

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

*Report of the surveyor-general of New Mexico on private land claim No. 158.*

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FEBRUARY 22, 1889.—Referred to the Committee on Private Land Claims and ordered to be printed.

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DEPARTMENT OF THE INTERIOR,  
*Washington, February 20, 1889.*

SIR: In pursuance of the requirements of the eighth section of the act of Congress approved July 22, 1854 (10 Stat., 308), I have the honor to transmit herewith for Congressional action the report of the United States surveyor-general for New Mexico on the private land claim in said Territory known as Cristobal de la Serna, or Los Ranchos de Taos grant, No. 158; also, copy of letter of the 18th instant from the Assistant Commissioner of the General Land Office, transmitting the report.

Very respectfully,

WM. F. VILAS,  
*Secretary.*

The PRESIDENT PRO TEMPORE OF THE SENATE.

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DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
*Washington, D. C., February 18, 1889.*

SIR: I have the honor to transmit herewith, for submission to Congress, the report, in duplicate, of the surveyor-general for New Mexico under the eighth section of the act of Congress approved July 22, 1854 (10 Stat., p. 308), on the private land claim known as the Cristobal de la Serna, or Los Ranchos de Taos grant, No. 158.

I am, sir, very respectfully, your obedient servant,

T. J. ANDERSON,  
*Assistant Commissioner.*

Hon. WILLIAM F. VILAS,  
*Secretary of the Interior.*

File No. 109.]

[Reported No. 158.

TRANSCRIPT OF DOCUMENTS ON FILE IN THE OFFICE OF THE UNITED STATES SURVEYOR-GENERAL FOR NEW MEXICO IN THE MATTER OF THE PRIVATE LAND CLAIM KNOWN AS THE CRISTOBAL DE LA SERNA OR LOS RANCHOS DE TAOS GRANT.

File No. 109.]

[Reported No. 158.

*Petition of claimants.*

To the Hon. H. M. ATKINSON,  
*United States Surveyor-General for New Mexico:*

You petitioners, the heirs and legal representatives of Cristobal de la Serna, respectfully represent that they are the owners of a certain tract of land situate in the valley of Taos, in the county of Taos, in the Territory of New Mexico, which was granted to the said Cristobal de la Serna on the 8th day of April, 1710, by the Marquis de la Peñuela, then governor and captain-general of New Mexico, at that time an ultra-marine province of the Spanish Monarchy.

That the grant so made was afterwards, to wit, May 31, 1715, recognized and revalidated by Governor and Captain-General Mogollon, and formal royal possession was by him ordered to be executed to said grantee, subject to the consent of the inhabitants of the adjoining Indian pueblo of Taos, and that said possession was accordingly executed to said grantee, de la Serna, on the 15 day of June, 1715, said inhabitants agreeing thereto as officially stated and certified on that date by the lieutenant chief alcalde of said governor and captain-general.

That on the 24th day of November, 1724, Inspector-General Juan Paez Hurtado officially examined and approved, said grant to the said de la Serna, as a good and sufficient title, as stated and certified by him under date of said November 24th.

That the original papers constituting and accrediting the said grant and title as aforesaid are to be found among the archives of your office and are known therein as file No. 830, and your petitioners pray that the same be taken from among the said archives and transferred to and made a part of this claim for said tract of land.

That the said tract of land has now permanently residing upon it at least six hundred heads of families who are settled in towns and ranches thereon, and who are in the quiet and uninterrupted possession and enjoyment of said land.

That your petitioners herewith present a due translation of the title papers aforesaid, and also a sketch-map of said tract of land, and, should your honor require, will present testimony of the facts set forth in the foregoing statements.

Your petitioners pray that their said title to said tract of land be taken up and passed upon by your honor at an early day, under the eighth article of the treaty of Guadalupe Hidalgo and the eighth section of the act of Congress of July 22, 1854, establishing your office, and they ask that said grant be approved and confirmed to the heirs and legal representatives of the said Cristobal de la Serna, original grantee aforesaid.

SAM'L ELLISON,  
*Attorney for Petitioners.*

File No. 109.]

[Reported No. 158

*Supplemental petition of claimants.*

SANTA FÉ, N. MEX, December 12th, 1887.

To Hon. GEORGE W. JULIAN,  
*Surveyor-General of New Mexico:*

Your petitioners, the legal representatives of Cristobal de la Serna, the original grantees and the heirs and legal representatives of Diego Romero, the immediate successor of said Cristobal de la Serna to a tract of land known now as the Ranchos de Taos, respectfully represent before your honor that they, to wit, José de Jesus Torres, José Dolores Mondragon, Gregorio Mondragon, Ma. Felipe Torres, José de Jesus Torres, jr., Jose Benito Torres, José Tomas Torres, Agapito Ortega, Jesus M. Sandoval, Tomas Mondragon, Ma. Ant. Gonzales, Moises Chaves, Vicente F. Mondragon, José Damasio Mondragon, Mariano Romero, José Eug. Medina, Nabor Medina, Vicente F. Martinez, Pablita Gonzales de Mas, Antonio Duran, Donaciano Duran, Ma. de la Cruz Martinez, José Franc. Romero, Ma. Manuela Ortega, Miguel Ant. Romero, Juan Cristoval Romero, Juan Andres Romero, Ma. Ysabel Martin de Romero, José Tomas Romero, Felipe Vigil,

Francisco Torres, Paulino Torres, Juan F. Romero, Jacinto Cruz, Manuel Barela, Ant. Aban Romero, Francisco Fernandez, Rafel Romero, Ma. de la Luz Barela, José Natividad Mondragon, Ma. Josefa Mondragon, Matias Sena, Ma. de la Luz Martinez, Benicio Romero, Leonires Romero, José Manuel Gonzales, Ma. Dol. Mondragon de Gonzales, Juan E. Baca, Elijo L. Baca, Santiago Romero, Manuel Mondragon, Juan Andres Romero 2d, Nabor Mondragon, José G. Romero, Anastacio Archuleta, Pedro Trujillo, Ventura Trujillo, Ma. Andrea Trujillo, Juan Lorenzo Cruz, Juan de Jesus Aragon, Luciano Garcia, Marcelo Romero, Ant. D. Romero, José de Jesus Padilla, Ma. Conception Medina, José Reducindo Trujillo, Marcelina Vigil, Senobia Salazar, Ma. Josefa Vigil, Ant. Ma. Graham, Juan Pedro Cruz, Ma. Esquipula Abeyta, Eulojio Martinez, Andrea Tafoya, Juan Tofoya, Tomas de Aquino Salazar, Ma. Dolores Tofoya, Ursulo Trujillo, Catarina Mestas, Bernardo Gutierrez, José Ignacio Romo, Juan Abeyta, Ma. Alcarria Serna, José Domingo Tofoya, José Ilario Rodrigues, José Urban Mestas, Ospicio Gallejos, Pedro Ant. Tofoya, Antonio Romo, Jesus Ma. Romo, Benigno G. Romo, Juan de la Cruz Herera, José Domingo Fernandes, José Santos Tafoya, Juan de los Reyes Vigil, Jacinto Griego, Ignacio Sandoval, Benito Brito, Juan Isidro Medina, José Vivian Presques, Ma. Virginia Duran, Agapita Abeyta, Ma. Pastora Arogon, Juan de Dios Romero, Juan A. Vigil, Pedro Vigil, Ma. Soledad Cruz, Ma. Catarina Griego, Jesus Maria Griego, Francisco Romero, Donaciano Padilla, Faustin Medina, Romiendo Medina, Pedro Medina, Manuel Ant. Mestas, Mauricio Duran, Felipe Vigil y Quintana, José Manuel Candelario, Juan Baut. Romero, José de Jesus Trujillo, Juan Andres Romero 3d, José Polonio Romero, Altigracia Trujillo, Juan B. Vigil, Remiendo Montoya, José Bo. Vigil, Francisco Duran, Barbara Medina, Ambrosio Brito, Ma. Guadalupe Martinez, Leonardo Valerio, José Domingo Medina, Teodosio Lopez, Jesus Ma. Valerio, Guadalupe Martinez, Encarnacion Mondragon, Severo Gonzales, Leandro Gonzales, Ma. Andrea Montoya, Felipe S. Gonzales, Ma. Jesus Abeyta, José Miguel Vigil, Antonio Salazar, Ma. Manuela Tafoya, José Ramon Trujillo, Ma. Ramona Abeyta, Juan B. Coca, Lucas Coca, José Rafel Tafoya, Batis Tafoya, Francisco Tafoya, Francisco Trujillo, Marcus Trujillo, Francisco Garcia, Francisco Vigil, Victor Trujillo, Miguel Gonzales, Ma. Dolores Gonzales, Ma. Rufina Tafoya, Ma. Teodora Martinez, Diego Sandaval, Joaquin Sandoval, Ant. Bargas, Dicederio Fernandes, Norerto Uritz, Elfijo Martinez, Agapito Cordova, Manuel Martinez, Juana Garcia, Maria Francisco Martinez, Ramon Martinez, Rafel Guitierrez, Juan Martinez, Vidal Martinez, Rafel Salazar, Ramon Salazar, Blas Salazar, Manuel Salazar, Juan Domingo Quinto, Isabel Cordova, Jesus Ma. Gomez, José Trujillo, Juan Ma. Espinoza, Juan Cristoval Fernandes, Salvador Duran, Felix Cortez, Solidad Duran, Juan Ant. Espinoza, Juan Martinez, Manuel Madrill, Ma. Silveria Martinez, Manuel Jaramillo, José Ant. Santistevan, Isidor Santistevan, Ma. Gabina Martinez, Aban Martinez, Isack Martinez, Juan de Dios Gonzales, Nicolas Garcia, Bonifacio Garcia, José Francisco Garcia, José Leonicio Martinez, Antonio Ma. Martinez, Ma. Carnuel Swasso, Selodon Garcia, Ma. Ant. Montoya, Ma. Virginia Gonzales, Ramon Martinez y Montoya, Vidal Gurule, Abel Mondragon, G. A. Ross, José Leyon, Roman Sandoval, Juan de J. Cordova, Aniceto Trujillo, Samuel Gurule, Cassimiro Apodaca, Ma. Scelia Sandoval, José Merced Sandoval, Ma. de la Luz Lucero, Ma. Ant. Medina, Ma. Olojia Gonzales, José de la Cruz Herera, Juan Manuel Gonzales, José Ramon Gonzales, Abran Gonzales, Ma. Ant. Cordova, Chas. Hartt, Isais Castro, Squire Hartt, jr., Luisa Gurule, Salome Maes, David Martinez, Manuel Garcia, José Enc. Caravajal, Chas. Gonzales, Rafel Gonzales, Ireneo Gonzales, Juan E. Samora, Tomas Espinoza, Felipe Nero Vigil, Manuel G. Sanches, José M. Sanches, Juan Archulette, Ma. N. Lucero, Ma. Juana Gonzales, Carnuel Curule, José Guitierrez, José Benito Coca, Pable Cassias, Rosa Tafoya, Ma. de la Luz Tafoya, Elisa Tafoya, José Domingo Mondragon, Nestor Mondragon, José Julio Vigil, David Struck, Pablo Martinez, Ma. Enc. Salazar, Narcisco Gutierrez, Antonio Medina, Deonico Medina, Ant. Martinez, José Lina Aragon, Daniel Trujillo, Teodosio Gonzales, Juan Ant. Gonzales, Refugio Vigil, Benito Mondragon, Diego Sanches, Nestor Fresques, Juan Gurule, Ma. Ramona Trujillo, José Dolores Gonzales, Juan P. Martinez, José Rafel Martinez, Ant. Aban Cortez, Juan Ant. Duran, Felipe Valerio Lorenzo, Paskes, Squire T. Hartt, Lorenzo Lovato, Alexander Gusdorf, Melquiades Tafoya, Juan N. Cordova, Jesus Ma. Martinez, y Ortíz, Felix, Romero, Maxmiano Romero, Juan Santistevan, Soledad Romero, Manuel Valdes, y Lovato, Geronimo Vigil, Agapito Martinez, Virginia Gonzales, Maes, Ma. Rita Gonzales, Ma. Dolores Cordova, Simodecia Martinez, Jesus Ma. Lucero, Maria Funcion Gonzales—all residents of the county of Taos, Territory of New Mexico, that they are the actual owners of a certain tract of land situated in the valley of Taos, in said county of Taos and Territory of New Mexico, which was granted to the said Cristoval de la Serna on the 28th day of April, A. D. 1710, by the Marquis de la Penuela, then and at that time governor and captain-general of this province, New Mexico, according to the laws, usages, and customs of Spain for the granting of lands in this province of New Mexico.

