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DENISE HOLLADAY DAMICO\*

## The Cebolleta Land Grant: Multicultural Cooperation and Contention

### ABSTRACT

*Two key moments in the history of the Cebolleta Land Grant – its establishment and early years in the early nineteenth century, and efforts to dismantle it in the last decade of that century – allow for an exploration of the interconnectedness of ethnic identity, a way of life dependent upon subsistence-level farming and ranching, and the legal status of the community land grant. The Grant's history of multicultural contention and cooperation reveals that ethnic identity was connected to, but not dependent upon, how individuals and communities used the land.*

### INTRODUCTION

In the summer of 1896, a group of heirs to the Cebolleta Land Grant published a protest against efforts to divide up or partition the Grant. Doing so, they argued, would be the ruin of the “Mejicanos” who lived there. It would leave the people with no place to pasture their sheep; more than that, it would destroy a way of life, one that was implicitly “Mejicano.” Furthermore, they wrote, those who assisted in the partitioning process, even if they were of Hispano heritage, did not “deserve the name ‘Mejicano.’”<sup>1</sup> The

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1. Protesta de los Agraciados En la Merced de Cebolleta (Aug. 1, 1896), in L. Bradford Prince Papers, “Protest of the Grantees of the Cebolleta Grant,” newspaper clipping, Box 13982, folder: Cebolleta Grant – General, pt. 3 of 3 (on file with the N.M. State Records Ctr. and Archives Santa Fe, N.M., (NMSRCA), and the Natural Resources Journal). A note on terms: While the heirs to the Cebolleta Land Grant called themselves “Mejicanos” and some scholars use the term “Nuevomexicanos,” I use the term “Hispano” to refer to people of Spanish heritage who lived on community land grants like Cebolleta. I use this term because it is the term most familiar to the majority of New Mexicans I have informally polled in the classes I have taught at Central New Mexico Community College in Albuquerque.

authors of the protest linked ethnicity, a way of life, and the status of their community land grant together. Land grant activists and scholars continue to emphasize these connections.<sup>2</sup>

Other recent scholarly works have simultaneously documented how ethnic identity in New Mexico (and elsewhere) is not a simple biological fact but rather a creation of historical circumstances.<sup>3</sup> The history of one land grant – Cebolleta – sheds further light on these circumstances through the prism of one key natural resource, land. Throughout the history of the Cebolleta Grant, individuals of different ethnicities both cooperated and came into conflict over land. This paper suggests that ethnic identity was connected to, but not dependent upon, how individuals and communities used the land.

Land-use methods helped forge and strengthen ties within a community like that of the Cebolleta Land Grant and drew neighboring communities, such as Cebolleta and nearby Laguna Pueblo, together. However, when individuals, like the people of Cebolleta and local Navajo bands, held different ideas about how the land should be used, violence often ensued. Similarly, as the effects of the U.S. conquest of New Mexico drew some Cebolletans away from the community grant, conflict resulted among those who still used the land and those who did not.

Because conflict concerning land grants is an ongoing issue in New Mexico, and often framed in terms of ethnicity, it is easy to impose modern-day categories and concepts of land grant communities and culture onto the past. In particular, scholars have fallen prey to the impulse to romanticize the communal land grants and the Hispanos who lived on them, portraying these communities as a unified whole, working together in opposition to

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2. For example, Erlinda Gonzales-Berry and David R. Maciel assert, "Because their roots run deep in the soil, Nuevomexicanos have been able to sustain vital cultural traditions and to adapt their traditions to conditions of cultural contact with preexisting Native cultures and also with an external culture that has sought to establish hegemony over Native cultures." *THE CONTESTED HOMELAND: A CHICANO HISTORY OF NEW MEXICO* 2-3 (Erlinda Gonzales-Berry & David R. Maciel eds., 2000); *see generally* *LAND, WATER, AND CULTURE: NEW PERSPECTIVES ON HISPANIC LAND GRANTS* (Charles L. Briggs & John R. Van Ness eds., 1987); MALCOLM EBRIGHT, *LAND GRANTS AND LAWSUITS IN NORTHERN NEW MEXICO* (3d ed. 2008).

3. *See generally* ROSS FRANK, *FROM SETTLER TO CITIZEN: NEW MEXICAN ECONOMIC DEVELOPMENT AND THE CREATION OF VECINO SOCIETY, 1750-1820* (2000); CHARLES H. MONTGOMERY, *THE SPANISH REDEMPTION: HERITAGE, POWER, AND LOSS ON NEW MEXICO'S UPPER RIOGRANDE* (2002); JOHN M. NIETO-PHILIPS, *THE LANGUAGE OF BLOOD: THE MAKING OF SPANISH-AMERICAN IDENTITY IN NEW MEXICO, 1880S-1930S* (2004); PABLO MITCHELL, *COYOTE NATION: SEXUALITY, RACE, AND CONQUEST IN MODERNIZING NEW MEXICO, 1880-1920* (2005); ANDRÉS RESÉNDEZ, *CHANGING NATIONAL IDENTITIES AT THE FRONTIER: TEXAS AND NEW MEXICO, 1800-1850* (2005).

Anglo-American encroachment.<sup>4</sup> This portrayal does a disservice to the historical reality of the grantees and heirs of places like Cebolleta.

Cebolleta's history of multicultural contention and cooperation can suggest new ways for historians, legal scholars, and land grant activists to examine the "ethical travesty" of Hispano land loss in ways that are more complex, but perhaps also more relevant to modern disputes.<sup>5</sup> Studying how grantees and their heirs worked for their own interests does not take away legitimacy from the ongoing struggles of modern-day heirs and activists for social justice, but rather allows for an understanding of land grant communities that fully appreciates how individuals and communities dealt with one another, their neighbors, and with the Spanish and U.S. legal systems.

