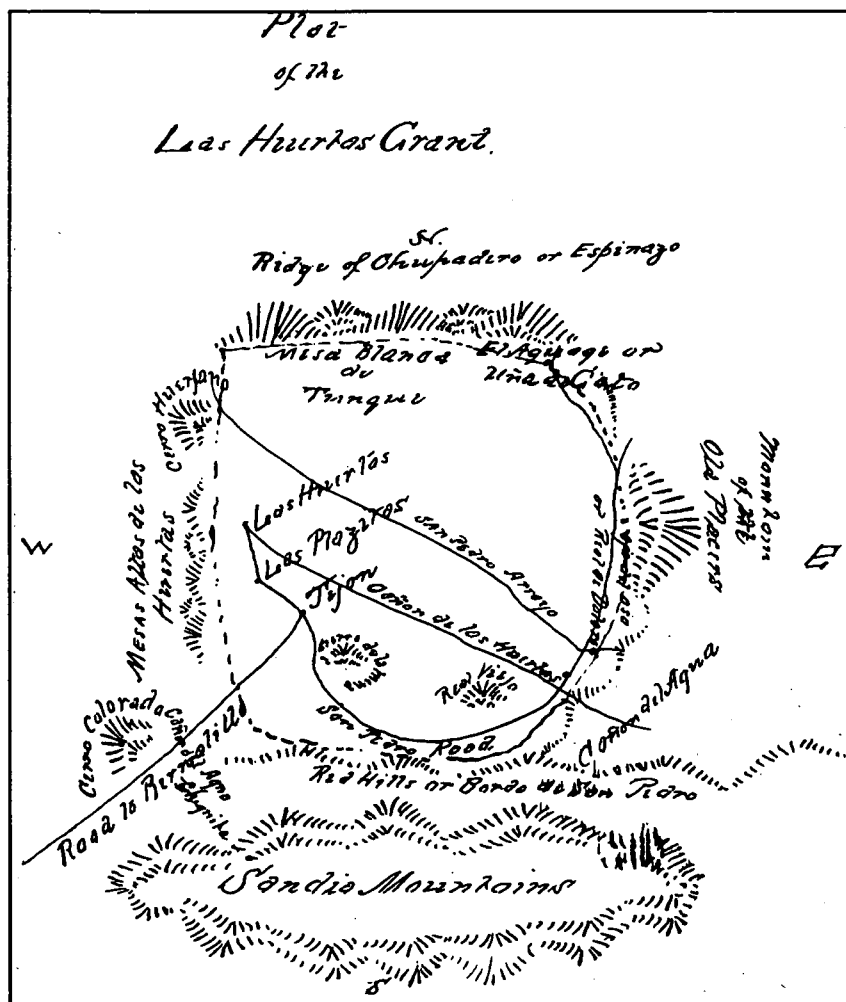


Figure 2: Sketch map of the Las Huertas grant submitted with the 1881 petition. Land Grant Records, Surveyor General Report 144, NMSRCA.

Three witnesses were called: Lucas Gurulé, a well-respected leader of Placitas but by then an old man of eighty-three years; José Aragón of Tejón, age fifty-five; and Antonio José Gallegos of Tejón, age thirty-six.⁶⁴ Gurulé swore that the documents filed by Ramirez in 1862 were copies of the original grant papers despite the fact that they bore no official seal and were not on stamped paper. Gurulé testified that he had seen the entire *expediente* in 1821 because an inspector general had been sent from Mexico to check on the status of the old Spanish land grants. Gurulé and other Las Huertas grantees had met with the inspector general to settle a dispute with Apache Indians over the use of their

hunting grounds. Gurulé had met the inspector at the Palace of the Governors in Santa Fe, and they had inspected the Las Huertas grant documents. One paper, Gurulé declared, bore a large seal and the others bore marks. He said he could testify to the correct boundaries of the grant because he had heard the grant read. In addition, the inspector general had returned to Placitas where he had led Gurulé and sixteen other Las Huertas settlers on a tour of the grant lands, pointing out the natural objects that marked the grant's boundaries. Gurulé swore that he had seen the grant papers at three later times: in the office of the surveyor general when he was given a certified copy of the grant; about 1861 in the office of Ramirez; and about 1872 in the home of José Leandro Perea, a wealthy sheep rancher in Bernalillo. Although Gurulé could not read the documents shown him at the trial because of his poor eyesight, he swore that when he was younger he "could read, and write a little."⁶⁵

All three witnesses testified that the landmarks identifying the eastern boundary of the grant were the Cañon del Agua and the Ojo del Oso (Bear Spring) or, as it was better known in 1881, the Real de Dolores (a gold mining camp) in the Ortiz Mountains; and that the boundary on the south was the southern boundary of the San Pedro grant. They agreed that there were mines and miners on the grant, and each witness gave, in his own words, a description of the location of the old San Pedro Road.⁶⁶

Despite the extensive testimony, the petition did not come up for a hearing. In 1885 Surveyor General George Julian arrived in New Mexico determined to clean up the notorious mess left by his predecessors. Finding the still unconfirmed petition for the Las Huertas grant among his files, Julian wrote the claimants' attorney to ask if the latter wished to submit any further evidence in connection with the case. The attorney advised Julian that he had withdrawn from the case and intimated that the case "could not be won owing to defects in the proof as to the boundaries."⁶⁷

Julian reviewed the testimony presented as evidence in the Las Huertas petition and rejected it. In striking contrast to the cursory hearings that passed for a review by Pelham, Julian's nitpicking and obtuse reading of the testimony seems deliberately biased. He based his decision on the fact that all of the claimants had not been named and identified as heirs, that the boundaries as described by the three witnesses appeared to contain contradictions, and that the boundaries embraced the town of Tejón grant which by then had been confirmed and patented. He found the testimony of the three witnesses, because they had an interest in having the grant confirmed, to be unreliable, and the testimony of Gurulé to be dishonest because he swore that the grant papers were originals even though they did not bear the necessary seal and were not on stamped paper. Julian also discredited Gurulé's testimony because, "as he admits that he could read but little." Finally, Julian did

not believe there was satisfactory proof as to the legality of the documents presented in the case because the original grant documents were missing from the archives in Santa Fe. He did admit, however, that the signatures on the grant papers "show a very strong similarity" with those on contemporary papers in the archives known to be genuine. Julian's decision was delivered to the people of Placitas on Christmas Eve 1885.⁶⁸

Since it is most unlikely that the Las Huertas settlers would have elected to withdraw their petition without at least a hearing before the surveyor general, one is led to conclude that Chavez and Wade had their own reasons for dropping the suit. If, as seems likely, they were trying to get control of the Las Huertas lands for themselves and/or others, quite possibly a large mining interest, another matter of a higher priority must have intervened or negated the importance of the Las Huertas property. What is certain is the grant had been confirmed in 1881, someone was poised to lay claim to it by virtue of a partition suit.⁶⁹ Among the miscellaneous land grant records in the Governor Ross papers are a number of quit claim deeds to Las Huertas and Tejón properties; all of them purchased by a rural land dealer named Florencio Sandoval between 1872 and 1881.⁷⁰

