

File 65

Translation

157 to 164

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Terr. of New Mexico
Office of Sur. Genl.
This document
is duly recorded in
Vol 2, on pages 157, 158,
159, 160, 161, 162, 163 & 164
of the Land Claim Records
in this Office

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At the ^{Villa} ~~town~~ of Nuestra Señora de la Soledad del Rio Arriba on the first of July in the year one thousand seven hundred and fifty one, before me Captain Juan Jose Lovato Chief Justice and War Captain of all this jurisdiction, appeared Captain Sebastian Martin resident of said ^{Villa} ~~town~~ and declared: That whereas he has ~~certain~~ reliable information that Don Tomas Velez Cachupin, Governor and Captain General of this Kingdom, intends, as good governments should do, to settle the place called Santo Tomas Apostol del Rio de las Trampas with twelve families consisting of the following named citizens: Juan de Arguello, Melchor Rodriguez, Antonio Dominguez, Pedro Felipe Rodriguez, Eusebio de Leyva, Luis de Leyva, Juan Jose de Arguello, Juan Garcia, Salvador Baca, Ygnacio Vargas, Vicente Lucero and Jose de Aragon, and considering that said settlement will redound to the service of His Majesty (Whom may God preserve) and to the public weal, he grants, donates and conveys, according to law, to the above mentioned citizens a piece of land from his possession which adjoins said settlement in order that it may have sufficient land for cultivation on both sides of the Trampas River. ~~that~~ From the Peñasco del Cañoncito to the main road said piece of land, on being measured, contains one thousand six hundred and forty varas and in proportion the proper amount of land in a direct line from ~~North to~~ South to North, ^{use, and cultivate it} they shall ~~to~~ have ~~the same~~ for themselves, their children heirs and successors, and barter sell or dispose of the same for which purpose he assigns and transfers to the aforesaid citizens all the royal and personal title he had to said lands, gran-

ting the same to them free of all tax, tribute,
 mortgage or other encumbrance for which
 neither himself, his children, heirs or successors
 will ~~see~~ enter suit dispute or complaint
 against them, and if ~~they~~^{he} should do so he
 requests not to be heard in Court or out of Court
 as said land is donated freely and voluntar-
 ily for the just ends above expressed and for
 which he resigns his own rights residence and vecin-
 ty under the law "cit com benedit," and the general
 law in reference to the matter, acknowledging this
 deed to be good and (valid) any want of form
 to the contrary notwithstanding and for its
 greater force and validity he Requested me,
 the aforesaid Senior Justice to interpose my
 judicial decree which I certify to have interposed
 acting as appointed Judge with two attending
 witnesses in the absence of public or Royal notaries
 within the limits provided by law. Said conveyer
 did not sign this document as he has an imped-
 ment in his sight and it is ~~etc~~ executed at the
 aforementioned ^{stated} ^{Villa} town on this day and date above
 mentioned to all of which I certify

Este - duplicate - valid

(signed) Juan José Lovato
 acting Judge

attending
 (signed) Juan Domingo Lovato

In the ^{Villa} City of Santa Fe on the fifteenth day of the month of July in the year one thousand seven hundred and fifty one Person Thomas Velez Castropin, Governor of this Kingdom of New Mexico and ~~Castellan~~^{warden} of its Royal Garrison, stated: That whereas in the general visit made by me, in conformity with Royal orders, throughout the entire extent of this Kingdom, as will appear by reference to several decrees, it appears that the inhabitants of this said city have increased to a great extent, many of whom are yet of a youthful age, consequently there is ~~not~~^{not} land or water sufficient for their support, neither have they any other occupation or trades or means of traffic excepting Agriculture and the raising of stock, and whereas in the Kings domains which are uncultivated there are lands which up to this time are uncultivated and which ~~promise a return~~ will yield comforts to those who cultivate them and whereas such persons ^{as shall be named} in this town who have no occupation or employment can settle upon and cultivate such lands as shall be assigned to them, from which the further benefit will result that the hostile Indians will not travel over them, and will serve as a barrier against their entrance to despoil the interior settlements, In view of all which and where as one of the ^{said} sites is called Santo Thomas Apostol del Rio de las Orampas situate in the vicinity of the settlement of Santa Barbara, therefore I hereby assign and ~~divide~~^{distribute} said site in the manner and to the persons following —

To Juan de Arquello one hundred and eighty varas of wheat growing land, with corresponding water, pastures and watering places, entrances and exits, without injury to third parties.

To Melchor Rodriguez the same hundred and eighty varas as the foregoing

To Antonio Dominguez the same amount and number of varas as the preceding one

To Pedro Felipe Rodriguez the same one hundred and eighty varas without variation

To Eusebio de Leyva is assigned the same amount of land under the same conditions

To Luis de Leyva is placed on an Equality with the others in lands and measurements.