Your petitioners further represent that on the 31st day of May, 1715, previous to a petition of the said Cristoval de la Serna to Don Juan Ignacio Flores de Mogollon, then

governor and captain-general of this province of New Mexico, the said governor did on said date, revalidate said grant to said Cristoval de la Serna and gave order to the chief alcalde of the pueblo of Taos, Juan de la Mora Pineda, to put in possession of said tract of land the said Cristoval de la Serna, original grantee ancestor of your petitioners; that on the 15th day of June, 1715, Juan de la Mora, then chief alcalde and war captain of said pueblo of Taos, gave judicial possession of said tract of land and marked the boundaries thereof, which are for one part, west, (el camino del medio) middle road; for the other, east, (ojo caliente) hot springs, and for the other, north, an old monument, and for the other, south, (the sierra) the mountains; which boundaries are obscure in this document, but are fully explained in further documentary evidence which are herewith presented.

Your petitioners further represent that on the 24th day of November, 1724, Diego Romero, a resident of the pueblo of Taos, presented the said grant of Cristoval de la Serna to Juan Paiz Hurtado, lt. gen. of the province of New Mexico and its inspector-general (visitador) and being such grant, recognized and seen by said inspector-general on said date, considered and declared said grant to be of sufficient title in form. That since that time, to wit, from the 24th of November, 1724, said grant and the original papers and the land therein contained were in possession and ownership of the said Diego Romero, and to establish this assertion reference is made to a partition of a portion of said land to the heirs of said Diego Romero at the death of his wife, Ma. San Joseph; said partition was made on the 17th day of August, 1735, to the heirs Andres, Francisco, and Ana Maria, by order of Col. Gervacia Crusut y Gongora, then governor of this province, and said original papers of said distribution are to be found in the archives of your office, No. 755.

Your petitioners further represent that the last will and testament of the said Diego Romero, made of the 13th day of June, 1742, he recognized as his own and disposed of said ranch of the Rio de las Trampas, as known at that time and now known as the Rio Grande del Rancho de San Francisco, and same was divided between his heirs, Andres, Francisco, and Ana Maria. Reference is made to said will, which is found amongst the papers of your office, marked No. 759.

Your petitioners further represent that on the 13th day of August, 1764, a partition was made to the heirs of the said Diego Romero, of said ranch between the three heirs, to wit: Andres, Francisco, and the heirs of Anna Ma., deceased; to prove this assertion reference is made to the original papers in regard to same to be found in your office amongst the archives, marked No. 778.

Your petitioners would further represent that on the 10th day of January, 1765, the last will and testament of Francisco Romero, son of said Diego Romero, was made, and he recognized to have 1,300 varas of land in the place then called Rio de las Trampas, his heirs being Joseph, Josepha, and Ma. Antonio, which last will and testament and partition of the estate of the said Francisco Romero is to be found amongst the papers of the archives in your office, marked No. 781.

Your petitioners further represent that on the 20th day of April, 1787, Joseph Romero, son of aforesaid Francisco Romero, applied to Don Antonio José Lovato, chief alcalde and war captain of the pueblo of Toas and San Francisco del Rancho, asking to recognize the boundaries of his said ranch on said River de las Trampas, as called at that time, to avoid difficulties in the future, and said alcalde in view that the papers of said ranch of said Joseph Romero, inherited from his father, were destroyed or taken away by the Comanches, a savage tribe of Indians at that time in continuous war with the people of New Mexico, said chief alcalde, Antonio José Lovato, declared that boundaries of said ranch of Joseph Romero were, on the north the river of Don Fernando, on the south the Picuris Mountains, which the said alcalde did in compliance with his duties and by virtue of the authority given him by Governor and Commander Don Juan Baptista de Ansa, of this province of New Mexico, and then under the rule of the Government of Spain, as shown in Document No. 8, herewith submitted for your consideration, and ever since that time all sales and conveyances of land made on said Rio de las Trampas ranch mention the boundaries on the north, the Rio de Fernandes, and on the south the Sierra (or Picuris Mountains); to prove this reference is made to Document No. 7, herewith submitted.

Your petitioners further represent that in the year 1796 a grant was made to Tomas Montoya and others, the Rio de Don Fernando de Taos, to be settled, which grant took away from the land of the heirs and legal representatives of the said Diego Romero all said south side of the Rio de Don Fernando de Taos, to which grant the heirs and descendants of Diego Romero consented, establishing the north boundaries of the ranchos grant permanently at a point called La Cruz Alta (the high cross), and so has been recognized since then the divisory line between the lands of Fernando de Taos and Ranchos de Taos, which your petitioners have the actual possession and ownership of.

Your petitioners further represent that from the year 1795 up to the present date all sales and conveyances of land in said ranchos or Rio de las Trampas, made by the de-

scendants of said Romero and their purchasers, mention the northern line of said ranchos lands to the line of the settlers of Don Fernando or Cruz Alta, and on the south the Picuris Mountains; to prove this reference is made to documents marked Nos. 9, 10, and 11, herewith submitted for your consideration.

Your petitioners respectfully call your attention to the fact that the authority and power of said governors to make grants, reference is made to the laws and decrees of the Crown of Spain which were in force in this province of New Mexico at that time. That the grantee mentioned in the original papers by his legal representatives and assigns did erect buildings, established towns, and lived upon and cultivated said tract of land since said tract of land was granted and judicial possession taken thereof up to the present date, and which tract of land was fully recognized and respected by the former Spanish and Mexican Governments as a bona fide grant, and property of said legal representatives of the original grantee, and your petitioners as such are now and always have been in the quiet and peaceable possession and enjoyment of the same, without perturbation or molestation.

Your petitioners would further represent that they are desirous of bringing before your honor for examination witnesses to prove besides the documentary evidence herewith offered and submitted to prove a continuous possession of the lands claimed, and such other matters and things as your honor may require evidence concerning said lands claimed.

Your petitioners further represent that for more definite information and particulars reference is made to the original papers, and translation of same, constituting and accrediting the said grant and title as aforesaid are to be found amongst the archives of your office as file No. 830, and your petitioners pray the same to be taken from among the archives and transferred to and made part of this petition for said tract of land.

Your petitioners further represent that they assert and claim a perfect and absolute title to said land, and that the grant aforesaid made in good faith under the laws, usage, and customs of the Kingdom of Spain.

Your petitioners further represent that the amount of land claimed is not known, as no survey has ever been made of said grant, but in our judgment to be about 20,000 acres, more or less, and that the said land is non-mineral, and that same is situated at what is known as Ranchos de Taos and Rio Chiquito and Llano Quemado, all within the county of Taos and Territory of New Mexico; and further, it is not known to be in conflict with any other grant excepting an erroneous survey of Antonio La Rox grant extending over a part of said Serna grant.

All translations required to be made will be furnished by our attorney, Mr. Santiago Valdes.

Your petitioners pray that their said title to the said tract of land be taken up and passed upon by your honor at an early date under the eighth article of the treaty of Guadalupe Hidalgo, and the eighth section of the act of Congress of July 22d, 1854, establishing your office. Your petitioners ask that said grant be approved, surveyed, and confirmed to the heirs and legal representatives of said Cristoval de Serna, original grantee aforesaid.

SANTIAGO VALDES,  
*Attorney for the Claimants.*

ALEXANDER GUSDORF,  
*Agent and Commissioner for the Claimants.*

File No. 109.]

[Reported No. 158.]

*Original muniments of title.*

En esta villa de Sta. Fee de la Na. Mexco., en 31 de Mayo de 1715, la presto. el contenido ante el Sor. Govor. y Capn. Gral. con la mrzd. que refiere.

*Sr. Governor. y Capn. Genl.:*

El Capitan Xptval. de la Serna, que lo he sido de este Castillo Presidial de la villa de Sta. Fee y actualmente. con plaza de soldado en el, parezco ante V. Sa. en la mejor forma que el derecho me conzede, y digo que por el año pasado de mill seteztos. y diez, á los diez y ocho de Abril, me hizo merzd. en nombre de su Magd., el Sr. Marques de la Peñuela, antezessor de V. S., a pedimento mio, de vn sitio y rrancho que esta en el valle de Thaos, que poseyo antes de la subleuazn. del año de ochenta el capn. Dn. Fernando de Chaves, con todas sus tierras, entradas y salidas como por dicha merzd. consta, que con la solemnidad nezarria presento ante V. S., y porqe. dicho sitio y rrancho no lo he poblado por hallarme en el exerzicio del seruicio del Rey, nuestro Sor. (que Dios guarde) como soldado de este dicho Castillo, como lleuo expresado, y por hallarme el dia de oy con disposizion bastante para podir poblarlo con vn hijo que tengo ya, home. y de hadad suficiente, con algunos siruientes

y criados para cuyo fin tengo destinados. Por cuya rason se a de seriu V. S. justizia mediante de reual i darne la dicha merzd., en nome. de S. M. para su mayor vigor, fuerza y balidazion, y que el alcalde mayor del Pueblo de los Thaos o su thente. me de la posesesn. rl. y la aprehenda expresando todos los linderos que por dicha merzd. consta, y para ello haga zitazn. en forma al gouernador thenyte., casiques y demas yndios del dicho Pueblo, dandoles a entender dicha merzed y como en virtud de orden de V. S. me da la posesion de dicho sitio y rancho para que si tienen que contradezir alguna cosa lo hagan y todo conste en todo tiempo; por todo lo qual a V. S. pido y supco. con todo rendimyto. sea muy seruido de mandar hazer y proueer como lo pido, que asi lo espero de su gran justificacion., pues es justizia que pido y juro en forma no es de malisia y en lo nezessario, &c.