At the same time that someone was preparing to file suit to partition the Las Huertas lands, attorney John H. Knaebel filed a suit for a partition of the Tejón lands in October 1881. Basing his suit on the fact that he had acquired enough titles to Tejón properties to claim an undivided fourth part of the Tejón grant, he published the required but obscure notice to the heirs.⁷¹ His plans must have been derailed, however, when José Leandro Perea, the wealthy patron of Bernalillo, learned about the suit. Perea, it turned out, had already purchased the interests of Salvador Barreras, the only settler actually named in the original grant partition, as well as the interests of his four children. In February 1882, Perea paid for a survey of the grant, thereby securing a lien on the property, and in turn received a patent in favor of the inhabitants of the town of Tejón.⁷²

In May 1883, Perea's son-in-law, Mariano S. Otero, answered Knaebel's suit for himself and other heirs of Perea, now deceased. In the trial that followed, Thomas B. Catron, attorney for Otero and the other Perea heirs, successfully argued that because Barreras was the only name listed on the 1840 Tejón grant, Congress had confirmed a private grant awarded to him solely, and not jointly with the other Tejón residents. By buying the interests of Barreras and his heirs, Catron contended, Perea had bought the grant. The 12,801 acre grant was patented to Perea's estate on 27 February 1886, from which it passed by will to his son-in-law, Otero.⁷³

In May 1890 Otero filed a title suit against several people including Luis Chaves and José Antonio Zamora for possession of the town of Tejón grant. The Tejón settlers, led by the same José Aragon who had been a witness in the 1881 Las Huertas grant hearing, were determined to continue fighting. On 20 February 1893, the commissioners of the town of Tejón signed a contract employing George Hill Howard of the Washington, D.C. law firm Howard, Jeffries and Earle to represent them for fifty pesos and the eastern one-fourth part of the Tejón grant. Howard contended that they held title as heirs of the town of Tejón grant as co-grantees with Barreras and not *under* Barreras, that the tract was granted to Barreras for "himself and others" for the purpose of a colonization plaza, and that this fact was implicit in the awarding of the grant to the town of Tejón. When the defendants claimed that there was never a corporation known as the "Town of Tejón," Howard answered that there was a body known as the "inhabitants of the Town of Tejón." Howard pleaded in vain for his clients "day in court." In March the court master overruled Howard's objections.⁷⁴

At the same time that the Tejón settlers were making their last ditch effort to keep their land, two petitions were filed for the San Antonio de las Huertas grant before the newly created Court of Private Land Claims.⁷⁵ The first petition was filed by attorney Catron on behalf of the Las Huertas settlers, represented by grant commissioners José L.A. Gurulé and Francisco Trujillo. Dated 14 February 1893, the petition claimed about 40,000 acres. The second petition, dated 3 March 1893, was filed by none other than Howard. It claimed approximately 150,000 acres and represented another group of Las Huertas settlers led by Antonio José Gallegos of Tejón.⁷⁶

The two petitions essentially were the same except for the boundaries. The first petition, Private Land Claim (PLC) number 90, alleged that since the description of the boundaries of the grant had been torn in the 1767 Act of Possession, it would locate the eastern boundary at the old road running from Santo Domingo Pueblo to the old San Pedro Pueblo, in part along the arroyo Uña de Gato. The second petition, PLC 269, alleged that the portion torn from the 1767 Act of Possession would have shown the eastern boundary of the grant to be "the brow of the mountain on the San Pedro road" and the "Ojo del Oso" spring near the Real de Dolores, a settlement near the center of the Ortiz Mine grant some fifteen or twenty miles east of the point named by the plaintiffs in case PLC 90. The southern boundary extended to some red hills known as the Cuchilla Pelada at the end of the Sandia Mountains. The tract claimed included most or all of the San Pedro grant, now owned by the Santa Fe Copper Company; the western half of the Ortiz Mine grant, now owned by the New Mexico Mining Company and Catron; the southern one-fourth of the Mesita de Juana Lopez grant, now owned by the

Cerrillos Coal Railroad Company and Catron; a portion of the so-called Cañón del Agua grant now owned by the Santa Fe Copper Company; and the whole of the town of Tejón grant, which, it was contended, was only a partition of the Huertas grant. A sketch map filed with the petition outlined the claimed area.

Defendants named in the suit were the United States of America, Thomas B. Catron, the New Mexico Mining Company, the Cerrillos Coal Railroad Company, and the Santa Fe Copper Company. In June, Howard filed an intervention to PLC 90 adding Mariano S. Otero and the town of Tejón to the list of defendants as owners of the Tejón grant and the San Pedro and Cañón del Agua Company as owners of the Cañón del Agua grant. The two contending petitions have raised many questions, some of them within the Las Huertas land grant association. Why, for example, did José Gurulé and Francisco Trujillo, both highly respected commissioners in the Las Huertas grant, turn to Catron to represent them when Catron was well known for his "Santa Fe Ring" connections and his overly shrewd acquisition of land? How could they have been co-plaintiffs with Otero, after he joined the suit in April 1893, when Otero had so recently seized the Tejón lands? What interest did Catron have in the Las Huertas grant, since he, and his long time associate, Steven B. Elkins, a partner in the Santa Fe Ring, already controlled most of the mining properties in the area?

Catron and Elkins wanted no threat to their mining claims. Each owned a three-sevenths portion of the Mesita de Juana Lopez grant. Catron was a stockholder in the Cerrillos Coal Railroad Company, which owned the Madrid area after 1885, and he had a one-half interest in the town of Cerrillos and other small land holdings on the Galisteo River. Elkins controlled the New Mexico Mining Company from 1880-99 and through it, the Ortiz Mine grant.⁷⁷

Howard's motives are equally clear. His petition in support of the second group of Las Huertas settlers, many of whom were also Tejón grantees, threatened Catron's and Elkins's holdings as well as Otero's claim to the Tejón lands and coal deposits. Even before Howard lost the final Tejón suit, he may have anticipated filing a counter claim to the Las Huertas grant. It was a desperately bold move reminiscent of the one tried earlier by Ramirez, to claim all the other mining properties through the original boundaries of the Las Huertas grant.⁷⁸ That he was more concerned with the mining claims than the rights of the settlers is clear from a letter written in June 1893 to the president of the Cerrillos Coal Railroad Company. In it Howard stated:

We represent one of two claimant groups to the San Antonio de las Huertas grant now before the Court of Private Land Claims (Gurule et al., No. 90), which though not yet confirmed has time

precedence over the Ortiz and Mesita de Juana Lopez grants and claims title to their lands. We intend to hold you responsible for all the coal mined.⁷⁹

The Las Huertas grant commissioners, José Gurulé and Francisco Trujillo, could hardly have known of the high level machinations going on about them. They were, however, thoroughly familiar with local politics. Besides the fact that there may have been political debts to pay and credits to collect, they would have known that no attorney was more capable of getting his way in land grant cases than Catron. With no money to pay for a survey or an attorney, Catron's offer to represent their interests in exchange for the eastern third of the grant must have seemed the best deal available—even after Howard submitted his petition claiming over three times more land. Not knowing what the land lawyers had in store for the grant, they would have been pleased if either petition resulted in a confirmation and patent to their lands. Catron, however, would have been confident that he could get Howard's daring petition thrown out of court.