To Juan Jose de Arguello is assigned the same quantity with the conditions above prescribed

To Juan Garcia is assigned the same amount of one hundred and eighty varas

To Salvador Vaca a like grant ^{of land} is made with the measurements and conditions above mentioned

To Ygnacio Vargas in the same manner ^{are} assigned one hundred and eighty varas of land

To Vicente Lucero will be given the same amount in conformity with the above.

To Joseph de Aragon who is the last of the twelve heads of families, the same amount of land in conformity with the conditions imposed on ~~the remainder~~ the balance above described.

To whom for the reasons above stated, I grant in the name of His Majesty (whom may God preserve) two thousand one hundred and sixty varas of arable land all of which are wheat growing and under irrigation in the Cañon and streams of the Trampas river which runs from East to West, for themselves their children, Successors and other legal (sons)

to have, cultivate and reap the benefits of its
 fruits crops and other profits without in-
 jury to third parties, and considering that this
 quantity of wheat growing land will not be
 sufficient on account of the increase of these
 families and as in the canon or place where
 they are to settle, from east to west there are
 no other lands under irrigation that they can
 use, and whereas there are two canons called
 de los Alamos and Op Sarco south of the Trun-
 pas river which although not susceptible of irri-
 gation, are ^{most} fertile, ~~and~~ and of good quality, I
 also grant them to the above mentioned persons, to
 be equally divided between them in the same man-
 ner as the two thousand one hundred and sixty
 varas, assigning them as boundaries, a narrows
 made by the river, ~~adjoining~~ where it joins the
 mountains, on the north, East; On the west, the
 narrows (Angostura) of the river to where the grant made
 to Sebastian Martin terminates, and, drawing
 a straight line from the Angostura towards the
 south to the summit of the Cañado del Op
 Sarco; on the north, the boundary of the Pueblo
 of Picuris. And on condition that they ~~will~~
 shall not sell, transfer or convey or in other
 manner dispose of all or a portion of said
 lands, until the expiration of the four years pro-
 vided by law, and not even then to ecclesiastics
 convents, colleges or other communities, And the
~~chief justice~~ Juan Joseph Lovato the Chief Justice
 of the town of Canada will give the royal and
 personal possession to all in common and to
 each one in particular of their respective tracts
 and for that purpose and the other purposes here
 in mentioned and concerning the authentic
 documents thereunto appertaining he is ~~here~~
 here by commissioned as the law requires, and after

Royal Ordinances Joseph Zamora, Manuel Martin and Juan Bresqui being present and acting as instrumental witnesses, having been summoned by me for that purpose; the distribution center and boundaries being as follows (For) the residences and dwellings of the twelve families fifty seven and one half varas were set aside towards (the four points of the compass) leaving for droppings, enclosures, stables and other objects of that nature (the following fifteen lines ^{in the original} are so much torn that as to be unintelligible) sixty one varas in equal parts from the mouth of the little cañon, and continuing the measurement on the southern side one hundred and eighty varas belong to Grande Arquello, = one hundred and eighty varas to Cusebis de Seyba = to Vicente Lucero another hundred and eighty varas of land = to Juan Garcia a like one hundred and eighty varas of land = to Jose Aragon another hundred and eighty varas of land = ~~to~~ Juan Joseph Arquello also received one hundred and eighty varas of land = To Melchior Rodriguez the same one hundred and eighty varas of land = To Pedro Thelipe Rodriguez another one hundred and eighty varas of land = To Salvador Baca, in consequence of the arable land having become narrower as it entered the cañon, were assigned two hundred varas of land, and considering that a gulch in the center of the fields presents (torn) the same amount of one hundred and eighty varas which is (torn) received in possession, establishing the boundaries in direct lines (the remaining portion of the original document with the exception of the last four lines is ~~an~~ torn in half and illegible) in the absence of a Royal or Public Notary, and it is done at

File 65-

Decisions

Decision

File 65

165-166

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Dep. of New Mexico

Office of Sur. Genl

This document is duly
recorded in Vol 2 on pages
165 & 166 of the Land Claim
Records in this Office

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Town of Las Trampas.

The ^{us} United States.

This case was set for trial on the 21st July 1859.

The parties claim a perfect title to the land embraced within the limits set forth ~~in the grant therein~~, by virtue of a ~~donation~~ ^{grant made} to twelve families residing at Santa Fe, by Governor Thomas Velez Caballero on the 17th day of the month of July in the year 1751. and also a donation of 1620 varas made to the same persons by Sebastian Martin being a portion of a grant made to him by the Royal authorities in 1712.

It has been proven in evidence that the town has been in existence for a number of years and is in existence at the present time.

The papers acted upon are the original grant and subsequent proceedings had thereon, which was ~~found~~ ^{selected from} the archives of the Territory and ~~is~~ ^{are} on ~~record~~ ^{file} in this office.

The town having been in existence from the time the grant was made and the grant having been made according to law, the claim is confirmed to the legal representatives of the original grantees. It is ordered to be transmitted to Congress for its action in the premises.

Surveyor General's Office
Santa Fe New Mexico
August 1st 1859

Wm Pelham
Surveyor General