

A CERTAIN LAND CLAIM IN NEW MEXICO.

JANUARY 30, 1882.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. HAZELTON, from the Committee on Private Land Claims, submitted the following

REPORT:

[To accompany bill H. R. 3835.]

*The Committee on Private Land Claims, to whom was referred the bill (H. R. 556) to confirm a certain land grant in the Territory of New Mexico, report as follows:*

1. It appears from the evidence that has been submitted to the committee that the original grant by the Spanish Government, in 1806, to Francisco Salazar and his associates was regular and in all respects legal.
2. That the grant had definite and natural boundaries, and that the grantees were put in juridical possession according to law.
3. That the grantees and their descendants have been in the continual possession of said grant from 1806 until the present time.
4. That proceedings were commenced in 1828 by certain parties to contest the validity of this grant in a Mexican tribunal, and that in 1832 it was decided that this grant to Francisco Salazar and his associates was legal, and that the grantees were the rightful owners.
5. That at the last session of the Forty-sixth Congress the Committee on Private Land Claims, to whom was referred a bill for the confirmation of this grant, referred the whole matter to the Secretary of the Interior for information and for his opinion, to which the following reply was made, and that thereupon the committee made a report in which they unanimously recommended the passage of the bill:

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
Washington, D. C., May 20, 1880.

SIR: On the 15th instant the honorable assistant secretary referred to this office, "for information and opinion," H. R. 6075, entitled "A bill to confirm a certain land claim in the Territory of New Mexico."

This bill, which was referred to you by direction of the Committee on Private Land Claims of the House of Representatives, provides for the confirmation of the grant known as Cañon de Chama, in Rio Arriba County New Mexico, and in connection with the matter I have the honor to report as follows:

Under the eighth section of the act of July 22, 1854 (10 Stat., p. 308), a petition was filed with the surveyor-general of New Mexico for the confirmation of the title to the Cañon de Chama tract, based upon a grant of the same said to have been made August 1, 1806, to Francisco Salazar and others, by Joaquin Alencaster, then governor of the province of New Mexico.

March 1, 1808, juridical possession was given by Manuel Garcia de la Mora, chief alcalde of the town of La Canada, the boundaries being described therein, according

to the translation, as follows: "On the north the Caballa Valley, on the south the Capulin, on the east the boundary of the Martinezes, and on the west the Little White Hill (Segita Blanca)."

The testimony taken in this case shows that this grant has always been settled and occupied by the claimants, except when driven off by the Indians.

The surveyor-general, in his report of December 17, 1872, states that "the Spanish papers are certified copies of the originals made, in 1832, by Pedro Ignacio Gallego at the request of José Pablo Salazar, the originals having been very much handled [manido]; and their correctness is certified by Antonio Abad Duran, corporation secretary of Abiquiu, on the 4th of April, 1832." He concludes by approving the grant, and recommending its confirmation by Congress.

A transcript of this report, and of the accompanying title papers and testimony, were transmitted by the honorable Secretary of the Interior to the President of the Senate February 14, 1873, and are printed in Senate Ex. Doc. No. 45, Forty-second Congress, third session.

The surveyor-general of the Territory of New Mexico, whose duty it is, under the law, to examine and pass upon the validity of all private land-claims in said Territory presented to him for adjudication, having reported in favor of the grant in question, I know of no objection to its confirmation by Congress.

It is proposed by the bill (H. R. 6075) to confirm the grant according to a survey approved by Surveyor-General Atkinson September 7, 1878. This survey is on file in this office, and appears to conform substantially to the boundary named in the juridical possession. It contains an area of 472,736.95 acres, being an average of about 12,275 acres to each claimant.

I inclose a draft of a bill, prepared in this office, which I would suggest as a substitute for the bill in question.

The bill is herewith transmitted; also a tracing of the survey referred to.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,  
*Commissioner.*

Hon. C. SCHURZ,  
*Secretary of the Interior.*

DEPARTMENT OF THE INTERIOR,  
*Washington, May 22, 1886.*

SIR: House bill No. 6075, to confirm a certain land claim (Cañon de Chama) in the Territory of New Mexico, was received from your committee and referred to the Commissioner of the General Land Office.

I have the honor to transmit herewith a copy of his report on the subject, under date of the 20th instant. He expresses the opinion that the claim should be confirmed, and in this opinion I concur.

Very respectfully,

C. SCHURZ,  
*Secretary.*

Hon. J. M. GUNTER,  
*Chairman Committee on Private Land Claims,  
House of Representatives.*

The present bill differs from the one introduced in the last Congress in this: it provides that all mineral and mining rights shall be excepted.

Your committee therefore recommend the passage of the bill herewith submitted as a substitute for House bill No. 556.