The court dismissed PLC 269 very early ordering the consolidation of the two claims under PLC 90. The consolidated case came up for trial on 18 May 1897. At that time the Santo Domingo and San Felipe Indians entered the trial on the basis that portions of their grants were being challenged by PLC 269. Howard withdrew to consider their objections, and PLC 90 was argued to conclusion. Questions concerning the existence and legality of the grant itself were dismissed at the outset with the court declaring that full legal proof had been taken and submitted and that the petitioners were entitled to the relief sought. What remained to be decided in the lengthy testimony was the validity and extent of the grant boundaries. José Gurulé, Juan Chaves, and Francisco Trujillo answered questions concerning the eastern boundary of the grant, its relation to the arroyo Uña de Gato and the "old San Pedro Road." They also answered questions about the relation of these landmarks to the Ojo del Tuerto and the Ojo del Oso.

Much legal testimony concerned the exact whereabouts of the "old road to San Pedro," with the government endeavoring to prove that it was a much shorter trail through the Las Huertas Canyon, and the witnesses trying even harder to insist that it ran from San Felipe Pueblo and along the arroyo Uña de Gato. None of this was really relevant, however, had anyone really cared to represent the interests of the Las Huertas grantees. The original grant had specified the *ceja* on the San Pedro Road and that, according to Spanish legal custom, would have carried the grant to the top of the designated mountain regardless of the location of the road.⁷⁹ In the end, the witnesses for PLC 90, assisted by

Catron, prevailed over the government, which tried to restrict the grant boundaries to a much smaller area. The court accepted the Arroyo Uña de Gato as the eastern boundary of the Las Huertas grant, in effect confirming that Tejón had been patented illegally.

The two cases were reconsolidated in October 1897 and on 5 October 1897 the Court confirmed the Las Huertas grant according to the boundaries requested in case PLC 90. The final decree was delayed for nearly two more years because of a difference between the plaintiffs and the government over whether the confirmation included the lands covered by the confirmed town of Tejón grant. The problem was not resolved until both sets of petitioners agreed to accept the court's determination that, since the town of Tejón grant had already been patented, the San Antonio de las Huertas grant boundaries had to be drawn without this substantial tract of land. The decree in the consolidated causes was finally entered on 24 August 1899.⁸¹

The second group of Las Huertas grantees represented by Gallegos and attorney Howard appealed the decision to the United States Supreme Court but failed to have the appeal filed and docketed. The Supreme Court dismissed the proceedings on 19 March 1900. The official survey of the grant, which excluded the town of Tejón tract, showed that it encompassed a scant 4,763.85 acres (figure 1). Catron received one-third of the grant as payment for his services. José Gurulé signed the receipt for the patent as the claimant empowered and authorized to do so. He later signed it over to the Las Huertas land grant commissioners, who gave him 500 acres for his services in defending the grant.⁸² The Las Huertas grantees, who, by the terms of Article 14 of the Court of Private Land Claims Act, should have been indemnified by the government at a rate not to exceed \$1.25 an acre for the loss of the Tejón lands, received nothing.⁸³

The Las Huertas grant was incorporated on 18 November 1907. Even before it was incorporated a partition suit was filed against it in October 1907 by a group of individuals represented by attorney Alonzo B. McMillen.⁸⁴ The Las Huertas residents hastily assembled and elected José Gurulé custodian of the grant and their official representative. Though the court records for the suit are missing, the docket shows that it was dismissed on 30 November 1911.⁸⁵ However, the commissioners lacked money with which to pay their attorney. In February 1916, they filed a petition requesting authority to make deeds to all those in possession of the land so that they could sell portions and by this means raise money to pay their debts to the attorney and custodian Gurulé.⁸⁶

Sometime before the Las Huertas grant litigation came to an end, the settlers of Tejón were forced by a series of court decrees to leave their land and homes. After Otero died on 28 September 1904, his two sons decided to turn the old walled town, deserted but still well-preserved,

into a historic museum. They hired Antonio José Gallegos to watch the place, but he was powerless to keep out the looters. By the time the walls and houses had crumbled, the grant had slipped through the hands of the heirs and into the hands of their lawyer, Neil B. Field. He wrote an elaborate prospectus, advertising the grant as a mineral grant. It is now a privately owned ranch.⁸⁷ Though many of the Las Huertas grantees have sold all or portions of their lands, and the grant has had to sell off portions of the common lands to pay the costs of continuing litigation, the Las Huertas grantees still have title to their community land grant.

MINING IN THE ORTIZ MINE AREA
AND THE HISTORY OF THE SAN ANTONIO
DE LAS HUERTAS GRANT CHRONOLOGY

1540 Expedition of Francisco Vazquez de Coronado, but no attempt was made to trace source of silver/lead ores.

1581 Francisco Sanchez Chamuscado actively prospected for silver in Cerrillos area. Antonio Espejo followed up in 1582–83.

1582 Ores from Cerrillos deposits assayed in Mexico show fifty percent silver.

1590 Gaspar de Sosa reports minerals near San Marcos and in San Pedro area.

1591 Tlascalan miners from Zacatecas given special concessions for agreeing to move to northern frontier.

1598–1605 Juan de Oñate prospects Ortiz Mine area. Oñate colonists build arrastras near Cerrillos and San Pedro. Ore deposits of Golden (Tuerto) and San Marcos areas used as justification for continued resupply and assistance from central Mexico.

1600–1630 New Mexico silver and gold deposits declared marginal. Mining for precious metals ceases after 1610. Mining of copper and lead continues for domestic purposes.

1661–1670 Mission of San Pedro del Cuchillo gives name to San Pedro Pueblo and Mountains.

1667 Letter of questionable authenticity alleges five mines in Las Huertas area.

1670–1680 Diego de Trujillo establishes an estancia at Paraje de las Huertas.

1680 Pueblo Revolt.

1692 Diego de Vargas leads the Reconquest of New Mexico. Jacques Grolet and Jean L'Archeveque, later Hispanicized to Gurulé and Archibeque, and other ancestors of Las Huertas grant founders arrive in New Mexico.

1713 Governor Juan Mogollon grants mineral claim in San Pedro area to Captain Alfonso Rael de Aguilar, who develops it into a joint-stock company.