### I. THE CEBOLLETA LAND GRANT AND THE SPANISH COLONIAL PROJECT

Spanish land grants did not take place upon an empty landscape. The colonists of Cebolleta built their farms and ranches upon land controlled and used by both Laguna Pueblo and local Navajo bands at various times. The resulting violence, legal conflicts, and sometime collaboration molded the Land Grant's history. Located on the site where Spanish missionaries failed to convert Navajos to a sedentary, Christian lifestyle, Cebolleta's existence was precarious for many years. The Grantees turned to their neighbors at Laguna Pueblo for assistance during Navajo raids, even as the Cebolletans and the Pueblo disagreed over the boundary between them. This interplay of violence and collaboration between

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4. For example, Roxanne Dunbar-Ortiz writes, "Land tenure based on cooperation characterized the poor communities of New Mexico, while individualism and competition for material gain characterized the capitalist mode in the United States. ROXANNE DUNBAR-ORTIZ, *ROOTS OF RESISTANCE: A HISTORY OF LAND TENURE IN NEW MEXICO* 5 (2007). For interpretations of the American conquest of New Mexico that emphasize a unified Hispano community who both "resisted" and "accommodated" a unified "Anglo" community, see generally RODOLFO ACUÑA, *OCCUPIED AMERICA: THE CHICANO'S STRUGGLE TOWARD LIBERATION* (1972); DEENA J. GONZÁLEZ, *REFUSING THE FAVOR: THE SPANISH-MEXICAN WOMEN OF SANTA FE, 1820-1880* (1999); Carlos R. Herrera, *New Mexico Resistance to U.S. Occupation During the Mexican-American War of 1846-1848*, in *THE CONTESTED HOMELAND: A CHICANO HISTORY OF NEW MEXICO*, *supra* note 2, at 23-58; Anselmo Arellano, *The People's Movement: Las Gorras Blancas*, in *THE CONTESTED HOMELAND: A CHICANO HISTORY OF NEW MEXICO*, *supra* note 2, at 23-58.

5. See, e.g., David Benavides, *Lawyer-Induced Partitioning of New Mexican Land Grants: An Ethical Travesty* (2004) (unpublished manuscript, on file with the Center for Land Grant Studies, Guadalupita, N.M.).

Hispanos, Pueblo Indians, and Navajos marks the history of New Mexico and other colonial spaces.<sup>6</sup>

Land grants served the interests of both individual Hispano settlers and colonial authorities. In the late eighteenth and early nineteenth centuries, Spanish colonial authorities sought to extend Hispano settlement of New Mexico beyond the Rio Grande corridor. Individual colonists, meanwhile, benefitted from the opportunity to acquire land.

In the mid-eighteenth century, some 50 years before the Cebolleta Land Grant, Spanish colonial authorities first sought to colonize the area by inducing Navajo families to settle around Catholic missions. Governor Tomás Vélez Cachupín voiced Spanish colonial policy when he wrote that he hoped the missions at Cebolleta and nearby Encinal would remodel Navajo society after the Spanish, "impressing upon them good customs and community government, in order to displace the uncivilized customs of the wild barbarians of the desert mountains."<sup>7</sup>

In fact, such Spanish efforts were intermittent and proved unsuccessful.<sup>8</sup> The Cebolleta and Encinal missions were the only two of their kind in New Mexico. Religious and secular authorities' grandiose plans for more missions, farther north and west in Navajo country, were never fulfilled—evidence of the overwhelming military and social control Navajos maintained in their homeland until the 1860s.<sup>9</sup> The Cebolleta and Encinal missions lasted for less than one year when, in April of 1750, the Navajos living there forced the Spanish priests to flee.

In all likelihood the very establishment of the missions was due at least as much to economic as to spiritual motivations on the parts of both the Spanish and the Navajos. Historian Frank Reeve suggested that Spanish

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6. See MARC SIMMONS, *THE FIGHTING SETTLERS OF SEBOYETA* 19–20 (1971). Simmons uses one common spelling, "Seboyeta." I use another common spelling, "Cebolleta" which is the spelling associated with the Land Grant documents. On violence and collaboration in New Mexico's colonial history, see generally JAMES F. BROOKS, *CAPTIVES AND COUSINS: SLAVERY, KINSHIP, AND COMMUNITY IN THE SOUTHWEST BORDERLANDS* (2002); MALCOLM EBRIGHT & RICK HENDRICKS, *WITCHES OF ABIQUIU: THE GOVERNOR, THE PRIEST, THE GENÍZARO INDIANS, AND THE DEVIL* (2006); RESÉNDEZ, *supra* note 3. For similar themes in other locations, see generally NED BLACKHAWK, *VIOLENCE OVER THE LAND: INDIANS AND EMPIRES IN THE EARLY AMERICAN WEST* (2006); KAREN ORDAHL KUPPERMAN, *INDIANS AND ENGLISH: FACING OFF IN EARLY AMERICA* (2000); JILL LEPORE, *NAME OF WAR: KING PHILIP'S WAR AND THE ORIGINS OF AMERICAN IDENTITY* (1998); RICHARD WHITE, *THE MIDDLE GROUND: INDIANS, EMPIRES, AND REPUBLICS IN THE GREAT LAKES REGION, 1650–1815* (1991).

7. Communication from Tomás Vélez Cachupín to Fray Manuel de San Juan Nepomuceno y Trigo (Mar. 24, 1750), in 3 *HISTORICAL DOCUMENTS RELATING TO NEW MEXICO, NUEVA VIZCAYA, AND APPROACHES THERETO, TO 1773*, at 424, 425 (Charles Wilson Hackett ed. & trans., 1937).

8. *Id.*

9. See Frank D. Reeve, *The Navaho-Spanish Peace: 1720's–1770's*, 34 *N.M. HIST. REV.* 9 (1959).

governor Vélez Cachupín was more interested in trading with the mission Navajos for skins and baskets than in the state of their souls.<sup>10</sup> It also appears that the only way Spanish priests convinced any Navajos to settle at the missions was through gifts of hoes and picks, and promises of “mares, horses, mules, cows, many sheep, and clothing.”<sup>11</sup> Though some Navajos consented to have their children baptized, most apparently agreed with the sentiment that “they were grown up,” and could not become Christians or stay in one place because they “had been raised like deer.”<sup>12</sup>

Furthermore, the people of the growing Pueblo (permanent Native American settlement) of Laguna also made use of the land around Cebolleta, cultivating fields there, especially as the Pueblo’s population increased from about 500 in the mid-eighteenth century to about 1,000 in the early nineteenth century.<sup>13</sup> One friar even asserted that his missionary work among the Navajo had ceased because the governor had told Laguna Indians to settle at Cebolleta, in lieu of the Navajos. Perhaps the governor believed the people of Laguna would be more successful at farming, and constructing a town and church, since they had a longer history of accommodation and cooperation with the Spanish.<sup>14</sup> Thus Navajos and Laguna Indians used, and fought over, the Cebolleta area throughout the eighteenth century.

In fact, by 1769, Laguna had obtained official, Spanish-endorsed ownership of one tract of land, between the Spanish mission and the Pueblo, an area later known as the “Pagate Purchase” or “Rancho de Paguate.” It was likely that the same Spanish governor who had promoted the Navajo mission, Vélez Cachupín, granted this land to Laguna, though the original grant documents are not extant.<sup>15</sup> Though Laguna Pueblo officially owned this land, continually possessing and using it would prove challenging due to Navajo raids and, in the nineteenth century, contention from the Hispanos at Cebolleta (as shall be further discussed).