XPTOBAL. SERNA. [Rubrica.]

Y vista por mi, por Dn. Ju. Ignacio Florez Mogollon, covor. y Capn. Gral. de este reyno y provinzas de la Na. Mexco. por S. M. la ube por presentada con la mrzd. que refiere y en nre. del rey nro. sor. (que Dios guarde) ia revalido y con firmo, y mando al thente. de alcalde mayor del pueblo de Taos Ju. de la Mora Pineda, le de a esta parte le posesion real, zitando pra. ello al Govor. Thente., caziques y capnes. de dho. pueblo, auiendo de ser los pastos y aguas comunes, y sin perjuizio de terzero esta dha. merzd. y expresando los linderos; y fho. que sea me debiluerá esta dha. mrzd. el dho. capn. para que mi Secro. de gon. y guerra tome la rason; y que este auto le sirua de bastante titulo en forma pra. que lo goze libremente. por si, sus herederos y subseores; asi lo provei, mande y firme con mi Secro. de Govon. y Guerra en esta villa de Sta. Fee de la Na. Mexco., en treinta y uno de Mayo de mill setezos. y quinze as.

Don JUAN YGNACIO FLOREZ MOGOLLON. [Rubrica.]

I or mdo. del Sor. Govor. y Capn. Gral.:

ROQUE DE PINTTO, [Rubrica.]  
Secro. de Gon. y Guerra.

En este pueblo de San Geronimo de los Thaos, en quinze dias del mes de Junio de mil setesientos y quinze años, yso presentasion desta merzed ante mi el Sarjento Ju. de la Mora Pineda, tiniente de Alcalde mayor y Capn. a guerra por el señor Gor. Don Ju. Ynasio Flores Mogollon, el contenido dho. Capn. Xptobal. de la Serna y abiendome echo capas de su contesto y auto de su Señoria en su cumplimiento y obedezimiento y se juntar al Gor. Don Pablo Duran y casique Don Ju. Pacheco y tiniente Don Geronimo Ylo y demas Capitanes en presencia de el Alferes Miguel de San Ju., Capn. Miguel de Sandobal y el alferes real Evesbi Rael de Aguilar, á quienes les dia entender con toda esplicacion desta mersed, y que si les era de perjuizio o tenian algo que pedir que se les atenderia y no pasaria yo, dho. tiniente, a dar dha. posesion; a que digieron todos juntos que no les era de ningun perjuysio ni tenian que demandar porque dho. sitio era de los españoles y no suyo, que si tenian senbrado en el vnos frigolares que alsarian la cosecha y otro año no senbrarian mas en dho. sitio. Por cuya relacion, biendo no ay embaraso alguno para la posesion, pase a darla con dos testigos que presentes se allaron, que lo fueron Miguel de Sandobal y Usebio Rael de Aguilar, y lo senale los linderos qu. es por vna parte el camina de medio y por la otra el Ojo Caliente, y por el oriente vna mogonera antigua, y por la otra la sierra; abiendo echo las seremonias dispuestas de pasear al dicho Capn. Xptobal. Serna por el sitio aranco sacate y tiro piedras; y para que conste lo firme con los testigos de bista y asistencia ya dichos, en dho. dia, mes y año.

Ante mi como juez reseptor,

JU. DE LA MORA PINEDA. [Rubrica.]

Tto. de assa.:

EUSEUIO DE AGUILAR. [Rubrica.]

Tessto. de assa.:

MIGUEL DE SANDOBAL MARTINES. [Rubrica.]

En este Puo. de Sn. Geronimo de los Thaos, en veinte y quarto dias del mes de Nove. de mill setezos. y vente. y quatro ans., yo el Gral. D. Ju. R. Paez Urtado-thente. Gral. de este reyno de la Nua. Mexco. y su visitador, en la auda. q. oy dia de la fha. tube Diego Romero, vesino de dho. puo., presento esta mrzd. q. vista y reconosida p. mi la doy p. bastante titulo en forma p. visitada y pa. q. conste lo firmé en dho. dia con el secreto de visita.

JU. PAEZ HURTADO. [Rubrica.]

Ante mi:

MIGUEL ENBRIQUES. [Rubrica.]  
Secreto. de Goun. Gra.

*Sr. Gov. y Capn. Gl.:*

Xpthobal. de la Serna parezco ante [torn] en la mas conoemente forma qe. aia a mi fu [torn] y digo qe. pr. qto. me allo en este reino con vn [torn] familia grezida, registro vn rancho qe. esta en el balle de Taos qe. posei antes de sublebací [torn] deste dho. reino el Capn. Dn. Fernando de [torn] ues para poder criar ganados maiores i m [torn] res y asimismo sembrar todas las tierras [torn] rancho, entradas y salidas, pastos y abreba [torn] ros y qe. cojan sus linderos segun y como las go [torn] ba el susodho., qe. eran desde el camino del m [torn] dio hasta el Río de las Trampas pr. la vn [torn] parte y pr. la otra hasta el el Ojo Caliente con aperebimiento qe. Vssa. me conzedá el poblarlo, qe. salga del exercicio de soldad [torn] pues en este tiempo no podre azer falla en el real serbicio de su magd. mas bien q. me allo exorciento el oficio de sarg [torn] to y qe. pueda yo en este tiempo defenderme con esta merced, la qual pido me conzedá Vssa. en nombre de su Magd., qe. Da. gde., segun y como llebo pedido; pr. to. lo qual a Vssa. pido y suplico con to. rendimiento se sirba de conzederme lo qe. pido con justicia, qe. pido y juro en debida forma no ser malicioso ni escripto sino pr. alcansar el maior alibio y en lo nezesario &a.

XPTHOBÁL. DE LA SERNA. [Rubrica.]

PRESSN.

En la villa de Sta. Fee, cauezra. de este Rno. y prouas de la Nueva Mexco., en veinte y ocho dias del mes de abril de mill sieteziientos y diez as., ante mi el Alnte. Don Joseph ch [torn] Medina Salazar y Villaseñor Caul del orden de Santiago Marqs. De la Peñuela, Gour. y Capn. Gral. de este dho. Reyno y castellano de sus fuersas y presidios por su Mgd., la presento el contenido y por mi vista la uba por presda. en qto. a luqr. en dro. y atendiendo a su pedimto. le ago la merzd, que pide en ni de su Mgd. sin perjuizio de tercero que mejor dro. tenga, y pa. que conste asi lo provey, mde. y fire. con mi secreto. de gouon. y qua. en dho. dia.

EL MARQ. DE LA PEÑUELA. [Rubrica].

*Srio. de Gouon. y Guerra.*

Ante mi:

JU. DE VEIBARRI. [Rubrica.]

File No. 109.]

[Reported No. 158.

*Translation of muniments of title.*

(Indorsed at top of page:) At this town of Santa Fé, New Mexico, on the 31st of May, 1715, the party therein mentioned presented it with the grant to which it refers to the señor governor and captain-general.

*Señor Governor and Captain-General:*

I, Cristobal de la Serna, who have been captain of this garrison of the town of Santa Fé, and at present an enlisted soldier therein, appear before your excellency with the due formality conceded me by law, and I state that in the year of one thousand seven hundred and ten, on the eighteenth of April, the Señor Marquis of Penuela, your excellency's predecessor, upon my petition made me a grant in the name of His Majesty of a tract and ranch that is in the valley of Taos, which, prior to the revolution of the year [16]80, was held by Captain Don Fernando Chaves, with all its lands, entrances. and exits as appears by said grant; which, with the necessary formality, I present to your excellency; and as I have not settled said tract and ranch on account of being employed in the service of the king, our lord (whom may God preserve), as a soldier of this said garrison, as I have before stated, and at present finding myself with sufficient means to enable me to settle it with a son I have, already a man and of sufficient age, with some servants and attendants which I have designed to employ in that undertaking for which reason your excellency will be pleased, in justice, to approve the said grant to me in the name of His Majesty, for its greater vigor, force, and validity; and that the chief alcalde of the pueblo of Taos, or his lieutenant, give me the royal possession, and that I may receive it, setting forth all the boundaries called for by said grant; and for that purpose let him formally summon the governor, lieutenant caciques, and other Indians of the said pueblo, acquainting them with said grant, and that he gives me the possession of said tract and ranch in virtue of your excellency's order, so that if they have anything to say in opposition to it, they may state it and that it may all appear of record for all time.

Wherefore, with all humility I beg and pray your excellency will be pleased to decree and order that it be done as I request it, as I thus expect from your great impartiality, for it is justice I ask and I formally swear that it is not in bad faith, and what is necessary, &c.

CRISTOBAL SERNA. [Scroll.]

And having been examined by me, Don Juan Ignacio Flores Mogollon, His Majesty's governor and captain-general of this kingdom and provinces of New Mexico, I treated it as presented with the grant to which it refers, and in the name of the King, our lord (whom may God preserve) I approve and confirm it and I command the lieutenant of the chief *alcalde* of the *pueblo* of Taos, Juan de la Mora Pineda, to give to this party the royal possession, summoning for that purpose the governor, lieutenant, *caçiques*, and war chiefs of said *pueblo*, the pastures and waters to be common, and this said grant to be without injury to any third party and setting forth the boundaries; and this being done, the said captain will return to me this said grant in order that my secretary of government and war may make an entry concerning it; and this decree will serve him as a sufficient formal title in order that he enjoy it freely for himself, his heirs, and successors. Thus I decreed, commanded, and signed with my secretary of government and war at this town of Santa Fé, New Mexico, on the thirty-first of May of the year one thousand seven hundred and fifteen.

DON JUAN IGNACIO FLORES MOGOLLON. [Scroll.]

By demand of the señor governor and captain-general.

ROQUE DE PINTO, [Scroll.]  
*Secretary of Government and War.*

At this *pueblo* of San Geronimo de Taos, on the fifteenth day of the month of June, of the year one thousand seven hundred and fifteen, the party therein named, said Captain Cristobal de la Serna, laid this grant before me Sergeant Juan de la Mora Pineda, lieutenant of the chief *alcalde* and war captain for the señor governor, Don Juan Ignacio Flores Mogollon, and having acquainted myself with its contents and with the decree of his excellency in pursuance of and in obedience thereto, I called together the governor, Don Pablo Duran; the *casique*, Don Juan Pacheco; the lieutenant, Don Geronimo Ylo, and the other war chiefs in the presence of the ensign, Miguel de San Juan, Captain Miguel de Sandoval, and the royal ensign, Eusebio Rael de Aguilar, whom I acquainted with this grant by a full explanation, and told them that if it was prejudicial to them, or if they had anything to ask, that they would be heard, and that I, said lieutenant, would not proceed to give the said possession, to which they altogether said that it was not at all prejudicial to them, nor did they have anything to claim because said tract was the Spaniards' and not theirs; that it was true they had planted thereon some patches of beans, and they would gather the crop, and that the next year they would not plant on said tract.