1717 Lead mine granted in San Marcos area to Diego Arias de Quiros by Governor Juan Hurtado.

1722 Lode gold reported in Cerrillos area.

1731 Las Huertas is the assembling point for punitive expeditions against marauding Apaches and Comanches.

1763 Tomás de Sena registers Nuestra Señora de los Dolores Mine in Tuerto area.

1765 Juan Gutierrez petitions Governor Vélez Cachupín for tract of land at Las Huertas. Boundaries approved, but no action taken.

1767 Andrés Aragón et al. resubmit petition for land at Las Huertas. Mendiñeta awards community grant. Promises to extend eastern boundary in Act of Possession.

1768 Act of Possession of Las Huertas grant, 13 January 1768. Document later torn leaving eastern boundary unclear.

1775 Province under siege as Comanches, Apaches, and Navajos ravage countryside.

1778–1786 Governor Juan Bautista de Anza wages war, then makes lasting peace with Comanches, who become allies against Apaches. Countryside becomes safer for settlement.

1779 Settlements of San Pedro and Las Huertas indicated on Miera y Pacheco map.

1820 Possible date for discovery of placer gold in Ortiz Mountains.

1820 Governor Facundo Melgares reportedly awards San Pedro grant to Las Huertas settlers—grant includes all of 1767 Las Huertas grant, but no grant papers in evidence.

1821 Mexico gains independence from Spain. William Becknell initiates Santa Fe Trail. Navajos and Apaches resume raiding.

1823 Governor José Antonio Vizcarra orders Las Huertas settlers to abandon settlements and take refuge closer to Rio Grande.

1824 Mining fever grips New Mexico.

1832–35 Mining for lode gold in Oso (later Ortiz) Mountains. José Francisco Ortiz and Ignacio Cano register Santa Rosalia Mine, which becomes basis for Ortiz Mine grant.

1832 First use of coal deposits near Madrid—used to drive crushing mill at Ortiz Mine in 1835.

1839 Prospectors find rich placer deposits on northwest slopes of San Pedro Mountains—deposits called Real de San Francisco de Tuerto, San Pedro, Tuerto, or simply, New Placers. Ortiz Mountain deposits known as Old Placers.

1839 José de Miera and Ramón Gurulé, Las Huertas settlers residing at Algodones, reportedly petition Prefect Antonio Sandoval for grant of land at San Pedro called San Pedro Rancho, basing their petition on dubious 1820 San Pedro grant. Grant supposedly awarded but, again, no grant papers in evidence.

1840 Antonio Montoya reportedly gives possession but no document to this effect exists. Las Huertas settlers at San Pedro protest proceedings

1840 Tejón established by settlers from old San José de las Huertas.

1840 Salvador Barreras, resident of Tejón, reportedly petitions alcalde of Sandia for town of Tejón grant as separate allotment within San Antonio de las Huertas grant. Grant supposedly awarded but no grant papers in evidence.

1844 Ramirez petitions Governor Mariano Martinez for tract of land known as Cañon del Agua based on inheritance of mine on that property.

1844 Protest suit filed by Juan Armijo for San Pedro lands settled by compromise. Ramón Gurulé and others from San Pedro sell land to Ramirez and found new settlement called La Madera.

1845 Tuerto becomes boom town as lode mining develops. Gross product of New and Old Placers for year exceeds \$250,000.

1845 Ramirez, as attorney for San Pedro grantees, requests Governor Manuel Armijo for revalidation of grant and 5,000 vara southern extension.

1846 Remaining Las Huertas settlers at San Pedro file suit. Judge Trinidad Barcelo rules in favor of Las Huertas settlers. Ramirez and settlers who contributed to pay legal fees take control of grant by gunpoint. Ramirez spreads false rumors about judge. Prefect Antonio Sandoval bars attorney for Las Huertas settlers from practicing in his district.

1847 Attorney for Las Huertas grantees files suit in Santa Fe District Court.

1849 Jury rules in favor of Ramirez.

1855 New Mexico Mining Company acquires Ortiz Mine grant.

1856 Ramirez, having bought or inherited interests of eight grantees officially granted land at San Pedro, files petition before Surveyor General Pelham claiming perfect title to all the land at San Pedro included in 1820 San Pedro grant. Documents used to support grant certified by Donaciano Vigil.

1856 Salvador Barreras, represented by Ramirez, petitions Pelham for town of Tejón grant.

1859 Ramirez petitions Pelham for Cañon del Agua grant.

1860 Congress confirms San Pedro grant, now owned by Ramirez.

1860 Congress confirms Cañon del Agua grant to Ramirez.

1860 Congress confirms town of Tejón Ggrant.

1861 Congress confirms Ortiz Mine grant to New Mexico Mining Company.

1861 Lucas Gurulé testifies in 1881 that he saw original papers of Las Huertas grant in Ramirez's office.

1862 Ramirez petitions Surveyor General John A. Clark for the San Antonio de las Huertas grant as "present claimant." No further action taken and claim lapses.

1866 Ramirez sells Cañon del Agua and San Pedro grants to Cooley, Kitchens, Mining Company.

1872-1880 No activity at New Placers. San Pedro and Cañon del Agua Mines closed. Cooley, Kitchens, Mining Company sold at bankruptcy.

1879–1880 Arrival of railroad in 1880 brings flood of prospectors and capitalists into New Mexico, provides inexpensive shipment of ores to market. Silver boom in Cerrillos area. Pipeline run from Las Huertas creek to bring water to San Pedro New Placers. Gold rush in Placitas. Coal mines in Ortiz Mountains provide fuel for locomotives, smelters, and rolling mills.

1880 Boston-based San Pedro and Cañon del Agua Company acquires San Pedro mining properties.

1880–1881 Over 400,000 pounds copper, \$10,000 gold; \$20,000 silver processed from San Pedro district. Vast sums expended in exploration and development.

1881 Attorneys Chavez and Wade resubmit petition for San Antonio de las Huertas grant to Surveyor General Henry M. Atkinson. Extensive testimony in preparation for hearing, but no further action taken.

1881 Attorney John Knaebel files partition suit against Tejón settlers.

1882 Patent issued to Tejón settlers for town of Tejón grant. José Leandro Perea pays for survey of Tejón grant, thus securing lien on grant.

1883 Old Spanish mine opened in Las Huertas Canyon.

1884–1887 San Pedro Mine closed due to depressed cost of copper, a reorganization of the company, and litigation over ownership.

1885 Surveyor General George Julian dismisses Las Huertas petition after being told by Chavez and Wade that they had withdrawn from the case.

1886 Town of Tejón patented to Perea and inherited by Mariano Otero.

1890 Otero files title suit against Tejón settlers for possession of town of Tejón. G. Hill Howard enters intervention on behalf of the defendants, but is overruled by court master.