In contrast to the missions at Cebolleta and Encinal, the community land grant proved a far more successful mechanism of the Spanish

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10. *Id.* at 26.

11. Auto of Don Bernado Antonio de Bustamente y Tagle (Apr. 18, 1750), in *HISTORICAL DOCUMENTS RELATING TO NEW MEXICO, NUEVA VIZCAYA, AND APPROACHES THERETO, TO 1773*, *supra* note 7, at 433–38.

12. *Id.*

13. Myra Ellen Jenkins, *History of Laguna Pueblo Land Claims*, in *PUEBLO INDIANS IV*, at 38 (1974).

14. See Account written by Fray Juan Sanz de Lezaun in the year 1760, in *HISTORICAL DOCUMENTS RELATING TO NEW MEXICO, NUEVA VIZCAYA, AND APPROACHES THERETO, TO 1773*, *supra* note 7, at 468, 471–72; See also Jenkins, *supra* note 13, at 40.

15. However, a document from 1769 does reference the Grant. See Jenkins, *supra* note 13, at 41–42.

colonization of New Mexico in general, and Cebolleta in particular.<sup>16</sup> When, in 1800, several Hispano settlers petitioned the governor in Santa Fe for a community land grant at Cebolleta, they demonstrated the efficacy of the Land Grant in unifying the goals of ordinary colonists and governmental officials. Therefore, Spanish authorities approved the Grant request, and on March 15, 1800, the local alcalde drew up the official paperwork giving the Cebolleta Grant to 30 men (heads of household).<sup>17</sup>

The 30 colonists who asked for the Cebolleta Grant must have been desperate for land in order to risk establishing a community so far west into Navajo country. In primarily agrarian New Mexico, wealth came from land and sheep. Historian Marc Simmons posits that the Cebolleta colonists were "perhaps in some cases younger sons left out of a paternal inheritance."<sup>18</sup> Other evidence indicates that some of the 30 families—the Baca, Chaves, and Gallegos families—were descendants of recipients of earlier, private land grants in the vicinity.<sup>19</sup>

The earlier grants had been abandoned in the 1780s and 1790s due to raids from Navajo bands, a fact which surely was not lost to the Cebolleta settlers. They, and the colonial officials who approved and enacted the Grant, knew how difficult it would be to maintain a Hispano settlement at Cebolleta. Therefore, the governor set the condition that the colonists "form a regular settlement and do not abandon it under any pretext."<sup>20</sup> Granting officials, in this case Alcalde Aragon, knew that only the threat of losing their lands might keep colonists in place in the face of Navajo raids. As shall be discussed, even this threat was not always enough to keep the Grantees from fleeing in particularly bloody circumstances.

It also seems, given later events, that the colonists and government authorities alike hoped that the proximity of Laguna Pueblo would provide a safe haven during the fighting and, perhaps, that Laguna would even help the Cebolletans fight Navajo raiding parties. Though Laguna and Cebolleta came into conflict over access to land and water, the people of Laguna proved willing to provide shelter and help fight Navajo raids alongside Cebolletans in times of peril. The relationships between the people of

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16. There were several large, private land grants in the general vicinity of Cebolleta in the eighteenth century; however, these were mostly abandoned due to Navajo raids and are not discussed here. See James F. Brooks, *Violence, Justice, and State Power in the New Mexican Borderlands, 1780–1880*, in *POWER AND PLACE IN THE NORTH AMERICAN WEST* 23 (Richard White & John M. Findlay eds., 1999); See generally EBRIGHT, *supra* note 2, at 24–25.

17. Petition for Confirmation of Grant by José Manuel Aragon (Mar. 15, 1800), SG 46, SANM-I, reel 17, frames 937–38 (English translation on Mar. 16, 1859, SG 46, SANM-I, reel 17, frame 960) (on file with NMSRCA and the Natural Resources Journal).

18. SIMMONS, *supra* note 6, at 15.

19. BROOKS, *supra* note 6, at 210.

20. Petition for Confirmation of Grant by José Manuel Aragon, *supra* note 17.

Cebolleta, Laguna Pueblo, and nearby Navajo bands is thus best understood as a series of dynamic interchanges among the three. Though Spanish colonization negatively affected the Pueblos by usurping natural resources and presuming authority, in many cases the later colonial period saw cooperation between Pueblo Indians and Hispano settlers, especially in the face of Navajo raids.<sup>21</sup>

Such conflicts between Navajo raiders and settled Hispano and Pueblo communities were endemic in nineteenth-century New Mexico, and were probably exactly what Alcalde Aragon had in mind when he admonished the Cebolleta Land Grant recipients that they would forfeit their lands if they abandoned them. As often occurred in colonial New Mexico, the Cebolletans did in fact leave their Grant very shortly after receiving it, due to violence with Navajo bands.

Colonial authorities, however, were adamant that the settlers remain on the Grant, which would provide a key Hispano outpost in western New Mexico. These governmental officials sent militia troops to Chihuahua, where the Cebolleta colonists had fled, and marched them back to Cebolleta under the penalty of death if they refused.<sup>22</sup> In this instance the colonists' desire for safety diverged with the governmental prerogative to continue colonizing New Mexico; government authorities temporarily got their way, but only due to the direct use of force.

The ongoing violence between Navajos and the Hispanos of Cebolleta exposed fissures between the priorities of the colonial government and the settlers, who truly must have lived in terror if they were willing to abandon their land and home. Colonial officials wanted a consistent, permanent Hispano presence at Cebolleta and did not approve of the colonists' choice to leave their Grant. When Governor Fernando Chacon learned of the colonists' move and their request to abandon the Grant "on account of the terror" inspired by the ongoing conflicts with Navajos, he must have known that he could not permit the colonists to leave Cebolleta.<sup>23</sup> He wrote to Alcalde Aragon, who served as an intermediary between the governor and the colonists, that their actions were "subordination" which "would require exemplary punishment" to avoid any future repeats (presumably not only by the Cebolleta colonists but by inhabitants of other land grants as well).<sup>24</sup> The "fugitive" Cebolletans, wrote Governor Chacon,

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21. See generally MARC SIMMONS, *NEW MEXICO: AN INTERPRETIVE HISTORY* 76 (1977).

