

Land Grants Challenged

Land grants created additional problems and violence in New Mexico. The Treaty of Guadalupe Hidalgo had promised that the United States would honor all land grants awarded to New Mexicans during the Spanish and Mexican eras. By 1850, there were about 270 land grants in New Mexico, covering approximately 15 million square miles. Despite the treaty's promise, many land grants were challenged and lost by the late 1800s.

Part of the problem was that many of the Spanish and Mexican land grants had been granted to whole communities. Individuals in these communities were each given a piece of land to farm and use for their own purposes. The whole community then shared any remaining land. Community land was used for grazing livestock, gathering firewood, and hunting game. The right to use the water on the land grant was also shared by all, including the right to use the acequia system. These concepts of shared land ownership and shared resources use were uncommon in American law and hard to defend in American courts.

Boundary Disputes

Land grant boundaries caused other problems. Boundaries made during the Spanish or Mexican periods were often unclear. A land grant could be bordered by a mountain, a river, or some other natural feature. Did this mean that the land grant included the entire mountain, or just to its peak? What about rivers? Over time, rivers changed course. Did this mean that a land grant gained or lost land because the river flowed in a new course after many years?

Land grants were also difficult to defend in U.S. courts because land grant documents were often lost or destroyed over several centuries. In one case, a new U.S. territorial governor accidentally destroyed many land grant documents when he ordered that a room in the capitol be cleaned out. Some of the documents were recovered, but many were lost forever.

The Role of Lawyers

Finally, much land was lost when land grant owners hired Anglo lawyers to defend their land in American courts. Many land grant owners were so poor that they did not have money to pay the lawyers' high costs. Lacking cash, the landowners often paid with the only valuable item they had—parts or all of their land. Lawyers acquired thousands of acres of land. Thomas B. Catron, a land grant lawyer and the suspected leader of the Santa Fe Ring, became the largest landowner in the entire United States. With all these problems, Hispanic land grant owners lost much of their land and resources. It is estimated that two-thirds of all land that had been granted

in the Spanish and Mexican eras had been lost in one way or another by 1900.

Trouble in Las Vegas

Many of these land grant problems affected the town of Las Vegas by the late 1800s. Once the railroad reached Las Vegas, newcomers began arriving in large numbers. Many of the new settlers purchased land that had been part of the Las Vegas community grant. The new owners put up fences to mark the boundaries of their land and prevent trespassing. Hispanic settlers were cut off from the community land and resources they had used for generations.

Las Gorras Blancas

Many Hispanic farmers organized to resist the invasion of their lands by "land grabbing" newcomers and the Santa Fe Railroad. Called Las Gorras Blancas, or White Caps, as many as 300 members rode at night, often cutting barbed-wire fences, burning barns, and destroying railroad tracks and bridges. The riders wore white caps to hide their identity and avoid arrest for the damage they caused from 1889 to 1891. In 1890, Las Gorras Blancas published a statement in the *Las Vegas Daily Optic* that read in part:

"Our purpose is to protect the rights and interests of the people in general; especially those of the helpless classes. We want the Las Vegas Grant settled to the benefit of all concerned, and this we hold is the entire community within the grant. We want no 'land grabbers' or obstructionists of any sort to interfere. We will watch them. . . . Be fair and just as we are with you, do otherwise and take the consequences."

—*The White Caps, 1,500 Strong and Growing Daily*

The Maxwell Land Grant

The most disputed land grant in New Mexico involved the Maxwell Land Grant in northern New Mexico and southern Colorado. The grant was originally made during the Mexican period to two wealthy citizens of Taos, Carlos Beaubien and Guadalupe Miranda. Through marriage, the 97,000-acre grant became the property of Lucien Bonaparte Maxwell. Over many years, Maxwell purchased more land. By 1870, his grant had increased in size to include nearly 1.8 million acres, making Maxwell the largest landowner in the United States at that time.

Maxwell worked hard to develop and settle the land. Much of the land was fertile, the climate was excellent, and there was water available in much of the area. The land became even more inviting when gold was discovered there in 1866.