1892 Supreme Court decision sets aside San Pedro and Cañon del Agua Company's claim to San Pedro copper mine on basis that patent to Cañon del Agua grant acquired through fraud.

1893 New placer area discovered near Dolores in Ortiz Mountains.

1893 Two petitions filed for San Antonio de las Huertas grant. Thomas B. Catron files Private Land Claim Number 90 on behalf of José L. Gurulé, et al., G. Hill Howard files, Private Land Claim Number 269 on behalf of José Gallegos, et al.

1897 Court of Private Land Claims confirms Las Huertas grant according to boundaries that include town of Tejón grant.

1899 Las Huertas grant confirmed with boundaries excluding town of Tejón grant.

1907 San Antonio de las Huertas grant patented and incorporated with government reserving title to all mines of gold, silver and quicksilver.

1907 Partition suit filed against Las Huertas grant.

1911 Partition suit dismissed.

1916 Las Huertas Land Grant Association petitions court for authority to make deeds to members so that they can sell land and pay for costs of litigation. Permission granted.

NOTES

1. There are approximately 500 acres of common lands remaining in the grant. Interviews with Tony Lucero, president of the San Antonio de las Huertas Land Grant Association, 5 June 1992, Placitas, New Mexico, and Willie Escarcida, past president, San Antonio de las Huertas Land Grant Association, 22 June 1996, Placitas, New Mexico.

2. John M. Townley, "Mining in the Ortiz Mine Grant Area, Southern Santa Fe County, New Mexico" (M.A. thesis, University of Nevada, May 1967), iv; and Homer Milford, "Environmental Assessment for the Sandia Mining District Project," *New Mexico Abandoned Mine Lands*, Sandia Mining District Project No. 35059 (New Mexico State Energy, Minerals and Natural Resources Department, 1991), 17. According to Milford, a shipment of twenty-one tons of ore from the Montezuma Mine averaged 12.5 percent lead and eleven ounces of silver as late as 1920.

3. Marianne L. Stoller provides a comprehensive study of the subject in "Grants of Desperation, Lands of Speculation: Mexican Period Land Grants in Colorado," *Journal of the West* 19 (July 1980), 22-39. Other studies of New Mexico land grants are Malcolm Ebright, *Land Grants and Lawsuits in Northern New Mexico* (Albuquerque: University of New Mexico Press, 1994), and Victor Westphall, *Mercedes Reales: Hispanic Land Grants of the Upper Rio Grande Region* (Albuquerque: University of New Mexico Press, 1983).

4. Useful recent studies of New Mexico's mining history are: Homer E. Milgord and Mike E. Swick, Cultural Resource Survey for Real de los Cerrillos Project Santa Fe County, New Mexico, Vol. I, Historic Survey of the Los Cerrillos Area and its Mining History, New Mexico Abandoned Mine Land Bureau report No. 1994-92, Mining and Minerals Division, Energy, Minerals and Natural Resources Department, Santa Fe, November 1995; and John M. Townley, "Mining in the Ortiz Grant Area." Shorter studies are Linda Goodman and Daisy Levine, "Mines of Cerrillos," *El Palacio* 96 (Fall 1990), 22-37; Alvin Sunseri, "Early Anglo Ventures in New Mexico," *El Palacio* 82 (1976), 31-35; John M. Townley, "El Placer: A New Mexico Mining Boom Before 1846," *Journal of the West* 10 (1971), 102-15. A.H. Warren and Robert H. Weber, "Indian and Spanish Mining in the Galisteo and Hagan Basins," in *Archaeology and History of Santa Fe Country* (Socorro: New Mexico Geological Society, 1979), 7.

5. Title Papers to the San Antonio de las Huertas grant, Abstract 15026 in the possession of Lucero.

6. In 1852 Antonio Sandoval became a partner of José Serafín Ramírez by investing \$8,000 in a silver/lead mining venture near Santa Fe. Sunseri, "Early Anglo Ventures," 34. Ramírez was married to Maria Antonia Sandoval. See Title Papers of San Pedro and Cañon del Agua Grants, Avery Papers, Abstract No. 197,

New Mexico State Records Center and Archive, Santa Fe (hereafter NMSRCA). See also *Manuel García y Montaña v Antonia Sandoval, widow and administratrix of estate of J.S. Ramirez*, 1869, District Court, Bernalillo County Civil Case No. 437, NMSRCA. Donaciano Vigil authenticated the documents supporting the San Pedro grant. See Land Grant Records, SG 14, reel 14, frames 61–64, San Pedro Grant, NMSRCA. See also G. Emlen Hall, *Four Leagues of Pecos: A Legal History of the Pecos Grant, 1800–1933* (Albuquerque: University of New Mexico Press, 1984), 154–55, 326. Hall discusses Vigil, former secretary of Governor Manuel Armijo, who worked closely with Surveyor General William Pelham and provided him with written guarantees of authenticity for several highly controversial land claims to millions of acres of land.

7. Warren and Weber, "Indian and Spanish Mining," 7; and Ralph E. Twitchell, *The Leading Facts of New Mexican History*, 5 vols. (Cedar Rapids, Iowa: The Torch Press, 1911–1917), 4: 7.

8. Townley, "Mining in the Ortiz Mine Area," 24–27.

9. *Ibid.*, iv.

10. Warren and Weber, "Indian and Spanish Mining," 8.

11. Townley, "Mining in the Ortiz Mine Grant Area," 21–27, 34; and Adolph F. Bandelier, "Documentary History of the Rio Grande Pueblos, New Mexico, Part III, 1581–1584," *New Mexico Historical Review* 5 (October 1930), 351. Bandelier records mention in 1729 of a pueblo named "Paaco" with a church that once had been dedicated to St. Peter. This was likely the pre-Spanish name for the pueblo of El Tuerto.

12. Angélico Chávez, *Origins of New Mexico Families*, (Santa Fe: Museum of New Mexico 1992), 107–08.

13. Reports of the Spanish mining activities in the Placitas area during the seventeenth century are inconclusive. Most apparently stem from a report written in 1953 by Donald Francis Toomey, "Paleontology and Stratigraphy of the Carboniferous Rocks of the Placitas Region, Northern Sandia Mountains, Sandoval County, New Mexico," (M.S. thesis, University of New Mexico, 1953), 5. In this report Toomey mentions a 1667 letter in possession of the Gurulé family of Placitas that reported mining activity in the Las Huertas area. In a recent interview with the author (Placitas, New Mexico, 19 July 1996), Toomey explained that he had not seen the 1667 letter. He learned of it from Bernice Umland of the Museum of New Mexico in 1952. She knew of it from having seen a letter written about the year 1898 by a Bill Echart to a prospective buyer or investor in mining properties. According to Echart, the 1667 letter mentioned five "lost" mines in the region: "the Window Mine, the Ladder Mine, and to the south of Placitas the Nepumeseno (sic) Mine, and the Coloa Mine." It further stated that "to the east of Placitas, Antonio Jimenez worked the Montezuma Mine," and that Jinenez (sic) took twelve mules loaded with bullion to Old Mexico and never returned. Toomey has the original letter from Umland and Umland's typewritten copy of Echart's letter. The Gurulé family has not been able to locate the original of the 1667 letter among its collection of historical documents. (Bill Gurulé, letter to author, Placitas, New Mexico, 15 May 1994).