22. J.J. Bowden, *Private Land Claims in the Southwest 1468* (1969) (unpublished LL.M. thesis, Southern Methodist Univ.) (on file with Univ. of N.M. School of Law Library).

23. Petition for Confirmation of Grant from Fernando Chacon to José Manuel Aragon (Sept. 26, 1804), SG 46, SANM-I, reel 17, frames 939–40 (English translation at SG 46, SANM-I, reel 17, frames 963–64) (on file with NMSRCA and the Natural Resources Journal).

24. *Id.*



were to immediately “return and reoccupy” their homes and lands.<sup>25</sup> If they did not they would lose any right to their property on the Grant. The governor also sent 30 soldiers to Cebolleta, probably with the intention of helping the colonists fight Navajo raiding parties, assuaging the colonists’ fears while reminding them that he could use the military to force them to return.<sup>26</sup>

The cycles of raids continued, spurring cooperation between the colonists and Laguna Pueblo, even as the two growing groups came into conflict over land. In fact, one attack by Navajos in 1804 was so successful that it convinced the Cebolleta colonists to actually move into Laguna Pueblo. Presumably they knew, following the events of 1800–1801, that if they simply left the Grant entirely the governor would send troops after them, but safety was a major concern. Likewise, moving into Laguna Pueblo, which in the early nineteenth century was growing in numbers and power, must have seemed one of the few options left.<sup>27</sup> In 1805 Laguna tribal members and Cebolletans again fought one major Navajo raid together. Laguna oral tradition, relayed in a 1904 book written by an Anglo married to a Laguna woman, holds that Cebolleta formally recognized the Pueblo’s claim to the tract of land known as the Pagate Purchase in the 1820s, in gratitude for the Pueblo’s assistance in fighting Navajo raids.<sup>28</sup> This recognition demonstrates how the Hispanos of Cebolleta had come to coexist with, and sometimes fight beside, their Laguna Pueblo neighbors despite ongoing conflict over lands such as the Pagate tract.<sup>29</sup> The threat of Navajo raids created a unifying force among Pueblo Indians and Hispanos.

Simultaneously, according to historian James Brooks, Cebolletans also participated in a “borderlands political economy” of which the cycle of raids and retaliation were a fundamental component.<sup>30</sup> Brooks contends that this cycle was not random but represented a “system for exacting emotional retribution and redistributing wealth within and between Navaho and New Mexican [i.e., Hispano] societies.”<sup>31</sup> The ongoing raids and reprisals, he

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25. *Id.*

26. *Id.*

27. Jenkins, *supra* note 13, at 37–38; Florence Hawley Ellis, *Laguna Pueblo*, in 9 HANDBOOK OF NORTH AMERICAN INDIANS 438 (Alfonso Ortiz ed., 1979).

28. Jenkins, *supra* note 13, at 63–64.

29. Adjudication of the Pagate Purchase continued into the twentieth century and included the U.S. Supreme Court’s *Candelaria* opinion and decisions by the Pueblo Lands Board and the Indian Claims Commission. See Jenkins, *supra* note 13, at 68–69; Pueblo of Laguna v. U.S., 17 Ind. Cl. Comm. 615 (1967); United States v. Candelaria, 271 U.S. 432 (1926).

30. Brooks, *supra* note 16, at 30–31. For his full analysis of New Mexican society through the prism of a political and moral economy, see BROOKS, *supra* note 6.

31. Brooks, *supra* note 16, at 30.

argues, “actually contributed to the overall growth of both societies” because it “fostered cultural and economic exchanges” between Hispanos and Navajos through the continual taking of captives by each group. Brooks cites the existence of an “enemy” band of Navajo, and a “favored captive” who was Navajo but raised at Cebolleta in his assertion that this violence represented an agreed-upon “political and moral economy” that promoted the expansion of Navajo and Hispano societies alike.<sup>32</sup> These cultural exchanges, however, came at a high price, as the Cebolleta Land Grant’s early years demonstrate. Even after the colonists re-settled the Grant, deaths from Navajo raids were frequent.<sup>33</sup> It likely would have been difficult to find anyone among these groups after the raids of the early nineteenth century who would have agreed that they had anything in common with “the enemy,” a common descriptor of Navajos in the official Spanish documents.<sup>34</sup> In sum, establishing community land grants like Cebolleta proved a far more successful policy than missions, in part because they blended the interests of ordinary Hispanos with those of the government. However, Navajo bands continued to dispute the Spanish conquest of new territory, posing a very real threat to those Hispanos of the new communities, and revealing a conflict in the priorities of colonial officials and colonists. Cebolleta colonists consequently had to work and coexist with neighboring Laguna Pueblo in order to survive, during and despite ongoing tensions with that Pueblo over land use.

Violence between Navajo bands and settled groups, including Hispanos, Pueblo Indians, and Anglo newcomers would continue throughout the period of the U.S. conquest of New Mexico. However, this paper will now turn to a different phase in the Cebolleta Land Grant’s history – the diverging interests of elites, focusing on the Hispanos, Anglos, and “Mejicanos” who authored the 1896 protest quoted at the beginning of this paper. An inquiry into the circumstances surrounding the protest will reveal that multicultural contention and cooperation continued to shape the Grant’s history, and the ways in which Cebolletans self-identified.

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32. *Id.*; see also BROOKS, *supra* note 6.

33. See, e.g., Juan Mariano Peñota, Burial Records, Sept. 1, 1818, Mission of Laguna, N.M., certified copy from Nov. 24, 1880, in Amado Chaves Papers (on file with NMSRCA and the Natural Resources Journal).

34. Petition for Confirmation of Grant from Fernando Chacon to José Manuel Aragon, *supra* note 23.

## II. THE CEBOLLETA LAND GRANT AND THE U.S. COLONIAL PROJECT

The change from Mexican to American sovereignty after the Mexican-American War (1846–48) brought the priorities of some Cebolleta Hispanos into conflict with those of Hispano and Anglo elites and government officials. Cooperation among Hispano and Anglo elites helped lead to a vast reduction in the size of the Grant, spurring certain Cebolleta heirs to protest that those who participated in it “did not deserve to be called Mejicanos.”<sup>35</sup> As in the case of the original settling of the Grant, these Hispanos, both ordinary farmers and elites, were active agents working for their self-interest. Their interests diverged, however, when heirs who didn’t live on the Grant cooperated with Hispano elites who, along with certain Anglos, sought to divide up the Grant and make the land into a commodity.

