

PATHFINDER

RESEARCHING NEW MEXICO LAND GRANTS

New Mexico State Records Center and Archives
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Santa Fe, NM 87507

INTRODUCTION

Land grants were made to individuals and communities during the Spanish (1598-1821) and Mexican (1821-1846) periods of New Mexico's history. Because the Pueblo Revolt of 1680 destroyed nearly all of the Spanish documents in New Mexico, we can only be certain of land grants that were made after the Spanish Reconquest of New Mexico in 1693. The two major types of land grants were private grants made to individuals, and communal grants made to groups of individuals for the purpose of establishing settlements. Communal land grants were also made to Pueblos for the lands they inhabited.

In 1846 the United States began its occupation of New Mexico, and in 1848 the Treaty of Guadalupe-Hidalgo established New Mexico as part of the United States. Article 8 of the treaty stated that "property of every kind now belonging to Mexicans now established there shall be inviolably respected." In 1854 the U.S. government established the office of the Surveyor General of New Mexico to ascertain "the origin, nature, character, and extent to all claims to lands under the laws, usages, and customs of Spain and Mexico." These duties included making recommendations to Congress concerning the validity of land grant claims. The Surveyor General considered approximately 180 claims (excluding Pueblo grants) and confirmed 46 of these non-Pueblo grants. For various reasons that are discussed in the many books about land grants, the Surveyor General was largely unsuccessful in confirming the validity of New Mexican land grants. In 1891 the U.S. government established the Court of Private Land Claims to adjudicate land grant claims in New Mexico and other states. Over its thirteen-year history the Court considered 282 claims to land grants in New Mexico and confirmed 82 of these grants.

Throughout the 20th century, legal battles over land grant claims continued in New Mexico's district courts. In the late 1990s New Mexico's congressional delegation attempted to pass federal legislation that would establish an entity to reconsider the confirmation of New Mexican land grants and the validity of decisions previously made by the Surveyor General and the Court of Private Land Claims.

The beginning of the 21st century has seen the resurgence of interest in the validity of Spanish and Mexican period land grant adjudications by the Surveyor General and the Court of Private Land Claims. The General Accounting Office has issued its first report **Treaty of Guadalupe Hidalgo: Definition and List of Community Land Grants – Exposure Draft**. This report is available as a free download in English and Spanish at www.gao.gov/.

INDEXES AT THE STATE ARCHIVES

Use these tools to find out where in the State Archives' collections you can find information on specific land grants.

-- Subject Card Catalog

This card catalog is located in the Research Room and contains a "Land Grants" section.

--New Mexico State Library Computer Catalog (www.stlib.state.nm.us)

The State Library's computer catalog contains records that describe archival collections at the State Archives as well as books and other publications at the State Library. Records within the computer catalog can be searched by general subjects such as "land grants," or more specific subjects such as "Tecolote Land Grant." The computer in the State Archives Research Room is connected to this computer catalog, but you can also search the catalog via the internet at: www.stlib.state.nm.us.

--Finding Aids for Collections at the State Archives

Finding aids are inventories that are located in the Research Room and list the contents of many collections at the State Archives. While the computer catalog records tell you which collections contain information on land grants, the finding aids for those collections give you a more detailed description of the documents within the collections that concern land grants. Finding aids can also be browsed in search of documentation on land grants.

PRIMARY SOURCES

-- Spanish Archives of New Mexico I (SANM I)

SANM I (also called "Land Records of New Mexico") is a microfilm collection that contains case files from land grant cases that were presented to the Surveyor General of New Mexico and the Court of Private Land Claims. Case files often include original Spanish documents, Spanish transcriptions, and English translations. As a result case files are typically quite large. There is an index to SANM I that lists New Mexican land grants and the microfilm rolls that contain their specific case files.

-- District Court Records

Litigation over some land grants occurred in New Mexico's district courts. Most of the district court records at the State Archives date from the territorial period (1851-1912). The subject card catalog in the Research Room will usually include references to specific district court cases that involved land grants.

-- Private Papers and other collections

Some private papers and other collections include documents with information on land grants. The subject card catalog, computer catalog, and finding aids all include references to private papers and other collections that contain information on land grants.

--Maps

The New Mexico State Archives does have maps of many land grants. Consult an archivist at the State Archives concerning maps of specific land grants.

SECONDARY SOURCES

-- Land Title Study. By White, Koch, Kelley and McCarthy, and the New Mexico State Planning Office. Published by the NM State Planning Office, 1971. Reprinted in 1981.

--Private Land Claims of the Southwest. By J.J. Bowden. Master's thesis completed at SMU, 1969. (Microfilm copy available at NM State Archives.)

--Land Grants and Law Suits in Northern New Mexico. By Malcolm Ebright. University of New Mexico Press, 1994.

--Mercedes Reales: Hispanic Land Grants of the Upper Rio Grande Region. By Victor Westphall. University of New Mexico Press, 1983.

--Land, Water, and Culture: New Perspectives on Hispanic Land Grants. Edited by Charles Briggs and John Van Ness. University of New Mexico Press, 1987.