There is much about the supposed 1667 letter that must be regarded with suspicion, most specifically the references to the Montezuma Mine, Placitas, and "old Mexico," names would not have been used in the seventeenth century. If nothing else, Echart's 1898 letter indicates a great deal of interest on the part of the Gurulé family, Echart, and others in the mining potential of the Las Huertas area. There is archaeological evidence of mining by Pueblo Indians in the Placitas area during the pre-Pueblo Revolt period in Warren and Weber, "Indian and Spanish," 7, 10.

14. Chávez, *New Mexico Families*, 107–08, 196.

15. Documents relating to the San Antonio de las Huertas grant are in Land Grant Records, Surveyor General (SG), Report 144, reel 26, frames 908–1034, Public Land Claims (PLC), Case 90, reel 43, frames 27–194 and Public Land Claims,

Case 269, reel 53, frames 940–1015, NMSRCA, and in the Thomas Benton Catron Papers, 1898–1901, file 301, box 18, no. 90; box 43, no. 269 and file 305, box 3 at the Center for Southwest Research, Zimmerman Library, University of New Mexico, Albuquerque (hereafter CSWR).

16. Malcolm Ebright, "Breaking New Ground: A Reappraisal of Governors Vélez Cachupín and Mendinueta and Their Land Grant Policies," *Colonial Latin American Historical Review*, 5 (Spring 1996), 195–233. Tomás Vélez Cachupín may have turned down Gutierrez's petition if it was for a private grant. Recent studies indicate that he preferred to award community grants.

17. The land grant was named after San Antonio, but the first community was called San José de las Huertas.

18. Land Grant Records, SG 144, reel 26, San Antonio de las Huertas Grant, NMSRCA.

19. Bernardo Miera y Pacheco's 1779 map indicates both the pueblo of San Pedro and the Spanish settlement of Las Huertas. The map is illustrated in Eleanor B. Adams and Fray Angélico Chávez, translators and annotators, *The Missions of New Mexico, 1776: A Description by Fray Francisco Atanasio Domínguez With Other Contemporary Documents* (Albuquerque: University of New Mexico Press, 1956), 3.

20. Westphall, *Mercedes Reales*, 35–7. According to Westphall the average size of all grants made during the Spanish period was 64,000 acres. Community grants were generally much larger than private grants. Malcolm Ebright, telephone communication with author, 26 June 1996, Placitas, New Mexico.

21. Milford and Swick, "Historic Survey of Los Cerrillos Area," 36, 50; Townley, "Mining in the Ortiz Mine Grant Area," 37–40; Sebastián de Vargas to Miguel de Coca, San Lázaro de Tuerto, 9 April 1714, reel 1, frame 1165, Spanish Archives of New Mexico I (hereafter SANM I); Tomás de Sena, Bartholomé Fernández and Manuel Durán y Chaves, mine registration, 1763, SANM I, reel 5, frame 122, SANM I, NMSRCA.

22. Westphall, *Mercedes Reales*, 58, effectively disputes the commonly held belief that grantees were not aware of the size of the tracts involved, or that they deliberately enlarged the grant boundaries.

23. The old walled village was excavated as part of a salvage archaeology project prior to the construction of the MAPCO Liquid Hydrocarbons pipeline. It is described and pictured in Alan Ferg, *Historic Archaeology on the San Antonio de las Huertas Grant, Sandoval County, New Mexico* No. 3 (Cortez, Colorado: Complete Archaeological Services Associates, 1984).

24. Conveyance of house and land in Santa Fe by resident of Las Huertas, 22 November 1768, reel 2, frame 1047, SANM I, NMSRCA; Luciano Garcia, El Paso del Norte, complaint against Francisco Miera for lands sold by Francisco's father, Anacleto Miera, at Las Huertas, 21 April 1815, reel 2, frame 1105, SANM I, NMSRCA; letter requesting shipment of lead for bullets, 13 August 1818, frame 1150, SANM I, NMSRCA.

25. Documents relating to this move are preserved in Land Grant Records, SG 14, reel 14, frames 61–64, San Pedro Grant, NMSRCA. Vivid recollections of this forced move are preserved in oral histories collected during the 1930s by Lou Sage Batchen, a Placitas resident employed by the Works Progress Administration (hereafter WPA), Writer's Project, WPA no. 224, "Las Huertas," NMSCRA.

26. Batchen, "Placitas," "Las Huertas," "Juan of Tecolote," "Tales of the Towns Settled by the Las Huertasans: La Madera," "Tales from the Towns Settled by the Las Huertasans: La Madera, Part II," WPA no. 224, NMSRCA; San Pedro Grant Abstract, Avery Papers no. 07, NMSCRA. J. Scott Geister, "Archaeological Survey of Fifteen Abandoned Mine Sites in the Tijeras and Placitas Mining Districts, Bernalillo and Sandoval Counties, New Mexico, *Archaeology Notes* No. 1, (Santa

Fe: Museum of New Mexico, Office of Archaeological Studies, 1990), 39–41. According to maps and descriptions provided by Geister, the village of La Madera is coincidentally close to another lead and silver mine today known as the Blue Sky Mine.

27. Batchen, "Tales of the Towns Settled by the Las Huertasans: Tejón," WPA no. 224, NMSCRA. The first recorded use of coal deposits near Madrid occurred in May 1832 when Juan José Luján of Santa Fe leased 150 varas of coal vein to two Americans. Townley, "Mining in the Ortiz Mine Area," 62.

28. Batchen, "Tales of the Towns Settled by the Las Huertasans: Ojo de la Casa," and "Tales of the Towns Settled by the Las Huertasans: Ojo de la Casa" (concluded), WPA no. 224, NMSCRA.

29. Townley, "Mining in the Ortiz Mining Grant Area," 43–47. The customary date given for the discovery of placer gold in the Ortiz Mountains is 1828. Townley, however, argues that evidence for an earlier discovery date comes from the Santa Fe trade. The trade began in 1821, and from the outset returned large amounts of gold bullion in the form of dust and nuggets to St. Louis.

30. *Ibid.*, 47.

31. *Ibid.*, iv, 43–49.