In view of which statement, seeing that there is no obstacle whatever to giving the possession, I proceeded to give it with two witnesses who were present, and who were Miguel de Sandoval and Eusebio Rael de Aguilar, and I designated to him the boundaries, which are, on one side, the middle road (*el camino de en medio*); and on the other the hot spring (*ojo caliente*); and on the east an old landmark (*mojonera*); and on the other, the mountain.

Having performed the prescribed ceremonies of conducting the said Captain Cristobal Serna over the tract, he pulled up grass and threw stones. And in witness thereof I signed it, with the attending and eye witnesses aforesaid, on said day, month, and year.

Before me as special justice,

JUAN DE LA MORA PINEDA. [Scroll.]

Attending witness:

EUSEBIO DE AGUILAR. [Scroll.]

Attending witness:

MIGUEL DE SANDOVAL MARTINEZ. [Scroll.]

At this *pueblo* of San Geronimo de Taos, on the twenty-fourth day of the month of November, of the year one thousand seven hundred and twenty-four, at the audience by me this day given, Diego Romero, a resident of said *pueblo*, presented this grant to me, General Don Juan Paez Hurtado, lieutenant-general and inspector of this kingdom of New Mexico, which grant having been examined and scrutinized by me, I pronounce it, as examined, a sufficient formal title; and in witness whereof I signed it on said day, with the secretary of inspection.

JUAN PAEZ HURTADO. [Scroll.]

Before me,

MIGUEL HENRIQUEZ,

*Secretary of Government and War.*



*The grant of 1710, referred to in the foregoing grant of 1715.*

*Señor Governor and Captain-General:*

I, Cristobal de la Serna, appear before your excellency with the formality suitable to my position, and I state that whereas I find myself in this kingdom with a large family I apply for a ranche that is in the valley of Taos, which prior to the revolution in this said kingdom was held by Captain Don Fernando de Chaves, in order to enable me to raise large and small live stock, and also to plant all the lands of the ranch [with] entrances and exits, pasturing and watering places; and let its boundaries embrace what was enjoyed by the party above mentioned, which was from the middle road to the Las Trampas River on the one side and on the other to the hot spring, with the understanding that your excellency permit me to settle it, and that I quit the employment of a soldier, as at this time I shall not be missed from the royal service of His Majesty, and all the less because I am performing the duties of sergeant; and in order that I may at this time protect myself by this grant, which I beg your excellency to concede me as I have petitioned in the name of His Majesty, whom may God preserve: Wherefore I beg and pray with profound humility that you will be pleased to grant me what I request with justice, which I ask. And I swear with the proper formality that my petition is not in bad faith, but for the purpose of obtaining greater relief and what is necessary, etc.

CRISTÓBAL DE LA SERNA. [Scroll.]

PRESENTATION.

At the town of Santa Fé, capital of this kingdom and provinces of New Mexico, on the 28th day of the month of April, of the year one thousand seven hundred and ten, before me the Admiral Don Joseph Chacon Medina Salazar y Villaseñor, knight of the Order of Santiago, Marquis of Peñuela, governor and captain-general of this said kingdom, and His Majesty's Castellan of its forces and garrisons, it was presented by the party therein named, and it having been examined by, I treated it as presented in accordance with law, and in view of his petition I make to him in the name of His Majesty the grant he asks for, without injury to any third party who may have a better right; and in witness thereof I thus decreed, ordered, and signed, with my secretary of government and war, on said day.

The Marquis of PEÑUELA.

Before me,

JUAN DE RIBARRI,

*Secretary of Government and War.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex., February 23, 1888.*

The foregoing, on five pages, is a full, true, and correct translation, to the best of my knowledge, of the original in Spanish, on six pages, which original (archive No. 830), designated as letter "A," is on file in this office, in the matter of private land claim, file No. 109, in the name of Cristobal de la Serna, for "Los Ranchos de Taos" tract.

WILL. M. TIPTON,  
*Translator.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex.:*

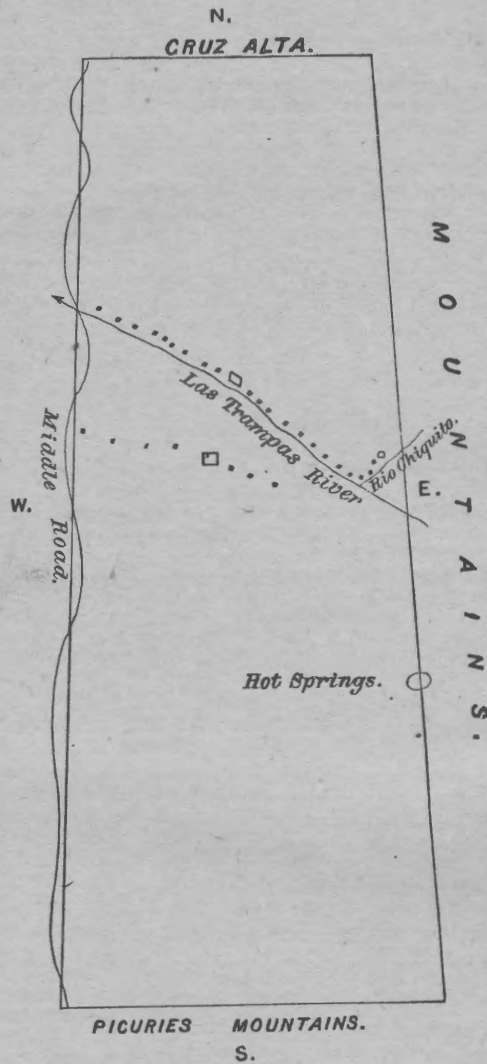
I hereby certify that the signature affixed to the foregoing certificate is the genuine signature of Will. M. Tipton, who, at the time of signing the same, was the official translator of this office, and that all his acts as such are entitled to full faith and credit.

In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed, at the city of Santa Fé, this 23d day of February, A. D. 1888.

[SEAL.]

GEO. W. JULIAN,  
*United States Surveyor-General for New Mexico,*

SKETCH MAP  
OF  
CRISTOBAL DE LA SERNA GRANT.



EXPLANATIONS.  
 TOWNS, -----□  
 RANCHES, -----○  
 SCALE: 1 MILE TO 1/4 MILE.

File No. 109.]

[Reported No. 158.

Translation of extract from archive No. 755, in the office of surveyor-general for New Mexico.

\* \* \* \* \*

And in conformity therewith I went to the rancho that said Diego Romero has on the Don Fernando River, and of the half of the lands of said rancho as property acquired

during marriage and belonging to their said mother, Maria de San Joseph, and from the part of said Diego Romero, her husband, I partitioned to each one of the heirs eight hundred and sixty-five varas of land, which run from east to west along the edge of said river, and from north to south from the latter river to that of Las Trampas contiguous to the Hot Spring.

\* \* \* \* \*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex., February 25, 1888.*

The foregoing, on one page, is a full, true, and correct translation, to the best of my knowledge, of an extract from a Spanish document on file in this office, which is designated as archive No. 755.

WILL. M. TIPTON,  
*Translator.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex.:*

I hereby certify that the signature affixed to the foregoing certificate is the genuine signature of Will. M. Tipton, who, at the time of signing the same, was the official translator of this office, and that all his acts as such are entitled to full faith and credit.

In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed, at the city of Santa Fé, this twenty-fifth day of February, A. D. 1888.

[SEAL.]

GEO. W. JULIAN,  
*United States Surveyor-General for New Mexico.*

File No. 109.]

[Reported No. 158.

*Translation of extracts from Archive No. 759, in the office of the surveyor-general for New Mexico.*

\* \* \* We begot and had three male children, who are Andres, Francisco, and Juan, who is dead, and Ana Maria; whom I declare to be my legitimate children. \* \* \*

ITEM.—It is my will that there be delivered to her [the testator's wife] in the place that may please her the half of what is designated as mine in the rancho of the Las Trampas River; I also leave to her the half of the house in which I live.

\* \* \* \* \*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex., February 27, 1888.*

The foregoing on one page is a full, true, and correct translation, to the best of my knowledge, of certain extracts from a Spanish document on file in this office, which is designated as Archive No. 759.

WILL. M. TIPTON,  
*Translator.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex.:*

I hereby certify that the signature affixed to the foregoing certificate is the genuine signature of Will. M. Tipton, who at the time of signing the same was the official translator of this office, and that all his acts as such are entitled to full faith and credit. In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed, at the city of Santa Fé, this 27th day of February, A. D. 1888.

[SEAL.]

GEO. W. JULIAN,  
*United States Surveyor-General for New Mexico.*

File No. 109.]

[Reported No. 158

*Translation of extrrats from Archive No. 778, in office of surveyor-general for New Mexico*

On said day, month, and year, in pursuance of these proceedings, I went to make measurements on the lands for which the party petitions and asks, taking in my company all the heirs, in order that each one may examine for himself what falls to his share according to its measurements. The measurements were run from the highway that goes

to Picuris, that is commonly called that of the Cuesta del Aire, which is the boundary of Barbara Montoya, who by his second marriage was the wife of Diego Romero, the father of these heirs, which are the lands that Captain Don Francisco Guerrero partitioned, as appears by the depositions of said heirs; because, although in the certified copies that were exhibited to me it stated that the lands on the Las Trampas River were partitioned, those for which this party petitions and asks were not, but from said highway which goes to Taos as far as the Don Fernando River, close to the mountain which is as said certified copy states.

After having given to their stepmother he gave to each one of these heirs a piece of said lands; and that on account of the cultivated lands on which they live, which embrace both sides of the Las Trampas River, not being partitioned, said Francisco Javier Romero was obliged to make this petition before the señor governor and captain-general of this kingdom, with the consent of his brother Andres Romero and of the heirs of his deceased sister, as is proven to me by the depositions which I took of each of them. The measuring was begun from said road downward with a one hundred Castilian vara cord until said measurement reached the other boundary of the road that goes to Picuris, which is commonly called the middle road (el camino de en medio), to which point it was forty-one *cordeles* [see translator's explanatory note following his certificate], and sixty-six and a half varas more, which being divided in legal portions there fell to the share of Andres Romero, who is the first, one thousand three hundred and eighty-eight varas; and his brother Francisco follows him, to whose share there fell the same number of one thousand three hundred and eighty-eight varas; as also the same amount as had fallen to the others fell to the share of the heirs of Maria, the deceased sister of the said parties, which is a thousand three hundred and eighty-eight varas, with two varas more which remain over. Andres and Francisco left them to their nephews, wherefore everybody was pleased, contented, and on brotherly terms, each one designating on his boundary his mounds erected of stone and mud in order that their heirs may at no time have any cause for disagreement, but that they may understand and know what is their own. In relation to the pastures, woods, and watering places they are free and common to them. And in order that for all time the execution of the superior order may be authenticated I executed it, taking in my company three instrumental witnesses, who were the Militia Sergeant Paulin de Beytia, Andres Muñiz, and Jacinto Chabes, all residents of the jurisdiction of the new town of Santa Cruz de la Cañada, and they bear to the heirs no relations whatever that are prohibited to witnesses by law; and in testimony thereof, because the parties do not know how to sign, I signed it with my attending witnesses, with whom I act for lack of a public or royal notary, of which there is none in this kingdom; to which I certify.