As other scholars have amply demonstrated, the process by which the United States government decided upon Mexican and Spanish land grants in New Mexico was inadequate at best. The focus of customary Hispano law on the common good of the village, and community control of certain resources like pasturage and water did not translate to the U.S. legal system. Anglo entrepreneurs and lawyers often took advantage of this situation to acquire Hispano and Pueblo lands, a problem compounded by the fact that Anglo lawyers, judges, and bureaucrats often unabashedly supported such efforts. Hispanos and Pueblos lost valuable lands and water rights as a result.<sup>36</sup>

At first glance, the Cebolleta Land Grant appears to be one of the more successful in New Mexico. According to the 2004 General Accounting Office report on community land grants, Cebolleta is third among all “[n]on-Indian community land grants” in the amount of acreage currently owned by the community, with 32,000 acres, behind only Antón Chico and Atrisco.<sup>37</sup> Furthermore, the Surveyor General recommended the Grant for confirmation at the relatively early date of 1861, commenting “the genuineness of the grant having been established, and the town having been in existence at the time of the acquisition of New Mexico by the United States on the 18th day of August 1846, it is presumed there can be no

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35. Protesta de los Agraciados En la Merced de Cebolleta, *supra* note 1.

36. See generally Benavides, *supra* note 5; EBRIGHT, *supra* note 2, at 29; RICHARD GRISWOLD DEL CASTILLO, THE TREATY OF GUADALUPE HIDALGO: A LEGACY OF CONFLICT 62–86 (1990).

37. U.S. GEN. ACCOUNTING OFFICE, TREATY OF GUADALUPE HIDALGO: FINDINGS AND POSSIBLE OPTIONS REGARDING LONGSTANDING COMMUNITY LAND GRANT CLAIMS IN NEW MEXICO 148 (2004) [hereinafter GAO REPORT], available at <http://www.gao.gov/new.items/d0459.pdf>.

question of the validity of the claim.”<sup>38</sup> The alacrity with which the Surveyor General recommended the Grant for confirmation was a boon, since delays in so doing often contributed to land speculation and accelerated land loss. The Grant was confirmed by Congress as the “Town of Cebolleta” Grant in 1869, and a patent for the Grant, surveyed at just under 200,000 acres, was issued in January 1882.<sup>39</sup> In contrast, most of New Mexico’s land grants were not confirmed under the U.S. legal system until after the establishment of the Court of Private Land Claims (CPLC) in 1891.<sup>40</sup>

Despite these seeming advantages, Cebolleta ultimately lost many acres of the confirmed land, due to the partitioning of the Grant in the early twentieth century. Anglo and Hispano elites sought to profit by taking advantage of the fundamental problem of translating, both literally and figuratively, legal ownership of land from the Spanish (and Mexican) legal systems to the U.S. system.<sup>41</sup> Partitioning the common lands of a community grant reflected the assumption shared by many lawyers, judges, and entrepreneurs of the era: that private land ownership provided the best method for fully exploiting natural resources, such as land, water, and timber.<sup>42</sup> These attitudes were prevalent among those who were involved in the partitioning of the Cebolleta Land Grant.

The partitioning proceedings involved both Anglo and Hispano elites, and some Hispano non-elites. It is true that many individuals in Territorial New Mexico engaged in corrupt legal practices that helped contribute to land loss for Hispano communities.<sup>43</sup> However, the loss of land tenure, which occurred among Hispanos following the Mexican War, cannot be explained solely as the result of the actions of rapacious individuals, such as Anglo politicians, speculators, and lawyers. Instead, the legal culture of late nineteenth-century New Mexico, which fostered individual self-interest over the community good, is as much to blame. As shall be discussed, those Grant heirs who had little or no connection to the community of Cebolleta participated in, or at least acquiesced to, the partition of the Grant. The partition itself was spurred by Anglo and

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38. Recommendation of Surveyor General (Oct. 5, 1861), SG 46, SANM-I, reel 17, frame 974 (on file with NMSRCA and the Natural Resources Journal).

39. An Act to Confirm Certain Private Land Claims in the Territory of New Mexico, ch. 152, 15 Stat. 342 (1869) (cited in Bowden, *supra* note 22, at 1470); Letter from N.C. McFarland to H.M. Atkinson (Feb. 3, 1882), SG 46, SANM-I, reel 17, frames 998–99 (on file with NMSRCA and the Natural Resources Journal).

40. See EBRIGHT, *supra* note 2, at 37–51.

41. For a discussion of the partitioning of land grants, see Benavides, *supra* note 5; GAO REPORT, *supra* note 37, at 151–52.

42. See generally ALAN TRACHTENBERG, *THE INCORPORATION OF AMERICA: CULTURE AND SOCIETY IN THE GILDED AGE* 22–23 (1982).

43. See EBRIGHT, *supra* note 2, at 37–51.

Hispano elites who were more connected to the new, cash-based economy. Those Cebolleta heirs who still lived on or near the Grant and depended upon its commons for sheep pasturage, on the other hand, worked against the partition. Ultimately, more than just the actual land would be divided—so too would the Cebolleta community.

The social and political ties between Hispano and Anglo elites in Territorial-era New Mexico becomes obvious through an examination of the correspondence between such elites over the course of the 1890s, as partitioning proceedings began in the Cebolleta case. These men shared ties not only to each other, but also to the cash-based economy that the U.S. conquest of New Mexico had helped to accelerate.

The web of connections between New Mexican elites, Anglo and Hispano, helps explain many of the apparent “back-room” dealings involving the Territory’s land grants, like the partitioning of Cebolleta. For example, New Mexico’s governor from 1889 to 1893, L. Bradford Prince, was intimately involved in efforts to divide up the Grant. In March of 1892, he apparently heard some rumors that one key Grant heir, Ramón Baca, was interested in selling his portion of the Grant. Detecting an opportunity, he asked Baca’s “nearest friend,” Amado Chaves, about the possibility.<sup>44</sup> In reply, Chaves wrote that Baca did seek a buyer for his portion of the Cebolleta Land Grant. This letter, and subsequent correspondence on the matter, indicates that Baca had to sell his land because of unspecified problems involving his son, which required that he pay “a large sum of money” at Santa Fe by July 1, 1893.<sup>45</sup> It seems likely that Baca’s son was in some sort of legal trouble, since Prince ascribed Baca’s desire to sell his land to “the extraordinary misconduct of the son of Mr. Baca, which has involved the too indulgent father to the extent of over \$50,000.”<sup>46</sup>

Ramón Baca had signed for the government’s patent of the Grant in 1882, an event that must have seemed like a victory for the community of Cebolleta.<sup>47</sup> Thus Baca must have been, in some ways, a local leader. However, in seeking to sell his interest in the Grant, Baca also began the

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44. The “nearest friend” quote comes from a letter from L. Bradford Prince to S.A. Plumer (1892), in L. Bradford Prince Papers, *supra* note 1, at box 13982, folder: Cebolleta Grant—General, pt. 3 of 3 (on file with NMSRCA and the Natural Resources Journal).