32. Although this forced move is recorded in the oral history of the Las Huertas grant, the documents supporting it are in the San Pedro grant file. Despite the fact that the documents clearly require the settlers at Las Huertas to vacate their village, with no mention of San Pedro, Ramirez used them to justify the San Pedro petitioners' request for land at San Pedro. It is quite possible that these documents were removed from the San Antonio de las Huertas grant papers through the help of Acting Governor Donaciano Vigil, who certified them to be copies of originals on file in his office on 15 May 1847. Land Grant Records, SG 14, reel 14, frames 61–64 San Pedro Grant; see also letter from José Serafín Ramirez to Donaciano Vigil, 28 September 28, 1847, Sender Collection, document 302, reel 2, frame 600, San Pedro Grant, NMSCRA.

33. Land Grant Records, SG 14, reel 14, frames 52–53, San Pedro Grant, NMSCRA.

34. There is a lengthy discussion of overlapping lawsuits in Ebright, *Land Grants and Lawsuits*, 189–93.

35. Land Grant Records, SG 14, reel 14, frames 53–55, San Pedro Grant, NMSCRA.

36. S.S. Burdett to James K. Proudfit, 31 October 1874, Land Grant Records, SG 14, reel 14, frames 105–113, San Pedro Grant, NMSCRA. Land Commissioner S.S. Burdett who investigated the documents in 1874, noted the same deficiencies and added, "No such decree or grant appears in the papers . . . and if such a paper ever existed it must have been dated either on the same day as the order to deliver possession, or on the day previous."

37. Antonio Montoya to Guadalupe Miranda, 4 March 1840, no. 1158, SANM I, NMSCRA.

38. Land Grant Records, SG 14, reel 14, frames 55–57, 59, San Pedro Grant, NMSCRA.

39. Land Grant Records, SG 14, reel 14, frames 55, 60–61, 133–136, San Pedro Grant, NMSCRA.

40. Land Grant Records, SG 14, reel 14, frames 55–59, San Pedro Grant, NMSCRA. The Mexican measure known as the vara has been generally accepted as thirty-three inches.

41. If the reader is confused at this point, it can be no worse than the confusion William Pelham must have felt when confronted with all the discrepancies and, what we must assume to be, intentional ambiguities. In Ramirez's petition to Pelham he claims that Sandoval made the grant on 17 August 1839, one day after submission of the petition, and that Alcalde Perea gave possession to these lands under Sandoval's orders on 22 August 1839 when, in fact, the direction from Sandoval to Perea to apportion lands was dated 23 August. The 22 August letter from Perea to Sandoval reported only on the size of the intended grant without stating any

specific boundaries. Ramirez refers to a document given by Montoya in February 1840 (see footnote 39) which may have been an act of possession, though no record of this exists in the files. In Ramirez's petition to Pelham he states that Armijo ratified and confirmed the grant by Acts dated 26 November 1845 when, in fact, his petition to Armijo for revalidation of the grant was dated 29 November. Land Grant Records SG 14, reel 14, frames 60–61, San Pedro Grant, NMSRCA.

42. Ward Alan Minge, "Frontier Problems in New Mexico Preceding the Mexican War, 1840–1846" (Ph.D. diss., University of New Mexico, 1965), 36–39, 171–76. Antonio Montoya, who was alcalde at Algodones in 1842, is reported as having engaged in both extortion and forgery in documents cited by Ward Alan Minge. Minge also lists Governor Armijo and the Pareas of Bernalillo as among the controlling interests of the Real de Dolores in the Tuerto Mountains.

43. G. Emlen Hall, "Juan Estevan Pino, 'se les coma': New Mexico Land Speculation in the 1820s," *New Mexico Historical Review* 57 (January 1982), 27, and "Giant Before the Surveyor General: The Land Career of Donaciano Vigil," *Journal of the West* 19 (July 1980), 64–73. Hall cites Vigil as one of several elite Hispanos who came "to regard land as an economic asset to be exploited for the capital it would raise, not for the crops it would yield."

44. In all of the documents from the 1840s, the lands at San Pedro are referred to as belonging to the settlers of San José de las Huertas. If, after 1823, these Las Huertas settlers began to think of themselves as separate from the settlers on the west side of the Sandias who continued to identify themselves with San Antonio de las Huertas, it might explain the lack of protest on the part of the San Antonio settlers.

45. Letter from Judge Trinidad Barcelo dated 23 October 1846, concerning a land dispute between Ramirez and the settlers of San José de las Huertas, reel 98, frames 10–13, Territorial Archives of New Mexico (hereafter TANM), and reel 4, Twitchell no. 815, SANM I, NMSRCA. Text reads "... los documentos originales que me sirvieron como Norte, ... para declarar por una providencia interlocutoria que los terrenos disputados de San Pedro pertenecen a los antiguos pobladores de San José de las Huertas."

46. Barcelo to Armijo, 23 October 1846, reel 98, frame 10, TANM.

47. Miguel Antonio Lovato to Judge of the Circuit Court, 24 February 1847, Miscellaneous Land Grant Records, Las Huertas Grant; Petition of José Maria Miera to Joab Houghton, Judge of the Central Judicial Circuit of the Territory of New Mexico, 14 May 1847, Santa Fe County District Court Civil Case no. 8, 1847; *Jose Maria Miera v. Serafin Ramirez*, verdict, 1 January 1849, Land Grant Records, SG 14, reel 14, file 44, frame 64, San Pedro Grant, NMSRCA.

48. Ashurst and Houghton, attorneys for petitioner José Serafin Ramirez to Surveyor General Wm. Pelham, Land Grant Records, SG 14, reel 14, frames 133–36, San Pedro Grant, NMSRCA.

49. Recommendation for confirmation of petition filed by Ramirez by William Pelham, 23 September 1857, Land Grant Records, reel 14, frames 105–113, San Pedro Grant; Title Papers of San Pedro and Cañon del Agua Grants, Abstract no. 107, Avery Papers, NMSRCA.

50. Over a decade later Land Commissioner Burdett rejected the southern extension on the basis that the departmental assembly had approved the grant prior to its being revalidated and enlarged by Governor Armijo. The grant was resurveyed for 31,595 acres and patented on this basis on 20 May 1875. Burdett to Proudfit, 31 October 1874, Land Grant Records, SG 14, reel 14, frames 105–113, San Pedro Grant, NMSRCA.

51. J.J. Bowden, "Private Land Claims in the Southwest," 6 vols. (M.A. thesis, Southern Methodist University, 1969), 3: 472–84.

52. *San Pedro and Cañon del Agua Company v. United States*, 146 U.S. 120 (1892).

53. José Serafín Ramirez, sale of his mines to a local group, 1866, reel 3, frame 81, TANM, NMSRCA.

54. During the brief hearing Ramirez perjured himself by declaring that he had no interest in the grant.

55. Land Grant Records, SG 37, reel 17, frames 1431–72, Town of Tejón Grant, NMSRCA.

56. Townley, "Mining in the Ortiz Mine Grant Area," 62.

57. Westphall discusses this speculative technique in *Mercedes Reales*, 128–31. The Tierra Amarilla grant is a case in point described by Malcolm Ebright in *The Tierra Amarilla Grant: A History of Chicanery* (Santa Fe, New Mexico: The Center for Land Grant Studies, 1980). Ramirez's death is recorded in *Manuel García y Montaño v. Antonia Sandoval, widow and administratrix of estate of J.S. Ramirez, 1869*, District Court, Bernalillo County Civil Case No. 437. Despite, or because of, his speculative land and mining transactions, Ramirez died almost penniless and had to beg a friend for a loan to cover his final expenses. District Court, Bernalillo County Civil Case No. 538, *José Manuel Gallegos v. Antonio Sandoval*, 1874, NMSRCA.