MANUEL GARCIA PAREJA, [Scroll.]  
*Special Justice.*

ANTONIO DE BEYTIA. [Scroll.]

JOSÉ FRANCISCO LOBERA BICOCHEA. [Scroll.]

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex., February 27, 1888.*

The foregoing on two pages is a full, true, and correct translation, to the best of my knowledge, of an extract from a Spanish document on file in this office, which is designated as Archive No. 778.

WILL. M. TIPTON,  
*Translator.*

*Translator's explanatory note.*

The Spanish word "cordel" is here used in the sense of a technical land measure of 100 varas in length, equivalent to about 275 feet. "Cordeles" is the plural form of the word.

WILL. M. TIPTON,  
*Translator.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex.:*

I hereby certify that the signatures affixed to the foregoing certificate and note are the genuine signatures of Will. M. Tipton, who at the time of signing the same was the official translator of this office, and that all his acts as such are entitled to full faith and credit.

In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed, at the city of Santa Fé, this 27th day of February, A. D. 1888.

[SEAL.]

GEO. W. JULIAN,  
*United States Surveyor-General for New Mexico.*

File No. 109.]

[Reported No. 158.

*Translation of extract from Archive No. 781 in the office of surveyor-general for New Mexico.*

\* \* \* \* \*

I therefore state that at the end of my days or after my decease I leave a house and ranch with a thousand three hundred varas of land at the site or place which they call the Las Trampas River.

\* \* \* \* \*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex., February 23, 1888.*

The foregoing on one page is a full, true, and correct translation, to the best of my knowledge, of an extract from a Spanish document on file in this office which is designated as Archive No. 781.

WILL. M. TIPTON,  
*Translator.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex.:*

I hereby certify that the signature affixed to the foregoing certificate is the genuine signature of Will. M. Tipton, who at the time of signing the same was the official translator of this office, and that all his acts as such are entitled to full faith and credit.

In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed, at the city of Santa Fé, this 28th day of February, A. D. 1888.

[SEAL.]

GEO. W. JULIAN,  
*United States Surveyor-General for New Mexico.*

File No. 109.]

[Reported No. 158.

*Judicial proceedings decided in favor of Jose Romero.*

[Sello. Un real. Sello tercero. Vn Real. Años de mil setecientos ochenta y Seis y ochenta y siete.]

En este partido de Sn. Franco, del Rio de las Trampas, jurisdision de Sn. Geronimo de Taos, en viente de Abril de mil setesientos ochenta y siete años, ante mi Dn. Anto. José Lovato, Alcde. Mayor y Capn. a guerra de dha. jurisdision, paresio presente José Romero, vezino de dho. puesto, y dijo que por quanto gozo de vn pedaso de tierra en dho. puesto, el qe. huvo pr. lexitima erensia de su difunto padre, Franco. Romero, qe. en pas gose, y averle susedido la aberia de averse llevado los Cumanches los papeles de dho. Rancho, considerando Las Incostancias de los susesivos tiempos, me suplico pasara a reconocer sus linderos y las varas de tierra que uviera como padre de Republica, y atento a dho. pedimento pase a reconocer dhos. linderos con dos testigos ynstrumentales y reconosidos yse medir dhas. tierras y tuvieron tresientas treynta y seis cuarta y sesma baras, y son sus linderos por el norte el Rio de Dn. Fernando y por el poniento tierras de Julian Romero, el sur La Sierra de Pecurios y el oriente tierras de Anta. Romero, y estas dhas. tierras se las dio su difunto padre como es dho., libres de senso, tributo e ypoteca v otra enagenasion, pa. que las gose con libre administrasion por si, sus hijos, erederos y subseores, sin qe. se le ponga pleyto pr. ninguno de los erederos de dho. difunto ni por otra persona alguna, y si se lo pusieren no sean oydos en juyisio ni fuera del, por la constancia de los linderos señalados por anterior juez que lo fue Dn. Manuel Garcia Parejas, y asimismo me suplico ynterpusera mi decreto y avturidad judisial. Doy fe que la ynterpuse quanto por derecho y rrason del empleo me es consedido pr. el señor Govdor. y comandante Dn. Ju. Baptista de Ansa, coronel de cavalleria de los Reales exercitos de su Magd., Govdor. Politico y militar desta provina. del Nuevo Mexico y espector ynterino de sus milisias; y fuerron testigos ynstrumentales Nicolas Leal, José Mirabal y Manuel Cortes, vesinos de dho. partido, y es fecho. en dho. día, mes y año, de que doy atuando por reseptoria como juez resepor. por la falta de escribano publico ni real, que no lo ay en la distancia qe. que el derecho previene, y lo firmaron conmigo las de mi assistensia; doy fee. Vale entre rrenglones, veinte de Abril.

ANTO. JOSE LOVATO, [Rubrica.]  
*Jues Reseptor.*

De assa.:

NICOLAS LEAL. [Rubrica.]

To.:

SIMON ARMENTA. [Rubrica.]

Oy sinco de Junio de mil ochosientos beinte y dos años, abiendose presentado ante mi alce. constitucional ynterino Dn. Tomas Romero, Ana Maria Romero y Jose Franco. Lujan, yjos del pueblo de Taos, contra Agustín Romero, becino de la plasa de Ntro. Padre San Franco., y siendo berifico que los dhos. presentantes paraba este original causa qe. desde el año de mil ochosientos beinte uno estan peliando contra el dho. Agustín, asi berbal como por escrito, por unas tierras que [illegible] tenian bendidas arriba en el llano, y abiendo Agustín Romero ante mí, el alce. de este partido, confeso Agustín Romero delante de dos testigos, qe. lo son el primero Antonio Jose Martines y el segundo Jose Antonio Suaso, hombres de edad competente, y delante de estos declaro Agustín Romero ser cierto lo que dhos. presentantes piden y an entrado en posesion y an pedido los ynteresades una baca parida a su satisfacion y contento y tres pesos en reales, lo que ha entregado Agustín Romero en mi presencia y de las dos testigos mencionados, con lo que quedan satisfechos y pagados y prometen Ana Maria Romero y Franco. Lujan no bolber a ponerle pleite ni demanda, ni por eyos ni por sus yjos ni susesores, y si acaso se lo pucieren encargan a las justicias onde sean presentados no sean oydos en juicio ni fuera del, a cuila defensa se comprometen a defenderlo con sus personas y bienes abidos y por aber, y me rogaron ynterpusiera mi autoridad y decreto judicial; e yo dho. alcalde dige que lo ynterponia y enterponga quanto por derecho me es conferido; de todo doy fee, y por no saber firmar rogaron firmara por eyos con los de mi asistencia a falta de todo escribano publico que de ninguna clase los ay en esta governacion.

TOMAS ROMERO, [Rubrica.]  
Alcalde Ynterio.

As.: FELIPE SANDOVAL. [Rubrica.]

As.: ANTO. JOSE MARTIN. [A cross.]

(Endorsed:) Documento judicial ech. a favor de Jose Romero. Año de 1787.

File No. 109.]

[Reported No. 158.

*Translation of judicial proceedings decided in favor of José Romero.*

[One real. Third stamp. One real. Years of one thousand seven hundred and eighty-seven and eighty-seven.]

[Stamp.]

In this district of San Francisco del Rio de las Trampas, jurisdiction of San Geronimo de Taos, on the twentieth of April of the year one thousand seven hundred and eighty-seven, before me, Don Antonio José Lovato, chief alcalde and war captain of said jurisdiction, personally appeared José Romero, resident of said place, and he stated that whereas he enjoys a piece of land at said place which he received by legal inheritance from his father, Francisco Romero, deceased (may he enjoy peace!), and it having unfortunately happened that the papers of said ranch were carried off by the Comanches, considering the uncertainty of the future, he requested me to proceed to examine its boundaries and the varas of land that there might be, as an officer of the district and in view of said petition, I proceeded to examine said boundaries with two instrumental witnesses, and having examined them I caused said lands to be measured, and they contained three hundred and thirty-six a fourth and a sixth varas.

And their boundaries are, on the north the Don Fernando River, and on the west lands of Julian Romero, [on] the south the mountain of Picuris, and [on] the east lands of Antonio Romero; and these said lands his deceased father gave to him, as has been stated, free from annuity, rent, tax, and mortgage, or other incumbrance, in order that he may enjoy them with unincumbered control for himself, his children, heirs, and successors, without any suit being brought against him by any heir of said deceased or by any person whomsoever; and if they should bring it against him, let them not be heard in or out of court. On account of the permanence of the boundaries designated by a former judge, who was Don Manuel Garcia Parejas, and also [because] he requested me to sanction it by my decree and judicial authority, I certify that I did sanction it in so far as by law and by reason of my office I am authorized by the señor governor and commandant, Don Juan Bautista de Anza, colonel of cavalry in the royal armies of His Majesty, civil and military governor of this province of New Mexico, and acting inspector of its militia.

And Nicolas Leal, José Mirabal, and Manuel Cortes, residents of said district, were instrumental witnesses; and it is done on said day, month, and year to which I [certify], acting by special authority as a special justice, for the lack of a public or royal notary, of which there is none within the distance prescribed by law. And those of my attendance signed it with me. I certify the interlineation "twentieth of April" is valid.

ANTONIO JOSÉ LOVATO, [Scroll.]  
*Special Justice.*

Attending:

NICOLAS LEAL. [Scroll.]

Witness:

SIMON ARMENTA. [Scroll.]

To-day, the fifth of June, of the year one thousand eight hundred and twenty-two, Ana Maria Romero and José Francisco Lujan, natives of the pueblo of Taos, having appeared before me, Don Tomas Romero, acting constitutional alcalde against Agustin Romero, residents of the town of Our Father St. Francis, and it being shown that this original is an obstacle to the said petitioners, for which reason, since the year one thousand eight hundred and twenty-one, they are fighting against the said Agustin, both verbally and in writing, on account of some lands that [illegible]; that they had sold up on the prairie (llano); and having called Agustin Romero before me, the alcalde of this district, he, before two witnesses who are, first, Antonio José Martinez, and second, José Antonio Suaso, men of legal age, acknowledged and in their presence declared that that which the said petitioners ask is true and they have gone into possession and the interested parties have asked for a cow with her calf for their satisfaction and contentment and three dollars in coin, which Agustin Romero has delivered in my presence and in that of the two witnesses mentioned, with which they are satisfied and paid; and Ana Maria Romero and Francisco Lujan promise not to again bring any suit or claim against him, neither themselves nor through their children nor successors, and in case they should bring it against him they charge the justices before whom they may appear not to hear them either in or out of court. For the safeguard of which they mutually promise to defend it with their persons and with their present and future property and they requested me to sanction it by my authority and judicial decree, and I, said alcalde, stated that I did and do sanction it in so far as I am authorized by law.