Thousands of people flocked to the area. Maxwell made a lot of money renting or selling land to miners, farmers, ranchers, and other settlers. Whole towns, such

as Elizabethtown and Cimarron, grew almost overnight. In 1870, Maxwell decided to sell the majority of his grant to a group of investors. The new owners created the Maxwell Land Grant Company. This is when the problems began. Although Maxwell rented or sold land to settlers, other people lived on the land as squatters. A **squatter** is a person who settles on unoccupied land without legally purchasing or renting it. The new owners hoped to develop, rent, or sell the land. As a result, they began to pressure many settlers and all squatters to move. The situation quickly turned ugly, resulting in what became known as the Colfax County War.

Colfax County War

The Colfax County War was somewhat similar to the Lincoln County War. Although the struggle was between the Maxwell Land Grant Company and the local settlers, members of the Santa Fe Ring played an important role as allies of the company. The violence began in 1875 with the murder of Franklin J. Tolby, a Methodist minister who had spoken out against the company. The violence spread, especially with the involvement of gunslingers like Clay Allison.

The war only ended when the U.S. Supreme Court ruled in favor of the Maxwell Land Grant Company in 1887. By 1900, most of the settlers who had opposed the company had been forced to leave the land and seek their fortunes elsewhere. As in Lincoln County and Las Vegas, violence had caused only injury and suffering rather than positive results.

Read & Respond:

1. Approximately how much of the land granted to Hispanic land owners during the Spanish and Mexican eras was lost by 1900?
2. Name and describe three ways communities used shared land that had been granted during the Spanish and Mexican eras.
3. Describe land grant boundary disputes and how they led to trouble in Las Vegas.
4. Explain why thousands of people flocked to the Maxwell Land Grant in the late 1800s.
5. Discuss the conflict between new settlers on the Las Vegas community grant and the Hispanic settlers who had been there for generations.

Below is a transcript of a land grant transferred from Joaquin Garcia to Gregorio Quintana in 1808. Read the translation and answer the questions.

"In this position in Santa Rosa de Aviquiv, the fourth day of the month of June of the year One thousand eight hundred and eight, before me Juan Antonio Barela a politician and member of the Military forces

appeared Joaquin Garcia and Gregorio Quintana. Mr. Garcia will segregate a piece of land located near the river, bordering north and west with the Canyon and to the east with land owned by Jose Antonio Salas, and to the north of the river land owned by the Martinez, said land was purchased by Gregorio Quintana for the price of four cows having recently brought forth offspring, four ox, twenty five (2.8 ft) of cloth and a mule. Mr. Garcia is satisfied with the payment and if the land is worth more than he was paid, he will relinquish all rights in his favor. Mr. Quintana is free to sell exchange, alienate the property as he sees fit."

Document Analysis:

1. Describe the piece of land being transferred.
2. What payment did Mr. Garcia receive for the land?
3. Why might the location of the land be difficult to pinpoint on a map?
4. What can you conclude about why land grants were often challenged?

ARTICLE X

(U.S. Senate erased this when it ratified the treaty)

All grants of land made by the Mexican government or by the competent authorities, in territories previously appertaining to Mexico, and remaining for the future within the limits of the United States, shall be respected as valid, to the same extent that the same grants would be valid, to the said territories had remained within the limits of Mexico. But the grantees of lands in Texas, put in possession thereof, who, by reason of the circumstances of the country since the beginning of the troubles between Texas and the Mexican Government, may have been prevented from fulfilling all the conditions of their grants, shall be under the obligation to fulfill the said conditions within the periods limited in the same respectively; such periods to be now counted from the date of the exchange of ratification's of this Treaty: in default of which the said grants shall not be obligatory upon the State of Texas, in virtue of the stipulations contained in this Article.

The foregoing stipulation in regard to grantees of land in Texas, is extended to all grantees of land in the territories aforesaid, elsewhere than in Texas, put in possession under such grants; and, in default of the fulfillment of the conditions of any such grant, within the new period, which, as is above stipulated, begins with the day of the exchange of ratification's of this treaty, the same shall be null and void.