58. Petition of Andrés Aragón et al., Las Huertas Tract, 10 January 1862, Land Grant Records, SG 144, reel 26, Las Huertas Grant, NMSRCA.

59. Testimony of Lucas Gurulé, 1881, Land Grant records, SG 144, reel 26, Las Huertas Grant, NMSRCA.

60. Westphall, *Mercedes Reales*, 97–98.

61. Regarding the Placitas gold rush, see Henry F. Hoyt, *A Frontier Doctor* (Boston, Massachusetts: Houghton Mifflin Co., 1929), 162–66.

62. Petition to Surveyor General on behalf of San Antonio de las Huertas grantees by Attorneys Chavez and Wade, 12 May 1881, Land Grant Records, SG 144, reel 26, Las Huertas Grant, NMSRCA.

63. The town of Tejón, which lies northeast of Placitas, is shown incorrectly on the southeast; the Sierra de la Mina is shown incorrectly on the south side of the Cañon de las Huertas; and the San Pedro Road is shown as passing over the mountains rather than along the "San Pedro" arroyo (more commonly called Arroyo del Tuerto or Uña del Gato).

64. Lucas Gurulé was unusually knowledgeable for his time and place. In mid-life he spent a number of years in the company (most likely as a man servant) of a member of the wealthy Perea family of Bernalillo and traveled with him around the world on a merchant ship. Alice Blake, "History of Presbyterian Missions in Colorado and New Mexico," (unpublished manuscript, Menaul Historical Library, Albuquerque, 1936), 46.

65. Testimony by Lucas Gurulé, Land Grant Records, SG 144, reel 26, Las Huertas Grant, NMSRCA.

66. Homer E. Milford to author, 3 May 1994, Placitas, New Mexico. It may be significant that all three witnesses referred to the eastern boundary of the grant by its pre-1832 name of Ojo del Oso. According to Milford, this name was changed in 1832 to Real de Dolores.

67. Land Grant Records, SG 144, reel 26, Las Huertas Grant, NMSRCA.

68. Land Grant Records, SG 144, reel 26, Las Huertas Grant, NMSRCA.

69. David Benevidez, "Lawyer-Induced Partitioning of New Mexican Land Grants: An Ethical Travesty," No. 23 (Guadalupita, New Mexico: Center for Land Grant Studies, 1993). Partition suits were often filed by attorneys as a means of acquiring title to tracts of land. When they had acquired enough parcels to claim a large undivided share of the land, they could ask the court to partition the grant. Partitioning common lands equitably among a large number of owners was difficult, so courts generally ordered an auction of all the properties. By law the person desiring the partition had to notify all the heirs, individually if possible, and if not,

through a published announcement. If the lawyer who filed the suit inserted the notice in English in an obscure paper under the excuse that the heirs were "unknown," the legitimate heirs rarely heard about the sale. When that occurred, the lawyer who instituted the suit was usually the only bidder.

70. Anglo lawyers often acquired land through local Hispanic land dealers in order to avoid arousing suspicions.

71. *John H. Knaebel v. Rumualdo Montoya, et al*, Bernalillo County, Civil Case No. 893, NMSRCA; Catron Papers, file 305, box 3, CSWR.

72. A.C.M. Kincaid to W. M. Atkinson, 1 February 1882, Land Grant Records, S.G. 37, reel 16, frames 1448-49; Receipt for patent from George W. Julian, Surveyor General, signed by Mariano Otero, administrator of estate of José L. Perea, Land Grant Records, SG 37, reel 16, frames 1450-51, Tejón Grant, NMSRCA.

73. *Knaebel v. Montoya et al.*, Bernalillo County, Civil Case No. 893, NMSRCA. One cannot help but wonder if the 1881 lawsuit filed by Chavez and Wade for the Las Huertas grant was withdrawn by them in 1885 precisely because the valued coal fields in the Tejón portion of the grant had already been successfully claimed by Otero.

74. Bernalillo County, Civil Case No. 2942; Amado Chavez Papers, folder 20, NMSRCA.

75. On 3 March 1891 Congress passed an act creating the Court of Private Land Claims (hereafter PLC) to replace the Office of the Surveyor General.

76. Land Grant Records, PLC Case 90, reel 43, frames 27-194, PLC Case 269, reel 53, frames 940-1015, Las Huertas Grant, NMSRCA.

77. Milford to author, 4 May 1994. Milford found this information in the Steven B. Elkins papers housed in the library of the University of Virginia.

78. Land Grant Records, PLC 90, reel 43, NMSRCA; Catron Papers, box 18, CSWR; and *San Pedro and Cañon del Agua Company v. United States*, 146 U.S. 120 (1892). In November 1892, the United States Supreme Court set aside the patent to the Cañon del Agua grant that had been based on fraudulent boundaries claimed by Ramirez and surveyed by Santa Fe Ring ally W.W. Griffin in 1866. It is tempting to speculate that Howard may have been hoping to claim, for himself and/or others, the land, and more particularly the mine known as "Big Copper" that had been the object of the fraudulent boundaries. Howard may have hoped to gain title to it through the San Pedro portion of the Las Huertas grant.

79. Jeffries and Earle, Attorneys at Law, Washington, D.C. to President Cerillon (sic) Coal and Railroad Co., Santa Fe, 12 June 1893, New Mexico State University Library History Archives, Las Cruces, New Mexico. The author wants to thank Homer Milford for his assistance in locating this document.

80. Ebright, *Land Grants*, 239.

81. Catron Papers, file 301, mss 29, box 18, no. 90, folder 4, CSWR.

82. Tony Lucero, interview with author, 5 June 1992. See SG Report 144, reel 26, PLC file 43, case 90; NMSRCA; Catron Papers, file 301, box 18, folders 2-4; box 43; box 3, folder 8, CSWR.

83. Westphall, *Mercedes*, 244.

84. Renahan papers, folder 12, NMSRCA.

85. Sandoval County Courthouse burned down in 1926 with the consequent loss of many important court documents. The docket record is preserved in the Abstract of Title to the Las Huertas grant.

86. Sandoval County District Court, No 415, Petition of the Trustees of the San Antonio de las Huertas Land Grant for the Sale and Disposition of Certain Land Within Said Land Grant, Las Huertas Grant Abstract of Title.

87. Batchen, "Tejón," WPA no. 224, NMSCRA; Lucero interview.



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