To all which I certify, and they not knowing how to sign ask me to sign for them with those of my attendance for lack of any public notary, of which there is none of any kind in this government,

TOMAS ROMERO, [Scroll.]  
*Acting Alcalde.*

Attending:

FELIPE SANDOVAL. [Scroll.]

Attending:

ANTONIO JOSÉ MARTIN. [Cross.]

(Indorsed): Judicial document made in favor of José Romero, year of 1787. This original is in favor of Agustin Romero, on this date, June 5, 1822.

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex., February 28, 1888.*

The foregoing, on three pages, is a full, true, and correct translation, to the best of my knowledge, of the original document in Spanish, on three pages, which original, designated as No. 8, is on file in this office in the matter of private land claim, file No. 109, in the name of Cristobal de la Serna, for "Los Ranchos de Taos" tract.

WILL. M. TIPTON,  
*Translator.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fe, N. Mex.:*

I hereby certify that the signature affixed to the foregoing certificate is the genuine signature of Will. M. Tipton, who, at the time of signing the same, was the official translator of this office, and that all his acts as such are entitled to full faith and credit.

In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed, at the city of Santa Fé, this 28th day of February, A. D. 1888.

[SEAL.]

GEO. W. JULIAN,  
*United States Surveyor-General for Mexico.*

File No. 109.]

[Reported No. 158.]

*Deed from Francisca Zapata to Ventura Romero.*

En este Pueblo de Sn. Geronimo de Taos, en beinte dias del mes de Octubre de mil sesientos noventa y cinco, ante mi Dn. Antonio Jose Ortiz, Alce. Mor. y Capn. a Guera de dho. Pueblo y su jurisdicion, paresio presente Franca. Sapata, vesina de Las Trampas de No. P. Sn. Franco, á quien doi fe conosco, y dijo, qe. dava y dio en venta real á Bentura Romo., vesino de dhas. Trampas, yn pedaso de tierra de pan llevar qe. posee en las dhas. Trampas y consta de ochenta y cinco vs., medidas de oriente á poniente, por el présio y cantidad de siento setenta ps. á el coriente de la tierra, de lo qe. se dio por entregada á toda su satisfacion, y qe. si dho. pedaso de tierra vale mas le hase gracia y donasion pura, mera é irevocable qe. el derecho llama *inter vivos* y qe. se lo vende libre de perjuisio, con entradas y salidas segun i en la manera qe. ella las poseia, y qe. traspasa todas sus acciones, derecho i señorio qe. en dho. pedaso de tierra tenia en el espresado Bentura, y qe. ni aora ni en ningun tiempo le sera puesta demanda ni pleito alguno ni por ella, ni por sus hijos ó herederos; y qe. si alguno se lo ponía no fuera oido ni en juisio ni fuera de el, y qe. se obliga á defenderlo á su consta hasta ponerlo en quieti i pasifica posesion, y para ello obliga su persona i vienes avidos y por haver, y renuncia todas las lelles que á su favor ablan; lindan dhas. tierras por el Norte con tierras de los pobladores del Río de Dn. Fernando á el pie de vna seja qe. esta inmediata á el río, por el sur la siera de pecuries, por el Oriente con tierras de Ana Maria Romo., y por el poniente con tierras de Catarina Romo., y qe. es su voluntad qe. esta escritura sea firme, estable y valdadera sin qe. por falta de requisito ó circunstansia alguna se pueda anular sino qe. todas las da por espresadas, y para qe. tenga toda la fuerza i validasion qe. en derecho se requiere me rogo interpusiera mi autoridad judisial; y dho. Alce. Mor. dije qe. la interponia é ynterpuse quanta por derecho me es conselida, y para qe. conste la firme con dos testigos de mi asistencia con quienes autuo á falta de todo escrivano qe. no lo hai en este Reino, y no firmo la otorgante por qe. dijo no saver; la firme yo como dho. es en dhó. dia, mes i año; de que doi fee.

ANTO. JOSE ORTIZ. [Rubrica.]

Teso:

FRANCO. ORTIZ. [Rubrica.]

Teso:

JOSE MIERA. [Rubrica.]

(Endorsed:) Escritura á favor de Bentura Romo. en este año de 1795.

File No. 109.]

[Reported No. 158.]

*Translation of deed from Francisca Zapata to Ventura Romero.*

At this pueblo of San Geronimo de Taos, on the twentieth day of the month of October, of one thousand seven hundred and ninety-five, before me, Don Antonio José Ortiz, chief alcade and war captain of said pueblo and its jurisdiction, personally appeared Francisca Zapata, a resident of Las Trampas of our father, St. Francis, whom I certify I know; and she stated that she gave and did give in legal sale to Ventura Romero, a resident of said Trampas, a piece of agricultural land which she possessed at said Trampas, and it consists of eighty-five varas measuring from east to west, for the price and sum of one hundred and seventy dollars of the currency of the country, which she acknowledges as delivered to her entire satisfaction; and that if said piece of land is worth more she makes to him a gift and donation [of the excess], pure, simple, and irrevocable, which the law calls *inter vivos*, and that she sells it to him free of detriment, with entrances and exits according to and in the manner in which she possessed them; and that she conveys all her interests, rights, and seigniorship that she had in said piece of land to the said Ventura, and that neither now nor at any time will any claim or suit be brought against him, neither by her nor her children or heirs, and that if any one should bring it against him he [the party instituting the suit] should not be heard either in or out of court, and that she binds herself to defend it at her own expense until she places him in quiet and peaceable possession, and she thereto binds her person and her present and future property and renounces all the laws that operate in her favor. Said lands are bounded on the north by lands of the settlers of the Don Fernando River, at the foot of a ridge (seja), which is contiguous to the river; on the south, the Picuris Mountains; on the east by lands of Ana Maria Romero, and on the west by lands of Catarina Romero; and that it is her will that this instrument be firm, stable, and valid, without it being possible to



annul it for lack of any necessary condition or circumstance; but that she declares them all as expressed, and in order that it might have all the force and validity required by law she requested me to sanction it by my judicial authority; and I, said chief alcalde, stated that I sanctioned and did sanction it in so far as I am authorized by law, and in witness thereof I signed it with my two attending witnesses, with whom I act for lack of any notary, of which there is none in this kingdom; and the grantor did not sign because she stated that she did know how. I signed it as aforesaid on said day, month, and year, to which I certify.

ANTONIO JOSÉ ORTIZ. [Scroll.]

Witness:

FRANCISCO ORTIZ. [Scroll.]

Witness:

JOSÉ MIERA. [Scroll.]

(Indorsed:) Deed in favor of Ventura Romero in this year of 1795.

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
Santa Fé, N. Mex., February 29, 1888.

The foregoing on two pages is a full, true, and correct translation, to the best of my knowledge, of the original document in Spanish, on two pages, which original, designated as No. 9, is on file in this office in the matter of private land claim, file No. 109, in the name of Cristobal de la Serna, for "Los Ranchos de Taos" tract.

WILL. M. TIPTON,  
Translator.

UNITED SURVEYOR-GENERAL'S OFFICE,  
Santa Fé, N. Mex.:

I hereby certify that the signature affixed to the foregoing certificate is the genuine signature of Will. M. Tipton, who at the time of signing the same was the official translator of this office, and that all his acts as such are entitled to full faith and credit.

In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed, at the city of Santa Fé, this 29th day of February, A. D. 1888.

[SEAL.]

GEO. W. JULIAN,  
United States Surveyor-General for New Mexico.

File No. 109.]

[Reported No. 158.

*Deed from Catarina Romero to Ventura Romero.*

En este Pueblo de Sn. Geronimo de Taos, en beinte dias del mes de Octubre de este año de mil setesientos noventa y cinco, ante mi Dn. Anto. Jose Ortis, Alce. Mor. y Capn. a guera. de dho. Pueblo y su jurisdicion, paresio presente Catarina Romo., á quien doi fe conosco, y dijo qe. dava y dio en venta real á Bentura Romo., vesino de Las Trampas de No. P. Sn. Franco., vn pedaso de tierra de pan llevar qe. posee en dhas. Trampas, y consta de ochenta y cinco vs. medidas de oriente á poniente, por el presio y cantidad de ciento setenta ps. á el coriente de la tierra, de lo que se dio por entregada á toda su satisfacion, y qe. si dho. pedaso de tierra vale mas le hase gracia y donasion pura, mera é irevocable que el derecho llama *inter vivos* y qe. se la vende libre de perjuicio con entradas y salidas, segun y en la manera qe. ella las poseia, y qe. traspasa todas sus acciones, derecho y señorío qe. en dho. pedaso de tierra tenia la espresada Catarina, y que ni aora ni en [torn] po le sera puesta demanda ni pleito alg [torn] por sus hijos ó herederos, y qe. si alguno se lo pusier [torn] o sea oido en juicio ni fuera de el y qe. se obliga á defenderlo a su costa hasta ponerlo en quieta y pasifica posesion, y para ello obliga su persona y bienes havidos y por aver y renuncia todas las lelles qe. á su favor ablan; lindan dhas. tierra por el Norte con los pobladores del Rio de Dn. Fernando á el pie de la seja, por el sur la siera de Pecuries, por el poniente con tierras del comprador y por el oriente con tierras de Franca. Sapata; y qe. es su voluntad qe. esta escriptura sea firme, estable y valedera sin que por falta de requisito ó circunstancia alguna se pueda anular sino qe. todas las da por espresadas, y para qe. tenga toda la fuerza y balidasion qe. en derecho se requiere me rogo interpusiese mi avtoridad judicial; y yo dho. Alce. Mor. dije qe. la interponia é interpuse quanta por derecho me es condesida, y para qe. conste la firme con dos testigos de mi asistencia con quienes actuo á falta de todo escrivan qe. no lo hai en este reino; no firmo la otorgante por que dijo no saver; firmela yo como dicho es en dho. dia, mes y año; de qe. doi fee.

ANTO. JOSE ORTIZ. [Rubrica.]

Teso.: JOSE FRANCO. ORTIZ. [Rubrica.]

Teso.: JOSE MIERA. [Rubrica.]

S. Ex. 125—2

Hotro si dha. Catarina Romero le bendio a dho. Bentura Romero un torreón con tres biendias por tes. prendas por cada una una perda., y son dhas. prendas un fusil, un comal de fierro y un caso de cobre con peso de dose libras, de lo que se dio dha. Catarina por pajad. y catifecha, y que si mas bale [torn] pueda de la demasia le ase gracia mera [torn] ynrebocable que el derecho llama yn [torn] no le pondra pleito ni demanda alguna ni p [torn] sus yjo. ho rederos., y si alguno se lo pusiere no sea hido en juicio ni fuera del, y me rro la hotrogana yntrepusiera mi autoridad y decreto, y llo dho. alcalde mallor dije que la ynterponia he interpuse cuanta por derecho me es conferida; de todo doi fee; no firmo dha. Catarina nomero por no saber firmar e llo dho. alcalde mallor lo firme con un testigo de mi asistencia publico ni real que no lo ai en esta Gobernasion.