45. Letter from Amado Chaves to L. Bradford Prince (Mar. 25, 1892), in L. Bradford Prince Papers, *supra* note 1, at box 13982, folder: Cebolleta Grant—General, pt. 3 of 3 (on file with NMSRCA and the Natural Resources Journal).

46. Letter from L. Bradford Prince to S.A. Plumer, *supra* note 44.

47. Wells Fargo & Co. receipt for package containing the patent for the Cebolleta Grant No. 46 (Apr. 24, 1882), SG 46, SANM-I, reel 17, frame 1002 (on file with NMSRCA and the Natural Resources Journal). *See also* Receipt for Patent of Private Land Claim No. 46, the Town of Cebolleta (Apr. 24, 1882), SG 46, SANM-I, reel 17, frame 1003 (on file with NMSRCA and the Natural Resources Journal).

Grant's partitioning process. These two actions reveal that, like many of New Mexico's middle or upper class Hispanos in the late nineteenth century, Baca occupied a middle space between being tied to the land, and the Grant, and moving away from those ties toward the cash-based economy which encouraged land speculation.

Their positions as officers in a group called the New Mexico Pioneers also bespeak the ways in which Baca, and his friend Amado Chaves, were familiar with components of both Anglo-American and Hispano society.<sup>48</sup> The New Mexico Pioneers worked to memorialize New Mexico's heritage in a way that glorified the area's Spanish past while downplaying the role of Native cultures. For example, the Pioneers helped create monuments to the first Spaniard to conquer New Mexico, Don Juan de Oñate, and the Spaniard who re-conquered the province following the Pueblo Revolt, Don Diego de Vargas.<sup>49</sup> Emphasizing these Spanish conquerors helped New Mexicans, particularly Hispano elites, portray their heritage as similar to that of Anglo-Americans, whose dominant culture was particularly sensitive to issues of "racial purity" and whiteness at the turn of the twentieth century.<sup>50</sup> The very term "pioneer" is one that celebrates the conquest of native peoples, and is most often associated with the Anglo settlement of the West. In embracing the Spanish "pioneer" tradition, Chaves, Baca, and other Hispano elites sought to forge cultural ties with the Anglo newcomers. Meanwhile, their actions concerning the Cebolleta Land Grant helped solidify economic ties with the Anglo elite. These actions simultaneously harmed the economic and cultural well-being of the Cebolleta villagers who continued to rely upon the Grant for their livelihood.

Baca used his connections to Anglo and Hispano elites, and to the non-elite Cebolleta villagers, as he commoditized the Grant, demonstrating that Hispanos of all classes were coming more and more under the sway of a market-based, cash economy in the late nineteenth century. Chaves wrote that Baca had 175,000 acres in the Grant, a huge amount of land,

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48. The Pioneers' officers are listed on L. Bradford Prince's letterhead. Letter from L.B. Prince (Mar. 12, 1898), in L. Bradford Prince Papers, *supra* note 1, at box 13982, folder: Cebolleta Grant—Correspondence 1898 (on file with NMSRCA and the Natural Resources Journal).

49. See Letters from N.M. Pioneers to Felipe Chaves, Chaves Family Papers, box 1, folder 9 (on file with the Center for Southwest Research, Univ. of N.M., Albuquerque, N.M. (CSWR)).

50. LAURA GÓMEZ, *MANIFEST DESTINIES: THE MAKING OF THE MEXICAN AMERICAN RACE* (2007); PABLO MITCHELL, *COYOTE NATION: SEXUALITY, RACE, AND CONQUEST IN MODERNIZING NEW MEXICO, 1880–1920* (2005); JOHN NIETO-PHILLIPS, *THE LANGUAGE OF BLOOD: THE MAKING OF SPANISH-AMERICAN IDENTITY IN NEW MEXICO, 1880s–1930s* (2004); CHARLES MONTGOMERY, *THE SPANISH REDEMPTION: HERITAGE, POWER, AND LOSS ON NEW MEXICO'S UPPER RIO GRANDE* (2002).

considering that the entire Grant was only about 200,000 acres.<sup>51</sup> Baca had “bought every interest obtainable,” except for “unknown heirs, persons disappeared, and the actual settlers of the town of Cebolleta.”<sup>52</sup> In other words, it seems that Baca had bought out those heirs to the Cebolleta Land Grant who no longer resided on the Grant over the course of the 1860s and 1880s.<sup>53</sup> The timing suggests that Baca had probably planned to sell his “large interest” in the Grant prior to the troubles with his son, and that even non-elite Hispanos who had no personal stake in the Grant were willing to sell their shares for money. Baca and these non-elites thus sought to profit from the land, belying the assumption that only Anglos thought of land as a commodity in late nineteenth-century New Mexico.

Amado Chaves’s activities in bringing the Cebolleta Grant to Governor Prince’s attention, and his subsequent involvement, demonstrate how Hispano and Anglo elites worked together to make money from such land grant divisions and sales. At Chaves’s suggestion that “this is the best chance to make a handsome fee that will present itself for a long time,” Governor Prince began to look for buyers of Baca’s lands.<sup>54</sup> Baca, through Chaves, had promised Prince a large commission, of either \$20,000 or \$25,000. Chaves would get \$5000.<sup>55</sup> They each could, Chaves wrote, keep a share of the Grant, presumably for future speculation.<sup>56</sup> In fact, by 1905, Prince had obtained a 20,000 acre share in the Grant, and had found a buyer from New York City for another large tract of Cebolleta land.<sup>57</sup>

Prince’s advertisements, presumably circulated among speculators who might be interested in buying partitioned tracts, confirm that many Anglo speculators shared assumptions about the lands and natural resources of New Mexico – that they were commodities, to be bought, sold, and speculated upon for profit. Prince told potential buyers that the towns of Cebolleta, Moquino, and Cebolletita “are near at hand and whose people

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51. Letter from Amado Chaves to L. Bradford Prince, *supra* note 45; on the 200,000-acre figure, see letter from L. Bradford Prince to S.A. Plumer, *supra* note 44.