TOMAS ORTIZ. [Rubrica.]

Jues Resector.

Testigo:

JUAN ANTONIO GARCIA DE NORIEJA. [Rubrica.]

File No. 109.]

[Reported No. 158.

*Translation of deed from Catarina Romero to Ventura Romero.*

At this pueblo of San Geronimo de Taos on the twentieth day of the month of October, of this year one thousand seven hundred and ninety-five, before me, Don Antonio José Ortiz, chief alcalde and war captain of said pueblo and its jurisdiction, personally appeared Catarina Romero, whom I certify I know; and she stated that she gave and did give in legal sale to Ventura Romero, a resident of Las Trampas, of our father St. Francis, a piece of agricultural land which she possesses at said Trampas, and it consists of eighty-five varas measured from east to west, for the price and sum of one hundred and seventy dollars of the currency of the country, which she acknowledges as delivered to her entire satisfaction; and that if said piece of land is worth more she makes to him a gift and donation [of the excess] pure, simple, and irrevocable, which the law calls *inter vivos*, and that she sells it to him free from detriment, with entrances and exits according to and in the manner in which she possessed them; and that she, the said Catarina, conveys all the interests, right, and seigniorly that she had in said piece of land; and that neither now nor at [any] time will any claim or suit be brought against him [\* \* torn \* \*] by her children or heirs; and that if any one should bring it against him let him not be heard in or out of court; and that she binds herself to defend it at her own expense until she places him in quiet and peaceable possession, and she thereto binds her person and her present and future property; and she renounces all the laws that operate in her favor. Said lands are bounded on the north by the settlers of the Don Fernando River, at the foot of the ridge (seja); on the south of the Picuris Mountain; on the west by lands of the purchaser, and on the east by lands of Francisca Zapata (Sapata); and that it is her will that this instrument shall be firm, stable, and valid, without it being possible to annul it for lack of any necessary condition or circumstance, but she declares them all as expressed. And in order that it may have all the force and validity required by law she requested me to sanction it by my judicial authority; and I, said chief alcalde, stated that I sanctioned and did sanction it in so far as I am authorized by law. And in witness thereof I signed it with two attending witnesses, with whom I act for lack of any notary, of which there is none in this kingdom. The grantor did not sign, because she stated that she did not know how. I signed it as aforesaid on said day, month, and year. To which I certify.

ANTONIO JOSÉ ORTIZ. [Scroll.]

Witness:

JOSÉ FRANCISCO ORTIZ. [Scroll.]

Witness:

JOSÉ MIERA. [Scroll.]

Additional. Said Catarina Romero sold to said Ventura Romero a tower with three rooms, for three articles, one for each room: And said articles are a gun and iron pan and a copper kettle weighing 12 pounds, with which said Catarina acknowledged herself paid and satisfied, and that if it is or may be worth more she makes him a gift of the excess, simple [torn \* \* \*], irrevocable, which the law calls [torn] she will not bring any suit or claim against him by herself, her children, or heirs, and if any one should bring it against him, let him not be heard either in or out of court. And the grantor requested me to sanction it by my authority and decree; and I, said chief alcalde, stated that I sanctioned and did sanction it in so far as I am authorized by law. To all which I certify. Said Catarina Romero did not sign, not knowing how. I, said chief

alcalde, signed it with an attending witness [see translator's explanatory note following his certificate], public or royal, of which there is none in this government.

TOMAS ORTIZ, [Scroll.]  
Special Justice.

Witness:

JUAN ANTONIO GARCIA DE NORIEGA. [Scroll.]

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
Santa Fé, N. Mex., March 1, 1888.

The foregoing, on two pages, is a full, true, and correct translation, to the best of my knowledge of the original document in Spanish, on two pages, which original, designated as No. 10, is on file in this office in the matter of private land claim file No. 109, in the name of Cristobal de la Serna, for "Los Ranchos de Taos" tract.

WILL. M. TIPTON,  
Translator.

*Translator's explanatory note.*

There is an omission at this place in the original—doubtless of the words "por falta de escribano," for lack of a notary.

WILL. M. TIPTON,  
Translator.

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
Santa Fé, N. Mex.:

I hereby certify that the signatures affixed to the foregoing certificate and note are the genuine signatures of Will. M. Tipton, who, at the time of signing the same, was the official translator of this office, and that all his acts as such are entitled to full faith and credit.

In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed at the city of Santa Fé, this 1st day of March, A. D. 1888.

[SEAL.]

GEO. W. JULIAN,  
United States Surveyor-General for New Mexico.

File No. 109.]

[Reported No. 158.

*Deed from Ana Maria Romero to Ventura Romero.*

En este Pueblo de Sn. Geronimo de Taos, en beinte dias del mes de Octubre de este año de mil setesientos noventa y cinco, ante mi Dn. Anto. Jose Ortiz, Alcè. Mor. y Capn. à Guera de dho. Pueblo y su Jurisdision, paresio presente Ana Maria Romo, à quien doi fe conosco, y dijo qe. dava y dio en venta real à Bentura Romo., vesino de Las Trampas de No. P. Sn. Franco., vn pedaso de tierra de pan llevar qe. posee en dhas. Trampas, y consta de ochenta y cinco vs. medidas de oriente à poniente, por el presio y cantidad de ciento setenta ps. à el coriente de la tierra; de lo qe. se dio por entregada à toda su satisfasion y qe. si dho. pedaso de tierra vale mas, le hase gracia y donasion pura, mera é irevocable qe. el derecho llama *inter vivos* y qe. se lo vende libre de perjuicio con entradas y salidas segun i. en la manera qe. ella las poseia; y qe. traspasa todas sus acciones, derecho i. señorio qe. en dho. pedaso de tierra tenia la espresada Ana Maria, y qe. ni aora ni en ningun tiempo le sera puesta demanda ni pleito ni por ella ni por sus hijos, y qe. si alguno so lo pusiere no sea oido en juicio ni fuera de el, y qe. se obliga à defenderlo hasta ponerlo en quieta i. pasifica posesion, y para ello obliga su persona i. bienes havidos y por aver, y renuncia todas las lellas qe. le puedan favorecer; lindan dhas. tieras por el norte con los pobladores del rio de Dn. Fernando à el pie de la seja, por el sur la siera de Pecuries, por el oriente [blank] y por el poniente con tieras de Franca, Sapata; y qe. es su voluntad qe. esta escriptura sea firme, estable y valedera sin qe. por falta de requisito o circunstancia alguna se pueda anular, sino qe. todas las da por espresadas; y para qe. tenga toda la fuerza y validasion qe. en derecho se requiere, me rogo ynterpusiera mi avtoridad judisial, y yo dho. Alcè. Mor. dije qe. la interponia é ynterpuse quanta por dho. me es conседida, y pa. qe. conste la firme con dos testigos de mi asistensia con quienes actuo à falta de todo escribano qe. no lo hai en este reino, y no firmo la otorgante por que dijo no saver; la firme yo como dho. es en dho. dia, mes y año; de qe. doi fee.

ANTO. JOSE ORTIZ. [Rubrica.]

Teso.: FRANCO. ORTIZ. [Rubrica].

Teso.: JOSE MIERA. [Rubrica].

File No. 109.]

[Reported No. 158.

*Translation of deed from Ana Maria Romero to Ventura Romero.*

At this pueblo of San Gerónimo de Taos on the twentieth day of the month of October of this year one thousand seven hundred and ninety-five, before me, Don Antonio José Ortiz, chief alcalde and war captain of said pueblo and its jurisdiction, personally appeared Ana Maria Romero, whom I certify I know, and she stated that she gave and did give in legal sale to Ventura Romero, a resident of Las Trampas of our father Saint Francis, a piece of agricultural land which she possesses at said Trampas, and it consists of eighty-five varas, measured from east to west, for the price and sum of one hundred and seventy dollars of the currency of country, which she acknowledged as delivered to her entire satisfaction, and that if said piece of land is worth more she makes to him a gift and donation, pure, simple, and irrevocable, which the law calls *inter vivos*; and that she sells it to him free of detriment, with entrances and exits, according to and in the manner in which she possessed them; and that she conveys all her interests, right, and seigniorship that she, the said Ana Maria, had in said piece of land, and that neither now nor at any time will claim or suit be brought against him either by her or her children; and that if any one should bring it against him, let him not be heard in or out of court; and that she binds herself to defend it until she places him in quiet and peaceable possession, and she thereto binds her person and her present and future property; and she renounces all the laws that may favor her. Said lands are bounded on the north by the settlers of the Don Fernando River, at the foot of the ridge (*seja*); on the south the Picuris Mountain; on the east [x blank x], and on the west by lands of Francisca Zapata (*Sapata*); and that it is her will that this instrument be firm, stable, and valid, without it being possible to annul it for lack of any necessary condition or circumstance; but she declares them all as expressed; and in order that it may have all the force and validity required by law, she requested me to sanction it by my judicial authority, and I, said chief alcalde, stated that I sanctioned and did sanction it in so far as I am authorized by law; and in witness thereof I signed it with my two attending witnesses, with whom I act for lack of any notary, of which there is none in this kingdom; and the grantor did not sign because she stated that she did not know how. I signed it as aforesaid on said day, month, and year. To which I certify.

ANTONIO JOSÉ ORTIZ. [Scroll.]

Witness:

FRANCISCO ORTIZ. [Scroll.]

Witness:

JOSÉ MIERA. [Scroll.]

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
Santa Fé, N. Mex., March 2, 1888.

The foregoing, on two pages, is a full, true, and correct translation, to the best of my knowledge, of the original document in Spanish, on two pages, which original, designated as No. 11, is on file in this office, in the matter of private land claim, file No. 109, in the name of Cristobal de la Serna, for "Los Ranchos de Taos" tract.

WILL. M. TIPTON,  
Translator.

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
Santa Fé, N. Mex.:

I hereby certify that the signature affixed to the foregoing certificate is the genuine signature of Will. M. Tipton, who at the time of signing the same was the official translator of this office, and that all his acts as such are entitled to full faith and credit.

In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed, at the city of Santa Fé, this second day of March, A. D. 1888.

[SEAL.]

GEO. W. JULIAN,  
United States Surveyor-General for New Mexico.

File No. 109.]

[Reported No. 158.

*Testimony of witnesses.*

In the matter of the investigation of private land claim, file No. 109, in the name of Cristobal de la Serna, evidence was taken at the surveyor-general's office in Santa Fé, N.

Mex., on Thursday, March 1, 1888, there being present George W. Julian, United States surveyor-general, Don Santiago Valdes, attorney for claimants, and Will. M. Tipton, translator of the surveyor-general's office, who acted as interpreter.

JOAQUIN ANDRES GARCIA, being first duly sworn, on his oath deposes and says in answer to interrogations:

By Don SANTIAGO VALDEZ, attorney for claimants:

Q. How old are you?—A. I am eighty-seven years old, that is nearly so.

Q. Where do you live?—A. In Taos County, at a place called Arroyo Seco.

Q. How long have you been living there?—A. Since 1830.

Q. Do you know the settlement of El Rancho; if so, how long have you known it?—A. I do, and I think I have known it since the year 1810. I lived there some years.

Q. Do you know of your own knowledge to whom that ranch belonged, or have you heard your ancestors say whose land it was?—A. I can not say positively who were the first settlers, as when I was very young it was already a good-sized place. There was a man named Juan Crisóstomo, who with others, I understand, was the first settler at El Rancho, as I understand these first settlers were natives of the Pueblo of Taos. I have heard it said that the place first belonged to the Romeros.

Q. Do you know what were the north and south boundaries of said tract as recognized by the people living there?—A. I know them. The northern boundary was the Don Fernandez River; the south boundary is the Picuris Mountain.

Q. Do you know if the present settlers of the rancho are the heirs and legal successors of Cristobal de la Serna or of Diego Romero, by purchase or inheritance?—A. I don't know of whom they were purchasers; some of the people may be heirs of Serna or Romero, but the greater portion hold by purchase.

Q. What were the eastern and western boundaries of the grant?—A. The eastern boundary is a road that is known as the Spring road (camino del ojo); the western boundary is the Taos River, that joins the Río Grande.

Q. Do you know whether there is a road in the Taos Valley named the Middle road (camino de en medio), which goes to Picuris?—A. I do know there is such a road.

Q. Do you know whether that road is a boundary of any grant in the Taos Valley?—A. I don't know.

Q. Do you know whether any division was made of the lands at El Rancho; if so, to whom and when?—A. I know that partitions were made at different times to a very large number of persons, but I do not recollect the years in which they were made. The last partition was made by Don Antonio Ortiz, now deceased.

Q. Do you know what is the present north boundary of the rancho?—A. The present north boundary is the "Alto de la Cruz," the height of the cross.

Cross-examination by Surveyor-General JULIAN:

Q. You say the greater portion of the persons on the tract hold their lands by purchase. Of whom did they purchase?—A. They bought of so many people that I can't tell of whom.

Q. Do you know the people generally who are living on the tract?—A. I know some and some I don't know. There are a great many people.

Q. Do you know whether they or any of them are the heirs of Cristobal de la Serna?—A. I don't know. There are some Romero's living there that I believe are heirs, but I don't know it positively. If there are any heirs they must be very few.

JOAQUIN A. GARCIA.

Sworn to and subscribed before me this first day of March, A. D. 1888.

GEO. W. JULIAN,  
Surveyor-General.

In the matter of the investigation of private land claim, file No. 199, in the name of Cristobal de la Serna, evidence was taken at the surveyor-general's office, in Santa Fé, N. M., on Thursday, the 1st day of March, 1888, there being present George W. Julian, United States surveyor-general; Don Santiago Valdes, attorney for claimants, and Will. M. Tipton, translator of the surveyor-general's office, who acted as interpreter.

JOSÉ RAFAEL VIGIL, being duly sworn, on his oath deposes and says, in answer to interrogations:

By Don SANTIAGO VALDEZ, attorney for claimants:

Q. How old are you?—A. I am seventy-five years old.

Q. Do you know the land in Taos Valley known as the Ranchos de Taos?—A. Yes, sir.

Q. How long have you known that the said Ranchos de Taos have been settled?—A. I don't know how long they have been settled, but they were already settled at the time I first knew the place, in 1825.

Q. How many people of your own knowledge are now living there, more or less?—A. There are a great many. The number may reach two thousand, or somewhat more.

Q. What is the general occupation of the people residing in the Ranchos de Taos?—A. Farming.

Q. Do you know the boundaries of the grant at the Ranchos de Taos. If so, mention them.—A. I know some of them. The north boundary is the height of the cross (Alto de la Cruz). The eastern boundary is the foot of the mountain (el pie de la sierra). On the south the Picuris Mountain (sierra). On the west the middle road (camino de en medio).

Q. What river crosses the land you have described?—A. The Rio Grande.

Q. Is that the stream commonly called the Rio Grande del Norte?—A. No, sir; it is another stream, commonly known as the Rio Grande del Rancho.

Q. Is this Rio Grande settled and cultivated; and if so, to what extent?—A. It is settled and cultivated on both sides, but more on the north side than on the south side.

Q. Do you know in what manner the Ranchos de Taos were originally settled; if so, how do you know?—A. I know something about it. I have been informed by my grandparents that the land was originally settled by a man named Serna. This man Serna sold to one or two parties named Romero. These Romeros have been settlers there ever since, as have also been the parties to whom they sold.

Q. Are the present settlers the heirs and purchasers of the Romeros who you say bought the said land from Serna?—A. They are heirs and purchasers.

Cross-examination by the SURVEYOR-GENERAL:

Q. State whether the people on this land, numbering, you say, about two thousand, are all of them the heirs of the grantee or purchasers from them.—A. I did not mean to say there were two thousand persons on this land. I referred to the number of people in the whole valley of Taos. In relation to the Ranchos tract I have never heard of any claim under any other title than this title of Serna; and of the six hundred or seven hundred persons living on the tract I believe all are either heirs or purchasers under that title.

Q. Have the names specified in the petition of the claimants in this case been read over to you?—A. Yes, sir.

Q. About what proportion of them are you able to identify as heirs of Cristobal de la Serna, or purchasers from those heirs?—A. I think that about one-half are heirs and the other half purchasers.

Q. You state that you have never heard of any claim of title to this tract adverse to that of the claimants under the grant?—A. I never heard of any other claim of title.

Q. State whether the heirs and purchasers referred to are now living on the tract and cultivating it as their own.—A. They are.

his  
JOSÉ RAFAEL + VIGIL  
mark.

Witness:

WILL. M. TIPTON.

Sworn to and subscribed to before me this 1st day of March, A. D. 1888.

GEO. W. JULIAN,  
*Surveyor-General.*

In the matter of the investigation of private land claim, file No. 109, in the name of Cristobal de la Serna, evidence was taken at the surveyor-general's office in Santa Fé, N. Mex., on Thursday, the 1st day of March, 1888, there being present George W. Julian, United States surveyor-general, and Don Santiago Valdes, attorney for claimants.

ALEXANDER GUSDORF, being first duly sworn, on his oath deposes and says in answer to interrogatories:

By Don SANTIAGO VALDEZ, attorney for claimants:

Q. How old are you?—A. Thirty-nine years.

Q. Where are you living now?—A. At the Ranchos de Taos.

Q. When did you go there to live?—A. I have lived there a little over sixteen years; sixteen and a half.

Q. Are you acquainted with the people living now at the Ranchos de Taos?—A. Yes, sir.

Q. Please read the names on the list attached to this petition and state how many of them you know personally and where they are living.—A. I have already read the list and I know all the persons mentioned in it. They all live at the Ranchos de Taos with the exception of those beginning with Melquiades Tafoya and continuing to the end of the list—twenty in number, who do not live at Ranchos de Taos, but own land there.

Q. State how many inhabitants, more or less, are now living in the Ranchos de Taos, including men, women and children.—A. I can not say exactly how many there are, but in 1885, when I took the census, there were nearly 1,500. I suppose there are that many now, if not more.

Cross-examination by SURVEYOR-GENERAL:

Q. State whether any of these parties claim title other than under this grant?—A. They do not.

ALEXANDER GUSDORF.

Sworn and subscribed before me this 1st day of March, A. D. 1888.

GEO. W. JULIAN,  
*Surveyor-General.*

File No. 109.]

[Reported No. 158.]

*Surveyor-general's opinion.*

Private land claim known as the Cristobal de la Serna grant, for Los Ranchos de Taos tract.

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex., March 5, 1888.*

The claim in this case was filed in this office on the 17th of January, 1876, by "the heirs and legal representatives of" the grantee, but without giving their names. For some cause no further action was taken till the 13th of December, 1887, when a supplementary petition was filed setting forth the names of the heirs and legal representatives, and stating in detail the facts on which they rely in asking the confirmation of their claim.

A grant in this case was first made to the said Cristobal de la Serna on the 28th of April, in the year 1710, by the Marquis of Peñuela, then governor of New Mexico; but as the grantee did not settle on the land owing to his detention in the military service the grant, on the petition of Serna, was revalidated on the 31st of May, in the year 1715, by Don Juan Ignacio Flores Mogollon, then governor of the province. On the 15th of June of the same year Juan de la Mora Pineda, then lieutenant of the chief alcalde of the pueblo of Taos, gave juridical possession of the land; and on the 24th of November, in the year 1724, Juan Paez Hurtado, inspector-general of the province, examined and approved the grant.

The signature of Governor Mogollon, as shown by comparison with his other signatures found among the archives of this office, is evidently genuine, as is also that of the alcalde mentioned. That the grantee took possession and complied with the conditions of title required by the Spanish law in such cases is fairly to be presumed by the act of the inspector-general in approving it, in November, 1724. About this date the grantee transferred his ownership of the land to Diego Romero, as appears from a Spanish document, numbered 755, in the archives in this office. It is satisfactorily shown by other Spanish documents, referred to by numbers, that the land thenceforward became the property of said Romero and his heirs and legal representatives, and that in the year 1796 a reduction of its area on the north side was made, and the north boundary permanently fixed at a point called La Cruz Alta. The tract as bounded in the act of possession is described as being "on one side, the middle road; and on the other, the Hot Spring; and on the east, an old land-mark; and on the other the mountain." These boundaries are indefinite and uncertain, and the true boundaries, as shown by the adjustment of the north line as just stated and the oral evidence on file showing the land now actually occupied by the present claimants, are as follows: On the north the height of the cross, on the south the Picuris Mountains, on the east the foot of the mountain, and on the west the middle road. No survey of the tract has been made, but its estimated area is about twenty thousand acres.

The present claimants number more than 200, and all of them except twenty reside on and cultivate the land in the parcels claimed by each. The evidence shows that no

title adverse to that of the grant has ever been asserted or heard of, and that its claimants have had peaceable possession of it since the early part of the present century. About one-half the claimants are shown to be the heirs of the grantee, or of the said Romero, and the remainder purchasers from said heirs. The documents showing the legal transfer to these purchasers are not produced and I do not deem such production necessary to the purposes of these petitioners. They are shown to be the sole owners of the land, and each class recognizes the validity of the claim of the other, by joining in the prayer for confirmation of their titles. I recommend such confirmation by Congress, subject to the right of the United States to any mineral found in the lands, leaving its owners to adjust their respective rights according to their own wishes and convenience.

Copies in triplicate of this opinion and of the other papers in the case are forwarded as required.

GEO. W. JULIAN,  
*Surveyor-General.*

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UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, N. Mex.:*

I hereby certify that the foregoing, on fifty-three (53), is a correct transcript of the original documents from which it was made, which documents are on file in this office, in the matter of private land claim, reported No. 158, in the name of Cristobal de la Serna for "Los Ranchos de Taos" tract.

In witness whereof I have hereunto subscribed my name and caused the official seal of this office to be affixed, at the city of Santa Fé, this the first day of February, A. D. 1889.

[SEAL.]

GEO. W. JULIAN,  
*United States Surveyor-General for New Mexico.*

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