52. Letter from L. Bradford Prince to S.A. Plumer, *supra* note 44.

53. Typed transcriptions of warranty deeds, 1867–85, in L. Bradford Prince Papers, *supra* note 1, at box 13982, folder: litigation, 1890–92 (on file with NMSRCA and the Natural Resources Journal).

54. Letter from Amado Chaves to L. Bradford Prince (Apr. 21, 1892), in L. Bradford Prince Papers, *supra* note 1, at box 13982, folder: Cebolleta Grant—General, pt. 3 of 3) (on file with NMSRCA and the Natural Resources Journal).

55. *Id.*

56. *Id.*

57. Map of the Cebolleta Grant and Subdivisions in the Counties of Valencia, Sandoval, & McKinley, N.M. (Jan. 18, 1905), in Edmund Ross & Pitt Ross Family Papers, MSS 786 BC, box 9, oversize (on file with CSWR).

can supply all of the ordinary labor required on this property.”<sup>58</sup> The people of these villages, and nearby Juan Tafoya would provide wage-based labor “conveniently and reasonably.”<sup>59</sup> Meanwhile, “the tract itself is absolutely free from any embarrassment,” without “a single squatter upon it.”<sup>60</sup> In other words, by dispossessing the Land Grant heirs of their inheritance, the prospective Grant buyers would also ensure themselves of a ready-made pool of workers for wage labor, including workmen and shepherders. People who had once herded their own sheep would now do so for others, perhaps under the *partidario* system, somewhat akin to sharecropping.<sup>61</sup>

Interestingly, Chaves also shared these ideas, suggesting that they were not confined to Anglos. Both Prince and Chaves emphasized the ready availability of commodities such as cattle and timber on the Cebolleta Grant, demonstrating their knowledge that potential buyers were interested in the amount of profit they could wring from the land. At the suggestion of Chaves, Prince urged one buyer to go to the grant and see Ramón Baca’s cattle, writing, “you can judge from them better than any other way, of the character of the tract for grazing.”<sup>62</sup> Chaves also noted that the majority of the Grant was made up of “excellent grazing land” which was “well watered for livestock.”<sup>63</sup> He went so far as to say that “the pasturage all over the grant is equal to the best in the Territory.”<sup>64</sup>

Prince and Chaves viewed the timber on the Grant as an important selling point, telling buyers that there were between 35,000 and 45,000 acres of “timber land, pine and spruce” with timber worth \$5.50 per acre.<sup>65</sup> In one note Chaves wrote that a “Michigan expert” had estimated there to be “5000 feet of good lumber to the acre saying nothing of the tie and telegraph poles.”<sup>66</sup> The railroad and accompanying telegraph ran through the area a few miles south of the Grant, providing a ready market for railroad ties and telegraph poles, and also demonstrating the interconnections between the

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58. See L. Bradford Prince, “First Class Grazing Land in New Mexico,” in L. Bradford Prince Papers, *supra* note 1, at box 13983, folder: Cebolleta Grant—Maps) (on file with NMSRCA and the Natural Resources Journal).

59. *Id.*

60. *Id.*

61. JOHN O. BAXTER, *LAS CARNERADAS: SHEEP TRADE IN NEW MEXICO (1700-1860)*, at 28-30, 94-95 (1987).

62. Letter from L. Bradford Prince to S.A. Plumer, *supra* note 44.

63. Letter from Amado Chaves to L. Bradford Prince, *supra* note 54.

64. Description and approximate value of the Cebolleta Land Grant by Amado Chaves, in L. Bradford Prince Papers, *supra* note 1, at box 13982, folder: Cebolleta Grant—General, pt. 3 of 3 (on file with NMSRCA and the Natural Resources Journal).

65. Letter from Amado Chaves to L. Bradford Prince, *supra* note 54.

66. Description and approximate value of the Cebolleta Land Grant by Amado Chaves, *supra* note 64.



commoditization of land, the movement of individuals from rural farms to cities, and the coming of corporate railroads to the Territory. As Chaves wrote, "There is always a good demand for lumber owing to the rapid development of our towns and cities, aside from the large amount demanded by the Rail-Road companies, which are continually building new lines."<sup>67</sup>

Once the timber had been cut, Chaves wrote, the resultant fields could "be subjected to agricultural uses without much irrigation, and a very large portion can be irrigated there being an abundance of water for such purposes."<sup>68</sup> He also predicted, "there are several thousand acres that can be cultivated and will produce the finest potatoes and oats without irrigation."<sup>69</sup>

Chaves's statement that once Prince actually saw the property he would "be convinced that it is worth one million dollars" reveals the ethic shared by Prince and Chaves that exploiting the natural resources on the Grant would provide a profit.<sup>70</sup> This ethic was thus not confined to Anglos, but shared by New Mexican elites. Boosters like Prince and Chaves always went to great pains to demonstrate that the land had not been *fully* exploited and ample opportunities remained. To this end, Chaves or Prince [the authorship of this document is unclear] wrote of Cebolleta, "There are some minerals on the grant but not developed but there is any quantity of coal in some portion of the grant." This coal would have a ready market for it was "not far from the R.R. About 15 miles."<sup>71</sup>

Though these Hispano and Anglo elites worked together, the heirs of the Cebolleta Land Grant who sought to thwart their efforts cast the issue as an ethnic one. In the aforementioned "Protest" published in 1896 in a Spanish-language newspaper, the commissioners of the Cebolleta Grant, on behalf of all heirs to the Grant, asserted that the division of the community grant into parcels of private property would mean "the ruin and death of the Mexican community that lives on or around the grant."<sup>72</sup>

It might seem that the differences between those Hispanos like Chaves and Baca who sought to partition the Grant, and those, like the Cebolleta Grant commissioners who fought this partition, were class-based. The commissioners, however, disagreed, arguing that all the people on the

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67. *Id.*

68. *Id.*

69. Letter from Amado Chaves to L. Bradford Prince, *supra* note 54.

70. *Id.*

71. Description of Cebolleta Land Grant, in L. Bradford Prince Papers, *supra* note 1, box 13982, folder: Cebolleta Grant – General, pt. 3 of 3 (on file with NMSRCA and the Natural Resources Journal).

72. Protesta de los Agradaciados En la Merced de Cebolleta, *supra* note 1.

Grant were “Mejicanos,” including both “rich and poor” in “our Mexican people.”<sup>73</sup>

The commissioners’ protest asserted that rich *and* poor Mejicanos all made a living from their sheep.<sup>74</sup> Perhaps the commissioners viewed sheep herding as the prerequisite to being “Mejicano,” as opposed to newer ways of making a living, such as being a lawyer or a public official with the U.S. government (like Amado Chaves). If the Grant were robbed from them, the commissioners asked, where would they pasture the animals in question? The larger question was really, how would their way of life survive? Losing the communal lands would mean “the ruin and death of the Mexican community that lives on or near the grant.”<sup>75</sup> Perhaps this is why the commissioners declared that the “cowards” and “worshippers of money and injustice” who worked for the division, presumably meaning Ramón Baca, “do not deserve the name of ‘Mejicanos.’”<sup>76</sup>

This protest was likely written in response to the fact that attorneys were preparing the case to go before the special master, which it did in the spring of 1897. By this time, Amado Chaves and L. Bradford Prince appear to have been working on opposite sides, but this appearance can be deceiving. Chaves worked with an attorney named Frank Clancy, supposedly on behalf of the Cebolleta Land Grant heirs.<sup>77</sup> However, the fact that Chaves had initially been the one to approach Prince with Baca’s offer to sell the majority of the Grant, and the fact that Clancy ended up with a large tract of land in the Grant, indicate that these attorneys did not necessarily work purely for their clients’ best interests.<sup>78</sup>

The proceedings dragged on for years, and in fact it was not until 1907 that much of the Grant was partitioned, opening the gateway for a variety of interests to come onto the Grant lands.<sup>79</sup> Only 32,000 acres of the original 199,567.92 acres confirmed to the Town of Cebolleta are today

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73. *Id.*

74. “Nuestro pueblo Mejicano vive de [illeg.] ovejas, ricos y pobres.” *Id.*

75. “Tal division significa la ruina y la muerte del pueblo Mejicano que vive dentro ó al rededor de la merced.” *Id.*

76. “Los cobardes, aduladores del dinero y de la injusticia, no merecen el nombre de Mehicanos.” *Id.*

77. Letter from Frank W. Clancy to Amado Chaves, Albuquerque, N.M. (June 14, 1903), in Amado Chaves Papers, box 1, folder 5 (on file with NMSRCA and the Natural Resources Journal).

78. Map of the Cebolleta Grant and Subdivisions in the Counties of Valencia, Sandoval, & McKinley, N.M., *supra* note 57.

79. “Cutting” regarding Cebolleta Land Grant (possibly 1897), newspaper clipping from an Albuquerque newspaper, enclosed in letter from Lionel H. Graham to L. Bradford Prince (Jan. 17, 1898), in L. Bradford Prince Papers, *supra* note 1, at box 13982, folder: Cebolleta Grant—Correspondence 1898) (on file with NMSRCA and the Natural Resources Journal); Baca v. Anaya, 14 N.M. 382 (1908).

owned by the Grant.<sup>80</sup> Thus the Cebolleta partition was unique in that *most*, but not *all*, of the community land grant went into private hands.<sup>81</sup> One map, drawn in 1905 during the partition proceedings, sheds some light on how this may have occurred. The map divides most of the Grant into nine tracts of land. Two of the nine tracts, according to the map, were owned by "Cebolleta people."<sup>82</sup> The smaller is the Juan Tafoya Land Grant, another Grant that was within the boundaries of Cebolleta, as confirmed by Congress and surveyed by the U.S. government.<sup>83</sup> The larger tract comprised 16,693 acres.<sup>84</sup>

Five tracts were owned by individuals or groups, including L.B. Prince and the buyer he had found, A.L. Richardson. Three others were owned (or partially owned) by lawyers.<sup>85</sup> Two of the three lawyers, Frank Clancy and Raynolds, were definitely involved in the partition proceedings. Clancy was the attorney who worked with Amado Chaves to find and collect deeds to the Grant, as described above; Raynolds also assisted Clancy and Chaves.<sup>86</sup> It also seems likely the third owner, prominent Albuquerque attorney B.S. Rodey, was involved in the partitioning as well.

One tract is listed as "land to be sold," and one is ascribed to "unassigned owners."<sup>87</sup> It seems possible that one of these tracts, listed at 14,421 acres, was eventually purchased by, or otherwise came back into the ownership of the Town of Cebolleta Grant. This, combined with the 16,693 acres owned by the town would make for approximately the amount owned by the community land grant today, some 32,000 acres.

The partition thus led to private control over large parts of the Grant, with a uranium mining company leasing the majority of the lands

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80. GAO REPORT, *supra* note 37; See also Receipt for Patent of Private Land Claim No. 46, the Town of Cebolleta (Apr. 24, 1882), SG 46, SANM-I, reel 17, frame 1003) (on file with NMSRCA and the Natural Resources Journal).

81. David Benavides & Ryan Golten, *Righting the Record: A Response to the GAO's 2004 Report "Treaty of Guadalupe Hidalgo: Findings and Possible Options Regarding Longstanding Community Land Grant Claims in New Mexico,"* 48 NAT. RESOURCES J. 857, (2008).

82. Map of the Cebolleta Grant and Subdivisions in the Counties of Valencia, Sandoval, & McKinley, N.M., *supra* note 57.

83. On the Juan Tafoya Land Grant, see Petition and Protest (of Juan Tafoya Grantees and heirs) (Feb. 5, 1885), SG 46, SANM-I, reel 17, frames 1005-11) (on file with NMSRCA and the Natural Resources Journal); Juan Tafoya Land Grant v. Baca, 498 P.2d 673 (1972); Marquez v. Juan Tafoya Land Corp., 632 P.2d 738 (1981).

84. GAO REPORT, *supra* note 37.

85. *Id.*

86. Letter from Frank W. Clancy to Amado Chaves, *supra* note 77.

87. GAO REPORT, *supra* note 37.

and causing immeasurable environmental consequences to the town of Cebolleta and surrounding communities.<sup>88</sup>

Despite these challenges, the Land Grant of Cebolleta remains extant. Today, heirs of this Grant and many others continue to struggle for social and environmental justice. As they seek a balance between individual ownership of land and the well-being of the community, the long history of individuals of all ethnicities working for their own self-interests adds additional perspective to these struggles. All of these individuals made choices that, while certainly informed by their cultural background, were not necessarily dictated by that background. A full accounting of the multicultural interactions in the Grant's history might help chart the course toward increased cooperation among those of all ethnicities who seek to preserve New Mexico's land grants in the future.

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88. Sarah Maestas to Cebolleta Land Grant Committee (Aug. 16-17, 2004), Grants, N.M.; *Moquino Community Gets Involved in Uranium Mill Tailings Decision*, VOICES FROM THE EARTH, Spring 2004, available at <http://www.sric.org/voices/2004/v5n1/moquino.html>.

